



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF AUGUST 27, 2024

PROJECT: Abode Luxury Rentals

FILE NUMBER: P24-028

APPLICANT: Brandon Owen, Abode Luxury Rentals (Operations Manager)

PROPERTY OWNER: Bloom Real Estate LLC

REQUEST: Conditional Use Permit to permit a 2,079 square foot property management office in an existing structure within the CC-1 zone district.

LOCATION: 431 N Walnut Avenue (Ketchum Townsite: Lot 6, Block 45)

ZONING: Community Core - Retail Core Subdistrict (CC-1)

REVIEWER: Paige Nied, Associate Planner

NOTICE: Notice was published in the Idaho Mountain Express and was mailed to properties within a 300-foot radius on August 7, 2024. Notice was posted at the subject location and on the city website on August 20, 2024.

EXECUTIVE SUMMARY

The Applicant is requesting a Conditional Use Permit (CUP) to establish a short-term property management office for the Abode Luxury Rentals business in an existing building located at 431 N Walnut Avenue (“subject property”). The subject property is developed with two existing structures. One fronts Walnut Avenue and the other, known as the George Castle Cabin, faces the alley and is listed on the city’s Historic Building/Site List. The proposed CUP is only for the structure that fronts Walnut Avenue. The building was previously used as a medical care facility for the Ketchum Family Medicine business and has been vacant for over a year. No changes to the George Castle Cabin building or use are proposed with this application. The subject property is located by the corner of Walnut Avenue and 4th Street with nearby businesses including the Community Library, Wood River Museum of History and Culture, Living With Wolves Museum, coffee shops, restaurants, and retail. The property is also next to the new community housing development, Bluebird, which contains 51 housing units.

Plan does include goals of supporting tourism-related businesses throughout the community. Staff also observed that this specific location is unique as it is a transition area between the downtown and the low-density residential neighborhood to the north. Therefore, staff recommend approval of the CUP application for a two-year term. Upon expiration of the CUP, the applicant would be required to submit a new CUP application, where staff would assess how this transition area has changed over the two-year period and whether the site would be better served by a business with a more customer-oriented use. Further analysis of the criterion is discussed below.

BACKGROUND

The Planning and Building Department received the CUP application for the project on April 8, 2024. Following the receipt of the application, staff routed the application materials to all city departments for review. After two rounds of review, the application was deemed complete on July 30th, 2024. As of the date of this letter, all departments' comments have been resolved or addressed through the conditions of approval recommended below.

ANALYSIS

Staff has reviewed the Conditional Use Permit Application against the zoning regulations including but not limited to uses permitted, parking, dark skies, and signage. Staff also reviewed the application for conformance with the conditional use permit criteria outlined in KMC 17.116.030.

Conformance with Zoning Regulations

Dark Skies (KMC 17.132)

The existing period style light fixtures on the building are not compliant with the dark sky requirements in KMC 17.132, because the light source is not fully shielded. The applicant is proposing a down lit wall lantern to replace the period style fixtures. Staff recommend condition of approval #4, which states that within 30 days from the date the Findings of Fact are signed, the applicant is required to install the new exterior lights and contact Planning staff to schedule an inspection for staff to verify dark sky compliance. All other existing exterior lighting is compliant with dark sky requirements and will remain.

Off Street Parking and Loading (KMC 17.125)

Parking for the first 5,500 square feet of office space within the Community Core is exempt from providing parking. As the proposed office is under the 5,500 square foot threshold, no vehicular parking is required to be provided for the office. However, bicycle parking is required for this use. Pursuant to KMC 17.125.060, all uses other than one family dwellings are required to provide at least one bicycle rack, able to accommodate at least two bicycles, for every four parking spaces required by the proposed use. Because no vehicular parking spaces are required for the use, at least one bicycle rack, able to accommodate two bicycles, must be installed. The applicant acknowledged that no bicycle racks exist onsite and provided two bicycle rack options to staff, both of which can accommodate two bicycles. Staff recommend condition of approval #6, which states that within 60 days from the date the Findings of Fact are signed, the applicant is required to install the bicycle rack and contact Planning staff for an inspection for staff to verify that the bicycle rack has been installed, can accommodate at least two bicycles, and that it is located within the property boundary and is not in the right-of-way.

Signage (KMC 17.127)

The CUP application states that the only exterior change proposed is to remove the old sign frame and install new signage. Staff observed that signage for the Abode Luxury Rentals business had already been installed and a code enforcement letter was sent to the applicant on June 14, 2024. The letter stated that pursuant to KMC 17.127.020, prior to installing a permanent sign, a sign permit must be obtained. However, a sign permit cannot be approved for a business that does not have an active business license. The Adobe Luxury Rentals business license approval is dependent on the approval of the CUP application. Staff recommend condition of approval #5, which states that within 60 days from the date the Findings of Fact are signed, the applicant is

required to submit and receive approval of a sign permit application for the existing signage. If the existing signage is not compliant with the signage specifications in KMC 17.127.050, the applicant must modify the signage to bring it into compliance.

Conformance with Conditional Use Permit Criteria

Pursuant to KMC Section 17.116.030, conditional use permits can be granted if and only if all criteria listed below are met. Below is the stated criteria and staff's analysis of each:

- *Criteria 1* - The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district;
 - *Analysis:* The Community Core (CC) Zone District is divided into two subdistricts, Retail Core (CC-1) and Mixed Use (CC-2) Subdistricts. The Retail Core intends to be the community's primary shopping district and provide ground floor storefronts which create an active pedestrian-friendly environment. The Mixed-Use Subdistrict includes many of the same uses seen in the Retail Core, but the two subdistricts differ when it comes to office space. While office is permitted by right use in all portions of a building in the Mixed-Use Subdistrict, the Retail Core requires a conditional use permit for office space that is on the ground floor and has street frontage. As further discussed in Criteria 5, office is identified as an appropriate use on upper floors of buildings within the Retail Core land use category. The proposed office is located in a single-story building with frontage on Walnut Avenue and adjacent to 4th Street, both highly used pedestrian corridors within Ketchum's downtown. Frequently visited pedestrian uses in the immediate area to the south and east include the Community Library, Wood River Museum of History and Culture, Living With Wolves Museum, coffee shops, and multiple retail and clothing stores making the area a pedestrian hub. Other uses which are permitted in the Retail Core include convenience stores, daycare centers, food service, instructional services (music, painting, educational tutoring facilities), personal services (beauty/barber shops, pet grooming, tailors, shoe repair), cultural facilities (museums, libraries, art galleries), medical care facilities, and more. These uses differ from retail but still attract frequent pedestrian activity which help to contribute to the overall pedestrian activity which defines the area. Also, the subject property is next to the new Bluebird development, that is nearing completion and the 51 housing units will soon be occupied. It is unclear at this point in time what influence Bluebird will have on activating this corner of town. According to the applicant narrative in the CUP application (Attachment A), the proposed office is for a short-term property management business which expects to have one to three employees and between zero and one guest daily. The lack of customers and pedestrian-friendly environment of the office makes the use not the most compatible with the surrounding businesses. However, the subject property is unique because it is located in a transitional area between the downtown and the low-density residential area to the north. The low amount of customer traffic generated by the proposed office may better align with the quieter nature of the residential neighborhood to the north and could be regarded as an appropriate buffer within this transitional area. Therefore, staff recommend approval of the CUP application for a two-year term, allowing the business to operate in the interim and when the CUP expires, reevaluate whether the site would be better served by a business with a more customer-oriented use.
- *Criteria 2* - The conditional use will not materially endanger the health, safety and welfare of the community;
 - *Analysis:* The Building and Fire Department have reviewed the proposed plans for the office. All life safety and building code requirements are being met. When evaluating the impact on the welfare of the community, staff look to the Comprehensive Plan for conformance. As noted above, staff believes that the request only partially meets the policies of the Comprehensive Plan and that the proposed use is not the most supportive of the overall welfare of the downtown and the community in the long term. Further discussion regarding

whether the request meets the policies of the Comprehensive Plan is reviewed later in Criteria 5.

- **Criteria 3** - The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;
 - *Analysis:* The proposed use is in a portion of the Community Core that has fully connected sidewalks providing a pedestrian path to surrounding businesses, transportation stops, and parking areas. The proposed property management office does not anticipate frequent visitors, therefore, an increase in pedestrian and vehicular traffic is not anticipated. Employees and visitors of the office will have access to on street parking or can walk, bike, or bus to the office depending on where they are coming from. As noted above, the KMC exempts on-site parking requirements for the first 5,500 square feet of office space in the Community Core zoning district. The proposed office is less than 5,500 square feet and located within the Community Core zoning district, making the proposed use exempt from providing on-site parking.
- **Criteria 4** - The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area, or conditions can be established to mitigate adverse impacts; and
 - *Analysis:* As mentioned above, all departments have reviewed the proposed use including Streets, Fire, Water, Wastewater, Building and Engineering. Additionally, the proposed use is within an existing commercial building currently served by all other utilities necessary to service the use including electricity, gas, and garbage service with no increase in service levels anticipated with the proposed use.
- **Criteria 5** - The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this chapter.
 - *Analysis:* See Table 1 below.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: <i>Retail Core</i></p>
<p>Purpose <i>The community's primary shopping district is the Retail Core. The Retail Core provides a variety of mixed-use buildings that have ground-floor storefronts. Specialty shops, restaurants, and outdoor seating areas line the sidewalks, creating an active pedestrian-friendly environment. Convenient shopping and dining is served by sidewalks, parking, and bike access. Upper floors include a mix of residential uses and offices.</i></p>
<p>Analysis: The Comprehensive Plan identifies office as an appropriate use within the retail core but notes that offices should be located on the upper floor of buildings. As outlined in the CUP application (Attachment A), the proposed office is located in an existing single-story building and expects to have one to three employees and between zero and one visitor per day. The proposed property management office is not the best use for achieving the Retail Core's purpose of creating an active pedestrian-friendly environment. Frequently visited pedestrian uses in the immediate area include the Community Library, Wood River Museum of History and Culture, health and wellness facility, and multiple retail and clothing stores making the area a pedestrian hub, with increased activity from recent developments that have added a coffee shop, Living With Wolves Museum, retail, and an ice cream shop that is currently under construction. Also, this property is adjacent to the new Bluebird development, that is nearing completion and the 51 housing units will soon be occupied. It is unclear at this point in time what influence Bluebird will have on that corner of town and the level of activity it will bring but staff does anticipate that activation in this area of town will continue to increase in the near future. The proposed office's lack of pedestrian activity does not contribute towards the Retail Core's goal of creating an active pedestrian-friendly environment that other uses would provide. Therefore, staff recommend approval of the CUP application for a two-year term, allowing the business to operate in the interim and prevent the building from sitting vacant, and reassess the compatibility of the office use in this location upon expiration of the CUP.</p>

Comprehensive Plan Value: Vibrant Downtown

Our downtown core is critical to the economic health and well-being of Ketchum. It functions as both an economic engine and the symbolic “heart and soul” of the City. We will preserve this vibrant commercial area as a place where local businesses can thrive and where people can congregate. Downtown must be a place that people can reach easily by foot, bike, and transit. We will continue to reinforce the downtown as the City’s primary business district, retail core, and key gathering place for residents and visitors for shopping, dining, and entertainment. Enhancements and efforts to support events, the arts, and Ketchum’s history and culture will make downtown an even greater community asset.

Analysis: The proposed use only partially supports the City’s value of creating a vibrant downtown as it would meet the intent of serving as “the City’s primary business district”, however, because the business anticipates zero to one visitor daily it does not act as a “key gathering place for residents and visitors for shopping, dining, and entertainment.” This value also communicates that the economic health and well-being of Ketchum is directly tied to downtown’s vibrancy. The proposed use of an office may not be the most appropriate in this area of town, however, it is unknown whether this building would sit vacant if this application is not approved. A vacant building would not add to the town’s vibrancy in any way. Also, staff anticipates that activity in this area of town will continue to increase but the influence of the Bluebird development is unknown at this point in time. Therefore, staff recommend approval of the CUP application for a two-year term, allowing the business to operate in the interim and prevent the building from sitting vacant, and reassess the compatibility of the office use in this location upon expiration of the CUP.

Policy E-3(b)

Tourism-Related Land Uses, Businesses, Events, and Marketing

Continue to support tourism-related land uses and businesses including lodging development and venues. Support national sporting and cultural events, and strong marketing.

Analysis: The Comprehensive Plan identifies supporting tourism-related land uses, businesses, and events as a goal. A short-term property management business directly supports the tourism economy that exists in Ketchum. Despite the proposed use anticipating few daily visitors and being located on the ground floor in an active downtown area, one of the goals of the Comprehensive Plan is to support tourism-related businesses in the community. Therefore, by approving the CUP for a two-year term, staff can meet the goal of supporting tourism businesses and upon expiration of the CUP, reevaluate the use of an office in this location to ensure the intent of the Retail Core is being met as well.

Policy E-4(a)

Balance of Business Types

Ensure a balance of local and tourism business types throughout the community.

Analysis: While the proposed office is not the most compatible use in the Retail Core, the Comprehensive Plan does support tourism businesses throughout the entire community. The proposed use of a short-term property management business would further the policy of ensuring a balance of local and tourism business types throughout the community. Staff believes that by approving the CUP for a two-year term, the goal of supporting tourism businesses will be met, and upon expiration of the CUP, staff will be able to evaluate the appropriateness of the use in this area and the activation from surrounding developments.

STAFF RECOMMENDATION

Staff believe the proposed project, as conditioned, meets all zoning requirements and criteria for conditional use permits. Staff recommends **approval** of the CUP application (File No. P24-028) for a two-year term, subject to the following conditions:

1. This conditional use permit approval is based on the project plans presented at the August 27, 2024, Planning and Zoning Commission meeting. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
2. This Conditional Use Permit is not transferable from one parcel of land to another.
3. The term of this Conditional Use Permit shall be two years from the date the Findings of Fact, Conclusions of Law, and Decision are signed. Prior to the expiration of the Conditional Use Permit, the applicant shall apply for a new Conditional Use Permit.

4. All exterior lighting shall be in compliance with the Ketchum Municipal Code, Chapter 17.132, Dark Skies. Within 30 days after the Findings of Fact, Conclusions of Law, and Decision are signed, the applicant shall install the new exterior lighting and shall contact the Planning Department for an inspection to verify compliance with dark sky standards.
5. Within 60 days after the Findings of Fact, Conclusions of Law, and Decision are signed, the applicant shall submit and receive approval of a sign permit application for the existing signage. If the existing signage is found to not be compliant with the signage specifications in KMC 17.127.050, the applicant must modify the signage to bring it into compliance.
6. A bicycle rack shall be installed within 60 days of the Findings of Fact, Conclusions of Law, and Decision being signed. Upon installation of a bicycle rack, the applicant shall contact the Planning Department for an inspection to verify that a bicycle rack has been installed, that it can accommodate at least two bicycles, and that it is located within the property boundary.

Recommended Motion

“I move to approve the Adobe Luxury Rentals Conditional Use Permit for a two-year term and direct staff to return with the Findings of Fact, Conclusions of Law, and Decision.”

ATTACHMENTS:

- A. Conditional Use Permit Application and Supporting Materials
- B. Conditional Use Permit Plan Set



City of Ketchum

Attachment A: Conditional Use Permit Application and Supporting Materials

OFFICIAL USE ONLY
FileNumber:
DateReceived:
By:
Fee Paid:
ApprovedDate:
DeniedDate:
By:

Conditional Use Permit Application

Submit Completed application to planningandzoning@ketchumidaho.org Or hand deliver to Ketchum City Hall, 191 5th St. W. Ketchum, ID If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: www.ketchumidaho.org and click on Municipal Code. You will be contacted and invoiced once your application package is complete.

OWNER INFORMATION
Project Name: Abode Luxury Rentals
Name of Owner of Record: Bloom Real Estate
Physical Address: 431 N. Walnut Ave., Ketchum, ID 83340
Property LegalDescription: Ketchum Lot 6 Blk 45 8260 SF
Property ZoningDistrict: City
Lot Size: 1,423 sf
Contact Phone: 208-861-1327 Contact Email: Brandon@abodeluxuryrentals.com
PROJECT INFORMATION

Description of Proposed Conditional Use: Abode Luxury Rentals is a short term property management company. We would like to operate out of 431 N Walnut in Ketchum. We will be using the location for storage, employees, and guests.

At this time the only change to the exterior is to remove the old sign frame. The original footprint of the building will not be altered.

We are seeking a conditional use permit because we are an office with a ground level entry that is similar to what the previous medical center had, Jennifers of Australia behind, as well as law offices at 685 4th St on the next block. Our office is primarily used for daily administration and management of guests and owners. We would anticipate an occasional guest or vendor in the office. We will also be using for storage

of guest and owner supplies.

We will only be operating out of the building directly on Walnut across from the library. The building behind will still be utilized by Jennifer's of Australia

Daily, We are planning on 1-3 employees, currently there is 1.

Customers - 0-1.

Hours of operation would be Monday through Sat - 9 am - 6 pm

Required Actions: We would like to propose one of these two bike racks for consideration:

3 Bike Rack: <https://www.parkitbikeracks.com/curve-it-bike-racks>

6 Bike Rack:

<https://www.mygift.com/products/6-bike-capacity-double-sided-black-steel-bike-rack-stand-grid-bicycle-parking-storage-holder>

I have attached a new floor plan that shows the square footage of each room.

Walking in is the lobby area furnished with some tables as well as a couch and a couple chairs.

Reception area for greeting visitors.- primary work location for employee

Down hallway - first room on left will be storage for tools, paint, decorations First room on the right is unfurnished but the plan is for that to be an individual office. The 2nd room on the right is another storage room. In this room are towels, sheets for king, queen, and twin beds. Duvet covers and comforters. Also, has gifts for guests such as beer and wine, and some branded items like blankets, wine glasses, water bottles.

Kitchenette has a microwave, fridge, and sink. The next room is storage for house supplies such as toilet paper, paper towels, branded soaps, lotions, shampoo's, etc. The final room in the back is a conference room with a large conference table.

Description & Specification Sheet of Proposed
and Existing Exterior Lighting:

We have removed the exterior light that was on the original sign preparing to remove the frame. There are lights at each door as well as on the North Side of the building. No other changes to the lighting will be made. I've attached pictures.

We are working with King Electric on the lighting. He will be retro fitting some caps to bring the lights to the side and to the back of the property into compliance with the Dark Sky Reserve. We will also be ordering two of the Henry Sconce Dark Bronze to replace the existing fixtures at the Walnut Street entrance. Here the link for the lights:

https://www.visualcomfort.com/pohl-medium-one-light-outdoor-wall-lantern-8731701/?selected_product=8731701-12#1661=47161&2461=35811

APPLICANT NARRATIVE OF HOW THEY MEET THE CONDITIONAL USES PERMIT

CRITERIA IN MUNICIPALE CODE 17.116.030 A-E

The conditional use

https://www.visualcomfort.com/pohl-medium-one-light-outdoor-wall-lantern-8731701/?selected_product=8731701-12#1661=47161&2461=35811s compatible with the other buildings nearby. To the South a cabin that looks to be currently vacant, a cabin behind with a massage parlor and a private residence to the South. The look of the block and/or neighborhood won't be altered.

Being a property management company will not be a detriment or endanger health, safety, and welfare of the community.

Most of the pedestrian and vehicular traffic is from the library as well as a large number of construction projects currently taking place. Once this work is done the amount of traffic will decrease to levels of when this building was a medical center.

The current building has 2 bathrooms that would be sufficient for employees and guests. The impact will not adversely affect public services in the area.

By not changing the exterior footprint and with no remodel being planned, Abode will not change the look and feel of N Walnut Ave and the surrounding area. I would anticipate the same impact as when the medical center was in place.

ADDITIONAL COMMENTS

We have no plans or supporting documents since we are not making any modifications to the exterior of the building. We are simply using the space as an office much as it was previously. Please reach out with any questions. Thanks,

ACCOMPANYING SUPPORTING INFORMATION REQUIRED

- Existing Site Plan ● Proposed Site Plan ● Landscape Plan ● Grading and Drainage Plan ● Exterior Lighting Plan and Specifications ● Other plans and studies related to the social, economic, fiscal, environmental, traffic, and other effects of the proposed conditional use, as required by the Administrator

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortious conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Applicant Signature

Brandon Owen

Date

07/29/24

City of Ketchum Planning & Building Department
Conditional Use Permit Application

The Community Library



431 Walnut Ave

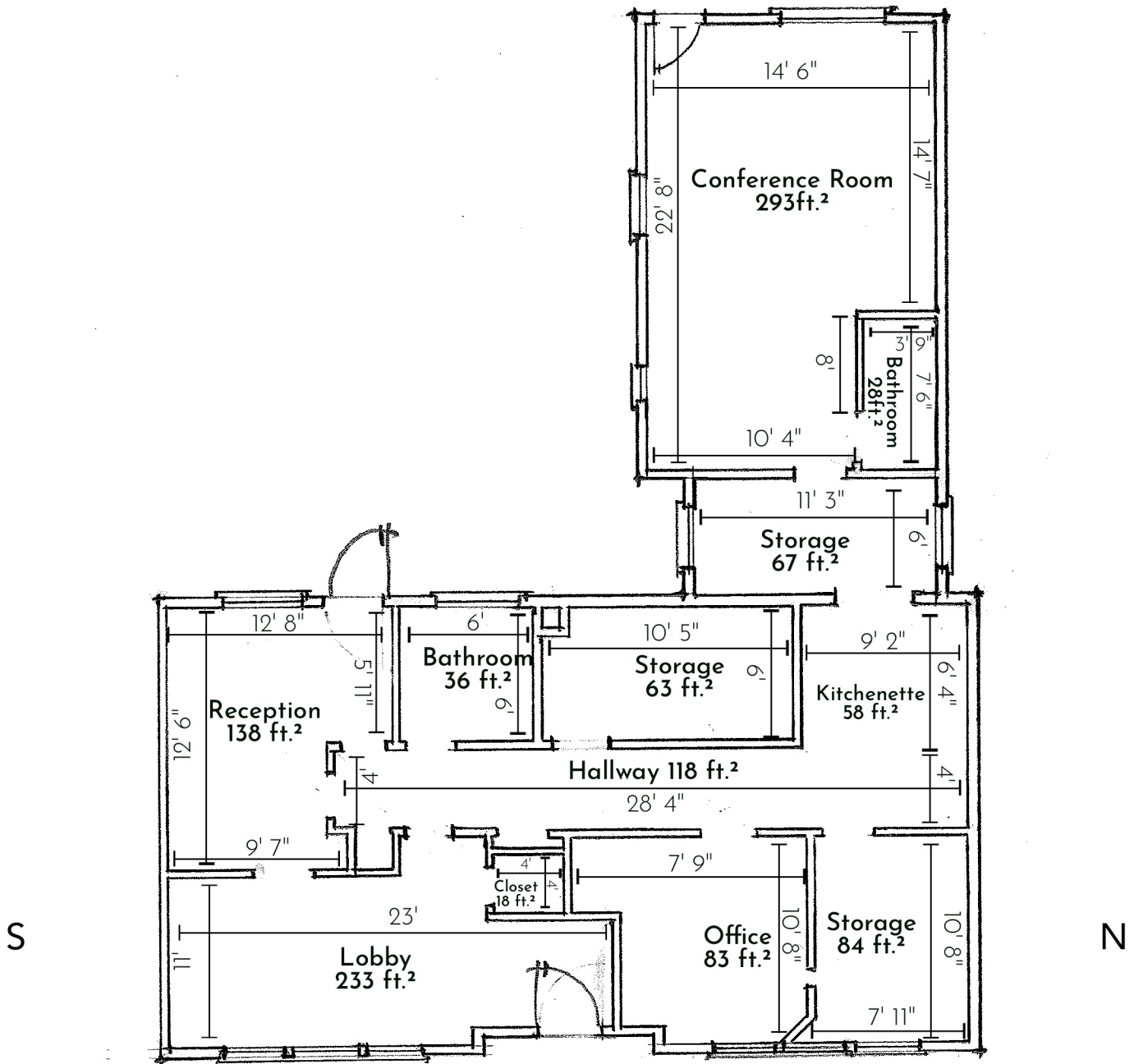
Ketchum
Town Square



City of Ketchum

Attachment B: Conditional Use Permit Plan Set

W



431 North Walnut Ave., Ketchum ID 83340

Zone: CC

Square Foot: 2,079

1/8 Scale

E



Roll over image to zoom in



Bioluz LED 8 Pack 90 CRI BR30 LED Flood Light Bulbs Indoor Outdoor INSTANT ON DIMMABLE Warm White 2700K Replaces 65-95 Watt Using 9.5 Watts UL Listed Title 20 High Efficacy Lighting

Visit the Bioluz LED Store
4.6 ★★★★★ 1,660 ratings | Search this page
Amazon's Choice in LED Bulbs by Bioluz LED

\$39.99 (\$5.00 / Count)

FREE Returns
Available at a lower price from other sellers that may not offer free Prime shipping.

30-day refund/replacement

Color: **Warm White 2700k**



Size: **8 Count (Pack of 1)**

- 1 Count (Pack of 1)
- 4 Count (Pack of 1)
- 8 Count (Pack of 1)**
- 10 Count (Pack of 1)
- 20 Count (Pack of 1)
- 24 Count (Pack of 1)

Brand	Bioluz LED
Light Type	LED
Special Feature	Shatter resistant, Instant On, Shock and vibration resistant, Dimmable, Title 20 Compliant
Wattage	9.5 watts
Bulb Shape Size	BR30

Light Outdoor Wall Lantern



Pohl Medium One Light Outdoor Wall Lantern

STUDIO COLLECTION | VIEW THE POHL SERIES

\$149.00

8731701-10

Specifications in cm

- Width: 5"
- Height: 9"
- Backplate: DP:2.75" W:5" H:7" OB UP:4.5" Rectangular
- Socket: 1 - Medium - BR30
- Rating: Wet Rated

Option:



Finish
Bronze

Lamp Type
Bulb(s) Not Included

\$149.00

349 In Stock | Ships by 08.23.24

1 **ADD TO CART**

Save to Project



431

