

FINDINGS AND RECOMMENDATIONS
BALD MOUNTAIN LODGE PLANNED UNIT DEVELOPMENT
CITY OF KETCHUM PLANNING AND ZONING COMMISSION
SPECIAL PUBLIC HEARINGS OF DECEMBER 2 AND 3, 2009

GENERAL INFORMATION

PROJECT: Bald Mountain Lodge
FILE NUMBER: 07-015
OWNER: Bald Mountain Lodge LLC, verified with Assessor June 10, 2009
Michael Kerby, Managing Member
Jim Garrison, Project Manager
Architect: Gary Wakatsuki, Callison Architecture
Operator: Tim Estes, Rock Resorts International, LLC
REQUEST: Conditional Use Permit for a Planned Unit Development (PUD)
LOCATION: Amended Lot 1A, Block 20 (151 South Main Street)
ZONING: Community Core (CC)
REVIEWER: Mark Goodman, Associate Planner
Lisa Horowitz, Community and Economic Development Director
Lisa Enourato, Planning Technician
NOTE: Staff comments are in lighter type.

NOTICE:

- All property owners within 600 feet of subject property were mailed by Friday, November 13, 2009, a notice of the public hearing to be held on December 2 and 3, 2009;
 - The public hearing notice was advertised in Idaho Mountain Express on Wednesday, November 11, 2009;
 - Two display ads were published over two consecutive weeks prior to the hearing, and
 - The public hearing notice was posted on the subject property on Wednesday, November 25, 2009.
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ATTACHMENTS AT THE DECEMBER 2-3, 2009 PUBLIC HEARINGS:

Attachment 1 - Department Head and Agency comments
Attachment 2 – Application Submittal (Includes PUD application and cover letters)
Attachment 3 – Waiver Request Letter from Applicant
Attachment 4 - Traffic Impact Analysis
Attachment 5 - Comprehensive Plan Analysis
Attachment 6 - Staff Analysis of Gateway Area Mass & Scale Study
Attachment 7 – Downtown MP Analysis
Attachment 8 – Permitted and Conditional Uses in the CC and T Zoning Districts
Attachment 9 – Public Comment

Applicant Submittal dated September 22, 2009 and supplemented by letter dated September 30, 2009, includes the following (Note that drawings do not reflect actual sidewalk design. Drawings will be updated as part of design review):

Landscape Plans

L1.0 – Site Plan and Sections

L1.1 – Site Lighting

L1.2 – Site Planting

L1.3 – Site Furnishings

Architectural

Building Height Diagrams

Cover Page with perspective

A1.01 – Vicinity Map and Area Summary

A1.02 – Site Plan

A1.03 – Parking Level P2 - Plan

A1.04 – Parking Level P1 - Plan

A1.05 – Ground Level Plan

A1.06 – Level 2 Hotel

A1.07 – Level 3 Hotel

A1.08 – Level 4 Plan - Residential

A1.09 – Level 5 Plan - Residential

A1.10 – Roof Plan

A2.01 – Building Sections

A2.02 - Building Elevations

A2.03 - Building Elevations

A3.01 – Aerial View

A3.02 – Aerial View

A3.03 – Approach from Main Street

A3.04 – Main Street Looking North

A3.05 – Main Street Looking South

A3.06 – River Street Looking West

A3.07 – First Street Looking East

A3.08 – Washington Ave Looking South

A3.09 – River and Washington Aerial View

A3.10 – Northwest Aerial View

A4.01 – Snowmelt Plan

A4.02 – Signage Plan

Civil

Topographic Survey dated 12/12/06

Bald Mountain Lodge Large Block Plat dated October 2006

C1 – Preliminary civil plan (will be updated based on final sidewalk design)

C2 – Civil details

SUPPLEMENTAL MATERIALS TO PUD FINDINGS AND RECOMMENDATIONS:

- a) Area Summary provided at 12/3/09 Public Hearing (Gross Square Footages)
- b) Sidewalk design schematic provided at 12/3/09 Public Hearing
- c) Traffic Impact Analysis by Galena Engineering, dated April 2008
- d) Power point presentation by Gary Wakatsuki, project architect from the December 2 and 3, 2009 public hearing

SUMMARY

COMP PLAN LAND USE DESIGNATION:

Current: Community Core
Proposed: No change proposed.

ZONING: Community Core

LOT SIZE: 48,351 sf

PROJECT TOTAL SQUARE FOOTAGE: 231,400 sf (including sub-grade garage)

OVERLAY: None

NOTE: Staff comments are in lighter type.

BACKGROUND

1. PLANNED UNIT DEVELOPMENT BACKGROUND:

The Commission reviewed the seventeen evaluation standards found in the City's Planned Unit Development (PUD) Ordinance, Chapter 16.08.080, Ketchum Subdivision Ordinance. The Planning and Zoning Commission is a recommending body to the City Council for PUD's. The PUD Ordinance permits the following:

“Modification or waiver from certain standard zoning and subdivision requirements may be permitted subject to such conditions, limitations and/or additional development standards pursuant to Section 13 of this Ordinance as the City Council may prescribe to mitigate adverse impact of the proposal, or to further the land use policies of the City, or to ensure that the benefits derived from the project justify a departure from such regulations.”

The PUD Ordinance states that waivers may be granted by the Council on a case-by-case basis. Application for waivers or deferrals must be in writing and submitted as part of the PUD application. The PUD Ordinance requires that:

“Such application for waiver or deferral must state with particularity the matters on which the applicant seeks waiver or deferral and the waiver or deferral would not be detrimental to the public welfare, health and safety nor injurious to property owners in the immediate area.”

Several Waivers have been requested by the applicant. See Item 8 below for a detailed table of the waiver requests.

2. STANDARDS OF REVIEW:

The Planned Unit Development Ordinance, Chapter 16.08.080 establishes seventeen (17) standards of evaluation. The Planning and Zoning Staff analyzed the BML PUD application dated September 22, 2009, as well as other supplemental documents, in relation to the City’s land use policies and ordinances, the 2001 Comprehensive Plan, 2006 Downtown Master Plan and 2008 Gateway Study (Winter & Associates) in preparing its report for the public hearing conducted December 2-3, 2009.

In addition to the foregoing, the Commission relied upon the applicant’s presentation and, questioning during the public hearings, citizen testimony, and staff comments in concluding deliberations relative the findings and recommendations contained herein.

3. PROCESS:

Timelines established by the PUD Ordinance are as follows:

	<u>Permitted</u>	<u>Actual Date</u>
Application (Dated 9-22-09)		Sep 23, 2009
Application Certified as Complete	30 days	Oct 1, 2009
Application Deficiencies cured	30 days	
Agency/Departmental Review	30 days	Oct 7 – Nov 6, 2009
Commission Review	60 days *	Dec 2-3, 2009
Findings and Recommendations	N/A	Dec 21, 2009
City Council Review	January 2010 (120 days)	

*Note: Pre-Application design review hearings April 23, 2009 and July 13, 2009. Date of PUD first public hearing Dec 2, 2009.

4. CONDITIONS OF APPROVAL:

The PUD Ordinance outlines a list of conditions which may be imposed by the Council to mitigate adverse impact of the proposal, or to further the land use policies of the City, or to ensure that the benefits derived from the project justify a departure from standard regulations. Conditions are not limited to those itemized in the PUD Ordinance. Only the City

Council is empowered to grant modifications or waivers from standard zoning and subdivision requirements.

5. BALD MOUNTAIN LODGE PUD OVERVIEW AND SQUARE FOOTAGE BREAKDOWN:

The proposed project is described by the applicant as a four-star hotel. The proposal contains the following “hotel” components: 82 guest suites, 5 Lock-out units, reception and lobby area, full service restaurant and bar, day spa, hotel-related retail space, conference/ballroom facilities, outdoor terrace and swimming pool, activities center and underground parking garage. The proposed conference capacity is 250-275. The conference center, day spa, restaurant and bar will be open to the general public as well as hotel guest. The 4th & 5th floors of the development will house twenty six (26) residential condominium units. Lock-Off units are currently shown on the 4th floor. The following table is a summary of the project’s area square footages by level/floor:

Table 1: Bald Mountain Lodge Square Footage

Square Footage Summary

Lot Size	219 ft x 219 ft	48,351 sf
Parking Level 2(P-2)	Underground parking/ BOH/Hotel Support Services	48,300 sf
Parking Level 1(P-1)	Underground parking/BOH/ Spa/Ballroom	48,300 sf
First Floor	Retail/Lobbies/Spa/Activity Center	28,700 sf
Second Floor	Hotel Guest Rooms	29,500 sf
Third Floor	Hotel Guest Rooms	29,500 sf
Fourth Floor	Lock Off Hotel Rooms (3,210 sf) Residential Condominiums	24,800 sf
Fifth Floor	Residential condominiums Hotel Related Area (731 sf)	22,300 sf
TOTAL BUILDING AREA		231,400 sf
TOTAL SUB GRADE/PARKING AREA		96,600 sf
TOTAL GROSS FLOOR AREA ABOVE GRADE		134,800 sf

Table 2. Detailed Square Footage and Use Breakdown by Level:

P2 (below grade)

USE	SQUARE FOOTAGE
Hotel Related	17,129
Parking (51 stalls)	31,171
Total	48,300

P1 (below grade)

USE	SQUARE FOOTAGE
Spa	3,621
Ballroom	2,420
Pre-function	2,407
Back of House	4,528
Multi-Use	1,388
Conference	609
Bathrooms	636
Courtyard – 2,916 sf	(Not included in total)
Mechanical	773
Total Hotel Use	16,640
Parking(65 stalls)	31,660
Total	48300

*96,600 square feet below grade square footage (P1 + P2);

Level 1 (ground)

USE	SQUARE FOOTAGE
Retail	2,614
Restaurant	7,006
Café	735
Activity Room	4,726
Spa	1,885
Fitness	819
Lockers	432
Office	217
Great Room	5,660
Bathrooms	611
Loading	2,530
Circulation	1,427
Total	28,700

*Outdoor Level 1 Pool/Deck area: +/- 5,500 sq.ft.

Level 2

USE	SQUARE FOOTAGE
Hotel (41 keys)	29,500
Total	29,500

Level 3

USE	SQUARE FOOTAGE
Hotel (41 keys)	29,500
Total	29,500

*59,000 gross square footage for hotel use (L2 + L3) and 82 total hot beds/keys

Level 4

USE	SQUARE FOOTAGE
Residential (18 units)	21,590
Hotel Uses (lock off units and support)	3,210
Total	24,800

Level 5

USE	SQUARE FOOTAGE
Residential (8 units)	21,590
Hotel Support	710
Total	22,300

Floor Area Summary:

Existing: None
Proposed: 231,400 (including sub-grade garage)
168,389 (Gross Floor Area with sub-grade hotel uses)

Lot Area: 48,351 sf

Floor Area Ratio:

Permitted: Community Core regulations do not limit FAR's for 4 and 5 story hotels
Proposed: 2.8

6. HOTEL DEFINITION

Ketchum's hotel "matrix" for Bald Mountain Lodge is shown below:

Table 3: BALD MOUNTAIN LODGE MATRIX/HOTEL DEFINITION

HOTEL CONFIGURATION	BML
Guest Rooms	82
Sq Ft	59,000
Dedicated Units –Lock-Out Units	+ 5
Sq Ft	2,500
Hotel Key Count	±87
BOH/Lobbies/Hotel Related Uses SqFt (P1,P2,Level 1, Level 4)	63,889
TTL "Hotel" sqft (per definition)	125,389
Permitted "Non-Hotel" sqft (75%)	41,796
Proposed Residential Units (4th & 5th Floors)	26
Sq Ft	43,890
TTL Bldg Sq Ft (includes sub-grade hotel-uses)	168,539
Pct of Building Area defined as "Hotel"	74.4 %
Residential sqft over allowable per definition	2,094

Table 4: HOTEL DEFINITION

COMPONENT	4/23/09	7/13/09	12/2-3/09
Total Gross Floor Area			168,539
Hotel Floor Area	122,031	126,931	125,389
% of Building Floor Area	71%	73.5%	74.4%
Residential Floor Area	50,005	45,608	43,890
% of Building Floor Area	29%	26.5%	25.6%

**Revised Hotel Numbers based on Attachment A – Revised Area Summary.*

Supplemental Analysis: Applicant agreed at the December 3, 2009 Public Hearing that the project would comply with Ketchum's "hotel" definition by adjusting/increasing the final lock-

off unit configuration. Note that included in the above “hotel” definition calculation is a hotel-support area on the 5th floor. Such an allowance is permitted provided non-hotel (residential units) square footage is dedicated/included within the nightly rental pool of units as allowed within Ketchum’s Hotel Definition.

The Commission accepted applicant’s proposal and recommends that Council insert an enforceable condition within the development agreement.

7. WAIVER REQUESTS WITH COMMISSION RECOMMENDATIONS:

Modifications or waivers from certain standard zoning and subdivision requirements are permitted within the PUD process. The following table sets forth the applicant’s request and the corresponding recommendations of the Commission.

Table 5: Waiver Requests, Bald Mountain Lodge

Code Section Zoning Ord.	Requirement	Waiver Requested	PZ Recommendation
Subdivision Ordinance: 16.08.080(A)(1)	Minimum lot size of three acres	Lot is 0.92 acres	Approve: Unanimous
Conditional Use Permits: 17.116.080	12 month Term of CUP Approval	5 Years Requested	4 Years Recommended: Unanimous
Community Core: 17.64.010.L: Use Specifications	G. Private outdoor space: All residential uses shall have a private outdoor space (such as a deck, balcony, or private porch). The area of each private outdoor space shall be at least 50 square feet, with no dimension less than 6 feet.	On 4 th and 5 th floor residential units, decks have dimensions less than 6 ft	Approve: Unanimous
Community Core: 17.64.010.L: Site Specifications	D. Building zone: 60 to 100 percent of this area shall be occupied by 1 or more buildings. 1. The minimum building depth shall be 50 feet as measured from the front and rear property line, except a portion of the building may be built anywhere within 30 feet of the front property line.	Rear Building Zone along Washington Avenue – 36% of this zone is building; 60% is required *not including outdoor terrace area as building	Approve: Unanimous
Community Core: 17.64.010.L: Mass and Height Specifications	D.2. On streets and avenues the fourth floor and fifth floor shall be set back from the property line a minimum of 10 feet with an average of 15 feet. The average setback shall be calculated based on the built portion of the fourth and fifth floor facades and shall be calculated for each street or avenue elevation; the calculation of the average setback is not cumulative. In addition to the minimum and average setback requirement from the property line, the fourth and fifth floors shall be set back a minimum of 5 feet from the wall of the third floor.	4 th and 5 th floors do not meet 10 ft minimum setback from avenues and streets. Average setback of 15 ft has not been verified. 4 th and 5 th floors are setback from third floor minimum of 5 ft and meet this portion of the requirement.	Approve: 4 votes for approval, 1 vote against -Also subject to Design Review Approval -Dissenting vote because of Gateway Massing Study; overhangs of roof and relationship to property line and floor plates not setback because of decks
Community Core: 17.64.010.L: Façade Elements	A. Awnings/marquees may project 3 feet to 6 feet from the facade. At major pedestrian entrances to the hotel, marquees may extend between 6 feet and up to $\frac{2}{3}$ the distance between the front facade and the curb line of the sidewalk. Supporting posts are permitted at these entrances.	Marquees extend 7.5 to 12 feet from all four building facades at multiple locations. Only main entrances to the hotel may extend beyond 6 feet.	Approve: Unanimous
Community Core: 17.64.010.L: Mass and Height Specifications	B. Upper floor ceiling heights: 8 feet minimum and up to 80 percent of the height of first floor ceiling.	5 th floor ceiling height exceeds 80% of the height of the first floor ceiling height	Approve: Unanimous

ZONING CODE REQUIREMENTS

17.64 COMMUNITY CORE ZONING DISTRICT

PROPOSED BUILDING OFFSETS: See site plans and floor plans

REQUIRED SETBACKS: None

BUILDING HEIGHT:

Proposed: 68 ft (see updated height analysis plan)

Permitted: 68 ft

Additional Analysis: The height shall be measure from the average elevation of Main Street and average elevation of Washington Avenue. The applicant indicated that the height limit will be met. The average elevations have been set at:

Main St Average Elevation: 5832.7

Washington Ave Average Elevation 5929

CURB CUT:

Main Street: 16 ft

First Street: 22 ft

River Street: 22 ft

PARKING SPACES:

Proposed: 125 spaces (with on street Credit)

Required: 114 spaces

Required parking spaces are pursuant to 17.64.010.E. See table below:

Table 6: Required Parking, Hotel Ketchum

Parking Requirements:

Commercial Space: 13,120 sf 2 per 1,000 sq. ft. = 26 spaces

Residential: 35,100 sf 1 per 1,500 sq. ft. = 23 spaces

Hotel: 87 units .75 per Room = 65 spaces

Total Spaces Required: 114 spaces

Proposed:

Garage: 116 spaces **On Street Credit:** 9 spaces

Total Spaces Proposed: 125 spaces

Surface Parking:

Existing: 32 **Proposed:** estimated on-street parking loss of 16 (±10)

* Note: Sidewalk plan and surface parking configuration TBD with City Engineer. A net loss of surface parking spaces is anticipated. Project is credited with additional 9 surface parking spaces for determining parking compliance. Applicant does not need the on-street parking credit to comply with the ordinance.

17.64.010.I Hotel Uses

I. Hotel Uses:

1. Transfer Of Development Rights: Hotels may build a fourth floor anywhere in designated receiving areas, as may be adopted by the city council, without purchase of transfer of development rights. If a site meets the criteria for five-story hotel site designation, the fifth floor may be built without the purchase of transfer of development rights. Five-story hotels may only be approved via a planned unit development (PUD) as outlined in chapter 16.08 of this code. However, with the exception of limited architectural elements, hotel projects may not request waivers to the height and bulk requirements of subsection L1f of this section, building type 6 hotel.

Commission Recommendation: The proposed hotel is five stories in height and within Sub-District A of the Community Core Zoning District. The site meets the criteria for a Five-Story Hotel Site Designation. The applicant has applied for both a CUP PUD and Design Review Approval. No exceptions to the current height limit for a five story hotel are proposed.

a. Five-Story Hotel Site Designation Criteria: A property shall meet all of the following criteria to be designated as a five-story hotel site:

Commission Recommendation:

- (1) Is located in Subdistrict A, retail core. Yes**
- (2) Is highly visible to visitors. Yes**
- (3) Is convenient to walk to retail center. Yes**
- (4) Is near the center town plaza, Main Street and Sun Valley Road. Yes**
- (5) Contributes to the retail vibrancy. Yes**
- (6) Is not located on Main Street between First Street and Sixth Street. Yes**
- (7) Has a minimum lot area of thirty three thousand (33,000) square feet. Yes**
- (8) Respects the general parameters of any massing studies which may be applicable in the area. Yes – See Massing Study Analysis**

2. Designated Sending Areas Restricted: Without exception, hotels cannot build fourth or fifth floors in designated sending areas, as may be adopted by the city council.

Commission Recommendation: The proposed hotel project and property is not a designated sending area.

3. Employee Housing: Hotel developments are required to mitigate employee housing impacts at a ratio of twenty five percent (25%) of the total number of employees calculated by the following formula: One employee per hotel room or bedroom. A development agreement or other similar tool shall be utilized to outline employee housing commitments.

Commission Recommendation: The applicant has not submitted an Employee Housing Plan at this time but in public testimony agreed to address this issue through the development agreement. For the hotel rooms proposed, a minimum 22 employees must be housed. A development agreement is being drafted. The employee housing requirement may be addressed through this agreement. The applicant should be required to meet this housing requirement prior to building permit approval.

4. Employee Housing Plan: The applicant shall provide an employee housing plan which outlines the number of employees, income categories and other pertinent data. The employee housing plan shall be the basis of the applicant's proposal for the mix of employee housing which addresses the range of employees needed to serve the hotel.

Commission Recommendation: No detailed employee housing plan has been submitted. Included with this staff report is a letter from the BCHA (Attachment 1: Department and Agency Comments) suggesting developing a timeline for submittal of a plan. Commission recommends that the Council reference the action taken relative to the Hotel Ketchum. The following information was included in the workforce housing analysis for Hotel Ketchum:

Table 7: City of Ketchum Workforce Housing Requirements

Proposal	# of Rentable Rooms in the Hotel	Employees (= # of Rentable Rooms)	# of Employees to be housed on site	% of Employees Housed on site	# of Employees per Unit	Livable Square Feet for WF Housing	Type of Rooms	Square Feet of Each Room	Total Employees
-87 hot beds	87	87	0	0					
26 cold beds									
Total Sq. Ft:									

Additionally, the following elements should be considered in developing a workforce housing plan:

1. Provide salary/hourly wages (2009 dollars) for the various income categories of employees.

2. The expected number of each level of employee that is intended to be served by the employee housing units.
3. Location of units to be within Ketchum City limits.
4. Provide a matrix on breakdowns of the different types of units and occupancy programs for those units.

5. Alternate Means To Satisfy Square Footage: The city council may consider a request by the hotel developer to satisfy any required employee or community housing square footage by alternate means. Off site mitigation, payment of in lieu fees, land in lieu of units, or other considerations may be proposed by the hotel developer. Larger sites are encouraged to include employee and/or community housing on site. The city council has full discretionary power to deny said request.

Commission Recommendation: No employee housing plan has submitted. The applicant and Commission discussed this requirement at the public hearing. The Commission recommended that this requirement be met. The applicant indicated that they are willing to work with the City to find a solution, but that no specific solution or plan has been developed. The following has been stated buy the applicant in the Design Review Cover Letter dated September 23, 2009:

Employee Housing: As a downtown core site, no excess property for employee housing or other public services is available. Moreover, we believe the voluntary nature of the housing contribution should be associated more appropriately with the income generated from core business operations rather than prior to construction or demonstrated profitable operations.

As discussed generally with the City, the financial success and viability of this project is dependant upon two main criteria. The control of capital expenditures and the opportunity to generate sufficient operational income. Employee housing along with other entitlement expenditures must stand alone or within the financing/lending criteria of the current markets without damaging the ability of the project to be successfully and reasonably financed and profitable. Employee housing expenditures cannot currently fit either model as a stand alone project or as an internal project component to be financed under the project lending criteria.

We will nevertheless privately provide housing incentives within our operational structure on a limited basis. We will also provide transportation and employee benefits consistent with the nature of the industry.

6. Development Agreement: Hotels shall enter into a development agreement with the city as part of the PUD approval process. Said development agreement may address the following subjects: community housing, hotel room uses and restrictions, public access on the property, alternatives and remedies if the hotel use ceases, and any other issue the planning and zoning commission or city council deems appropriate. Said development agreement shall follow the public hearing process as outlined in chapter 16.08 of this

code. Said development agreement shall be subject to sections 17.154.060, "Enforcement", and 17.154.070, "Modification And Termination", of this title.

Commission Recommendation: A condition has been added requiring adoption and approval of a development agreement prior to building permit approval. The City Attorney is currently drafting this document which will be available for City Council Review.

PUD EVALUATION STANDARDS

16.08.080(A) STANDARDS:

____ 1. Minimum lot size of three acres. All land within the development shall be contiguous except for intervening waterways. Parcels that are not contiguous due to intervening streets are discouraged. However, the Commission and the council may consider lands that include intervening streets on a case by case basis. The commission may recommend waiver or deferral of the minimum lot size and the council may grant said waiver or deferral only for projects which:

- a. Include a minimum of thirty (30) percent of community or employee housing, as defined in Section 16.08.030;
- b. Guarantee the use, rental prices, or maximum resale prices thereof based upon a method proposed by the applicant and approved by the Blaine County housing authority and/or the Ketchum city council; and,
- c. Are on parcels that are no less than one and one-half acres (sixty-five thousand three hundred forty [65,340] square feet). Application for waiver or deferral of this criteria shall include a description of the proposed community or employee housing and the proposed guarantee for the use, rental cost, or resale cost thereof; or,
- d. For a hotel which meets the definition of hotel in Chapter 17.08, Definitions, and conforms to all other requirements of Chapter 17.64, Community Core District. Modifications or waivers from the provision of Chapter 17.64 may be granted for hotel uses only as outlined in Chapter 17.64.010(H)(c).

Analysis:

Waiver to three acre minimum lot size is requested.

The subject property is 1.12 acres. The proposed development is a hotel which meets the definition of hotel in Chapter 17.08 (shall meet the definition of a hotel by condition). This standard states that a waiver of the minimum lot size may be granted for hotels.

Commission Recommendation: The applicant has requested a waiver of this requirement. The Commission recommended approval of this waiver because of the proposed hotel use.

____ 2. That the proposed project will not be detrimental to the present and permitted uses of surrounding areas.

Analysis:

The present/permitted uses of the surrounding area include:

- The Kentwood Lodge hotel across Main Street to the East.
- The US Bank Building (formerly First Bank of Idaho) directly to the north.
- The City owned Forest Service Park directly to the west.
- A mix of residential and commercial properties directly to the south.
- Approved 4-Star Hotel Ketchum (Trail Creek Village)

The subject property is zoned Community Core and surrounding zoning includes Tourist (T), Community Core (CC) and Flood Plain Overlay District. The property is presently vacant and previously housed Bald Mountain Hot Springs Resort. See Attachment 9 from the Planning and Zoning Commission PUD Staff Report for the complete list of permitted and conditional uses allowed in the CC and surrounding districts. Also see the Table 8 below for a list of surrounding densities.

Table 8: Approximate Surrounding Area Floor Area Ratios:

Density Allowed	Tourist (T)	Community Core (CC)
Density allowed per zoning district	0.5 FAR per lot (approx. 21 units per 1 acre site)	1.0 FAR; 2.25 FAR w/CH
Current Density of surrounding area		Kentwood Lodge: 1.14 FAR US Bank Building: 1.7 Hotel Ketchum: 2.4

The proposed project is at a floor area ratio (FAR) of 2.8. The most similar building in downtown Ketchum having an FAR of over 2.0 is the new Lot 5A building at the corner of Leadville Avenue and Sun Valley Road, with a FAR of 2.21. In addition, the approved Hotel Ketchum at the corner of Main Street and River Street will have an FAR of 2.4. This building is located in the Tourist (T) Zoning District and received a waiver to build to this density. The proposed hotel is not subject to a FAR requirement and the Downtown Master Plan adopted in 2006 anticipated greater FAR's for hotel uses.

Other aspects of the project that could impact the surrounding neighborhood:

The height, bulk, and uses are evaluated in other standards throughout this report. The use of lighting will be evaluated during the design review of this project. The applicant has submitted exterior lighting plans that appear to conform to the Dark Sky Ordinance.

Construction mitigation will conform to the City of Ketchum's Construction Mitigation Ordinance and will be extremely important. A formal plan will be developed through the building permit process.

Commission Recommendation: This standard has been met. The proposed development will not be detrimental to the current and permitted uses in the area. The proposed hotel is a permitted use within the CC zoning district and comparable in bulk and mass with the previously approved Hotel Ketchum on the southeast corner of Main and River Streets, although the proposed hotel is substantially larger.

____ 3. That the proposed project will have a beneficial effect not normally achieved by standard subdivision development.

Analysis:

This standard is not applicable because the proposed development is not a subdivision. However, potential benefits include economic development, significant contribution toward the undergrounding of overhead power lines along the Main Street corridor at this gateway area, and an increase in the overall number "hotbeds" in the City. For additional discussion of benefits, see standard #14 below.

Commission Recommendation: This standard does not apply. No land subdivision is proposed. See #14 below for a more detailed list of benefits.

4. The development shall be in harmony with the surrounding area.

Analysis:

This standard is subjective and should include evaluation of uses, densities, bulk, architectural design, materials, landscaping, building and parking layout.

Uses in the surrounding neighborhood include a hotel and commercial uses, as well as residential. The hotel, restaurant, spa, other commercial uses are permitted under the Community Core (CC) Zoning District and Tourist (T) Zoning District.

Bulk: Bulk is defined in the Ketchum Zoning Code as follows:

3.13 Bulk - "Bulk" is the term used to decide the size and mutual relationships of buildings and other structures, and therefore includes:

- (1) The size of buildings and other structures;
- (2) The shape of buildings and other structures;
- (3) The location of exterior walls of buildings and other structures, in relation to area of a lot, to the centerline of streets, to other walls of the same building, and to other buildings or structures; and,
- (4) All open spaces relating to a building or a structure.

The following table shows projects located adjacent to or within the general vicinity of from the proposed hotel. Building footprint, setback from street, and building height are noted for each one.

Table 9: Chart of Setbacks of Surrounding Projects

PROJECT	FOOTPRINT SIZE (sq. ft.)	SETBACK FROM STREET	NUMBER OF STORIES
Kentwood Lodge	21,780	1 ft	3
Trail Creek Crossings	16,086	100' from Main; 75' from Leadville	2
Sotheby's	770	7 ft	1 + daylight
US Bank Building	?	4 ft	3
Forest Service Park	>1000 sq ft	varies	1
Hotel Ketchum	Approx 20,000 sf	HW 75 – 11 ft Leadville Ave – 0 ft River St (3 ft)	4-5 stories

*Note: Figures shown are approximate.

The most sensitive adjacent property is the Forest Service Park to the west. This historic site has been retained in condition close to the original in terms of scale and building placement. The park houses the Historical Society Museum, and is used for a variety of special events. The applicant has provided computer simulated renderings showing the proposal and surrounding buildings from various points as well as aerial viewpoints. The elevation drawings submitted indicate that the architectural design and materials contain detailing found in surrounding buildings such as stone, heavy timber and wood siding. All parking is underground and therefore hidden from view. The building is set back for a significant portion of the façade on the west side adjacent to the Forest Service Park. This setback will provide a buffer for the park from the scale and bulk of the proposed hotel.

The waiver request to the required 4th and 5th floor setbacks pertains to this standard. This waiver was approved with a 4-1 vote by the Commission.

Commission Recommendation: This standard has been met. The surrounding area consists of a mix of commercial uses including a hotel across Main Street. Although the proposed Hotel Ketchum will provide comparable size and scale, the project will be substantially larger than other buildings in the area, but perceived impacts resulting from height and bulk can be limited through the required design review. The proposed design is sensitive to the adjacent Forest Service Park, and incorporating a connection along Washington Street which includes a new streetscape design, angled parking, redefined park entrance would further enhance this heritage site. The Commission approved the 4th and 5th setback waiver with a 4-1 vote (see waiver chart on page 10).

N/A 5. Densities and uses may be transferred between zoning districts within a PUD as permitted under this chapter provided the aggregate overall allowable density of units and uses shall be no greater than that allowed in the zoning district or districts in which the development is located. Notwithstanding the above, the commission may recommend waiver or deferral of the maximum density and the council may grant additional density above the aggregate overall allowable density only for projects which construct community or employee housing; and which:

- a. Include a minimum of thirty (30) percent of community or employee housing, as defined in Section 16.08.030; and,
- b. Guarantee the use, rental prices, or maximum resale prices thereof based upon a method proposed by the applicant and approved by the Blaine County housing authority and/or the Ketchum city council.

Application for waiver or deferral of this criteria shall include a description of the proposed community or employee housing and the proposed guarantee for the use, rental cost, or resale cost thereof.

Analysis/Commission Recommendation:

This standard does not apply. No densities are being transferred. The proposed density is permitted in the CC Zoning District.

6. **That the proposed vehicular and non-motorized transportation system:**
a. **Is adequate to carry anticipated traffic consistent with existing and future development of surrounding properties;**

Analysis:

A final traffic study for this specific project has not been completed. Bald Mountain prepared a Preliminary Transportation Impact Assessment for the project which was completed by Galena Engineering, Inc. (March 2009). At the request of the City LSC Transportation Consultants, Inc. completed a Traffic Review of the Transportation Impact Assessment on April 13, 2009. In addition, Hales Engineering completed a Transportation Planning Study of Main Street for the City. This study assessed overall traffic congestion on Main Street. The study included traffic numbers for the proposed Bald Mountain Lodge that were generated in the Transportation Impact Assessment.

The project is located in the Downtown Core and no new roadways are proposed.

The Transportation Impact Assessment (Galena Engineering, March 2009) proposed the following scenario for traffic generation:

Resort Hotel	82 Rooms
Luxury Condos	26 Units
Quality Restaurant	7040 Square Feet
Apparel Store	2733 Square Feet
Spa/Fitness	7697 Square Feet

Additional assumptions for the traffic generation include the following:

- Average occupancy rate is assumed to be 60 percent.
- Reducing the Quality Restaurant trip generation rate by 66 percent, assuming that 66 percent of the restaurant patrons during the peak period are guests of the hotel.
- Reducing the apparel store a.m. peak hour generation rate to 0 since these shops will not be open during the a.m. peak hour.
- Reducing the apparel store p.m. peak hour generation rate by 50 percent, assuming that 50 percent of the retail shop patrons are guests of the hotel.
- Reducing the health/fitness club trip generation rate by 66 percent, assuming that 66 percent of the spa patrons during the peak period are guests of the hotel.

With the reductions the estimated traffic generated is as follows:

Average Weekday Trips 885 trips per day

Weekday A.M. Peak Hour:

Total	37 trips
In	19 trips
Out	18 trips

Weekday P.M. Peak Hour:

Total	72 trips
In	39 trips
Out	33 trips

LSC Transportation Consultants' comments on the Transportation Impact Assessment are as follows:

- The traffic assessment prepared by Galena Engineering is intended to be a preliminary look at the traffic issues associated with the proposed Bald Mountain Lodge development. The Galena Engineering study is not intended to be a complete traffic impact analysis. A complete traffic impact analysis should be completed as development of this project moves forward.
- The trip generation estimates should be reevaluated assuming 100 percent occupancy for the hotel land use.
- The trip assignment process should reflect movements between the porte-cochere area and the parking structure access (both by valets and self parkers).

The Main Street Transportation Study (Hales Engineering) included modeling of the estimated Bald Mountain traffic. Main Street is able to handle the increased traffic and with the proposed mitigation measures:

- Main Street from River Street to 6th Street: Initially switch to a 3 lane section with a center turn lane. As traffic increases change to a future 5 lane section with a center turn lane. Sequence the traffic lights to move traffic through town more efficiently.
- Main Street from River Street to Serenade: Add another outbound lane on Main Street for a total of one inbound lane and two outbound lanes.
- Add a T intersection or Roundabout at Main Street and Serenade Lane.
- Reroute Warms Springs Road to 10th Street with a signal.
- Future left-turn pockets on 5th and 1st Streets

Commission Recommendation: This standard has been met with condition. The City Engineer requested that a final traffic impact analysis be completed prior to completion

of a development agreement. The Commission's recommendation is subject to submittal of this document. The circulation scheme proposed for the hotel is found to be acceptable, but potential mitigation measures will need to be outlined and incorporated into the development agreement. This should include measures for pedestrian safety at entry/exit points from the service area, porte-cochere and underground garage. See Condition #11 which addresses this standard. In addition, the Commission recommends against implementation of a 5 lane street section for Main Street.

b. Will not generate vehicular traffic to cause "undue congestion" of the public street network within or outside the PUD;

Analysis/Commission Recommendation:

See Section a. This standard has been met.

c. Is designed to provide automotive and pedestrian safety and convenience;

Analysis:

The development has access to the hotel off of 1st Street and exits onto 1st Street and Main Street. The access to the underground parking is off of River Street. There is a delivery access on 1st Street at the alley.

LSC Transportation Consultants' comments on the ingress and egress from the site are as follows:

- The exit-only access point from the porte-cochere onto Main Street should be allowed, as it is not an undue traffic safety concern and it helps to reduce overall traffic congestion generated by the proposed project.
- Traffic queuing at the Main Street exit-only access point would only occur on site property and during peak hours. Queuing would not be an issue because the traffic signal at First Street provides adequate gaps in Main Street Traffic.
- Proper signage at the Main Street exit-only access point will be required both to direct traffic around to the First Street access point and to inform divers that inbound traffic is prohibited at the Main Street access point.
- Clear line of sight should be provided for drivers exiting onto Main Street from the porte-cochere looking to the north. This may require reduction in on-street parking along the west side of Main Street north of this access point from what would otherwise be allowed.
- The close proximity of the First Street access point to the Main Street/First Street intersection would cause the eastbound traffic queue to block access to the driveway to left-turning vehicles a few times per hour. These left-turning vehicles would then block the westbound travel lane along First Street. Simulation analysis indicates that this would not create congestion at the First Street/Main Street intersections except under very rare conditions during a limited number of peak hours.

At the December 2-3, 2009 Public Hearing the applicant submitted a revised schematic for the sidewalk design. This has been included as "Attachment B" in these findings and recommendations. The City Engineer and Street Department recommend that the sidewalks around the site be reduced to approximately 10 feet wide. They are of the opinion that future road build out on Main Street and First Street will not accommodate the wider sidewalks if Main Street is widened to contain two southbound lanes and a center turn lane. The Commission considered the sidewalk design and made the following recommendations. The final design of the sidewalks will require City Council approval.

- Sidewalks should be a minimum of 10 ft wide
- The Commission does not recommend implementing a 5 lane section of Main Street
- Limit delivery times to off-peak hours
- Washington Avenue
 - Explore rolled curbs or curb-less streets
 - Explore angled parking and park like connection to Forest Service Park
- First Street
 - Recommend against designating a loading/unloading zone for trucks on First St
 - Recommend a 10 ft sidewalk
 - Explore off-peak delivery hours for large truck
(Commission contemplated congestion of First Street)

Commission Recommendation: This standard has been met with the condition that the development complies with the recommendations of the City Engineer and that the final City Council approves the final design of the ROW improvements. The Commission also recommends the aforementioned parameters for the sidewalk design.

d. Is designed to provide adequate removal, storage and deposition of snow;

Analysis: The Developer is proposing to heat melt the sidewalks. The commission discussed implementing a ground source heat pump system for the snowmelt areas if possible. This could be accomplished under the garage or adjacent streets.

Commission Recommendation: This standard has been met with the recommendation that a ground source heat pump system be explored for the proposed snow melt areas. The Commission recommends incorporating this into the project's development agreement.

e. Is designed so that traffic ingress and egress will have the least impact possible on adjacent residential uses. This includes design of roadways and access to connect to arterial streets wherever possible, and design of ingress, egress and parking areas to have the least impact on surrounding uses.

Analysis/Commission Recommendation:

This standard has been met. See Section c.

f. Includes the use of buffers or other physical separations to buffer vehicular movement from adjacent uses;

Analysis/Commission Recommendation:

The project is located in downtown Ketchum and is similar to other surrounding uses on Main Street (Kentwood Hotel). The most sensitive adjacent use is the Forest Service Park to the west. The project is proposing street trees to soften the streetscape around the hotel. The building is set back on a large portion of the west side, holding building walls back from the Forest Service Park. This standard has been met.

g. Is designed so that roads are placed so that disturbance of natural features and existing vegetation is minimized;

Analysis/Commission Recommendation:

No additional roads are being proposed at this time. This standard does not apply.

h. Includes trails and sidewalks that creates an internal circulation system and connect to surrounding trails and walkways.

Commission Analysis/Commission Recommendation:

The project is proposing to have a connection to the Forest Service Park to the west of the site. A public plaza space adjacent to the restaurant will be open to the public and this area will provide public access to the hotel sub-grade conference area. This standard has been met.

7. That the plan is in conformance with and promotes the purposes and goals of the comprehensive plan, zoning ordinance, and other applicable ordinances of the city, and not in conflict with the public interest.

Analysis:

Comprehensive Plan

Please refer to Attachment 8 of the Planning and Zoning Commission PUD Staff Report for the Comprehensive Plan analysis, including the specific sub-area analysis.

Downtown Master Plan

An analysis of the Downtown Master Plan was provided under Attachment 7 of the Planning and Zoning Commission PUD Staff Report. This highlights applicable goals and policies established in this document. In addition, an analysis of the Gateway Massing Study is provided under Attachment 6 of the Planning and Zoning Commission PUD Staff Report.

Zoning Ordinance:

The proposed development shall meet the standards of the zoning ordinance with the exception of any waivers that are granted by the City through the PUD process.

Subdivision Ordinance:

No subdivision of land is proposed at this time. The proposed development is not subject to other standards of the Subdivision Ordinance.

Commission Recommendation: The Commission concluded that the proposed hotel is in conformance with and promotes the purposes and goals of the comprehensive plan. No goals or policies within the comprehensive plan directly conflict with the proposed development. This standard has been met with a Commission vote of 4-1. One Commissioner voted against because of the 4th and 5th floor setbacks and conflicts with the Gateway Mass and Scale Study.

- a. Pursuant to Section 16.08.070.D, all of the design review standards in Chapter 17.96 shall be carefully analyzed and considered. This includes detailed analysis of building bulk, undulation and other design elements. The site plan should be sensitive to the architecture and scale of the surrounding neighborhood.

Analysis/Commission Recommendation:

A concurrent Design Review application has been submitted for Commission review. Analysis of architecture including bulk, undulation and site planning are reviewed under design review.

- b. The influence of the site design on the surrounding neighborhood, including relationship of the site plan with existing structures, streets, traffic flow and adjacent open spaces shall be considered.

Analysis/Commission Recommendation:

Standards of evaluation for Design Review as well as the PUD include consideration of these issues.

- c. The site design should cluster units on the most developable and least visually sensitive portion of the site.

Analysis/Commission Recommendation:

N/A – a single building is proposed.

___ 8. That the development plan incorporates the site's significant natural features.

Analysis/Commission Recommendation:

The most significant features of the site include several mature trees which are to be removed. No other significant natural features exist on the site. The scale and required undergrounding parking structures for this development will not allow preservation of the existing trees. This standard has been met.

___ 9. Substantial buffer planting strips or other barriers are provided where no natural buffers exist.

Analysis:

The project is located in the Community Core and is built to or adjacent to the property line. Street trees will be planted within the sidewalk to provide a landscape buffer at street level. In addition, the southwest corner of the property adjacent to the Forest Service Park will feature a large outdoor terrace with substantial plantings providing additional buffer. Main Street will feature planting baskets and a landscape planter. The Commission recommends including street trees along Main Street as well.

Commission Recommendation: This standard has been met with condition. Buffering is provided appropriately for a building in the Community Core District. Street trees shall also be provided along Main Street as a condition of approval in addition to a "gateway feature" along Main Street.

N/A 10. Each phase of such development shall contain all the necessary elements and improvements to exist independently from proposed future phases in a stable manner.

Analysis/Commission Recommendation: No phasing is proposed. The project will feature one building/structure which will be built at one time. This standard does not apply.

___ 11. Adequate and useable open space shall be provided. The applicant shall dedicate to the common use of the homeowners or to the public adequate open space in a configuration useable and convenient to the residents of the project. The amount of useable open space provided shall be greater than that which would be provided under the applicable "aggregate lot coverage" requirements for the zoning district or districts within the proposed project. Provision shall be made for adequate and continuing management of all open spaces and common facilities to ensure proper maintenance thereof.

Analysis:

Useable open space within the project includes the outdoor terrace area which provides a swimming pool available to residents and hotel guests. Such "open space" may be appropriate for this urban hotel type of project as it is "useable and convenient" to the residents of the project – in this case the hotel guests and condominium owners. The amount of land available for outdoor open space is limited do the size and location of the lot. The outdoor terrace space provided is appropriate for this type of downtown development.

Commission Recommendation: This standard has been met. The applicant is providing an appropriate amount of useable open space for hotel guests and residents. A large outdoor terrace is provided.

___ 12. Location of buildings, parking areas and common areas shall maximize privacy within the project and in relationship to adjacent properties and protect solar access to adjacent properties.

Commission Analysis:

A single building is located on the site and is located on an entire city block. Two levels of underground parking are proposed with access to the parking along First Street. A solar study was provided at the December 2-3 public hearings. Access to and from parking is in the appropriate location. The building itself is also located in a permitted location and other suitable locations are not available.

Commission Recommendation: A solar study was presented by the applicant but was not thoroughly evaluated by the Commission. The Commission has no recommendations on the solar study.

___ 13. "Adequate recreational facilities" and/or daycare shall be provided. Provision of adequate on-site recreational facilities may not be required if it is found that the

project is of insufficient size or density to warrant same and the occupant's needs for recreational facilities will be adequately provided by payment of a recreation fee in lieu thereof to the city for development of additional active park facilities. On-site daycare may be considered to satisfy the adequate recreational facility requirement or may be required in addition to the recreational facilities requirement.

Analysis:

A swimming pool and spa pool are provided in the courtyard for residents and hotel guests. A fitness center is also proposed. An activity center is also proposed that will provide services for guests and residents. This activity center may feature bike rentals, ski rentals and other similar activities. There will be an outdoor deck suitable for small gatherings. A plaza space outside the restaurant will be available to the public.

Commission Recommendation: This standard has been met. The applicant is providing an appropriate amount of recreational facilities for this type of downtown development.

____ 14. There shall be special development objectives and special characteristics of the site or physical conditions that justify the granting of the PUD conditional use permit.

Analysis:

Table 10 summarizes the special development objectives of the proposal:

TABLE 10: SPECIAL DEVELOPMENT OBJECTIVES

Special Development Objective, special Characteristics of the Site or Physical Conditions	Type of Objective
4-Star Hotel	Economic
Conference Space (seating for 250-275 persons)	Economic
Employee Housing for 22 employees (required but no plan has been developed. Applicant is willing to work with City on solution)	Social
Proposed contribution towards the undergrounding of overhead power lines (amount to be determined)	Aesthetic; Economic
Pedestrian improvements to public right-of-way to create enhance pedestrian experience, Gateway Architectural Element	Aesthetic; Economic

A fiscal impact study was not prepared at the time of Planning and Zoning review. A detailed fiscal impact analysis is being prepared for the City Council. The fiscal and economic impacts of these development objectives will be analyzed then.

As noted in #7 above, undergrounding power lines along Main Street is a goal mentioned frequently in the Comprehensive Plan. The Commission recommends contributing a proportionate amount toward the undergrounding of overhead power lines in the vicinity of the project. This will consist of a pro-rated share and include late coming development. The City's and Idaho Power's timing on the undergrounding of these lines is unknown, and may not occur until well after the hotel's construction. The applicant has indicated that they are working with Idaho Power and an adjacent property owner to establish parameters for undergrounding power line. The precise contribution to undergrounding of power should be addressed within the development agreement.

The Downtown Master Plan recommends placement of Gateway features at the four corners intersecting River Street and Main Street. The final sidewalk design at this intersection should provide space for a gateway element. A bulb out into River Street has been discussed, although no particular gateway feature has been identified. The Commission recommended incorporating a requirement that the applicant work with the City in creating a gateway element at the corner of River St and Main St.

Commission Recommendation: There are special development objectives that justify the granting of a PUD. The City has established that increasing tourist accommodations by encouraging hotel development is a priority. The economic benefits of such a project are substantial. Further analysis of the specific economic impacts will be analyzed via an independent fiscal impact analysis. The final contribution towards undergrounding of power should be finalized through the development agreement and the applicant shall provide a proportionate share. The Council should discuss the gateway intersection with regards to this standard. Parameters for the gateway element should be included in the project's development agreement. The Commission further recommends incorporating within the development agreement a requirement that the applicant financially participate in the creation of a "gateway element" at the corner of River Street and Main Street.

____ 15. **The development will be completed within a reasonable time.**

Commission Analysis:

The project will require significant excavation and will have an extensive construction period. Actual construction is anticipated to take 22 months. The applicant has stated that a detailed construction staging and mitigation plan will be submitted through the building permit process. Off-site parking for construction workers and an off-site staging area for bulk materials are anticipated. Provision of these mitigation plans and programs are suggested as a condition of approval, to be provided prior to issuance of a building permit. Construction mitigation will conform to the City of Ketchum's Construction Mitigation Ordinance.

The Commission recommends a four (4) year approval window for the PUD. The applicant has requested 5 years. The largest project approved in the City over the last 20 years, Warm Springs Ranch Resort, was granted a four (4) year approval window with a requirement that building permits for Phase 1 be applied for within 48 months of the approval of the Development Agreement.

Commission Recommendation: A detailed construction mitigation plan including details for parking and material storage should be produced prior to building permit approval. The Commission recommends a four (4) year time frame for the PUD approval.

____ 16. **That public services, facilities and utilities are adequate to serve the proposed project and anticipated development within the appropriate service areas.**

Commission Analysis:

The Utilities Department made several comments related to the existing main lines, service lines, manholes, etc. that will need to be maintained or improved. These comments have been forwarded to the applicant and are included as suggested conditions of approval. The applicant has met with the Fire Department and Fire Department comments are included with this staff report. Concerns have been raised regarding potential impacts to the Ketchum Fire Department's ability to provide emergency services to the building. The Fire Department will be reviewing this further during the building permit process. The sidewalk design will also be crucial with regard to fire apparatus access. The applicant has been working with the Fire Department and City Engineer to ensure appropriate sidewalk widths. The Street Department and City Engineer have also been working with the applicant to ensure appropriate sidewalk and street parking designs that will allow for proper maintenance and snow removal.

Commission Recommendation: This standard has been met. Adequate public services are provided for.

____ 17. **That the project complies with all applicable ordinances, rules and regulations of the city of Ketchum, Idaho except as modified or waived pursuant to this subsection A.**

Commission Analysis:

The applicant has requested several waivers that are outlined in the waiver chart provided earlier in these findings. The Commission recommends approval of all requested waivers. The waiver request for 4th and 5th floor setbacks was the only non-unanimous vote by the Commission, with a 4-1 approval. All other ordinances, rules and regulations of the City of Ketchum are met. The waivers require approval through the PUD process and should be evaluated accordingly.

Commission Recommendation: This standard has been met. The Commission recommends approval of the requested waivers as outlined in these findings. All other rules and ordinances have been met.

COMMISSION ACTION:

Upon motion by Commissioner Fabiano, second by Commissioner Williams, and vote in favor (4-1, Commissioner Doty voted against specifically because of the 4th and 5th floor waiver request), the Ketchum Planning and Zoning Commission recommends that this project, Bald Mountain Lodge PUD - Conditional Use Permit, **does** meet the standards for approval under Chapter 16.08 of Ketchum Subdivision Ordinance Title 16, Planned Unit Developments, provided the conditions of approval are met.

AUTHORITY TO IMPOSE AND TYPES OF CONDITIONS OF APPROVAL:

Authority to Impose Conditions. According to Ketchum Code, Section 16.08.130.A, as part of the PUD - Conditional Use permit, the Council may impose conditions, including, but not limited to, the following:

1. Minimizing adverse impact on surrounding properties, developments and/or public services, facilities or utilities;
2. Controlling the sequence and timing of development;
3. Controlling the duration of development;
4. Assuring that development is maintained properly;
5. Designating the exact location and nature of development;
6. Requiring the provision for on-site or off-site public improvements, facilities or services when the proposed development is found to create impact on off-site public streets, facilities, utilities and/or services, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains, sewer mains, fire equipment, transit system, recreational facilities and similar items;
7. Requiring more restrictive development standards than those generally required in applicable ordinances;
8. Require methods or manner of construction to minimize impact on adjacent properties or to prevent erosion or runoff and similar environmental impacts;
9. Any of the items set forth in subsection 16.08.120C of this chapter:
 - a. Prior to final approval of a PUD - Conditional Use Permit, the City Council may require, but not limit, the following:

- 1) Such written agreements executed by the developer to secure performance of any requirement or condition to be imposed as part of the approval, including, but not limited to, development, services and/or annexation agreements.
- 2) Submission of a revised development plan to incorporate changes made during the review process.
- 3) Dedication of lands, personal property or improvements to the City.
- 4) Require recordation of documents with the Blaine County recorder including, but not limited to, declarations of covenants and restrictions, easements, restrictive covenants, management agreements and similar documents establishing and guaranteeing the creation, operation and maintenance of the project, including, but not limited to, provisions that such documents may not be amended without the prior written consent of the City Council.

10. Restrictions on the future use of the proposed development;
11. Require dedications of land or cash in lieu thereof for street, park, transit and/or similar uses;
12. Require additional plans or engineering revisions to any aspect of the development plan;
13. Require provision of adequate Employee Housing;
14. Such other reasonable conditions as the City Council may deem appropriate with regard to the proposed PUD.

RECOMENDED PROJECT-SPECIFIC CONDITIONS FOR BALD MOUNTAIN LODGE LLC – BALD MOUNTAIN LODGE PUD:

The following conditions are recommended based on the findings made on each of the standards of evaluation as they have been applied to the submitted plans for the PUD:

1. A construction staging and mitigation plan, including at a minimum provisions for off-site employee parking, off-site storage of bulk materials, and required ROW encroachments during construction, shall be submitted and approved by the Ketchum Building Department prior to building permit approval.
2. The applicant shall contribute a proportionate share to the underground relocation of overhead utility lines in the vicinity of the project, as outlined in the Development Agreement for the project. However, if the City and Idaho Power do not complete this work as a city project, the applicant may relocate the power lines directly adjacent to the hotel as an off-site improvement.
3. The proposed encroachments into the public street rights-of-way shall be allowed:
 - All marquees may extend into the public right of way as permitted through design review.
4. Sidewalks shall be a minimum width of:
 - 10 feet on Main Street
 - 10 feet on River Street
 - 10 feet on 1st Street
On 1st Street, no parking the Commission recommends against loading/unloading zone for trucks on First St. Off-peak delivery hours for large trucks should be incorporated into the development agreement.
 - 10 feet on Washington Ave
On Washington Avenue, rolled curbs or curb-less streets should be explored. In addition, a park-like feeling for Washington Avenue should also be explored providing a connection between the Forest Service Park and the Hotel. Angled parking should also be further evaluated.

5. Right-of-way encroachments, right turn lane and curb line alignment, slope and drainage, and sidewalk widths shall be resolved to the satisfaction of the City Engineer, Street Department and Fire Department prior to the issuance of a building permit. Final designs shall be approved by the City Council upon recommendation by the P&Z Commission.
6. All water, sewer and other utility main lines, service lines, manholes and fire hydrants shall be maintained or improved as required by the Ketchum Water and Sewer Department.
7. The proposed development shall be completed substantially as presented in the plans dated September 22, 2009, as altered by relevant conditions of approval, and as set forth in the Planned Unit Development agreement. The PUD Development Agreement shall include, but not be limited to, provisions for the following:
 - Community/workforce housing- as required in condition #8, below.
 - Contribution to underground relocation of overhead utility lines.
 - Public pedestrian amenities to be included within adjacent street rights-of-way.
 - Development of a Construction Mitigation plan
 - Provision for term of design review approval.
8. The applicant shall provide a detailed Employee Housing Plan, which provides for housing for a minimum of 22 employees on a site and is acceptable to the Ketchum City Council.
9. This PUD CUP approval is contingent upon the approval of the concurrent Community Core Design Review application.
10. This PUD CUP shall be valid for a period of four (4) years. An application for building permit shall be submitted within 4 years, unless extended by the City Council upon written request by the applicant.
11. A final traffic impact analysis shall be reviewed and approved by the City Engineer prior to entering into a development agreement. The final traffic analysis shall outline potential traffic mitigation measures that may be incorporated into the development agreement.
12. Applicant agrees to collaborate and participate financially with the City and other property owners on a gateway design, commissioning, construction and installation (as outlined for hotel Ketchum) for the intersection of Main St and River St.
13. The waiver to the required 4th and 5th floor setback requirements is subject to design review approval.

14. The property shall be maintained appropriately as directed by the City Council until construction commences.

Findings of Fact **adopted** this 21st day of December, 2009 and signed this ^{4th} day of December, ~~2009:~~ January
2010.


Rich Fabiano, Co-Chair