



CITY OF KETCHUM

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IN RE:)	
)	
Warm Springs Ranch Residences Lot 33)	KETCHUM PLANNING & ZONING COMMISSION
Design Review)	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: April 23, 2024)	DECISION
)	
File Number: P23-018)	

PROJECT: Warm Springs Ranch Residences Lot 33

FILE NUMBER: P23-018

APPLICATION TYPE: Design Review

REPRESENTATIVE: John Shirley – Think Architecture (architect)

PROPERTY OWNER: Brennan Holdings No. 300 LLC

LOCATION: 170 Bald Mountain Road (Lot 33, Block 4, Warm Springs Ranch Residences)

ZONING: General Residential – Low Density (GR-L)

OVERLAY: None

RECORD OF PROCEEDINGS

The Planning and Building Department received the Design Review application on March 28, 2023. Following the receipt of the application, staff routed the application materials to all City departments for review. The application was deemed complete on July 28, 2023, after two rounds of review. As of the date of this letter, all department comments have been resolved or addressed through conditions of approval recommended below.

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 August 23, 2023. The public hearing notice was published in the Idaho Mountain Express on August 23, 2023. A notice was posted on the project site and the City’s website on September 5, 2023. Story poles were documented on the project site as of September 6, 2023. The project was re-noticed to all owners of property within 300 feet of the project and all political subdivisions on March 20, 2024. The new public hearing notice was published in the Idaho Mountain Express on March 20, 2024. The notice was published on the project site and the City’s website on April 2, 2024. Story poles were document on the project site on April 2, 2024.

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:

BACKGROUND

The applicant is proposing to construct a new 3,912 square foot single-family residence (the “project”), located at Lot 33, Block 4, Warm Springs Ranch Residences (the “subject property”). The subject property is zoned General Residential – Low Density (GR-L) and the lot is currently vacant. The Warm Springs Ranch Subdivision, which was platted in 2021, includes plat note which requires development on Lots 32-35 be subject to Design Review standards of the Ketchum Municipal Code to ensure development on the lots have a minimal visual impact to the view of Bald Mountain from Warm Springs Road.

The initial design review application included four applications for single family residences on Lots 32-35 of the Warm Springs Ranch Residences Subdivision. The Planning and Zoning Commission reviewed the proposed developments on Lots 32-35 for the first time during their regular meeting on September 12th, 2023. The Commission and the public expressed concerns regarding visual impact to the Warm Springs Road view corridor from the height of the residence on Lot 33 and the height of the landscaping on Lots 32-34. The Commission approved the design review application for Lot 35 only and moved to continue the design review applications for Lots 32-34.

The Commission reviewed the development proposals for Lots 32-34 for the second time during their regular meeting on October 10, 2023. During this meeting, the Commission felt that the height of the proposed landscaping was adequately addressed, however, they remained of the opinion that the height of the structure on Lot 33 continued to impact the Warm Springs Road view corridor. The Commission also expressed concerns regarding the design’s massing and lack of visual relief on the rear of the structure.

The Commission reviewed the development proposal for Lot 33 for the third time during their regular meeting on April 9, 2024. The applicant presented two redesigned development proposals. Both redesigns removed the third story and elevator and reduced the chimney height, but Redesign #1 featured a flat roof and Redesign #2 featured a pitched roof. The Commission was given the opportunity to select a design that best addresses their concerns of minimizing visual impact while maximizing architectural interest. Upon review of the new application materials, staff and the applicant presentation, and public comment, the Commission approved the Design Review application for Redesign #2.

The project will construct improvements to the right-of-way per the City of Ketchum improvement standards. The project proposes a driveway snowmelt system located entirely within the property boundary and not within the Bald Mountain Road right-of-way. All improvements to the right-of-way have been preliminarily reviewed by the Streets Department and the City Engineer. Final review of the proposed improvements will be conducted by the City Engineer and Streets Department prior to issuance of building permit.

FINDINGS REGARDING COMPLIANCE WITH ZONING CODE AND DIMENSIONAL STANDARDS

Compliance with Zoning and Dimensional Standards				
Compliant			Standards and Findings	
Yes	No	N/A	Ketchum Municipal Code	City Standards and Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Lot Area
			Finding	Required: 8,000 square feet Existing: 8,429 square feet (.19 acres)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Coverage
			Finding	Permitted: 35% Proposed: 28% (2,322 square feet building coverage / 8,429 square feet lot area)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Building Setbacks
			Finding	Minimum Required Setbacks: Front: 15' Side: > of 1' for every 3' in building height, or 5' Rear: > of 1' for every 3' in building height, or 15' Proposed: Front (south): 21'-5 101/256" Side (east): 15' Side (west): 12'-4 215/256" Rear (north): 30'-9 17/64"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Height
			Finding	Maximum Permitted: 35' Proposed: 31'-10 169/256"
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030.H	Curb Cut
			Finding	Permitted: A total of 35% of the linear footage of any street frontage can be devoted to access off street parking. Proposed: 28% (22-foot-wide driveway/80 feet of property frontage along Bald Mountain Road Road).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.020.A. 2 & 17.125.050	Parking Spaces
			Finding	Off-street parking standards of this chapter apply to any new development and to any new established uses. Required: Residential (one family dwelling), in all applicable zoning districts require two parking spaces. Proposed: The project plans indicate 2 parking spaces within the enclosed garage.

FINDINGS REGARDING COMPLIANCE WITH DESIGN REVIEW STANDARDS

17.96.060.A.1 - Streets	Conformance
<i>The applicant shall be responsible for all costs associated with providing a connection from an existing City street to their development.</i>	YES
<p>Finding: The project proposes to construct a new asphalt driveway to access the subject property from Bald Mountain Road. All project costs associated with the development, including the City street connection, are the responsibility of the applicant.</p>	

17.96.060.A.2 - Streets	Conformance
<i>All street designs shall be approved by the City Engineer.</i>	YES
<p>Finding: The City Engineer has reviewed the proposed driveway design for the property and finds it to be sufficient for the project.</p> <p>All street designs shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit.</p>	

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
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner's expense prior to issuance of Certificate of Occupancy.</p>	

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
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner's expense prior to issuance of Certificate of Occupancy.</p>	

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"> a) <i>The project comprises an addition of less than 250 square feet of conditioned space.</i> b) <i>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> 	YES
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner's expense prior to issuance of Certificate of Occupancy.</p>	

17.96.060.B.4 - Sidewalks	Conformance
<p><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></p>	YES
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner's expense prior to issuance of Certificate of Occupancy.</p>	

17.96.060.B.5 – Sidewalks	Conformance
<p><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></p>	YES
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner's expense prior to issuance of Certificate of Occupancy.</p>	

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</i></p>	YES

<p><i>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>	
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner's expense prior to issuance of Certificate of Occupancy.</p>	

17.96.060.C.1 - Drainage	Conformance
<p><i>All stormwater shall be retained on site.</i></p>	<p>YES</p>
<p>Finding: Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site. Drainage improvements are specified on Sheet C-1 of the project plans. The drainage improvements include the installation of a trench drain bordering the width of the driveway. A combination of drywells and catch basins will be installed to collect stormwater from the rest of the property. The City Engineer has reviewed the proposed drainage plan and believes the trench drain and drywell improvements are sufficient to maintain all storm water drainage on the subject property.</p> <p>All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit.</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>	<p>YES</p>
<p>Finding: Drainage improvements are specified on Sheet C-1 of the project plans. The drainage improvements include the installation of a trench drain bordering the width of the driveway. A combination of drywells and catch basins will be installed to collect stormwater from the rest of the property. The City Engineer has reviewed the proposed drainage plan and believes the trench drain and drywell improvements are sufficient to maintain all storm water drainage on the subject property.</p> <p>All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit.</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>	<p>YES</p>
<p>Finding: The City Engineer has reviewed the proposed drainage plan and believes the trench drain and drywell/catch basin improvements are sufficient to maintain storm water drainage</p>	

on the subject property. The City Engineer may require additional drainage improvements if necessary. The applicant shall submit final civil drawings for all drainage improvements with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.

17.96.060.C.4 - Drainage	Conformance
<i>Drainage facilities shall be constructed per City standards.</i>	YES
<p>Finding: The drainage improvements include the installation of a trench drain bordering the width of the driveway along Bald Mountain Road. A combination of drywells and catch basins will be installed to collect stormwater from the rest of the property. The City Engineer has reviewed the proposed drainage plan and believes the proposed trench drain and drywell improvements meet city standards.</p> <p>All drainage plans and specifications shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit.</p>	

17.96.060.D.1 - Utilities	Conformance
<i>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</i>	YES
<p>Finding: All project costs associated with the development, including the installation of utilities, are the responsibility of the applicant. The applicant has not made requests for funding to the City for utility improvements. No funds have been provided by the City for the project.</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
<p>Finding: As shown on Sheet C-1 of the project plans, the project will connect to the municipal water and sewer systems from existing lines on Bald Mountain Road. Requirements and specification for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit.</p>	

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
<p>Finding: N/A. Extension of utilities is not necessary to service the residence.</p>	

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
<p>Finding: Pursuant to KMC §17.96.060.E.1, “The project’s materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.”</p>	

The Warm Springs Ranch Subdivision was platted in 2021 and is in the process of being developed. Multiple single-family residences are currently being constructed on Bald Mountain Road and Mountain Creek Drive. All of which have similar, yet unique architectural styles that utilize both modern (flat and shed roofs with cold materials such as concrete and metal) and traditional (gabled roofs with warmer materials such as wood and stone) designs. The proposed development is a modern design which features a flat roof with large windows and a mix of cold and warm materials including wood, metal, and stone.

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
Finding: N/A. The subject property does not contain any significant landmarks.	

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
Finding: N/A. The subject property is vacant.	

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
Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner’s expense prior to issuance of Certificate of Occupancy.	

17.96.060.F.2 – Architectural	Conformance
<i>The building character shall be clearly defined by use of architectural features.</i>	YES
Finding: As stated previously, the proposed structure features a modern design with a flat roof, large windows, and a mix of wood, metal, and stone materials.	

17.96.060.F.3 – Architectural	Conformance
<i>There shall be continuity of materials, colors and signing within the project.</i>	YES
Finding: The proposed structure features dark bronze trimmed windows and a mix of wood, metal, and stone materials.	

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
<p>Finding: A 4' wooden fence is located to the south of the public utility easement and is setback 5'-2" from the northern property line. The project proposes landscaping improvements that complement and soften the visual appearance of the structure from Warm Springs Road and neighboring properties. The landscaping includes trees, shrubs, and grasses. Utilities on the lot are screened with shrubs. New Mugo Pine trees, Ginnala Maple trees, and lilac shrubs to the north of the structure will provide screening from Warm Springs Road.</p>	

17.96.060.F.5 – Architectural	Conformance
<i>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</i>	YES
<p>Finding: The project features a three-story structure with multiple wall and deck pop-outs to provide undulation and reduce the appearance of flatness.</p>	

17.96.060.F.6 – Architectural	Conformance
<i>Building(s) shall orient toward their primary street frontage.</i>	YES
<p>Finding: The structure is oriented towards the primary street frontage along Bald Mountain Road.</p>	

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
<p>Finding: No satellite receivers are proposed for the project. Sheet A101 of the project plans indicates that garbage bins will be stored within the garage and screened from public view.</p>	

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
<p>Finding: The roof plan indicates that gutters will be installed, and the roof will be sloped to downspouts.</p>	

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
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way,</p>	

including sidewalks, must be reconstructed to City standards at the owner’s expense prior to issuance of Certificate of Occupancy.

17.96.060.G.2 – Circulation Design	Conformance
<p><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></p>	<p>YES</p>
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner’s expense prior to issuance of Certificate of Occupancy.</p>	

17.96.060.G.3 – Circulation Design	Conformance
<p><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></p>	<p>YES</p>
<p>Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner’s expense prior to issuance of Certificate of Occupancy.</p> <p>The City Engineer has reviewed the proposed driveway and finds the circulation design to meet city standards. Final circulation design shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit.</p>	

17.96.060.G.4 – Circulation Design	Conformance
<p><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></p>	<p>YES</p>
<p>Finding: The proposed driveway is located further than 20 feet away from the nearest intersection of Bald Mountain Road and Mountain Creek Drive.</p>	

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
Finding: Access for emergency vehicles, snowplows, and garbage trucks is provided along Bald Mountain Road.	

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>	YES
Finding: Sheet L3 of the project plans indicate the proposed snow storage areas to include a total of 275 square feet, greater than the required 30% ($837 * .30 = 251$ square feet).	

17.96.060.H.2 – Snow Storage	Conformance
<i>Snow storage areas shall be provided on site.</i>	YES
Finding: Locations of snow storage areas are indicated on Sheet L3 of the project plans.	

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>	YES
Finding: None of the snow storage areas have dimensions less than five feet.	

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>	YES
Finding: A driveway snowmelt system within the property boundary, and not within the Bald Mountain Road right-of-way, will be installed. In addition to the snowmelt system, snow storage areas are also provided on-site.	

17.96.060.I.1 – Landscaping	Conformance
<i>Landscaping is required for all projects.</i>	YES
Finding: Landscaping has been provided for the project as indicated on Sheets L3 of the project plans.	

17.96.060.I.2 – Landscaping	Conformance
<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
Finding: The front, side, and rear yards will be vegetated with native grasses. The project proposes landscaping improvements that complement and soften the visual appearance of the structure from Warm Springs Road and neighboring properties. The landscaping includes trees,	

shrubs, and grasses. Utilities on the lot are screened with shrubs. Mugo Pine trees to the north of the structure will provide screening from Warm Springs Road. Ornamental grasses and wildflowers are also proposed around the structure.

17.96.060.I.3 – Landscaping	Conformance
<i>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</i>	YES
Finding: The landscape plan proposes drought-tolerant and native species, including pine trees, native shrubs, and drought tolerant grasses.	

17.96.060.I.4 – Landscaping	Conformance
<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
Finding: Landscaping to the rear of the property provides a buffer from Warm Springs Road. Landscaping on the front and side yards provides privacy from adjacent properties.	

17.96.060.J.1 – Public Amenities	Conformance
<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
Finding: A sidewalk has already been installed along Bald Mountain Road adjacent to the subject property as part of the Warm Springs Ranch Residences Subdivision Development Agreement. Per Phase One Block 1 Infrastructure Improvements listed in the Warm Springs Ranch Subdivision Development Agreement, sidewalks were installed adjacent to Bald Mountain Road to Warm Springs Road to Lot 3 in Block 1. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner’s expense prior to issuance of Certificate of Occupancy.	

17.96.060.K.1 – Underground Encroachments	Conformance
<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 codes such as adopted International Code Council Codes, or other site features concerning health, safety, and welfare.</i>	N/A
Finding: N/A. No encroachments of below grade structures are proposed.	

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

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 the 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 Warm Springs Ranch Residences Lot 33 Design Review application meets all applicable standards specified in Title 17 of Ketchum Municipal Code.

DECISION

THEREFORE, the Planning and Zoning Commission **approves** the Design Review Application File No. P23-018 this Tuesday, April 23, 2024, subject to the following conditions of approval.

CONDITIONS OF APPROVAL

1. This Design Review approval is based on the Redesign #2 project plans for Lot 33 presented at the April 9, 2024, Planning and Zoning Commission meeting. The project plans for all on-site improvements submitted for the building permit must conform to the approved design review plans unless otherwise approved in writing by the Planning and Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to review by the Commission and/or removal.
2. The applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho which include specifications for right-of-way, circulation design, utilities, and drainage improvements for review and approval by the City Engineer, Streets, and Utilities departments prior to issuance of a building permit for the project.
3. 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.

4. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.
5. Any damage to the right-of-way, including sidewalks, must be reconstructed to City standards at the owner's expense prior to issuance of Certificate of Occupancy.
6. Prior to building permit application, the grading plan, elevations, and building sections shall be revised to be consistent and comply with City standards.
7. Prior to building permit application, the labels on the exterior materials sheet and the legend on the landscape plan shall be revised to accurately reflect the drawings.
8. At time of building permit application, staff will verify that there is no visible TPO material on the roof of the structure.

Findings of Fact **adopted** this 23rd day of April 2024.

Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission