

Meeting Notes
2013 Comprehensive Plan Update Steering Committee Meeting
October 15, 2013

The 2013 Comprehensive Plan Update Steering Committee met at the Council Chambers at Sun Valley City Hall on October 15, 2013.

Call to order

Chairperson Peter Palmedo called the meeting to order at 3:00 p.m.

Committee Present: Doug Brown, Steve Cannon, Peter Hendricks, David Holmes, Nancy Humphrey, Wally Huffman, Peter Palmedo, Chuck Rumpf, Tim Silva, Cris Thiessen, Susan Tucker

Also Present: Mayor Dewayne Briscoe, Community Development Director Mark Hofman, Community Development Planning Technician and Associate Planner Isabel Lui, Karen Reinheimer, Lisa Stelck, Franz Suhadolnik, Nils Ribi

Chairman's Opening Remarks

Opening the meeting, Chairman Peter Palmedo welcomed everyone to the meeting and announced that Rick Flores has resigned from the Steering Committee because he has moved out of town.

Comments and Questions

Karen Reinheimer said she had gathered some earlier maps of Sun Valley which were helpful for a historical overview of how the City and the community arrived at the current future land use and zoning maps. She requested about 10 minutes for distribution and discussion of these maps.

Karen Reinheimer distributed the following maps to the Committee:

- A 1970's Sun Valley Master Land Use Plan
- 1974 Sun Valley Zoning Map (with related documents)
- January 2004 Sun Valley Zoning Map
- May 2012 Sun Valley Zoning Map

She also said that on the May 2012 Zoning Map, the area on the Dollar Lodge side of the road is depicted as zoned OR-1, but in reality has been rezoned to REC. A discussion of the map error commenced. Chairman Palmedo then said the Committee deals with future Land Use planning maps and not zoning. She responded that she was just pointing out the reason why she is requesting an updated zoning map for Sun Valley.

Comment on Steering Committee Meeting Notes

Wally Huffman expressed his discontent on the way the previous meeting notes captured the August town hall meeting, as follows:

- The questions were leading and tailored to create certain answers.
- He disagreed the attendance of forty people at the meeting was an accurate reflection of the people living in the City of Sun Valley.

Peter Hendricks clarified the position of the Committee, which sees the results of the town hall meeting as something that we have to grow on when there is a lack of other form of consensus.

Exchange of Views on the Town Hall Meeting

Wally Huffman stated the opinion of Sun Valley Company:

- The Holdings were appalled by the structure of the questions and answers of the presentation. To them, most of the answers to the questions were obvious because the questions were leading.
- The format and the questions caused both members of the family to get up and speak. They spoke passionately about the protection of their own property rights.
- After the last Comprehensive Plan, 13 city ordinances were written based on that. Both Mr. and Mrs. Holding attended the meeting, with the latter in tears when she asked the City not to pass these ordinances which she felt were restrictive to the family and their property rights. She also complained that for thirty years they had not developed a thing but built great amenities for the entire community. She disagreed with the City on the need to create a historic preservation committee that disallows the Company to alter its own property.
- At present, the Holdings are not in a state to talk with the Steering Committee.
- The Holdings think they are a better steward than anyone else. They did not do much in the last 35 years. In addition, they are not going to sell their property rights in the Gateway or Prospector Hill.
- The Holdings want to be left alone.

Members of the Committee expressed the following opinions:

- The Committee is unanimously disappointed with the public turnout of the town hall meeting
- The only time there is a high turnout for a public meeting is when there are major issues being decided. The low turnout rate may indicate people are pretty happy with the current situation.
- We have to recognize that everyone brings their own values and background in interpreting the questions.
- Besides Sun Valley Company, we also have to recognize that the community has more than \$2 billion worth of real estate and that ownership group has a point of view too.
- No question in the presentation mentioned anything about giving up private property rights. The intent of the sub-committee group was to look at questions on both sides of issues. Overall, the questions were benign and open.
- The Committee did not shape or form any questions that slant towards a bias against a single property owner.
- Question 10 was not a leading question because the Sun Valley Company has been supportive of maintaining view corridors and open space. An example is the removal of large old pine trees in the Village Core which opened up the panoramic view of the beautiful surroundings, which people treasure a lot.
- The town hall meeting sub-committee was open for participation to the entire Steering Committee. If Tim Silva or Wally Huffman would have sat in the meetings held to develop the questions there would have been more balance.
- Building the relationship and understanding with the Holdings is important and is fundamental to writing a good plan.
- The publicity for the Town Hall meeting was great but the turnout was not as good as it could have been.
- Other methods to reach out to people, such as texting or internet, may be helpful.
- It is a matter of process and product. The Committee gave the community an opportunity to comment and they chose not to. The product is having the right plan for the future, which is the

responsibility of the Committee. The Committee used the right process, though the result is imperfect. The Committee deserves credit and support.

- The Committee tries to set a collaborative atmosphere, with an attempt to find common ground and avoid controversy. The Committee has been careful to address this and try to find something that works. No one wants to take anything from the Company. The purpose of the Comprehensive Plan is to find a desired future outcome that enhances the community, specifically on economic value. The Sun Valley Company deserves the best economic value that can be attained here and that is going to be supportive of the entire community.
- It is suggested that changing the tone on how the Steering Committee and Sun Valley Company can work together will attain value for both the Company and the community, thus creating a win-win desirable future.
- It is suggested that reaching out to the Holdings will show that the Committee cares.
- The Committee reassured the Holdings that they are great stewards. However, a Comprehensive Plan needs to be in place to assure that any possible new owner will develop the property in accordance with the community vision.

Comments from the public:

Karen Reinheimer stated:

- Many people in Sun Valley own property and bought properties over the years with a certain understanding of how property was going to be developed in the future.
- The idea of balance is a good thing: development can happen which eventually turns people away from a community. The view corridors and open space were initially, from her readings, part of the community plan: balancing the elements to create an environment that people would be happy living in, and continuing to do so in the future.
- This is a democracy where individual property owners and renters have a voice in the process, and of what is important to them.
- The emphasis, as expressed in the public outreach meeting, on keeping the hillsides undeveloped, and the importance of a balanced picture of land development in Sun Valley, may contradict the present plans and intentions of Sun Valley Company. And, as such, this tension is not going to go away.
- And, many of the responses are responses the community has had over the years, and that is not going to change.

Recap of Request to the City Council

At the September meeting, the Steering Committee reached a consensus to seek more resources to help the Committee move forward in the future land use discussion. A funding request was made to the City Council to have Gary Allen, an attorney in Boise, provide background information for land use and property rights, and to have Idaho Smart Growth facilitate a discussion/negotiation.

Mark Hofman reported to the Committee that both funding requests were not granted by the City Council. The request discussion was recorded on Granicus and there was no motion for the request by the City Council. The key rationale was that the Comprehensive Plan Update is a three part process and the role of the Steering Committee is making a recommendation, not a negotiation.

General Understanding of Land Use and Property Rights

Mark Hofman led the discussion on what the Committee may need in order to have a good general understanding of land use and property rights for the update process. Available resources include:

- City Attorney Adam King;
- Sun Valley Company attorney Evan Robertson;
- Possibly, a neutral attorney agreed on by both the Sun Valley Company and the Committee; and,
- Idaho Land Use Handbook.

The Committee made the following comments:

- It would be great to have someone with similar expertise as Gary Allen to answer the Committee's questions.
- The Idaho Land Use Handbook is very long and it also goes back and forth without any black and white answers.
- As a lay person reading the Idaho Land Use Handbook, it gives you a good background. The purpose of the whole exercise is not to access the legal side of the matter. The handbook indicates clearly what should be avoided.
- The City Attorney will be a good resource to answer questions. The Committee suggests bringing him in to give the group a tutorial when it encounters specific difficult issues.
- The City Attorney cannot be completely unbiased. However, we have to acknowledge the fact that every lawyer is an advocate. It is important that the lawyer can state both sides of the issue.
- Wally Huffman said Gary Allen is an advocate that does not benefit the Company. He is comfortable with Adam King assisting the Committee.
- Chairman Palmedo said Gary Allen has successfully defended private property owners against open space advocates. He said that Allen would wear a neutral and unbiased hat if he were to speak to the Committee.

Sun Valley Resort/Village Core

The discussion focused on the narrative text and the LUPA map showing the current land use designations. Chairman Palmedo asked each Steering Committee member to indicate their opinion. The following is a summary:

- The possibility of density transfers for areas that Sun Valley Company is not planning to develop in its prior plan, such as the old hospital. Wally Huffman explained the old hospital site is part of the Village Core and its density is of commercial nature. He said it was inappropriate to transfer the 400 residential unit density to this area because of the difference in uses.
- 6 members indicate they are comfortable with the land use designations in the 2005 Comprehensive Plan for this LUPA.
- Clean up the narrative regarding the Public/Quasi-Public area and workforce housing to reflect the current situation since the new laundry facility has been built in that location. It is suggested that flexibility of locating workforce housing outside this LUPA should be allowed.
- The text "Development and re-development within this LUPA will necessitate a new fire substation near the Sinclair station...." (III-14) needs to be amended.

Sun Valley Gateway

Mark Hofman gave an overview of this LUPA and recapped that the Committee agreed in a previous discussion to drop the Horseman's Center/Community School LUPA from the Comprehensive Plan, with the Horseman's Center area being added to the Sun Valley Gateway LUPA. Chairman Palmedo asked each Steering Committee member to indicate their view. The following is a summary:

- It is an iconic entrance to Sun Valley and should remain as Open Space.
- Opportunity exists for trades of density, which should stay in the Plan.
- A narrative should be added regarding the idea of having a gondola connect the Sun Valley Village and River Run, through Ketchum.
- More discussion within the community will be needed before an appropriate decision could be made about the land use designations in the Gateway that are acceptable both to the Sun Valley Company and to the community.
- Chairman Palmedo reviewed the current zoning of this area, along with background information and key issues. He suggested moving density closer to the Core and keeping open area outward from there to create value for both the Sun Valley Company and the community.
- Having an open view corridor is important. Density behind the treeline on the east side of Sun Valley Road is fine as long as the height of buildings does not impact the view corridor. Density on the west side may be fine at the toe of the slope, between the tree line/ditch and the two hills.
- A member of the Committee living in Bitterroot expressed her dislike of density above Bitterroot, pointing out that other densities and land uses may be acceptable in the greater LUPA area.
- It was questioned if a 20 year lease from the Sun Valley Company is possible to maintain the current status. Wally Huffman said this would be the last choice for the Company, working out a land use scenario is the best option.

Next Meeting

The next two meetings were tentatively scheduled for October 29th and November 12th, 2013.

Further Comments and Questions

Mayor Briscoe said that the Steering Committee is dealing with sticky issues and it is hard to make definitive decision in the land use recommendations. The Committee may consider leaving those decisions for the Planning & Zoning Commission and the City Council to discuss directly with the Sun Valley Company.

Karen Reinheimer requested that all Land Use areas be looked at thoroughly, to understand the nature of the areas, etc.

Lisa Stelck suggested the Committee consider density at Penny Hill, the Trail Creek/Gun Club area and the 5-acre parcel.

Adjourn

There being no other business, the meeting was adjourned at 6:05 p.m.