



City of Ketchum  
Planning & Building

IN RE: )  
)  
460 North Main Street Mixed-Use Building ) KETCHUM PLANNING AND ZONING COMMISSION  
5th & Main Condominiums ) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND  
Design Review ) DECISION  
)  
Date: March 29, 2022 )  
)  
File Number: P22-007 )

PROJECT: 460 North Main Street Mixed-Use Building /5<sup>th</sup> & Main Condominiums

APPLICATION TYPE: Design Review

FILE NUMBER: P22-007

ASSOCIATED APPLICATIONS: Variance P22-013, Lot Consolidation Preliminary Plat P22-005, and  
Condominium Subdivision Preliminary Plat P22-006

ARCHITECT: Michael Bulls, Ruscitto Latham Blanton Architecture

DEVELOPER & OWNER: David Wilson, Main Street Realty Partners LLC

LOCATION: 460 N Main Street (Ketchum Townsite: Block 5: Lots 3 & 4)

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

OVERLAY: None

**RECORD OF PROCEEDINGS**

The Planning and Zoning Commission considered the 460 N Main Mixed-Use Building (5<sup>th</sup> & Main Condominiums) Design Review Application File No. P22-07 during their regular meeting on March 8<sup>th</sup>, 2022. The application was considered concurrently with Variance Application File No. P22-013, Lot Consolidation Preliminary Plat Application File No. P22-005, and Condominium Subdivision Preliminary Plat Application File No. P22-006 and the public hearings were combined in accordance with Idaho Code §67-6522.

Public Hearing Notice & Public Comment

The public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivision on February 16<sup>th</sup>, 2022. The public hearing notice was published in the Idaho Mountain Express the on February 16<sup>th</sup>, 2022. A notice was posted on the City’s website on February 16<sup>th</sup>, 2022. The public hearing notice was posted on the project site on March 1<sup>st</sup>, 2022. The Planning & Building Department received one public comment following publication of the

March 8<sup>th</sup> Staff Report, which was forwarded to the Commission for their consideration and incorporated into the project record.

### FINDINGS OF FACT

The Planning and 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:

The applicant, property owner and developer David Wilson represented by architect Michael Bulls of Ruscitto Latham Blanton Architecture, is proposing to develop a new 26,386-square-foot mixed-use building at the southeast corner of Main and 5<sup>th</sup> Streets within the Retail Core (CC-1) Zoning District. The mixed-use building will accommodate two retail units on the ground floor, a parking garage with 8 off-street parking spaces, 4 community housing units with private entrances accessed from the alley, and 4 market-rate residential units.

#### Associated Applications & Review Process

The project is subject to Design Review pursuant to Ketchum Municipal Code (KMC) §17.96.010.A4 for the development of the new mixed-use building. Additionally, the applicant has submitted a variance request for relief from the 3-foot setback required from the alley to accommodate a retaining wall and guardrail that support the pathway accessing the community housing units. The Planning and Zoning Commission has the authority to review and approve the applicant's Design Review and Variance applications pursuant to Ketchum Municipal Code §17.96.030.B and §17.148.010.

The Lot Consolidation Subdivision Preliminary Plat Application will combine lots 3 and 4 within block 5 of Ketchum Townsite to consolidate the development parcel. The Condominium Subdivision Preliminary Plat Application will subdivide the mixed-use building into 2 retail condominium units, 4 market-rate residential units, and 1 condominium unit for the 4 community housing rental units. Additionally, the developer plans to offer units for sale individually as construction is completed and will pursue a Phased Development Plan for the project consistent with Ketchum Municipal Code §16.04.110. The first step in the subdivision process is preliminary plat review by the Planning and Zoning Commission (Ketchum Municipal Code §16.04.030.C.5a). The subdivision applications will then be forwarded to the City Council for their final review and approval (Ketchum Municipal Code §16.04.030.C.5b).

#### Formula Sports/Former Post Office Historic A-Frame Demolition

The Formula Sports/Former Post Office A-Frame on the project site is one of the 27 structures on Ketchum's Historic Building List. The Historic Preservation Commission (HPC) approved the applicant's request to demolish the historic structure on November 2<sup>nd</sup>, 2021. The HPC concluded that the A-Frame merits demolition because the structure cannot reasonably be repaired, restored, or converted to an adaptive reuse without diminishing the historic integrity of the building. The applicant proposes to memorialize the significance of the building in a commemorative exhibit incorporated into the development's archway entrances along Main Street.

#### Pre-Application Design Review: Commission's Feedback

The Planning and Zoning Commission considered the Pre-Application Design Review for this project during their meeting on January 11<sup>th</sup>, 2022. The Commission appreciated how the applicant

Design Review Application File No. P22-007: 460 N Main Mixed-Use Building (5<sup>th</sup> & Main Condominiums)

Findings of Fact, Conclusions of Law, and Decision

Planning & Zoning Commission Special Meeting of March 29<sup>th</sup>, 2022

City of Ketchum Planning & Building Department

thoughtfully utilized the site’s topography to reduce the visual appearance of building mass. They commented that the proposed development would contribute to the community by adding vibrancy to the street corner. The Commission appreciated that the developer went above and beyond by providing more community housing on site than what is required based on the gross floor area increase.

While they appreciated the horizontal floor setbacks provided by the second- and third-level terraces, the Commission commented that the building still appeared large and bulky due to its horizontal mass. The Commission suggested incorporating design treatments to mitigate the appearance of this horizontal building mass, such as providing a more transparent railing for the second- and third-level terraces. The Commission commented that more variety should be incorporated into the project’s exterior material palette to differentiate the new mixed-use building from the Idaho Mountain Bank building across the street. The Planning & Zoning Commission supported Staff’s suggestion that a connection be provided from the paver pathway along the alley that provides access to the community housing to the sidewalk along 5<sup>th</sup> Street.

Applicant’s Project Plan Updates

The applicant revised the project’s massing elements based on the Commission’s feedback. As indicated on Sheet A2.3 of the project plans, the middle portion of the third level terrace was extended towards Main Street to match the roof line of the second floor below. This modification creates a vertical element connecting the upper levels of the building. As shown on Sheet A4.2 of the project plans, the applicant modified the railing at the third level terrace by substituting the weathered wood vertical siding with glass panels. This transparent railing reduces the appearance of horizontal building mass. The applicant modified the exterior materials by lightening the color palette. The applicant provided a connection from the paver pathway along the alley to the sidewalk along 5<sup>th</sup> Street.

**Findings Regarding Compliance with Zoning & Dimensional Standards**

The project is in conformance with all dimensional and development standards required for projects in the Community Core except for the 3-foot required setback from the alley property line.

17.12.020 – District Use Matrix	Conformance
<i>Zone District: Community Core Subdistrict 1 – Retail Core (CC-1)</i>	YES
<p><b>Finding:</b> Only pedestrian activated commercial uses like retail shops and restaurants are permitted on the ground-floor along the street frontage within developments in the Retail Core (CC-1) Zone (KMC §17.12.020). The proposed development includes ground-level retail units fronting Main and 5th Streets. The upper levels of the mixed-use building contain four market-rate residential units. Four community housing units are provided on site and accessed from a paver pathway bordering the block 5 alleyway. These multi-family dwelling units are permitted in the CC-1 Zone pursuant to Ketchum Municipal Code §17.12.020.</p>	

17.12.040 – Dimensional Standards. CC District Matrix	Conformance
<i>Minimum Lot Size</i>	YES
<p><b>Finding:</b> <u>Required:</u> Minimum lot size of 5,500 square feet required in the CC-1 zone district.</p>	

Proposed: The subject property is 11,000 square feet.

17.12.040 – Dimensional Standards. CC District Matrix	Conformance
<i>Minimum Lot Width</i>	YES
<b>Finding:</b> <u>Required</u> : Minimum lot width of an average of 55 feet is required in the CC-1 Zone.  <u>Proposed</u> : Lot 3A is 110 feet wide.	

17.12.040 – Dimensional Standards. CC District Matrix	Conformance
<i>Minimum Building Setbacks</i>	YES with variance
<b>Finding:</b> <u>Required</u> : Front (Main Street/west): 0 feet Side (5 <sup>th</sup> Street/north): 0 feet Side (interior/south): 0 feet Rear (alley/east): 3 feet  Non-habitable structures, fixed amenities, solar and mechanical equipment affixed to a roof must be setback 10 feet from all building facades.  <u>Proposed</u> : Front (Main Street/west): The piers of the arches along Main Street are built to the property line and setback 0 feet. The portion of the building in between the arch-piers is setback 3 feet creating an alcove with benches and landscaped planters. The entrance to the two retail units and residential lobby is setback 16'-4" from the front property line along Main Street. Side (5 <sup>th</sup> Street/north): 0 feet Side (interior/south): 1 foot Rear (alley/east): The mixed-use building is setback from the alley property line 3 feet. The freestanding retaining wall to support the pathway directly borders the rear property line and is setback 0 feet. The Commission has approved Variance Application P22-013 for relief from the 3-foot setback required from the alley.  Non-habitable Structures/Fixed Amenities/Solar and Mechanical Equipment Affixed to the Roof from all Building Facades: The roof level plan on Sheet A2.4 shows that the rooftop access structure is setback 32' from the front façade, 36'-8" from the interior side wall, 45'-10" from the 5 <sup>th</sup> Street Façade, and 43'-8" from the rear wall. The roof decks enclosed by perimeter walls are setback 50'-10" front the front façade, 15'-11" from the interior side wall, 24'-7" from the 5 <sup>th</sup> Street façade, and 25'-2" from the rear wall. The mechanical equipment is setback 10' from the rear wall, 36'-8" from the east interior side wall, 45'-10" from the 5 <sup>th</sup> street side wall, and 50'-10" from the front facade.	

17.12.040 – Dimensional Standards. CC District Matrix	Conformance
<p data-bbox="147 142 1198 1776"><i>Maximum Building Heights</i></p> <p data-bbox="147 142 1198 1776"><b>Finding:</b> <u>Permitted:</u> 42 feet in the CC-1 Zone district</p> <p data-bbox="147 142 1198 1776">Definition - 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).</p> <p data-bbox="147 142 1198 1776">Cantilevered Decks and Overhangs: 8 feet above grade and/or walking surface.</p> <p data-bbox="147 142 1198 1776">Non-habitable Structures Located on Building Rooftops: 10 feet</p> <p data-bbox="147 142 1198 1776">Perimeter Walls Enclosing Rooftop Deck: 4 feet above roof surface and at least 75% transparent</p> <p data-bbox="147 142 1198 1776">Rooftop Solar and Mechanical Equipment: 5 feet above roof surface</p> <p data-bbox="147 142 1198 1776"><u>Proposed:</u> Front Property Line Average Elevation: 5836.2' Front Façade Maximum Height Elevation: 5878.2' Front Façade Height: 42 feet</p> <p data-bbox="147 142 1198 1776">Rear Property Line Average Elevation: 5844.3' Rear Façade Maximum Height Elevation: 5878.07' Rear Façade Height: 42 feet</p> <p data-bbox="147 142 1198 1776">Top of Flat Roof Elevation: 5873.57' Top of Nonhabitable Access Structure Elevation: 5882.57' Height of Nonhabitable Access Structure Above Flat Roof Surface: 9 feet Perimeter Walls Enclosing Rooftop Decks: 48 inches above roof surface height and 75% transparent Rooftop solar and Mechanical Equipment: The roof level plan on Sheet A2.4 indicates that the roof-mounted mechanical equipment is less than 5 feet in height above the roof surface.</p>	YES

17.124.040 – Floor Area Ratios and Community Housing	Conformance
<p><i>The permitted FAR in the Community Core Zone is 1.0. The Planning &amp; Zoning Commission may allow an increased FAR subject to Design Review (Ketchum Municipal Code §17.124.040.B).</i></p>	<p>YES Condition #4</p>
<p><b>Finding:</b>  <u>Permitted:</u>            Permitted FAR: 1.0            Permitted FAR with Community Housing: 2.25</p> <p><u>Proposed:</u>            The FAR calculation is provided on Sheet A1.2 of the project plans.            Total Gross Floor Area: 24,391 square feet            Lot Area: 11,000 square feet            FAR: 2.22</p> <p>Community Housing Mitigation Calculation:            Permitted Gross Floor Area (1.0 FAR): 11,000 square feet            Proposed Gross Floor Area: 24,391 square feet            Increase Above Permitted FAR: 13,391 square feet            20% of Increase: 2,678 square feet            Net Livable (15% Reduction): 2,276 square feet</p> <p>The applicant has proposed to provide four one-bedroom community housing units within the mixed-use building to satisfy the community housing contribution. The community housing units range in size from 658 square feet to 700 square feet. The total floor area of the four community housing units is 2,715 square feet, which is 439 square feet more than required for the FAR exceedance. Pursuant to condition #4, a FAR Exceedance Agreement between the applicant and the City to memorialize the community housing contribution shall be signed and recorded prior to issuance of a building permit for the project.</p>	

17.125.030 – Off Street Parking and Loading	Conformance
<p><i>Pursuant to Ketchum Municipal Code §17.125.020.A1, all new development must comply with the off street vehicle parking requirements.</i></p>	<p>YES</p>
<p><b>Finding:</b>  <u>Required pursuant to Ketchum Municipal Code §17.125.030:</u></p> <ul style="list-style-type: none"> <li>- Parking Space Dimensions for 90-Degree Angle Space: 9x18 feet</li> <li>- Aisle Width for 90-Degree Parking Space: 24 feet</li> <li>- Access to Streets: unobstructed access to and from a street shall be provided for all off street parking spaces</li> <li>- Location: surface parking lots shall be located in the rear of a building or lot</li> <li>- Lighting and Screening</li> </ul> <p><u>Proposed:</u> As shown on Sheet A1.0 of the project plans, all parking spaces meet the minimum 9x18 feet dimensional requirements. The aisle within the parking garage meets the 24-foot minimum required width. The parking garage is accessed from 5<sup>th</sup> Street. The curb cut to access</p>	

the parking garage along 5<sup>th</sup> Street is 35 feet, which is 35% of the property's street frontage along 5<sup>th</sup> Street. The parking garage is fully enclosed within the ground floor and buffered from public views by the building walls.

<p align="center"><b>17.125.040 – Off Street Parking and Loading Calculations</b>  <b>17.125.050 – Community Core District Off Street Parking and Loading Calculations</b></p>	<p align="center"><b>Conformance</b></p>
<p><i>Pursuant to Ketchum Municipal Code 17.125.020.A1, all new development must comply with the off street vehicle parking requirements.</i></p>	<p align="center">YES</p>
<p><b>Finding:</b>  <u>Required (KMC §17.125.040)</u>            Multi-Family Dwelling Units in CC Zone            Units 750 square feet or less: 0 parking spaces            Units 751 square feet to 2,000 square feet: 1 parking space            Units 2,001 square feet and above: 2 parking spaces</p> <p>Non-residential: 1 parking space per 1,000 gross square feet (refer to definition of gross floor area with additional exclusion of common and public areas)</p> <p><u>Exemptions in CC Zone</u></p> <ul style="list-style-type: none"> <li>• Community housing</li> <li>• Food service</li> <li>• The first 5,500 gross square feet of retail trade</li> <li>• The first 5,500 gross square feet of assembly uses</li> </ul> <p><u>Project Parking Demand</u></p> <p><i>Ground Floor</i>            Retail Unit 101 (2,082 gross sq ft): first 5,500 sq ft retail trade exempt            Retail 102 (1,914 gross sq ft): first 5,500 sq ft retail trade exempt</p> <p><i>Second Floor</i>            5 Community Housing Units: Exempt            Residential Unit 201 (2,766 square feet): 2 parking spaces required            Residential Unit 202 (2,767 square feet): 2 parking spaces required</p> <p><i>Third Floor</i>            Residential Unit 301 (3,387 square feet): 2 parking spaces required            Residential Unit 302 (3,248 square feet): 2 parking spaces required</p> <p>Total Parking Demand: 8 Parking Spaces</p> <p><u>Proposed</u>            8 parking spaces are provided on-site within the ground-level parking garage satisfying the parking demand for the four market-rate residential units.</p>	

17.125.060 – Bicycle Parking	Conformance
	YES
<p><b>Finding:</b>  <u>Required:</u> 1 bicycle rack, accommodating at least two bicycles, for every four parking spaces required.</p> <p><u>Proposed:</u> Sheet A1.0 shows that 2 bike racks accommodating two bicycles have been provided on-site by the main building entrance along Main Street.</p>	

17.127 – Signage	Conformance
<i>Master Signage Plan for New Construction</i>	YES
<p><b>Finding:</b> The master signage plan for the project is provided on Sheets A7.0 and A7.1 of the project plans.</p>	

### 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 Conditions #2 & #10
<p><b>Finding:</b> The project is located at the southeast corner of Main and 5<sup>th</sup> streets. As shown on Sheet C2.0 of the project plans, the applicant proposes to expand and repair the asphalt roadway adjacent to the property along Main Street, 5<sup>th</sup> Street, and the alleyway. The ground-level parking garage will be accessed from 5<sup>th</sup> Street. The applicant will construct a zero-reveal curb and gutter to access the parking garage.</p> <p>The north end of the block 5 alleyway is unpaved but contains significant improvements, including retaining walls, a streetlight, telephone and cable tv risers, a concrete pad, and power boxes. The City allowed the existing electrical infrastructure to be placed within the alley right-of-way in 2007 as part of a project to underground overhead powerlines. The existing improvements within the right-of-way block the alley creating a dead end. Pursuant to Ketchum Municipal Code §16.04.040.I, dead-end alleys shall only be permitted after due consideration of the interests of adjacent property owners, including, but not limited to, the provision of fire protection, snow removal, and trash collection services to such properties.</p> <p>The City currently maintains and removes snow from the improved portion of the Block 5 alleyway. The Streets Department must drive their equipment in reverse backing the loader up to the dead end and then pushing as much of the snow out of the alley as possible. The dead end makes it impossible for the City to remove all of the snow from the alleyway.</p> <p>As shown on Sheet C0.2, only a portion of the existing alley right-of-way adjacent to the subject property is improved. This paved area serves as required access to five off-street parking spaces that serve the adjacent development on Lot 7 located at 471 N Leadville Avenue. Future</p>	



emergency vehicle access for the community housing units within the proposed development will be provided from the block 5 alleyway.

The Fire Department requires a minimum 20-foot-wide travel lane for emergency vehicle access to be maintained clear and unobstructed at all times. The full 20-foot-width of the alley must be improved with asphalt pavement to provide compliant emergency vehicle access to the community housing units. The alley improvements must extend from the southeast corner of the development site to the edge of the existing retaining walls enclosing the power boxes at the north end of the alley. As the dead end makes it impossible for the City remove all the snow, the paved portion of the alley must include a snowmelt system in order to keep the required access clear and unobstructed during winter.

Pursuant to condition #2, the full 20-foot width of the alley must be improved with asphalt pavement and a snowmelt system. These improvements shall extend from the southeast corner of the development site to the edge of the existing retaining walls enclosing the power boxes at the north end of the alley.

Final civil drawings for all associated right-of-way and alley improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and the Streets Department. Final review of all right-of-way improvements to the right-of-way will be completed prior to issuance of a building permit for the project pursuant to condition of approval #10.

17.96.060.A.2 - Streets	Conformance
<i>All street designs shall be approved by the City Engineer.</i>	YES Condition #10
<p><b>Finding:</b> No new streets or changes to the travel lanes or street designs are proposed with this project. Final civil drawings for all associated right-of-way improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. Final review of all right-of-way improvements to the right-of-way will be completed prior to issuance of a building permit for the project pursuant to condition of approval #10.</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> The 460 N Main Mixed-Use Building project qualifies as a substantial improvement. The applicant has proposed to install new heated, paver sidewalks along Main and 5<sup>th</sup> Streets.</p>	

17.96.060.B.2 - Sidewalks	Conformance
<p><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></p>	<p>YES Conditions #6 &amp; #10</p>
<p><b>Finding:</b> The applicant has proposed to install new 8-foot wide, heated, paver sidewalks within the right-of-way along Main and 5<sup>th</sup> Streets. The applicant has also proposed to construct a new bulb-out at the intersection of Main and 5<sup>th</sup> Streets. The bulb-out as proposed does not comply with City standards. The applicant shall revise the bulb-out design to comply with City standards. Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. Final review of all improvements to the right-of-way will be completed prior to issuance of a building permit for the project pursuant to condition of approval #10.</p> <p>The project requires a ROW Encroachment Permit for the pavers and snowmelt system proposed to be installed for the sidewalks along Main and 5th Streets as well as the snowmelt system required to be installed within the Block 5 alleyway. The City Council has the authority to review and approval all permanent encroachments within the public right-of-way associated with a development project pursuant to Ketchum Municipal Code §17.96.030.C. Pursuant to condition #6, the applicant shall submit the ROW Encroachment Application prior to issuance of a building permit for the project for review and approval by the City Council.</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>	<p>N/A</p>
<p><b>Finding:</b> N/A as sidewalks are required for this project.</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>	<p>YES</p>
<p><b>Finding:</b> As shown on Sheet C2.0 of the project plans, the proposed sidewalk improvements are equal to the length of the property's street frontages along Main and 5<sup>th</sup> streets.</p>	

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 Condition #10
<p><b>Finding:</b> The new heated, paver sidewalk along Main Street will connect to the sidewalk to the south. While no sidewalk currently exists east of the property along 5<sup>th</sup> Street, the new sidewalk has been designed to facilitate this future connection. Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. Final review of all improvements to the right-of-way will be completed prior to issuance of a building permit for the project pursuant to condition of approval #10.</p>	

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
<p><b>Finding:</b> The applicant has not request relief from the requirement to construct sidewalks and Staff does not recommend a voluntary cash contribution in-lieu of improvements for this project.</p>	

17.96.060.C.1 - Drainage	Conformance
<i>All stormwater shall be retained on site.</i>	YES Condition #10
<p><b>Finding:</b> All storm water shall be retained on site, including water from roof drains. All roof drain locations must be shown on the project plans submitted with the building permit application for final review and approval by the City Engineer. Sheets C2.0 and C2.1 indicate the proposed drainage improvements. The drainage plan is comprised of a system of catch basins and drywells.</p> <p>Pursuant to condition #10, 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. The final project plans submitted with the building permit application must specify the location of all roof drains.</p>	

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 Condition #10
<p><b>Finding:</b> See above analysis for Ketchum Municipal Code §17.96.060.C1. All drainage improvements are required to be constructed City standards. 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 Main and 5<sup>th</sup> streets. The project also proposes drainage infrastructure in the alley behind the subject property for the full length of the subject property. Pursuant to condition #10, 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.</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 will determine if the drainage improvements are sufficient after reviewing the final civil drawings submitted with the building permit application. The City Engineer may require additional drainage improvements if necessary.</p>	

17.96.060.C.4 - Drainage	Conformance
<i>Drainage facilities shall be constructed per City standards.</i>	YES Condition #10
<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 #10.</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.</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 Condition #3
<p><b>Finding:</b> All utilities within the development site shall be underground and concealed from public view. As shown on Sheet A1.0 of the project plans, the electric meters will be installed in an enclosed alcove within the parking garage. The gas meters will be installed at the back of the</p>	

building within a semi-enclosed alcove that screens the meters from public view along 5<sup>th</sup> Street.

Three existing power boxes are located within the alley right-of-way. Two of the power boxes are sited on a concrete pad. Retaining walls border three sides of this infrastructure. The retaining wall to the west of the power boxes encroaches over the property line and onto the development site. Sheet A2.2 of the project plans notes this portion of the retaining wall enclosure will be rebuilt. A new wall perpendicular to the rear property line will be installed to further screen the electrical equipment. The applicant has proposed installing the new transformer required to serve the proposed development within this retaining wall enclosure. A section of the new retaining wall enclosure encroaches within the area of the alley required to be maintained free and unobstructed for Fire Department access.

Pursuant to condition #3, the applicant will coordinate with the City and Idaho Power to determine the appropriate location for the relocated and proposed power boxes and sufficient screening that complies with both Design Review standards and Idaho Power’s clearance requirements. The power boxes, concrete pad, and retaining wall enclosure shall not encroach within the area of the alley required to be improved for emergency vehicle access. If the unimproved alley does not have sufficient space to accommodate all existing and proposed electrical infrastructure, then the new transformer to serve the new mixed-use building will be required to be installed on the development site.

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 project is in the heart of downtown Ketchum at the southeast corner of Main and 5th Streets. The development site is adjacent to: (a) the Idaho Independent Bank building across Main Street, (b) Silver Creek Outfitters across 5th Street, (c) Nails by Sherine (River Ranch/Tomason House/Kate Knight’s Antiques) and the McCotter (Crazy Horse) Building across the alley. The design incorporates exterior materials and ornamentation characteristic of alpine architecture. The project’s exterior materials are specified on Sheet A4.2 of the project plans and include natural stone veneer, matte dark bronze metal, and wood. The natural materials and earth tones complement the surrounding buildings downtown. This redevelopment project will contribute to the character of the community and enhance downtown’s built environment through its authentic design and engaging streetscape.	

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>	YES
<p><b>Finding:</b> The Formula Sports/Former Post Office A-Frame on the project site is one of the 27 structures on Ketchum’s Historic Building List. The Historic Preservation Commission (HPC) approved the applicant’s request to demolish the historic structure on November 2<sup>nd</sup>, 2021. The HPC concluded that the A-Frame merits demolition because the structure cannot reasonably be repaired, restored, or converted to an adaptive reuse without diminishing the historic integrity of the building.</p>	

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
<p><b>Finding:</b> The project proposes to demolish the Formula Sports/Former Post Office A-Frame. The Historic Preservation Commission (HPC) approved the applicant’s request to demolish the historic structure on November 2<sup>nd</sup>, 2021. The HPC concluded that the A-Frame merits demolition because the structure cannot reasonably be repaired, restored, or converted to an adaptive reuse without diminishing the historic integrity of the building.</p>	

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
<p><b>Finding:</b> The building angles at the street softening its edge while exposed wood beams distinguish the entrance. The entrance to the two retail units and residential lobby along Main Street is setback 16’-4’’ from the front property line. Both building entrances lead to paver terraces, which connect to the new heated, paver sidewalks along Main and 5<sup>th</sup> Streets.</p>	

17.96.060.F.2 – Architectural	Conformance
<i>The building character shall be clearly defined by use of architectural features.</i>	YES
<p><b>Finding:</b> The retail units provide an active use at the ground-level that will add vibrancy to both street frontages. The 12-foot first-floor ceiling height enhances the retail use’s prominence within the development. The commercial and residential uses with the building’s interior program are visually distinguished through different exterior materials and architectural features. The ground level is defined by natural stone veneer and arches. The arches are equally separated forming a repeating pattern that creates rhythm along the streetscape. The arches project 3 feet from the front and street side facades creating covered alcoves for benches and landscaped planters. These public amenities create an activated, pedestrian friendly streetscape.</p>	

Both the stone arches and wood beams echo the exposed structural elements that characterize alpine architecture and vernacular buildings, like the A-Frame, capable of shedding and withstanding snow loads in the mountains. The roof includes both flat and pitched, gable elements that vary the height of the roofline and provide visual interest. The gable roof elements are a defining architectural feature that distinguish this project from the flat-roofed, rectangular-shaped buildings dominating recent downtown infill and redevelopment projects.

17.96.060.F.3 – Architectural	Conformance
<i>There shall be continuity of materials, colors and signing within the project.</i>	YES
<p><b>Finding:</b> The project uses a consistent set of materials and colors, including stained wood, natural stone veneer, and matte dark bronze. These natural materials and colors complement the surrounding built environment.</p>	

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><b>Finding:</b> The landscape plans are provided on Sheets L1.1, L1.2, and L1.3.</p> <p>As shown on Sheet L1.1, the applicant will install four street trees along Main Street and 3 street trees along 5<sup>th</sup> Street. The ground level arches project 3 feet from the front and street side facades creating covered spaces for benches and landscaped planters along both street frontages. As shown on Sheet L1.1, the vegetation within the ground-level planters will change seasonally. The vegetation within the planters will be annual flowers in the summer and pine bows and willow twigs in the winter. The ground-level landscaped planters and street trees soften the stone archways and create a pedestrian-friendly streetscape.</p> <p>The second-level landscape plan on Sheet L1.2 includes planters that border the second level terraces fronting Main Street and planters that border the 5<sup>th</sup> Street side wall. The vegetation within the planters bordering the terraces will include Juniper Blue Creepers, annuals, perennials, and Goldflame Spirea. The planters bordering the 5<sup>th</sup> Street side wall at the second level will include Juniper Blue Creepers and Tor Birchleaf Spirea. The third-level landscape plan is indicated on Sheet L1.3 and includes planters that border the terraces fronting Main Street. These planters wrap around the building corner and border a portion of the 5<sup>th</sup> street side wall. These planters will include Tor Birchleaf Spirea, Blue Oat Grass, annuals, and perennials. The landscaped planters at the second and third level project soften the building walls and complement the design of the mixed-use development.</p> <p>No accessory structures are proposed.</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><b>Finding:</b> The building tucks into the slope created by the site’s falling grade to reduce the visual appearance of building mass. The private terraces provided for the upper-level residential units step the building back at the second and third floors. The second-level terraces are 21’-3” and 35’-6” wide stepping the building back 16’-4” from the ground-floor façade. The third-level terraces are each 49 feet wide stepping back the floor 22’-4” from the ground-level and 6 feet from the second-level façade. This design breaks up the building into defined components that visually break up the mass of the building.</p>	

17.96.060.F.6 – Architectural	Conformance
<i>Building(s) shall orient toward their primary street frontage.</i>	YES
<p><b>Finding:</b> The mixed-use development orients towards Main and 5<sup>th</sup> Streets. The building angles at the street corner softening its edge while exposed wood beams distinguish the entrance. The piers of the arches along Main Street are built to the property line and setback 0 feet. The portion of the building in between the arch-piers is setback 3 feet creating an alcove with benches and landscaped planters. The entrance to the two retail units and residential lobby is setback 16’-4” from the front property line along Main Street.</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 A1.0 of the project plans, the garbage area is located within an enclosed garage at the rear corner of the building by the intersection of 5<sup>th</sup> Street and the alley. While located at the rear of the building by the alley, the dumpster will be serviced by Clear Creek along 5<sup>th</sup> Street as Idaho Power infrastructure blocks access to the alley.</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> The roof level plan on Sheet A2.4 shows that roof drainage will be directed to 8 internal drains within the flat roof areas. Weather protection is provided at the building entrances and in areas where pedestrians gather and circulate. The entrance to the retail unit at the corner of Main and 5<sup>th</sup> Streets is covered by a roof. The entrance to the two retail units and residential lobby is setback 16’-4” from the front property line along Main Street and is covered by the second floor, which extends to the property line.</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 Condition #10
<p><b>Finding:</b> The new heated, paver sidewalk along Main Street will connect to the sidewalk to the south. While no sidewalk currently exists east of the property along 5<sup>th</sup> Street, the new sidewalk has been designed to facilitate this future connection. Final review of all improvements to the right-of-way will be completed prior to issuance of a building permit for the project pursuant to condition of approval #10.</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>	N/A
<p><b>Finding:</b> The project does not include any awnings that extend over the public sidewalk.</p>	

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 Conditions #2 & #10
<p><b>Finding:</b> The project is located at the southeast corner of Main and 5th streets. As shown on Sheet C2.0 of the project plans, the applicant proposes to expand and repair the asphalt roadway adjacent to the property along Main Street, 5th Street, and the alleyway. The ground-level parking garage will be accessed from 5th Street. The applicant will construct a zero-reveal curb and gutter to access the parking garage.</p> <p>The north end of the block 5 alleyway is unpaved but contains significant improvements, including retaining walls, a streetlight, telephone and cable tv risers, a concrete pad, and power boxes. The City allowed the existing electrical infrastructure to be placed within the alley right-of-way in 2007 as part of a project to underground overhead powerlines. The existing improvements within the right-of-way block the alley creating a dead end. Pursuant to Ketchum Municipal Code §16.04.040.i, dead-end alleys shall only be permitted after due consideration of the interests of adjacent property owners, including, but not limited to, the provision of fire protection, snow removal, and trash collection services to such properties.</p> <p>The City currently maintains and removes snow from the improved portion of the Block 5 alleyway. The Streets Department must drive their equipment in reverse backing the loader up to the dead end and then pushing as much of the snow out of the alley as possible. The dead end makes it impossible for the City to remove all of the snow from the alleyway.</p> <p>As shown on Sheet C0.2, only a portion of the existing alley right-of-way adjacent to the subject property is improved. This paved area serves as required access to five off-street parking spaces that serve the adjacent development on Lot 7 located at 471 N Leadville Avenue. Future</p>	

emergency vehicle access for the community housing units within the proposed development will be provided from the block 5 alleyway.

The Fire Department requires a minimum 20-foot-wide travel lane for emergency vehicle access to be maintained clear and unobstructed at all times. The full 20-foot-width of the alley must be improved with asphalt pavement to provide compliant emergency vehicle access to the community housing units. The alley improvements must extend from the southeast corner of the development site to the edge of the existing retaining walls enclosing the power boxes at the north end of the alley. As the dead end makes it impossible for the City remove all the snow, the paved portion of the alley must include a snowmelt system in order to keep the required access clear and unobstructed during winter.

Pursuant to condition #2, the full 20-foot width of the alley must be improved with asphalt pavement and a snowmelt system. These improvements shall extend from the southeast corner of the development site to the edge of the existing retaining walls enclosing the power boxes at the north end of the alley.

Final civil drawings for all associated right-of-way and alley improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and the Streets Department. Final review of all right-of-way improvements to the right-of-way will be completed prior to issuance of a building permit for the project pursuant to condition of approval #10.

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 curb cut is located more than 50 feet from the intersection of Main and 5 <sup>th</sup> Streets.	

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 Conditions #2 & #10
<b>Finding:</b> Please see above analysis for Ketchum Municipal Code §17.96.060.G3. Unobstructed access has been provided for emergency vehicles along Main and 5 <sup>th</sup> Streets and the block 5 alley. Clear Creek will service the dumpster within the enclosed garage along 5 <sup>th</sup> Street.  As the dead end makes it impossible for the City remove all the snow, the paved portion of the alley must include a snowmelt system in order to keep the required access clear and unobstructed during winter. Pursuant to condition #2, the full 20-foot width of the alley must	

be improved with asphalt pavement and a snowmelt system. These improvements shall extend from the southeast corner of the development site to the edge of the existing retaining walls enclosing the power boxes at the north end of the alley.

Final civil drawings for all associated right-of-way and alley improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and the Streets Department. Final review of all right-of-way improvements to the right-of-way will be completed prior to issuance of a building permit for the project pursuant to condition of approval #10.

17.96.060.H.1 – Snow Storage	Conformance
<i>Snow storage areas shall not be less than 30 percent of the improved parking and pedestrian circulation areas.</i>	N/A
<b>Finding:</b> All improved parking and pedestrian circulation areas are heated, which is permitted as an alternative to providing a snow storage areas on site by Ketchum Municipal Code §17.96.060.H4.	

17.96.060.H.2 – Snow Storage	Conformance
<i>Snow storage areas shall be provided on site.</i>	N/A
<b>Finding:</b> The applicant has proposed to snowmelt all hardscape areas, which is permitted as an alternative to providing a snow storage area by Ketchum Municipal Code §17.96.060.H4.	

17.96.060.H.3 – Snow Storage	Conformance
<i>A designated snow storage area shall not have any dimension less than five feet and shall be a minimum of 25 square feet.</i>	N/A
<b>Finding:</b> N/A as no snow storage areas have been provided on-site. The applicant has proposed snowmelt in lieu of providing any snow storage areas on site.	

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
<b>Finding:</b> All improved hardscape areas are proposed to be heated with a snowmelt system instead of providing snow storage areas on site.	

17.96.060.I.1 – Landscaping	Conformance
<i>Landscaping is required for all projects.</i>	YES
<b>Finding:</b> The landscape plan is indicated on Sheets L1.1, L1.2, and L1.3 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
<p><b>Finding:</b> The landscape plan vegetation types include Autumn Blaze Maple street trees, annual flowers, pine bows, willow twigs, Tor Birchleaf Spirea, Juniper Blue Creeper, perennials, Goldflame Spirea, and Blue Oat Grass. The proposed landscaping will soften the building walls, beautify the surrounding streetscape, and complement the surrounding neighborhood. The landscape plan shall be readily adaptable to the site’s microclimate, soil conditions, orientation, and aspect.</p>	

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
<p><b>Finding:</b> All trees, shrubs, grasses, and perennials shall be drought tolerant. Native species are recommended.</p>	

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
<p><b>Finding:</b> The subject property is surrounded by compatible uses within the Community Core Zone. The vegetation will enhance the pedestrian-friendly streetscape. The planters bordering the second- and third-level terraces will buffer these private outdoor spaces from Main Street.</p>	

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
<p><b>Finding:</b> The arches project 3 feet from the front and street side facades creating covered spaces for benches and landscaped planters along both street frontages. These public amenities create an activated, pedestrian friendly streetscape. These amenities are provided on the subject property and do not encroach within the public right-of-way.</p>	

**FINDINGS REGARDING COMPLIANCE WITH COMMUNITY CORE DESIGN REVIEW STANDARDS**

<b>17.96.070.A.1 – Streets</b>	<b>Conformance</b>
<i>Street trees, streetlights, street furnishings, and all other street improvements shall be installed or constructed as determined by the Public Works Department.</i>	YES Conditions #6 & #10
<p><b>Finding:</b> The placement of all street trees and streetlights require final review and approval by the City Engineer. 6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights. All amenities within the public right-of-way, including street trees and street lights, must be reviewed and approved by the City Engineer. Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. Final review of all improvements to the right-of-way will be completed prior to issuance of a building permit for the project pursuant to condition of approval #10.</p> <p>The project requires a ROW Encroachment Permit for the pavers and snowmelt system proposed to be installed for the sidewalks along Main and 5<sup>th</sup> Streets as well as the snowmelt system required to be installed within the Block 5 alleyway. The City Council has the authority to review and approval all permanent encroachments within the public right-of-way associated with a development project pursuant to Ketchum Municipal Code §17.96.030.C. Pursuant to condition #6, the applicant shall submit the ROW Encroachment Application prior to issuance of a building permit for the project for review and approval by the City Council.</p>	

<b>17.96.070.A.2 – Streets</b>	<b>Conformance</b>
<i>Street trees with a minimum caliper size of three inches, shall be placed in tree grates.</i>	Yes
<p><b>Finding:</b> Sheets L1.1 and C2.2 provide tree details showing that the Autumn Blaze Maple will be 3” minimum caliper size and will be placed in tree wells in accordance with the City’s right-of-way standards. The placement of all street trees requires final review and approval by the City Engineer.</p>	

<b>17.96.070.A.3 – Streets</b>	<b>Conformance</b>
<i>Due to site constraints, the requirements of this subsection A may be modified by the Public Works Department.</i>	N/A
<p><b>Finding:</b> Preliminary plans submitted with Design Review are reviewed by the City Engineer and Streets Department in concept only. Modification to the requirements of Ketchum Municipal Code §17.96.070.A may be recommended by the City Engineer and Streets Department following review of the civil final drawings submitted with the building permit application. No modifications to these requirements have been recommended by the City Engineer or Streets Department at this time.</p>	

17.96.070.B.1 - Architectural	Conformance
<p><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></p>	<p>YES</p>
<p><b>Finding:</b> All three facades facing Main Street, 5<sup>th</sup> Street, and the alley are design with both solid surfaces and window openings to avoid the creation of blank walls. The interior side wall is setback 1 foot from the property line. The applicant has incorporated material differentiation and has wrapped the natural stone veneer around the corner of the building to provide visual interest at this interior side wall.</p>	

17.96.070.B.2 - Architectural	Conformance
<p><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></p>	<p>YES</p>
<p><b>Finding:</b> The retail units provide an active use at the ground-level that will add vibrancy to both street frontages. The 12-foot first-floor ceiling height enhances the retail use’s prominence within the development. The commercial and residential uses with the building’s interior program are visually distinguished through different exterior materials and architectural features. The ground level is defined by natural stone veneer and arches. The arches are equally separated forming a repeating pattern that creates rhythm along the streetscape. The arches project 3 feet from the front and street side facades creating covered spaces for benches and landscaped planters along both street frontages. These public amenities create an activated, pedestrian friendly streetscape.</p>	

17.96.070.B.3 - Architectural	Conformance
<p><i>For nonresidential portions of buildings, front facades shall be designed to not obscure views into windows.</i></p>	<p>YES</p>
<p><b>Finding:</b> All windows and doors have full views into the retail units along Main and 5<sup>th</sup> Streets.</p>	

17.96.070.B.4 - Architectural	Conformance
<p><i>Roofing forms and materials shall be compatible with the overall style and character of the structure. Reflective materials are prohibited.</i></p>	<p>YES</p>
<p><b>Finding:</b> The roof includes both flat and pitched, gable elements that vary the height of the roofline and provide visual interest. The gable roof elements are a defining architectural feature that distinguish this project from the flat-roofed, rectangular-shaped buildings dominating recent downtown infill and redevelopment projects.</p>	

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>	YES
<b>Finding:</b> Drainage from the pitched roofs will be directed to 8 different internal roof drains within the flat roof areas. The gable roofs shall be designed to sufficiently hold all snow with snow clips.	

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> There are no roof overhangs that extend past the property boundary on any side of the proposed building.	

17.96.070.B.7 - Architectural	Conformance
<i>Front porches and stoops shall not be enclosed on the ground floor by permanent or temporary walls, windows, window screens, or plastic or fabric materials.</i>	N/A
<b>Finding:</b> The project does not contain ground floor residential units or elevated commercial space with front porches or stoops.	

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> As shown on Sheet A1.0 of the project plans, the garbage area is located within an enclosed garage at the rear corner of the building by the intersection of 5 <sup>th</sup> Street and the alley. While located at the rear of the building by the alley, the dumpster will be serviced by Clear Creek along 5 <sup>th</sup> Street as Idaho Power infrastructure blocks access to the alley.	

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 Condition #3
<b>Finding:</b> All utilities within the development site shall be underground and concealed from public view. The rooftop mechanical equipment will be screened by walls comprised of the same weathered wood horizontal siding used on the exterior of the main building. As shown on Sheet A1.0 of the project plans, the electric meters will be installed in an enclosed alcove within the parking garage. The gas meters will be installed at the back of the building within a semi-enclosed alcove that screens the meters from public view along 5th Street.	

Three existing power boxes are located within the alley right-of-way. Two of the power boxes are sited on a concrete pad. Retaining walls border three sides of this infrastructure. The retaining wall to the west of the power boxes encroaches over the property line and onto the development site. Sheet A2.2 of the project plans notes this portion of the retaining wall enclosure will be rebuilt. A new wall perpendicular to the rear property line will be installed to further screen the electrical equipment. The applicant has proposed installing the new transformer required to serve the proposed development within this retaining wall enclosure. A section of the new retaining wall enclosure encroaches within the area of the alley required to be maintained free and unobstructed for Fire Department access.

Pursuant to condition #3, the applicant will coordinate with the City and Idaho Power to determine the appropriate location for the relocated and proposed power boxes and sufficient screening that complies with both Design Review standards and Idaho Power’s clearance requirements. The power boxes, concrete pad, and retaining wall enclosure shall not encroach within the area of the alley required to be improved for emergency vehicle access. If the unimproved alley does not have sufficient space to accommodate all existing and proposed electrical infrastructure, then the new transformer to serve the new mixed-use building will be required to be installed on the development site.

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 A1.1 indicates the project proposes to remove 5 healthy and mature trees from the project site. The project proposes to replace those trees with 7 total Autumn Blaze Maple street trees.	

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
<b>Finding:</b> Sheets L1.1 and C2.2 provide tree details showing that the Autumn Blaze Maple will be 3” minimum caliper size and will be placed in tree wells in accordance with the City’s right-of-way standards.	

17.96.070.D.3 - Landscaping	Conformance
<i>The City arborist shall approve all parking lot and replacement trees.</i>	YES
<b>Finding:</b> The applicant has proposed 7 street trees to replace the 5 healthy and mature trees that will be removed from the site. The proposed street trees comply with the City’s right-of-way standards.	



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>	N/A
<b>Finding:</b> N/A. No surface parking lot is proposed.	

17.96.070.E.2 – Surface Parking Lots	Conformance
<i>Surface parking lots shall incorporate at least one tree and one additional tree per ten on site parking spaces. Trees shall be planted in landscaped planters, tree wells and/or diamond shaped planter boxes located between parking rows. Planter boxes shall be designed so as not to impair vision or site distance of the traveling public.</i>	N/A
<b>Finding:</b> N/A. The project does not include a surface parking lot. On-site parking is provided within the enclosed garages accessed from 5 <sup>th</sup> Street.	

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>	YES
<b>Finding:</b> All on-site landscaping is planted within planter boxes. The street trees are planted within tree wells in accordance with the City’s right-of-way standards.	

17.96.070.F.1 – Bicycle Parking	Conformance
<i>One bicycle rack, able to accommodate at least two bicycles, shall be provided for every four parking spaces as required by the proposed use. At a minimum, one bicycle rack shall be required per development.</i>	YES
<b>Finding:</b> Sheet A1.0 shows that 2 bike racks accommodating two bicycles have been provided on-site by the main building entrance along Main Street.	

17.96.070.F.2 – Bicycle Parking	Conformance
<i>When the calculation of the required number of bicycle racks called for in this section results in a fractional number, a fraction equal to or greater than one-half shall be adjusted to the next highest whole number.</i>	N/A
<b>Finding:</b> 8 parking spaces are required to be provided on-site to satisfy the project’s parking demand and 2 bike racks are required.	

17.96.070.F.3 – Bicycle Parking	Conformance
<i>Bicycle racks shall be clearly visible from the building entrance they serve and not mounted less than 50 feet from said entrance or as close as the nearest non-ADA parking space, whichever is closest. Bicycle racks shall be located to</i>	YES

<p><i>achieve unobstructed access from the public right-of-way and not in areas requiring access via stairways or other major obstacles.</i></p>	
<p><b>Finding:</b> Sheet A1.0 shows that 2 bike racks accommodating two bicycles have been provided on-site by the building entrance along Main Street.</p>	

**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 460 N Main Street Mixed-Use Building (5<sup>th</sup> & Main Condominiums) Design Review Application File No. P22-007 meets all applicable standards specified in Title 17 of Ketchum Municipal Code.

**DECISION**

**THEREFORE,** the Ketchum Planning and Zoning Commission **approves** this Design Review Application File No. P22-007 this Tuesday, March 8<sup>th</sup>, 2022 subject to the following conditions of approval.

**CONDITIONS OF APPROVAL**

*Project Specific Standards of approval*

1. The 460 N Main Mixed-Use Building Design Review Application File No. P22-007 is subject to Variance Application File No. P22-013, Lot Consolidation Preliminary Plat Application File No. P22-005, and Condominium Subdivision Preliminary Plat Application File No. P22-006. All associated conditions of approval shall apply to the project.
2. The full 20-foot width of the alley must be improved with asphalt pavement and a snowmelt system. These improvements shall extend from the southeast corner of the development site to the edge of the existing retaining walls enclosing the power boxes at the north end of the alley.

3. The applicant will coordinate with the City and Idaho Power to determine the appropriate location for the relocated and proposed power boxes and sufficient screening that complies with both Design Review standards and Idaho Power's clearance requirements. The power boxes, concrete pad, and retaining wall enclosure shall not encroach within the area of the alley required to be improved for emergency vehicle access. If the unimproved alley does not have sufficient space to accommodate all existing and proposed electrical infrastructure, then the new transformer to serve the new mixed-use building will be required to be installed on the development site.
4. As a voluntary contribution, in exchange for an increase in Floor Area Ratio, a total community housing contribution of 2,276 is required. A FAR Exceedance Agreement between the applicant and the City to memorialize the community housing contribution shall be signed and recorded prior to issuance of a building permit for the project.
5. Prior to issuance of a building permit for the project, the applicant shall receive approval of Lot Line Application File No. P22-005 to consolidate lots 3 and 4 within Block 5 of Ketchum Townsite.
6. The project requires a Right-of-Way (ROW) Encroachment Permit for the pavers and snowmelt system proposed to be installed for the sidewalks along Main and 5th Streets as well as the snowmelt system required to be installed within the Block 5 alleyway. The City Council has the authority to review and approval all permanent encroachments within the public right-of-way associated with a development project pursuant to Ketchum Municipal Code §17.96.030.C. The applicant shall submit the ROW Encroachment Application prior to issuance of a building permit for the project for review and approval by the City Council.

*Standard Conditions of Approval*

7. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans for all on-site improvements 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 removal.
8. All governing ordinances, requirements, and regulations of the Fire Department (2018 International Fire Code and local Fire Protection Ordinance No.1217), Building Department (2018 International Building Code, the 2018 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer shall be met prior to Certificate of Occupancy.
9. Following approval of the project's master signage plan, separate sign permits shall be required for all new signs prior to installation (KMC §17.127.030.B).
10. The applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho to include specifications for the right-of-way, circulation design, utilities, and drainage improvements to be reviewed and approved by the City Engineer, Streets, and Utilities departments prior to issuance of a building permit for the project.
11. 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 (KMC §17.96.090). Any extension shall comply with KMC 17.96.090.
12. All Design Review elements shall be completed prior to issuance of a Certificate of Occupancy for the mixed-use building.

13. All exterior lighting on the property shall comply with Ketchum Municipal Code, Chapter 17.132, Dark Skies, and shall be inspected by Planning Staff and approved prior the issuance of a Certificate of Occupancy for the building.
14. The project shall comply with the requirements of §17.124.040 Development Standards as adopted on the date a Building Permit is submitted for the project.
15. Prior to issuance of a Building Permit for the project, the applicant shall submit a construction management plan, which addresses each of the standards as set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards for review and approval by the Building, Planning, Streets, Utilities, and Fire departments.
16. 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 29<sup>th</sup> day of March 2022.

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Neil Morrow, Chair  
City of Ketchum  
Planning and Zoning Commission