



**City of Ketchum
Planning & Building**

IN RE:)	
)	
Bluebird Village Community Housing Project)	KETCHUM PLANNING & ZONING COMMISSION
Conditonal Use Permit)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: August 24, 2021)	DECISION
)	
Application File Number: P21-064)	

PROJECT: Bluebird Village Community Housing Project

APPLICATION TYPE: Conditional Use Permit

FILE NUMBER: P21-064

ASSOCIATED APPLICATIONS: Design Review P21-063 & Pre-Application Design Review P21-027

ARCHITECT: Michael Doty, Michael Doty Associates

DEVELOPER: Greg Dunfield, GMD Development & Ketchum Community Development Corporation

PROPERTY OWNER: City of Ketchum

PROJECT LOCATION: 480 N East Avenue (Ketchum Townsite: Block 45: Lot 3A) & Parking Lot at Southeast Corner of 5th Street & Alley (Ketchum Townsite: Block 45: W 75' Lots 7 & 8)

ZONING: Retail Core of the Community Core (CC-1)

OVERLAY: None

RECORD OF PROCEEDINGS

The Planning & Zoning Commission considered the Bluebird Village Community Housing Conditional Use Permit (Application File No. P21-064) application during their regular meeting on August 10th, 2021. The application was considered concurrently with the Design Review Application P21-063 and the associated public hearings were combined in accordance with Idaho Code §67-6522. After considering Staff’s analysis, the applicant’s presentation, and public comment, the Planning & Zoning Commission unanimously approved the Bluebird Village Conditional Use Permit (Application File No. P21-064) applications.

The Staff Report prepared for the Planning & Zoning Commission's review of the project at their August 10th, 2021 meeting provided an analysis of evaluation standards, and Conditional Use Permit criteria (Ketchum Municipal Code §17.116.030), and applicable development regulations. The applicant's project plans were attached as Exhibit A to the August 10th Staff Report. Supplemental materials submitted by the applicant for the Conditional Use Permit application was attached as Exhibits B and C to the August 10th Staff Report.

Public Hearing Notice & Public Comment

The public hearing notice for the project was mailed to all owners of property within 300 feet of the project site on July 21st, 2021. The public hearing notice was published in the Idaho Mountain Express on July 21st, 2021. A notice was posted on the project site and to the City's website on July 27th, 2021.

Public comment received prior to the Planning & Zoning Commission's review of the Pre-Application was included as Attachment G to the May 11th, 2021 Staff Report. Public comment was attached as Exhibit G to the August 10th Staff Report. Public comment received following the Staff Report's publication was incorporated into the project record and forwarded to the Commission for their consideration. All public comment received following May 11th and up until the Commission's review of the final Design Review and Conditional Use Permit applications on August 10th has been posted to the Bluebird Village Project page on the City's website at <https://www.ketchumidaho.org/planning-building/project/bluebird-village-project>.

FINDINGS OF FACT

The Planning & Zoning Commission having reviewed the entire project record, provided notice, and conducted the required public hearing does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

FINDINGS REGARDING PROPERTY MANAGEMENT OFFICE

Only pedestrian activated commercial uses like retail shops and restaurants are permitted on the ground-floor along the street frontage within developments in the Retail Core (CC-1) Zone (Ketchum Municipal Code §17.12.020). The Bluebird Village development includes ground-level retail units fronting East Avenue and 5th Street. The 304-square-foot property management office requires a Conditional Use Permit as its proposed to be located on the first floor along 5th Street (Ketchum Municipal Code §17.12.020: Footnote 10).

Ketchum Municipal Code §17.18.130 establishes the purpose of the Community Core and includes offices as a compatible use. While offices are listed as a compatible use within the CC Zone, this type of use generally decreases vibrancy downtown. Unlike retail, food service, and entertainment uses, business offices do not attract a significant amount of pedestrian traffic or walk-ins by residents or visitors. As the hours of operation are during the day, business offices also decrease vibrancy

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downtown during the evening. The proposed property management office along 5th Street is small in size with a total floor area of only 304 square feet. The property management office is accessory to the community housing project. This conditional use will help to enhance downtown vibrancy by providing support to the residents within 51 new affordable housing units downtown

FINDINGS REGARDING COMPLIANCE WITH CONDITIONAL USE PERMIT CRITERIA

The applicant provided comments describing how the property management office complies with City-standards for Conditional Use Permits, which was attached as Exhibit C to the August 10th Staff Report. The following Commission findings demonstrate the development's compliance with the Conditional Use Permit criteria specified in Ketchum Municipal Code §17.116.030.

The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.

Commission Findings: The office is compatible (§17.18.130) with other types of commercial uses permitted downtown, including retail, food service, and entertainment. The property management office is accessory to the community housing project serving to support the residents. Local residents living and working downtown will enhance vibrancy, support local businesses, and strengthen Ketchum's economy.

The conditional use will not materially endanger the health, safety and welfare of the community.

Commission Findings: The project does not jeopardize public health, safety, or welfare. The Bluebird Village project will support the community's health, safety, and welfare by providing 51 new affordable rental units for locals who live and work in Ketchum. The Fire, Building, Streets, and Utilities departments have reviewed the project plans submitted with the Design Review application and provided comments included as Table 6 within the approval for the associated Design Review Application File No. P21-063. City Departments will review the project's final construction drawings to ensure the development complies with all building and fire code standards and ADA requirements.

The applicant has reduced the project's potential negative impacts to nearby neighbors. The parking area's southern border will be screened by a full ground-to-ceiling concrete block wall to block both noise and light trespass from vehicle headlights. Window glazing has been reduced by 50% to minimize the amount of light emanating from the stairwells. The applicant has addressed neighbor concerns about the upper-level balconies' safety and noise impacts. A 3.5-foot-tall railing will border the edge of each balcony. In addition, 10-foot wide, landscaped setback areas are provided on the second and fourth floors.

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.

Commission Findings: Deed-restricted community housing units within developments in the downtown have been exempt from off-street parking requirements since 2006. Affordable housing units that ensure Ketchum continues to be a diverse community with a mixture of housing types and affordability outweigh the need to provide on-site parking—this has been the priority in Ketchum for 15 years.

Proposed Project Parking

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While no parking is required for this community housing project, the development includes 46 on-site parking spaces. The applicant is also providing additional amenities to offset parking demand, including a car share program with two vehicles for residents, secure bike parking, and electric bike charging stations. The parking proposed on site consists of 46 spaces. 16 of the parking spaces are arranged in a tandem configuration. The Planning & Zoning Commission has approved tandem configurations to satisfy off-street parking demand for several market-rate, multi-family residential projects downtown. While off-street parking is not required to be provided on site for community housing units, the development's proposed tandem configuration is consistent with other projects approved by the Commission. 8 of the parking spaces provided on site are compact. 2 of the compact parking spaces will be reserved for car-share vehicles.

Project Parking Demand

The traffic engineering firm AECOM prepared a parking analysis for the Bluebird Village project, which was attached as Exhibit D to the August 10th Staff Report. AECOM's study included an analysis of parking demand based on the number of residential units as well as the number of bedrooms within the Bluebird Development. The report's conclusions indicate the project will generate a need between 0 to 13 off-site parking spaces.

City Hall's existing peak parking demand during the day for employees and public visitors is approximately 23 vehicles. All employees and public visitors use on-street parking spaces as no on-site employee or visitor parking is provided on site. The existing parking lot is reserved for emergency service operations only. The Bluebird Village project will decrease daytime on-street parking demand from the existing demand generated by City Hall traffic. Additionally, increasing the supply of affordable housing units in walking distance to jobs should decrease daily trips in and out of town currently made by commuters who work downtown but can't afford to live in Ketchum. The AECOM study concluded that Bluebird Village is anticipated to alleviate parking demand during peak periods.

City Hall closes at night and does not currently generate on-street parking demand during evening hours. The Bluebird Village project will increase the number of cars parked on the street at night. Satisfying the project's nighttime on-street parking demand will be challenged during winter when the City prohibits on-street parking from 2:00 AM to 7:00 AM during November 1st through May 1st for snow removal operations and maintenance.

Downtown On-Street Parking Demand

At their May 11th, 2021 meeting, the Planning and Zoning Commission requested the City provide a parking demand and utilization analysis related to on-street parking within the downtown. The City collected data generated through license plate recognition to study on-street parking downtown. This data indicates block-by-block space availability, parking duration, and turnover rates. The reports from the first data collection period are attached as Exhibit E to the August 10th Staff Report. This data will be collected quarterly to account for seasonal fluctuations. The report from the first data collection period show certain blocks downtown have plenty of on-street parking available during the day. Areas east of 1st Avenue and west of East Avenue see higher levels of parking congestion between 11am and 5pm on weekdays and between 1pm and 4pm on Saturday. Most parked vehicles stay less than 3 hours. The most common length of stay is 1 to 2 hours.

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The results of the quarterly data collection reports will be analyzed to update the City's parking management plan downtown. This update will adjust parking regulations, including time restrictions, based on the block-by-block data. Additionally, the City will institute a winter residential parking permit program to control nighttime on-street parking by designating overnight spaces in certain areas downtown and establishing odd/even parking regulations.

Condition of Approval No. 10 of Design Review Application File No. P21-063 requires that all residents without an assigned parking space designated on-site obtain a residential parking permit from the City and that all residents will comply with the City's winter parking program.

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.

Commission Findings: The City has adequate service capacity and public facilities to serve the community housing project without adversely affecting public-service delivery to existing development downtown and Ketchum's community.

The development has frontage along East Avenue and 5th Street and the parking garages area accessed from the Block 45 alleyway. The project will enhance public facilities by improving the adjacent right-of-way adjacent to City standards and installing new, heated 8-foot-wide sidewalks. The Utilities Department has reviewed the preliminary project plans submitted with the Design Review application. The City's water and wastewater system has adequate capacity to serve the new community housing development. The Fire Department has reviewed the project plans to ensure the development will comply with all standards for fire protection, egress, and access. City Department comment attached as Exhibit F1 to the Staff Report.

The applicant has submitted letter from Clear Creek Disposal confirming their approval of the development's proposed garbage disposal configuration. The applicant has also provided a letter from Idaho Power indicating their willingness to provide electrical service to the proposed development.

The conditional use is not in conflict with the policies of the comprehensive plan or the basic purposes of this chapter.

Commission Findings: The 2014 Comprehensive Plan identified housing as one of the ten core values important to the community's future and stated that housing should be integrated into the downtown core. The 2014 plan was a community-driven effort with significant input from residents and various stakeholders. The community wanted people who worked in Ketchum to have housing options to live in town. The 2014 Comprehensive Plan recognized community housing's critical role in supporting a strong economy and a year-round population.

The Bluebird Village project balances two community key community objectives—preserving downtown's vibrancy and increasing Ketchum's supply of affordable housing units. This development is consistent with the community's vision and goals for downtown as detailed in the 2014 Comprehensive Plan. Bluebird Village will enhance downtown's vibrancy, support local businesses, and help maintain Ketchum's community by providing 51 affordable, rental units for locals who live and work in town.

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This project will provide the social infrastructure that Ketchum so desperately needs in a high-quality, inclusive development downtown easily accessible by foot, bike, or transit. This area of downtown Ketchum is vibrant with opportunities for people to connect with each other and the built environment. The neighborhood includes local stores and restaurants for the community to shop and eat. Nearby Town Square has outdoor seating areas where people can listen to live music or participate in other social, cultural, and political events. Downtown is Ketchum's gathering place connecting locals, second homeowners, and tourists. These connections create community, and our community defines Ketchum's small-town character and sense of place. Bluebird Village will help Ketchum maintain its community by supplying 51 affordable rental units to house the people who live and work in town. The Bluebird Village Community Housing Project will help the Ketchum realize the community vision and accomplish certain goals identified in the 2014 Comprehensive Plan.

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum Municipal Code ("KMC") and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant's Design Review application for the development and use of the project site.
2. The Commission has authority to hear the applicant's Conditional Use Permit application pursuant to Chapter 17.116 of Ketchum Municipal Code Title 17.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §17.116.040.
4. The Conditional Use Permit application is governed under Ketchum Municipal Code Chapters 17.116, 17.08, and 17.12.
5. The Conditional Use Permit application for the property management office within the Bluebird Village Community Housing development meets all applicable standards specified in Title 17 of Ketchum Municipal Code and complies with the community's vision and values identified in the 2014 Comprehensive Plan.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this Conditional Use Permit Application File No. P21-064 this Tuesday, August 10th, 2021 subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. This Conditional Use Permit is only applicable for the Bluebird Village property management office as depicted on the Design Review (Application File No. P21-063)-approved project plans attached as Exhibit A to the August 10th, 2021 Staff Report Plans.
2. The Conditional Use Permit is non-transferable and not applicable to any other use.
3. The Conditional Use Permit shall be reviewed by Planning Staff when a written complaint is received. Staff shall verify the complaint and notice the property owner. After two (2) notices, a public hearing shall be scheduled and noticed for the Planning & Zoning Commission's review of the Conditional Use Permit.
4. The Conditional Use Permit approval (Application File No. P21-064) for the property management office within the Bluebird Village development is subject to Design Review Application File No. P21-063. All associated conditions of approval shall apply to the project.

Findings of Fact **adopted** this 24th day of August 2021.

Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission