



City of Ketchum  
Planning & Building

|                           |   |  |
|---------------------------|---|--|
| IN RE:                    | ) |  |
|                           | ) |  |
| 780 N 1 <sup>st</sup> Ave | ) | <b>KETCHUM PLANNING AND ZONING COMMISSION</b>    |
| Design Review             | ) | <b>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND</b> |
| Date: October 26, 2021    | ) | <b>DECISION</b>                                  |
|                           | ) |  |
| File Number: P21-069      | ) |  |

**PROJECT:** 780 N 1<sup>st</sup> Avenue

**APPLICATION TYPE:** Design Review

**FILE NUMBER:** P21-069

**ASSOCIATED APPLICATIONS:** Condominium Subdivision Preliminary Plat (P21-038)

**REPRESENTATIVE:** Daniel Hollis, Hollis Partners Architects (Architect)

**OWNER:** SV Ventures, LLC

**LOCATION:** 780 N 1st Ave – Lot 5 Block 33, Ketchum Townsite

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

**OVERLAY:** None

**RECORD OF PROCEEDINGS**

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. All department comments have been addressed satisfactorily through applicant revision of project plans or conditions of approval.

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 1, 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.

The Planning and Zoning Commission (the "Commission") considered the 780 N 1<sup>st</sup> Ave Design Review (Application No. P21-069) and the Condominium Subdivision Preliminary Plat (Application No. P21-038) applications during a special meeting on October 26, 2021. The development applications were considered concurrently, 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 Commission unanimously approved the 780 N 1<sup>st</sup> Ave Design Review application and unanimously recommended approval of the Condominium Subdivision Preliminary Plat application to the City Council.

### **BACKGROUND**

The Applicant is proposing an 11,758 square foot three-story multi-family development (the "project"), located at 780 N 1<sup>st</sup> 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 1<sup>st</sup> 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.

## 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

| 17.12.020 – District Use Matrix   | Conformance |
|---|-------------|
| <i>Zone District: Community Core Subdistrict 2 – Mixed-Use (CC-2)</i>   | YES         |
| <p><b>Finding:</b> The multi-story building includes a total of seven residential dwelling units classified as “Dwelling – Multi-family”. <u>KMC 17.12.020</u> outlines permissible uses in the CC-2 zone district. “Dwelling - Multi-family” is listed as permitted use in the CC-2 zone district.</p> |             |

| 17.12.040 – Dimensional Standards. CC District Matrix   | Conformance |
|---|-------------|
| <i>Minimum Lot Size</i>   | YES         |
| <p><b>Finding:</b><br/> <u>Permitted:</u> 5,500 square feet</p> <p><u>Proposed:</u> 5,489 square feet – the subject property is Lot 5, Block 33 of the Ketchum Townsite (Village of Ketchum), platted in 1948. Per KMC 17.128.010, lots created prior to April 21, 1966 can be developed provided that all other dimensional limitations are met.</p> |             |

| 17.12.040 – Dimensional Standards. CC District Matrix   | Conformance |
|---|-------------|
| <i>Minimum Lot Width</i>  | YES         |
| <p><b>Finding:</b><br/> <u>Required:</u> Minimum lot width of an average of 55 feet is required in the CC-2 zone district.</p> <p><u>Proposed:</u> The subject property is 55 feet wide as shown on the survey included in the project plans.</p> |             |

| 17.12.040 – Dimensional Standards. CC District Matrix  | Conformance |
|--|-------------|
| <i>Minimum Building Setbacks</i>   | YES         |
| <p><b>Finding:</b><br/> <u>Permitted:</u><br/>           Front (N 1<sup>st</sup> Avenue/west): 5 feet average – 244.17 SF required per length of facade<br/>           Side (8<sup>th</sup> Street/north): 5 feet average as this frontage is considered “street side” – 364.58 SF required on the 1<sup>st</sup> Floor, 465.4 SF required on the 2<sup>nd</sup> and 3<sup>rd</sup> Floors.<br/>           Side (Interior Lot Line/south): 0 feet<br/>           Rear (Alley/east): 3 feet</p> |             |

The calculated the average setback for front and street sides, the length of the façade at each level is measured and multiplied by five to determine the minimum required square footage of setback for the façade at that level. To calculate compliance with the minimum requirement, the total square footage of proposed setback for the same facade is measured.

Non-habitable structures, fixed amenities, solar and mechanical equipment affixed to a roof must be set back 10 feet from all building facades.

**Proposed:**

Front (N 1<sup>st</sup> Avenue/west): 276.1 SF on all floors – as shown on Sheets A2.1B, A2.2B, and A2.3B and cover letter

Side (8<sup>th</sup> Street/north): as shown on Sheets A2.1B, A2.2B, and A2.3B and cover letter

1<sup>st</sup> Floor – 373.2 SF

2<sup>nd</sup> Floor – 472.2 SF

3<sup>rd</sup> Floor – 469.2 SF

Side (Interior Lot Line/south): 0 feet with a portion setback along the front half of the building

Rear (Alley/east): 3 feet

Setback of non-habitable structures: Sheet M1.3 illustrates the location of the perforated metal screens proposed to screen the mechanical equipment, set back more than 10 feet from the building façade.

Sheets A3.2 and A3.3 indicate roof overhangs into the right-of-way of 1 foot on 8<sup>th</sup> Street, 3 feet on N 1<sup>st</sup> Avenue, and 1 foot into the alley.

| <b>17.12.040 – Dimensional Standards. CC District Matrix</b> | <b>Conformance</b> |
|--|--------------------|
| <i>Maximum Building Heights</i>                              | YES                |

**Finding:**

Permitted: 42 feet

Height of building/CC District: The greatest vertical distance of a building in the community core district measured by determining the average elevation of the front property line and rear property line. Draw a line from the average front or rear elevation up to the maximum building height allowed, and then draw a line at that height parallel to the front or rear property line. The resulting line establishes the highest elevation of the front or rear facade. The front or rear facade shall not extend above this line. Side facades may be stepped up or down to transition from the highest elevation of the front facade height to the highest elevation of the rear facade. One or multiple steps along the side facades are allowed, except no step shall occur within 40 feet of the front elevation or within 35 feet of the rear facade. The City shall establish the elevation points used to calculate the average elevation of the front and rear property lines (see illustration A on file in the office of the City Clerk).

Cantilevered Decks and Overhangs: 8 feet above grade and/or walking surface.

Non-habitable Structures Located on Building Rooftops: maximum of 10 feet

Perimeter walls enclosing roof top deck or structures: 4 feet above roof surface height.  
Perimeter roof top walls are required to be at least 75% transparent

Roof top solar and mechanical equipment above roof surface: maximum of 5 feet

Proposed:

As shown on the Topo map in the application materials, the site is generally flat, but slopes down from the rear property line (alley) to the front property line (N 1<sup>st</sup> Ave). As such, maximum building height is calculated by taking an average of the front property line elevation and measuring up to 42 feet from there. The lowest point of elevation along the front property line is approximately 5,811 feet. The highest elevation along the front property line is approximately 5,813 feet. This results in an average of approximately 5,812 feet. As shown on Sheets A3.1 and A3.2, the building height of 38 feet 2.5 inches is measured from an elevation of 5,812.5 feet. Actual building height based on staff's calculation is 38 feet 8.5 inches which is below the maximum building height of 42 feet.

The project includes cantilevered decks on the second and third floors of the project. As shown on Sheets A3.1 and A3.2, all cantilevered decks are more than 8 feet above grade or walking surface.

The project includes roof top mechanical equipment and an elevator shaft. As shown on Sheets A3.1 and A3.2, the equipment does not exceed 3 feet in height and is screened with a 3-foot-high perforated metal screen.

| <b>17.124.040 – Floor Area Ratios and Community Housing</b>  | <b>Conformance</b>  |
|--|---------------------|
| <i>An increased FAR may be permitted subject to design review approval, and provided, that all conditions in KMC 17.124.040.B.2 are met.</i>   | YES<br>Condition #1 |
| <p><b>Finding:</b><br/><u>Permitted FAR:</u> 1.0<br/>Permitted FAR with Community Housing: 2.25</p> <p><u>Proposed:</u><br/>Gross Square Footage – 11,758 SF (Per Sheet A0.0)<br/>Total Lot Area – 5,489 SF<br/>FAR – 2.14</p> <p>Community Housing Mitigation Calculation:<br/>Permitted Gross Square Feet (1.0 FAR): 5,489 SF<br/>Proposed Gross Square Feet: 11,758 SF<br/>Increase Above Permitted FAR: 6,269 SF</p> |                     |

20% of Increase: 1,254 SF  
 Net Livable (15% Reduction): 1,066 SF

The applicant proposes to dedicate Unit 203 (454 square feet) as a community housing unit and contribute a payment-in-lieu for the remaining 612 SF of community housing. The required payment-in-lieu is \$238 per square foot for a total of \$145,656.

| 17.125.030 – Off Street Parking and Loading   | Conformance |
|---|-------------|
| <i>Per KMC 17.125.020 all new development must comply with the off street vehicle parking requirements of the chapter.</i>  | YES         |
| <p><b>Finding:</b><br/> <u>Required per KMC 17.125.030:</u></p> <ul style="list-style-type: none"> <li>- Parking space dimensions of 9x18 feet</li> <li>- Unobstructed access to and from streets</li> <li>- Located in the rear of a building or lot</li> <li>- Lighting and Screening</li> <li>- Requirements for alleys</li> </ul> <p><u>Proposed:</u> As shown on Sheet A1.1 of the project plans, all surface parking spaces meet the minimum 9x18 feet dimensional requirements with 9x21 feet parking spaces. Each parking space is accessed directly from the alley at the rear of the building and lot. Garage spaces adjacent to surface spaces are deeded to the same residential unit so there are no conflicts on accessing parking for individual units. The surface parking area is screened by a perforated metal screen on each side and lit by overhead lighting. Surface parking spaces do not encroach into the alley and are paved with asphalt.</p> |             |

| 17.125.040 – Off Street Parking and Loading Calculations<br>17.125.050 – Community Core District Off Street Parking and Loading Calculations   | Conformance |
|--|-------------|
| <i>Minimum amount of parking spaces required per use.</i>  | YES         |
| <p><b>Finding:</b><br/> <u>Required:</u><br/>         For residential multi-family dwelling units in the Community Core:<br/>         Units 750 square feet or less – 0 spaces<br/>         Units 751 SF to 2,000 SF – minimum of 1 space<br/>         Units 2,001 SF and above – minimum of 2 spaces</p> <p>The project proposes a total of 7 dwelling units, three of which are under 750 Sf. The remaining four are under 2,000 SF requiring 1 parking space each. The total required parking for the project is four spaces.</p> |             |

**Proposed:**

As shown on Sheet A2.1, the project proposes a total of four standard surface parking spaces, one accessible space, and three garage spaces. Per the Preliminary Plat submittal, the project is proposed to be subdivided into a condominium in such a way that each dwelling unit will have one or two dedicated parking spaces except for the units less than 750 square feet.

| <b>17.125.060 – Bicycle Parking</b>  | <b>Conformance</b> |
|--|--------------------|
| <i>Requirements</i>  | YES                |
| <b>Finding:</b><br><u>Required:</u> 1 bicycle rack, accommodating at least two bicycles, for every four parking spaces required.<br><br><u>Proposed:</u> As shown on Sheet L2, the project proposes one bike rack as required for the project. |                    |

| <b>17.127 – Signage</b>   | <b>Conformance</b> |
|---|--------------------|
| <i>Master Signage Plan for New Construction</i>   | YES                |
| <b>Finding:</b> The master signage plan for the project is shown on the elevations on Sheet A3.2. The project proposes one address marker for the building on the west elevation. |                    |

| <b>17.132 – Dark Skies</b>   | <b>Conformance</b> |
|--|--------------------|
| <i>Compliance with Section 17.132 – Dark Skies.</i>  | YES                |
| <b>Finding:</b> As shown on Sheets E1.0-1.3, the photometric analysis of the project shows zero light trespass across the subject property's boundaries. Additionally, the proposed light fixtures all meet the city's requirement of a maximum of 2700 K light temperature. Two streetlights are required for the project. Per the photometric study provided by the street light vendor, illumination of the sidewalk meets the city's requirement for maximum and average foot candles. |                    |

### FINDINGS REGARDING DESIGN REVIEW STANDARDS

| <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> The project is at the corner of N 1 <sup>st</sup> Ave and 8 <sup>th</sup> Street. The project proposes to expand the asphalt, provide curb and gutter, and sidewalks within the right-of-way of N 1st Ave and 8 <sup>th</sup> Street adjacent to the subject property. The project also proposes to grade and pave the alley, for the full width of alley adjacent to the subject property. The project proposes walkways from the sidewalk in the right-of-way to the main residential entrance off 8 <sup>th</sup> Street and to the ground floor unit on N 1 <sup>st</sup> Ave. All improvements to the right-of-way and walkways to the right-of-way improvements are at the expense of the applicant. |                    |

| 17.96.060.A.2 - Streets   | Conformance           |
|---|-----------------------|
| <i>All street designs shall be approved by the City Engineer.</i>   | YES –<br>condition #6 |
| <p><b>Finding:</b> No new streets are proposed for the project, however, all improvements to the right-of-way as shown on the project plans has been reviewed by the City Engineer. Final review of all improvements to the right-of-way will be completed prior to issuance of a building permit for the project per condition of approval #6.</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><b>Finding:</b> KMC 17.124.140 outlines the zone districts where sidewalks are required when substantial improvements are made, which include the CC, all tourist zone districts, and all light industrial districts. As the project is within the CC-2 zone district, sidewalks are required and proposed.</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<br>Condition #6 |
| <p><b>Finding:</b> The project plans provided the details of the sidewalks for review by the City Engineer. Preliminary review of the project plans indicates that all city right-of-way standards for width and construction are met. Final review of all improvements to the right-of-way will be completed prior to issuance of a building permit for the project per condition of approval #6.</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"> <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         |



**Finding:** The applicant has not requested, nor has the City Engineer granted a waiver to the sidewalk requirement for the project.

| 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> As shown on Sheet C1.0 of the project plans, the project proposes new sidewalks to be placed the full length of the subject property along N 1st Ave and 8 <sup>th</sup> Street. |             |

| 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> There are no sidewalks adjacent to the subject property to the south or east. As this is a corner lot, crosswalks will connect to the sidewalk on the north side of 8 <sup>th</sup> Street, the regional bike path, and the sidewalk on the west side of N 1 <sup>st</sup> Ave. The project proposes internal pathways that directly access the sidewalk from the ground floor commercial unit and the main entry to the residential units. There are internal pathways connecting the rear parking units to the rear entry of the building. |             |

| 17.96.060.B.6 - Sidewalks   | Conformance |
|---|-------------|
| <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> | N/A         |
| <b>Finding:</b> The applicant has not request relief from the requirement to construct sidewalks nor has the City granted any such request.   |             |

| 17.96.060.C.1 - Drainage   | Conformance |
|--|-------------|
| <i>All stormwater shall be retained on site.</i>   | YES         |
| <b>Finding:</b> The project proposes a series of roof drains, drywells, and catch basins to manage onsite stormwater. Per Sheet C1.0 of the project plans, all stormwater is being retained on site. |             |

| 17.96.060.C.2 - Drainage  | Conformance         |
|---|---------------------|
| <i>Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.</i>  | YES<br>Condition #6 |
| <p><b>Finding:</b> As shown on Sheet C1.0, all stormwater is retained on-site. The project proposes to construct right-of-way improvements the length of the subject property, including curb and gutter, along N 1st Ave and 8<sup>th</sup> Street. The project also proposes drainage infrastructure in the alley behind the subject property for the full length of the subject property. Final design of drainage infrastructure will be reviewed and approved by the City Engineer prior to building permit issuance per condition #6.</p> |                     |

| 17.96.060.C.3 - Drainage   | Conformance |
|--|-------------|
| <i>The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.</i> | N/A         |
| <p><b>Finding:</b> The City Engineer did not identify any additional drainage improvements during department review.</p>               |             |

| 17.96.060.C.4 - Drainage  | Conformance         |
|---|---------------------|
| <i>Drainage facilities shall be constructed per City standards.</i>   | YES<br>Condition #6 |
| <p><b>Finding:</b> Based on review of the project plans by the City Engineer during department review, all drainage facilities meet city standards. Final design of drainage facilities will be reviewed and approved by the city engineer prior to issuance of a building permit per condition #6.</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><b>Finding:</b> All project costs associated with the development, including installation of utilities, are the responsibility of the applicant. The applicant has not made requests for funding to the City, and 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<br>Conditions #2 and #3 |
| <p><b>Finding:</b> All new utilities are to be underground as noted on Sheet C1.0 of the project plans. The subject property includes some existing pedestals for communications that will be</p> |                             |

removed and relocated to accommodate future parking spaces. There is no transformer proposed on-site as power is being pulled from a transformer to the north on 8<sup>th</sup> Street. Conditions of approval #2 and #3 address items related to utilities to be addressed prior to building permit.

| 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> The location of the subject property is already served by fiber optical and therefore no conduit is required in this location.  |             |

| 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 adjacent structures are one-story, structures of residential style with light colored materials, primarily horizontal vinyl/wood siding. Across 8th Street to the northwest and northeast are commercial type structures with flat roofs and light-colored materials of stucco and concrete. As shown on Sheets A3.1-A3.2, the project proposes a variety of materials including vertical wood siding, block siding in two colors, corrugated metal, and black metal trim for the windows and railings. The color palette of the proposed materials is very similar to adjacent buildings and assists in reducing the perceived size of the building. More specifically, the south façade of the building includes two forms of horizontal siding in a lighter color which complements the horizontal siding and color of the adjacent structures to the south and east. |             |

| 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> The subject property is vacant therefore this standard does not apply.  |             |

| 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> The subject property is vacant therefore this standard does not apply.  |             |

| 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> The project includes a primary entrance to the building on 8 <sup>th</sup> Street clearly defined as a recess in the building façade and a set of vertical windows from the ground level to the third floor. |             |

| 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 building character is that of a mountain modern approach defined by architectural features such as horizontal blocking of cantilevered decks and roof forms, and vertical integration of all stories through corner window features and accent materials. |             |

| 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 project uses a consistent set of materials including wood siding, block siding, corrugated metal and black metal for window trim, railings, and awnings. The full set of materials are utilized on each façade in different ways, connecting all facades with a continuous pattern and rhythm. The minimalist nature of the design will be carried through to the signage, which includes one address marker. |             |

| 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 accessory structures are proposed; however, the project contains landscape planters along both street frontage facades. The landscape planter on 8th Street will be constructed of finish concrete, which is a complementary color to the façade materials. The landscape planter that anchors the corner of the building is constructed of a perforated metal screen with a mountain photography element that compliments the black metal railings and window trim. |             |

| 17.96.060.F.5 – Architectural   | Conformance |
|---|-------------|
| <i>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</i> | YES         |

**Finding:** The project provides adequate undulation on all four sides of the building, reducing the appearance of bulk and flatness as illustrated in the setback calculations for the front and street sides. Specifically, the project uses cantilevered decks, recesses, and vertical façade elements to achieve a dynamic façade.

| 17.96.060.F.6 – Architectural  | Conformance |
|--|-------------|
| <i>Building(s) shall orient toward their primary street frontage.</i>  | YES         |
| <p><b>Finding:</b> The subject properties’ primary street frontage is N 1<sup>st</sup> Ave, however, the main entrance to the residential units is on 8<sup>th</sup> Street. The project includes an anchor corner element of windows and dark metal accent materials that extend from the ground floor landscape bed to the third floor. The windows wrap around both sides of the building, orienting the building to the corner, rather than N 1<sup>st</sup> Ave or 8<sup>th</sup> Street exclusively.</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><b>Finding:</b> As shown on Sheet A2.1 of the project plans, the garbage area is in the rear of the building, in a storage room enclosed with a roll up door.</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><b>Finding:</b> As shown on Sheet A2.7, the roof plan for the project includes flat roofs at an angle that causes water to drain toward a series of roof drains along the interior of the roof. Cantilevered decks integrate with roof drain systems for any water or snow accumulation. Based on the design of drainage facilities and roof design, no water or snow will enter onto adjacent properties.</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><b>Finding:</b> The project is fully connected by crosswalks with the existing sidewalk system to the north leading to the regional bike path system. No additional easements or pathways have been identified necessitating connection from the project.</p> |             |

| 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>   | YES<br>Condition #4 |
| <b>Finding:</b> The project proposes roof overhangs into the alley and over 8 <sup>th</sup> Street of one foot, roof overhangs onto N 1 <sup>st</sup> Ave of three feet, and awning features overhanging onto N 1 <sup>st</sup> Ave of one foot. Per condition of approval #4, an encroachment agreement approved by City Council will be required for these elements prior to issuance of a building permit. |                     |

| 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> Vehicle traffic accesses the site from the alley between N 1st Ave and N Washington Ave, from 8 <sup>th</sup> Street. Following required improvements to the alley, the access will be adequate to enter or exit the project safely. Bicycle and pedestrian circulation will primarily be in and out of the front of the project along 8 <sup>th</sup> Street. The subject property does not currently have sidewalks, which will be provided by the project. |             |

| 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> The subject property is a corner lot, however, alley access points for surface parking spaces in the Community Core are not considered curb cuts or driveways, therefore this standard does not apply.   |             |

| 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> With the right-of-way improvements proposed for N 1st Ave, 8 <sup>th</sup> Street, and the alley, access for emergency vehicles, snowplows, and garbage trucks will be enhanced as access to the property will be achievable from the north, east and west sides. The design of the parking area is such that parked vehicles will not overhang into the alley and there is direct access to the building from the alley in case of emergencies. |             |

| <b>17.96.060.H.1 – Snow Storage</b>   | <b>Conformance</b> |
|---|--------------------|
| <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> The project proposes heated pavers for the patio areas of the project per Sheet L2 of the project plans, therefore, no on-site snow storage is required. Surface parking area in the rear is covered and therefore no snow storage for these areas are necessary. |                    |

| <b>17.96.060.H.2 – Snow Storage</b>  | <b>Conformance</b> |
|--|--------------------|
| <i>Snow storage areas shall be provided on site.</i>   | N/A                |
| <b>Finding:</b> As discussed above, no on-site snow storage is required as snowmelt is proposed. |                    |

| <b>17.96.060.H.3 – Snow Storage</b>  | <b>Conformance</b> |
|--|--------------------|
| <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> As discussed above, no on-site snow storage is required as snowmelt is proposed.                                 |                    |

| <b>17.96.060.H.4 – Snow Storage</b>   | <b>Conformance</b> |
|---|--------------------|
| <i>In lieu of providing snow storage areas, snowmelt and hauling of snow may be allowed.</i>  | YES                |
| <b>Finding:</b> The project proposes heated pavers for the patio areas of the project per Sheet L2 of the project plans, therefore, no on-site snow storage is required. Surface parking area in the rear is covered and therefore no snow storage for these areas are necessary. |                    |

| <b>17.96.060.I.1 – Landscaping</b>   | <b>Conformance</b> |
|--|--------------------|
| <i>Landscaping is required for all projects.</i>                                     | YES                |
| <b>Finding:</b> Sheet L2 of the project plans is the landscape plan for the project. |                    |

| <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> The landscape plan includes trees, deciduous shrubs, grasses, and ornamental flowers primarily on the west, north, and south facing sides of the building. The landscape plan adds interest to the street by providing flower crab and aspens that will reflect a variety |                    |

of colors through the seasons. These vegetation types are found in many properties in the northern portion of the CC-2 district and will complement that neighborhood well.

| 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         |
| <b>Finding:</b> Trees proposed include flowering crab and Swedish aspens, both found in the surrounding area. Ornamental grasses are also drought tolerant and common. |             |

| 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         |
| <b>Finding:</b> The project provides a landscape buffer of Lilacs between the proposed building and the lot to the south. The lot to the south has numerous large mature trees that also provided added buffer.   |             |

| 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         |
| <b>Finding:</b> Per direction of the Public Works Department, all public amenities proposed are to be located within the boundaries of the subject property. The project proposes a bike rack and two seat walls integrated into the landscape plan.   |             |

| 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         |
| <b>Finding:</b> The project does not propose any below grade structures.   |             |



| 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         |
| <p><b>Finding:</b> The subject property is not adjacent to any bodies of water; therefore, no riparian setback exists for the property. Additionally, the project does not propose any below grade structures.</p> |             |

### FINDINGS REGARDING DESIGN REVIEW STANDARDS – COMMUNITY CORE

| 17.96.070.A.1 – Streets   | Conformance |
|---|-------------|
| <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         |
| <p><b>Finding:</b> Per direction from the Public Works Department, all trees and furnishings are required to be within the boundaries of the subject property. Two streetlights are required and are proposed to illuminate the sidewalk along N 1st Ave and 8<sup>th</sup> Street.</p> |             |

| 17.96.070.A.2 – Streets  | Conformance |
|--|-------------|
| <i>Street trees with a minimum caliper size of three inches, shall be placed in tree grates.</i>   | N/A         |
| <p><b>Finding:</b> This standard only applies to street trees within the public right-of-way. No trees are proposed in the public right-of-way therefore this standard does not apply.</p> |             |

| 17.96.070.A.3 – Streets   | Conformance |
|---|-------------|
| <i>Due to site constraints, the requirements of this subsection A may be modified by the Public Works Department.</i>   | N/A         |
| <p><b>Finding:</b> No modifications to these requirements have been made. The Public Works Department has provided directions as to the location of improvements in the right-of-way.</p> |             |

| 17.96.070.B.1 - Architectural  | Conformance |
|--|-------------|
| <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         |
| <p><b>Finding:</b> As discussed above, the project proposes a variety of materials and successfully designed the facades of the building to undulate, reducing the appearance of bulk or flatness. The facades facing the streets and alley include cantilevered decks, large windows, and various materials to avoid the creation of blank walls from all vantage points.</p> |             |

| 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> | N/A         |
| <b>Finding:</b> The project does not include any nonresidential elements, therefore this standard does not apply.  |             |

| 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> | N/A         |
| <b>Finding:</b> The project does not include any nonresidential elements; therefore, this standard does not apply.  |             |

| 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> The roof form and material is like that of the rest of the building. The roof form is flat, compatible with the horizontal cantilevered decks. The roof soffit will be the same wood siding as portions of the façade with a dark metal fascia. No reflective materials are proposed. |             |

| 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> The project does not include pitched roofs.  |             |

| 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> As discussed above, the project proposes roof and awning overhangs requiring an encroachment agreement per condition of approval #4. No roof or awning overhangs extend more than three feet over a public sidewalk. |             |

| 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>       | YES         |
| <b>Finding:</b> The main entrance to the building is on 8 <sup>th</sup> Street, access by a set of stairs from the street level. The entry is recessed, but not enclosed. |             |

| 17.96.070.C.1 – Service Areas and Mechanical/Electrical Equipment   | Conformance |
|---|-------------|
| <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> The trash disposal area for the project is located in the rear of the building, adjacent to the parking area. The project includes a designated trash disposal area not within the public right-of-way, screened by a metal roll up door. |             |

| 17.96.070.C.2 – Service Areas and Mechanical/Electrical Equipment   | Conformance |
|---|-------------|
| <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> As shown on Sheets A3.1 and A3.2 of the project plans, there will be rooftop mechanical equipment screened by a 3-foot-high perforated metal screen like what is screening the parking area off the alley. The screening material is compatible with the other building materials as it is a dark brushed metal material. |             |

| 17.96.070.D.1 - Landscaping   | Conformance |
|---|-------------|
| <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> Sheet L1 of the project plans indicate the removal of three trees from the property. Based on a site visit with the City Arborist, no existing trees on-site were deemed healthy and mature. No replacement trees are required. |             |

| 17.96.070.D.2 - Landscaping  | Conformance |
|--|-------------|
| <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         |

**Finding:** Trees proposed in the landscape plan are not within pedestrian path areas, but on the outer bounds of the patio adjacent to N 1st Ave, or in landscape planters, therefore tree grates are not required.

| 17.96.070.D.3 - Landscaping   | Conformance |
|---|-------------|
| <i>The City arborist shall approve all parking lot and replacement trees.</i>   | YES         |
| <b>Finding:</b> A site visit with the City Arborist was conducted on June 24, 2021 to verify existing tree health. No replacement trees are required. |             |

| 17.96.070.E.1 – Surface Parking Lots   | Conformance |
|--|-------------|
| <i>Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.</i>  | YES         |
| <b>Finding:</b> The surface parking area is accessed directly from the alley. Perforated metal screening is provided on the north and south side of the parking area to screen from adjacent properties. |             |

| 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> The surface parking area is located under the second-floor overhang of the structure and is not an open-air surface parking lot. These standards are more applicable to parking lots that contain 10 or more parking spaces in an open-air manner, therefore these standards do not apply to this project.                               |             |

| 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> As the parking for the project is not within an open are surface parking area, these standards do not apply.  |             |

| <b>17.96.070.F.1 – Bicycle Parking</b>   | <b>Conformance</b> |
|--|--------------------|
| <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> As shown on Sheet L2, the project proposes one bike rack as required for the project.  |                    |

| <b>17.96.070.F.2 – Bicycle Parking</b>  | <b>Conformance</b> |
|---|--------------------|
| <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> As shown on Sheet L2, the project proposes one bike rack as required for the project.   |                    |

| <b>17.96.070.F.3 – Bicycle Parking</b>  | <b>Conformance</b> |
|---|--------------------|
| <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> The project proposes one bicycle rack within 20 feet of the entrance to the building on 8 <sup>th</sup> Street and within 20 feet of the entrance to the ground floor unit on N 1 <sup>st</sup> Ave.  |                    |

### **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 780 N 1<sup>st</sup> Ave Multi-family Design Review application meets all applicable standards specified in Title 17 of Ketchum Municipal Code.

### **DECISION**

**THEREFORE**, the Commission **approves** this Design Review Application File No. P21-069 this Tuesday, October 26, 2021, subject to the following conditions of approval.

### **CONDITIONS OF APPROVAL**

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 1<sup>st</sup> 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 1<sup>st</sup> Ave and N Washington Ave from 7<sup>th</sup> St to 8<sup>th</sup> 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 1<sup>st</sup> 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.

Findings of Fact **adopted** this 26<sup>th</sup> day of October 2021.

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Neil Morrow, Chair  
City of Ketchum  
Planning and Zoning Commission