



Ketchum Planning and Zoning Commission

480 East Avenue North
Ketchum, ID 83340
<http://ketchumidaho.org/>

Regular Meeting

~ Minutes ~
Meetings are audio recorded

Monday, November 24, 2014

5:30 PM

Ketchum City Hall

Commissioners Present: Steve Cook, Vice Chairperson
Erin Smith
Mike Doty
Jeff Lamoureux

Commissioners Absent: Deborah Burns, Chairperson

Staff: Linda Haavik, Interim, Director of Planning and Building
Rebecca Bundy, Senior Planner
Morgan Brim, Senior Planner
Stephanie Bonney, City Attorney

1. CALL TO ORDER

Vice Chairperson Cook called the meeting to order at 5:30 p.m.

2. PUBLIC COMMENT ON ISSUES NOT ON THE AGENDA.

There was no public comment at this time.

3. WORK SESSION upon the presentation by Sego Planning Group to discuss a proposed text change to Ketchum Municipal Code, Chapter 17.64 Community Core Zoning District. The text change would propose a new subdistrict in the western portion of the downtown that would allow a fourth floor with provision of additional community housing.

Rebecca Bundy indicated that the item is a work session at which public comment will be taken at the discretion of the Commission. No specific application has been received. The Commission may provide feedback to the presenters; however, as a work session, the Commission's input is non-binding and no decisions will be made regarding the proposal. Notice was provided by Sego Planning Group to properties within and adjacent to the proposal subdistrict boundaries in advance of the Commission meeting. Written public comment (4) was received by the City and distributed to the Commission prior to the meeting.

In advance of the meeting, Sego Planning Group provided written materials describing the proposed subdistrict and its boundaries with a map, topography of the area, discussion of compliance with the 2012 Ketchum Comprehensive Plan and draft Code amendment language.

William Justen, who has hired Sego Planning Group to represent his proposal, presented the proposal at the meeting as an additional tool to encourage development of community housing and to spur economic development in the Community Core.

Lisa Horowitz, Sego Planning Group, presented slides to illustrate the proposal and its potential design impacts. The proposed subdistrict includes all of CC Subdistrict C – Urban Residential, west of Main Street, except that which lies between W. First Street and E. River Street; and includes all of CC Subdistrict B – Arts District. Approximately 20% of the land within the proposed boundaries is vacant and approximately 30% is underdeveloped or has redevelopment potential. The slope change in the proposed subdistrict is the key to justifying

the additional height proposed. The topography was presented along with potential volume and architectural impacts of development under the proposal as viewed from the east to Baldy along several street corridors. Thirty percent (30%) of the 4th floor area would be devoted to community housing (category 4 is most desirable in this location) somewhere in the building, not required to be on that 4th floor. Some residential is contemplated to be located on the ground floor with retail remaining a requirement on the street corners, unlike the current regulations that require the entire street frontage of the first floor to be retail. Ms. Horowitz stated the Group would be open to suggestions for materials or points of view that would be useful in future considerations.

Vice Chairperson Cook opened the work session for public comment, reiterating that no application has been received and that no decisions would be made by the Commission.

The following is a summary of public comments received at the work session and is not a transcript.

Jim Ruscitto: lived, designed, and built in the community core for a long time; likes the walkability; this proposal may be a good opportunity for more people to move to the downtown to live; if this opportunity had been available when he developed prior projects, he would have built out further.

Brian Barsotti, representing Charles Stevenson who owns property including the undeveloped site north of Perry's: recalled previous attempts to address design as well as the desires of the community for certain uses in the community core by Norie Winter and Tom Hudson. Mr. Stevenson would prefer to see building lower rather than higher.

Jeff Englehardt, a property manager for several building owners: questioned why sloped lots should accommodate higher buildings. Looking west to east, opposite of what has been demonstrated, the view argues for lower not higher buildings. He suggested the concept may have merit, but scope of this proposal is too broad and that it may make sense to consider higher density on a case-by-case basis.

Craven Young, property owner: stated that views of the Elkhorn hills have been lost with recent developments, that north-south views should be considered and emphasized since the width of lots in the core limit east-views to start with. Solar impacts should be considered as well as whether it is appropriate to allow a 33% increase in building density in exchange for 30% of the 4th floor in community housing.

Charles Ellis: echoed Mr. Young's comments and added that the proposal would be negative for Copper Ridge and it would depress interest in buying downtown for fear of the height of new buildings blocking views. He stressed the need for zoning consistency – a Faustian Bargain.

Ed Simon, representing Michael and Joan O'Neill, owners of a Copper Ridge unit: stated that Seago Group is Lisa Horowitz' dba, that the proposal for a rezone is just a way to avoid spot zoning for a particular parcel of property, that additional height will change the character of the community core. He also noted that he felt the process was flawed because the potential applicant and project driving this request were not clearly identified.

Howard Trott, community core property owner: has owned 1.5 lots for several years without finding a way to develop economically possible, favors looking at this as another tool that might work.

Karen Martin, owner of Whiskey Jacques on Main Street: the slope of the alley behind Whiskey's is not sufficient to warrant another floor, 4 stories behind Whiskey's would impact negatively, proposal would cause increases in value of land that others have not been afforded, Whiskey's was limited to 2 stories on Main Street, parking remains a problem.

Justin Williams, business owner: the question is what can be done to attract investment; proposal doesn't look preposterous and may have community housing and jobs benefits with trickle-down economics working.

Gary Lipton, business and property owner: views are not owned by anyone, this is a great opportunity for the town.

Vice Chairperson Cook brought the meeting generally back to the staff and Commission. Ms. Bundy responded to questions raised during public comment. Case-by-case is not a possibility as the State enabling legislation requires uniform application of standards and requirements within zoning districts. The presenters were asked to respond to why the slope accommodates additional height. William Justen and Lisa Horowitz stated the slope works because the view is up. Their perspective was from public streets and public spaces.

The Commission discussed slope issues brought up by Commissioner Smith including whether the slope causes a feeling of more mass or vertical face; it is a feeling of context. William Justen interjected that there is an important distinction between public views and private views. He explained this proposal is really a use change: proposing that a mixed income building should be allowed the same 4 floors as a 100% community housing building provided for in the Code but never built.

Vice Chairperson Cook stated such a text amendment is a land use issue; that it may be worth pursuing but should be dissected in the context of the greater area; that 12 blocks is a large area; that the actual pro forma value of potential individual projects is unknown; parking is an issue; if in lieu of providing community housing on-site is proposed/chosen those funds need to be sufficient to actually construct units in this area, in town.

Commissioner Doty expressed willingness to talk about density, opining that Ketchum should be initiating such a discussion and not a property owner to clearly see the impacts and economics relative to the broader community core. He indicated skepticism over whether this was an incentive since no developers are interested in going over the 1.0 FAR and be subject to community housing now. The codified provision that community housing does not need parking is wrong; not sure topography has as much to do with the discussion as does density.

Commissioner Lamoureux asked the presenter how the 20% of ground floor for retail and 30% of the 4th floor for community housing were arrived at. Mr. Justen stated that housing on the ground floor is desirable and the community housing percentage was backed into from a financial standpoint. Commissioner Lamoureux continued suggesting that looking at these questions from a broader Code standpoint may be more appropriate, with the staff driving the project, going beyond what the presenter wants, looking at pedestrian scale particularly along gallery row.

Generally, the Commission discussion centered on the need for a holistic view of the community core. Are the boundaries still valid, should topography have impact on use and density decisions, is PUD a potential tool? The Commission has repeatedly expressed the dire need for a re-write of the zoning code that will be an all-inclusive look at the function of the code,

particularly in the community core, to determine whether the outcomes or lack thereof, are what were intended when the rules were put in place, and, is that intention valid today.

4. WORK SESSION upon the presentation by Aspen Skiing Company and Bald Mountain LLC for potential PUD and Design Review amendments to the Bald Mountain Lodge.

Rebecca Bundy indicated that the item is a work session at which public comment will be taken at the discretion of the Commission. No specific application has been received. The Commission may provide feedback to the presenters; however, as a work session, the Commission's input is non-binding and no decisions will be made regarding the proposal.

Materials provided to the Commission in advance included project history, Bald Mountain Lodge approvals and development agreements, and design review plans. Ms. Bundy explained the presenters would be looking for guidance on whether the programming changes contemplated would require an amendment to the PUD approval and whether exterior design changes contemplated would require review by the full Planning and Zoning Commission or the Design Review Subcommittee provided for in the development agreement with the City.

Jim Garrison of Bald Mountain LLC explained the Aspen Skiing Company is investigating whether to purchase the Bald Mountain Lodge parcel. The investigation includes whether the concept of the Limelight Hotel owned by Aspen fits within the Bald Mountain Lodge concept and building. The current terms of the development agreement require that a building permit be obtained by May 31, 2015 and construction commenced by November 30, 2015. The original size was about 231,400 square feet and the modification would bring that down to 181,000 square feet with reprogrammed decks, a flat roof instead of pitched lowering the height down between 4 and 6 feet, and one less underground parking level with parking remaining compliant per the Code. The modifications contemplated at this time were distributed to the Commission for this work session.

Don Shuster, VP Hospitality for Aspen Skiing Company, presented a video of the facility and offerings at the Limelight Hotel in Aspen as a point of context and to illustrate their desire to expand the brand and demonstrate their ability to cater to destination customers. Mr. Shuster then explained the modifications. Should the Company choose by the end of December to proceed, they believe they can meet the deadlines necessary to comply with the development agreement.

The modified roof is to be flat in keeping with current hotel design and to avoid problems/hazards created by utilizing pitched roofs. The current design suggests serious potential for snow slides within the project as well as projecting onto public sidewalks and beyond into city streets. Aerial perspective was shown on the drawings. The potential changes to the Bald Mountain Lodge entitlements utilizing the similar building envelope were specified:

- height lower,
- parking spaces slightly lower but compliant with Code,
- parking levels change from 2 to 1,
- hotel changes to lobby, restaurant, lounge, kitchen, rooms/suites, conference space, pool, hot tubs, fitness areas. All modified to conform to concepts and culture of Limelight Hotel,
- residential, modified with lock-offs, and retail,
- floor plans for each level including roof to reflect programming changes,

- building elevations as modified to flat roof and some building materials changes.

Vice Chairperson Cook brought the meeting generally back to the staff and Commission. Recollection was that there might have been a contemplated connection to the Forest Service Block across Washington Avenue from the hotel. A more pedestrian orientation was desirable as expressed by the Commission as well as Mr. Shuster. The loading entrance off First Street and potential conflicts with traffic and general circulation for guests were discussed.

Part of the Commission's job would be to determine if the programming changes resulted in a "hotel" as determined and approved via the PUD. In general those changes were viewed as improvements. Discussion of the clock tower at the corner of River Street and Main Street questioned the need for it and the height it added at that corner of the building that is already well above the street view coming up the hill from Trail Creek into town. General consensus was to eliminate the clock and whatever height at that corner possible.

The merits of the flat roof were discussed along with the potential for accommodating solar panels. The number of parking spaces was a concern and would need to be verified as Code-compliant with the reduction of a level of parking (that also originally include other hotel needs/facilities).

The Commission expressed willingness to conduct special meetings if necessary to accommodate the expedited development schedule. The Commission opined (1) that a PUD amendment does not appear to be necessary since the changes are not material given that it remains a hotel and the changes effectively reduce the impact to neighbors, and (2) that a design review amendment with a public comment opportunity specifically for the design changes before the full Commission was most appropriate and would eliminate any decision on whether those changes are material. The Commission will take up the nomination of two (2) Commissioners to sit on the Design Review Subcommittee, per the development agreement at a later date. One nominee must be a current or former Commissioner who participated in the original design review decision and the other must be a current member of the Commission. The third member of this subcommittee is the Director of the Planning and Building Department.

5. CONSENT CALENDAR

a. FINDINGS OF FACT

1. Sun Valley Company Skier Parking Lot CUP- Approved
2. Sun Valley Company Mountain Operations- Approved

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Erin Smith
SECONDER: Mike Doty
AYES: Jeff Lamoureux, Steve Cook, Vice Chairperson
ABSENT: Deborah Burns, Chairperson

b. APPROVAL OF MINUTES

1. August 25, 2014
2. October 27, 2014

RESULT: **POSTPONED TO NEXT MEETING BY CONCENSUS**

6. **COMMENTS ON CITY COUNCIL MEETING**

Ms. Haavik reported that on November 17, 2014, the City Council approved both street vacation petitions at Bavarian Village and the Cemetery, as recommended by the Commission.

7. **COMMISSION COMMENTS**

Morgan Brim, the newest Senior Planner, was introduced and gave a little of his background in planning and ordinance creation/amendment.

8. **ADJOURNMENT: 9:00 p.m.**

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith
SECONDER:	Mike Doty
AYES:	Jeff Lamoureux, Steve Cook, Vice Chairperson
ABSENT:	Deborah Burns, Chairperson


Vice Chairman Steve Cook

