



City of Ketchum  
Planning & Building

IN RE:	)	
	)	
Leadville Trading	)	<b>KETCHUM PLANNING AND ZONING COMMISSION</b>
Design Review Amendment	)	<b>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND</b>
Date: November 12, 2024	)	<b>DECISION</b>
	)	
File Number: P22-066B	)	

**PROJECT:** Leadville Trading

**APPLICATION TYPE:** Design Review Amendment

**FILE NUMBER:** P22-066B

**ASSOCIATED APPLICATIONS:** Design Review (P22-066)  
Conditional Use Permit (P22-066A)

**REPRESENTATIVE:** Lucas Winter, The Jarvis Group Architects (architect)

**OWNER:** Acquire Realty, LLC

**LOCATION:** 211 N Leadville Avenue - Ketchum Townsite: Block 3: Lot 5

**ZONING:** Community Core – Subdistrict 2 – Mixed Use (CC-2)

**OVERLAY:** None

**RECORD OF PROCEEDINGS**

A public hearing notice for the remaining changes was mailed to all owners of property within 300 feet of the project site and all political subdivisions on October 2, 2024. The public hearing notice was published in the Idaho Mountain Express on October 2, 2024. A notice was posted on the project site and the city’s website on October 15 and October 2, 2024, respectively.

The Planning and Zoning Commission (the “Commission”) considered the Leadville Trading Design Review Amendment during a regular meeting on October 22, 2024. After considering staff’s analysis, the applicant’s presentation, and public comment, the Commission

unanimously approved the design review amendment application with a new condition of approval requiring the applicant to work with staff to finalize the design of the north façade.

**BACKGROUND**

On March 28, 2023, the Planning & Zoning Commission approved the Design Review (File No. P22-066) and Conditional Use Permit (File No. P22-066A) applications for a new 6,039 square foot two-story commercial development known as Leadville Trading (the “project”), located at 211 N Leadville Avenue (the “subject property”). A building permit was issued for the project on August 22, 2023, and it is currently under construction. On September 16, 2024, the applicant submitted a design review amendment application for modifications to the exterior materials on the north and west façades. The modifications include:

- Material change from steel panels to stucco on north wall
- Material change from steel panels to stucco on only the ground floor of west wall
- Change of cornice around the building from a light toned cast concrete to a slim metal band
- Material change from concrete to metal on the belly band on north wall and to shift belly band to below mural
- Increase the height of the mural on the north façade

**FINDINGS OF FACT**

The 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 COMPLIANCE WITH ZONING REGULATIONS**

<b>17.96.060.A.1 - Streets</b>	<b>Conformance</b>
<i>The applicant shall be responsible for all costs associated with providing a connection from an existing City street to their development.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.060.A.2 - Streets</b>	<b>Conformance</b>
<i>All street designs shall be approved by the City Engineer.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard and the condition of approval #2 of the initial Design Review (P22-066).	

17.96.060.B.1 - Sidewalks	Conformance
<i>All projects under subsection 17.96.010.A of this chapter that qualify as a "substantial improvement" shall install sidewalks as required by the Public Works Department.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.B.2 - Sidewalks	Conformance
<i>Sidewalk width shall conform to the City's right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard and the condition of approval #2 of the initial Design Review (P22-066).	

17.96.060.B.3 - Sidewalks	Conformance
<p><i>Sidewalks may be waived if one of the following criteria is met:</i></p> <ul style="list-style-type: none"> <li><i>a) The project comprises an addition of less than 250 square feet of conditioned space.</i></li> <li><i>b) The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.</i></li> </ul>	N/A
<b>Finding:</b> No change proposed.	

17.96.060.B.4 - Sidewalks	Conformance
<i>The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.B.5 – Sidewalks	Conformance
<i>New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.B.6 - Sidewalks	Conformance
<p><i>The City may approve and accept voluntary cash contributions in lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be 110 percent of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in lieu contribution shall be paid before the City issues a certificate of occupancy.</i></p>	N/A
<p><b>Finding:</b> No change proposed.</p>	

17.96.060.C.1 - Drainage	Conformance
<p><i>All stormwater shall be retained on site.</i></p>	YES
<p><b>Finding:</b> No change proposed – the development remains in compliance with this standard.</p>	

17.96.060.C.2 - Drainage	Conformance
<p><i>Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.</i></p>	YES
<p><b>Finding:</b> No change proposed – the development remains in compliance with this standard and the condition of approval #2 of the initial Design Review (P22-066).</p>	

17.96.060.C.3 - Drainage	Conformance
<p><i>The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.</i></p>	N/A
<p><b>Finding:</b> No change proposed.</p>	

17.96.060.C.4 - Drainage	Conformance
<p><i>Drainage facilities shall be constructed per City standards.</i></p>	YES
<p><b>Finding:</b> No change proposed, the development remains in compliance with this standard and the condition of approval #2 of the initial Design Review (P22-066).</p>	

17.96.060.D.1 - Utilities	Conformance
<p><i>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</i></p>	YES
<p><b>Finding:</b> No change proposed – the development remains in compliance with this standard.</p>	

17.96.060.D.2 - Utilities	Conformance
<i>Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.D.3 - Utilities	Conformance
<i>When extension of utilities is necessary all developers will be required to pay for and install two-inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with City of Ketchum standards and at the discretion of the City Engineer.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.060.E.1 – Compatibility of Design	Conformance
<i>The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</i>	YES
<b>Finding:</b> The applicant proposed stucco and a metal belly band below the mural on the north wall. The applicant also proposed stucco on the ground floor of the west wall and metal trimming around the building. The Commission found the proposed materials and colors to be complementary with the townscape, surrounding neighborhoods, and adjoining structures as the change proposed are found to compliment the stucco on the building at the corner of N Leadville and Sun Valley Rd and the metal panels on the Windermere Real Estate building at the corner of Main Street and 2 <sup>nd</sup> Street. Condition of approval #1 requires the applicant to work with Planning staff to finalize the design of the north façade.	

17.96.060.E.2 – Compatibility of Design	Conformance
<i>Preservation of significant landmarks shall be encouraged and protected, where applicable. A significant landmark is one which gives historical and/or cultural importance to the neighborhood and/or community.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.060.E.3 – Compatibility of Design	Conformance
<i>Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.060.F.1 – Architectural	Conformance
<i>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.F.2 – Architectural	Conformance
<i>The building character shall be clearly defined by use of architectural features.</i>	YES
<b>Finding:</b> The initial design review approval noted that the building character is of a modern architecture approach with clean/firm lines, flat roofs, and varied materials of metal and stone. The architectural trimming feature has been changed from a light toned cast concrete to a slim metal trim that matches the metal paneling on the south and east walls and metal belly band on the north wall. Although the proposed changes include a change in materials, the prominent character defining features of a circulation tower at the corner that is slightly higher than the remaining structure, cantilevered decks, and second floor patios still exist on the south and east walls.	

17.96.060.F.3 – Architectural	Conformance
<i>There shall be continuity of materials, colors and signing within the project.</i>	YES
<b>Finding:</b> The Commission found the proposed stucco colors on the north and west walls are compatible with the light toned stone material on the structure. The use of metal for the trimming and belly band remains consistent with the metal paneling areas and metal clad windows and doors throughout the project. Additionally, the change to the facia color matches that of other accent colors of windows and doors. Condition of approval #1 requires the applicant to work with Planning staff on the final design of the north façade.	

17.96.060.F.4 – Architectural	Conformance
<i>Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.F.5 – Architectural	Conformance
<i>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</i>	YES
<b>Finding:</b> There are no changes proposed to the main form of the building, which is the primary basis for the undulation and relief of the building. Condition of approval #1 requires	

the applicant to work with Planning staff to finalize the design on the north façade to ensure congruence of materials with the mural.

17.96.060.F.6 – Architectural	Conformance
<i>Building(s) shall orient toward their primary street frontage.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.F.7 – Architectural	Conformance
<i>Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.F.8 – Architectural	Conformance
<i>Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.G.1 – Circulation Design	Conformance
<i>Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.G.2 – Circulation Design	Conformance
<i>Awnings extending over public sidewalks shall extend five feet or more across the public sidewalk but shall not extend within two feet of parking or travel lanes within the right-of-way.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.060.G.3 – Circulation Design	Conformance
<i>Traffic shall flow safely within the project and onto adjacent streets. Traffic includes vehicle, bicycle, pedestrian and equestrian use. Consideration shall be given to adequate sight distances and proper signage.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.G.4 – Circulation Design	Conformance
<i>Curb cuts and driveway entrances shall be no closer than 20 feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right-of-way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.</i>	N/A
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.G.5 – Circulation Design	Conformance
<i>Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.H.1 – Snow Storage	Conformance
<i>Snow storage areas shall not be less than 30 percent of the improved parking and pedestrian circulation areas.</i>	N/A
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.060.H.2 – Snow Storage	Conformance
<i>Snow storage areas shall be provided on site.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.060.H.3 – Snow Storage	Conformance
<i>A designated snow storage area shall not have any dimension less than five feet and shall be a minimum of 25 square feet.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.060.H.4 – Snow Storage	Conformance
<i>In lieu of providing snow storage areas, snowmelt and hauling of snow may be allowed.</i>	N/A
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	



<b>17.96.060.I.1 – Landscaping</b>	<b>Conformance</b>
<i>Landscaping is required for all projects.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.060.I.2 – Landscaping</b>	<b>Conformance</b>
<i>Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.060.I.3 – Landscaping</b>	<b>Conformance</b>
<i>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.060.I.4 – Landscaping</b>	<b>Conformance</b>
<i>Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.060.J.1 – Public Amenities</b>	<b>Conformance</b>
<i>Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.060.K.1 – Underground Encroachments</b>	<b>Conformance</b>
<i>Encroachments of below grade structures into required setbacks are subject to subsection 17.128.020.K of this title and shall not conflict with any applicable easements, existing underground structures, sensitive ecological areas, soil stability, drainage, other sections of this Code or other regulating</i>	N/A

<i>codes such as adopted International Code Council Codes, or other site features concerning health, safety, and welfare.</i>	
<b>Finding:</b> No change proposed.	

<b>17.96.060.K.2 – Underground Encroachments</b>	<b>Conformance</b>
<i>No below grade structure shall be permitted to encroach into the riparian setback.</i>	N/A
<b>Finding:</b> No change proposed.	

**FINDINGS REGARDING DESIGN REVIEW STANDARDS – COMMUNITY CORE**

<b>17.96.070.A.1 – Streets</b>	<b>Conformance</b>
<i>Street trees, streetlights, street furnishings, and all other street improvements shall be installed or constructed as determined by the Public Works Department.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.070.A.2 – Streets</b>	<b>Conformance</b>
<i>Street trees with a minimum caliper size of three inches, shall be placed in tree grates.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.070.A.3 – Streets</b>	<b>Conformance</b>
<i>Due to site constraints, the requirements of this subsection A may be modified by the Public Works Department.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.070.B.1 - Architectural</b>	<b>Conformance</b>
<i>Facades facing a street or alley or located more than five feet from an interior side property line shall be designed with both solid surfaces and window openings to avoid the creation of blank walls and employ similar architectural elements, materials, and colors as the front facade.</i>	YES
<b>Finding:</b> The proposed material change to the west façade wall (alley property line) is only for the ground level and this wall retains a mix of solid surfaces and window openings that were approved through the initial design review application.	

17.96.070.B.2 - Architectural	Conformance
<i>For nonresidential portions of buildings, front building facades and facades fronting a pedestrian walkway shall be designed with ground floor storefront windows and doors with clear transparent glass. Landscaping planters shall be incorporated into facades fronting pedestrian walkways.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.070.B.3 - Architectural	Conformance
<i>For nonresidential portions of buildings, front facades shall be designed to not obscure views into windows.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.070.B.4 - Architectural	Conformance
<i>Roofing forms and materials shall be compatible with the overall style and character of the structure. Reflective materials are prohibited.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.070.B.5 - Architectural	Conformance
<i>All pitched roofs shall be designed to sufficiently hold all snow with snow clips, gutters, and downspouts.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.070.B.6 - Architectural	Conformance
<i>Roof overhangs shall not extend more than three feet over a public sidewalk. Roof overhangs that extend over the public sidewalk shall be approved by the Public Works Department.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.070.B.7 - Architectural	Conformance
<i>Front porches and stoops shall not be enclosed on the ground floor by permanent or temporary walls, windows, window screens, or plastic or fabric materials.</i>	N/A
<b>Finding:</b> No change proposed.	

<b>17.96.070.C.1 – Service Areas and Mechanical/Electrical Equipment</b>	<b>Conformance</b>
<i>Trash disposal areas and shipping and receiving areas shall be located within parking garages or to the rear of buildings. Trash disposal areas shall not be located within the public right-of-way and shall be screened from public views.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.070.C.2 – Service Areas and Mechanical/Electrical Equipment</b>	<b>Conformance</b>
<i>Roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. Screening shall be compatible with the overall building design.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.070.D.1 - Landscaping</b>	<b>Conformance</b>
<i>When a healthy and mature tree is removed from a site, it shall be replaced with a new tree. Replacement trees may occur on or off site.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.070.D.2 - Landscaping</b>	<b>Conformance</b>
<i>Trees that are placed within a courtyard, plaza, or pedestrian walkway shall be placed within tree wells that are covered by tree grates.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.070.D.3 - Landscaping</b>	<b>Conformance</b>
<i>The City arborist shall approve all parking lot and replacement trees.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

<b>17.96.070.E.1 – Surface Parking Lots</b>	<b>Conformance</b>
<i>Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.070.E.2 – Surface Parking Lots	Conformance
<i>Surface parking lots shall incorporate at least one tree and one additional tree per ten on site parking spaces. Trees shall be planted in landscaped planters, tree wells and/or diamond shaped planter boxes located between parking rows. Planter boxes shall be designed so as not to impair vision or site distance of the traveling public.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.070.E.3 – Surface Parking Lots	Conformance
<i>Ground cover, low lying shrubs, and trees shall be planted within the planters and planter boxes. Tree grates or landscaping may be used in tree wells located within pedestrian walkways.</i>	N/A
<b>Finding:</b> No change proposed.	

17.96.070.F.1 – Bicycle Parking	Conformance
<i>One bicycle rack, able to accommodate at least two bicycles, shall be provided for every four parking spaces as required by the proposed use. At a minimum, one bicycle rack shall be required per development.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.070.F.2 – Bicycle Parking	Conformance
<i>When the calculation of the required number of bicycle racks called for in this section results in a fractional number, a fraction equal to or greater than one-half shall be adjusted to the next highest whole number.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

17.96.070.F.3 – Bicycle Parking	Conformance
<i>Bicycle racks shall be clearly visible from the building entrance they serve and not mounted less than 50 feet from said entrance or as close as the nearest non-ADA parking space, whichever is closest. Bicycle racks shall be located to achieve unobstructed access from the public right-of-way and not in areas requiring access via stairways or other major obstacles.</i>	YES
<b>Finding:</b> No change proposed – the development remains in compliance with this standard.	

### 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 Design Review Application pursuant to Chapter 17.96 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 §17.96.080.
4. The Design Review application is governed under Ketchum Municipal Code Chapters 17.96, 17.124, 17.08, 17.12, 17.18, and 17.128.
5. The Leadville Trading Design Review amendment application meets all applicable standards specified in Title 17 of Ketchum Municipal Code.

### DECISION

**THEREFORE**, the Commission **approves** this Design Review Application File No. P22-066B this Tuesday, November 12, 2024, subject to the following conditions of approval.

### CONDITIONS OF APPROVAL

1. The applicant shall work with the Planning and Building Department to finalize the design of the north façade.
2. Work shall not commence on the north and west façade of the building until the building permit modification for the proposed changes is approved.
2. All work shall comply with approved plans with no further changes without the Administrator or Planning and Zoning Commission’s approval pursuant to Ketchum Municipal Code.
3. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.

Findings of Fact **adopted** this 12<sup>th</sup> day of November 2024.

---

Neil Morrow, Chair  
City of Ketchum  
Planning and Zoning Commission