



PLANNING AND ZONING COMMISSION AGENDA
Monday, March 28, 2016
City Hall, 480 East Avenue North, Ketchum, Idaho

1. 5:30 PM - CALL TO ORDER
2. CONSENT CALENDAR
3. PUBLIC COMMENT - Communications from the public for items not on the agenda.
4. COMMUNICATIONS FROM STAFF
 - a. The Spot: The Commission will hold a public hearing and take action on an application by The Spot, LLC, represented by Brett Mollenberg, for a text amendment to the Municipal Code.
 - b. Elevation 6000 Final Plat: The Commission will hold a public hearing and take action on an application by Elevation 6000, LLC, represented by Bruce Smith, Alpine Enterprises, for Phase III of the Final Plat for Sublot One.
 - c. Zoning Code Work Session.
5. APPROVAL OF MINUTES
 - a. January 11, 2016 - Site Visit
 - b. February 8, 2016 - Site Visit
 - c. February 8, 2016
 - d. February 22, 2016
6. FINDINGS OF FACT
 - a. Alfs Residence - Findings of Fact
 - b. Kneebone Mixed Use - Findings of Fact
 - c. Constant Residence - Findings of Fact
7. FUTURE PROJECTS AND NOTICING REQUIREMENTS
8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE
9. COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE
10. ADJOURNMENT

Any person needing special accommodations to participate in the meeting should contact the City Clerk's Office as soon as reasonably possible at 726-3841. All times indicated are estimated times, and items may be heard earlier or later than indicated on the agenda.



City of Ketchum
City Hall

Amendments to the staff report have been underlined.

March 28, 2016

Planning and Zoning Commission
City of Ketchum
Ketchum, Idaho

**STAFF REPORT
PLANNING AND ZONING COMMISSION**

PROJECT: Text Amendment to allow for Commercial Studios Events.

FILE NUMBER: #15-075

REPRESENTATIVE: Brett Moellenberg, the Spot LLC

REQUEST: Applicant originally requested a text amendment to the LI-2 District to allow for assembly uses, however due to feedback from the City Council, staff is proposing an amendment to the "Studio, Commercial" definition of the zoning ordinance to include an allowance for events associated with the principle use of the business. Additionally, development standards are proposed which provide added criteria for events being held as part of a commercial studio use.

NOTICE: A public notice was posted in three locations in the city, mailed to political subdivisions and outside agencies on February 16, 2016. A notice was published in the Idaho Mountain Express on February 24, 2016.

Prior to this hearing, three public hearings were noticed for the Planning and Zoning Commission (September 16, 2015, October 12, 2015 & March 14, 2016) and three public hearings before the City Council (November 16, 2015, February 1 & 16, 2016).

STAFF RECOMMENDATION:

Staff recommends approval of Ordinance 1151 to approve amendments to Title 17, Zoning Regulations, Section 17.08.020, Definitions by adding a new definition "Event" and amending the definition "Studio, Commercial" to allow for occasional events; and amending Chapter 17.124, Development Standards to add a new section 17.124.150, Commercial Studio Events.

PAST PUBLIC MEETINGS:

The Spot LLC applied for the text amendment on July 10, 2015, and has met with the Planning and Zoning Commission on five occasions and with the City Council on three occasions for consideration and public hearings. In all, this application has received consideration and discussion in eight public meetings listed below.

- August 10, 2015, PZ Commission Work Session
- August 25, 2015, PZ Commission Work Session

- September 28, 2015, PZ Commission Public Hearing
- October 12, 2015, PZ Commission Public Hearing
- November 16, 2015, City Council Public Hearing
- February 1, 2016, City Council Public Hearing
- February 16, 2016, City Council Public Hearing
- March 14, 2016, PZ Commission Public Hearing

DESCRIPTION OF TEXT AMENDMENTS:

This text amendment request affects two sections of Title 17, Zoning Regulations: Section 17.08.020, Definitions and Chapter 17.124, Development Standards.

1. Section 17.08.020, Definitions:

Staff is recommending that the definition for “Studio, Commercial” be amended to allow for occasional events related to the principle use of the business. Through this amendment, uses such as art studios, performing arts studios and the like, can hold events as an extension to their primary business. A new definition for “Event” is also proposed. Both definitions are shown below and attached to Ordinance 1151.

EVENT: A planned, public, social gathering or activity.

STUDIO, COMMERCIAL: Work space within an enclosed structure for artists and artisans, including individuals practicing, teaching, or demonstration in one of the fine arts or performing arts, or skilled in an applied art or craft. Also includes recording studios. Incidental retail sales of items produced on the premises is allowed. A Commercial Studio may hold occasional events solely and exclusively in connection with the permitted uses conducted by the Commercial Studio. The events shall be subordinate in nature to the Commercial Studio and subject to the standards of 17.124.150.

2. Chapter 17.124, Development Standards:

Commercial studios are a permitted use in the Community Core District, Sub-districts A, B and C and permitted in the LI-1, 2 and 3 Districts. However, as written, this amendment will only affect commercial studios the LI Districts. The Community Core District already allows for assembly uses. Permitted uses are by-right and do not require the level of scrutiny that conditional use permits experience. In order to closely regulate events for commercial studios, staff is proposing the addition of Section 17.124.150, Commercial Studio Events. These standards provide a framework which will help mitigate potential externalities caused by events. Among other requirements, hours of operation are limited to not conflict with normal business hours, food and beverage service is restricted to each event’s specific timeframe and event frequency is capped at 30 days per calendar year. Staff’s direction from the City Council was to ensure commercial studio events are an accessory use and do not compete with traditional assembly uses, such as theaters, located in the downtown core.

17.124.150 Commercial Studio Events

Commercial Studio Events in the Light Industrial Districts shall comply with the following standards:

- Events shall be limited to no more than 30 days per calendar year
- Maximum occupancy at any given event shall be limited to less than 100 persons
- Restrooms for patrons shall be available on site and comply with all building and fire code requirements

- D. Food and Beverage may be served only during the operational hours of an actual event, and all necessary permits shall be obtained prior to the event
- E. Events shall only occur according to the following times:
1. Monday thru Friday: 5:30 pm to 12:00 am
 2. Saturday and Sunday: 12:00 pm to 12:00 am
- F. All building and fire code requirements shall be met prior to holding any event
- G. All events shall be produced by the owner or primary tenant of the property
- H. The owner or primary tenant of the property shall be present onsite for the duration of each event

COMPREHENSIVE PLAN ANALYSIS:

Comprehensive Plan Statement	Analysis of Amendment Regarding Goals/Policies	Yes/No
Goal ART-1 Create cultural facilities that meet the needs of the community and make Ketchum a destination attraction.	Provides greater flexibility for commercial studios to expand their standard programming to incorporate live productions or arts showings.	Yes
Policy ART 1.1 - Diverse Range of Cultural Facilities and Programs: Encourage the development of accessible cultural facilities (indoor and outdoor) and programs that will provide a diverse range of performing and visual arts activities.	See comment above.	Yes
Goal ART-2 Building Ketchum's identity as a cultural center and destination by increasing the visibility of the arts and cultural activities in the community.	Increases the visibility of arts inside and outside of the city's downtown core.	Yes
Policy ART 2.1 - Sustainable Arts and Cultural Opportunities: Promoted, encourage and stimulate the growth of arts and cultural opportunities, recognizing that they are essential to a vital, sustainable and active community.	Allowing events with commercial studios could encourage additional art centered businesses and organizations to expand. Currently, commercial studios are only allowed to host events within the Community Core, Sub-District A, B and C.	Yes
Goal ART -3 Develop sustainable funding - public and private - to support arts and cultural programs.	Private art-centered businesses, like the Spot, provide private investments toward arts in the city.	Yes

Core Community Value - 2. Vibrant Downtown: We will continue to reinforce the downtown as the City's primary business district, retail core, and key gathering place for residents and visitors for shopping, dining, and entertainment. Enhancements and efforts to support events, the arts, and Ketchum's history and culture will make downtown an even greater community asset.	Allowing events for studio commercial uses could have a negative impact to downtown by incentivizing art-centered businesses and organizations to relocate to the LI District in hopes of cheaper real estate.	No
Chapter 8: Space Challenges: There is little to no inexpensive studio space available for working artists.	Addresses this obstacle by providing more flexibility in the range of activities that can be conducted through a commercial studio use, thus creating more viable locations for studio uses.	Yes
<i>Mixed-Use Industrial - Future Land Use Map: Secondary Uses: A limited range of residential housing types, and supporting retail are provided for within this category. Uses should generate little traffic from tourists and the general public.</i>	Events generate traffic and tourists. However, the development standards provide significant limitations on events.	No

MOTION LANGUAGE:

"I move to approve Ordinance 1151 regarding amendments to Title 17, Zoning Regulations, Section 17.08.020, Definitions by adding a new definition "Event" and amending the definition "Studio, Commercial" to allow for occasional events; and amending Chapter 17.124, Development Standards to add a new section 17.124.150, Commercial Studio Events; or

"I move to deny Ordinance 1151 because of the following reasons (Commission to insert reasons for denial)."

ATTACHMENTS:

- A. Application Form and Narrative
- B. Ordinance 1151
- C. Public Comment – Are attached in the previous March 14th Staff Report

Attachment A: Application Form and Narrative

APPLICATION FOR AMENDMENT TO ZONING CODE TITLE 17 OR SUBDIVISION CODE TITLE 16

Applicant: THE SPOT LLC Phone Number: 208-928-6241

Mailing Address: P.O. Box 4227, KETCHUM (C/O BRETT MOELLENBERG)

Representative: BRETT MOELLENBERG Phone Number: 602-214-0048

Mailing Address: P.O. Box 4227, KETCHUM

Section of Code to be amended: 17.12.020, TITLE 17

Please describe the proposed change, or provide proposed amended language (attach separate sheet if necessary).

ATTACHED

OTHER INFORMATION may be reasonably required by the Administrator in order to process this application.

I hereby acknowledge I have filled in this application accurately and provided the required information to the best of my knowledge.

Signature of Owner or Authorized Representative: PETER BURKE, BRETT MOELLENBERG

Date: 7-10-15

Pursuant to Resolution No. 08-123, any direct costs incurred by the City of Ketchum to review this application will be the responsibility of the applicant. Costs include but are not limited to: engineer review, attorney review, legal noticing, and copying costs associated with the application. The City will require a retainer to be paid by the applicant at the time of application submittal to cover said costs. Following a decision or other closure of an application, the applicant will



Ketchum is a community where arts and culture are vitally important to our economy and quality of life – they tell our story. Arts and culture foster new perspectives and appreciation while making the community more attractive and appealing. Our local social gatherings and opportunities are heightened by events that celebrate our arts and culture and bring people together in Ketchum. Arts and culture also contribute to the larger “creative economy” which creates jobs, attracts investments, generates tax revenues, and stimulates the economy through tourism and consumer purchases. A thriving arts and cultural scene attracts visitors and has economic “spinoff” benefits for local restaurants, lodging and retailers. Because they enhance our quality of life, arts and culture are an important complement to community development, enriching local amenities and attracting young workers to our town.

-Ketchum Comprehensive Plan, 2014

The Spot opened In September, 2014 as a way of supplementing the incredible summer theatrical programs that the Wood River Valley has to offer. Having worked with companies like St. Thomas Playhouse and nexStage Theatre every summer for 6 years, we wanted to make Ketchum our permanent home; and, our students were clamoring for a year-round option to continue working on their art. Starting with group and private classes, we realized that our studio had the capability to involve even more of the community by producing shows that none of the other companies were doing. We were also excited by the idea of creating a venue that showcased theatre in a more intimate and diverse way. When we produced our first show *Next to Normal*, we realized that the community was just as excited about our idea as we were. We originally planned for six shows, and when they quickly sold out in January, we added one more evening that sold out in 24 hours.

The change we propose is simple. We want to add a permitted “assembly use” to our space in the LI2 district. While busy during the day, the district sees little action at night; and, while we plan to bring more families and children to the area during the day for our classes (and partnering dance classes in our space), we are able to bring some vibrancy to the area in the evening, where it is currently a ghost town.

Ketchum will encourage partnerships with and among existing arts organizations, on its own and through the Ketchum Arts Commission and Ketchum Events Commission (Ketchum Comprehensive Plan). The KAC is very interested in our space. With the lack of usable, convertible spaces in the core, the KAC has singled us out as place to hold a number of different arts related events.

Goal ART-1

Create cultural facilities that meet the needs of the community and make Ketchum a destination attraction.

Goal ART-2 Build Ketchum's identity as a cultural center and destination by increasing the visibility of the arts and cultural activities.

-Ketchum Comprehensive Plan

There are a myriad of passages in the KCP that support what we are doing, from restoring a young adult culture to generating income for the city, but no goals are more poignant than Goal Art-1 and Goal Art-2 because they speak to what we do and have done for this city for many years. We are the future of the arts in this town. We have the talent, connections, and don't require any city funding to be successful. We are successful on our own and will continue to be. We've all moved here from around the country to build something here, in this town, and, we promise, you do not want to lose us.

Sincerely,
The Spot

Attachment B: Ordinance 1151

ORDINANCE NO. 1151

AN ORDINANCE OF THE CITY OF KETCHUM, BLAINE COUNTY, IDAHO, AMENDING TITLE 17, CHAPTER 17.08, DEFINITIONS, SECTION 17.08.020, DEFINITIONS, BY ADDING THE DEFINITION “EVENT” AND AMENDING THE DEFINITION OF “STUDIO, COMMERCIAL” TO ADD LANGUAGE ALLOWING OCCASIONAL EVENTS; AND AMENDING CHAPTER 17.124, DEVELOPMENT STANDARDS TO ADD A NEW SECTION 17.124.150 “COMMERCIAL STUDIO EVENTS”; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ketchum is authorized to amend the city zoning ordinance pursuant to Idaho Code § 67-6511; and

WHEREAS, the Spot LLC, requested a text amendment to allow for assembly uses in the Light Industrial Number Two District (LI-2); and

WHEREAS, the Planning and Zoning Commission after fully considering this request held a public hearing on March 28, 2016 and recommended approval to the City Council finding that the request, on the whole, was in compliance with the 2014 Comprehensive Plan; and

WHEREAS, the Ketchum City Council, having reviewed the proposed text amendment, held a public hearing on _____, 2016; and

WHEREAS, the Ketchum City Council having considered the recommendation of the Planning and Zoning Commission and submitted comments and testimony from the public, having determined that it is in the best interests of the public and adopt the proposed text amendments to Title 17, Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KETCHUM:

Section 1: That Chapter 17.08 of the Ketchum Municipal Code, Section 17.08.020 “Event” and “Studio, Commercial” be amended as follows by adding the underlined language herein below:

17.08.020: EVENT: A planned, public, social gathering or activity.

17.08.020: STUDIO, COMMERCIAL: Work space within an enclosed structure for artists and artisans, including individuals practicing, teaching, or demonstration in one of the fine arts or performing arts, or skilled in an applied art or craft. Also includes recording studios. Incidental retail sales of items produced on the premises is allowed. A

Commercial Studio may hold occasional events solely and exclusively in connection with the permitted uses conducted by the Commercial Studio. The events shall be subordinate in nature to the Commercial Studio and subject to the standards of 17.124.150.

Section 2. That Chapter 17.124 of the Ketchum Municipal Code, be amended with the addition of Section 17.124.150 “Commercial Studio Events”, as follows by adding the underlined language herein below:

17.124.150 Commercial Studio Events

Commercial Studio Events in the Light Industrial Districts shall comply with the following standards:

- A. Events shall be limited to no more than 30 days per calendar year
- B. Maximum occupancy at any given event shall be limited to less than 100 persons
- C. Restrooms for patrons shall be available on site and comply with all building and fire code requirements
- D. Food and Beverage may be served only during the operational hours of an actual event, and all necessary permits shall be obtained prior to the event
- E. Events shall only occur according to the following times:
 - 1. Monday thru Friday: 5:30 pm to 12:00 am
 - 2. Saturday and Sunday: 12:00 pm to 12:00 am
- F. All building and fire code requirements shall be met prior to holding any event
- G. All events shall be produced by the owner or primary tenant of the property
- H. The owner or primary tenant of the property shall be present onsite for the duration of each event

Section 3. REPEALER CLAUSE. All City of Ketchum Ordinances or parts thereof which are in conflict herewith are hereby repealed.

Section 4. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

PASSED by the CITY COUNCIL and APPROVED by the MAYOR of Ketchum, Idaho on this ____ day of ____, 2016.

APPROVED:

Nina Jonas, Mayor

ATTEST:

Robin Crotty, Interim City Clerk

Attachment C: Public comments are attached to the previous March 14, 2016 staff report.



City of Ketchum
Planning & Building

March 28, 2016

Planning and Zoning Commission
City of Ketchum
Ketchum, Idaho

Commissioners:

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF MARCH 28, 2016

PROJECT: Elevation 6000 Townhomes: Phase 3

FILE NUMBER: 16-015

OWNERS: Elevation 6000, LLC

REPRESENTATIVE: Bruce Smith, PLS, Alpine Enterprises, Inc.

REQUEST: Townhouse Subdivision Final Plat approval to establish one townhouse subplot

LOCATION: 310B Sage Road (Elevation 6000, Phase 3, Sublot 1; formerly a portion of former Lot 19, Block 3, Warm Springs Village Subdivision, 4th Addition)

NOTICE: The following notice was mailed to adjacent property owners on Monday, March 21, 2016:

Meeting Date:	March 28, 2016
Meeting Time:	5:30 PM, or thereafter as the matter can be heard.
Meeting Location:	City Hall Council Chambers, 480 East Avenue North, Ketchum, Idaho
Project Name:	Elevation 6000 Townhomes; Phase 3
Project Location:	312A Sage Road, Ketchum, Idaho (Elevation 6000 Townhomes, Phase 3, Sublot 1) (a portion of former Lot 19, Block 3, Warm Springs Village Subdivision, 4 th Addition)
Applicant:	Elevation 6000, LLC
Representative:	Bruce Smith, PLS, Alpine Enterprises, Inc.
Application Type:	Townhouse Subdivision-Final Plat
Project Description:	Townhouse Subdivision Final Plat, Elevation 6000 Townhomes, Phase 3, Sublot 1

ZONING: General Residential – Low Density (GR-L) with Mountain Overlay Design Review (MODR)

RECCOMENDATION: Staff recommends approval of this Townhouse Final Plat application to establish one subplot, finding the application meets all applicable subdivision and zoning standards.

STAFF ANALYSIS

1. The original townhouse subdivision preliminary plat for this project, Elevation 6000, Sublots 1 – 4, was approved by the Ketchum City Council on May 1, 2010. That approval included a phased development agreement that stipulated the following:
 - Phase I (Sublots 2 and 3): Prior to December 15, 2009, utilities shall be provided to the site and construction, including landscaping, shall be completed.
 - Phases II and III (Sublots 1 and 4): Prior to December 15, 2012, utilities shall be provided to the site and exterior construction, including landscaping, shall be completed.
 - Completion: The exterior walls, roofs, windows and doors of all the Elevation 6000 Townhomes and the landscaping of all sublots shall be completed by August 15, 2010. The interiors of Phases II and III (Sublots 1 and 4) shall be completed by August 15, 2012.

2. All exterior improvements on Sublots 1 – 4 have been completed and have been inspected to staff’s satisfaction.

3. The following provides staff’s comments and analysis regarding the proposed townhouse final plat:

City Department Comments				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City Department Comments	Police Department: <ul style="list-style-type: none"> • <i>No comment.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Fire Department: <ul style="list-style-type: none"> • <i>Prior to the City Clerk’s signature of the final plat, all requirements of the Fire Department shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		City Engineer: <ul style="list-style-type: none"> • <i>No comment.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Streets: <ul style="list-style-type: none"> • <i>No comment.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Utilities: <ul style="list-style-type: none"> • <i>No comment.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Building: <ul style="list-style-type: none"> • <i>Prior to the City Clerk’s signature of the final plat, all requirements of the Building Department shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Planning and Zoning: <ul style="list-style-type: none"> • <i>See comments throughout staff report.</i>

Final Townhouse Subdivision Plat Requirements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I	Complete Application
			Staff Comments	<i>The application has been reviewed and determined to be complete.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.070.B Townhouse Owners' Documents	The subdivider of the townhouse project shall submit with the preliminary plat application a copy of the proposed party wall agreement and any proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control and maintenance of all commonly held facilities, garages, parking and/or open spaces. Prior to final plat approval, the subdivider shall submit to the city a final copy of such documents and shall file such documents prior to recordation of the plat, which shall reflect the recording instrument numbers.
			Staff Comments	<i>The applicant has submitted recorded CC&R', party wall agreement and bylaws. Please note that the City does not enforce CC&R's.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.070.D Final Plat Procedure	<p>1. The final plat procedure contained in subsection 16.04.030F of this chapter shall be followed. However, the final plat shall not be signed by the city clerk and recorded until the townhouse has received:</p> <p style="padding-left: 40px;">a. A certificate of occupancy issued by the city of Ketchum; and</p> <p style="padding-left: 40px;">b. Completion of all design review elements as approved by the planning and zoning administrator.</p> <p>2. The council may accept a security agreement for any design review elements not completed on a case by case basis pursuant to section 17.96.110 of this code.</p>
			Staff Comments	<i>At this time, the Street and Planning staff have inspected and approved the project as constructed. As a condition of approval, prior to the City Clerk's signature of the final plat, all requirements of the Fire, Utility, Building, Planning and Public Works departments of the City of Ketchum shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.070.E Garage	All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is tied to specific townhouse units on the townhouse plat and in any owner's documents, and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development.
			Staff Comments	<i>The final outlines the overall footprint of the each townhome, including designation of the attached garage.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.070.F General Applicability	All other provisions of this chapter and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse subdivisions.
			Staff Comments	<i>All applicable city provisions are found to be in compliance.</i>

STAFF RECOMMENDATION

Staff recommends approval of the proposed townhouse final plat, finding that it meets all applicable subdivision and zoning standards.

PROPOSED MOTION

"I move to approve the townhouse final plat by Elevation 6000, LLC for Elevation 6000 Townhomes: Phase 3 with conditions 1-9 below;" or

"I move to deny the townhouse final plat by Elevation 6000, LLC for Elevation 6000 Townhomes: Phase 3 because of the following standards (Commission to insert reasons for denial)."

PROPOSED CONDITIONS

1. The Covenants, Conditions and Restrictions (CC&R's) shall be simultaneously recorded with the final plat, and the City will not now, nor in the future, determine the validity of the CC&R's;
2. The failure to obtain final plat approval by the Council, of an approved preliminary plat, within one (1) year after approval by the Council shall cause all approvals of said preliminary plat to be null and void;
3. The recorded plat shall show a minimum of two Blaine County Survey Control Monuments with ties to the property and an inverse between the two monuments. The Survey Control Monuments shall be clearly identified on the face of the map;
4. An electronic CAD file shall be submitted to the City of Ketchum prior to final plat signature by the City Clerk. The electronic CAD file shall be submitted to the Blaine County Recorder's office concurrent with the recording of the Plat containing the following minimum data:
 - a. Line work delineating all parcels and roadways on a CAD layer/level designated as "parcel";
 - b. Line work delineating all roadway centerlines on a CAD layer/level designated as "road"; and,
 - c. Line work that reflects the ties and inverses for the Survey Control Monuments shown on the face of the Plat shall be shown on a CAD layer/level designated as "control";
5. All information within the electronic file shall be oriented and scaled to Grid per the Idaho State Plane Coordinate System, Central Zone, NAD1983 (1992), U.S. Survey Feet, using the Blaine County Survey Control Network. Electronic CAD files shall be submitted in a ".dwg", ".dgn" or ".shp" format and shall be submitted digitally to the City on a compact disc. When the endpoints of the lines submitted are indicated as coincidental with another line, the CAD line endpoints shall be separated by no greater than 0.0001 drawing units;
6. The applicant shall provide a copy of the recorded final plat to the Department of Planning and Building for the official file on the application;
7. Prior to the City Clerk's signature of the final plat, all requirements of the Fire, Utility, Building, Planning and Public Works departments of the City of Ketchum shall be met;
8. The final plat shall not be signed by the City Clerk and recorded until the townhouse has received:
 - a. An approved life safety inspection for the building shell and all common areas from the Ketchum Building Official; and,
 - b. Completion of all design review elements as approved by the Planning and Zoning Administrator; and

9. An affidavit acknowledging that the site specific avalanche study for the subject property, Snow Avalanche Hazard Evaluation and Loading Analysis, dated March 7, 2003, performed by Alpine Enterprises, Inc., is on file in the City of Ketchum, Planning and Building Department shall be recorded at the Blaine County Recorder's Office and the instrument number of said recorded affidavit shall be noted on the final plat.

ATTACHMENTS:

- A. Application
- B. Proposed Final Plat

Attachment A: Application

CITY OF KETCHUM SUBDIVISION APPLICATION

NAME OF PROPOSED SUBDIVISION: ELEVATION 6000 Townhomes: Phase 3

OWNER OF RECORD: ELEVATION 6000, LLC

ADDRESS OF OWNER: PO Box 828, KETCHUM, ID 83340

REPRESENTATIVE OF OWNER: BRUCE SMITH, PLS, ALPINE ENTERPRISES

CONTACT: Owner: _____ Representative: X Phone No.: 727-1988

Mailing Address: Box 2037, KETCHUM

LEGAL DESCRIPTION: (attach if necessary): PORTION OF LOT 19, Box 3, WARM SPRINGS VILLAGE SUBD., 4TH ADDITION

STREET ADDRESS: Will be 312A SAGE RD.

SUBDIVISION FEATURES: Number of Lots: 1 SUBLOT
Number of Dwelling Units: 1

Total land area in acres or square feet: ± 60,032 SQ. FT., ± 1.38 AC.

Current Zoning District: GR-L Proposed Zoning District: NO CHANGE

Overlay District: Flood _____ Avalanche X Pedestrian _____ Mountain X

Type: Condominium _____ Land _____ PUD _____ Townhouse X

Adjacent land in same ownership in acres or square feet: PHASE 2 IS ± 1.71 AC.

Easements to be dedicated on final plat: (describe briefly): PUBLIC & PRIVATE UTILITIES

Proposed and existing exterior lighting: (described briefly): LOW WATT, DOWNCAST

IMPROVEMENTS TO BE INSTALLED PRIOR TO FINAL PLAT APPROVAL:

Streets Paved	Yes _____	No <u>EXTG</u>	Water Supply:	Ketchum Municipal	<u>X</u>
Curbs & Gutters	Yes _____	No <u>X</u>		Private Wells	_____
Sidewalks	Yes _____	No <u>X</u>			
Street Lights	Yes _____	No <u>X</u>	Sewer System:	Public	<u>X</u>
Street Signs	Yes _____	No <u>X</u>		Septic	_____
Fire Hydrant(s)	Yes _____	No <u>EXTG</u>		Cesspool	_____
Extend Water Lines	Yes _____	No <u>EXTG</u>	Power:	Underground	<u>X</u>
Extend Sewer Lines	Yes _____	No <u>EXTG</u>		Overhead	_____

ATTACHMENTS TO COMPLETE APPLICATION:

- Copies of Articles of Incorporation and By-Laws of Homeowners Associations and/or Condominium Declarations
- Copy of current title report and owner's recorded deed to the subject property
- Six (6) copies of preliminary plat; one (1) 11x17 copy; and, a CD or email of the electronic copy (.pdf) of the plat

The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Subdivision Application in which the City of Ketchum is the prevailing party to pay the reasonable attorney fees, including attorney fees on appeal, and expenses of the City of Ketchum. I hereby certify that all information requested, as submitted, is prepared to the best of my ability and knowledge and I request that this application be processed for consideration as a subdivision.

Signature of Owner/Representative: Bruce S. Date: 29 FEB 16

Pursuant to Resolution No. 08-123, any direct costs incurred by the City of Ketchum to review this application will be the responsibility of the applicant. Costs include but are not limited to: engineer review, attorney review, legal noticing, and copying costs associated with the application. The City will require a retainer to be paid by the applicant at the time of application submittal to cover said costs. Following a decision or other closure of an application, the applicant will either be reimbursed for unexpended funds or billed for additional costs incurred by the City.

-----Administrative Use Only-----

Name of Subdivision: _____

Date Application Received: _____

PRELIMINARY PLAT: Date Received by Planning Department: _____

Administrative Comments: _____

Date Placed on Planning & Zoning Commission Agenda: _____

Date Legal Notice Published: _____ Date Applicant Notified: _____

Comments from Agencies: _____

Comments/Actions Taken by Planning & Zoning Commission: _____

Date Placed on City Council Agenda: _____

Administrative Comments: _____

Date Applicant Notified: _____

Comments/Actions Taken by City Council: _____

Date of Preliminary Plat Approval: _____

FINAL PLAT:

Date Placed on Planning & Zoning Commission Agenda: _____

Administrative Comments: _____

Date Applicant Notified: _____

Comments from Agencies: _____

Comments/Actions Taken by Planning & Zoning Commission: _____

Date Placed on City Council Agenda: _____

Administrative Comments: _____

Date Applicant Notified: _____

Comments/Actions Taken by City Council: _____

Date of Final Plat Approval: _____

Date Filed with County Recorder: _____ Instrument No.: _____

APPLICABLE FEES:

Development Plan Fee: _____ Date Paid: _____

Preliminary Plat Application Fee: _____ Date Paid: _____

Final Plat Application Fee: _____ Date Paid: _____

Mailing Fee: _____ Date Paid: _____

Bond Fee: _____ Date Paid: _____

Date Bond for Improvements Received: _____

Comments: _____

Administered By: _____

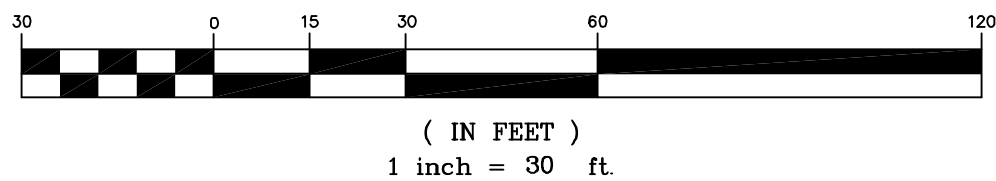
Attachment B: Final Plat

A PLAT SHOWING ELEVATION 6000 TOWNHOMES: PHASE 3

WHEREIN A PORTION OF LOT 19, BLOCK 3, WARM SPRINGS VILLAGE SUBDIVISION 4TH ADDITION, IS PLATTED AS A TOWNHOUSE SUBLOT AS SHOWN
LOCATED WITHIN SECTION 11, T.4 N., R.17 E., B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO

MARCH 2016

GRAPHIC SCALE

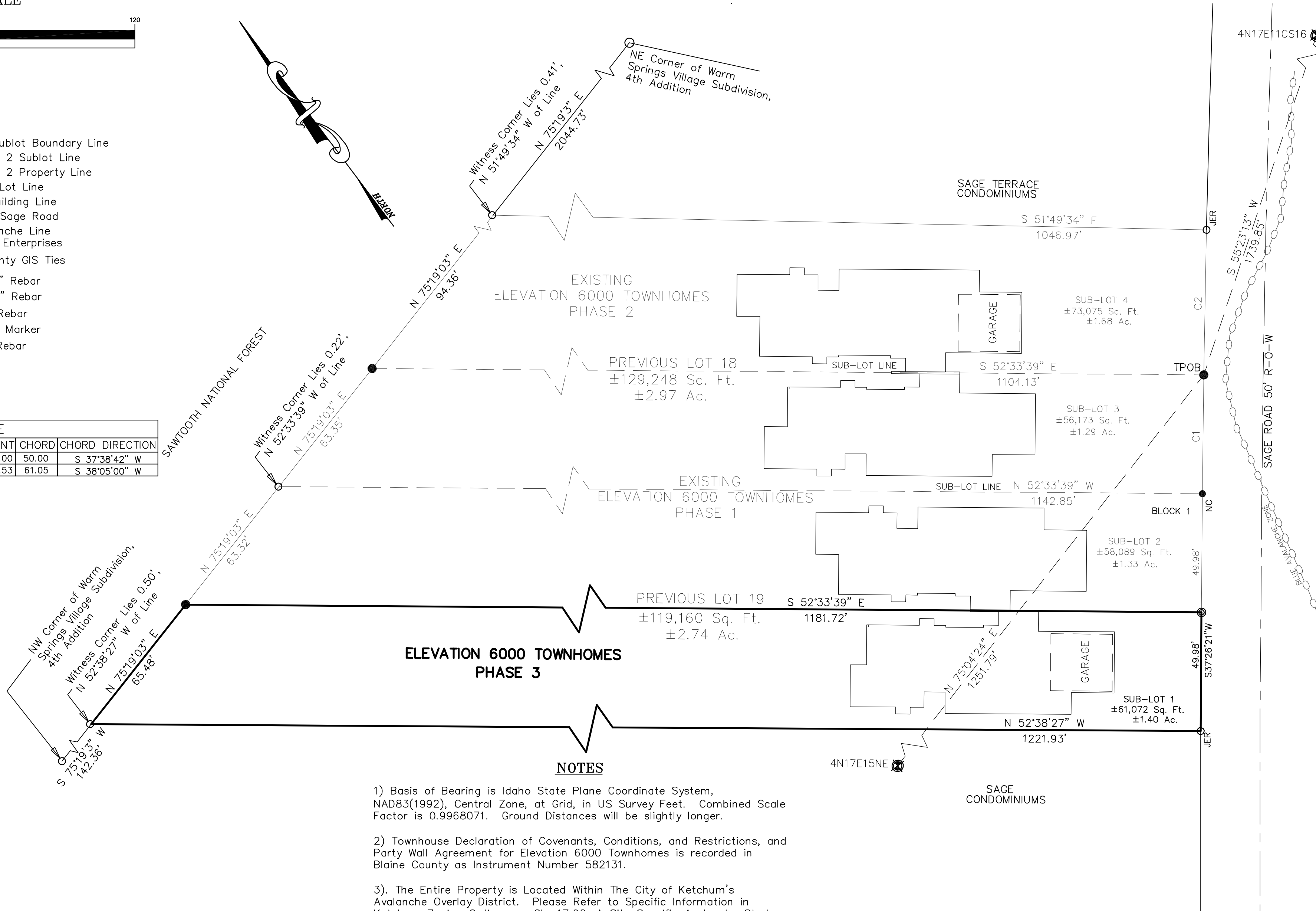


LEGEND

- Phase 3 Sublot Boundary Line
- Phase 1 & 2 Sublot Line
- Phase 1 & 2 Property Line
- Adjoiner's Lot Line
- Exterior Building Line
- Centerline Sage Road
- Blue Avalanche Line Per Alpine Enterprises
- Blaine County GIS Ties
- Found 1/2" Rebar
- Found 5/8" Rebar
- Set 5/8" Rebar
- Set Survey Marker
- Set 1/2" Rebar
- Break Line

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD DIRECTION
C1	50.00	7256.67	0°23'41"	25.00	50.00	S 37°38'42" W
C2	61.06	7256.67	0°28'55"	30.53	61.05	S 38°05'00" W



NOTES

- 1) Basis of Bearing is Idaho State Plane Coordinate System, NAD83(1992), Central Zone, at Grid, in US Survey Feet. Combined Scale Factor is 0.9968071. Ground Distances will be slightly longer.
- 2) Townhouse Declaration of Covenants, Conditions, and Restrictions, and Party Wall Agreement for Elevation 6000 Townhomes is recorded in Blaine County as Instrument Number 582131.
- 3). The Entire Property is Located Within The City of Ketchum's Avalanche Overlay District. Please Refer to Specific Information in Ketchum Zoning Ordinances Ch. 17.92. A Site Specific Avalanche Study has been prepared by Alpine Enterprises Inc., available for inspection at City Offices and an Affidavit referring to said study is Recorded in Blaine County as Inst. No. _____.
- 4). Elevation 6000 Townhomes are subject to a Phased Development Agreement, Recorded in Blaine County as Instrument Number 582132.



PRELIMINARY

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date _____ South Central District Health Dept., EHS

CERTIFICATE OF OWNERSHIP

This is to certify that we, the undersigned, are the owners in fee simple of the following described parcels of land:

Lots 18 and 19 in Block 3 of Warm Springs Village Subdivision 4th Addition, Section 11, Township 4 North, Range 17 East, Boise Meridian, City of Ketchum, Blaine County, Idaho, according to the official plat thereof, recorded as Instrument Number 115701, records of Blaine County, Idaho.

EXCEPTING THEREFROM THAT PORTION NOW KNOWN AS Sublots 2 & 3 of Elevation 6000 Townhomes: Phase 1, according to the official plat thereof, recorded as Instrument Number 582133, records of Blaine County, Idaho.

ALSO EXCEPTING THEREFROM THAT PORTION NOW KNOWN AS Sublot 4 of Elevation 6000 Townhomes: Phase 2, according to the official plat thereof, recorded as Instrument Number _____, records of Blaine County, Idaho.

A portion of which is hereby Re-Platted as Elevation 6000 Townhomes: Phase 3, Sub-lot 1.

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. We do hereby certify that all lots in this plat will be eligible to receive water service from an existing water distribution system and that the existing water distribution system has agreed in writing to serve all of the lots shown within this plat.

It is the intent of the owners to hereby include said land in this plat.

Townhome Declaration of Covenants, Conditions, and Restrictions, and Party Wall Agreement for Elevation 6000 Townhomes is recorded in Blaine County as Instrument Number 582131.

Corniel Therrien, Member, Elevation 6000 L.L.C.

Bill Lee, Member, Elevation 6000 L.L.C.

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, 2016, before me, a Notary Public in and for said State, personally appeared Corniel Therrien, Member, Elevation 6000 L.L.C, known or identified to me, to be a member of the L.L.C. who executed the instrument and acknowledged to me that such L.L.C. executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public

Residing at

My Commission Expires

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } ss

On this _____ day of _____, 2016, before me, a Notary Public in and for said State, personally appeared Bill Lee, member, Elevation 6000 L.L.C, known or identified to me, to be a member of the L.L.C. who executed the instrument and acknowledged to me that such L.L.C. executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

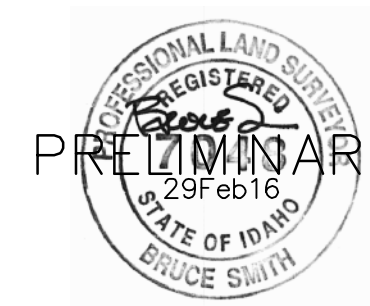
Notary Public

Residing at

My Commission Expires

SURVEYOR'S CERTIFICATE

I, Bruce Smith, a duly licensed Professional Land Surveyor in the State of Idaho, do hereby certify that this Plat is a true and accurate map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.



COUNTY SURVEYOR'S APPROVAL

I, Sam Young, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

County Surveyor

APPROVAL OF CITY COUNCIL

The foregoing plat was approved by the City Council of Ketchum on this _____ day of _____, 2016.

City Clerk

CITY ENGINEER'S APPROVAL

The foregoing plat was approved by _____, City Engineer for the City of Ketchum on this _____ day of _____, 2016.

City Engineer

COUNTY TREASURER'S APPROVAL

I, the Undersigned, County Treasurer in and for Blaine County, State of Idaho, per the Requirements of Idaho State Code 50-1308, do hereby Certify that any and all Current and/or Delinquent County Property Taxes for the Property included in this Plat of ELEVATION 6000 TOWNHOMES: PHASE 3 have been paid in full on this _____ day of _____, 2016. This Certification is valid for the next thirty (30) days only.

Blaine County Treasurer

COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO }
COUNTY OF BLAINE } ss

This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho, and duly recorded at the Time, Date, and Instrument Number shown below.

Ex-officio Recorder



SPECIAL PLANNING AND ZONING COMMISSION MEETING
Monday, January 11, 2016, 5:00 pm
Ketchum City Hall, Ketchum, Idaho

Present: Chairperson Steve Cook
 Commissioner Mike Doty
 Commissioner Betsy Mizell

1. SITE VISIT AT 255 Hillside Drive - Regarding the application by Heidelberg Hill Trust, for a Design Review, Mountain Overlay Design Review, and a Preliminary Plat.

The following features of the proposed project were viewed and discussed:

- Height of the proposed buildings
- Location of landscaping
- Driveway access
- Parking
- Avalanche control

Also Present: Micah Austin, Planning and Building Director
 Rebecca Bundy, Senior Planner/Building and Development Manager
 Morgan Brim, Senior Planner/Current and Long-range Planning Manager
 Bruce Smith, Alpine Enterprises
 Troy Quesnel, Sawtooth Development
 Chad Blincoe, Blincoe Architecture

The Commissioners had no further questions and the special site visit was concluded at about 5:20 pm.

2. SITE VISIT AT 300 Huffman Drive - in regard to the application by Ashley Dartnell and Bruce Steinberg for Conditional Use Permit for an Avalanche Deflection Wall.

The following features of the proposed project were viewed and discussed:

- Locations of proposed avalanche deflection wall and the avalanche path.
- Location of proposed driveway reconfiguration.

The Commissioners had no further questions and the special site visit was concluded at about 5:40 pm.

Also Present: Micah Austin, Planning and Building Director
 Rebecca Bundy, Senior Planner/Building and Development Manager
 Morgan Brim, Senior Planner/Current and Long-range Planning Manager
 Ben Young, Ben Young Landscape Architects
 Ashley Board, Ben Young Landscape Architects
 J. Paul Bastian, Xcell Engineering

Steve Cook
 Planning and Zoning Commission Vice Chair



SPECIAL PLANNING AND ZONING COMMISSION MEETING
Monday, February 8, 2016, 5:00 pm
Ketchum City Hall, Ketchum, Idaho

Present: **Chairperson Steve Cook**
 Commissioner Mike Doty
 Commissioner Betsy Mizell
 Commissioner Erin Smith

- 1. SITE VISIT AT 500 N. Washington- in regard to the application by Kneebone Mixed Use, for a Pre-Application Design Review.**

The following features of the proposed project were viewed and discussed:

- Location of the building;
- Location of street trees;
- Onsite and street parking; and
- Height of the building and elevator shaft.

Also Present: **Micah Austin, Planning and Building Director**
 Rebecca Bundy, Senior Planner/Building and Development Manager
 Morgan Brim, Senior Planner/Current and Long-range Planning Manager
 Keshia Owens, Planning Technician
 Steve Kerns, Kneebone, LLC
 Ryan Botkins, Williams Partners/Kneebone
 Sean Flynn, Galena Engineering
 Rob King, Clemens Associates
 Jim Rosenfeld, Landowner

The Commissioners had no further questions and the special site visit was concluded at about 5:20 pm.

Steve Cook
 Planning and Zoning Commission Chair



Planning and Zoning

Regular Meeting

~ Minutes ~

480 East Avenue North
Ketchum, ID 83340
<http://ketchumidaho.org/>

Keshia Owens
(208) 726-7801

Monday, February 8, 2016

5:30 PM

Ketchum City Hall

Commissioners Present: Steve Cook, Chairperson
Michael Doty, Commissioner
Betsy Mizell, Commissioner

Absent: Erin Smith, Commissioner
Jeff Lamoureux, Commissioner

Staff Present: Micah Austin, Director of Planning & Building
Rebecca Bundy, Senior Planner
Morgan Brim, Senior Planner
Stephanie Bonney, City Attorney
Keshia Owens, Planning Technician

1. 5:00 PM SITE VISIT: 500 N. Washington Avenue, Ketchum, Idaho (Ketchum, Lot 8, Block 15)

2. 5:30 PM- CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho

Chairman Cook called the meeting to order at 5:35 PM. He noted that before the meeting there was a site visit to 500 N. Washington Avenue (Kneebone Mixed Use).

3. CONSENT CALENDAR

4. PUBLIC COMMENT

a. Communications from the public for items not on the agenda.

5. COMMUNICATIONS FROM STAFF

a. WITHDRAWN FROM AGENDA - Geneva Lofts Design Review: The Commission will discuss and take action on a Design Review application by Geneva Lofts, represented by David Hertel, located at 171 Sun Valley Road (Ketchum Townsite, East 55' X 50' of Lots 7&8, Block 57).

b. 151 South Main Hotel & Residences Condominium Subdivision Preliminary Plat: The Commission will hold a public hearing and take action on an application by Limelight Ketchum, LLC, represented by James R. Laski, for a Condominium Subdivision-Preliminary Plat. The subject property is located at 151 South Main Street (Ketchum, AM Lot 1A, Block 20 Ketchum Townsite).

COMMENTS:

Jim Laski, on behalf of Limelight Ketchum, with Sean Flynn and Jim Garrison is submitting an application for a preliminary plat and going through design review.

- The purpose of the plat is to create 14 residential condominiums, a large hotel condominium unit, and a separate condominium unit that houses retail operation. He added that it is a 16-unit condominium.

Staff Comments:

Bundy stated that the project was properly noticed and that it conforms to the design review PUD and building permit plans as approved. She added that there were no concerns from city department heads about the plat, it meets the criteria of Ketchum's Municipal Code Section 16.04.060, including CC&Rs, garages, and storage, but there is a clause in the CC&Rs that states there is to be no boat or RV storage in the garage. She also noted that the project has the required maintenance facilities, common space, and open space and said that Staff recommends approval with conditions 1-10, which are standard conditions for a condominium or townhouse plat. She concluded by saying there is a correction with condition number 8, as it uses the word "townhouse" instead of "condominium."

Austin stated that public comment was received and they wanted to know why the project is being platted for 16 condos, instead of 14. He said that the project is being platted for 14 residential, 1 hotel condo, and 1 common space condo.

Commissioner Smith said that the Bylaws and CC&Rs are included, but wanted to know if she should be concerned with this.

Austin commented that Staff needs to verify that they are there and how the Bylaws and CC&Rs are formed are entirely up to the applicant.

Commissioner Smith moved to approve the condominium preliminary plat by Limelight Ketchum, LLC for 151 South Main Street Hotel and Residences Condominium Subdivision with conditions 1-10 below as corrected.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Erin Smith, Commissioner
SECONDER:	Betsy Mizell, Commissioner
AYES:	Steve Cook, Mike Doty, Erin Smith, Betsy Mizell, Jeff Lamoureux

- c. **Kneebone Mixed Use Pre-Application Design Review: The Commission will take public comment and discuss a pre-application design review request by Kneebone, LLC, represented by Stephen T. Kearns, located at 500 N. Washington Ave, Ketchum, ID (Ketchum Townsite, Lot 8, Block 15).**

Chairman Cook noted that this application is a pre-application and comments are not binding at this point.

Ryan Botkins, Kneebone, LLC and Williams Partners Architects presented on the Kneebone Mixed Use Development.

- The project will be a three-story mixed use development
- Parking is accessed in the rear by the alley
- The existing structure will be demolished
- Some trees will be removed, but street trees and street lights will be added
- The ground floor level has commercial space that can be used as office or retail space

Botkins noted some of the materials that will be used:

- Bonderized standing seam that is staggered
- Rain screen mahogany
- Fiber cement panels in a rain screen fashion

Commissioner Doty noted that there were a number of items in the staff report where the project was not compliant with and wanted to know if those issues had been addressed.

Brim commented that one of the criteria of design review is limiting any obstruction to solar access, but it is not the most concrete standard because Ketchum has dimensional standards that allow the applicant to build up to 42 feet. He added that the Commission could request a sun chart to see the potential impacts on the neighboring parcel.

Commissioner Cook asked Botkins to go over the alley, snow removal trash, and ADA compliance.

Botkins stated that they have spoken with Clear Creek Disposal. He also noted:

- The dumpster will be on a pivot that will be accessed from the alley.
- The project has a fully accessible ADA van space
- Landscaping has been brought up to code

Staff Comments:

Brim said that even though this is a pre-application there are few things that still have to be dealt with:

- Materials Board (reflected in the plans)
- Snow Storage
- Criteria regarding how water drips down from the building into a storm-water facility
- Landscaping and vegetation (applicant will have to show if they plan to replace trees that will be taken down)
- Master Signage Plan
- Bike racks (must be visible from the main entrance)
- Lighting details to show the applicant is conforming with the Dark Sky Ordinance

Brim added that the proposed ADA space is covered and not in an alleyway. He also said that Staff is really happy with this because it provides a great access point.

Brim noted the project's evaluation standards:

- The northern wall on the zero property line will need to be further addressed and will likely need to be broken up, as it will be very visible for many years.
- Brim said that most of the criteria that was not met was because more information was needed.

Commissioners' Comments:

Commissioner Smith said that on 231 Sun Valley Road there is another project that has a north facing wall and the architect, who is working on both projects, did vary the wall somehow.

Commissioner Doty said that the material selection is good and that a YMCA climbing wall should be avoided. He commented that there is only a 6-inch separation between second and third floor materials on the east elevation and encouraged the applicant to give the project a bit more character. He noted that the applicant should come up with a highly evolved methodology to develop the project's design.

Chairman Cook asked if the screening could be continued into an L-configuration.

Jeff Williams, Williams Partners, said that this can be addressed with some sort of screening. He added that the applicant is thinking of repeating the wood treatment that is at the base of the store front and closing off with a screen element that faces the party wall.

Kerns read from the Staff Report that “all surface parking lots shall be designed with the following landscape features and use of porous or pervious surfaces in the parking lot design” he added that they are using asphalt and wanted clarification on this.

Brim explained that this would be considered a surface parking lot and Staff will work with the applicant to see what can be figured out and added that some design review items are very specific.

Kerns also wanted to know about the setback requirements for lot screening.

Brim said that the wall should be no higher than 6 feet in height, but an architectural extension from the building would allow the applicant to go higher than 6 feet in height.

Commissioner Doty added that the elevator meets the criteria for being set back from the property line and that it is nice to know that green technology is being used.

d. Zoning Ordinance Update – Phase II

Brim said that the Design Review Chapter is scheduled for the March 7th meeting. He added that the parking ordinance is being analyzed by a parking consultant and after this the study will be brought to the Commission. Brim also noted that the sign code is being updated to meet the Lee v. Gilbert standards.

Chairman Cook asked for an overview of Austin’s study of the LI.

Austin said that he found the LI zones represent less than 3% of the city, yet they provide more than 18% of jobs in the city. He added that these jobs are specific to the LI and can’t be put anywhere else in Ketchum. He also noted that the LI is working well and introducing new uses to the zone could cause current uses to leave and never come back. Austin said that it was also recommended that the name of the LI be changed.

Commissioner Smith said that certain businesses have left the LI and are not coming back.

Austin confirmed that this is correct, as the image of the smokestack business is not what Staff is considering. Staff is considering businesses like studios for the LI. He noted that there is a lot of confusion on uses in the LI and many businesses that are there still don’t know what they can do in the LI.

6. FINDINGS OF FACT AND APPROVAL OF MINUTES

a. Dartnell Avalanche Deflection Wall Conditional Use Permit – Findings of Fact

COMMENTS:

No changes or corrections.

Chairman Cook motioned “to approve the Dartnell Avalanche Deflection Wall Conditional Use Permit Findings of Fact.”

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Cook, Chairman
SECONDER:	Betsy Mizell, Commissioner
AYES:	Steve Cook, Mike Doty, Betsy Mizell, Jeff Lamoureux
ABSTAIN:	Erin Smith

b. Heidelberg Hill Design Review- Findings of Fact

COMMENTS:

No changes or corrections.

Chairman Cook motioned “to approve the Heidelberg Hill Residence Design Review Findings of Fact”

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Cook, Chairman
SECONDER:	Betsy Mizell, Commissioner
AYES:	Steve Cook, Mike Doty, Betsy Mizell, Jeff Lamoureux
ABSTAIN:	Erin Smith

c. Heidelberg Hill Mountain Overlay Design Review- Findings of Fact

No changes or corrections.

Chairman Cook motioned “to approve the Heidelberg Hill Residence Mountain Overlay Design Review Findings of Fact”

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Cook, Chairman
SECONDER:	Betsy Mizell, Commissioner
AYES:	Steve Cook, Mike Doty, Erin Smith, Betsy Mizell, Jeff Lamoureux
ABSTAIN:	Erin Smith

d. Heidelberg Hill Townhouse Subdivision Preliminary Plat-Findings of Fact

No changes or corrections.

Chairman Cook motioned “to approve the Heidelberg Hill Residence Mountain Overlay Design Review Findings of Fact”

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Cook, Chairman
SECONDER:	Betsy Mizell, Commissioner
AYES:	Steve Cook, Mike Doty, Betsy Mizell
ABSTAIN:	Erin Smith

e. Minutes: January 11, 2016

Pg 159 (pg 5)- should be direction of flow

pg 6- should be a mechanically attached roof.

Pg 10- antique alley

Commissioner Mizell "motioned to approve the minutes from January 11, 2016 with amendments"

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Betsy Mizell, Commissioner
SECONDER:	Mike Doty
AYES:	Steve Cook, Mike Doty, Betsy Mizell, Jeff Lamoureux
ABSTAIN:	Erin Smith

7. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Bundy said that there will be two Waterways Design Review projects. One is at 303 Broadway and the other at Trailcreek. She added that remodels are being proposed and they require adjacent notification.

Austin said that the Auberge project is moving forward and they are not going to be purchasing any additional real estate. He added that the project that was approved is what the applicant will be moving forward with and if there are additional changes, they would be minor and similar to the Limelight Hotel. He noted that he does not anticipate this coming before the Commission.

Bundy said that Elevation 6000 is coming in for a townhouse final plat and will be noticed. She added that the applicant will be coming back for the final phase of the project.

Bundy provided updates for the Waterways Design Review for the Bigwood Church and said that the prosecuting attorney has been working on negotiating with the attorney of the homeowners there.

8. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Brim said that in the last City Council meeting, the Council heard The Spot Text Amendment and the Community School. He added that it has been decided that the use for The Spot is appropriate. He also said that they are in favor are approving the use, but want to limit the occupancy 100.

9. Commission reports and ex parte discussion disclosure

Austin mentioned City Hall Tours and said that the Mayor is inviting the Commission to take the tour of City Hall, which is ongoing.

Austin also commented that the Planning and Zoning Commission is the only board that still receives the packet in hard copy. He noted that the time difference is 30 mins to upload electronic packet and about 3-6 hours to prepare the paper copy.

Commissioner Lamoureux, Commissioner Doty, and Chairman Cook do not need to receive extra information, such as applications, plans, and CC&Rs.

10. ADJOURNMENT

Commissioner Smith motioned to adjourn and Commissioner Mizell seconded; all commissioners were in favor.

Steve Cook
Chairman, Planning and Zoning Commission



Planning and Zoning

Regular Meeting

~ Minutes ~

480 East Avenue North
Ketchum, ID 83340
<http://ketchumidaho.org/>

Keshia Owens
(208) 726-7801

Monday, February 22, 2016

5:30 PM

Ketchum City Hall

Commissioners Present: Steve Cook, Chairperson
Michael Doty, Commissioner
Betsy Mizell, Commissioner
Erin Smith, Commissioner
Jeff Lamoureux, Commissioner

Staff Present: Micah Austin, Director of Planning & Building
Rebecca Bundy, Senior Planner
Morgan Brim, Senior Planner
Stephanie Bonney, City Attorney
Keshia Owens, Planning Technician

1. 5:30 PM- CALL TO ORDER: City Hall, 480 East Avenue North, Ketchum, Idaho

The meeting was called to order at 5:32 PM by Steve Cook.

The Barsotti work session was withdrawn from the agenda.

2. CONSENT CALENDAR

There were no items on the Consent Calendar.

3. PUBLIC COMMENT

a. Communications from the public for items not on the agenda.

Gary Hoffman, resident of Ketchum, commented on The Spot in the light industrial district. Hoffman has a lot of theater experience with the NextStage Theater and added that it is not cutting-edge or avant-garde, but it is a large building with uncomfortable seats. He noted that the NextStage Theater costs \$600 a night, but the average seating is 40-50 people. He added that The Spot fills a terrific place for the community and in its own way, helping to keep young people here.

Bruce Smith, Ketchum resident and business owner, added that he thinks it's a great idea that there is something going on in The Spot's location.

4. COMMUNICATIONS FROM STAFF

- a.** Elevation 6000 Phase 2 Townhouse Subdivision Final Plat: The Commission will hold a public hearing and take action on an application by Elevation 6000, LLC represented by Bruce Smith, PLS, Alpine Enterprises, Inc. for a Townhouse Subdivision- Final Plat. The subject property is located at 310B Sage Road, Ketchum, Idaho (Elevation 6000 Townhomes, Phase 2, Sublot 4) (a portion of former Lot 18, Block 3, Warm Springs Village Subdivision, 4th Addition).

COMMENTS:

Bruce Smith, Alpine Enterprises representing Elevation 6000, LLC along with Ed Fenwick, said that the project was started around 2006/2007 and Preliminary Plat for all sublots was approved in 2010 through a development agreement. He added that phase 1 was platting the middle 2 sublots (units 3 and 4), which are recorded and occupied. He commented that they now have buyers for subplot 4 and will come back to the Commission to finish phase 3.

Staff Comments:

Bundy said that the phasing agreement, at the city council's desecration, can be extended and added that Staff will recommend that the project move forward to the City Council. She commented that the exteriors are done, the landscaping has been inspected, and the street right-of-way work has been inspected. She noted that Staff is still waiting on final fire and building inspection, both of which can be done prior to the City Clerk's signature. She noted that the Plat agrees with the original preliminary plat and said that the site specific avalanche study must be on file with the City of Ketchum as a final condition of approval.

Commissioner Smith asked if the reason why the project now has to go to the City Council is because of the development agreement.

Bundy said that the way that townhouse plats work is that they can come in at any time for a preliminary plat, but they can't come in to City Council until construction has been commenced. She added that this happened back in 2009/2010 and then the recession hit, but now to sell them fee simple they need to get final plat. She noted that the conditions on final plat are that the project needs to be done, the life safety inspections need to be done, and all of the design review elements need to be completed prior to the City Clerk's signature.

Bundy added that the phasing agreement is unusual, but this is a result of the downturn in the economy. She commented that the agreement with the City has expired, but it is in the City's best interest to get the units sold.

Commissioner Mizell moved to "approve the townhouse final plat by Elevation 6000, LLC for Elevation 6000 Townhomes phase 2 with conditions 1-9 below."

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Betsy Mizell, Commissioner
SECONDER:	Erin Smith, Commissioner
AYES:	Cook, Doty, Lamoureux, Smith, Mizell

b. Barsotti Work Session: Regarding proposed amendments to the LI-3 District.

Brim said that the applicant has officially withdrawn and he is being refunded his fee. He added if the applicant decides to come back, he will have to go through the process again.

Chairman Cook asked why the applicant officially withdrew.

Brim said that the applicant wanted to know Staff's opinion. He added that Staff had recently gone through the Comprehensive Plan to analyze the Light Industrial District for The Spot and The Community School applications. He added that there is a huge concern for 100% residential in the LI district and with that the applicant indicated that he would withdraw.

c. Zoning Ordinance Update, Phase II: The Commission will discuss the status of the Zoning Ordinance update.

Brim said that there are 2 ordinances that are being worked on.

1. The Parking Ordinance

Consultant, Diane Kushlan, is looking at all of the different parking standards in the Code and is providing an overall analysis as to where the policy is telling Staff to go and once this is complete Staff will have an official document to bring before the Commission. He noted that there will be a first draft around April or May and process will be similar to that of the design regulations.

2. The Code

Brim said that there are several portions of the Code that need clean up, as Staff has found that there are definitions and parts of the signage code need to be worked on. Brim commented that Reed v. Town of Gilbert requires that content based code system cannot be used. He also said that signs can now only be regulated based off of their form, which includes things like height and setbacks and Staff has to make sure that the Code falls in line with this.

Bundy added that there is a lot of distinction between real estate signs, constructions signs, and development opportunity signs versus just advertising for a brick and mortar business and that distinction that needs to be removed. She noted that we can call them small temporary signs, but not real estate or open house signs in the Code.

Commissioner Smith asked if there was any way to make office uses subservient to light industrial uses in the LI District.

Brim said that there about 15 different areas in the code that need to cleaned up and adding subservient uses to the Code will be one of the things added. Brim also noted that there will be a work session to get feedback from the Planning and Zoning Commission and when there is a consensus, Staff will draft language for the smaller items and make changes to the sign code.

Commissioner Doty said that the sign ordinance has a duration for temporary real estate signs, but all it all comes down to enforcement because much of this hasn't been enforced.

Brim added that many of the signs downtown are in compliance with the zoning regulations because Staff wanted to make sure everyone was following the same regulations. Bundy added that the City has really good support through the Community Service Officers and this is allowing Staff to undertake enforcement when needed.

5. FINDINGS OF FACT AND APPROVAL OF MINUTES

a. 151 South Main Street Hotel and Residences (Limelight Hotel Ketchum, LLC) Condominium Subdivision Preliminary Plat - Findings of Fact

COMMENTS:

Chairman Cook made a motion to "approve the 151 South Main Street Hotel and Residences Condominium Subdivision Preliminary Plat Findings of Fact."

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Cook, Chairman
SECONDER:	Mike Doty, Commissioner
AYES:	Cook, Doty, Lamoureux, Smith, Mizell

b. February 8, 2016: Site Visit

c. February 8, 2016: Minutes

The Commissioners agreed that there is too much information in the meeting minutes and would like them to be more precise. Commissioner Doty suggested an outline format for the minutes and Commissioner Lamoureux suggested paraphrasing at the end of a discussion.

Commissioner Cook, Lamoureux, and Doty would like to receive Staff Reports, public comment, and plans in hardcopy.

6. FUTURE PROJECTS AND NOTICING REQUIREMENTS

Brim said that the applicant at the Alfs residence, 311 7th Street, is requesting that a smaller home be removed and replaced with a newer home. He added that it's not a super large house, but because it's multiple houses on one lot there has to be multi-residential design review. He also said that because its design review State Code requires noticing to the adjacent properties, but Staff can go further if the Commission wants to.

The Commissioners would like a notice of 300 feet.

Brim said that The Spot is also coming back to the Commission as a text amendment. He added that the City Council directed Staff to do a definitional change and take the commercial studio definition and amend it so that it would allow for events as an accessory use. He also said that text amendment is no longer an accessory use and Staff will not be adding this to the LI-2, but the direction is to change the definition of the existing use. He noted that this will be a lot simpler, but because this is a different section of the code it triggers another application.

Bundy said that the waterways design review is for Constant a nonconforming building in the riparian setback with existing riparian issues and added that normally only adjacent properties would be noticed. Commissioner Doty said that noticing the properties across the river would be a good idea.

Bundy said that the McCallum Residence is also waterways design review with floodplain. She noted that the existing cabins are totally substandard, existing-non conforming, she added that the properties across the river will also be notified.

7. STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Brim said that The Community School's development agreement is being worked out and the project is being continued to March 7th.

8. ADJOURNMENT

Commissioner Lamoureux motioned to adjourn and Commissioner Doty seconded, all Commissioners were in favor.

A. *Commission reports and ex parte discussion disclosure*

Steve Cook
Planning and Zoning Commission Chair



City of Ketchum
Planning & Building

IN RE:)
)
 Alfs Residence Design Review) **KETCHUM PLANNING AND ZONING COMMISSION**
) **FINDINGS OF FACT, CONCLUSIONS OF LAW AND**
) **DECISION**
 File Number: #16-008)
)

BACKGROUND FACTS

PROJECT: Alfs Residence Design Review

OWNER(S): Susan Alfs Trustee & Alfs Family Trust Dated 7-3-14

REPRESENTATIVE: Chad Blincoe with Blincoe Architecture

REQUEST: Design Review for one detached residence

LOCATION: 731 N. 3rd Avenue (Lots 2, 3 and 4, Block 72, Ketchum Townsite)

NOTICE: The following notice was posted in three public places and mailed to adjacent property owners on February 19, 2016:

NOTICE OF CONSIDERATION AND PUBLIC HEARING BEFORE THE PLANNING AND ZONING COMMISSION

Meeting Date:	March 14, 2016
Meeting Time:	5:30 PM, or thereafter as the matter can be heard.
Meeting Location:	City Hall Council Chambers, 480 East Avenue North, Ketchum, Idaho
Project Name:	Alfs Residence
Project Location:	311 7th St (Ketchum Lots 2, 3, 4 Block 72)
Applicant:	Susan Alfs
Representative:	Blincoe Architecture
Application Type:	Design Review
Project Description:	The applicant is proposing to remove an existing home on the southeast portion of the lot and construct a new home.

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

FINDINGS OF FACT

The applicant requested approval to replace a small existing single family residence on the southeast portion of the property with a new two story residence. The proposed residence contains a total of 2,066 square feet with 789 square feet located in a basement level, 844 square feet on the main level and 433 square feet on the second floor level. The applicant did not propose a garage.

Design Review Requirements				
EVALUATION STANDARDS: 17.96.090(B)				
Compliant			Standards and Commission Conclusions	
Yes	No	N/A	Standard	City Standards and <i>Commission Conclusions</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (1) SITE DESIGN	The site’s significant natural features such as hillsides, mature trees and landscaping shall be preserved. Cuts and fills shall be minimized and shall be concealed with landscaping, revegetation and/or natural stone material.
			Conclusions	<i>The plans indicated that existing landscaping and vegetation are retained onsite. Pine trees are located adjacent to 3rd Avenue and one Oak Tree is located along 7th Street. The applicant’s arborist indicated that the Oak tree will be trimmed back, but will be retained.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (2)a Compatibility	The structure shall be compatible with the townscape and surrounding neighborhoods with respect to height, bulk, setbacks and relationship to the street.
			Conclusions	<i>The proposed residence appears to be compatible and in scale with the modern architecture of surrounding properties.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (2)b	The project’s materials, colors and signing shall be compatible with the townscape, surrounding neighborhoods and adjoining structures.
			Conclusions	<i>Cedar vertical paneling siding is proposed for exterior walls. Bronze/black window frames are incorporated and asphalt shingles are being utilized for the roof.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (2)c	Consideration shall be given to significant view corridors from surrounding properties.
			Conclusions	<i>This project is not located on or near an identified significant corridor.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (2)d	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.
			Conclusions	<i>No significant landmarks have been identified.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)a ARCHITECTURAL QUALITY	Consideration shall be given to natural light reaching public streets, sidewalks and open spaces.

			Conclusions	<i>The proposed residence only contains a height of 28 feet which is well below the maximum allowed for the GR-L District. In addition to large setbacks there are no perceived conflicts with solar access to the street and public ways.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)b	The building character shall be clearly defined by use of sloped roofs, parapets, cornices or other architectural features.
			Conclusions	<i>The building contains a simple design that utilized windows that help to distinguish between horizontal levels within the structure. Decks and metal railings further break up the bulk of the building's massing.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)c	There shall be continuity of materials, colors and signing within the project.
			Conclusions	<i>The same materials for exterior wood paneling, window frames and metal railing are used throughout the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)d	There shall be continuity among accessory structures, fences, walls and landscape features within the project.
			Conclusions	<i>No accessory structures are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)e	Building walls which are exposed to the street shall be in scale with the pedestrian.
			Conclusions	<i>A walkway is proposed from the driveway along 7th Street to the building's main entrance on the west elevation.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)f	Building walls shall provide undulation/relief thus reducing the appearance of bulk and flatness.
			Conclusions	<i>Building walls appear to be mainly flat. However, windows and decks are oriented to help break up the wall's surface.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)g	Exterior lighting shall not have an adverse impact upon other properties and/or public streets.
			Conclusions	<i>The applicant proposed an "urban barn" high bronze outdoor wall light. The detail in the plans are dark sky compliant.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3) h	Garbage storage areas and satellite receivers shall be screened from public view.
			Conclusions	<i>The garage will be stored in the residence and then taken out for collection at the appropriate time.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)i	Utility, power and communication lines within the development site are concealed from public view where feasible.
			Conclusions	<i>All onsite utilities are required to be located underground.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)j	Door swings shall not obstruct or conflict with pedestrian traffic.
			Conclusions	<i>No conflict was identified.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)k	Building design should include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or to adjacent properties.
			Conclusions	<i>The roof plans show snow clips and a gutter system will be installed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (3)l	Exterior siding materials shall be of natural wood or masonry origin or similar quality. Metal siding is discouraged in all zoning districts.
			Conclusions	<i>Cedar wood siding is proposed for exterior walls. No metal siding is proposed.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (4)d	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.
			Conclusions	<i>The street department approved of the location of the driveway and did not indicated any concerns regarding traffic flows.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (4)e	Parking areas have functional aisle dimensions, backup space and turning radius.
			Conclusions	<i>The proposed parking spaces meet the minimum dimensional requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (4)f	Location of parking areas is designed for minimum adverse impact upon living areas within the proposed development and minimizes adverse impact upon adjacent properties with regard to noise, lights and visual impact.
			Conclusions	<i>The proposed spaces are located so that head lights of vehicles will be directed inward.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (4)g	Curb cuts are located away from major intersections and off high volume roadways where possible.
			Conclusions	<i>The proposed driveway is located 62 feet from the 3rd Avenue and 7th Street intersection.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (4)h	Adequate unobstructed access for emergency vehicles, snow plows, garbage trucks and similar service vehicles to all necessary locations within the proposed project is provided.
			Conclusions	<i>The Fire Department did not expressed concerns regarding emergency access.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (4)i	The project is designed so as to provide adequate snow storage areas or removal for snow cleared from the parking areas and roadways within the project. (50 percent)
			Conclusions	<i>The site contains large open areas to accommodate snow storage.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (5)b	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 compliment the neighborhood and townscape. Consideration should be given to the use of native, drought-resistant plant materials.
			Conclusions	<i>The plans indicate that existing vegetation is maintained to a large extent.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (5)d	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.
			Conclusions	<i>The plans indicate that existing vegetation is maintained to a large extent.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)a Master Signage	Exposed support structures for signs, including, but not limited to, posts, poles and sign sides or edges, must be faced or covered with wood, stone or metal which is corrosion resistant, painted or anodized, or such other material as may be approved by the city as a reasonable, natural textured substitute.

			Plans Design Guidelines	
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)b	All freestanding signs shall have landscaping around the base of the support structure in order to provide a transition from the ground to the sign.
			Conclusions	<i>Not applicable, there is no signage. Proposed</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)c	All materials should prevent reflective glare.
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)d	Simple and easy to read typefaces should be used on signs. Hard to read and overly intricate typefaces should be avoided.
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)e	Signs that have symbols, characters, or graphics are encouraged. The symbol, character, or graphic should relate to the products sold in the business or to the name of the business.
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)f	Signs that show depth and cast shadows are encouraged. Depth and shadows can be created by mounting individually cut letters and symbols on the sign base or carving letters and symbols into the base of the sign.
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)g	Projecting signs are preferred over portable or sandwich board signs. Projecting signs generally are more effective for increasing visibility to both pedestrians and motorists.
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)h	Sign materials and colors should complement the building facade. Basic and simple color applications are encouraged and vibrant colors should be avoided.
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)i	The color of letters and symbols should contrast the base or background color of the sign to maximize readability.
			Conclusions	<i>Not applicable, there is no signage proposed..</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)j	Signs shall not cover or obscure windows, doors, storefronts, building entrances, eaves, cornices, columns, horizontal expression lines, or other architectural elements or details.
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.090(B) (9)k	Signage on buildings with multiple tenants shall be limited to prevent sign clutter. Individual signs for tenants with ground floor storefront entrances are permitted. A directory sign with the names and suite numbers of all tenants without a ground floor storefront entrance may be provided at the lobby entrance for those tenants.
			Conclusions	<i>Not applicable, there is no signage proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B) (9)l	An address marker shall be provided at the main entrance to all buildings.

			Conclusions	<i>The standard will be verified at final inspection.</i>
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CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning code, Title 17.
3. The Commission has authority to hear the applicant's Design Review Application pursuant to Chapter 17.96 of Ketchum Code Title 17.
4. The City of Ketchum Planning Department provided adequate notice for the review of this application.
5. The project **does** meet the standards of approval under Chapter 17.96 of Zoning Code Title 17.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this design review application this Monday, March 14th, subject to the following conditions:

1. Design Review approval shall expire one (1) year from the date of approval;
2. Design Review elements shall be completed prior to final inspection/occupancy;
3. 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 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;
4. Approval and recordation of a final plat is required before residential units may be sold;
5. Prior to issuance of a certificate of occupancy all public improvements shall be installed and finalized as approved by the Public Works Department;
6. All site and landscaping areas shall be maintained in conformance with the approved landscaping plan;
7. All snow shall be stored onsite and shall not be placed on neighboring properties or the public right-of-way; and
8. 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 28th day of March, 2016.

Steve Cook
Planning and Zoning Commission Chairperson



City of Ketchum
Planning & Building

IN RE:)
)
 Kneebone Building Design Review) **KETCHUM PLANNING AND ZONING COMMISSION**
) **FINDINGS OF FACT, CONCLUSIONS OF LAW AND**
) **DECISION**
 File Number: #16-012)
)

BACKGROUND FACTS

PROJECT: Kneebone Building Design Review

OWNER(S): Kneebone LLC

REPRESENTATIVE: Jeff Williams, Williams Partners Architects

REQUEST: Pre-application Design Review of a three story mixed use building containing office, commercial and residential uses.

LOCATION: 500 N. Washington Avenue (Lot 8, Block 15, Ketchum)

NOTICE: The following notice was posted in three public places and mailed to adjacent property owners on January 19, 2016:

**NOTICE
KETCHUM PLANNING AND ZONING COMMISSION SITE VISIT AND MEETING**

Meeting Date:	Monday, February 8, 2016
Site Visit Time:	5:00 PM
Site Visit Location:	500 N. Washington Ave, Ketchum, ID (Ketchum, Lot 8, Block 15)
Meeting Time:	5:30 PM, or thereafter as the matter can be heard.
Meeting Location:	City Hall Council Chambers, 480 East Avenue North, Ketchum, Idaho
Project Name:	Kneebone Mixed Use Building
Project Location:	500 N. Washington Ave, Ketchum, ID (Ketchum, Lot 8, Block 15)
Property Owner:	Seaboard Investments Inc.
Applicant:	Kneebone, LLC
Representative:	Stephen T. Kearns
Application Type:	Pre-Application Design Review

Project Description: The applicant is proposing to construct a three-story mixed-use building containing office, commercial, and residential space. The property is zoned Community Core (CC) Sub-district C, Urban Residential.

ZONING: Community Core (CC) & Sub-District C, Urban Residential

Findings of Fact

The applicant proposed to replace an existing single story building, which is currently being used for sun tanning services, to accommodate the construction of a new three story building. The plans indicate that the building will be mixed with commercial, office and residential uses. A roof top deck and elevator access structure are proposed for the third story roof. A total of five onsite parking spaces, accessed from the adjacent alleyway to the east are provided.

Design Review Requirements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Standard	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(1) SITE DESIGN	The site's significant natural features such as hillsides, mature trees and landscaping shall be preserved. Cuts and fills shall be minimized and shall be concealed with landscaping, revegetation and/or natural stone material.
			Staff Comments	The site contains six mature trees adjacent to Fifth Street. Plans indicated that all trees will be removed and replaced with two street trees on Fifth Street and one street tree on Washington Avenue. No cuts or fills were identified in the plans.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(2)a COMPATIBILITY	The structure shall be compatible with the townscape and surrounding neighborhoods with respect to height, bulk, setbacks and relationship to the street.
			Staff Comments	The surrounding neighborhood is home to existing one and two story buildings that have not be redeveloped to the full height allowance of the Community Core District. The Sun Valley Center for the Arts office and gallery is located across Washington Avenue to the west. A new restaurant is currently under construction on the neighboring parcel to the north. Both of these buildings contain only one story. The Il Naso restaurant is located across Fifth Street to the south in an older two story building. The Idaho Independent Bank is located on the corner of Main Street and Fifth Street and contains a height of three stories.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(2)b	The project's materials, colors and signing shall be compatible with the townscape, surrounding neighborhoods and adjoining structures.
			Staff Comments	The material make-up of the surrounding buildings varies significantly. The Sun Valley Center for the Arts across the street to the west contains wood siding and a metal roof. Wood is used to a great extent by many of the neighboring buildings. The Idaho Independent Bank incorporates rock and stone material on the first and second floors and horizontal wood siding on the third level. Metal is incorporated throughout the windows and railing of the decks.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(2)c	Consideration shall be given to significant view corridors from surrounding properties.

			<i>Staff Comments</i>	<i>There are no established significant view corridors adjacent to this property.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(2)d	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>Staff Comments</i>	<i>The lot contains no significant landmarks.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)a ARCHITECTURAL QUALITY	Consideration shall be given to natural light reaching public streets, sidewalks and open spaces.
			<i>Staff Comments</i>	<i>The building official commented that the current building design could limit sun access to the adjacent north parcel. However, during the pre-application review, the Commission commented that the applicant was allowed to construct the proposed building to 42 feet as allowed by the zoning district. A sun chart was not requested by the Commission.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)b	The building character shall be clearly defined by use of sloped roofs, parapets, cornices or other architectural features.
			<i>Staff Comments</i>	<i>The building proposed a variety of architectural elements that help to define separation between stories. Window placement, parapets and exterior decks provide greater architectural interest from the Washington Avenue and Fifth Street elevations.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)c	There shall be continuity of materials, colors and signing within the project.
			<i>Staff Comments</i>	<i>The proposed materials will be complementary to each other.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)d	There shall be continuity among accessory structures, fences, walls and landscape features within the project.
			<i>Staff Comments</i>	<i>No accessory structures, except for a trash enclosure, are proposed. The trash enclosure incorporates metal siding similar to the main building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)e	Building walls which are exposed to the street shall be in scale with the pedestrian.
			<i>Staff Comments</i>	<i>The ground floor level has been designed to place the proposed commercial space adjacent to the sidewalk. Storefront windows are utilized on the corner of Washington Avenue and Fifth Street to provide greater visibility from the public way into the commercial space. A pedestrian route of travel is clearly established between the sidewalk and building's front entrance.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)f	Building walls shall provide undulation/relief thus reducing the appearance of bulk and flatness.
			<i>Staff Comments</i>	<i>The street and alley facing elevations are designed to contain a variety of undulation between the exterior wall faces and window placement. Exterior decks are proposed on the third story and rooftop which help to set the third story back from the street. The applicant has responded to comments from the Commission received during the pre-application meeting regarding the north zero lot line wall and the east elevation adjacent to the alleyway. The Commission requested that these walls be altered to add more variety. The applicant proposed three material types on the northern wall including fiber cement siding, metal vertical siding and corrugated metal siding. The central window on the second level has been enlarged and extended slightly from the wall surface of the east elevation wall.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)g	Exterior lighting shall not have an adverse impact upon other properties and/or public streets.

			<i>Staff Comments</i>	<i>The applicant noted that all exterior lighting will be dark sky compliant. A lighting detail has been provided for the proposed wall sconce (El Capitan Series) and recessed can lights (LED). Eight recessed lights are proposed within the garage area adjacent to the alleyway, two within the entrance overhang on Washington Avenue, one on the First Avenue side above the entrance, four under the deck canopy on Washington Avenue and three on the third floor level on First Avenue Side. Two sconce lights are located in the entrance along First Avenue, two on the second floor level deck along First Avenue and two on the Washington Avenue side, and three are located on the roof top deck along the Washington Avenue side. Two Inovus street lights, in conformance with the right-of-way standards, are proposed. One street light is located on First Avenue and the other is located on Washington Avenue.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)h	Garbage storage areas and satellite receivers shall be screened from public view.
			<i>Staff Comments</i>	<i>The trash enclosure is located adjacent to the alleyway and is screened with a four foot wall and gate screen.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)i	Utility, power and communication lines within the development site are concealed from public view where feasible.
			<i>Staff Comments</i>	<i>Any utility lines placed onsite to serve the proposed development will be required to be placed underground.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)j	Door swings shall not obstruct or conflict with pedestrian traffic.
			<i>Staff Comments</i>	<i>No conflicts have been identified.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(3)k	Building design should include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or to adjacent properties.
			<i>Staff Comments</i>	<i>The plans indicated that drainage will occur internally. Awnings are designed to route water into a gutter system that terminates into the proposed exterior planter areas.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)a CIRCULATION DESIGN	Pedestrian, equestrian and bicycle access which is adequate to satisfy demands relative to development size shall be provided. These accesses shall be located to connect with existing and anticipated easements and pathways.
			<i>Staff Comments</i>	<i>The applicant proposed to extend the existing five-foot sidewalk inward towards their building by three to five feet. The plans show two bicycle racks adjacent to Fifth Street. The proposed ADA parking space is covered by the second story above and has direct access into the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)b	The building(s) is primarily accessed from the public sidewalk for the majority of the individual uses proposed. It is the intent to promote exterior circulation with numerous connections to the public sidewalk and exposure to the street. This includes utilizing arcades, courtyards and through block connections. (Commercial buildings only)
			<i>Staff Comments</i>	<i>The building will have an entrance from both the Fifth Street and Washington Avenue sides.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)c	The required five foot (5') street side setback is primarily used as an extension and part of the public sidewalk in areas with high pedestrian volume (setback as per zoning). This setback is encouraged to be covered by awnings, arcades or other canopies for weather protection and may extend out over the public sidewalk (CC zone only);

			<i>Staff Comments</i>	<i>The site plan shows a proposed 5' foot sidewalk extension into the site adjacent to the building's frontage. The area between the building's face and the sidewalk contain planters sitting areas.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)d	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>Staff Comments</i>	<i>No issues have been identified regarding access to the site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)e	Parking areas have functional aisle dimensions, backup space and turning radius.
			<i>Staff Comments</i>	<i>Onsite parking areas meet dimensional space requirements. A van ADA space is proposed onsite under the canopy of the second story level. No issues have been identified regarding potential conflicts.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)f	Location of parking areas is designed for minimum adverse impact upon living areas within the proposed development and minimizes adverse impact upon adjacent properties with regard to noise, lights and visual impact.
			<i>Staff Comments</i>	<i>The location of the proposed parking area off of the alley appears to be adequately located to reduce impacts on adjacent properties.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)g	Curb cuts are located away from major intersections and off high volume roadways where possible.
			<i>Staff Comments</i>	<i>No new curb cuts are being proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)h	Adequate unobstructed access for emergency vehicles, snow plows, garbage trucks and similar service vehicles to all necessary locations within the proposed project is provided.
			<i>Staff Comments</i>	<i>The Veltex convenience store has placed a dumpster within the alleyway. The city has issued a violation letter requesting that the dumpster be relocated onto private property. The applicant indicated that he will reach out to the Veltex property owner in order to find a mutually beneficial solution.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(4)i	The project is designed so as to provide adequate snow storage areas or removal for snow cleared from the parking areas and roadways within the project. (50 percent)
			<i>Staff Comments</i>	<i>A letter was submitted by a snow removal contractor indicating that all snow will be collected and then removed from the site following each snow event.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(5)a LANDSCAPE QUALITY	Substantial landscaping is to be provided, which is in scale with the development and which provides relief from and screening of hard surfaces. Total building surface area and street frontage will be considered when determining whether substantial landscape is being provided. (Landscaping shall be defined as trees, shrubs, planters, hanging plants, ground cover and other living vegetation).
			<i>Staff Comments</i>	<i>The renderings indicate four planter areas will be placed between the sidewalk and the building's façade adjacent to the street which will include a mix of perennials and shrubs. Three Norway Maple street trees are proposed; two on First Avenue and one on Washington Avenue. The city arborist has reviewed the plans and approved street tree placement and specifications.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(5)b	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 compliment the neighborhood and townscape. Consideration should be given to the use of native, drought-resistant plant materials.
			<i>Staff Comments</i>	<i>The application indicated that landscaping material and vegetation will be adaptable to the microclimate and soil conditions. The arborist worked with the applicant in choosing appropriate street trees.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(6) ENERGY DESIGN	Consideration shall be given to proper solar orientation within the project. Recognition shall be given to the solar benefits of adjoining properties. (A sun chart as a means of understanding the solar possibilities and limitations shall be encouraged)
			<i>Staff Comments</i>	<i>The building official noted that this project may limit solar access to the adjacent property to the north. However, the Commission commented that they did not believe the project would have an adverse impact on the neighboring properties regarding solar access and indicated that no sun chart would be needed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(7) PUBLIC AMENITIES	Pedestrian amenities are encouraged for all projects and shall be required for commercial uses. Amenities may include, but are not limited to benches and other seating, kiosks, telephone booths, bus shelters, trash receptacles, restrooms, fountains, art, etc. The use of "Ketchum Streetscape Standards" shall be encouraged.
			<i>Staff Comments</i>	<i>The applicant proposed three street trees, two street light, bicycle racks and three bench areas.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(8) GREEN BUILDING	Consideration shall be given to green building features within the project. Recognition shall be given to projects that achieve the United States Green Building Council's LEED Certification or earn the Environmental Protection Agency's Energy Star Label. Projects are encouraged to consider energy conservation, indoor air quality, water use, location, waste reduction, recycling, and use of sustainable construction materials.
			<i>Staff Comments</i>	<i>The applicant indicated that they will update the Commission during the March 7th meeting regarding green building features within the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(9)a Master Signage Plans Design Guidelines	Exposed support structures for signs, including, but not limited to, posts, poles and sign sides or edges, must be faced or covered with wood, stone or metal which is corrosion resistant, painted or anodized, or such other material as may be approved by the city as a reasonable, natural textured substitute.
			<i>Staff Comments</i>	<i>The applicant proposed one 13.5 seven square foot wall sign adjacent to Fifth Street. They indicated that all sign code requirements will be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(9)j	Signs shall not cover or obscure windows, doors, storefronts, building entrances, eaves, cornices, columns, horizontal expression lines, or other architectural elements or details.
			<i>Staff Comments</i>	<i>The proposed sign does not conflict with any of the above stated elements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(9)k	Signage on buildings with multiple tenants shall be limited to prevent sign clutter. Individual signs for tenants with ground floor storefront entrances are permitted. A directory sign with the names and suite numbers of all tenants without a ground floor storefront entrance may be provided at the lobby entrance for those tenants.
			<i>Staff Comments</i>	<i>The applicant proposed one wall sign.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.090(B)(9)l	An address marker shall be provided at the main entrance to all buildings.
			<i>Staff Comments</i>	<i>This will be reviewed at the time of building permit.</i>

Community Core Design Review Requirements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Standard	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(a)1 ALL BUILDING FACADES	Facades shall be designed with both solid surfaces and window openings to avoid the creation of blank walls and glass curtain walls. Blank walls on all facades that front a park, street, avenue, alley, plaza, or other public spaces are prohibited.

			<i>Staff Comments</i>	<i>The use of decks, fenestration and varied architectural elements break up the building elevations.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(a)2	On all facades, a clear visual distinction between each floor shall be provided.
			<i>Staff Comments</i>	<i>The elevations indicate that the floors are clearly distinguishable. This is accomplished through the use of horizontal planes, decks and window placement. The ground floor contains storefront windows and a metal awning which distinguishes the first story from the second story level.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(a)3	Stairways shall have a design that is compatible with overall structure. Stairs shall not have a tacked on appearance or look like their design was an addition or afterthought.
			<i>Staff Comments</i>	<i>One exterior stair case is proposed on the north side of the building connecting the third level deck area with the roof top deck. A cable railing is proposed which is consistent with the railing used on the roof top deck.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(a)4	All sides of the facade shall be designed with similar architectural elements, materials, and colors as the front facade. However, the design of side and rear facades may be simpler, more casual, and more utilitarian in nature.
			<i>Staff Comments</i>	<i>All elevations of the building are designed with similar architectural elements and siding.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(a)5	If a portion of an existing building is modified, it shall use the same building materials, details, and color applications as the rest of the building. For example, if a portion of a brick facade with wood framed windows and doors is modified, the modified portion of the facade shall use bricks, details, and wood frame windows and doors that are compatible with the other parts of the building.
			<i>Staff Comments</i>	<i>This is a new building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(a)6	Consideration shall be given to natural light reaching public streets, sidewalks and open spaces.
			<i>Staff Comments</i>	<i>No issues have been identified regarding natural light reaching the sidewalk or street. The building official has expressed concern regarding light impacts to the adjacent north parcel.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(b) (1)a	Additions to existing buildings shall be designed with a style, materials, colors, and details that are compatible with the existing structure.
			<i>Staff Comments</i>	<i>This is a new building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(b) (1)b MIXED USE/HOTEL BUILDING FACADES	Front building facades, as well as all facades that front a plaza or pedestrian walkway, shall be designed with: (a) Ground floor storefront windows and doors that utilize clear transparent glass in order to provide clear views of storefront displays from the street and/or to allow natural surveillance of the street and adjacent outdoor spaces. Mirror and tinted glass, including solar bronze and interior film, is prohibited.
			<i>Staff Comments</i>	<i>Storefront windows are proposed to provide visual line of sight into the commercial portion of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(c)1 ROOFS	Roofing forms and materials shall be compatible with the overall style and character of the structure. Reflective materials are prohibited.
			<i>Staff Comments</i>	<i>The proposed roof is flat and appears compatible with the overall building design.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(c)2	A relatively consistent roof design (including overhangs, pitch, fascia, materials and eaves) shall be provided on all sides of the building.
			<i>Staff Comments</i>	<i>The building design appears consistent on all sides of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(c)4	Mechanical equipment on roofs shall be screened from public view from all sidewalks, plazas, parks, public spaces, and pedestrian walkways.

			<i>Staff Comments</i>	<i>The roof plans provide full screening for all roof mounted equipment.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(d)1AW NINGS AND MARQUEES	The valance, or front face, of an awning shall not exceed eighteen inches (18") in height.
			<i>Staff Comments</i>	<i>A metal awning is proposed for both windows areas at the corner of the building adjacent to the street intersection of Washington Avenue and Fifth Street. The front face of the awning appears to be under six inches.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(d)2	Awnings and marquees shall not obscure views into storefront display windows or cover architectural expression lines or details.
			<i>Staff Comments</i>	<i>Awnings do not obscure proposed windows.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(d)3	Awnings may have signs (refer to sign ordinance).
			<i>Staff Comments</i>	<i>No awning signs are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(e)2	The distance between roof supporting columns, piers, or posts on balconies shall not exceed their height.
			<i>Staff Comments</i>	<i>Supporting columns are not a visible architectural element.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(f)1 COLONNADES	Colonnades may be covered with a roof or a balcony. An enclosed habitable space may occur above the colonnade, as long as it does not occur over the public sidewalk.
			<i>Staff Comments</i>	<i>No colonnades are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(f)2	Supporting columns and posts shall be spaced and sized so that they do not block views of storefront windows from the street.
			<i>Staff Comments</i>	<i>There have been no obstructions identified regarding views from windows.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(g)1	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>Staff Comments</i>	<i>No front porches are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(g)3	The raised platform of a front porch (not including stairways) shall be at least fifty (50) square feet in size with no one dimension less than six feet (6') in length.
			<i>Staff Comments</i>	<i>No front porches or stoops are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(h)2	Public open spaces shall be usable throughout the year. These spaces shall either be heated for snow removal or maintained to remove snow during the winter months.
			<i>Staff Comments</i>	<i>No public open space is required for this project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(i)1 SERVICE AREAS	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 from streets, avenues, alleys, pedestrian walkways, sidewalks, plazas, and public spaces. Trash disposal areas with appropriately designed enclosures or screens may be allowed within rear parking lots, but in no case shall the disposal area be allowed along the street frontage.
			<i>Staff Comments</i>	<i>Plans propose locating the trash area to the rear of the building. The trash area will be accessible from the alleyway and will be enclosed behind a four foot wall and a gate screen.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(i)3	Garbage containers or dumpsters shall be kept in enclosures at all times, except when being emptied.
			<i>Staff Comments</i>	<i>The applicant indicates this requirement will be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(i)4	Trash enclosures shall be maintained and the surrounding area kept free of debris.
			<i>Staff Comments</i>	<i>That applicant indicates this standard will be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(i)5	The location of trash enclosures shall not interfere with vehicular and pedestrian access and movement.

			<i>Staff Comments</i>	<i>The location of the trash area does not conflict with vehicle and pedestrian access points.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(i)6	The number of trash receptacles per unit shall be provided based on formulas provided by trash disposal companies.
			<i>Staff Comments</i>	<i>Clear Creek provided a letter approving the location and size of the proposed trash area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(j)(1)a-h MECHANICAL AND ELECTRICAL EQUIPMENT	The following shall not be located within the public right of way and shall be screened from public views from streets, pedestrian walkways, sidewalks, plazas, and public spaces: Electric and water utility meters; power transformers and sectors; heating/ventilation/cooling equipment/ irrigation and pool pumps; satellite dishes greater than eighteen inches (18") in diameter; antennas; rooftop mechanical equipment; & other mechanical equipment.
			<i>Staff Comments</i>	<i>No mechanical equipment or utility meters will be located in the public right-of-way. Mechanical equipment is proposed on the roof and meters will be located behind the building adjacent to the alleyway.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(j)(2)	Appropriate methods of screening include fencing, landscaping, roof parapets, and equipment enclosures. The design of screening devices shall be compatible with the main structure and conform to other sections of this code. Noise levels of mechanical equipment shall be minimized. All utility and communication lines serving the site shall be underground.
			<i>Staff Comments</i>	<i>The applicant proposed screening for the roof mechanical equipment and for the trash area adjacent to the alleyway. Screening appears to be compatible to the design of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(k)2	Landscaping treatments shall include a combination of trees, grasses, shrubs, flowering plants, and flowers.
			<i>Staff Comments</i>	<i>The landscaping plans indicate that a combination of shrubs and flowers are proposed for the four planters areas located on the street sides of the building. Three Norway Maple trees are proposed within tree planters.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(k)3	All landscaped areas shall be irrigated with automatic drip irrigation systems that do not produce overspray on surfaces outside the planting area.
			<i>Staff Comments</i>	<i>The applicant indicated that all right-of-way standards applicable to street trees will be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(k)9	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>Staff Comments</i>	<i>Existing site trees are being replaced with three street trees.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(k)11	Trees that are placed within a courtyard, plaza, or pedestrian walkway shall be placed within tree wells that are covered by tree grates.
			<i>Staff Comments</i>	<i>The plans indicated that street trees will be placed with tree wells covered by tree grates.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(k)(13)b	Landscaped planters shall be located between public sidewalks and parking lots. Landscaped planters shall be at least five feet (5') wide and shall be planted with a combination of shrubs, trees, and flowering plants. Planter walls shall be limited to a height of twenty four inches (24").
			<i>Staff Comments</i>	<i>The applicant showed four landscape planter areas between the sidewalk and the building's façade. The height of the planters are approximately 30 inches and contain a width of four feet. Due to the site limitation and private sidewalks abutting the public sidewalk, the applicant appeared to have sufficiently met this requirement.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(k)(13)d	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>Staff Comments</i>	<i>Tree grates are proposed for the three street trees. A mix of vegetation is proposed for the planters.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(l)1 FENCES, WALLS AND GATES	The design of fences and walls shall be compatible with the architecture of the building.
			<i>Staff Comments</i>	<i>A screening fence is proposed as an extension above the planter box adjacent to the parking area. Its purpose is to shield the parking area from Fifth Street. The fence will be constructed of horizontal wood slats which are incorporated in other areas of the building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(l)2	Entrance arbors are allowed on fences/walls.
			<i>Staff Comments</i>	<i>No entrance arbors are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(m)2	Site, building, and sign lighting shall be located and directed to light the intended area of illumination and to prevent off site glare impacts on adjacent buildings or properties.
			<i>Staff Comments</i>	<i>The applicant has noted that all exterior lighting will be dark sky compliant. A lighting detail has been provided for the proposed wall sconce (El Capitan Series) and recessed can lights (LED). Eight recessed lights are proposed within the garage area adjacent to the alleyway, two within the entrance overhang on Washington Avenue, one on the First Avenue side above the entrance, four under the deck canopy on Washington Avenue and three on the third floor level on First Avenue Side. Two sconce lights are located in the entrance along First Avenue, two on the second floor level deck along First Avenue and two on the Washington Avenue side, and three are located on the roof top deck along the Washington Avenue side. Two Inovus street lights, in conformance with the right-of-way standards, are proposed. One street light is located on First Avenue and the other is located on Washington Avenue.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(n)3	All plazas and courtyards shall be designed with pedestrian amenities, such as seating, outdoor dining tables with umbrellas, winter ice rinks, planters, trees, vine covered pergolas, pedestrian scaled lighting, public artwork, outdoor fireplaces, and fountains.
			<i>Staff Comments</i>	<i>No plazas or courtyards are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(n)4	Plazas shall be illuminated from dusk to dawn. A combination of overhead lighting and lighted bollards shall be used.
			<i>Staff Comments</i>	<i>No plazas are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(n)5	Plazas, pedestrian walkways, and courtyards that are paved shall be kept clear of snow and ice to ensure that the space is usable throughout the year.
			<i>Staff Comments</i>	<i>A letter from a snow contractor was submitted which indicates that snow will be collected and removed from the site following each snow event.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(o)1	Park improvements shall be designed to preserve mature trees, natural topographic features, rock outcroppings, and riparian and floodplain features.
			<i>Staff Comments</i>	<i>No park areas are proposed with this application.</i>
			17.18.130(F)(o)2	All parks shall be designed with pedestrian amenities, such as shaded trails and paths, seating areas, picnic tables, barbecue areas, planters, trees, vine covered

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		pergolas, gazebos, drinking fountains, pedestrian scaled lighting, public artwork, and fountains.
			<i>Staff Comments</i>	<i>No park areas are proposed with this application.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(o)3	Parks shall be visible from streets, sidewalks, and adjacent uses to facilitate informal surveillance of the park and to increase safety and security. Edge treatments such as landscaping and fencing shall not block public views into the park. Parks shall not be isolated or walled off from the surrounding community.
			<i>Staff Comments</i>	<i>No park areas are proposed with this application.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(o)4	Lighting shall be provided for pedestrian paths, parking lots, restrooms, picnic areas, gazebos, and other structures within parks. Lighting shall be located and directed to control off site glare.
			<i>Staff Comments</i>	<i>No park areas are proposed with this application.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(o)5	Parks shall be designed with a combination of shaded areas to create cool areas during warm summer months and open space for solar access during the colder months. Canopy trees, trellises, gazebos, and/or other structures shall be provided to shade pedestrian paths, picnic areas, outdoor seating areas, and playgrounds.
			<i>Staff Comments</i>	<i>No park areas are proposed with this application.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(p)(1)a-c BICYCLE PARKING	All developments within community core are required to have bicycle parking. The minimum number of bicycle racks shall be determined by whichever of the following is greater: (a) Two (2) bicycle racks per use or business; (b) A number of bicycle racks that equals twenty percent (20%) of the required auto parking; or (c) Two (2) bicycle racks per lot.
			<i>Staff Comments</i>	<i>The applicant proposed two bicycle racks adjacent to Fifth Street. Additionally, three storage lockers are provided under the second level canopy.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.18.130(F)(p)2	Schools are required to provide a minimum of one bicycle rack per ten (10) students or ten percent (10%) of required auto parking, whichever is greater. Recreation uses are required to provide a minimum of five (5) bicycle racks or ten percent (10%) of required auto parking, whichever is greater.
			<i>Staff Comments</i>	<i>This is neither a school nor recreational use.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(p)(3)a	A single bicycle rack shall meet the following criteria: (a) Support the bicycle upright by its frame in two (2) places; (b) Prevent the wheel of the bicycle from tipping over; and (c) A U-lock should be able to lock the front wheel and the down tube of an upright bicycle or lock the rear wheel and seat tube of the bicycle.
			<i>Staff Comments</i>	<i>The proposed bicycle racks appear to meet the above standards.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(p)4	Two (2) or more single racks may be mounted in a row on a common base or attached in a row to a frame.
			<i>Staff Comments</i>	<i>The two racks are mounted side by side.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(p)5	Inverted "U" racks mounted in a row should be placed thirty inches (30") apart (on center) allowing enough room for two (2) bicycles to be secured to each rack and providing easy access to each bicycle.
			<i>Staff Comments</i>	<i>The bicycle racks are separated greater than 30" apart.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(p)7	Bicycle racks may be placed on private property and public sidewalks. In both cases, the racks shall not be placed so that they block the entrance or inhibit pedestrian flow in or out of the building. If placed on a sidewalk or pedestrian walkway, they should be placed so that at least five feet (5') of sidewalk width is maintained. Bike racks placed in the public right-of-way are subject to review and approval by the Public Works Department.
			<i>Staff Comments</i>	<i>Both bicycle racks are proposed on private property.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(p)9	Racks shall be mounted within fifty feet (50') of the entrance it serves, or as close as the nearest car parking space, whichever is closer.
			<i>Staff Comments</i>	<i>Bicycle racks are shown to be less than 50 feet from the building's entrance on Fifth Street.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(p)10	Racks shall be clearly visible from the entrance it serves.
			<i>Staff Comments</i>	<i>Bicycle racks appear to not have a line a sight from the front entrance of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(q)1 STREETS AND STREETSCAPES	Streetscape improvements shall be designed in compliance with the city approved cross sections for downtown streets.
			<i>Staff Comments</i>	<i>The applicant is working with the public works department regarding right-of-way improvements. Full improvements for sidewalk, curb and gutter will be required.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(q)6	Streetscape furniture and amenities shall be located to maintain a clear pedestrian path of at least five feet (5') in width.
			<i>Staff Comments</i>	<i>The sidewalk width will be expanded to eight to ten feet and at least five feet of pedestrian path will be preserved near the street light and trees.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(q)8	All streetlights, streetscape furniture, and amenities shall be consistent with a city approved list of approved furniture.
			<i>Staff Comments</i>	<i>The applicant worked with the public works department to ensure all public improvements meet the right-of-way standards.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(q)17	All new trees shall have a caliper size of three inches (3") measured twelve inches (12") from the ground. If the species is not available in this size, a caliper of two and one-half inches (2 1/2"), measured twelve inches (12") from the ground, will be acceptable. Evergreen trees shall be at least eight feet (8') tall when planted. All trees shall have a minimum height of fourteen feet (14') when fully grown.
			<i>Staff Comments</i>	<i>At the time of planting, these requirements will be verified.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.18.130(F)(q)20	All street trees planted in the community core district shall be species that are recommended and approved by the city arborist.
			<i>Staff Comments</i>	<i>The arborist has approved the planting of the proposed Norway Maple trees.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning code, Title 17.
3. The Commission has authority to hear the applicant's Design Review Application pursuant to Chapter 17.96 of Ketchum Code Title 17.
4. The City of Ketchum Planning Department provided adequate notice for the review of this application.
5. The project **does** meet the standards of approval under Chapter 17.96 of Zoning Code Title 17.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this design review application this Monday, March 14th, subject to the following conditions:

1. Design Review approval shall expire one (1) year from the date of approval;
2. Design Review elements shall be completed prior to final inspection/occupancy;
3. 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 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;
4. The following methodology, which has been used for previous projects, shall be used in determining the community housing requirements for this project:

A minimum of 20% of the total increase in gross floor area above the permitted Floor Area Ratio (FAR), the amount over 1.0 FAR, shall be deed restricted in perpetuity as community housing unit(s). Of this gross square footage, a 15% reduction will be allowed as a standard discount from gross square footage to net livable square footage. The community housing requirements may be paid via a fee in-lieu of constructing the actual units. At the time this application was submitted, the adopted community housing fee was set at \$196 per square foot of required community housing. When calculating the gross floor area, areas specifically called out in the "Floor Area, Gross" definition may be excluded. Furthermore, all enclosed areas, unless otherwise specified, shall be included in the gross floor area calculation. Enclosed areas include those areas that are covered overhead by a roof and surrounded on at least three sides by walls.

5. As a voluntary contribution, in exchange for an increase in FAR, a total community housing contribution of 389.89 square feet is required. In-lieu of constructing the community housing square footage on site, a fee of \$76,436.08 shall be paid to the City. This payment shall be paid prior to issuance of the building permit. At the time of building permit review, plans will be reviewed to verify FAR calculations and the community housing square footage will be adjusted to reflect any amendments to the gross square footage of the project. Likewise, the in-lieu fee will be modified to reflect changes in gross square footage;
6. All required public improvements shall be installed by the applicant and approved by the Public Works Department prior to issuance of the certificate of occupancy;
7. The ADA ramp at the northeast corner of the Washington Avenue and First Street intersection shall be replaced with the ITD standard ramp;

8. Approval of a condominium plat is required before residential or commercial units may be sold separately from the rest of the building;
9. Prior to issuance of a certificate of occupancy, street tree, grate, and guard specifications shall be submitted to the City Arborist for review and approval; and
10. 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 28th day of March, 2016.

Steve Cook
Planning and Zoning Commission Chairperson



City of Ketchum
Planning & Building

IN RE:)
)
 Constant Residence) **KETCHUM PLANNING AND ZONING COMMISSION**
 Waterways Design Review) **FINDINGS OF FACT, CONCLUSIONS OF LAW AND**
) **DECISION**
)
)

File Number: #16-007

OWNERS: Constant Residence Waterways Design Review

REQUEST: Waterways Design Review (WWDR) for a remodel/addition to an existing home

LOCATION: 303 Broadway Boulevard (Amended Lot 21A, Block 5, Sun Valley Subdivision First Addition Revised)

NOTICE: The following notice was mailed to adjacent property owners, including the owners across the creek, on Tuesday, March 1, 2016:

NOTICE OF SITE VISIT AND CONSIDERATION BEFORE THE PLANNING AND ZONING COMMISSION

Site Visit Date:	March 14, 2016
Site Visit Time:	5:15 PM
Site Visit Location:	303 Broadway Boulevard
Meeting Date:	March 14, 2016
Meeting Time:	5:30 PM, or thereafter as the matter can be heard.
Meeting Location:	City Hall Council Chambers, 480 East Avenue North, Ketchum, Idaho
Project Name:	Constant Residence
Project Location:	303 Broadway Boulevard (Sun Valley Sub 1st Add Rev, AM Lot 21A, Block 5)
Applicant:	Mary Constant
Representative:	Olson Kundig Architects
Application Type:	Waterways Design Review
Project Description:	The Commission will consider and take action on an application by Mary Constant, represented by Olson Kundig architects for Waterways Design Review for an addition/remodel to the existing residence on the property.

ZONING: Limited Residential (LR)

OVERLAYS: Floodplain (FP)

COMMISSION CONCLUSIONS

1. The applicant requested Waterways Design Review approval for a remodel/addition to an existing home on the subject property. The property is located on the Big Wood River and contains riparian setback as well as regulatory floodplain. No construction is proposed in the floodplain.
2. The existing home on the subject property was built in 1963 and predates the City's riparian setback requirements, which were enacted in 1989. The southwest portion of the home encroaches into the riparian setback, resulting in an existing nonconforming building with respect to the riparian setback.
3. The applicant submitted a structural analysis determining that the foundation and concrete walls in the existing building do not contain adequate rebar. In addition, the roof structure, the carport and the existing second story deck are structurally inadequate and exhibit a great deal of rot. The building official made a determination that the existing structure is unsafe and may therefore be "strengthened or restored to a safe condition" per the provisions of KMC, Section 17.136.070, Structural Changes, including a new foundation, floors, walls and roof.
4. The applicant is proposing to remove the southernmost portion of the existing building in the riparian setback and to add the same 715 cubic feet of volume on the second floor level. The Commission finds that this improves the degree of encroachment on the ground in the riparian setback and does not increase the degree of nonconformity. In addition, the applicant proposed to demolish the inadequate existing second story deck and to rebuild it higher at the new second story level, again not increasing the degree of nonconformity at ground level.
5. The Grading and Drainage Plan shows that the property contains a well on its western edge. Per the Public Works Director's comments below, the following conditions of approval shall apply:
 - Connection to the municipal water system is required per city code.
 - Private well must be abandoned in a manner compliant with IDAPA 37.03.09.
 - An Application for Authorization to Abandon a Well must be filed with IDWR.
6. Attachments to the March 14, 2016 staff report:
 - A. Applicant Submittals
 - Application form, dated January 29, 2016
 - Riparian Management and Mitigation Plan, Sawtooth Environmental Consulting, LLC, dated March 2016
 - Landscaping Plans, Eggars Associates, PA, dated March 4, 2016
 - Existing Conditions
 - Landscape Plan
 - Grading/Drainage Plan, Galena Engineering, Inc., dated March 4, 2016
 - Architectural Plans
 - Rendering, received March 9, 2016
 - Main Level Plan, dated March 9, 2016
 - Upper Level Plan, dated March 9, 2016
 - Roof Plan, dated March 9, 2016

- North and East Elevations, dated March 9, 2016
 - South and West Elevations, dated March 9, 2016
 - Code Review, dated December 31, 2015
 - Site Photography, dated December 31, 2015
 - Site Survey, dated December 31, 2015
 - Assessment of Existing Residential Structure, Morell Engineering, P.C., dated February 10, 2016
- B. Public Tree Removal Request Report, Jennifer Smith, City Arborist, dated March 9, 2016.
- C. Public Comment – None

Floodplain Design Review Requirements				
EVALUATION STANDARDS: 17.88.050(E)				
Compliant			Standards and Commission Comments	
Yes	No	N/A	Guideline	City Standards and <i>Commission Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)1 FLOODPLAIN DEVELOPMENT /WATERWAYS DESIGN REVIEW	Preservation or restoration of the inherent natural characteristics of the river and creeks and floodplain areas. Development does not alter river channel.
			<i>Commission Comments</i>	<i>No development is proposed within the floodplain or the within the river channel.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)2	Preservation or enhancement of riparian vegetation and wildlife habitat, if any, along the stream bank and within the required minimum twenty-five (25) foot setback or riparian zone. No construction activities, encroachment or other disturbance into the twenty-five foot (25') riparian zone shall be allowed at any time without written City approval per the terms of this ordinance.
			<i>Commission Comments</i>	<i>Native existing riparian vegetation is limited to a narrow margin lower than the rest of the lot and in the floodplain, directly adjacent to the river channel. This area is proposed to be preserved and enhanced with additional twenty (20) willow and dogwood shrubs. The rest of the riparian setback has been altered by past land use applications including land clearing, bank stabilization projects, a dock structure, fence, pump house, concrete retaining wall and construction debris. The applicant proposed to remove most of these items from the riparian setback (totaling about 100 square feet in size), but plans to leave undisturbed the existing concrete retaining wall and rip-rap on the bank that has served to stabilize the bank over the years. The applicant requested that mechanical equipment be allowed in the riparian setback during construction and that a one hundred and sixty (160) square foot decomposed granite area be allowed adjacent to the house within the riparian setback. The existing upland portion of the yard in the riparian setback is proposed to be planted with fescue grasses. In addition, to mitigate for the proposed decomposed granite area adjacent to the house, the applicant is also proposing to reclaim seven hundred and fifteen (715) square feet of land outside the riparian setback with fifty (50) riparian shrubs and two Douglas fir trees. Natural recruitment of native riparian will be encouraged by not mowing in the riparian setback</i>

Compliant			Standards and Commission Comments	
Yes	No	N/A	Guideline	City Standards and <i>Commission Comments</i>
				<i>and the proposed reclamation area. Removal of four (4) dead and/or hazardous trees is also proposed. The City's Floodplain Manager and City Arborist inspected the trees proposed for removal and have found that the requested trees may be removed due to poor health, damage due to proximity to the construction and overcrowding, and the Commission concurred. The proposed riparian shrubs will mitigate for the tree removal. As a condition of approval, the root balls of any removed tree shall be retained in place in order to continue to provide bank stabilization. At the meeting, the Commission determined that the proposed decomposed granite area shall not increase the degree of nonconformity of the project with respect to encroachment into the riparian setback. While the Commission was supportive of additional riparian plantings outside of the riparian setback, they did not feel that they could support trading improvements outside the setback for improvements within the setback. Therefore, the Commission found that the granite shall only be placed directly under the second story deck and up to one hundred (100) square feet alongside the house in the riparian setback. The applicant also rescinded their request for a fireplace in the riparian setback. The Commission placed the following condition of approval on the project: Prior to signing of the Findings of Fact for this project, the applicant shall submit revised drawings that reflect the Commission's decision, to be reviewed by staff. The applicant has submitted said drawings, which have been reviewed and approved by staff, so that condition has been removed from these Findings.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)3	No development other than development by the City of Ketchum or development required for emergency access shall occur within the twenty-five (25) foot riparian zone with the exception of approved stream stabilization work. The Planning and Zoning Commission may approve access to property where no other primary access is available. Private pathways and staircases shall not lead into or through the riparian zone unless deemed necessary by the Planning and Zoning Commission.
			<i>Commission Comments</i>	<i>See above.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)4	Plan and time frame are provided for restoration of riparian vegetation damaged as a result of the work done.
			<i>Commission Comments</i>	<i>A plan and schedule has been provided in the form of Sawtooth Environmental Consulting's report.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)5	New or replacement planting and vegetation includes plantings that are low-growing and have dense root systems for the purpose of stabilizing stream banks and repairing damage previously done to riparian vegetation. Examples of such plantings include: red osier dogwood, common choke cherry, service berry, elder berry, river birch, skunk bush sumac, beb's willow, drummond's willow, little wild rose, gooseberry, and honeysuckle.
			<i>Commission Comments</i>	<i>Proposed riparian plantings consist of a total of twenty (20) willow and dogwood shrubs in the riparian setback and fifty (50) additional riparian shrubs in the proposed reclamation area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)6	Landscaping and driveway plans to accommodate the function of the floodplain to allow for sheet flooding. Flood water carrying capacity is not diminished by the proposal. Surface drainage is controlled and does not adversely impact adjacent

Compliant			Standards and Commission Comments	
Yes	No	N/A	Guideline	City Standards and <i>Commission Comments</i>
				properties including driveways drained away from paved roadways. Culvert(s) under driveways may be required. Landscaping berms are designed to not dam or otherwise obstruct floodwaters or divert same onto roads or other public pathways.
			<i>Commission Comments</i>	<i>The subject property does not contain floodplain. The applicant submitted a grading and drainage plan that calls for removal of a portion of the existing concrete wall closest to the house and minor grade recontouring along the street, all of which is outside the floodplain and the riparian setback. This standard may be met with the following conditions of approval: Prior to issuance of a building permit, the applicant shall provide civil engineered plans, for evaluation by city staff, showing the following:</i> <ul style="list-style-type: none"> • <i>Minimum % of slopes detailed in the ROW.</i> • <i>Driveway should follow ROW slope and shall not drain into the street.</i> • <i>Private property shall not dewater into the ROW, and the project will need to provide drainage in the ROW.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)7	Impacts of the development on aquatic life, recreation, or water quality upstream, downstream or across the stream are not adverse.
			<i>Commission Comments</i>	<i>No development is proposed in the floodplain or adjacent to the river. There will be no adverse impact from the development on aquatic life, recreation or water quality.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)8	Building setback in excess of minimum required along waterways is encouraged.
			<i>Commission Comments</i>	<i>The footprint of the existing encroachment into the riparian setback is being reduced, and all additions to the building outside of the riparian setback.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)9	The top of the lowest floor of a building located in the 1% annual chance floodplain shall be a minimum of twenty-four inches (24") above the base flood elevation of the subject property.
			<i>Commission Comments</i>	<i>No development is proposed in the regulatory floodplain.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)10	The back fill used around the foundation in the floodplain provides a reasonable transition to existing grade, but is not used to fill the parcel to any greater extent. Compensatory storage shall be required for any fill placed within the floodplain. A LOMA-F shall be obtained prior to placement of any additional fill in the floodplain.
			<i>Commission Comments</i>	<i>No development is proposed in the regulatory floodplain.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)11	All new buildings shall be constructed on foundations that are approved by a licensed professional engineer.
			<i>Commission Comments</i>	<i>As a condition of approval, at application for a building permit, stamped, engineered structural plans for the engineered foundation shall be submitted as part of the building permit application.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)12	Driveways comply with effective Street Standards; access for emergency vehicles has been adequately provided for.
			<i>Commission Comments</i>	<i>Street and Fire Departments have commented on this application. As a condition of approval, the building permit application shall address all of the Street and Fire Department comments as listed in the conditions below.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.88.060(E)13	Landscaping or revegetation conceals cuts and fills required for driveways and other elements of the development.

Compliant			Standards and Commission Comments	
Yes	No	N/A	Guideline	City Standards and <i>Commission Comments</i>
			<i>Commission Comments</i>	<i>Minimal cut and fill will be required for the driveway and foundation. Landscaping and revegetation is proposed for all disturbed areas.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)14	(Stream Alteration) The proposal is shown to be a permanent solution and creates a stable situation.
			<i>Commission Comments</i>	<i>No stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)15	(Stream Alteration) No increase to the 100-year floodplain upstream or downstream has been certified by a registered Idaho engineer.
			<i>Commission Comments</i>	<i>No stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)16	(Stream Alteration) The recreational use of the stream including access along any and all public pedestrian/fisherman's easements and the aesthetic beauty is not obstructed or interfered with by the proposed work.
			<i>Commission Comments</i>	<i>No stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)17	Where development is proposed that impacts any wetland, first priority shall be to move development from the wetland area. Mitigation strategies shall be proposed at time of application that replace the impacted wetland area with a comparable amount and/or quality of new wetland area or riparian habitat improvement.
			<i>Commission Comments</i>	<i>The property contains no identified wetlands, and no work is being proposed in the floodplain or along the stream bank.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)18	(Stream Alteration) Fish habitat is maintained or improved as a result of the work proposed.
			<i>Commission Comments</i>	<i>No stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)19	(Stream Alteration) The proposed work is not in conflict with the local public interest, including, but not limited to, property values, fish and wildlife habitat, aquatic life, recreation and access to public lands and waters, aesthetic beauty of the stream and water quality.
			<i>Commission Comments</i>	<i>No stream alteration is proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.88.060(E)20	(Stream Alteration) The work proposed is for the protection of the public health, safety and/or welfare such as public schools, sewage treatment plant, water and sewer distribution lines and bridges providing particularly limited or sole access to areas of habitation.
			<i>Commission Comments</i>	<i>No stream alteration is proposed.</i>

CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation organized under Article XII of the Idaho Constitution and the laws of the State of Idaho, Title 50, Idaho Code.
2. Under Chapter 65, Title 67 of the Idaho Code, the City has passed a land use and zoning code, Title 17.
3. The Commission has authority to hear the applicant's Design Review Application pursuant to Chapter 17.88 of Ketchum Code Title 17.
4. The City of Ketchum Planning Department provided adequate notice for the review of this application.

5. The project **does** meet the standards of approval under Chapter 17.88 of Zoning Code Title 17.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **approves** this design review application this Monday, March 14th, subject to the following conditions:

1. Waterways Design Review approval shall expire one (1) year from the date of signing of approved Findings of Fact per the terms of KMC, Section 17.88.060.G, Terms of Approval;
2. This Waterways Design Review approval is based on the plans, as dated in the list of attachments above, and information presented and approved at the meeting on the date noted herein. Any building or site discrepancies which do not conform to the approved plans will be subject to removal;
3. Pursuant to Chapter 17.88.050.C, no chemicals or soil sterilants are allowed within 100 feet of the mean high water mark. No pesticides, herbicides, or fertilizers are allowed within 25 feet of the mean high water mark unless approved by the City Arborist. All applications of herbicides and/or pesticides within one hundred feet (100') of the mean high water mark, but not within twenty-five feet (25') of the mean high water mark, must be done by a licensed applicator and applied at the minimum application rates. Application times for herbicides and/or pesticides will be limited to two (2) times a year; once in the spring and once in the fall unless otherwise approved by the city arborist. The application of dormant oil sprays and insecticidal soap within the riparian zone may be used throughout the growing season as needed;
4. The above project shall meet 2012 International Fire Code in addition to specific City Building and Fire Ordinances. Approved address numbers shall be placed in such a position to be plainly visible and legible from Broadway BLVD. Fire extinguishers shall be installed and maintained per 2012 IFC both during construction and upon occupancy of the building;
5. Connection to the municipal water system is required per city code. Private well must be abandoned in a manner compliant with IDAPA 37.03.09. An Application for Authorization to Abandon a Well must be filed with IDWR;
6. The root balls of any removed tree shall be retained in place in order to continue to provide bank stabilization;
7. Prior to issuance of a building permit, the applicant shall provide civil engineered plans, for evaluation by city staff, showing the following:
 - Minimum % of slopes detailed in the ROW.
 - Driveway should follow ROW slope and shall not drain into the street.
 - Private property shall not dewater into the ROW, and the project will need to provide drainage in the ROW;
8. At application for a building permit, stamped, engineered structural plans for the engineered foundation shall be submitted as part of the building permit application;

9. Silt fencing shall be placed along the upland edge of the riparian setback, or as close to it as the construction activity allows, for the duration of construction and until the riparian improvements are installed. During installation of riparian improvements, the silt fencing shall be installed along the mean high water mark to limit possibility that soil or debris will enter the river; and
10. Temporary irrigation may be installed in the riparian setback for a period of up to two (2) years, after which it shall be removed.

Findings of Fact **adopted** this 28th day of March, 2016.

Steve Cook
Planning and Zoning Commission Chairperson