



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF SEPTEMBER 21, 2021

PROJECT: The Lofts at 780

FILE NUMBER: P21-069 and P21-038

APPLICATION TYPE: Final Design Review and Subdivision – Preliminary Plat

APPLICANT: Daniel Hollis, HR Architects, LLC (Architect)

PROPERTY OWNER: SV Ventures, LLC

REQUEST: Final Design Review and Preliminary Plat application for the development of a new, 11,758 square foot, three-story multi-family building

LOCATION: 780 N 1st Avenue - Ketchum Townsite: Block 33: Lot 5

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

REVIEWER: Morgan R. Landers, AICP – Senior Planner

NOTICE: A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivisions on September 21, 2021. The public hearing notice was published in the Idaho Mountain Express the on September 1, 2021. A notice was posted on the project site and the city’s website on September 13, 2021.

I. EXECUTIVE SUMMARY:



Figure 1: Lofts at 780 Conceptual Rendering

The Applicant is proposing an 11,758 square foot three-story multi-family development known as the Lofts at 780 (the “project”), located at 780 N 1st Avenue (the “subject property”). The subject property is a vacant corner lot zoned Community Core -Subdistrict 2 - Mixed Use (CC-2) just south of the Mountain Rides facility, diagonal from the Hemingway School. As proposed, the project includes seven residential dwelling units. One dwelling unit on the ground floor, four on the second floor, and two on the third floor. Four of the dwelling units are less than 2,000 square feet, the remaining three are less than 750 square feet. Four parking spaces and one ADA parking space is required for the project.

The project proposes four standard and one ADA alley loaded parking spaces. The project is proposing to take advantage of the Floor Area Ratio (FAR) bonus for Community Housing, mitigating the additional floor area by dedicating one deed restricted unit on-site and making a payment-in-lieu for the remaining square footage amount. See Table 2 in Attachment F for the FAR calculations for the project.

The project will construct improvements to the right-of-way per the City of Ketchum improvement standards including, asphalt, curb and gutter, and sidewalks. All improvements to the right-of-way will be reviewed and approved by the City Engineer and Streets Department prior to issuance of a building permit.

The project proposes to snowmelt the sidewalks adjacent to the project and the ground level patio on N 1st Ave in lieu of on-site snow storage. An encroachment permit approved by the City Council will be required for the snow melt system. The parking area is not proposed to be snowmelt; however, the parking area is fully covered by the second floor of the building, therefore snow removal will not be necessary.

The City of Ketchum Planning and Zoning Commission (the “Commission”) conducted a Preapplication Design Review on July 13, 2021, of the project and unanimously moved the project through to Final Design. The discussion during the Preapplication Design Review focused on the following areas:

- Zoning Conformance
 - Setbacks along N 1st Ave and 8th St
 - Wall height along N 1st Ave
 - Illumination of the corner art element
- Design Review Conformance
 - Material on the south side of the building
 - Landscaping on N 1st Ave and 8th St

Please see Section III of this staff report for an overview of comments provided by the Commission and changes proposed by the applicant to address comments. Staff believes the project to be in conformance with all requirements of the zoning code, all standards related to Design Review, and all subdivision requirements for preliminary plats.

II. BACKGROUND:

The City of Ketchum received the application for Final Design Review on July 23, 2021. The Preliminary Plat was submitted on April 9, 2021, in conjunction with the Preapplication Design Review application, and was held until the Final Design application was received. The Final Design and Preliminary Plat applications have been reviewed concurrently and were deemed complete on August 19, 2021, after two reviews for completeness. Following receipt of the complete application, staff routed the application materials to all city departments for review. Department comments were provided to the applicant on September 1, 2021. Department comments can be found in Table 1, Attachment E to this staff report.

III. CONFORMANCE WITH ZONING AND DESIGN REVIEW STANDARDS:

Per Ketchum Municipal Code (KMC) §17.96.010.A – *Applicability*, design review is required for all new multi-family dwellings. Before granting Design Review approval, the Commission must determine that the application meets two criteria: (1) the project doesn’t jeopardize the health, safety, or welfare of the public, and (2) the project conforms to all Design Review standards and zoning regulations (KMC §17.96.050.A).

Conformance with Zoning Regulations

During department review, city staff reviewed the project for conformance with all applicable zoning code requirements including uses, dimensional limitations, signage, parking, development standards, and dark skies. The project follows all applicable zoning code requirements. Below is an overview of code compliance issues highlighted during Preapplication Design Review and how the issues were addressed for Final Design Review. Please see Attachment F for a full review of dimensional standards.

Setbacks along N 1st Ave and 8th St

At the time of Preapplication Design Review, the project was showing setbacks along 8th Street that were not in conformance with the required 5-foot average per the Ketchum Municipal Code. Staff worked with the applicant to clarify the methodology of how setbacks are to be measured. For the Final Design submittal, the applicant provided Sheets A2.1-A2.3B showing how the setbacks were calculated and provided square footage calculations of the setbacks in the cover letter provided in Attachment A. Based on the information provided, staff believes the setbacks are in conformance with the Ketchum Municipal Code. Please see Table 2 (Attachment F) for the detailed calculations for setbacks.

Wall height along N 1st Ave

At the time of Preapplication Design Review, the project included a wall plus a railing along N 1st Ave that exceeded the 4-foot maximum wall height permitted within 30 feet of the front lot line (KMC §17.124.130 – *Fences, Walls, and Hedges*). In the submittal for final design, the applicant has adjusted the patio configuration to include a 3-foot-deep planter that provides necessary buffer to address fall hazard, resulting in the elimination of the railing. See Sheet A3.2 for the revised elevation of the patio and proposed landscaping. The plantings proposed are a low-lying shrub that can grow to 2-3 feet tall at maturity. Staff recommends condition #5 to address the total height of the wall as the landscaping matures over time:

Condition #5: Top of wall landscaping along the elevated patio on N 1st Ave must be maintained to not exceed a total height of 4 feet from the base of the wall adjacent to the sidewalk to top of the shrubs.

Staff believes this change addresses the code compliance issue. The change also results in the addition of landscaping along N 1st Ave, which was a recommendation from the Commission related to design review standards.

Illumination of the corner art element

The project initially proposed to light the art element at the corner of N 1st Ave and 8th St. Staff expressed concerns related to the timing of the lit element and recommended limited hours for illumination. The Commission recommended the applicant study whether the lit component of the feature was necessary. The applicant has revised the project to remove the illumination of the art element.

Conformance with Design Review Improvements and Standards

During department review, city staff reviewed the project for conformance with all applicable design review improvements and standards outlined in KMC §17.96.060 – *Improvements and Standards*. Staff also review the project for conformance with KMC §17.96.070 – *Community Core (CC) Projects*. Finally, staff reviewed the project for conformance with all corresponding city code requirements related to right-of-way improvements including but not limited to sidewalks, street lighting, alleys, and on-street parking. Staff believes that either a requirement is not applicable due to the scope of the project, or requirements are met. Please see Attachment G for a review of all design review improvements and standards. Below is an overview of comments provided by the Commission in Preapplication Design Review and changes the applicant has made to address the comments:

Material on the south side of the building

At the time of Preapplication Design Review, the south elevation of the building showed the use of “Grey Corrugated Metal” and “Traffic Black Stonewood Siding”. The Commission recommended the color palette of the south elevation be adjusted to a lighter color to be more compatible with the surrounding neighborhood. As shown on Sheet A3.1, the applicant has revised the material selection for the south elevation. The material is still a corrugated metal but is horizontal rather than vertical. The color has also been adjusted to a “Western Rib Burnished Slate Corrugated Metal” which is a lighter beige color rather than black. Staff believes this adjustment meets the intent of the recommendation from the Commission.

Landscaping on N 1st Ave and 8th St

The project, as presented for Preapplication Design Review, showed minimal landscaping with no trees. Staff provided recommendations to the applicant that were reiterated by the Commission. The Commission requested the applicant evaluate opportunities for additional landscaping, particularly landscaping with a vertical element. As shown on Sheet L2, the applicant has made quite a few changes from the preapplication design review proposal as follows:

- Addition of three trees along the 8th St frontage
- Addition of ornamental flowers and grasses adjacent to the building entry on 8th St
- Addition of three trees along the N 1st Ave frontage
- Addition of a bench along N 1st Ave
- Change in plant type between the sidewalk and the lower patio along N 1st Ave to a smaller profile shrub

The Commission also discussed the screening of the parking area as staff recommended the applicant review the feasibility of additional landscaping along the screening wall for the parking area along the alley. In the cover letter included in Attachment A, the applicant states that due to the width of the lot, and requirements for parking, no additional landscaping can be added in this area. The applicant has changed the screening of the parking area to be a similar perforated screen with an art element as the corner element on N 1st Ave and 8th Street. Staff believes the proposed changes address staff's initial concerns and are responsive to the recommendations provided by the Commission.

IV. CONFORMANCE WITH SUBDIVISION STANDARDS

During Department Review, staff reviewed the preliminary plat application for conformance with KMC 16.04.030 – *Procedures for subdivision approval*, KMC 16.04.040 – *Development and Design*, and KMC 16.04.070 – *Condominiums*. Please see Attachment H for the review of all requirements and standards. Where "N/A" is checked, the standard is not applicable for one of two reasons:

- The standard applies to the creation of new subdivisions, not the subject property, which is an existing platted lot within the Ketchum Townsite.
- The standard applies to action that shall be taken at the final plat stage of the process and this application is for a preliminary plat.
- Per provisions of the standard, the City Engineer has determined that the standard does not apply.

The alley between N 1st Ave and N Washington Ave meets the minimum width requirement of 20 feet. Due to the topography of the alley and proximity of structures on the adjacent lot, the full 20 feet is not able to be improved to city standards as a retaining wall is necessary along the eastern edge of the alley. As shown on Sheet C1.0, an Eco Block wall ranging from 1-3 feet in height will be placed, limiting the width of travel in the alley to 17 feet. This width still provides for safe movement of vehicles in and out of the parking areas. The applicant will be responsible for maintenance of the alley, including snow removal, adjacent to the subject property until such time when the full length of the alley is brought into conformance with city standards for improvements. This is likely to occur with the redevelopment of the adjacent properties. Upon redevelopment of the property adjacent to the retaining wall, the development will be required to bring the alley into full conformance with city standards, including relocation of the retaining wall out of the right-of-way. The construction method for the retaining wall is of a stacked block construction, easily moved during future construction.

Staff believes the proposed preliminary plat meets all the subdivision requirements and standards for a preliminary plat and condominium map.

V. STAFF RECOMMENDATION

Staff recommends **approval** of the Design Review application subject to the following conditions:

1. In exchange for an increase in FAR, a voluntary community housing contribution of 1,066 square feet is required. A Floor Area Ratio Exceedance Agreement between the applicant and the City to memorialize the community housing contribution shall be signed prior to issuance of a Building Permit for the project. Payment-in-lieu contributions for community housing are required prior to issuance of a building permit for the project.
2. The junction box noted on Sheet E1.0 as note 4 is not permitted in the right-of-way. The junction box must be moved to a location within the property boundaries of the subject property. Revised electrical and civil plan sets are required for review and approval by the City Engineer prior to issuance of a building permit for the project.
3. The Century link pedestal noted on Sheet E1.0 as note 7 must be relocated or terminated as to not obstruct access to the surface and garage parking spaces for Unit #101. Revised electrical and civil plan sets are required for review and approval by the City Engineer prior to issuance of a building permit for the project.
4. Prior to issuance of a building permit for the project, an Encroachment Agreement shall be approved by the City Council addressing the snowmelt roof and awnings.
5. Top of wall landscaping along the elevated patio on N 1st Ave must be maintained to not exceed a total height of 4 feet from the base of the wall adjacent to the sidewalk to top of the shrubs.
6. Final civil drawings prepared by an engineer registered in the State of Idaho which include specifications for right-of-way, utilities, and drainage improvements shall be submitted for review and approval by the City Engineer, Streets, and Utilities departments prior to issuance of a building permit for the project.
7. Until such date when the alley located between N 1st Ave and N Washington Ave from 7th St to 8th St is improved to meet the minimum width and improvements requirements of the City of Ketchum, the applicant, successors, and assigns shall be responsible for the maintenance and upkeep of the alley adjacent to the subject property, 780 N 1st Ave.
8. The term of Design Review approval shall be twelve (12) months from the date that the Findings of Fact, Conclusions of Law, and Decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations.
9. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.

Staff recommends **approval** of the Preliminary Plat application subject to the following conditions:

1. The preliminary plat is subject to all conditions of approval associated with Design Review approval 21-069.
2. Failure to record a Final Plat within two (2) years of Council's approval of a Preliminary Plat shall cause the Preliminary Plat to be null and void.

VI. RECOMMENDED MOTIONS

Design Review:

"I move to approve the Lofts at 780 Design Review application, as conditioned, as it does not jeopardize the health, safety, and welfare of the public and conforms to all applicable design review standards and zoning regulations."

Preliminary Plat:

"I move to recommend approval of the Lofts at 780 Preliminary Plat application, as conditioned, as it conforms to all applicable subdivision regulations for a preliminary plat and condominium map."

ATTACHMENTS:

- A. Application Materials – Design Review application and supplemental materials
- B. Application Materials - Design Review Plan Set
- C. Application Materials – Preliminary Plat application and supplemental materials
- D. Application Materials – Preliminary Plat Plan Set
- E. Table 1 – Department Comments
- F. Table 2 – Zoning and Dimensional Standards Evaluation
- G. Table 3 – Design Review Standards Evaluation
- H. Table 4 – Preliminary Plat Requirements Evaluation