



Planning and Zoning Commission- Regular Meeting AGENDA

Monday, June 08, 2020 at 5:30 PM
Ketchum City Hall
480 East Avenue North, Ketchum, ID 83340

In recognition of the Coronavirus (COVID-19), members of the public may observe the meeting live on the City's website at ketchumidaho.org/meetings or outside of the City Hall Building.

If you would like to comment on a PUBLIC HEARING item, please submit your comment to participate@ketchumidaho.org by noon the day of the meeting. Comments will be provided to the Planning and Zoning Commission.

If you would like to phone in and provide comment on a PUBLIC HEARING item on the agenda, please dial the number below. You will be called upon for comment during that agenda item.

Dial: 253-215-8782
Meeting ID: 977 3938 8087

If you would like to provide comment on a PUBLIC HEARING item on the agenda in person, you may speak to the Planning & Zoning Commission when called upon but must leave the room after speaking and observe the meeting outside City Hall.

CALL TO ORDER

COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE

CONSENT CALENDAR—ACTION ITEMS

- 1. ACTION - Minutes of March 9, 2020**
- 2. ACTION - Minutes of May 19, 2020**
- 3. ACTION - Mountain Land Design Showroom Design Review** Findings of Fact and Conclusions of Law

PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

- 4. ACTION: Administrative Appeal of Zoning Administrator's Decision on 201 Garnet Street.** Recommendation to 1) Accept Administrator's certification of procedural requirements; 2) Accept the record of the case; 3) Set the appeal hearing for June 8, 2020; 4) Affirm the determination of the Planning and Zoning Administrator and direct preparation of Findings of Fact.
- 5. ACTION - Cherp Work/Live Conditional Use Permit Application:** 270 Northwood Way, Unit 201 (Redfish Light Industrial Condominiums, Unit 201) The Commission will consider and take action on a request from property owner Mia Cherp for a work/live unit with a 579 square foot living area and a 754 square foot work floor area; the work use, STITCHstudio, is a craft/cottage industry.
- 6. ACTION - 3020 Warm Springs Rd. (Waddell/Roush) Duplex Design Review:** 3020 Warm Springs Rd. (Wills Condominium Subdivision No. 2) The Commission will consider and take action on a Design Review application submitted by architect Craig Lawrence, on behalf of property owners Doug and Stacey Waddell, for the development of a new duplex and associated site

improvements within the General Residential Low Density (GR-L) Zoning District. *Continued from May 19, 2020.*

- 7. ACTION - Bavarian Village Townhomes Subdivision Preliminary Plat:** 112 Rember Street (Bavarian Village: Lot 2) The Commission will consider and take action on a Townhouse Subdivision Preliminary Plat application submitted by Benchmark Associates, on behalf of property owner Tim Linehan, to subdivide Lot 2 of Bavarian Village Subdivision within the General Residential High Density (GR-H) Zoning District into two townhouse sublots.
- 8. ACTION - 4th & Main St Mixed-Use Building Pre-Application Design Review:** Main Street between 4th and 5th Streets (Ketchum Townsite: Block 5: Lots 1, 2, 3, and 4.) The Commission will consider and give direction on a Pre-Application Design Review submitted by Chris Ensign of Solstice Homes Development for a new four-story, 47.5 foot tall, 59,130-square-foot mixed-use building located on four lots on Main Street between 4th and 5th Streets within the Retail core of the Community Core (CC-1). *Continued from March 9, 2020.*

STAFF REPORTS & CITY COUNCIL MEETING UPDATE

ADJOURNMENT

Due to physical distancing requirements, there will be limited public attendance at Ketchum Planning & Zoning meetings.

The public may speak in person on PUBLIC HEARING items but must leave the room after speaking. The public may also provide comments on PUBLIC HEARING items by calling the number above. Anyone may observe the meeting outside City Hall or watch the meeting at ketchumidaho.org/meetings.

This agenda is subject to revisions and additions. Public information on agenda items is available in the Planning and Building Department located at 480 East Ave. N. in Ketchum or by calling 208-726-7801.

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.



Planning and Zoning Commission MINUTES

Monday, March 09, 2020
Ketchum City Hall
480 East Avenue North, Ketchum, ID 83340

CALL TO ORDER

The meeting was called to order by Chairman Neil Morrow at 5:33 PM.

COMMISSION REPORTS AND DISCLOSURE

Commissioner Eggers disclosed a conversation with Director Gaeddert concerning a general discussion of the 4th and Walnut project.

There were no further disclosures.

PUBLIC COMMENT - Communications from the public for items not on the agenda.

Chair Morrow opened the floor to public comment.

David Hurd, Warm Springs resident, commented on the Fire Station location and traffic safety. He cited the Commission's desire to see a complete traffic study prior to approval of the Design Review. He felt the comparable stations cited by the Fire Chief were not comparable to Ketchum's site. He felt the City had not done due diligence.

No other public comments were made, and comments were closed.

CONSENT CALENDAR—ACTION ITEMS

There were no items on the Consent Calendar.

PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

- 1. ACTION - Fourth and Walnut Mixed-Use Building Pre-Design Review:** (Project Location: Ketchum Townsite: Block 44: Lots 7, and 8. 371 and 391 N Walnut Avenue) The Commission will consider and give direction on a Pre-Application Design Review submitted by Graham Whipple of Resin Architecture for a new 27,316 square-foot, two-story mixed-use building located on two lots at the southwest corner of the intersection of Walnut Avenue and 4th Street within the Retail Core of the Community Core (CC-1).

Associate Planner Abby Rivin introduced the project.

Graham Whipple of Resin Architecture presented the pre-Design Review. He spoke to the grade, context with neighboring buildings, 2 community housing units, 2 private residences, and solar panels.

Commissioner Cosgrove appreciated the scale of the building but thought it looked like the Adirondacks. She asked about the inspiration for the architecture. Whipple responded it was Alpine inspired with timbers and stone. She did not feel it fit in the context of Ketchum.

Commissioner Carter asked about the parking requirement. Whipple stated five parking spaces are required which are provided on site. Commissioner Carter liked the style and exterior materials of the building and the visible retail spaces.

Vice-Chair Mead asked about Community Housing (2 parking spaces) and retail space (5 parking spaces, but currently flexible). The proposal includes two (2) commercial spaces on the second floor and two (2) 2-bedroom residential units, with five (5) parking spaces. Mead asked about exterior material colors. Whipple replied the wood facade would be timber siding, stone, and black metal. Final material selection would be presented at the Design Review.

Commissioner Eggers asked about the walkways and patios. He liked the details of the design and thought it complemented the Christiana Building but wanted to see a change to the gable at the corner.

Chair Morrow asked if the 2 parking spaces were dedicated. He liked the materials, the openness, and the Alpine feel.

Chairman Morrow opened Public Comment:

Janet Perry, property manager 431 Walnut, asked about the residence on the Alpine St. side. Whipple assured that there is no encroachment to Alpine Street and it will not be affected by this development.

There were no further comments and comments were closed.

Vice-Chair Mead was disappointed with the lack of availability of parking. He liked the design overall but questioned the aesthetics of the car portico on Fourth St, and thought the overhang looked flimsy in comparison to the heavy timbers. He liked the supporting timbers and the open corner.

Commissioner Cosgrove excused herself from the remainder of the meeting.

Motion to advance the 4th and Walnut Mixed-Use Building project to full Design Review.

Motion made by Commissioner Carter, Seconded by Commissioner Eggers.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Eggers

Voting Abstaining: Commissioner Cosgrove

- 2. ACTION - West Ketchum Residences Preliminary Plat: Lot 5AA Bavarian Village Subdivision (150 Bird Drive) The Commission will consider and make recommendations regarding a Townhouse Subdivision Preliminary Plat application submitted by Galena Engineering on behalf of West Ketchum Residences, LLC. The Townhouse Subdivision Preliminary Plat will create 10 townhouse sublots and associated common area on Lot 5AA of Bavarian Village Subdivision. The West Ketchum Residences is a 10-unit townhome development. The project is located within the General Residential High Density (GR-H) Zoning District.**

Senior Planner Skelton gave the background for the West Ketchum Residences Preliminary Plat. Staff recommended the plat be recommended to City Council for approval.

Chairman Morrow opened Public Comment:

There were no comments and Public Comments was closed.

Motion to recommend approval to City Council with Conditions 1-7 and authorize the Chair to sign the Finding of Fact and Conclusions of Law.

Motion made by Commissioner Carter, Seconded by Commissioner Eggers.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Eggers

Voting Abstaining: Commissioner Cosgrove

3. **ACTION - Ketchum Boutique Hotel Design Review: 260 E River St.** (Lots 1, 2, 3, FR 21 and 22, Block 82) The Commission will consider and take action on a Design Review application submitted by PEG Ketchum Hotel LLC (of 180 N. University Ave, Suite 200, Provo, UT 84601), represented by Nick Blayden, for a proposed new hotel located on three parcels. The subject development site is approximately 47,249 square feet and is zoned Tourist (T). The proposed hotel consists of approximately 92 hotel rooms, on-site employee housing for 23 employees, a ground-floor restaurant, conference and meeting space, parking garage, roof top bar, and outdoor public plaza, among other features. The hotel is proposed at an overall project size of approximately 128,436 square feet with a maximum height of 72 feet. Waivers to the city's minimum lot size, floor area ratio, height, and side setbacks requirements are proposed. *(continued from February 24, 2020 Special Meeting)*

Commissioner Eggers recused himself from this agenda item.

Director John Gaeddert introduced the Design Review landscaping, rendering, and mechanicals.

Nick Blayden, PEG Development, introduced the Design Review.

Justin Heppler, AJC Architects, spoke to the firepit on the corner.

Nicole Cary gave an overview of the landscaping, including shrubs, natural planting along the Creek, planters on the highway side containing crab apple, fir, pine and aspen. Drip irrigation would be used.

Heppler showed exterior materials and the landscaping at each elevation.

Charles Despain, mechanical engineer, explained the minimal impact of the mechanical venting, sound, and emissions on the west side of the building. The emergency generator would run once per week for 15 minutes, at any time of day, for maintenance. It would produce minimal sound and a sound barrier enclosure.

Commissioner Carter asked about the exhaust on the west facade.

Despain noted the boilers would vent to the roof, but the dryers vent to the side at the lower end of the building. Lint traps would be used. No fumes and minimal steam would be emitted. The proposed vents are 15 feet from the property line and landscaping would be planted in the setback.

Blayden spoke to the parking, indicating there would be free public parking with validation. Director Gaeddert spoke to the location of the generator, which is commonly located in the setback.

Whipple stated the noise would be mitigated since the noise would also affect the hotel guests as well as neighbors.

Gaeddert noted Conditions 16 and 17 were added to the Staff Report concerning the issues discussed at the last meeting. Condition 16 addressed the terraced wall. Condition 17 addressed the brightness of the fireplace.

Heppler spoke to the impact of the terraced walls on the south side. The wall had been broken up into 2 6-foot panels instead of one 12-foot panel. It may become a space for public art. The corner plaza with the fire pit would require an encroachment permit from the City.

Mead asked about a decorative barricade for separation of pedestrians and cars from the driveway.

Heppler added there would be lighted bollards at the driveway for safety.

Chair Morrow opened the floor for public comment:

Bob Korb, 220 E River Street, asked about the vents near the neighboring building. He stated the generator cannot be located in the setback. He was concerned about the noise and odors. He asked the Commission to require the vents be moved.

There were no other comments and Public Comment was closed.

Chair Morrow asked if the generator was considered to be a structure.

Director Gaeddert stated generators are commonly placed in the setback.

Carter expressed that while he understood the neighbors' concern, the applicant has incentive to have the generator be very quiet and didn't think it needed to be a condition of approval.

Mead thought it was set back sufficiently from the property line and impact would be minimal, since directly above would be an outdoor space for guests of the hotel.

Blayden stated since this is the last objection to the project, he thought the generator could be placed inside the building, if necessary.

Motion to approve the PEG Ketchum Boutique Hotel, LLC Design Review Application with Conditions as set forth in the Findings of Fact, Conclusions of Law, and Order of Decision provided in Attachment 1 and the authorizing the Chair to sign the Findings of Fact, subject to Conditions 1-18.

Motion made by Vice-Chairman Mead, Seconded by Commissioner Carter.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Eggers

Voting Abstaining: Commissioner Cosgrove

4. **ACTION - 4th & Main St Mixed-Use Building Pre-Application Design Review**: (Project Location: Ketchum Townsite: Block 5: Lots 1, 2, 3, and 4) The Commission will consider and give direction on a Pre-Application Design Review submitted by Chris Ensign of Solstice Homes Development for a new four-story, 47.5 foot tall, 59,130-square-foot mixed-use building located on four lots on Main Street between 4th and 5th Streets within the Retail core of the Community Core (CC-1).

Commissioner Eggers recused himself from this agenda item.

Planner Abby Rivin gave the introduction to the Design Review. Since the first Pre-Application was heard by a quorum of three commissioners and Commissioner Eggers had since recused himself from this project, the application is coming back for Pre-Application.

Chris Ensign, developer, presented the design review stating he was looking to the Commission for guidance.

Chair Morrow expressed that anything similar in mass to the buildings across the street would not be accepted by the Community. He was looking for undulation, definition, breezeways, or other features. He wanted to see something that did not look like one large building.

Ensign agreed the banks were detrimental to Main Street, decreasing vibrancy and removing people from Main Street after 5:00PM. He used the Ketchum Comprehensive Plan as a base for his design. The Warfield, Enoteca, and Rocky Mountain Hardware buildings were his inspiration. He did not want to ask for any variances. He expressed his willingness to make further design changes.

Vice-Chair Mead thought the design was great but looked too industrial and more suited to an east-coast village than a western town like Ketchum.

Ensign thought the brick was an element of Ketchum architecture and this design related to the other buildings. He asked if modern was more the Ketchum-look. Mead agreed it was hard to spot what was unsettling about the design; glazing, number of panes?

Commissioner Carter liked the industrial look, a throw-back to the Industrial part of Ketchum like the smelter, but this building is very large, taking a full city-block. It would make a very big impact on Ketchum Main St. He suggested it be made to look like multiple buildings. He stated this should add something to the town and something we would be proud to walk past.

Ensign stated he had studied the town and wanted to bring “after 5:00 PM” vibrancy to the area. He used step-backs to decrease the perceived mass and avoid a canyon effect on Main Street.

The Commissioners and Ensign discussed the perceived flaws with the current design, vibrancy, and size of the project.

Vice-Chair Mead liked the terracing, outdoor space, glass railings, undulation on the first floor, the corner step-down, and the landscaping on the terracing.

Commissioner Carter asked about the retail spaces on 4th Street. Ensign indicated that would be the lobby for the residential spaces with no retail access on 4th Street due to the slope of the lot at that point. The parking would be accessible from 5th Street.

Commissioner Mead thought the horizontal accents were too repetitive and it needed some vertical features. He liked the 4th St side.

Planner Rivin noted the motion could be to continue the Pre-Design Review if substantial changes are made. Commissioner Carter supported continuing the pre-design review.

Ensign stated he had incorporated the feedback he had received and expressed the desire to move forward on the project, as long as it was in compliance.

Chair Morrow explained the process may have multiple versions. Vice-Chair Mead wanted to see the design fit in with the character of the community and supported continuing the Pre-Design Review Application.

Director Gaeddert suggested a noticed public hearing for a meeting with a workshop format prior to the next meeting for Design Review.

Commissioner Carter questioned the amount of glazing on bedrooms and bathrooms.

Jay Emmer, Sotheby's, stated the floor plans were still in the concept stage and may be altered when the floor plans are determined. This may alter the amount of glazing on the final building design.

Ensign asked the commission about the exterior materials. Rivin noted staff would work with the applicant to meet the building standards for design.

Applicant asked for a summary of what the Commission's expectations were for design. Director Gaeddert asked for drawings from street level at different vantage points. Mead liked the cornice on the 3rd floor and the view of the 4th Street facade. He expressed concern over the glazing and passive solar in summer requiring excessive energy use for air-conditioning.

Carter liked the building but recognized the size and monotony of the facade. Wanted to see traffic flow and how it would function at the street level.

Chair Morrow opened the floor to public comment.

Diane Goodwin, resident, asked about retail space on the 4th Street side and expressed a desire to see the project reflect the community heritage. She lamented the loss of the historic Formula Sports A-Frame building and thought it would be greatly missed.

Public comment was closed.

Motion to continue Pre-Design Review to April 13, 2020 and direct the developer to submit drawings, renderings or information to assist the Commission's review of the project's plans and the design concept.

Motion made by Vice-Chairman Mead, Seconded by Commissioner Carter.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Eggers

Absent: Commissioner Cosgrove

STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Director Gaeddert presented the changes that were made to the Ketch I building that were not part of the approved Design Review and the proposed solutions to bring it back into compliance. Changes included the transformer, siding, fence, window placement, and CMU wall. Morrow thought the changes were not great, but safety had been met and it was an improvement. Commissioner Carter and Chair Morrow approved the changes. Landscaping would be installed in Summer. Vice-Chair Mead suggested it might be camouflaged with art. Chair Morrow wanted it to be brought back for approval before construction changes are made.

Ketch II had siding that was not an approved material and the window trim was left off. Stain was an issue, the width of the window trim, decks, mechanicals, and the wall height violated the Code. Chair Morrow wanted to see a real rendering of the improvements.

Commissioner Carter was concerned that the project was not built to the approved Design Review standards, Chair Morrow opined that just because it is affordable housing it shouldn't be built below standards. Director Gaeddert will bring this project back at the next PZ Meeting.

ADJOURNMENT

The meeting was adjourned at 8:40 PM.

Motion to adjourn.

Motion made by Commissioner Carter, Seconded by Vice-Chairman Mead.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Eggers

Voting Abstaining: Commissioner Cosgrove

Neil Morrow
Chairman



Planning and Zoning MINUTES

Tuesday, May 19, 2020 at 5:30 PM
Ketchum City Hall
480 East Avenue North, Ketchum, ID 83340

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CALL TO ORDER

The meeting was called to order at 5:34 PM by Chairman Neil Morrow.
Chairman Neil Morrow - present
Vice-Chairman Matthew Mead - present
Commissioner Tim Carter - Present
Commissioner Kurt Eggers - Present
Commissioner Jennifer Cosgrove – present by video conferencing

COMMISSION REPORTS AND EX PARTE DISCUSSION DISCLOSURE

Chairman Morrow, Vice-Chair Mead, and Commissioners Carter and Eggers all disclosed they had individually driven by the three (3) properties in question. Commissioner Cosgrove did not drive by but was familiar with the locations.

CONSENT CALENDAR—ACTION ITEMS

1. ACTION - Minutes of February 10, 2020
2. ACTION - Minutes of Special Meeting of February 24, 2020

Motion to approve the Minutes of February 10, 2020 and the Minutes of February 24, 2020.

Motion made by Vice-Chairman Mead, Seconded by Commissioner Carter.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Cosgrove, Commissioner Eggers

3. ACTION - Minutes of March 9, 2020
Commissioner Eggers requested a correction to the name of a party.

PUBLIC HEARINGS AND COMMUNICATIONS FROM STAFF – ACTION ITEMS

4. ACTION - 3020 Warm Springs Rd. (Waddell/Roush) Duplex Design Review: 3020 Warm Springs Rd. (Wills Condominium Subdivision No. 2) The commission will hold a virtual public hearing to consider and take action on a Design Review application submitted by architect Craig Lawrence, on behalf of property owners Doug and Stacey Waddell, for the development of a new duplex and associated site improvements within the General Residential Low Density (GR-L) Zoning District.

Planner Rivin gave the introduction to the project.

Craig Lawrence, architect for the applicant, gave the Design Review. Renderings of the project were shown. He explained the exterior materials of stucco, stone veneer, and black painted fascia.

There are multiple roof heights, the highest being 34' 9", which is 3" below the height limit. He spoke to the undulation along the front and side. Lawrence related he had spoken to neighbors, and as a result, improved the landscaping on the back side of the building. Unhealthy trees would be removed and replaced. Any trees removed due to construction would also be replaced.

Lawrence went over the roof lines and heights.

Lawrence asked that the Commission approve the project so as not to delay start of construction.

Brian Poster, Contractor, related that the project is safer than the current building and that they are trying to work with the neighbors.

Doug Waddell, applicant, thanked the Commission for all they do. They are anxious to work with the local population and work within the rules in building his family home. He urged the Commission to approve the project.

Vice-Chair Mead asked about the impact to the view of the neighbor and the roofing material. Lawrence stated the roof slants away from the neighbor.

Commissioner Cosgrove asked about the landscape plan. She thought the design was "cookie cutter" and asked about use as a short-term rental.

Lawrence related there is no intention to rent this residence as it was intended to be a home for the applicants and their 3 adult children. He numerated the number and types of trees specified by the landscape plan.

Chair Morrow opened the floor to public comment.

Mark Kern, owner of the adjacent townhouse, stated he was aware the existing structure on the property could be replaced, but would have to conform to the current code. He noted the neighbors to the rear of the project would be viewing a blank wall that landscaping would not alter. He asked for a review of the project to alleviate the flatness of the wall.

There were no additional comments and Public Comment was closed.

Commissioner Mead thought it was attractive from the Warm Springs side but was concerned with the massing from the rear. He approved of the color palette and materials.

Commissioner Carter understood the concerns of the neighbors concerning the monolithic feel from the rear but did not think it would necessitate not approving the project. He urged the applicant to consider the neighbors they would be living with for some time. He wanted a confirmation that the roof overhang met the setback standards.

Commissioner Eggers was comfortable with the height and massing. He thought the 3-story wall needed some attention. He wanted the project to return with alternatives to the blank wall. He liked the new landscaping but wanted to see additional landscaping along the bike path.

Commissioner Cosgrove did not think it was ready for Design Review Approval.

Chair Morrow agreed and wanted to see changes made to the back side using variations in color and materials.

Additional Public Comment:

David Hurd, previous owner of the property, stated the property owners to the rear knew the view could change with new construction. He cautioned to be aware of the height of the trees used in the landscaping. He asked about guest parking and snow storage. He liked the overall design.

Commissioner Mead asked Commissioner Eggers about the proposed trees and landscaping. He also asked about the code requirement for undulation and if this project met the code.

Eggers thought the 10-foot trees would do little to mitigate the mass of the 30-foot building.

Chair Morrow thought changes in color could relieve some of the mass and Mead agreed.

Planner Rivin recommended coming back with additional plans for the rear of the building.

Chair Morrow and Commissioner Carter urged approval with Conditions.

Commissioner Eggers did not feel comfortable with that option.

Vice-Chair Mead thought it was 95% there and met the standard. He would not vote to continue.

Commissioner Cosgrove understood the current hardships for builders but wanted to see more information on landscaping and information on the exterior materials.

Planner Rivin suggested a motion to continue directing specific items for review.

Chair Morrow and Commissioner Cosgrove agreed.

Motion to continue the 3020 Warm Springs Rd. Duplex Design Review to the meeting of June 8, 2020.

Motion made by Commissioner Eggers, Seconded by Commissioner Cosgrove.

Voting Yea: Chairman Morrow, Commissioner Cosgrove, Commissioner Eggers

Voting Nay: Vice-Chairman Mead, Commissioner Carter

- 5. ACTION - Mountain Land Design Showroom and Residences Design Review: 111 N Washington Avenue (Ketchum Townsite: Block 39: Lot 4) The commission will hold a virtual public hearing to consider and take action on a Design Review application submitted by Michael Doty Associates Architects, on behalf of property owner Dan Devenport for the development of a new mixed-use building and associated site improvements within the Mixed-Use Subdistrict of the Community Core (CC-2).**

Planner Abby Rivin gave the introduction and history of the project.

Michael Allaire, architect for the project, related the history of the project and the eventual demo of the existing building. The building to contain the showroom on the first floor, two “for-sale” units on the second floor, an owner’s apartment on the third floor, and a Community Housing unit at the basement level. He described the features of the First Street and Washington Street sides of the building. Eight-foot sidewalks to either be snow melt or snow to be hauled away.

There living spaces are serviced by 4 parking spaces accessed by a vehicle lift. There is an oversized window well for the basement apartment to accommodate a small patio area. The showroom occupies the main floor. The second floor living units have decks and a dumb waiter to help with roof deck access. The third floor comprises one apartment. The roof has two decks: a common area deck for the second-floor units and a private deck for the third-floor unit.

Exterior materials include a tumbled brick veneer, fiber cement panels, garapa wood, and natural stone veneer. The roof has a black steel guardrail. The steel elements are painted off-black.

Ashley Board gave a description of the landscaping and outdoor dining area with trees, spa, bocce court, gas fire pit and bar area.

Sean Flynn of Galena Engineering spoke to the civil aspects of the project including the right-of-way and drainage.

Chair Morrow opened the floor to public comment.

Karen Hammond, occupant of adjacent property, remarked on the size in comparison to the previous building. She considered the alley to be her front yard. She asked that the mechanicals not be placed on the alley due to the negative impact to the neighbors.

Public Comment was closed.

Commissioner Cosgrove liked the project but was concerned by the height.

Vice-Chair Mead liked the quality of the design.

Commissioner Eggers asked about the height of the Boho lounge as compared to this project.

Mike Allaire answered that the project is taller than the Boho.

Eggers asked about a transformer on the property and venting for the underground parking.

Allaire has confirmed service to the property with Idaho Power and the garage would be vented.

Eggers asked about the brick and awning. Allaire confirmed it was full size bricks and steel awning

Commissioner Carter asked about the car elevator.

Allaire said there are no other in town but are generally common.

Carter asked about the single trash bin for the first floor.

Allaire said Clear Creek felt it was adequate.

Carter thought it was attractive and liked the complexity of the project.

Vice-Chair Mead asked if the manufactured brick siding would detract from the building.

Allaire noted the mix of brick and stone as compared to the smooth wood added to the texture.

Mead asked if fumes/odors would be a factor for the basement apartment.

Allaire said it would be well vented.

Mead liked the combination of materials.

Commissioner Eggers asked about a different material for the side facing the Boho Lounge. He also wanted to see street trees and a five-foot landscaping buffer.

Vice-Chair Mead liked the project and agreed with Eggers about landscaping. He was sympathetic to the concerns of the alley neighbor.

Commissioner Eggers questioned the importance of the siding of the Boho facing side wall. He thought the street trees were critical and wanted to see them kept in the design.

Vice-Chair Mead agreed on the landscaping. He thought the design was cohesive.

Planner Rivin noted the shade projection overhangs the street. Right-of-way issues are addressed at Building design review.

(Commissioner Cosgrove was unable to connect via video conferencing to vote on this item.)

Motion to approve the Mountain Land Design Showroom Design Review subject to Conditions 1-11.

Motion made by Commissioner Carter, Seconded by Vice-Chairman Mead.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Eggers

Video conferencing connection lost: Commissioner Cosgrove

6. **ACTION - Leone/Goldman Lot Line Shift and Waiver Request: 425 N Bigwood Drive and 115 Griffin Court** (Bigwood Sub #2-3 Lot 14 Block 3 and Bigwood Sub #2-3 Lot 12AA Block 3) The commission will hold a virtual public hearing to consider and take action on a Lot Line Shift application submitted by Douglas and Patricia Leone (425 N. Bigwood Dr) and Andrew and Lisa Goldman (115 Griffin Ct) to adjust the interior property boundary shared by both parcels and to amend the building envelope for 425 N Bigwood Dr. This application includes a waiver request to allow a portion of the building envelope for 425 N Bigwood Dr to encroach into an area of 25% or greater slope.

Senior Planner Brittany Skelton introduced the project.

Brenda Moczygamba, architect representing the applicant, gave the location of the lot, retaining walls, and proposed underground garage. She described the location of the proposed addition. The addition would be mostly invisible and screened by trees and landscaping. The 25% or greater slope line would be above the underground garage. The elevations were presented.

Commissioner Eggers disclosed he has had a business relationship with both parties in the past but not at the present nor in the foreseeable future, He felt it would not affect his judgement.

Commissioner Eggers asked about the relocation of the mechanicals. Moczygamba stated they would still be in the same general vicinity.

Chair Morrow opened the floor to public comment. There were no comments and comments were closed.

Motion to approve the Leone/Goldman Lot line Shift and Building Envelopment Amendment Waiver request and recommend approval to City Council with Conditions 1-7 and to approve the Chair to sign the Findings of Fact and Conclusions of Law.

Motion made by Commissioner Carter, Seconded by Commissioner Eggers.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Eggers

Video Conferencing lost: Jennifer Cosgrove

STAFF REPORTS & CITY COUNCIL MEETING UPDATE

Planner Rivin gave the update for the June 8th Meeting:

- Work/Live Conditional Use Permit for the Redfish building in the Light Industrial area.
- Bavarian Village at 112 Rember St. Preliminary Plat
- 4th and Main Mixed-Use Building Pre-Design Review continued from March 9
- 3020 Warm Springs continued from tonight
- Nalen Appeal of administrative decision concerning 201 Garnet St.

ADJOURNMENT

Motion to adjourn at 8:25 PM

Motion made by Chairman Morrow, Seconded by Vice-Chairman Mead.

Voting Yea: Chairman Morrow, Vice-Chairman Mead, Commissioner Carter, Commissioner Eggers

Video Conferencing lost: Jennifer Cosgrove

Neil Morrow, Chairman



IN RE:)
)
 Mountain Land Design Showroom & Residences) **KETCHUM PLANNING AND ZONING COMMISSION**
 Design Review) **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND**
 Date: June 8th, 2020) **DECISION**
)
 File Number: P20-027)

FINDINGS REGARDING APPLICATION FILED

PROJECT: Mountain Land Design Showroom & Residences Design Review
FILE NUMBER: P20-027
APPLICATION TYPE: Design Review
APPLICANT: Michael Doty Associates Architects
PROPERTY OWNER: Dan Devenport (360 Views LLC per Blaine County Assessor’s Office)
LOCATION: 111 N Washington Avenue (Ketchum Townsite: Block 39: Lot 4)
ZONING DISTRICT: Mixed-Use Subdistrict of the Community Core (CC-2)
NOTICE: A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site on April 29th, 2020.

FINDINGS REGARDING PROJECT BACKGROUND

The subject Design Review application is for the development of a new mixed-use building located at 111 N Washington Avenue within the Mixed-Use Subdistrict of the Community Core (CC-2). The mixed-use building will contain the Mountain Land Design Showroom on the first floor, two residential units on the second floor, a penthouse residential unit on third floor, an employee housing unit within the basement, and an underground parking garage.

The Planning & Zoning Commission reviewed and approved a Design Review application for this project on August 13th, 2019. At that time, the plans proposed an addition and exterior façade upgrades to the existing building located on the property. The existing building was constructed in 1983 and most recently was occupied by Solavie Spa Retreat. Demolition work exposed the building’s structural deficiencies. As a result, the property owner chose to pursue a complete tear down of the existing building instead of the renovation.

While the scope of the project has expanded, the design intent remains the same as the original proposal. As the Planning & Zoning Commission reviewed and approved the first iteration of the project plans, Pre-Application Design Review has been waived in accordance with Ketchum Municipal Code (KMC) §17.96.010.C.5.

FINDINGS REGARDING PROJECT LOCATION

The subject property is a 5,500-square-foot lot located at the northwest corner of N Washington Avenue and E 1st Street. Forest Service Park is across 1st Street to the south of the subject property. The Limelight Hotel is catty-corner to the project site. Across Washington Avenue to the east is the paid-parking lot operated by the City.

TABLE 1: FINDINGS REGARDING CITY DEPARTMENT COMMENTS

City Department Comments
<p><i>Note: City Department comments are preliminary. All City Departments shall review and approve the project through the Building Permit application process. All comments pertaining to the Design Review drawings are subject to change. All right-of-way improvements shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project. All City Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</i></p>
<p>Fire Department:</p> <ul style="list-style-type: none"> • It is the General Contractor’s responsibility to understand and adhere to all Fire Protection Ordinance #1125 requirements in addition to any and all other City of Ketchum requirements in effect at the time of Building Permit issuance. Failure to comply with all local ordinances and codes may result in project work stoppage as well as criminal penalties. • The above project shall meet all 2012 International Fire Code requirements 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 the road fronting the property. Numbers and letters shall be a minimum of four (4) inches tall, contrast with their background and be positioned a minimum of forty-eight (48) inches above final grade. • Vehicle parking and material storage during construction shall not restrict or obstruct public streets or access to any building. A minimum twenty-foot travel lane for emergency vehicle access shall be maintained clear and unobstructed at all times. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times. • An approved automatic fire sprinkler system shall be installed throughout the building per City of Ketchum Ordinance #1125 (www.ketchumfire.org) and the National Fire Protection Association Standard 13. An approved fire sprinkler flow bell, Knox box and Fire Department Connection shall be installed in an approved location visible to approaching firefighters. Water service lines to structures shall be hydraulically calculated for size to meet fire sprinkler flow requirements. Fire sprinkler systems shall be annually tested and maintained per NFPA 25. An approved fire department connection and flow bell shall be installed in a location approved by the fire department and the system shall be supervised by an approved alarm system. • NOTE: One electronic set of fire sprinkler system plans must be submitted to the Ketchum Fire Department as well as the State Fire Marshal’s office and a Ketchum Fire Department Permit must be obtained prior to installation of fire sprinkler systems. Inspections of fire sprinkler systems by the Fire Chief or an appointee are required. Inspections must be scheduled at least 48 hours in advance. • An approved monitored fire sprinkler alarm system shall be installed per City of Ketchum Ordinance #1125 (www.ketchumfire.org) and the requirements of NFPA 72. Two (2) sets of alarm system plans shall be submitted to the Ketchum Fire Department for approval and a permit is required prior to installation of alarm

systems. Inspections of fire detection systems by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance.

- Fire extinguishers shall be installed and maintained per 2012 IFC Section 906 both during construction and upon occupancy of the building.
- Spark arresters are required on all solid fuel burning appliance chimneys to reduce potential fires from burning embers.
- An approved key box shall be installed, with the appropriate keys, for emergency fire department access in a location approved by the fire department. The key box shall be a Knox box brand and sized to accommodate keys to every door of the project.
- Inspections of Fire Department permit required installations shall be scheduled at least 48 hours in advance.
- An 8 ½ by 11 color coded site map of this project shall be provided on paper and electronically to the fire department. This site map shall show the locations of gas shut-offs, power shut-offs, fire sprinkler riser rooms, fire department connections, alarm panels, Knox boxes, access doors, egress windows, stairways and any additional fire department requirements. Exact details for color coded “On-Sites” can be found at www.ketchumfire.org.
- Final inspections of all Fire Department permit required installations by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance. A Final Inspection Checklist can be found at www.ketchumfire.org.
- Fire Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.

City Engineer & Streets Department:

- Pursuant to KMC §17.96.060.C1, all storm water drainage shall be retained on site, including water from any roof drains. All roof drain locations will need to be shown on the project plans submitted with the Building Permit application.
- Drainage improvements shall be equal to the length of the subject property lines adjacent to any public street or private street (KMC §17.96.060.C).
- Sidewalk snow removal is the responsibility of the property owner. If a snowmelt system is proposed, an Encroachment Permit from the City will be required. Applicant will be required to maintain and repair all associated encroachments.
- All lighting within the ROW will need to meet city ROW standards. (see Right-of-Way Standards, Commercial Category) on both Washington St. and 1st St. Per City ROW standards a lighting study will need to be provided to ensure project meets city illumination standards for sidewalks. Additional lights may be necessary. Consistent with the standards of the Dark Sky Society, the footcandles illuminating the sidewalk shall be an average of 0.2 fc and shall not exceed 5 fc. If lights are hardwired a separate lighting pedestal may be necessary to provide power to lights and provided at applicant’s expense.
- 6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights.
- Pursuant to ADA standards, sidewalks cross slopes are 1.75 +/- 0.25 percent
- Sign locations and bases will need to be shown on the plans submitted with the Building Permit application. The Streets Department will provide the sign bases.
- Parallel parking stalls are 8’ wide x 20’ long.
- Alley improvements as shown are generally adequate.
- Roof overhangs shall not extend more than 3 feet over a public sidewalk. Roof overhangs that extend over the public sidewalk shall be approved by the City Engineer and Streets Department (KMC §17.96.070 B.6) through an Encroachment Permit.
- If the project results in increased loading, Will Serve letters for gas and electrical must be submitted prior to issuance of a Building Permit for the project.
- Utilities (electrical, gas) are not permitted in public ROW. If utility upgrades are necessary, the applicant will need to coordinate upgrades with Idaho Power and Intermountain Gas.

<ul style="list-style-type: none"> All construction for the project must comply with the standards set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards. The applicant shall submit a Construction Activity Plan addressing all applicable activities including excavation, material storage and deliveries, screening, and site clean-up (KMC §15.06.030) to be reviewed and approved by the Building Department prior to issuance of a Building Permit for the project. Pursuant to KMC §15.06.030.A.2, the applicant shall provide notice of the project, construction schedule, and general contractor’s contact information to all neighbors with properties adjacent to the project site. The design shall meet all applicable sections of Chapter 12 of Ketchum Municipal Code (KMC §12.04.030.L). The applicant shall submit a Street and Alley Digging, Excavation, and Trenching (“DIG”) Permit application with an associated traffic control plan for all construction work within the City right-of-way to be reviewed and approved by the Streets Department. The use of City right-of-way for construction including the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit (“TURP”). City Engineer & Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.
<p>Utilities:</p> <ul style="list-style-type: none"> The existing 1” water service line shall be abandoned at the main. A new fire line shall be installed for the fire sprinkler system and all metering must be taken off the new fire line. Requirements and specifications for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit for the project.
<p>Building:</p> <ul style="list-style-type: none"> The building must meet the 2012 International Building Code and Title 15 Buildings and Construction of Ketchum Municipal Code. Building Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.
<p>Planning and Zoning: Comments are denoted throughout Tables 2, 3, and 4.</p>

TABLE 2: FINDINGS REGARDING ZONING & DIMENSIONAL STANDARDS ANALYSIS

Zoning and Dimensional Standards Analysis				
Compliant			Standards and Commission Findings	
Yes	No	N/A	Ketchum Municipal Code Section	City Standards and Commission Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	Minimum Lot Area
			Commission Findings	Required: 5,500 square feet minimum Existing: No change. Lot 4 is 5,500 square feet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.040	Floor Area Ratios and Community Housing
			Commission Findings	Permitted Gross FAR in Community Core Subdistrict 2(CC-2) : 1.0 Permitted Gross FAR with Inclusionary Housing Incentive: 2.25 Proposed Gross Floor Area: 12,070 gross square feet Pursuant to the definition of gross floor area (KMC §17.08.020), four parking stalls for developments on single Ketchum Townsite lots of 5,600 sq ft or less are not included in the gross floor area calculation. Four parking stalls 9’ x 18’ in size (648 square-foot total) have been deducted from the Gross Floor Area total square footage.

				<p>Gross Floor Area with Parking Discount: 11,422 gross square feet Lot Area: 5,500 square feet FAR Proposed: 2.08 (11,422 sq ft/5,500 sq ft lot area) Increase Above Permitted FAR: 5,922 square feet 20% of Increase: 1,184 square feet Net Livable (15% Reduction): 1,007 square feet</p> <p>The applicant has included a 978-square-foot employee housing unit with an associated 59-square-foot storage unit within the basement to satisfy the community housing contribution (Refer to Basement Floor Proposed Floor Plan).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	Minimum Building Setbacks
			Commission Findings	<p><u>Required</u> Front & Street Side: 5' average Rear Side Adjacent to an Alleyway: 3' Interior Side: 0' Cantilevered decks and overhangs: 0' Setbacks for 4th floor: 10' Non-habitable Structures/Fixed Amenities/Solar and Mechanical Equipment Affixed to the Roof from all Building Facades: 10'</p> <p><u>Proposed Building Setbacks</u> The applicant has indicated the proposed setbacks on the Architectural Site Plan of the Design Review submittal. Front (Washington Avenue): 6'-3½" average Street Side: (1st Street): 5'-1" average Rear Side (adjacent to alleyway): 3' Interior Side: 0'</p> <p><u>Proposed Setbacks for Non-Habitable Structures/Fixed Amenities/Solar and Mechanical Equipment Affixed to the Roof from all Building Facades</u> The applicant has indicated the proposed setbacks in the elevations included with the Design Review Submittal. Non-Habitable Structure (roof deck access): >10' from building facades</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040	Maximum Building Heights
			Commission Findings	<p><u>Permitted</u> Building Height: 42' Non-Habitable Structures Located on Building Rooftops: 10'</p> <p><u>Proposed</u> Building Height: 42' Non-Habitable Structures Located on Building Rooftops: 9'-11"</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.125.030H	Curb Cut
			Commission Findings	<u>Required</u>

				<p>A total of 35% of the linear footage of any street frontage can be devoted to access to off street parking. Corner lots that front two or more streets may select either or both streets as access but shall not devote more than 35% of the total linear footage of street frontage to access off street parking.</p> <p><u>Proposed</u> The vehicle lift to access the basement parking garage is located off the alley. No curb cuts on 1st Street or Washington Avenue are proposed.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.040 Commission Findings	<p>Parking Spaces</p> <p><u>Required</u> Multi-Family Dwelling Units in CC Zone Units 750 square feet or less: 0 parking spaces Units 751 square feet to 2,000 square feet: 1 parking space Units 2,001 square feet and above: 2 parking spaces</p> <p><u>Exemptions in CC Zone</u></p> <ul style="list-style-type: none"> • Community Housing • The first 5,500 gross square feet of retail trade <p><u>Project Parking Demand</u></p> <p><i>Basement</i> Community Housing Unit: 0 parking spaces</p> <p><i>Main Floor</i> Retail Showroom & Accessory Uses (stair and elevator towers) Gross Floor Area: 4,473 gross square feet 0 parking spaces required (exempt per KMC 17.125.040.C.1.c)</p> <p><i>Second Floor</i> Residential Unit A: 1,948 square feet: 1 parking space required Residential Unit B: 1,538 square feet: 1 parking space required</p> <p><i>Third Floor</i> Penthouse Unit: 3,305 square feet: 2 parking spaces required</p> <p>Total Parking Spaces Required: 4</p> <p><u>Proposed</u> 4 parking spaces within the parking garage in the basement</p> <p>Specifications sheet for the vehicle elevator must be submitted with the Building Permit application for review and approval by the Building Official, Fire Department, and City Engineer.</p>

TABLE 3: FINDINGS REGARDING DESIGN REVIEW STANDARDS

Design Review Improvements and Standards (KMC §17.96.060)				
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.A1 Streets	The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development. <i>Commission Findings</i> <i>The subject property has existing street frontage along 1st Street and Washington Avenue.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.A2 Streets	All street designs shall be approved by the City Engineer. <i>Commission Findings</i> <i>No changes to the lanes of travel or the street designs are proposed with this project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.B1 Sidewalks	All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department. <i>Commission Findings</i> <i>The applicant has proposed to improve the sidewalks to City ROW standards (Sheets C1.0 & C2.0).</i> <i>Final civil drawings for all associated ROW improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.</i> <i>See Table 1 for comments and conditions from the City Engineer & Streets Department.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.B2 Sidewalks	Sidewalk width shall conform to the City’s right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion. <i>Commission Findings</i> <i>The applicant will improve the sidewalks to City ROW standards along both Washington Avenue and 1st Street. Sheet C1.0 indicates an 8-foot wide sidewalk, which is the required width for 60’ (1st Street) and 80’ (Washington Avenue) ROWs. The sidewalk along Washington Avenue is proposed to narrow slightly to connect with the existing sidewalk conditions by the adjacent private property to the north.</i> <i>Final civil drawings for all associated ROW improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. See Table 1 for review comments and conditions from the City Engineer & Streets Department.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B3 Sidewalks	Sidewalks may be waived if one of the following criteria is met: <ul style="list-style-type: none"> a. The project comprises an addition of less than 250 square feet of conditioned space. b. The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public.

			Commission Findings	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.B4 Sidewalks	The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.
			Commission Findings	<i>The proposed sidewalk improvements are equal to the length of property's frontage along Washington Avenue and 1st Street.</i> <i>Final civil drawings for all associated ROW improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.B5 Sidewalks	New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.
			Commission Findings	<i>The proposed sidewalk design connects with existing sidewalks along Washington Avenue and 1st Street.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B6 Sidewalks	The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.
			Commission Findings	<i>N/A. Staff does not recommend a voluntary cash contribution in-lieu of improvements for this project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.C1 Drainage	All storm water shall be retained on site.
			Commission Findings	<i>All storm water is proposed to be retained on site, including storm water from roof drains. Sheets C1.0 and C2.0 indicate the proposed drainage improvements.</i> <i>Roof drain locations and specifications must be indicated the project plans submitted with the Building Permit application for review and approval by the City Engineer.</i> <i>Prior to issuance of a Building Permit for the project, the applicant shall submit a final drainage plan indicating grading, catch basins, piping, and drywells (KMC §17.96.040.C.2b & KMC §17.96.060.C.1-4) prepared by a civil engineer licensed in the state for review and approval by the City Engineer and Streets Department. See Table 1 for City Department comments including City Engineer and Streets Department conditions.</i>

☒	☐	☐	17.96.060.C2 Drainage	Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
			<i>Commission Findings</i>	<p><i>Drainage improvements shall be equal to the length of the property lines along Washington Avenue and 1st Street. See above analysis for Ketchum Municipal Code §17.96.060.C1. All drainage improvements are required to be constructed City standards.</i></p> <p><i>Final civil drawings for all drainage improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department.</i></p> <p><i>See Table 1 for review comments and conditions from the City Engineer & Streets Department.</i></p>
☒	☐	☐	17.96.060.C3 Drainage	The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.
			<i>Commission Findings</i>	<i>The City Engineer will determine if the drainage improvements are sufficient after reviewing the final civil drawings submitted with the Building Permit application. The City Engineer may require additional drainage improvements if necessary.</i>
☒	☐	☐	17.96.060.C.4 Drainage	Drainage facilities shall be constructed per City standards.
			<i>Commission Findings</i>	<i>All drainage facilities within the project site and the public right-of-way shall meet City standards. Final drainage specifications must be included with the civil drawings submitted with the Building Permit application to be reviewed and approved by the City Engineer & Streets Department.</i>
☒	☐	☐	17.96.060.D1 Utilities	All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.
			<i>Commission Findings</i>	<p><i>All utilities necessary for the project shall be improved and installed at the sole expense of the applicant.</i></p> <p><i>Prior to issuance of a Building Permit, the applicant must secure a will-serve letter from Idaho Power.</i></p> <p><i>Final plans will be reviewed and approved by the City Engineer and Utilities Department prior to issuance of a Building Permit for the project. See Table 1 for City Department comments and conditions.</i></p>
☒	☐	☐	17.96.060.D2 Utilities	Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.
			<i>Commission Findings</i>	<i>All utilities within the development site shall be underground and concealed from public view. The Architectural Site Plan, First Floor Plan, and Proposed West (Alley) Elevation indicate the electrical utility enclosure.</i>

				<p><i>The applicant's narrative notes that no roof-mounted mechanical or electrical equipment is anticipated for the project. Condenser units from the cooling system will be located on the 2nd floor deck behind a screen wall at the northeast corner of the building. Electrical metering equipment at the alley elevation is proposed to be screened by a steel enclosure and gas meters are anticipated to be located within a closet accessed from the alley.</i></p> <p><i>All roof and ground mounted mechanical, electrical, and plumbing equipment must be screened from public view.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.D3 Utilities	<p>When extension of utilities is necessary all developers will be required to pay for and install two (2") inch SDR11 fiber optical conduit. The placement and construction of the fiber optical conduit shall be done in accordance with city of Ketchum standards and at the discretion of the City Engineer.</p>
			<i>Commission Findings</i>	<i>The subject property is served by high-speed internet. If an extension is needed, then the applicant will work with the City Engineer to identify the location of a fiber line to serve the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.E1 Compatibility of Design	<p>The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</p>
			<i>Commission Findings</i>	<p><i>The proposed exterior materials include:</i></p> <ul style="list-style-type: none"> • <i>Brick Veneer (2¾", color: lone tree)</i> • <i>1' x 6' Horizontal Garapa Rainscreen Panels (clear sealer)</i> • <i>1' x 6' Vertical Garapa Rainscreen Panels (weathered patina)</i> • <i>2' x 8' Fiber Cement Panels (cembrit patina, color: 915-TUFA)</i> • <i>Natural Stone Veneer (ashlar pattern)</i> • <i>Black Steel Panels and Flashing</i> <p><i>The exterior elevations submitted with the project plans show the proposed materials, colors, and signing. The modern building alludes to more traditional design through natural materials, like the brick and stone.</i></p> <p><i>The proposed materials are compatible with neighboring buildings and the surrounding downtown area. The design approach refashions traditional materials combined with contemporary finishes to enhance visual interest.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.E2 Compatibility of Design	<p>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.</p>
			<i>Commission Findings</i>	<i>N/A. No significant landmarks of historical or cultural importance have been identified on the property.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.E3 Compatibility of Design	<p>Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.</p>

			<i>Commission Findings</i>	<i>N/A This standard does not apply because the existing building has been demolished and the updated project plan is new construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F1 Architectural	Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.
			<i>Commission Findings</i>	<i>The main entry to the showroom is located at the southeast corner of the building and accessed from 1st Street. An entrance at the northeast corner of the building along Washington Avenue leads to the lobby area with elevator and stair access to the residential units on the second and third floors.</i> <i>The entryways are defined by steel canopy elements, floor-to-ceiling windows and glass doors, and signage. Distinguished from the remainder of the storefront, the entrances recessed at the northeast and southeast corners of the building.</i> <i>Unobstructed pedestrian access is provided from the entryway to a pathway that leads to the sidewalks along 1st Street and Washington Avenue.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F2 Architectural	The building character shall be clearly defined by use of architectural features.
			<i>Commission Findings</i>	<i>The building is characterized by modern design elements with simple building forms enhanced by the unique combination and placement of traditional materials. The brick, cement, stone, and rainscreen panels placed in one-, two-, and three-story elements break up solid building walls and mitigate flatness. Flat roofs at varying height and canopy elements further define the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F3 Architectural	There shall be continuity of materials, colors and signing within the project.
			<i>Commission Findings</i>	<i>The same materials and colors are proposed to be used on all four facades of the building. Back steel is the material used for balconies and roof decks, window shading devices, signage, door and window frames, and panel siding. The multiple black steel elements provide continuity across all facades. The consistent use of the same materials across all elevations ties the horizontal and vertical patterns arranged in one-, two-, and three-story elements into one cohesive building design.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F4 Architectural	Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.
			<i>Commission Findings</i>	<i>The project does not propose any fences or accessory structures.</i> <i>A freestanding stone wall at the corner of 1st Street and the alley borders a sunken paver patio, which will serve as the showroom's BBQ display area. The wall is less than 6 feet above grade, which complies with the maximum height for freestanding walls permitted by KMC §17.124.130. The applicant narrative notes that, "the gray tones of the stone compliment the silver-gray weathered wood on the</i>

				<p><i>third story to integrate the highest and lowest portion of the building.”</i></p> <p><i>Landscape features soften the mass of building and provide visual relief to the vertical wall planes. At-grade planters highlight the building entrances at the northeast and southeast corners along Washington Avenue and 1st Street. At-grade and raised planters are incorporated within the second- and third-floor balconies and decks. The roof deck is enhanced through at-grade and raised planters and trees in planters.</i></p> <p><i>The applicant has proposed four street trees within the ROW along Washington Avenue and 1st Street. Street trees and furniture may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the Building Permit application for final review and approval by the City Engineer and Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW require an Encroachment Permit.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F5 Architectural	<p>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</p> <p><i>Commission Findings</i></p> <p><i>The brick, cement, stone, and rainscreen panels placed in one-, two-, and three-story elements provide undulation while mitigating the appearance of flat building walls or bulky building mass. The glazing use for the window and door openings as well as the black metal balconies and decks enhance the appearance of the building by providing visual relief. Flat roofs at varying height and canopy elements further define the building.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F6 Architectural	<p>Building(s) shall orient towards their primary street frontage.</p> <p><i>Commission Findings</i></p> <p><i>The building orients toward its two primary street frontages— Washington Avenue and 1st Street. The only public entrance is located at the southeast corner of the building along the 1st Avenue. The entrance to the residential lobby is located at the northeast corner of the building along Washington Avenue.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F7 Architectural	<p>Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.</p> <p><i>Commission Findings</i></p> <p><i>The garbage storage area is proposed to be located within the building and will be accessed from the alley. Prior to issuance of a Building Permit for the project, the applicant shall submit a will-serve letter from Clear Creek Disposal.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F8 Architectural	<p>Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.</p>

			<i>Commission Findings</i>	<p>The flat roof design includes internal drains providing weather protection to prevent water from dripping or snow from sliding onto circulation areas.</p> <p>The Architectural Site Plan indicates the entry canopy wraps around the building corner from main entrance at 1st Street bordering the Washington Avenue façade. The entry canopies will serve as weather protection for pedestrians entering the showroom and shields the bicycle rack from precipitation.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.G1 Circulation Design	<p>Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.</p>
			<i>Commission Findings</i>	<p>This standard has been met by the proposed sidewalk improvements. The sidewalks will connect to existing sidewalks along 1st Street and Washington Avenue, which extend to the downtown pedestrian network.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.G2	<p>Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.</p>
			Circulation Design	<p>N/A. No awnings are proposed.</p> <p>The canopy elements that project into the right-of-way are treated as roof overhangs.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.G3 Circulation Design	<p>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.</p>
			<i>Commission Findings</i>	<p>Vehicle access to the underground parking garage is provided from the Block 39 alleyway. This circulation configuration complies with the Ketchum Traffic Authority's recommendation that no curb cuts be permitted if there is alley access available to serve the development. No curb cuts are proposed along 1st Street or Washington Avenue, which enhances safety as driveways intersecting sidewalks may increase congestion and create safety hazards for pedestrians and bicyclists.</p> <p>Pedestrian and bicycle access to the building is provided from a paver pathway that connects to the public sidewalk along 1st Street and Washington Avenue.</p> <p>Prior to issuance of a Building Permit for the project, the City Engineer and Streets Department shall review the civil drawings to ensure adequate sight distances and proper signage for the proposed driveway access.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.G4 Circulation Design	<p>Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site</p>

				conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.
			<i>Commission Findings</i>	<i>N/A as no curb cuts or driveway entrances are proposed along 1st Street or Washington Avenue.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.G5 Circulation Design	Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.
			<i>Commission Findings</i>	<i>Unobstructed access for emergency vehicles, snowplows, and garbage trucks is provided from the Block 39 alley, 1st Street, and Washington Avenue. The applicant shall submit a will-serve letter from Clear Creek Disposal prior to issuance of a Building Permit for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.H1 Snow Storage	Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.
			<i>Commission Findings</i>	<i>The Architectural Site Plans notes, "There are no viable snow storage areas located on site. All snow management will be accomplished by snowmelt and hauling snow off-site."</i> <i>Most of the on-site circulation areas are covered by roof canopies. Snow removal from the sidewalk along 1st Street and Washington Avenue will be the responsibility of the property owner.</i> <i>The applicant proposes to snowmelt or haul snow off-site, which is permitted as an alternative to providing a snow storage area by KMC §17.96.060.H4.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.H2 Snow Storage	Snow storage areas shall be provided on-site.
			<i>Commission Findings</i>	<i>The applicant proposes to snowmelt or haul snow off-site, which is permitted as an alternative to providing a snow storage area by KMC §17.96.060.H4.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.H3 Snow Storage	A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty-five (25) square feet.
			<i>Commission Findings</i>	<i>The applicant has proposed snowmelt and snow hauling in lieu of providing any snow storage areas on site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.H4 Snow Storage	In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.
			<i>Commission Findings</i>	<i>The Architectural Site Plans notes, "There are no viable snow storage areas located on site. All snow management will be accomplished by snowmelt and hauling snow off-site." Most of the on-site circulation areas are covered by roof canopies. Snow removal from the sidewalk along 1st Street and Washington Avenue will be the responsibility of the property owner.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.I1 Landscaping	Landscaping is required for all projects.
			<i>Commission Findings</i>	<i>The landscape plan incorporates at-grade and raised planters within the second- and third-floor balconies and on the roof decks. At-grade</i>

				<p>planters highlight the building entrances at the northeast and southeast corners along Washington Avenue and 1st Street. The roof deck is further enhanced by trees in planters.</p> <p>The applicant has proposed four street trees within the ROW along Washington Avenue and 1st Street. Street trees and furniture may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the Building Permit application for final review and approval by the City Engineer and Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW require an Encroachment Permit.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.I2 Landscaping	<p>Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.</p>
			<i>Commission Findings</i>	<p><i>The proposed landscaping is complementary to the building and surrounding Community Core. The landscape plan has been prepared by a professional landscape architect and is understood to meet requirements for microclimate, soil conditions, orientation and aspect. The applicant's narrative notes that landscaped areas will have regional plantings adaptable to the site's microclimate.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.I3 Landscaping	<p>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</p>
			<i>Commission Findings</i>	<p><i>All trees, shrubs, grasses, and perennials shall be drought tolerant. Native plants are recommended. The landscape plan indicates that all vegetation will be drip irrigated.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.I4 Landscaping	<p>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.</p>
			<i>Commission Findings</i>	<p><i>The subject property is surrounded by compatible uses within the Community Core Zone. Forest Service Park serves as an open space buffer that will help mitigate the impacts of building mass from this project and the Limelight Hotel. The landscape features soften the mass of building and provide visual relief to the vertical wall planes.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.J1 Public Amenities	<p>Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.</p>
			<i>Commission Findings</i>	<p><i>The applicant has provided one bicycle rack and one bench on site adjacent to the right-of-way at the corner of Washington Avenue and 1st Street.</i></p>

			<p><i>Street trees, streetlights, and a trash receptacle are proposed within the sidewalk along 1st Street and Washington Avenue. 6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights.</i></p> <p><i>All amenities within the right-of-way must be reviewed and approved by the City Engineer and, if approved, will require an Encroachment Permit issued by the City.</i></p> <p><i>Final civil drawings for all associated ROW and street improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. See Table 1 for review comments and conditions from the City Engineer & Streets Department.</i></p>
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TABLE 4: FINDINGS REGARDING COMMUNITY CORE DESIGN REVIEW STANDARDS

IMPROVEMENTS AND STANDARDS: 17.96.070 - Community Core (CC) Projects				
Yes	No	N/A	Ketchum Municipal Code Section	City Standards and Commission Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070A(1)	<p>Street trees, street lights, street furnishings, and all other street improvements shall be installed or constructed as determined by the Public Works Department.</p>
			Commission Findings	<p><i>The applicant has provided one bicycle rack and one bench on site adjacent to the right-of-way at the corner of Washington Avenue and 1st Street.</i></p> <p><i>Street trees, streetlights, and a trash receptacle are proposed within the sidewalk along 1st Street and Washington Avenue. 6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights. All amenities within the right-of-way must be reviewed and approved by the City Engineer and, if approved, will require an Encroachment Permit issued by the City.</i></p> <p><i>Final civil drawings for all associated ROW and street improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department. See Table 1 for review comments and conditions from the City Engineer & Streets Department.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(A)(2) Streets	<p>Street trees with a minimum caliper size of three (3") inches, shall be placed in tree grates.</p>
			Commission Findings	<p><i>The Streetscape Landscape Plan indicates that the 4 proposed street trees will be installed within tree grates and planted within silva cells for optimal root development.</i></p>

				<i>Street trees and furniture may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans with the Building Permit application for final review and approval by the City Engineer and Streets Department. All encroachments within the ROW require an Encroachment Permit issued by the City.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(A)(3)	Due to site constraints, the requirements if this subsection 17.96.070(A) may be modified by the Public Works Department.
			Commission Findings	<i>Modification to the requirements of KMC §17. 96.070(A) may be recommended by the City Engineer and Streets Department following review of the civil drawings submitted with the Building Permit application. Preliminary plans submitted with Design Review are reviewed by the City Engineer and Streets Department in concept only. The final civil drawings including the streetscape, sidewalk, utilities, and drainage plans shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project. Final details and approval will occur during Building Permit review.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(B)(1)	Facades facing a street or alley or located more than five (5') feet from an interior side property line shall be designed with both solid surfaces and window openings to avoid the creation of blank walls and employ similar architectural elements, materials, and colors as the front façade.
			Commission Findings	<i>The Washington Avenue, alley, and 1st Avenue facades incorporate significant fenestration and utilize the same materials, colors, and architectural elements as the front façade.</i> <i>The mixed-use building is proposed to be built to the interior property line. While located less than 5 feet from the interior side property line and not subject to this standard, the applicant has incorporated some material differentiation from the primary concrete wall by adding steel panels and vertical rainscreen panels.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(B)(2)	For nonresidential portions of buildings, front building facades and facades fronting a pedestrian walkway shall be designed with ground floor storefront windows and doors with clear transparent glass. Landscaping planters shall be incorporated into facades fronting pedestrian walkways.
			Commission Findings	<i>The Mountain Land Design Showroom is located on the main level of the mixed-use building. Floor-to-ceiling windows and doors with clear transparent glass have been incorporated at the entrances and across the 1st Street and Washington Avenue facades. At-grade planters highlight the entrances at the northeast and southeast building corners along Washington Avenue and 1st Street.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(B)(3)	For nonresidential portions of buildings, front facades shall be designed to not obscure views into windows.
			Commission Findings	<i>The proposed design maximizes views into the Mountain Land Design Showroom for optimal window shopping.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(B)(4)	Roofing forms and materials shall be compatible with the overall style and character of the structure. Reflective materials are prohibited.
			Commission Findings	<i>Flat roofs at varying height and canopy elements define the building and reduce the appearance of bulk and mass. The flat roofing form is compatible with the modern design style of the mixed-use building. Reflective roofing materials are prohibited.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(B)(5)	All pitched roofs shall be designed to sufficiently hold all snow with snow clips, gutters, and downspouts.
			Commission Findings	<i>N/A as no pitched roofs are proposed for the project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(B)(6)	Roof overhangs shall not extend more than three (3') feet over a public sidewalk. Roof overhangs that extend over the public sidewalk shall be approved by the Public Works Department.
			Commission Findings	<i>The applicant has proposed one window shade overhang that encroaches over the public sidewalk along 1st Street. The proposed window shade extends 2'-6" over the sidewalk (Refer to Architectural Site Plan).</i> <i>The proposed encroachment of the window shade within the public ROW requires review and approval by the City Engineer and Street Department. If the window shade is approved, the overhang with the ROW may require an Encroachment Permit. The dimensioned window shade overhang encroachment shall be indicated on the project plans submitted with the Building Permit application to be reviewed and approved by the City Engineer and Streets Department. Final details will be reviewed through the Building Permit process.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(B)(7)	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.
			Commission Findings	<i>The showroom and residential lobby entrances lead to at-grade paver pathways that connect to the sidewalks along 1st Street and Washington Avenue. These entrances are open and unenclosed. The entryways include a canopy element to provide weather protection.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(C)(1)	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.
			Commission Findings	<i>The trash disposal area is located at the within the building and accessed from the alley. The applicant's narrative notes that garbage will be collected in rolling carts. The rolling carts will be brought to the alley for pick-up and returned to the interior garbage storage area by building maintenance staff.</i> <i>The applicant shall submit a will serve letter from Clear Creek Disposal prior to issuance of a Building Permit for the project.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(C)(2)	Roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. Screening shall be compatible with the overall building design.
			Commission Findings	<i>The applicant's narrative notes that no roof-mounted mechanical or electrical equipment is anticipated for the project. Condenser units from the cooling system will be located on the 2nd floor deck behind a screen wall at the northeast corner of the building. Electrical metering equipment at the alley elevation is proposed to be screened by a steel enclosure and gas meters are anticipated to be located within a closet accessed from the alley.</i> <i>All roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. The final screening, location, and height of all ground and roof mounted mechanical equipment shall be reviewed prior to the issuance of a Building Permit and shall be approved upon Final Inspection prior to Certificate of Occupancy for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(D)(1)	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.
			Commission Findings	No mature trees have been removed from the project site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(D)(2)	Trees that are placed within a courtyard, plaza, or pedestrian walkway shall be placed within tree wells that are covered by tree grates.
			Commission Findings	<i>The 4 street trees indicated on the Streetscape Plan are proposed to be installed in tree wells and covered by grates. Trees to be located on the roof deck are proposed to be installed within planters.</i> <i>The applicant has proposed four street trees within the ROW along Washington Avenue and 1st Street. Street trees and furniture may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the Building Permit application for final review and approval by the City Engineer and Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW require an Encroachment Permit.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(D)(3)	The city arborist shall approve all parking lot and replacement trees.
			Commission Findings	<i>N/A as no parking lot trees or replacement trees are required for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(E)(1)	Surface parking lots shall be accessed from off the alley and shall be fully screened from the street.
			Commission Findings	<i>N/A. No surface parking is proposed with the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(E)(2)	Surface parking lots shall incorporate at least one (1) tree and one (1) additional tree per ten (10) onsite parking spaces. Trees shall be planted in landscaped planters, tree wells and/or diamond shaped

				planter boxes located between parking rows. Planter boxes shall be designed so as not to impair vision or site distance of the traveling public.
			Commission Findings	<i>N/A. The project does not include a surface parking area. On-site parking is accommodated within an underground garage.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(E)(3)	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.
			Commission Findings	<i>The landscape plan includes at-grade and raised planters that enhance the building entrances, upper-level balconies, and roof decks. The 4 street trees are proposed to be installed in tree wells and covered by grates.</i> <i>6 feet of clearance must be provided around all obstacles within the right-of-way, including street trees, grates, and lights. All amenities within the right-of-way must be reviewed and approved by the City Engineer and, if approved, will require an Encroachment Permit issued by the City.</i> <i>The applicant has proposed four street trees within the ROW along Washington Avenue and 1st Street. Street trees and furniture may be considered if a snowmelt system is installed for the sidewalks. Streetscape improvements must be indicated on civil plans submitted with the Building Permit application for final review and approval by the City Engineer and Streets Department. If approved by the City Engineer and Streets Department, all encroachments within the ROW require an Encroachment Permit.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(F)(1)	One (1) bicycle rack, able to accommodate at least two (2) bicycles, shall be provided for every four (4) parking spaces as required by the proposed use. At a minimum, one (1) bicycle rack shall be required per development.
			Commission Findings	<i>The development generates a parking demand of 4 spaces. 1 bike rack accommodating 2 bikes is required for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.070(F)(2)	When the calculation of the required number of bicycle racks called for in this section results in a fractional number, a fraction equal to or greater than one-half (1/2) shall be adjusted to the next highest whole number.
			Commission Findings	<i>One bicycle rack is required. The fraction of the calculation is not equal to or greater than one-half.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.070(F)(3)	Bicycle racks shall be clearly visible from the building entrance they serve and not mounted less than fifty (50') feet from said entrance or as close as the nearest non-ADA parking space, whichever is closest. Bicycle racks shall be located to achieve unobstructed access from the public right-of-way and not in areas requiring access via stairways or other major obstacles.

			Commission Findings	<i>The bike rack is located on-site by the showroom entrance between the building and the sidewalk and is covered by the canopy overhang.</i>
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CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the Ordinances and regulations, which Ordinances are codified in the Ketchum City Code (“KMC”) and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the Applicant’s Design Review Application for the development and use of the project site.
2. The Commission has authority to hear the applicant’s Design Review Application pursuant to Chapter 17.96 of Ketchum Code Title 17.
3. The City of Ketchum Planning Department provided adequate notice for the review of this application.
2. The Design Review application is governed under Ketchum Municipal Code Chapters 17.96, 17.124, 17.08, 17.12, 17.18, and 17.128.
3. The Design Review application for the fire station meets the standards of approval under Title 17 of KMC subject to conditions of approval.

CONDITIONS OF APPROVAL

1. As a voluntary contribution, in exchange for an increase in FAR, a total community housing contribution of 1,007 square feet is required. A Floor Area Ratio Exceedance Agreement between the applicant and the City to memorialize the community housing contribution shall be signed prior to issuance of a Building Permit for the project.
2. This Design Review approval is subject to all comments and conditions as described in Tables 1, 2, 3, and 4.
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 for all on-site improvements must conform to the approved Design Review plans unless otherwise approved in writing by the Planning and Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
4. All governing ordinances, requirements, and regulations of the Fire Department (2012 International Fire Code and local Fire Protection Ordinance No.1125), Building Department (2012 International Building Code, the 2012 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer shall be met prior to Certificate of Occupancy.
5. The applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho to include specifications for the ROW, utilities, and drainage improvements to be reviewed and approved by the City Engineer, Streets, and Utilities departments prior to issuance of a Building Permit for the project.

6. The term of Design Review approval shall be twelve (12) months from the date that the Findings of Fact, Conclusions of Law, and Decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations (KMC §17.96.090).
7. All Design Review elements shall be completed prior to issuance of a Certificate of Occupancy for the building.
8. All exterior lighting on the property shall comply with Ketchum Municipal Code, Chapter 17.132, Dark Skies, and will be inspected by Planning Staff and approved prior the issuance of a Certificate of Occupancy for the building.
9. The project shall comply with the requirements of §17.124.040 Development Standards as adopted on the date a Building Permit is submitted for the project.
10. Prior to issuance of a Building Permit for the project, the applicant shall submit a construction management plan, which addresses each of the standards as set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards.
11. 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 8th day of June, 2020.

Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission



City of Ketchum

STAFF REPORT KETCHUM PLANNING AND ZONING COMMISSION REGULAR MEETING OF JUNE 8, 2020

PROJECT: Nalen Appeal

FILE NUMBER: P20-028

OWNER: Craig A. Nalen

APPLICANT: Fritz X. Haemmerle, Haemmerle Law, P.L.L.C., on behalf of Craig Nalen

REQUEST: Appeal of an administrative decision

LOCATION: 201 Garnet Street (FR SE SW TL 8492 SEC 18 4N 18E)

ZONING: Limited Residential (LR)

OVERLAY: None

NOTICE: Notice was published in the Idaho Mountain Express on May 20, 2020. Notice was mailed to property owners within a 300-foot radius on May 22, 2020. Notice was posted at three (3) public locations and on the subject property on May 22, 2020.

ATTACHMENTS:

Attachment A – Administrator’s Certification of Procedural Requirements

Attachment B – Record of the case

- B.1** Administrator zoning determination letter, “Zoning Determination Pursuant to Ketchum Municipal Code Section 17.124.170 for the proposed Craig Nalen Residence at 201 Garnet Street, Ketchum, Idaho,” dated March 9, 2020
- B.2** Garnet Street Agreement (instrument #403847)
- B.3** Fritz Haemmerle letter dated January 21, 2020
- B.4** KMC §17.12.030.C: Dimensional Standards Matrix
- B.5** KMC §17.124.170: Minimum Standards for One-Family Dwellings
- B.5** KMC §17.04.040: Interpretation
- B.6** Development Review meeting agenda dated January 8th, 2020
- B.7** 201 Garnet Street Drainage & Snow Storage Calculations and supporting materials (13 pages), S&C Associates, March 6, 2020

Attachment C – Notice of Appeal dated March 23, 2020 and Brief, Haemmerle Law, P.L.L.C.

Recommendation and Summary

Staff recommends the Commission:

1. Accept the Administrator's certificate of procedural requirements by adopting proposed Motion #1
2. Accept the Commission's record of the case and set the matter for hearing for the June 8, 2020 meeting by adopting proposed Motion #2 and #3
3. Review the record, and hear oral arguments from the appellant and from staff, deliberate, and direct staff to draft Findings of Fact, Conclusions of Law, and Decision to be considered for adoption at a special meeting to occur prior to July 8, 2020 by adopting proposed Motion #4.

Staff recommends scheduling the appeal hearing to occur during the June 8, 2020 meeting because the appellant is present and has previously submitted a brief for the appeal. Should the Commission find additional time is needed to consider the record the Commission may schedule the appeal hearing to occur at or continue to a later date and time. (**NOTE:** This is not a public *hearing* and public comments were not required or solicited. The written comment included in Attachment D, and any additional written public comment received prior to the hearing, are included solely for informational purposes and so the staff and/or appellant can address them if so desired; the Commission's decision need not refer to or rely on any such unsolicited comment but is based on City Code.)

Staff recommends affirming the administrator's decision set forth in the zoning determination letter, "Zoning Determination Pursuant to Ketchum Municipal Code Section 17.124.170 for the proposed Craig Nalen Residence at 201 Garnet Street, Ketchum, Idaho," dated March 9, 2020 for the following reasons:

- The proposed drainage improvements do not comply with KMC Section 17.124.170.A. Rather, the proposed reconfigured borrow ditch: (a) is inadequate given the unique characteristics of the site as further calculated by the city engineer; and (b) does not comply with city standards.
- The proposed snow storage areas for all improved parking and pedestrian circulation areas, including the entirety of the existing paved roadway on the subject property, whether dedicated for public right of way purposes or not as noted in the existing Garnet Street Agreement (instrument #403847), is less than the required minimum of 30%.
- The uniform application of building setbacks, as argued by Mr. Haemmerle, is an equal protection issue; however, of equal note throughout the city is the need for land development projects (buildings, landscaping, fencing, etc.) to comply with any number of other equally applicable regulations, such as the city's minimum snow storage and drainage requirements for one-family dwellings as set forth in KMC Section 17.124.170.
- The setbacks as proposed by the applicant do not provide sufficient area to perform basic city services such as snow removal. Older existing structures on the Gem Streets that have pre-existing similar setbacks to those proposed by the applicant have been damaged by snow removal operations.

Recommended Motions

1. "I move to accept the administrator's certification of procedural requirements finding all procedural requirements have been satisfied and fees have been paid, included as Attachment A to the staff report dated June 8, 2020."

2. "I move to accept the record of the case consisting of the administrator's determination letter dated March 9, 2020 and the supporting documents referenced to reach the determination, included as attachment B to the staff report dated June 8, 2020."
3. "I move to set the appeal hearing to occur in Ketchum City Hall, Council Chambers, 480 East Ave. N., Ketchum, ID 83340 with the opportunity for the applicant to participate through the virtual meeting platform hosted at ketchumidaho.org on Monday, June 8, 2020 at 5:30 p.m. finding the appellant has been given proper notice of the proposed hearing time, date and location, has submitted a brief, and is present to give oral argument."
4. After hearing, move to **affirm** the March 9, 2020 zoning determination of the planning and zoning administrator and direct City Staff to prepare written findings of fact and conclusions of law ("Findings") and present subject Findings for final decision at a special meeting of the Commission to occur prior to July 8, 2020, which will be within thirty (30) days of today's date, June 8, 2020."

Background

On March 9, 2020 the Planning and Zoning Administrator made a zoning determination pursuant to Ketchum Municipal Code (KMC) Section 17.124.170 for the proposed Craig Nalen Residence at 201 Garnet Street, Ketchum, Idaho. See **Attachment B.1** for a copy of the Administrator's March 9, 2020 zoning determination.

Subject administrative determination has been appealed by Fritz Haemmerle, Haemmerle Law P.L.L.C., on behalf of Mr. Nalen consistent with the appeal requirements of KMC §17.144.010. See **Attachment C** for a copy of Mr. Haemmerle's appeal brief.

As required by KMC §17.144.010.A, please also find all the supporting documents and papers that complement Attachments A and B in completing the record in the case, including applicant drawings and City Engineer snow storage and drainage calculations. See **Attachments B.2-B.7** for a copy of supporting documents.

Consistent with KMC §17.144.010, the Administrator certifies that all procedural requirements have been satisfied, fees paid, and that **Attachments A, B and C constitute the full record of the matter.**

Commission Authority

As set forth in KMC §17.144.010.C the Commission has the following authority: "Upon hearing the appeal, the commission shall consider the record, the order, requirement, decision or determination of the administrator and the notice of appeal, together with oral presentation and written legal arguments by the appellant and the administrator. The commission shall not consider any new facts or evidence at this point. The commission may affirm, reverse or modify, in whole or in part, the order, requirement, decision or determination of the administrator."

Commission Decision

As set forth in KMC §17.144.010.D the Commission has the following authority: "The commission shall enter a decision within thirty (30) days after the hearing on appeal, which shall include its written findings of fact and conclusions of law separately stated. The commission shall transmit a copy of the decision to the appellant"

Attachments

Attachment A – Administrator's Certification of Procedural Requirements

Attachment B – Record of the case

B.1 Administrator zoning determination letter, "Zoning Determination Pursuant to Ketchum Municipal Code Section 17.124.170 for the proposed Craig Nalen Residence at 201 Garnet Street, Ketchum, Idaho," dated March 9, 2020

- B.2** Garnet Street Agreement (instrument #403847)
- B.3** Fritz Haemmerle letter dated January 21, 2020
- B.4** KMC §17.12.030.C: Dimensional Standards Matrix
- B.5** KMC §17.124.170: Minimum Standards for One-Family Dwellings
- B.5** KMC §17.04.040: Interpretation
- B.6** Development Review meeting agenda dated January 8th, 2020
- B.7** 201 Garnet Street Drainage & Snow Storage Calculations and supporting materials (13 pages), S&C Associates, March 6, 2020

Attachment C – Notice of Appeal dated March 23, 2020 and Brief, Haemmerle Law, P.L.L.C.

Attachment D – Written public comment received as of 4:00 p.m. Wednesday, June 3rd, 2020

Attachment A.

Administrator's Certification of Procedural Requirements



City of Ketchum
Planning & Building

June 1, 2020

RE: Administrator's Certification of Procedural Requirements for the Nalen Appeal P20-028

Consistent with KMC §17.144.010.A, the Administrator certifies that all procedural requirements have been satisfied and fees paid for the Nalen Appeal, file #P20-028.

A handwritten signature in blue ink that reads "Brittany Skelton".

Brittany Skelton
Senior Planner, Ketchum Planning and Building Department

Attachment B.
Record of the Case

B.1 Administrator zoning determination letter, "Zoning Determination Pursuant to Ketchum Municipal Code Section 17.124.170 for the proposed Craig Nalen Residence at 201 Garnet Street, Ketchum, Idaho," dated March 9, 2020



City of Ketchum

March 9, 2020

CERTIFIED MAIL

Janet Jarvis
511 Sun Valley Road
Box 626
Ketchum, Idaho 83340

SUBJECT: Zoning Determination Pursuant to Ketchum Municipal Code Section 17.124.170 for the proposed Craig Nalen Residence at 201 Garnet Street, Ketchum, Idaho

Dear Janet,

Associate Planner Abby Rivin enjoyed meeting with your associate Lucas Winter on January 8, 2020 and then with you on January 24, 2020. Subsequent to these meetings, Abby and I have had a chance to review your plans and want to compliment you, in general terms, on the overall quality of the design.

As noted at your previous meeting with Abby and representatives of city administration and streets, the city has a concern with the placement of the proposed new one-family dwelling. The concerns include: maintaining adequate "free clear and unobstructed" fire apparatus access, providing adequate snow storage, conforming with the existing Garnet Street Agreement (instrument #403847), and complying with city building setbacks requirements.

I am also in receipt of Fritz Haemmerle's letter of January 21, 2020, which states your position: "Every setback drafted on the site plan conforms to the City's existing [Limited Residential (LR) District] setbacks." Based on the dimensional standards listed in Ketchum Municipal Code (KMC) Section 17.12.030.C for the LR District, this position is plausible at face value, but additional analysis is required. In particular, I want to bring your attention to the Minimum Standards for One-Family Dwellings set forth in KMC Section 17.124.170 that affect the overall adequacy of the currently proposed site plan for the Craig Nalen Residence at 201 Garnet.

My analysis as to how the minimum standards for one-family dwellings affect the Nalen Residence site plan is organized in three parts as follows. Part one analyzes city drainage requirements. Part two reviews city snow storage requirements. Finally, in part three I summarize the extent to which, in my opinion as Administrator of the Ketchum Zoning Ordinance, your current site plan for Mr. Nalen requires additional attention to comply with the minimum standards for one-family dwellings as established by KMC.

Part one: drainage. I interpret KMC Section 17.124.170.A to:

- Require all stormwater be retained on site;
- Grant the city engineer discretionary authority to require addition drainage improvements depending on the unique characteristics of a site; and
- Require any proposed recontouring of borrow ditches, including the construction of drainage facilities affecting Garnet Street on Mr. Nalen's property, be constructed to city standards.

Part two: snow storage. I interpret KMC Section 17.124.170.C to:

- Require snow storage areas for all improved parking and pedestrian circulation areas, including the entirety of the existing paved roadway on Mr. Nalen’s property as subject area is used for pedestrian circulation, among other uses;
- Allow the proposed recontoured borrow ditch and area needed for the retention of on site stormwater/drainage, as determined by the city engineer consistent with KMC Section 17.124.170.D, to also be used for snow storage;
- Require that any area designated for snow storage be usable and in an unobstructed location relative to the location from which the snow is removed; and
- Require that subject snow storage area be not less than 30%.

Part three: findings and administrative determination. Based on the foregoing and a review of the city engineer, street and fire department comments, I find:

1. The proposed snow storage area west of the driveway to be generally adequate for the storage of snow for the two driveway parking stalls and front door exterior entry area.
2. The proposed 111.17' (132.17' of frontage minus the 21'-0" for the new 12" culvert under the driveway) borrow ditch recontour area along Mr. Nalen’s Garnet Street frontage to be too narrow as shown. As noted by the City Engineer, the proposed 2' to 3' wide drainage ditch is insufficient and needs to be improved to 15' in width (8' permeable material and 7' grasses) based on city standards and unique characteristics of the site.
3. A new snow storage area needs to be added to your proposed site plan. Subject designated snow storage area may be co-located with the revised 15' wide borrow ditch required for drainage and toward Mr. Nalen’s proposed home along the entire length of his Garnet Street frontage, excepting the driveway and front entry.

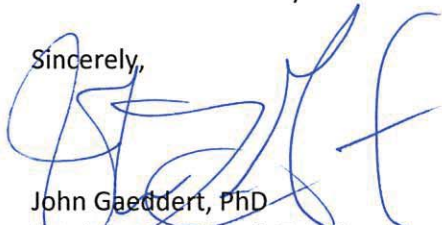
Based upon evidence provided by the Ketchum Street Department, City Engineer drainage and snow storage calculations, the aforementioned ordinance provisions, the need to maintain 20' of free clear and unobstructed fire access along Garnet Street for safety reasons, and the minimum requirement provisions set forth in KMC §17.04.040.B, it is my finding that 15', as measured from edge of asphalt, is necessary for drainage and snow storage purposes.

4. Vertical improvements, such as trees and fences, are not allowed within subject 15' wide drainage swale and snow storage area adjacent the Garnet Street edge of asphalt on Mr. Nalen’s property.

If you should have any questions about any of the provisions of this letter, please let me know. We look forward to continuing to work with you toward an approvable set of building permit drawings. Please note that this administrative decision may be subject to administrative appeal. See KMC §17.144 for details.

Please let me know if you have additional questions.

Sincerely,



John Gaeddert, PhD
Ketchum Planning & Building Department Director

Cc: Fritz Haemmerle
Matt Johnson

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Janet Jarvis
P O Box 626
Ketchum, ID
83340



9590 9402 4767 8344 1313 78

2. Article Number (Transfer from service label)

7018 0360 0001 3649 2264

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Maggi Cummings

Agent

Addressee

B. Received by (Printed Name)

Maggi Cummings

C. Date of Delivery

3/12/20

D. Is delivery address different from item 1?
If YES, enter delivery address below:

Yes

No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

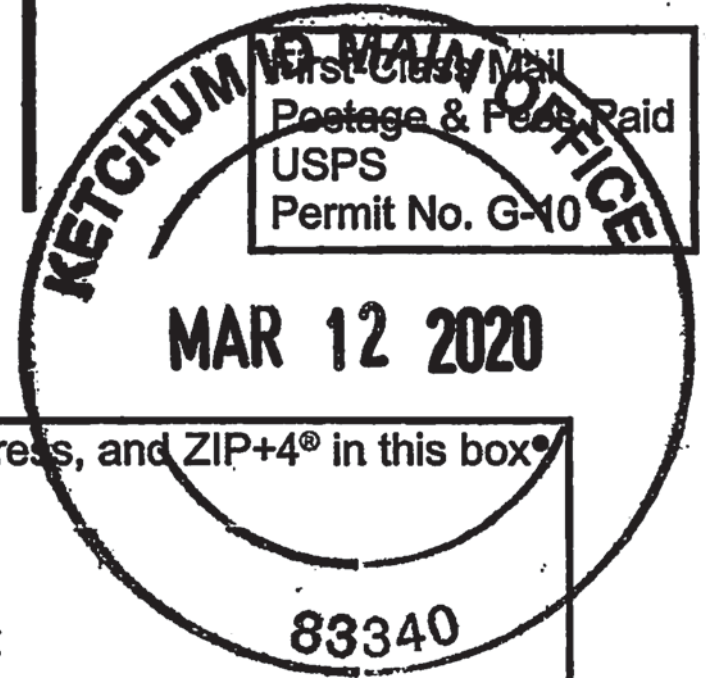
- Priority Mail Express®
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- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
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- Signature Confirmation Restricted Delivery

Restricted Delivery

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9590 9402 4767 8344 1313 78



**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

Planning and Building Dept
City of Ketchum
P O Box 2315
Ketchum, ID 83340

B.2 Garnet Street Agreement (instrument #403847)

403847

'97 JUN 15 AM 10 07

Agreement

FILED REQUEST

City of Ketchum

SETTLEMENT AGREEMENT

237

THIS SETTLEMENT AGREEMENT ("Agreement") is made and entered into this ^{8TH} day of ~~November~~ ^{FEBRUARY}, 1997, by and between CARL CURTIS ("Curtis"), JEANNE FRANKS, THE VINAGRE TRUST, by and through GARY E. and LINDA M. VINAGRE, TRUSTEES, ROBERT and MARJOLAINE RENFRO, WILLIAM G. and SUSAN POLLOCK, THOMAS H. "BUD" and RITA ANN HEANEY, JOHN T. and JERRY ANN HEANEY, WILLIAM H. and ANN S. VANDERBILT, RICHARD O. DAHLGREN and JULIE SLOCUM DAHLGREN, KATHY JEANNE HARRAH, RELI LOUISE HAEMMERLE, FRITZ XAVIER HAEMMERLE, WILMA PACE, PAMELA JEAN RAYBORN, JOHN D. PACE, STELLA A.M. KEANE, CARL E. and SUSAN LEY, JUDY L. DEMETRE and THE ESTATE OF GEORGE B. SAVIERS, deceased, by and through its personal representative, BOB STEVENS (collectively referred to as the "Garnet Street Neighbors") and the CITY OF KETCHUM ("Ketchum").

RECITALS

WHEREAS, Curtis has filed case number CV-93-897 ("Lawsuit") in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Blaine, seeking to resolve the legal status of a parcel of property commonly known as Garnet Street, located within Ketchum, and more specifically depicted in the diagram attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, the Garnet Street Neighbors, Ketchum and other named individuals and/or entities ("Other Defendants") were named as defendants in the Lawsuit; and

WHEREAS, Curtis is the owner of real property located at the eastern end of Garnet Street, in Ketchum, commonly known as Lot 1 of the Esmeralda Subdivision Lot Line Shift Plat ("Curtis Property"), and more specifically described in Exhibit "B" and depicted in Exhibit "C"; and

WHEREAS, the Garnet Street Neighbors, Ketchum and certain of the Other Defendants are the owners of, or have some form of interest in, the real property located in Ketchum, which property is more specifically described in Exhibit "B" and depicted in Exhibit "A"; and

WHEREAS, except for the Garnet Street Neighbors and Ketchum, the Other Defendants have had a default judgment entered against them consistent with the relief sought in the Curtis complaint filed in the Lawsuit, or have been dismissed from the Lawsuit; and

WHEREAS, Curtis, the Garnet Street Neighbors and Ketchum desire to resolve the Lawsuit on the terms and conditions hereinafter set forth;

NOW, THEREFORE, for good and valuable consideration, including the mutual covenants herein contained, the parties hereto agree as follows:

TERMS AND CONDITIONS

1. **PAVED PORTION OF GARNET STREET.** The parties agree that the paved portion of Garnet Street, as specifically described in Exhibit "D", attached hereto and incorporated herein, from Highway 75, then eastward to the end of the paved portion of Garnet

Street shall be deemed for all purposes to be a public roadway by prescriptive easement. After the Garnet Street Neighbors have executed easements to Ketchum pursuant to Paragraph 5, the parties agree that the paved portion of Garnet Street described herein shall be deemed a public roadway by express easement. The parties agree that the property lying to the north and south of the paved portion of Garnet Street is private property.

2. *UNPAVED PORTION OF GARNET STREET.* The parties agree that the unpaved, or graveled, portion of Garnet Street, as specifically described and depicted in Exhibit "E", attached hereto and incorporated herein, from the east end of the paved portion of said Street, as described in Exhibit "D", then eastward, shall be deemed a private driveway. The Garnet Street Neighbors and Curtis agree that said private driveway shall provide access to a maximum number of three (3) single family residential lots in a subdivision on the Curtis Property, as well as providing access to the property owned by The Estate of George B. Saviers ("Saviers Property"). The Garnet Street neighbors and Curtis agree that no additional lots other than those identified herein shall be allowed access via said private driveway. The Garnet Street Neighbors and Curtis agree that the private driveway shall remain as is, without any modification in width, grade or surface.

3. *CURTIS SUBDIVISION APPLICATION.*

(a) *Garnet Street Access.* Curtis intends to submit an application to Ketchum to subdivide the entire Curtis Property ("Curtis Subdivision"). Curtis agrees that the Curtis Subdivision shall propose not more than three (3) single family residential subdivision lots which could be accessed via Garnet Street. Curtis agrees that the Curtis Subdivision shall also provide access via Garnet Street to the Saviers Property. In addition, Curtis agrees that there shall be no further subdivision of the three (3) Curtis Subdivision single family residential lots which could be accessed from Garnet Street.

(b) *Snowplow Easement.* Curtis, through the Curtis Subdivision Plat, agrees to dedicate to Ketchum a snowplow access and turnaround easement, to enable a Ketchum snowplow to turn around near the location on the Curtis Property adjacent to Garnet Street currently used by Ketchum for such purposes as depicted in Exhibit "E", attached hereto and incorporated herein.

(c) *Pedestrian Path Easement.* Curtis, through the Curtis Subdivision Plat, agrees to dedicate to the Garnet Street Neighbors a pedestrian path easement, which shall be located in the approximate location of the existing path on the Curtis Property leading to the back side of Dollar Mountain.

(d) *Building Envelopes.* Curtis agrees that the Curtis Subdivision Plat shall designate all building envelopes outside the existing trees on the Curtis Property.

(e) *Application Approval Condition Precedent.* At such time as Ketchum gives final approval to the Curtis Subdivision, the parties hereto agree to execute and submit to the Court a Stipulation For Dismissal of the Lawsuit in the form attached hereto as Exhibit "F" and incorporated herein. The parties agree that all claims, complaints, crossclaims and counterclaims in any way relating to the Lawsuit shall be dismissed with prejudice as to the Garnet Street Neighbors and Ketchum. The parties agree that the Court may enter an Order For Dismissal of the Lawsuit as to the Garnet Street Neighbors and Ketchum in the form attached hereto as Exhibit "G" and

incorporated herein. In the event Ketchum does not approve the Curtis Subdivision, the parties agree that all recitals, covenants, terms and conditions contained in this Agreement shall be null and void, and evidence of the same shall not be introduced in the Lawsuit or any litigation thereafter pertaining to the resolution of the status of Garnet Street.

(f) *Ketchum's Execution of Agreement.* The parties acknowledge that by Ketchum's execution of this Agreement, Ketchum does not agree, either expressly or implicitly, to approve the proposed Curtis Subdivision. Furthermore, the parties acknowledge that Ketchum only executes this Agreement on the basis that Ketchum will agree to the dismissal of the Lawsuit on the terms and conditions herein set forth. should Ketchum, in its sole and absolute discretion, approve the Curtis Subdivision. The parties agree that nothing herein shall be construed by any party as an obligation on the part of Ketchum to approve all or any portion of the Curtis Subdivision.

4. *PRESERVATION OF TREES.* The Garnet Street Neighbors and Curtis agree that the existing trees located adjacent to the unpaved and paved portions of Garnet Street, as said portions of Garnet Street are described in Paragraphs 1 and 2 herein and described and depicted in Exhibits "D" and "E", shall not be disturbed, except as necessary to prevent an obstruction to traffic or to protect the integrity of Garnet Street and the surrounding structures.

5. *ACCESS AND UTILITY EASEMENTS.* The parties agree to grant the following express easements:

(a) A public access and utility easement from Curtis and the Garnet Street Neighbors, as Grantors, to Ketchum, as Grantee, upon, over and under the paved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 1 herein and described in Exhibit "D"

(b) A utility easement from Curtis, The Estate of George B. Saviers and Judy Demetre, as Grantors, to Ketchum, as Grantee, upon, over and under that portion of the Curtis Property, Saviers Property and Demetre Property located within the unpaved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E".

(c) A private access and utility easement from Judy Demetre, as Grantor, to Curtis and The Estate of George B. Saviers, as Grantees, over and under that portion of the Demetre Property located within the unpaved portion of Garnet Street, as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E"

(d) A reciprocal private access and utility easement between Curtis and The Estate of George B. Saviers upon, over and under that portion of the Curtis Property and the Saviers Property located within the unpaved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E"; and a private parking and landscape easement from Curtis, as Grantor, to The Estate of George B. Saviers, as Grantee, upon, over and under a portion of the Curtis Property as depicted in Exhibit "E".

The parties agree that the express easements described above, attached hereto and incorporated herein as Exhibit "H", shall become effective only upon the approval by Ketchum

of the Curtis Subdivision proposed for development on the Curtis Property as described herein. The parties agree that if Ketchum denies the Curtis Subdivision application, none of the easements herein contained would be valid, and no additional documents as envisioned in this Agreement would be required to be executed.

6. **REMEDIES.** The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude or waive its rights to use any or all other remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance or otherwise.

7. **AMENDMENTS.** This Agreement may only be changed, modified or amended in writing executed by all parties.

8. **HEADINGS.** The headings in this Agreement are inserted for convenience and identification only and are in no way intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. **ATTORNEYS' FEES AND COSTS.** Should any action be brought to interpret or enforce any provision hereof or the easements contemplated herein, or for damages for breach hereof, the prevailing party shall be entitled to such reasonable attorneys' fees and costs, as may be determined by any court of competent jurisdiction wherein such action is brought, including attorneys' fees and costs on appeal.

10. **SUCCESSORS AND ASSIGNS.** All provisions of this Agreement, including the benefits and burdens of the easements attached hereto, shall run with the land covered hereby and are binding on and enure to the benefit of the respective heirs, assigns, successors, lessees, tenants and personal representatives of the parties hereto.

11. **RECORDING.** This Agreement and any easement granted herein may be recorded in the Office of the Blaine County Recorder only after the approval of the Curtis Subdivision by Ketchum.

12. **INTERPRETATION/EXECUTION OF DOCUMENTS.** This Agreement shall be liberally construed in accordance with the general purposes of this Agreement and the laws of the State of Idaho. In addition, the parties hereto agree that they will, at any time hereafter, upon reasonable request of the others, execute and deliver such documents as the other parties may reasonably require for the purpose of giving full effect to the provisions of this Agreement.

13. **NO PRESUMPTION.** No presumption shall exist in favor of or against any party to this Agreement as the result of the drafting and preparation of the document.

14. **AUTHORITY.** The parties executing this Agreement warrant, state, acknowledge and affirm that they have the authority to sign the same and to bind themselves and/or their respective clients to the terms contained herein.

15. **ENTIRE AGREEMENT.** This Agreement contains the entire Agreement between the parties respecting the matters herein set forth and supersedes all prior Agreements between the parties hereto respecting such matter.

16. EXECUTION. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

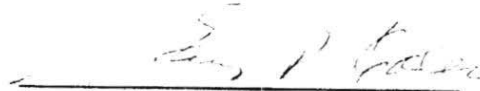
17. ACCEPTANCE. The parties fully understand all of the provisions of this Agreement, and believe them to be fair, just, adequate and reasonable, and accordingly accept the provisions of this Agreement freely and voluntarily.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

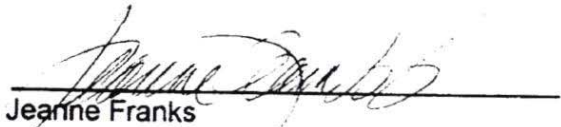
CARL CURTIS:

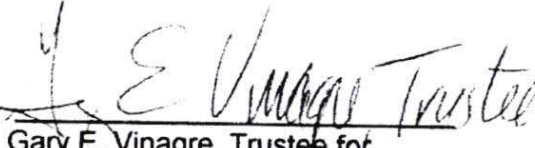

Carl Curtis

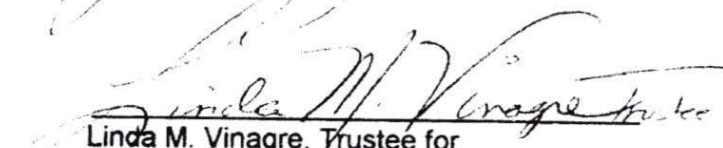
CITY OF KETCHUM, IDAHO:

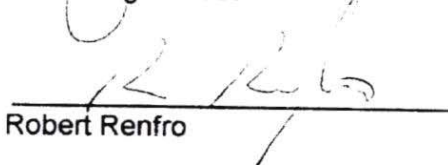

Guy P. Coles, Mayor

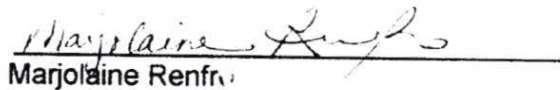
GARNET STREET NEIGHBORS:

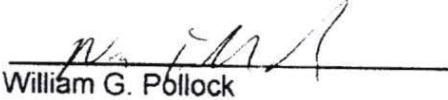

Jeanne Franks


Gary E. Vinagre, Trustee for
The Vinagre Trust

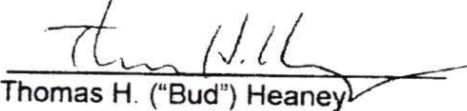

Linda M. Vinagre, Trustee for
The Vinagre Trust

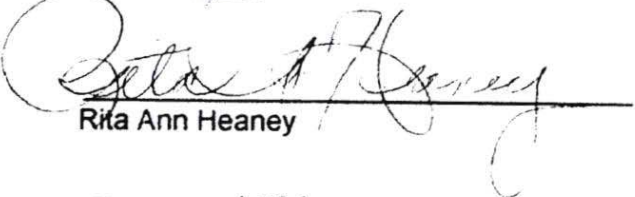

Robert Renfro

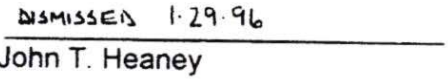

Marjolaine Renfro

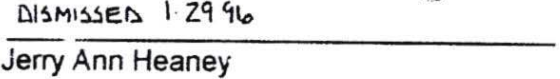

William G. Pollock


Susan Pollock


Thomas H. ("Bud") Heaney

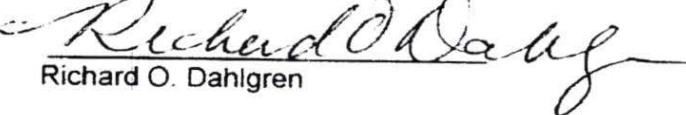

Rita Ann Heaney

DISMISSED 1-29-96

John T. Heaney

DISMISSED 1-29-96

Jerry Ann Heaney


William H. Vanderbilt


Ann S. Vanderbilt


Richard O. Dahlgren

Julie Slocum Dahlgren
Julie Slocum Dahlgren

Reli Louise Haemmerle
Reli Louise Haemmerle

Wilma Pace
Wilma Pace

John D. Pace
John D. Pace

Carl E. Ley
Carl E. Ley

Judy L. Demetre, by Ned C. Williamson
her attorney in fact
Judy L. Demetre

Kathy Jeanne Harrah
Kathy Jeanne Harrah

Fritz Xavier Haemmerle
Fritz Xavier Haemmerle

Pamela Jean Rayborn
Pamela Jean Rayborn

Stella A.M. Keane
Stella A.M. Keane

Susan Ley
Susan Ley

Bob Stevens
Robert H. Stevens
Bob Stevens, Personal Representative
for The Estate of George B. Saviers

B.3 Fritz Haemmerle letter dated January 21, 2020

HAEMMERLE LAW, P.L.L.C

Attorney & Counselor at Law

Fritz X. Haemmerle
fxh@haemlaw.com

P.O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

January 31, 2020

City of Ketchum
Attn: Suzanne Frick, City Administrator
480 East Ave. N.
Ketchum, ID 83340
Via e-mail: sfrick@ketchumidaho.org

Re: *Craig Nalen Residence, 201 Garnet St. - Proposed Site Plan*

Dear Suzanne:

I represent Craig Nalen and Janet Jarvis regarding a site plan, 201 Garnet Street ("property"), submitted to the City of Ketchum for review. The City rejected the site plan as presented. I believe the City's rejection of the site plan was unlawful.

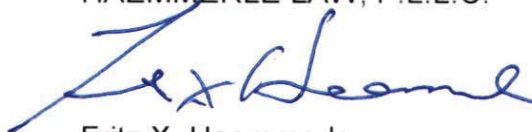
The property is located in the Limited Residential (LR) District, which has a 15 foot setback. On the site plan, the entire structure is located within the building envelope that is created by the setbacks. As to the easement created by the Garnet Street Agreement, attached hereto as Exhibit 1, the west end of the structure is 21 feet from the edge of the easement; the center is 7 feet from the easement; and the east end is 17 feet, 5 inches, from the edge of the easement. Every setback drafted on the site plan conforms to the City's existing setbacks.

To the extent that the City wants my client to conform to other and more restrictive setbacks than those which are currently codified, please identify the more restrictive setback and where those setbacks are identified in any City Code. Otherwise, I believe the City's more restrictive setbacks are completely arbitrary and capricious. Of course, if the City insists on enacting arbitrary and capricious setbacks, then my client will be compelled to explore all his legal options.

Thank you. I look forward to your timely response.

Sincerely,

HAEMMERLE LAW, P.L.L.C.



Fritz X. Haemmerle

City of Ketchum
Attn: Suzanne Frick, City Administrator
January 30, 2020
Page 2

FXH: fxh

Encl.

cc: client (nailcan@aol.com)

Matt Johnson, Attorney mjohnson@whitepeterson.com

John Gaeddert jgaeddert@ketchumidaho.org

Brian Christiansen bchristiansen@ketchumidaho.org

403847

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Agreement

FILED REQUEST

City of Ketchum

SETTLEMENT AGREEMENT

237

THIS SETTLEMENT AGREEMENT ("Agreement") is made and entered into this ~~November~~ ^{FEBRUARY} 8TH day of ~~November~~ 1997, by and between CARL CURTIS ("Curtis"), JEANNE FRANKS, THE VINAGRE TRUST, by and through GARY E. and LINDA M. VINAGRE, TRUSTEES, ROBERT and MARJOLAINE RENFRO, WILLIAM G. and SUSAN POLLOCK, THOMAS H. "BUD" and RITA ANN HEANEY, JOHN T. and JERRY ANN HEANEY, WILLIAM H. and ANN S. VANDERBILT, RICHARD O. DAHLGREN and JULIE SLOCUM DAHLGREN, KATHY JEANNE HARRAH, RELI LOUISE HAEMMERLE, FRITZ XAVIER HAEMMERLE, WILMA PACE, PAMELA JEAN RAYBORN, JOHN D. PACE, STELLA A.M. KEANE, CARL E. and SUSAN LEY, JUDY L. DEMETRE and THE ESTATE OF GEORGE B. SAVIERS, deceased, by and through its personal representative, BOB STEVENS (collectively referred to as the "Garnet Street Neighbors") and the CITY OF KETCHUM ("Ketchum").

RECITALS

WHEREAS, Curtis has filed case number CV-93-897 ("Lawsuit") in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Blaine, seeking to resolve the legal status of a parcel of property commonly known as Garnet Street, located within Ketchum, and more specifically depicted in the diagram attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, the Garnet Street Neighbors, Ketchum and other named individuals and/or entities ("Other Defendants") were named as defendants in the Lawsuit; and

WHEREAS, Curtis is the owner of real property located at the eastern end of Garnet Street, in Ketchum, commonly known as Lot 1 of the Esmeralda Subdivision Lot Line Shift Plat ("Curtis Property"), and more specifically described in Exhibit "B" and depicted in Exhibit "C"; and

WHEREAS, the Garnet Street Neighbors, Ketchum and certain of the Other Defendants are the owners of, or have some form of interest in, the real property located in Ketchum, which property is more specifically described in Exhibit "B" and depicted in Exhibit "A"; and

WHEREAS, except for the Garnet Street Neighbors and Ketchum, the Other Defendants have had a default judgment entered against them consistent with the relief sought in the Curtis complaint filed in the Lawsuit, or have been dismissed from the Lawsuit; and

WHEREAS, Curtis, the Garnet Street Neighbors and Ketchum desire to resolve the Lawsuit on the terms and conditions hereinafter set forth;

NOW, THEREFORE, for good and valuable consideration, including the mutual covenants herein contained, the parties hereto agree as follows:

TERMS AND CONDITIONS

1. **PAVED PORTION OF GARNET STREET.** The parties agree that the paved portion of Garnet Street, as specifically described in Exhibit "D", attached hereto and incorporated herein, from Highway 75, then eastward to the end of the paved portion of Garnet

Street shall be deemed for all purposes to be a public roadway by prescriptive easement. After the Garnet Street Neighbors have executed easements to Ketchum pursuant to Paragraph 5, the parties agree that the paved portion of Garnet Street described herein shall be deemed a public roadway by express easement. The parties agree that the property lying to the north and south of the paved portion of Garnet Street is private property.

2. *UNPAVED PORTION OF GARNET STREET.* The parties agree that the unpaved, or graveled, portion of Garnet Street, as specifically described and depicted in Exhibit "E", attached hereto and incorporated herein, from the east end of the paved portion of said Street, as described in Exhibit "D", then eastward, shall be deemed a private driveway. The Garnet Street Neighbors and Curtis agree that said private driveway shall provide access to a maximum number of three (3) single family residential lots in a subdivision on the Curtis Property, as well as providing access to the property owned by The Estate of George B. Saviers ("Saviers Property"). The Garnet Street neighbors and Curtis agree that no additional lots other than those identified herein shall be allowed access via said private driveway. The Garnet Street Neighbors and Curtis agree that the private driveway shall remain as is, without any modification in width, grade or surface.

3. *CURTIS SUBDIVISION APPLICATION.*

(a) *Garnet Street Access.* Curtis intends to submit an application to Ketchum to subdivide the entire Curtis Property ("Curtis Subdivision"). Curtis agrees that the Curtis Subdivision shall propose not more than three (3) single family residential subdivision lots which could be accessed via Garnet Street. Curtis agrees that the Curtis Subdivision shall also provide access via Garnet Street to the Saviers Property. In addition, Curtis agrees that there shall be no further subdivision of the three (3) Curtis Subdivision single family residential lots which could be accessed from Garnet Street.

(b) *Snowplow Easement.* Curtis, through the Curtis Subdivision Plat, agrees to dedicate to Ketchum a snowplow access and turnaround easement, to enable a Ketchum snowplow to turn around near the location on the Curtis Property adjacent to Garnet Street currently used by Ketchum for such purposes as depicted in Exhibit "E", attached hereto and incorporated herein.

(c) *Pedestrian Path Easement.* Curtis, through the Curtis Subdivision Plat, agrees to dedicate to the Garnet Street Neighbors a pedestrian path easement, which shall be located in the approximate location of the existing path on the Curtis Property leading to the back side of Dollar Mountain.

(d) *Building Envelopes.* Curtis agrees that the Curtis Subdivision Plat shall designate all building envelopes outside the existing trees on the Curtis Property.

(e) *Application Approval Condition Precedent.* At such time as Ketchum gives final approval to the Curtis Subdivision, the parties hereto agree to execute and submit to the Court a Stipulation For Dismissal of the Lawsuit in the form attached hereto as Exhibit "F" and incorporated herein. The parties agree that all claims, complaints, crossclaims and counterclaims in any way relating to the Lawsuit shall be dismissed with prejudice as to the Garnet Street Neighbors and Ketchum. The parties agree that the Court may enter an Order For Dismissal of the Lawsuit as to the Garnet Street Neighbors and Ketchum in the form attached hereto as Exhibit "G" and

incorporated herein. In the event Ketchum does not approve the Curtis Subdivision, the parties agree that all recitals, covenants, terms and conditions contained in this Agreement shall be null and void, and evidence of the same shall not be introduced in the Lawsuit or any litigation thereafter pertaining to the resolution of the status of Garnet Street.

(f) *Ketchum's Execution of Agreement.* The parties acknowledge that by Ketchum's execution of this Agreement, Ketchum does not agree, either expressly or implicitly, to approve the proposed Curtis Subdivision. Furthermore, the parties acknowledge that Ketchum only executes this Agreement on the basis that Ketchum will agree to the dismissal of the Lawsuit on the terms and conditions herein set forth. should Ketchum, in its sole and absolute discretion, approve the Curtis Subdivision. The parties agree that nothing herein shall be construed by any party as an obligation on the part of Ketchum to approve all or any portion of the Curtis Subdivision.

4. *PRESERVATION OF TREES.* The Garnet Street Neighbors and Curtis agree that the existing trees located adjacent to the unpaved and paved portions of Garnet Street, as said portions of Garnet Street are described in Paragraphs 1 and 2 herein and described and depicted in Exhibits "D" and "E", shall not be disturbed, except as necessary to prevent an obstruction to traffic or to protect the integrity of Garnet Street and the surrounding structures.

5. *ACCESS AND UTILITY EASEMENTS.* The parties agree to grant the following express easements:

(a) A public access and utility easement from Curtis and the Garnet Street Neighbors, as Grantors, to Ketchum, as Grantee, upon, over and under the paved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 1 herein and described in Exhibit "D"

(b) A utility easement from Curtis, The Estate of George B. Saviers and Judy Demetre, as Grantors, to Ketchum, as Grantee, upon, over and under that portion of the Curtis Property, Saviers Property and Demetre Property located within the unpaved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E".

(c) A private access and utility easement from Judy Demetre, as Grantor, to Curtis and The Estate of George B. Saviers, as Grantees, over and under that portion of the Demetre Property located within the unpaved portion of Garnet Street, as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E"

(d) A reciprocal private access and utility easement between Curtis and The Estate of George B. Saviers upon, over and under that portion of the Curtis Property and the Saviers Property located within the unpaved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E"; and a private parking and landscape easement from Curtis, as Grantor, to The Estate of George B. Saviers, as Grantee, upon, over and under a portion of the Curtis Property as depicted in Exhibit "E".

The parties agree that the express easements described above, attached hereto and incorporated herein as Exhibit "H", shall become effective only upon the approval by Ketchum

of the Curtis Subdivision proposed for development on the Curtis Property as described herein. The parties agree that if Ketchum denies the Curtis Subdivision application, none of the easements herein contained would be valid, and no additional documents as envisioned in this Agreement would be required to be executed.

6. **REMEDIES.** The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude or waive its rights to use any or all other remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance or otherwise.

7. **AMENDMENTS.** This Agreement may only be changed, modified or amended in writing executed by all parties.

8. **HEADINGS.** The headings in this Agreement are inserted for convenience and identification only and are in no way intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. **ATTORNEYS' FEES AND COSTS.** Should any action be brought to interpret or enforce any provision hereof or the easements contemplated herein, or for damages for breach hereof, the prevailing party shall be entitled to such reasonable attorneys' fees and costs, as may be determined by any court of competent jurisdiction wherein such action is brought, including attorneys' fees and costs on appeal.

10. **SUCCESSORS AND ASSIGNS.** All provisions of this Agreement, including the benefits and burdens of the easements attached hereto, shall run with the land covered hereby and are binding on and enure to the benefit of the respective heirs, assigns, successors, lessees, tenants and personal representatives of the parties hereto.

11. **RECORDING.** This Agreement and any easement granted herein may be recorded in the Office of the Blaine County Recorder only after the approval of the Curtis Subdivision by Ketchum.

12. **INTERPRETATION/EXECUTION OF DOCUMENTS.** This Agreement shall be liberally construed in accordance with the general purposes of this Agreement and the laws of the State of Idaho. In addition, the parties hereto agree that they will, at any time hereafter, upon reasonable request of the others, execute and deliver such documents as the other parties may reasonably require for the purpose of giving full effect to the provisions of this Agreement.

13. **NO PRESUMPTION.** No presumption shall exist in favor of or against any party to this Agreement as the result of the drafting and preparation of the document.

14. **AUTHORITY.** The parties executing this Agreement warrant, state, acknowledge and affirm that they have the authority to sign the same and to bind themselves and/or their respective clients to the terms contained herein.

15. **ENTIRE AGREEMENT.** This Agreement contains the entire Agreement between the parties respecting the matters herein set forth and supersedes all prior Agreements between the parties hereto respecting such matter.

16. EXECUTION. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

17. ACCEPTANCE. The parties fully understand all of the provisions of this Agreement, and believe them to be fair, just, adequate and reasonable, and accordingly accept the provisions of this Agreement freely and voluntarily.

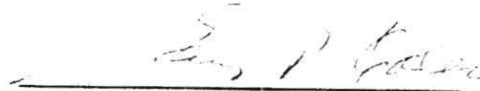
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

CARL CURTIS:




Carl Curtis

CITY OF KETCHUM, IDAHO:




Guy P. Coles, Mayor

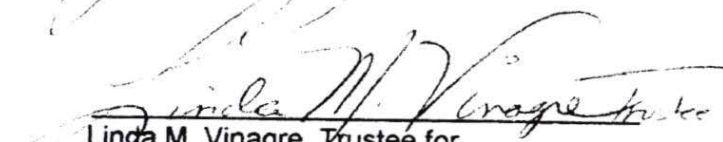
GARNET STREET NEIGHBORS:



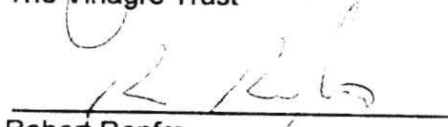
Jeanne Franks




Gary E. Vinagre, Trustee for
The Vinagre Trust



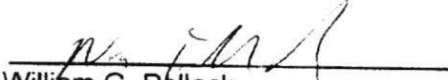
Linda M. Vinagre, Trustee for
The Vinagre Trust




Robert Renfro



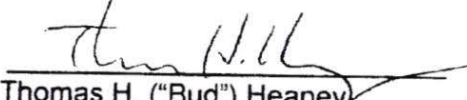
Marjolaine Renfro



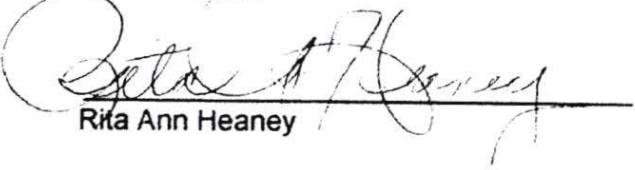
William G. Pollock



Susan Pollock



Thomas H. ("Bud") Heaney



Rita Ann Heaney

DISMISSED 1-29-96

John T. Heaney

DISMISSED 1-29-96

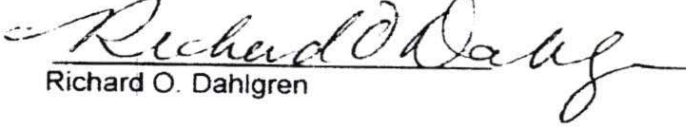
Jerry Ann Heaney



William H. Vanderbilt



Ann S. Vanderbilt



Richard O. Dahlgren

Julie Slocum Dahlgren
Julie Slocum Dahlgren

Reli Louise Haemmerle
Reli Louise Haemmerle

Wilma Pace
Wilma Pace

John D. Pace
John D. Pace

Carl E. Ley
Carl E. Ley

Judy L. Demetre, by Ned C. Williamson
her attorney in fact
Judy L. Demetre

Kathy Jeanne Harrah
Kathy Jeanne Harrah

Fritz Xavier Haemmerle
Fritz Xavier Haemmerle

Pamela Jean Rayborn
Pamela Jean Rayborn

Stella A.M. Keane
Stella A.M. Keane

Susan Ley
Susan Ley

Bob Stevens
Robert H. Stevens
Bob Stevens, Personal Representative
for The Estate of George B. Saviers

B.4 KMC §17.12.030.C: Dimensional Standards Matrix

KMC §17.12.030.C. In addition to the requirements of the dimensional standards, districts matrix, the regulations of [chapter 17.128](#), "Supplementary Location And Bulk Regulations", of this title apply.

DIMENSIONAL STANDARDS, DISTRICTS MATRIX

See section [17.12.040](#) of this chapter for Community Core dimensional standards.

See section [17.12.050](#) of this chapter for Light Industrial dimensional standards.

Distri cts	Minim um Lot Area	Minim um Lot Area With PUD*	Minimu m Lot Area, Townh ouse Sublot	Lot Width	Build ing Heig ht	Maximum Building Coverage/ FAR	Minim um Open Space	Front Setba ck	Side Setbac k	Rear Setbac k	Lot Lines Creat ed By Town - hous e Sublot s	Setba cks From Hwy 75	Any Set- back Along War m Springs Road	Setba cks Along 200' Form er Railro ad ROW
LR	9,000 sf	n/a	n/a	80' avera ge	35'	35%	n/a	15'	The greater of 1' for every 2' in buildin g height, or 10'	20'	n/a	25'/32' 7	30'	3'
LR-1	1 acre	n/a	n/a	100' avera ge	35'	25%	n/a	15'	The greater of 1' for every 2' in buildin g height, or 10'	20'	n/a	80'	30'	n/a

Distri cts	Minim um Lot Area	Minim um Lot Area With PUD*	Minimu m Lot Area, Townh ouse Sublot	Lot Width	Build ing Heig ht	Maximum Building Coverage/ FAR	Minim um Open Space	Front Setba ck	Side Setbac k	Rear Setbac k	Lot Lines Creat ed By Town - hous e Sublot s	Setba cks From Hwy 75	Any Set- back Along War m Springs Road	Setba cks Along 200' Form er Railro ad ROW
LR-2	2 acres	n/a	n/a	100' avera ge	35'	25%	n/a	15'	The greater of 1' for every 2' in buildin g height, or 10'	20'	n/a	400' ⁶	30'	n/a
GR-L	8,000 sf	8,000 sf plus 4,000 for every unit over 2	Equal to that of the perimet er of the townho use unit	80' avera ge	35'	35%	n/a	15'	The greater of 1' for every 3' in buildin g height, or 5' ¹	The greater of 1' for every 3' in building height, or 15' ¹	0'	25'/32' ⁷	30'	n/a
GR- H	8,000 sf	n/a	Equal to that of the perimet er of the townho use unit	80' avera ge	35' ²	See FAR requirements in section 17.12 4.040 of this title	35% ⁵	15'	The greater of 1' for every 3' in buildin g height, or 5'. One-	The greater of 1' for every 3' in building height, or 15' ¹	0'	25'/32' ⁷	30'	5', howe ver 3' requir ed for one-/ two- family dwelli

Districts	Minimum Lot Area	Minimum Lot Area With PUD*	Minimum Lot Area, Townhouse Sublot	Lot Width	Building Height	Maximum Building Coverage/FAR	Minimum Open Space	Front Setback	Side Setback	Rear Setback	Lot Lines Created By Townhouse Sublots	Setbacks From Hwy 75	Any Setback Along Warm Springs Road	Setbacks Along 200' Former Railroad ROW
									family dwellings must maintain at least 10' ¹					ng units
STO-4	0.4 acres	n/a	n/a	80' average	35'	25%	n/a	15'	The greater of 1' for every 2' in building height, or 10'	The greater of 1' for every 2' in building height, or 20'	n/a	400'	30'	n/a
STO-1	1 acre	n/a	n/a	100' average	35'	25%	n/a	15'	The greater of 1' for every 2' in building height, or 10'	The greater of 1' for every 2' in building height, or 20'	n/a	400'	30'	n/a

Distri cts	Minim um Lot Area	Minim um Lot Area With PUD*	Minimu m Lot Area, Townh ouse Sublot	Lot Width	Build ing Heig ht	Maximum Building Coverage/ FAR	Minim um Open Space	Front Setba ck	Side Setbac k	Rear Setbac k	Lot Lines Creat ed By Town - hous e Sublot s	Setba cks From Hwy 75	Any Set- back Along War m Springs Road	Setba cks Along 200' Form er Railro ad ROW
STO- H	9,000 sf (mini mum of 3,000 sf per unit)	n/a	Equal to that of the perimet er of the townho use unit	100' avera ge	35'	35% building coverage, and 75% covered by buildings, parking areas and accessory buildings	n/a	15'	The greater of 1' for every 3' in buildin g height, or 5' ¹	The greater of 1' for every 3' in building height, or 15' ¹	0'	400'	30'	n/a
T	8,000 sf	n/a	Equal to that of the perimet er of the townho use unit	80' avera ge	35' ²	See FAR requirements in section 17.12 4.040 of this title	35% ⁵	15'	The greater of 1' for every 3' in buildin g height, or 5'. At least 10' for one- family dwellin gs ¹	The greater of 1' for every 3' in building height, or 10'. At least 15' for one- family dwellin gs ^{1,2}	0'	25'/32' ⁷	30'	5', howev er 3' requir ed for one-/ two- family dwelli ng units
T- 3000	8,000 sf	n/a	Equal to that of the perimet	80' avera ge	35' ²	See FAR requirements in section 17.12	35% ⁵	15'	The greater of 1' for every	The greater of 1' for every 3'	0'	n/a	30'	n/a

Districts	Minimum Lot Area	Minimum Lot Area With PUD*	Minimum Lot Area, Townhouse Sublot	Lot Width	Building Height	Maximum Building Coverage/FAR	Minimum Open Space	Front Setback	Side Setback	Rear Setback	Lot Lines Created By Townhouse Sublots	Setbacks From Hwy 75	Any Setback Along Warm Springs Road	Setbacks Along 200' Former Railroad ROW
			er of the townhouse unit			4.040 of this title			3' in building height, or 5'. At least 10' for one-family dwellings ¹	in building height, or 10'. At least 15' for one-family dwellings ^{1,2}				
T-4000	8,000 sf	n/a	Equal to that of the perimeter of the townhouse unit	80' average	35' ²	See FAR requirements in section 17.12 4.040 of this title	35% ⁵	15'	The greater of 1' for every 3' in building height, or 5'. At least 10' for one-family dwellings ¹	The greater of 1' for every 3' in building height, or 10'. At least 15' for one-family dwellings ^{1,2}	0'	n/a	30'	n/a

Distri cts	Minim um Lot Area	Minim um Lot Area With PUD*	Minimu m Lot Area, Townh ouse Sublot	Lot Width	Build ing Heig ht	Maximum Building Coverage/ FAR	Minim um Open Space	Front Setba ck	Side Setbac k	Rear Setbac k	Lot Lines Creat ed By Town - hous e Sublot s	Setba cks From Hwy 75	Any Set- back Along War m Spr ings Road	Setba cks Along 200' Form er Railro ad ROW
RU	9,000 sf	n/a	Equal to that of the perimet er of the townho use unit	n/a	35'	25%	n/a	30' ⁴	15' ⁴	15' ⁴	0'	n/a	n/a	n/a
AF	10 acres	n/a	n/a	n/a	35'	10% (includes pools)	n/a	25'	25'	25'	n/a	n/a	n/a	n/a

* See [title 16](#) of this Code.

Notes:

1. If the lot adjoins a more restrictive district on the side or rear, the more restrictive setbacks of that district shall apply.
2. For building with a roof pitch greater than 5:12 the maximum height to the mean point of the ridge or ridges measured from eaves line to the ridge top shall be 35 feet. Roof ridges above the mean point may extend up to a height of 44 feet.
3. Reserved.
4. The placement of all structures for conditional uses shall be subject to approval of the Planning and Zoning Commission.
5. A maximum of 5 percent open site area may be used for private decks or patios and walkways subject to design review approval.
6. 100 foot setback from Highway 75 is required for lots platted prior to 1979.
7. Minimum setbacks along Highway 75: Where the street width is 80 feet, all buildings shall be set back a minimum of 25 feet, and where the street width is 66 feet, all buildings shall be set back a minimum of 32 feet.

B.5 KMC §17.124.170: Minimum Standards for One-Family Dwellings

17.124.170: MINIMUM STANDARDS FOR ONE-FAMILY DWELLINGS:

The following minimum standards apply to one-family dwellings in all zoning districts:

A. Drainage:

1. All stormwater shall be retained on site.
2. Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
3. The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.
4. Drainage facilities shall be constructed per City standards.

B. Utilities:

1. All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.
2. Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.

C. Snow Storage:

1. Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.
2. Snow storage areas shall be provided on site.
3. A designated snow storage area shall not have any dimension less than five feet (5') and shall be a minimum of twenty five (25) square feet.
4. In lieu of providing snow storage areas, snowmelt and hauling of snow may be allowed.

D. Landscaping:

1. Landscaping is required for all projects.
2. Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.
3. All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required. (Ord. 1190, 2018)

B.5 KMC §17.04.040: Interpretation

17.04.040: INTERPRETATION:

In the interpretation and application of the provisions of this title, the following regulations shall govern:

A. Provisions Are Minimum Requirements: In their interpretation and application, the provisions of this title shall be regarded as the minimum requirements for the protection of the public health, safety, comfort, morals, convenience, prosperity and welfare. All provisions shall be liberally construed to further its underlying purposes.

B. Application Of Overlapping Regulations: Whenever the provisions of this title, or a provision in this title and any provision in any other ordinance, resolution, rule or regulation of any kind, contain any restrictions covering the same subject matter, the more restrictive or higher standards or requirements shall govern. All uses and all locations and bulk permitted under the terms of this title shall be in conformity with all other provisions of law.

C. Existing Permits And Private Agreements: This title is not intended to abrogate or annul:

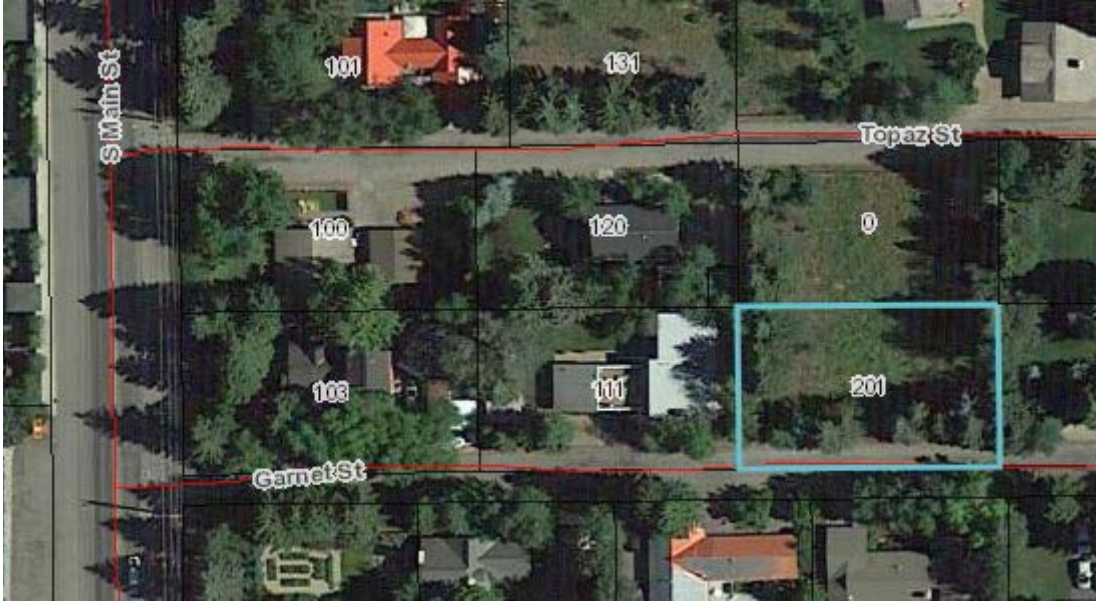
1. Any permits issued before the effective date hereof; or
2. Any easement, covenant or any other private agreement. (Ord. 1135, 2015)

B.6 Development Review meeting agenda dated January 8th, 2020

Development Review Meeting
January 8th, 2020

4 Review at Meeting

- 201 Garnet Street new single-family residence



- 1307 Warm Springs Road single-family residence addition



P&Z Commission Meeting 1/13/2020

- Ketchum Townsite: Block 5: Lots 1 & 2 (Hot Dog Hill) Mixed-Use Building Pre-Application Design Review
- Fire Station Pre-Application Design Review

Development Review Team Meeting
City of Ketchum
January 8th, 2020

- My Sun Valley Home Mixed-Use Building (120 Northwood Way) Design Review & Conditional Use Permit for 3 Employee Housing Unit
- 471 E 10th St Unit B2 (Dean) Work/Live Unit Conditional Use Permit
- 491 E 10th Street Unit A17 (Duval) Work/Live Conditional Use Permit
- Swan Streambank Alteration (401 Northwood Way)

City Council Meeting 1/21/2020

- Ketchum Tribute Hotel (Plat Amendment & PUD CUP & Draft Development Agreement)

P&Z Commission Meeting 2/10/2020

- Parker Townhomes (Bavarian Village Subdivision: Lots 5A, 6A, 7A, & 8A Townhome Development) Readjustment of Lot Lines, Design Review, and Townhouse Subdivision Preliminary Plat

Pending Building Permit Submittal

- 255 Hillside Detached (Deep Powder) Townhome

Pending Development Application Submittal

B.7 201 Garnet Street Drainage & Snow Storage Calculations and supporting materials
(13 pages), S&C Associates, March 6, 2020



Calculation Cover Sheet

Project Name: 201 Garnet St.
Project Number: 20-1015

Calculation Title: Drainage & Snow Storage Calculations
Calculation Version: 1
Discipline: Civil - Drainage
Total Number of Pages (including cover sheet): 13
Calculations Prepared By: Sherri Newland, PE Date: March 6, 2020

Description and Purpose of Calculations:

Calculate minimum swale/snow storage width needed along 201 Garnet St. in Ketchum, Idaho.

Design Basis/References/Assumptions:

Runoff calculated using Rational Equation due to size of swale/basin
Frozen Ground assumed with no infiltration (spring) for drainage/storage
Snow Water Equivalent – 11”

City Standard ROW

13' Drive Lane 17' Wide Swale

ITD IDF Data

Swale		
Check Dam Width for Swales		0
Number of Check Dams		0
Storm Event		25
Drainage Area (acres):	Area in ft ²	3,960
	Area in Acres	0.09
Runoff Coefficient (c)		0.50
Infiltration Rate	Inches/Hr	0
Predevelopment Rate (if any)		0

Runoff Coefficient (c) for Combined Areas		
Imp.	Perv.	Total Area
1716	2244	3960
c 1	c 2	
0.95	0.15	

Weighted (c) Value: 0.50

Compute Peak Volume

Storm Duration		I	Q	Runoff Vol	Infiltration Vol	PreDev. Vol	Required Vol
Min	Hr	in/hr	cfs	ft ³	ft ³	ft ³	ft ³
10	0.17	2.1	0.09	57	0	0	57
30	0.50	1.4	0.06	114	0	0	114
60	1.00	0.79	0.04	128	0	0	128
120	2.00	0.5	0.02	163	0	0	163
180	3.00	0.4	0.02	195	0	0	195
360	6.00	0.27	0.01	263	0	0	263
720	12.00	0.18	0.01	351	0	0	351
1440	24.00	0.11	0.00	429	0	0	429

Total Design Vol. (cf)	429
------------------------	-----

Swale Dimensions	Vol. Available (cf)	477
------------------	---------------------	-----

Length	132 ft
Left Slope	20:1
Right Slope	20:1
Depth	0.425 ft
Infiltration Width	0 ft
Longitudinal Slope	0 ft/ft

*assume frozen ground
* assume no slope/flat

Applicant Proposal

10' Drive Lane 3' Wide Swale

ITD IDF Data

Swale	
Check Dam Width for Swales	0
Number of Check Dams	0
Storm Event	25
Drainage Area (acres):	Area in ft ²
	Area in Acres
Runoff Coefficient (c)	0.82
Infiltration Rate	Inches/Hr
Predevelopment Rate (if any)	0

Runoff Coefficient (c) for Combined Areas	
Imp.	Perv.
1320	264
c 1	c 2
0.95	0.15

Total Area
1584 sf

Weighted (c) Value: 0.82

Compute Peak Volume

Storm Duration		I	Q	Runoff Vol	Infiltration Vol	PreDev. Vol	Required Vol
Min	Hr	in/hr	cfs	ft ³	ft ³	ft ³	ft ³
10	0.17	2.1	0.06	37	0	0	37
30	0.50	1.4	0.04	75	0	0	75
60	1.00	0.79	0.02	84	0	0	84
120	2.00	0.5	0.01	107	0	0	107
180	3.00	0.4	0.01	128	0	0	128
360	6.00	0.27	0.01	173	0	0	173
720	12.00	0.18	0.01	231	0	0	231
1440	24.00	0.11	0.00	282	0	0	282

Total Design Vol. (cf)	282
------------------------	------------

Swale Dimensions		Vol. Available (cf)	99
------------------	--	---------------------	-----------

Length	132 ft
Left Slope	3:1
Right Slope	3:1
Depth	0.5 ft
Infiltration Width	0 ft
Longitudinal Slope	0 ft/ft

*assume frozen ground

* assume no slope/flat

Minimum City ROW 10' Drive Lane 15' Wide Swale

ITD IDF Data

Swale	
Check Dam Width for Swales	0
Number of Check Dams	0
Storm Event	25
Drainage Area (acres):	Area in ft ²
	3,168
	Area in Acres
	0.07
Runoff Coefficient (c)	0.48
Infiltration Rate	Inches/Hr
	0
Predevelopment Rate (if any)	0

Runoff Coefficient (c) for Combined Areas		
Imp.	Perv.	Total Area
1320	1848	3168
c 1	c 2	
0.95	0.15	

Weighted (c) Value: 0.48

Compute Peak Volume

Storm Duration		I	Q	Runoff Vol	Infiltration Vol	PreDev. Vol	Required Vol
Min	Hr	in/hr	cfs	ft ³	ft ³	ft ³	ft ³
10	0.17	2.1	0.07	44	0	0	44
30	0.50	1.4	0.05	89	0	0	89
60	1.00	0.79	0.03	100	0	0	100
120	2.00	0.5	0.02	127	0	0	127
180	3.00	0.4	0.01	152	0	0	152
360	6.00	0.27	0.01	205	0	0	205
720	12.00	0.18	0.01	273	0	0	273
1440	24.00	0.11	0.00	334	0	0	334

Total Design Vol. (cf)	334
Swale Dimensions	Vol. Available (cf)
	371

Length	132	ft
Left Slope	20:1	
Right Slope	20:1	
Depth	0.375	ft
Infiltration Width	0	ft
Longitudinal Slope	0	ft/ft

*assume frozen ground

* assume no slope/flat

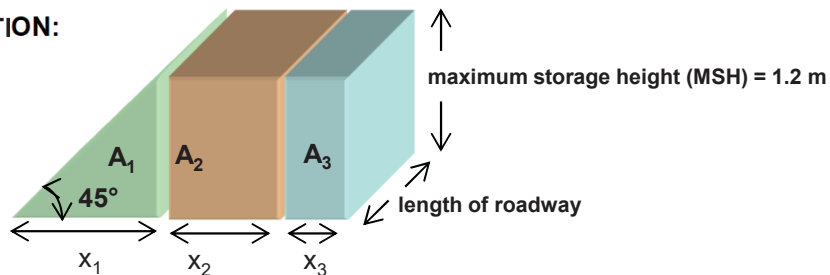
Snow Storage Calculation 201 Garnet

Use an normal snow water equivalent (mm) for the entire season				
				units/mm
Average Normal snow water equivalent (mm)				279.4
Convert normal snow water equivalent (mm) to a total amount of snow (cm) (assume 1 mm water is equal to 1 cm snow)				
		water equivalent (mm)	snow (cm)	snow (m)
Average Normal snow water equivalent (mm)		279.4	279.4	2.794
Reduce the volume of snow from a new snow fall density to an average compacted snow density (assuming that new snow is 100 kg/m ³ and compacted snow is 500 kg/m ³)				
Assumptions	Density	Ratio		
New Snow	100 kg/m ³			
Compacted Snow	200 kg/m ³	2 to 1		
	cm	ratio density	average total compacted snow (cm)	average total compacted snow converted to metres (m)
	279.4	2	139.7	1.397
Calculate volume of snow per lineal metre of road				
		lane width (m)	average total compacted snow (m)	volume of snow per lineal metre (m ³ /m)
Volume of snow per lineal metre of road in easement		3.96	1.397	5.53212
Calculate width of storage area assuming a maximum storage height of 1.2 metres				
		maximum storage height (m)	maximum slope angle (ratio)	width of snow storage area (m)
Total available storage area assuming that the maximum slope on snow pile can not exceed a 1 to 1 ratio		1.2192	1	3.61364784

Calculate minimum right-of-way width based on lane and snow storage area width				
(Lane width x number of lanes) + (snow storage area width x 2)				15.14729568
Calculate additional snow to displace for parking access(es)				
	number of driveways <i>(must be looked at for each direction)</i>	driveway width (m)	volume of snow per lineal metre (m ³ /m)	volume of snow to displace (m ³)
Volume of additional snow to displace due to driveway access(es)	1	6.4008	5.53212	35.4099937
Example for calculating additional storage width for parking access(es)				
width of snow storage area calculated in Step 5 (m)	length of roadway over which to distribute snow from accesses (m)	additional volume of snow to displace as calculated in Step 7 (m ³)	additional width required to accommodate accesses based on length stipulated in cell C38 (m)	total width required over length stipulated in cell C38 (m)
3.61364784	40.2	35.40999	0.722	4.336

ASSUMED CROSS SECTION:

$A_1 = (x_1 * MSH)/2$
 $A_2 = x_2 * MSH$
 $A_3 = x_3 * MSH$



Cell in Above Calc.

width to maximum storage height at 45° (1:1) slope
 additional width required beyond top of 1:1 slope
 additional width required to accommodate accesses
(only required in situations where driveways/accesses exist)
 $x_1 + x_2 + x_3$ (total storage width)

F27 (both)
E38
F38

Operational adjustment (5%)	0.2
Total Width Required (m)	4.6
Total Width Required (ft)	14.9

Figure B-7

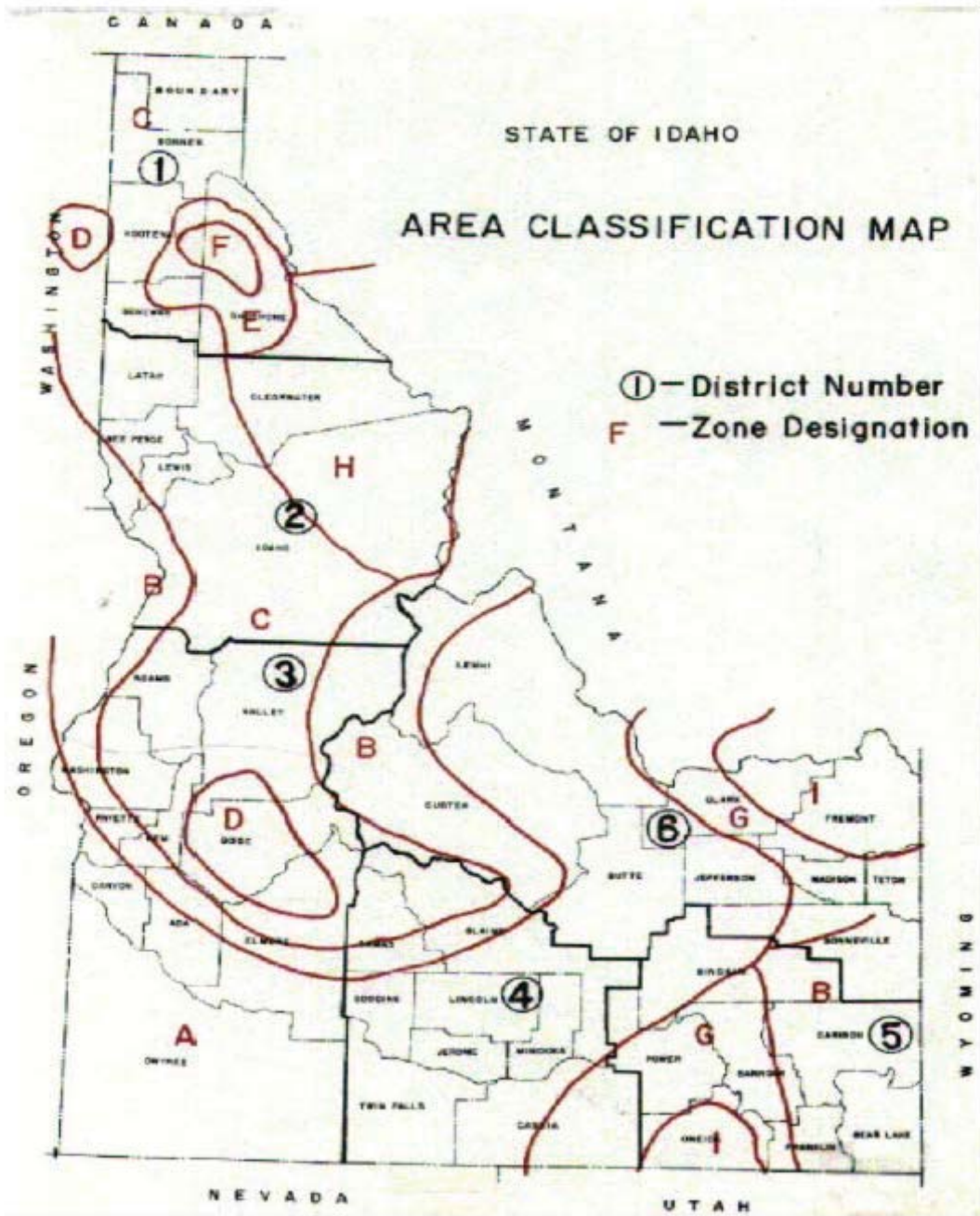
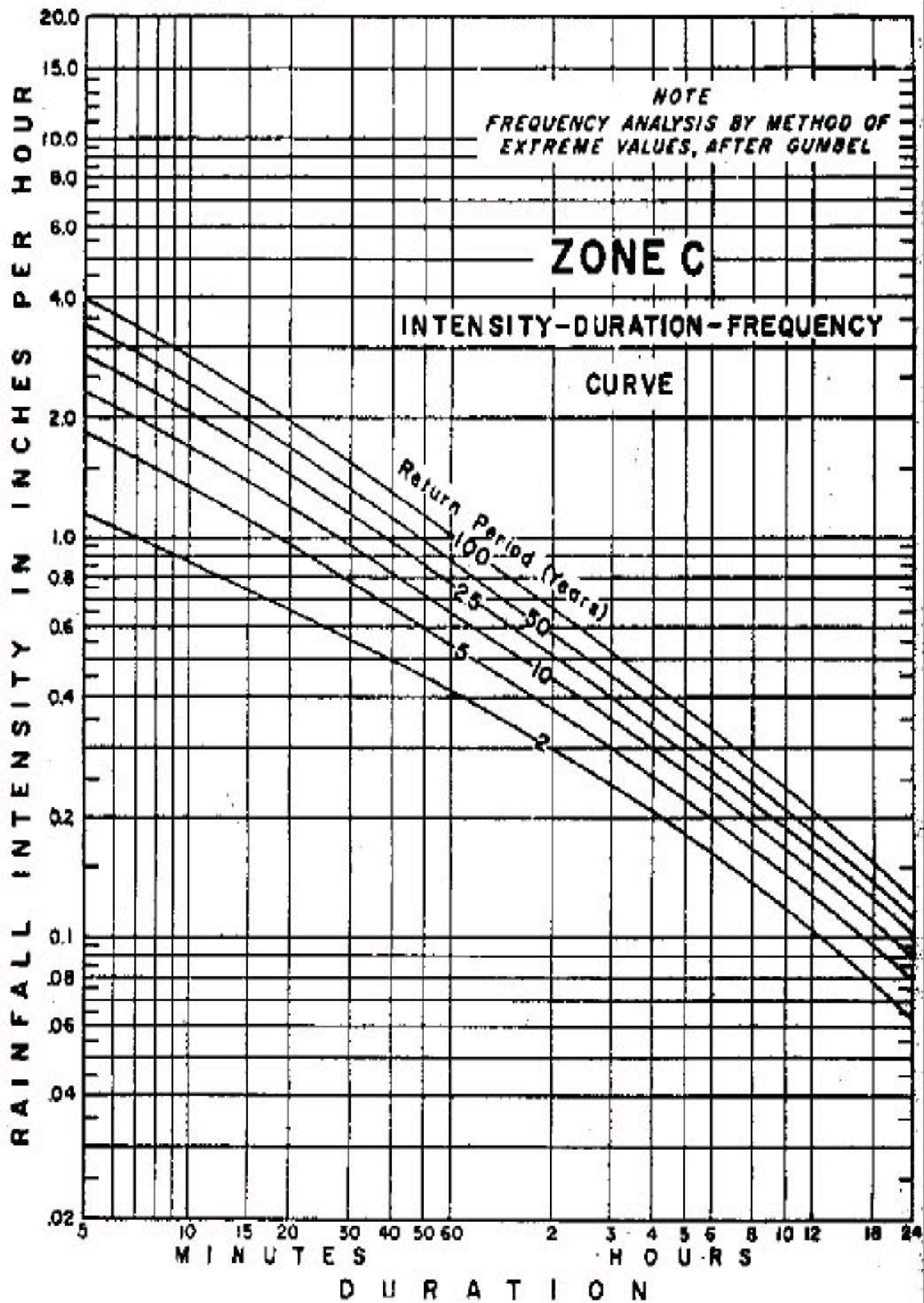


Figure B-8
Sheet 3 of 9



Prairie	4800	5.3	4.9	108	10.4	12.6	83
Trinity Mtn.	7770	22.1	31.0	71	22.5	33.0	68
Vienna Mine	8960	20.6	25.2	82	18.7	25.0	75
Basin Index (%)				85			76
BIG WOOD BASIN							
Camas Creek Divide	5710	10.0	11.5 _C	87	10.6	14.5 _C	73
Chocolate Gulch	6310	6.5	11.0 _C	59	7.2	13.5 _C	53
Dollarhide Summit	8420	14.9	N/A	*	-M	21.7	*
Galena	7470	9.2	13.7	67	9.8	15.8	62
Galena Summit	8780	12.2	15.5	79	12.0	16.7	72
Hyndman	7620	5.7	10.1	56	6.7	13.3	50
Lost-Wood Divide	7900	8.4	16.1	52	8.3	17.7	47
Soldier R.S.	5740	6.6	10.4	63	8.5	14.4	59
Vienna Mine	8960	20.6	25.2	82	18.7	25.0	75
Basin Index (%)				70			62
LITTLE WOOD BASIN							
Bear Canyon	7900	7.4	12.0	62	7.2	13.7	53
Garfield R.S.	6560	4.8	9.2	52	4.8	10.7	45
Hyndman	7620	5.7	10.1	56	6.7	13.3	50
Smiley Mountain	9520	9.2	14.2 _R	65	8.9	14.7 _R	61
Swede Peak	7640	5.8	12.7	46	6.7	14.3	47
Basin Index (%)				57			51
BIG LOST BASIN							
Bear Canyon	7900	7.4	12.0	62	7.2	13.7	53
Hilts Creek	8000	8.0	10.3	78	6.8	10.9	62
Lost-Wood Divide	7900	8.4	16.1	52	8.3	17.7	47
Smiley Mountain	9520	9.2	14.2 _R	65	8.9	14.7 _R	61
Stickney Mill	7430	4.2	6.9	61	5.3	8.7	61
Basin Index (%)				63			56
LITTLE LOST, BIRCH BASINS							
Beagle Springs	8850	8.1	6.4	127	7.6	7.9	96
Hilts Creek	8000	8.0	10.3	78	6.8	10.9	62
Meadow Lake	9150	11.0	11.5	96	11.3	13.6	83
Moonshine	7440	6.8	7.9	86	7.3	10.4	70

Jack Creek Upper	7377	14.6	14.8	99	15.0	15.8	95
Laurel Draw	6682	12.6	10.1	125	14.1	14.8	95
Mud Flat	5730	4.9	7.3	67	7.4	9.5	78
Reynolds Creek	5600	3.2	2.0 _R	160	8.4	10.7 _R	79
South Mtn.	6500	13.3	15.6	85	16.1	19.6	82
Taylor Canyon	6325	5.6	5.3	106	5.4	7.1	76
Basin Index (%)				102			87
BEAR RIVER BASIN							
Bug Lake	7987	16.4	15.2	108	15.0	15.8	95
Dry Bread Pond	8302	16.9	15.6	108	15.3	15.9	96
Emigrant Summit	7390	17.8	19.4	92	17.4	21.9	79
Franklin Basin	8140	22.9	21.8	105	22.7	25.1	90
Giveout	6930	9.9	8.6	115	11.6	10.5	110
Hayden Fork	9130	13.9	12.4	112	16.9	16.7	101
Kelley R.S.	8180	13.1	12.2	107	13.9	14.8	94
Lily Lake	9133	9.9	10.6	93	10.0	13.5	74
Monte Cristo	8932	23.0	21.7	106	20.3	20.9	97
Oxford Spring	6740	7.8	9.3	84	11.3	14.2	80
Salt River Summit	7640	12.7	10.7	119	12.9	13.7	94
Sedgwick Peak	7850	13.8	16.4	84	13.7	17.4	79
Slug Creek Divide	7225	16.1	12.4	130	16.3	17.1	95
Spring Creek Divide	9000	21.8	19.0	115	20.8	19.6	106
Trial Lake	9992	19.3	18.2	106	17.5	19.3	91
Basin Index (%)				105			92

-M = Missing data.

* = Analysis may not provide a valid measure of conditions.

N/A = Not available.

C = Conditional only 10-19 years of data available.

R = Rough less than 10 years of data available.

If the Basin Index (%) percent value is flagged as potentially invalid care should be taken to evaluate if the value is representative of conditions in the basin.

The SNOW WATER EQUIVALENT represents the depth of water in the snowpack if the snowpack were melted expressed in inches.

The WATER YEAR-TO-DATE-PRECIPIATION represents total precipitation since October 1st expressed in inches.

Contact your state water supply staff for assistance.

Medians and averages are calculated for the period 1981-2010.

Provisional data subject to revision.

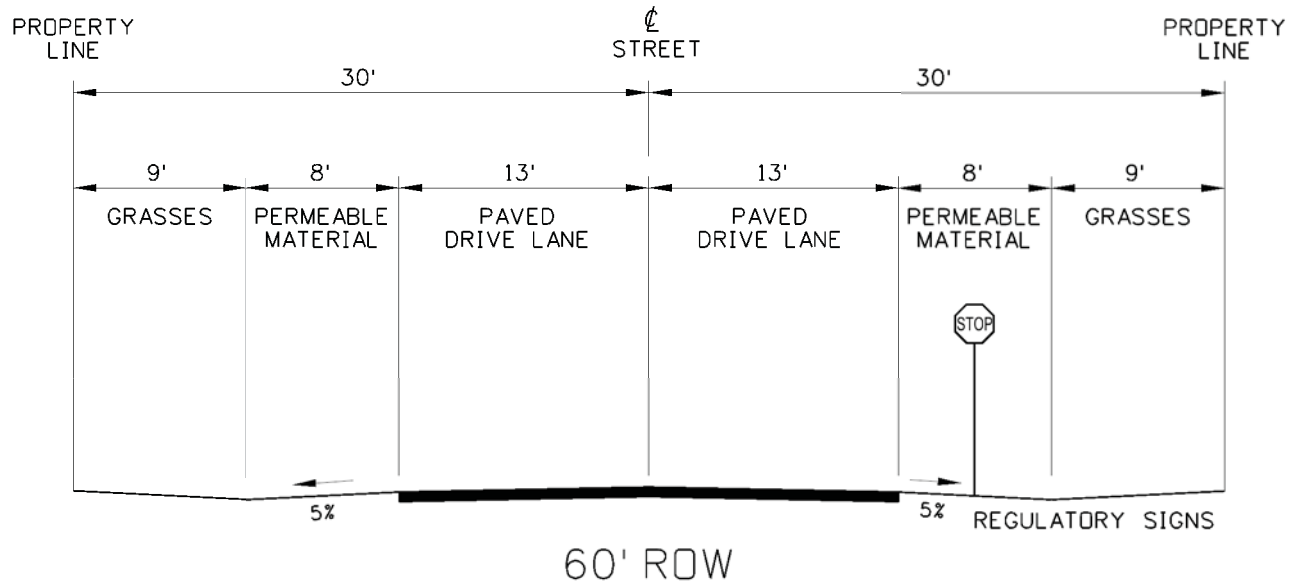
* Site -- Either: (a) the current value is missing; (b) the median or average for the day is not available or is zero; or (c) for snow water equivalent the median for the day is less than 10% of the maximum median value for the year.

* Basin - More than half of the sites within the basin are flagged with * preventing the calculation of a meaningful basin index.

The basin index is calculated as the sum of the valid current values divided by the sum of the corresponding medians (for snow water equivalent) or averages (for precipitation) and the resulting fraction multiplied by 100.

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NOTES:

- ① THE SCHEMATIC ABOVE SHOWS A CROSS SECTION OF AN 60-FOOT WIDE RIGHT-OF-WAY (ROW) FOR STREETS LOCATED IN RESIDENTIAL DISTRICTS.
- ② SHOULDERS ARE REQUIRED TO ACCOMMODATE DRAINAGE, PARKING, SNOW STORAGE, AND ACCESS FOR EMERGENCY VEHICLES WITHIN LOCAL-RESIDENTIAL STREET ROWS AND PROVIDE MATERIALS THAT CAN REASONABLY BE MAINTAINED BY THE CITY.
- ③ EXAMPLES OF 60-FOOT ROW ROADS LOCATED IN RESIDENTIAL DISTRICTS ARE DOLLAR DRIVE, IRENE ST, BELMONT AND WANDERS WAY.
- ④ STOP AND STREET SIGNS ARE TO BE INSTALLED 2 FT FROM EDGE OF PAVEMENT
- ⑤ 8 FT PERMEABLE SHOULDER AT A 5% SLOPE FOR PARALLEL PARKING

REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	09/01/2019	SN	ROW DRAWINGS

CITY OF KETCHUM
 60' ROW
 RESIDENTIAL

STANDARD DRAWING
 NO.
 ROW-60-RS

THIS DOCUMENT AND ANY PARTS HEREOF ARE PREPARED BY THE ARCHITECT OR ARCHITECTS AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT OR ARCHITECTS.

DRAWN

DATE

FILE

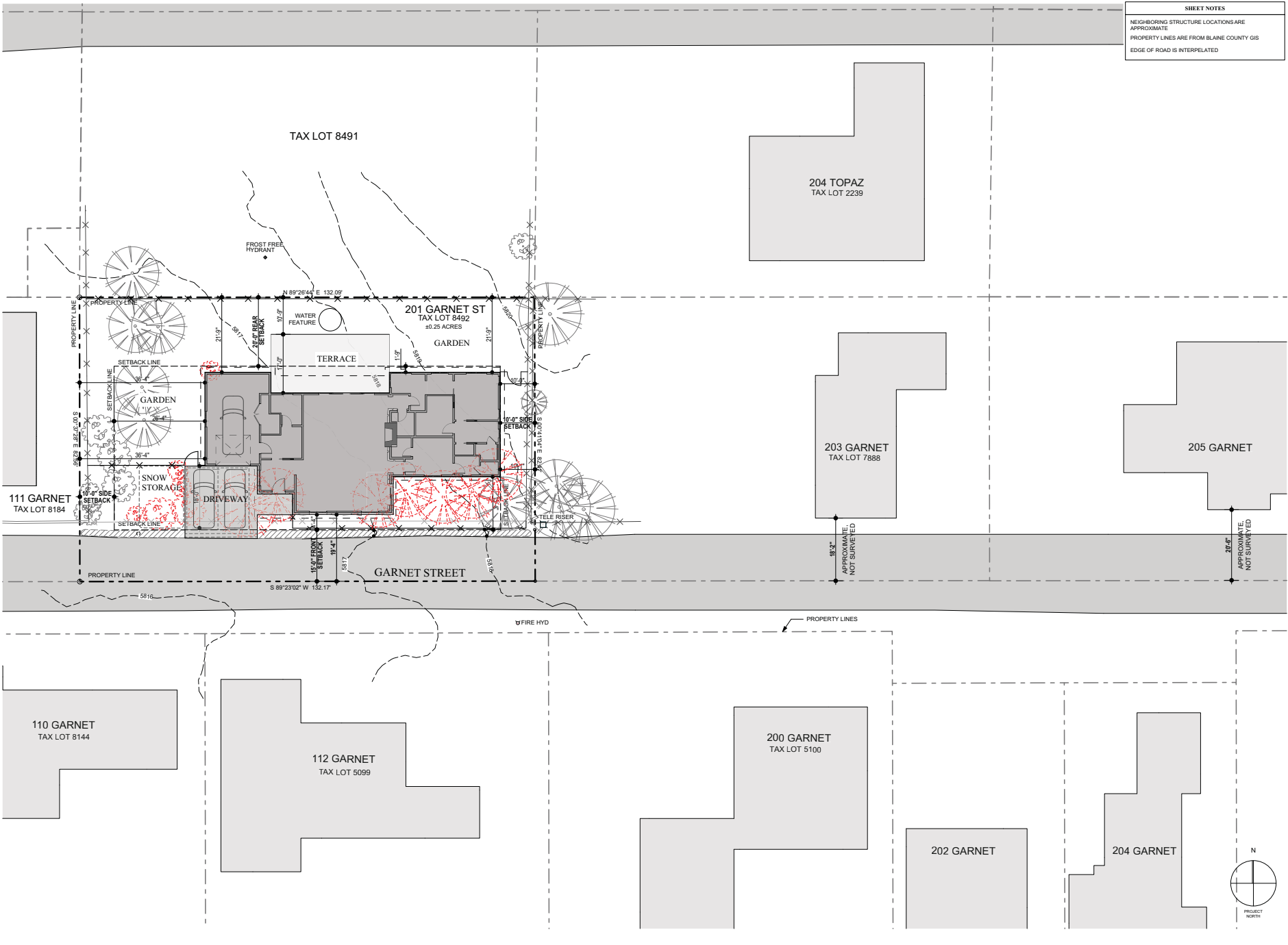
REVISIONS

NO.	DATE	DESCRIPTION

PROJECT NORTH



SHEET NOTES
NEIGHBORING STRUCTURE LOCATIONS ARE APPROXIMATE
PROPERTY LINES ARE FROM BLAINE COUNTY GIS
EDGE OF ROAD IS INTERPOLATED



1 PLAN: SITE PLAN
SCALE: 1" = 10'

Attachment C.

Notice of Appeal dated March 23, 2020 and Brief, Haemmerle Law, P.L.L.C.

HAEMMERLE LAW, P.L.L.C

Attorney & Counselor at Law

Received
3/23/20

Fritz X. Haemmerle
fxh@haemlaw.com

P.O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

March 23, 2020

City of Ketchum
c/o Suzanne Frick, City Administrator
480 East Ave. N.
Ketchum, ID 83340
Hand Delivery and Via e-mail: sfrick@ketchumidaho.org

Re: Notice of Appeal

Dear Suzanne:

As you know, I represent Craig Nalen and Janet Jarvis regarding a site plan, 201 Garnet Street ("property") submitted to the City. Regarding the setbacks, John Gaeddert issued a March 9, 2020, Determination Letter. In relation to that determination, attached is a Notice of Appeal along with a supporting Brief and attachments.

Please advise as to what fees may be applicable. Thank you.

Sincerely,

HAEMMERLE LAW, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
Encl.
cc: client (nailcan@aol.com)
Matt Johnson, Attorney mjohnson@whitepeterson.com
John Gaeddert igaeddert@ketchumidaho.org



**City of Ketchum
Planning & Building**

OFFICIAL USE ONLY
File Number:
Date Received:
By:
Fee Paid:
Approved Date:
Denied Date:
By:

Notice of Appeal

Note: The Appellant shall submit an amount to cover the cost of giving notice, as applicable in the Fee Schedule, and provide a transcript within two (2) days after the Planning and Building Department provides the Appellant with an estimate for the expense of the same. In the event the fee is not paid as required, the appeal shall not be considered filed.

OFFICIAL USE ONLY	
Date Appeal Received:	Date Notice Published:
Appeal Fee:	Transcript Fee:
Date Paid:	Date Paid:
Date Appellant Notified of Estimated Transcript Costs and Notice:	Mailing Fee:
Date of Appeal Hearing:	Date Paid:
Action(s) Taken/Findings:	
APPELLANT	
Name of Appellant: Craig Nalen	Phone Number: c/o Fritz Haemmerle
Address: c/o Fritz Haemmerle	Fax Number or Email: c/o Fritz X. Haemmerle
REPRESENTATIVE	
Name of Representative: Fritz X. Haemmerle, Haemmerle Law, P.L.L.C.	Phone Number: (208) 578-0520
Address: P.O. Box 1800, Hailey, Idaho 83333	Fax Number or Email: fxh@haemlaw.com
APPLICATION	
Application Being Appealed: March 9, 2020, Determination Letter, John Gaeddert, regarding 201 Garnet St.	
Explain How You Are an Affected Party:	
Mr. Nalen was denied his authorized and lawful setbacks.	
Date of Decision or Date Findings of Fact Were Adopted: March 9, 2020	
SUBMITTAL INFORMATION	
This Appeal is Based on The Following Factors (set forth all basis for appeal including the particulars regarding any claimed error or abuse of discretion):	
See attached Brief	

If you have attached additional pages, please indicate the number of pages attached _____

Signature of Appellant or Representative

Date

FRITZ X. HAEMMERLE (ISB# 3862)
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400 South Main St., Suite 102
P.O. Box 1800
Hailey, ID 83333
Tel: (208) 578-0520
haemmerlefilings@gmail.com

Attorneys for Craig Nalen

BEFORE THE CITY OF KETCHUM

RE: Appeal from Planning and Building Department Director Determination Letter dated March 9, 2020.

APPELLANT'S BRIEF ON APPEAL

COMES NOW Appellant, Craig Nalen (Nalen), by and through Fritz X. Haemmerle of Haemmerle Law, P.L.L.C. submits this Brief in Support of his appeal of Planning and Building Department Director's ("Director") Determination Letter dated March 9, 2020.

I. FACTS

1. The Appellant, Craig Nalen ("Nalen") is seeking to build a residence at 201 Garnett Street, Ketchum, Idaho (the "Lot"). The zoning in the area is Limited Residential ("LR").

2. The Lot is located on the Gem Streets. Historically, and per the lawful, recorded plat thereof, the lot lines for the Gem Streets are in the center of the respective

streets. On or about February 8, 1996, the City of Ketchum, along with each of the owners of properties along Garnet Street, entered into a Settlement Agreement (“Agreement”) regarding the status of Garnett Street. The purpose of the Agreement was to allow Carl Curtis to develop his Esmeralda Subdivision at the end of Garnet Street. Paragraph 1 of the Agreement, in pertinent part, reads:

1. PAVED PORTION OF GARNET STREET. The parties agree that **the paved portion of Garnet Street**, as specifically described in Exhibit D, attached hereto and incorporated herein, from Highway 75, then eastward to the end of the paved portion of Garnet Street shall be deemed for all purposes to be a public roadway by prescriptive easement. After the Garnet Street neighbors have executed easements to Ketchum pursuant to paragraph 5, **the parties agree that the paved portion of Garnet Street described herein shall be deemed a public roadway by express easement. The parties agree that the property lying to the north and south of the paved portion of Garnet Street is private property.**

See, Agreement, attached as Exhibit 1. (Emphasis added).

3. The Agreement did not alter property lines or address any issues relating to snow storage.

4. On or about 2020, Janet Jarvis, on behalf of Nalen, submitted a site plan for the residence located at 201 Garnet Street. Suzanne Frick, Ketchum City Administrator, denied the site plan on the bases that the building was not located 15’ from the edge of the pavement. Nalen appealed that Decision. To date, no hearing has been set on that appeal.¹

5. Thereafter, Janet Jarvis submitted a slightly modified site plan for the residence. A copy of the site plan is attached hereto as Exhibit 2. Two-thirds or more the residence is 15’ or more from the edge of the pavement on Garnet Street. The west side of the residence is 35’4” from the lot line and 22’10” from the edge of the pavement; the

¹ Counsel for Nalen was advised that Frick’s Decision was not final.

middle portion of the residence is 24'8" from the property line and 12'3" from the edge of the pavement; and the eastern side is 32'0" from the property line and 17'1" from the edge of the pavement. Again, as measured from the property line, the entire building is located at least 24'8" from the property line.

6. Based on the revised plan submitted by Janet Jarvis, the Director submitted his determination letter dated March 9, 2020. He stated that the entire residence must be 15" from the edge of the pavement on Garnet Street. It is from this letter that this Appeal is taken.

II. ARGUMENT

A. THE CITY'S POSITION VIOLATES THE UNIFORMITY REQUIREMENTS OF THE LOCAL LAND USE PLANNING ACT ("LLUPA").

The setback for the Nalen residence, located in the LR District, is fifteen feet (15'). KCO 17.12.030. The setbacks are measured from the property line. *See*, definition of "Setback" under Ketchum City Code ("KCO") 17.08.020. The residence, as designed, is more than 15' feet from the property line.

Instead of applying the setbacks as stated in the KCO, the City attempts to use other portions of the Code to create different setback for this residence. This type of zoning is in direct violation of the uniformity provisions Local Land Use Planning Act ("LUPA"). Under the LLUPA:

- (a) Within a zoning district, the governing board shall where appropriate establish standards to regulate and restrict the height, number of stories, size, construction, reconstruction, alteration, repair or use of buildings and structures; percentage of lot occupancy, size of courts, yards, and open spaces; density of population; and the location and use of buildings and structures. **All standards shall be uniform for each class or kind of buildings throughout each district, but the standards in one (1) district may differ from those in another district.**

Idaho Code Section 67-6511(a). (Emphasis added).

The Idaho Supreme Court in *Moerder v. City of Moscow*, 78 Idaho 246, 300 P.2d 808 (1956), discussed non-uniform zoning in relation to setbacks.² In that case, the City of Moscow adopted an Ordinance which allowed the City to create setbacks that were not uniform. Instead, the Moscow Ordinance created setbacks that were “the average distance between the street line and nearest adjacent outer portions of each and every dwelling house or structure erected on the same side of the street in the same lineal block.” *Id.* at Idaho 249. The Supreme Court reversed the decision of the trial court, findings that the Ordinance was invalid because of a lack of uniformity.

Based on this zoning scheme, the Idaho Supreme Court stated:

The ordinance in question does not establish a uniform regulation for each class of buildings within the district. Indeed, it would be difficult to conceive of a scheme less uniform. Under the ordinance, setback lines could vary from one block to the next on the same street. The building line could be farther back on one side of the street than on the other, as in fact it was in the present case. The line could even vary from year to year in the same block as additional houses were constructed, if the ordinance were upheld.

Id. at Idaho 250; *see also, KGF Development, LLC v. City of Ketchum*, 236 P.3d 1284. 149 Idaho 524 (2010).

In this case, the City of Ketchum is violating the uniformity provisions of the LLUPA. Instead of applying the unambiguous uniform setbacks as contained in KCO 17.12.030, the City applied a different set of rules addressing snow storage and drainage. The result of applying these other rules was to create a setback that is 15’ feet from the edge of the pavement on Garnet Street, instead of 15’ feet from Nalen’s property line.

² The court interpreted the uniformity requirements under Idaho Code Section 50-401. This Section is nearly identical to the LLUPA, which is now codified under Idaho Code Section 67-6501 et seq.

Specifically, the City applied KCO 17.124.170 to arrive at its decision. There are several problems with applying that Section.

First, as stated, the application of a non-uniform setback of 15' from the property line violates the uniformity requirements of the LLUPA.

Second, the Director's reliance on Section 17.124.170 to vary from the uniformity requirements is misplaced based on a clear reading of the KCO. The Director relies on Section 17.124.170 to vary from the dimensional standards, under KCO 17.12.040.B. Section 17.12.040.B addresses the dimensional standards for the Community Core ("CC") District. The Gem Streets are not in the CC District.

Third, KCO 17.12.030 states that the dimensional standards cited therein are also subject to "the regulations of chapter [KCO] 17.128." The Director does not cite any of the provisions of Section 17.128. Again, he relies on KCO 17.124.170 to vary the setback from the property line. This provision is expressly not addressed or mentioned under KCO 17.12.030 for varying the defined and authorized 15' setback.

Fourth, KCO 17.12.170 addresses drainage, utilities, snow storage and landscaping. It does not address setbacks. Accordingly, it should be clear that it cannot be used to vary the uniform 15' setbacks in the LR District established under KCO 12.12.030.³

For all these reasons, the City's attempt to ignore the setback requirements of its Code violates the uniformity provisions of the LLUPA.

³ Even if KCO 17.12.170 did address setbacks, any interpretation that would allow the City to vary setbacks from one lot to another would also violate the uniformity requirements of the LLUPA.

B. THE FAILURE OF THE CITY TO APPLY UNIFORM LAWS TO IDENTICAL PROPERTIES DENIES NALEN OF HIS EQUAL PROTECTION RIGHTS.

Both the Idaho Supreme Court and United States Supreme Court have been required to create equal protection rights for parties and against governmental jurisdictions which fail to provide equal treatment. It is an equal protection violation to treat parties differently under zoning laws.

The Equal Protection Clause of the Fourteenth Amendment, § 1, commands that no State shall "deny to any person within its jurisdiction the equal protection of the laws." Of course, most laws differentiate in some fashion between classes of persons. The Equal Protection Clause does not forbid classifications. It simply keeps governmental decisionmakers from treating differently persons who are in all relevant respects alike. *F.S. Royster Guano Co. v. Virginia*, 253 U.S. 412, 415, 40 S.Ct. 560, 561, 64 L.Ed. 989, 990 (1920).

* * *

Even though a statute or regulation is valid under this analysis, selective or discriminatory enforcement of that statute or regulation may amount to a violation under either the Idaho or United States Constitutions, but only if the challenger shows a deliberate plan of discrimination based upon some improper motive like race, sex, religion, or some other arbitrary classification. *Whren v. United States*, 517 U.S. 806, 813, 116 S.Ct. 1769, 1774, 135 L.Ed.2d 89, 97 (1996); *Young Elec. Sign Co. v. State*, 135 Idaho 804, 809, 25 P.3d 117, 122 (2001); *Henson v. Dept. of Law Enforcement*, 107 Idaho 19, 23-24, 684 P.2d 996, 1000-01 (1984). A "class of one" may successfully state an equal protection claim, even where the challenged treatment does not follow suspect classifications or punish the exercise of fundamental rights, if he or she was singled out based upon a distinction that fails the rational basis test. *Village of Willowbrook v. Olech*, 528 U.S. 562, 564-65, 120 S.Ct. 1073, 1075, 145 L.Ed.2d 1060, 1063-64 (2000).

Anderson v. Spalding, 137 Idaho 509, 50 P.3d 1004 (2002).

In this case, the City has a long history of treating the Gem Street neighbor's differently. It also has a history of punishing Gem Street neighbors for exercising their rights.

This intentional and systemic discrimination warrants a claim that Nalen's equal protection rights have been violated.

C. NALEN IS ENTITLED TO HIS ATTORNEY'S FEES AND COSTS.

Nalen requests all his attorney's fees and costs as allowed under Idaho Code Section 12-117, as the City has acted without a reasonable basis in fact or law in denying Nalen his lawful setbacks as measured from his property line.

III. CONCLUSION

For all these reasons, the City must conclude that Nalen has a right to develop his property as set forth in the attached site plan, Exhibit 2.

HAEMMERLE LAW, P.L.L.C.



FRITZ X. HAEMMERLE

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of March, 2020 I served a true and correct copy of the within and foregoing document upon the attorney(s) named below in the manner noted.

Suzanne Frick, City Administrator

Hand Delivered to City Drop Box
(City not allowing personal delivery
because of COVID-19)

Mathew Johnson, City Attorney

mjohnson@whitepeterson.com



FRITZ X. HAEMMERLE

EXHIBIT 1

Agreement

BLANK REQUEST

City of Ketchum

SETTLEMENT AGREEMENT

FILE # 237

THIS SETTLEMENT AGREEMENT ("Agreement") is made and entered into this 8TH day of ~~November~~ ^{FEBRUARY}, 1997, by and between CARL CURTIS ("Curtis"), JEANNE FRANKS, THE VINAGRE TRUST, by and through GARY E. and LINDA M. VINAGRE, TRUSTEES, ROBERT and MARJOLAINE RENFRO, WILLIAM G. and SUSAN POLLOCK, THOMAS H. "BUD" and RITA ANN HEANEY, JOHN T. and JERRY ANN HEANEY, WILLIAM H. and ANN S. VANDERBILT, RICHARD O. DAHLGREN and JULIE SLOCUM DAHLGREN, KATHY JEANNE HARRAH, RELI LOUISE HAEMMERLE, FRITZ XAVIER HAEMMERLE, WILMA PACE, PAMELA JEAN RAYBORN, JOHN D. PACE, STELLA A.M. KEANE, CARL E. and SUSAN LEY, JUDY L. DEMETRE and THE ESTATE OF GEORGE B. SAVIERS, deceased, by and through its personal representative, BOB STEVENS (collectively referred to as the "Garnet Street Neighbors") and the CITY OF KETCHUM ("Ketchum").

RECITALS

WHEREAS, Curtis has filed case number CV-93-897 ("Lawsuit") in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Blaine, seeking to resolve the legal status of a parcel of property commonly known as Garnet Street, located within Ketchum, and more specifically depicted in the diagram attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, the Garnet Street Neighbors, Ketchum and other named individuals and/or entities ("Other Defendants") were named as defendants in the Lawsuit; and

WHEREAS, Curtis is the owner of real property located at the eastern end of Garnet Street, in Ketchum, commonly known as Lot 1 of the Esmeralda Subdivision Lot Line Shift Plat ("Curtis Property"), and more specifically described in Exhibit "B" and depicted in Exhibit "C"; and

WHEREAS, the Garnet Street Neighbors, Ketchum and certain of the Other Defendants are the owners of, or have some form of interest in, the real property located in Ketchum, which property is more specifically described in Exhibit "B" and depicted in Exhibit "A"; and

WHEREAS, except for the Garnet Street Neighbors and Ketchum, the Other Defendants have had a default judgment entered against them consistent with the relief sought in the Curtis complaint filed in the Lawsuit, or have been dismissed from the Lawsuit; and

WHEREAS, Curtis, the Garnet Street Neighbors and Ketchum desire to resolve the Lawsuit on the terms and conditions hereinafter set forth;

NOW, THEREFORE, for good and valuable consideration, including the mutual covenants herein contained, the parties hereto agree as follows:

TERMS AND CONDITIONS

1. **PAVED PORTION OF GARNET STREET.** The parties agree that the paved portion of Garnet Street, as specifically described in Exhibit "D", attached hereto and incorporated herein, from Highway 75, then eastward to the end of the paved portion of Garnet

Street shall be deemed for all purposes to be a public roadway by prescriptive easement. After the Garnet Street Neighbors have executed easements to Ketchum pursuant to Paragraph 5, the parties agree that the paved portion of Garnet Street described herein shall be deemed a public roadway by express easement. The parties agree that the property lying to the north and south of the paved portion of Garnet Street is private property.

2. *UNPAVED PORTION OF GARNET STREET.* The parties agree that the unpaved, or graveled, portion of Garnet Street, as specifically described and depicted in Exhibit "E", attached hereto and incorporated herein, from the east end of the paved portion of said Street, as described in Exhibit "D", then eastward, shall be deemed a private driveway. The Garnet Street Neighbors and Curtis agree that said private driveway shall provide access to a maximum number of three (3) single family residential lots in a subdivision on the Curtis Property, as well as providing access to the property owned by The Estate of George B. Saviers ("Saviers Property"). The Garnet Street neighbors and Curtis agree that no additional lots other than those identified herein shall be allowed access via said private driveway. The Garnet Street Neighbors and Curtis agree that the private driveway shall remain as is, without any modification in width, grade or surface.

3. *CURTIS SUBDIVISION APPLICATION.*

(a) *Garnet Street Access.* Curtis intends to submit an application to Ketchum to subdivide the entire Curtis Property ("Curtis Subdivision"). Curtis agrees that the Curtis Subdivision shall propose not more than three (3) single family residential subdivision lots which could be accessed via Garnet Street. Curtis agrees that the Curtis Subdivision shall also provide access via Garnet Street to the Saviers Property. In addition, Curtis agrees that there shall be no further subdivision of the three (3) Curtis Subdivision single family residential lots which could be accessed from Garnet Street.

(b) *Snowplow Easement.* Curtis, through the Curtis Subdivision Plat, agrees to dedicate to Ketchum a snowplow access and turnaround easement, to enable a Ketchum snowplow to turn around near the location on the Curtis Property adjacent to Garnet Street currently used by Ketchum for such purposes as depicted in Exhibit "E", attached hereto and incorporated herein.

(c) *Pedestrian Path Easement.* Curtis, through the Curtis Subdivision Plat, agrees to dedicate to the Garnet Street Neighbors a pedestrian path easement, which shall be located in the approximate location of the existing path on the Curtis Property leading to the back side of Dollar Mountain.

(d) *Building Envelopes.* Curtis agrees that the Curtis Subdivision Plat shall designate all building envelopes outside the existing trees on the Curtis Property.

(e) *Application Approval Condition Precedent.* At such time as Ketchum gives final approval to the Curtis Subdivision, the parties hereto agree to execute and submit to the Court a Stipulation For Dismissal of the Lawsuit in the form attached hereto as Exhibit "F" and incorporated herein. The parties agree that all claims, complaints, crossclaims and counterclaims in any way relating to the Lawsuit shall be dismissed with prejudice as to the Garnet Street Neighbors and Ketchum. The parties agree that the Court may enter an Order For Dismissal of the Lawsuit as to the Garnet Street Neighbors and Ketchum in the form attached hereto as Exhibit "G" and

incorporated herein. In the event Ketchum does not approve the Curtis Subdivision, the parties agree that all recitals, covenants, terms and conditions contained in this Agreement shall be null and void, and evidence of the same shall not be introduced in the Lawsuit or any litigation thereafter pertaining to the resolution of the status of Garnet Street.

(f) *Ketchum's Execution of Agreement.* The parties acknowledge that by Ketchum's execution of this Agreement, Ketchum does not agree, either expressly or implicitly, to approve the proposed Curtis Subdivision. Furthermore, the parties acknowledge that Ketchum only executes this Agreement on the basis that Ketchum will agree to the dismissal of the Lawsuit on the terms and conditions herein set forth, should Ketchum, in its sole and absolute discretion, approve the Curtis Subdivision. The parties agree that nothing herein shall be construed by any party as an obligation on the part of Ketchum to approve all or any portion of the Curtis Subdivision.

4. **PRESERVATION OF TREES.** The Garnet Street Neighbors and Curtis agree that the existing trees located adjacent to the unpaved and paved portions of Garnet Street, as said portions of Garnet Street are described in Paragraphs 1 and 2 herein and described and depicted in Exhibits "D" and "E", shall not be disturbed, except as necessary to prevent an obstruction to traffic or to protect the integrity of Garnet Street and the surrounding structures.

5. **ACCESS AND UTILITY EASEMENTS.** The parties agree to grant the following express easements:

(a) A public access and utility easement from Curtis and the Garnet Street Neighbors, as Grantors, to Ketchum, as Grantee, upon, over and under the paved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 1 herein and described in Exhibit "D"

(b) A utility easement from Curtis, The Estate of George B. Saviers and Judy Demetre, as Grantors, to Ketchum, as Grantee, upon, over and under that portion of the Curtis Property, Saviers Property and Demetre Property located within the unpaved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E".

(c) A private access and utility easement from Judy Demetre, as Grantor, to Curtis and The Estate of George B. Saviers, as Grantees, over and under that portion of the Demetre Property located within the unpaved portion of Garnet Street, as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E"

(d) A reciprocal private access and utility easement between Curtis and The Estate of George B. Saviers upon, over and under that portion of the Curtis Property and the Saviers Property located within the unpaved portion of Garnet Street as said portion of Garnet Street is described in Paragraph 2 herein and described and depicted in Exhibit "E"; and a private parking and landscape easement from Curtis, as Grantor, to The Estate of George B. Saviers, as Grantee, upon, over and under a portion of the Curtis Property as depicted in Exhibit "E".

The parties agree that the express easements described above, attached hereto and incorporated herein as Exhibit "H", shall become effective only upon the approval by Ketchum

of the Curtis Subdivision proposed for development on the Curtis Property as described herein. The parties agree that if Ketchum denies the Curtis Subdivision application, none of the easements herein contained would be valid, and no additional documents as envisioned in this Agreement would be required to be executed.

6. **REMEDIES.** The rights and remedies provided by this Agreement are cumulative and the use of any one right or remedy by any party shall not preclude or waive its rights to use any or all other remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance or otherwise.

7. **AMENDMENTS.** This Agreement may only be changed, modified or amended in writing executed by all parties.

8. **HEADINGS.** The headings in this Agreement are inserted for convenience and identification only and are in no way intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. **ATTORNEYS' FEES AND COSTS.** Should any action be brought to interpret or enforce any provision hereof or the easements contemplated herein, or for damages for breach hereof, the prevailing party shall be entitled to such reasonable attorneys' fees and costs, as may be determined by any court of competent jurisdiction wherein such action is brought, including attorneys' fees and costs on appeal.

10. **SUCCESSORS AND ASSIGNS.** All provisions of this Agreement, including the benefits and burdens of the easements attached hereto, shall run with the land covered hereby and are binding on and enure to the benefit of the respective heirs, assigns, successors, lessees, tenants and personal representatives of the parties hereto.

11. **RECORDING.** This Agreement and any easement granted herein may be recorded in the Office of the Blaine County Recorder only after the approval of the Curtis Subdivision by Ketchum.

12. **INTERPRETATION/EXECUTION OF DOCUMENTS.** This Agreement shall be liberally construed in accordance with the general purposes of this Agreement and the laws of the State of Idaho. In addition, the parties hereto agree that they will, at any time hereafter, upon reasonable request of the others, execute and deliver such documents as the other parties may reasonably require for the purpose of giving full effect to the provisions of this Agreement.

13. **NO PRESUMPTION.** No presumption shall exist in favor of or against any party to this Agreement as the result of the drafting and preparation of the document.

14. **AUTHORITY.** The parties executing this Agreement warrant, state, acknowledge and affirm that they have the authority to sign the same and to bind themselves and/or their respective clients to the terms contained herein.

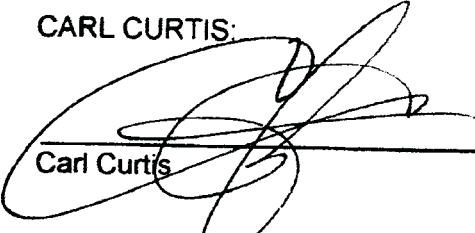
15. **ENTIRE AGREEMENT.** This Agreement contains the entire Agreement between the parties respecting the matters herein set forth and supersedes all prior Agreements between the parties hereto respecting such matter.

16. EXECUTION. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

17. ACCEPTANCE. The parties fully understand all of the provisions of this Agreement, and believe them to be fair, just, adequate and reasonable, and accordingly accept the provisions of this Agreement freely and voluntarily.


IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

CARL CURTIS:




Carl Curtis

CITY OF KETCHUM, IDAHO:

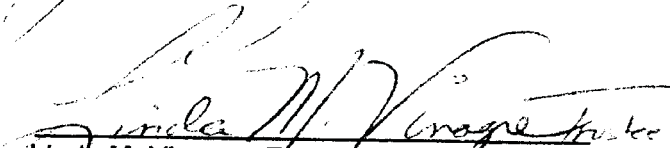


Guy P. Coles, Mayor

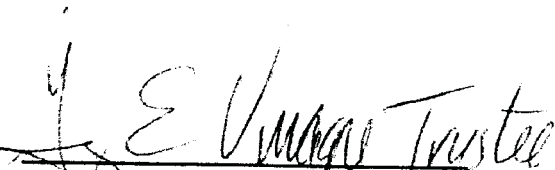
GARNET STREET NEIGHBORS:



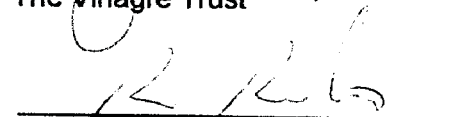
Jeanne Franks



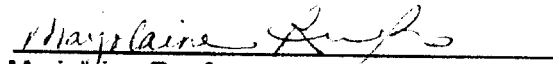
Linda M. Vinagre, Trustee for
The Vinagre Trust



Gary E. Vinagre, Trustee for
The Vinagre Trust




Robert Renfro



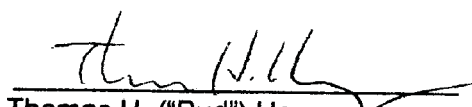
Marjolaine Renfro



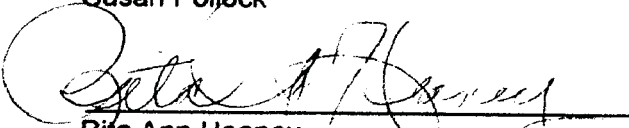
William G. Pollock



Susan Pollock



Thomas H. ("Bud") Heaney




Rita Ann Heaney

~~DISMISSED 1-29-96~~


John T. Heaney

~~DISMISSED 1-29-96~~

Jerry Ann Heaney



William H. Vanderbilt



Ann S. Vanderbilt



Richard O. Dahlgren

Julie Slocum Dahlgren
Julie Slocum Dahlgren

Kathy Jeanne Harrah
Kathy Jeanne Harrah

Reli Louise Haemmerle
Reli Louise Haemmerle

Fritz Xavier Haemmerle
Fritz Xavier Haemmerle

Wilma Pace
Wilma Pace

Pamela Jean Rayborn
Pamela Jean Rayborn

John D. Pace
John D. Pace

Stella A.M. Keane
Stella A.M. Keane

Carl E. Ley
Carl E. Ley

Susan Ley
Susan Ley

Judy L. Demetre, by Ned C. Williamson
her attorney in fact
Judy L. Demetre

Bob Stevens
Robert H. Stevens
Bob Stevens, Personal Representative
for The Estate of George B. Saviers

EXHIBIT 2

SHEET NOTES
 NEIGHBORING STRUCTURE LOCATIONS ARE APPROXIMATE
 PROPERTY LINES ARE FROM BLAINE COUNTY GIS
 EDGE OF ROAD IS INTERPOLATED

THE JARVIS GROUP
 ARCHITECTS INC.
 511 SUN VALLEY ROAD
 POSTAL BOX 438
 KETCHUM, IDAHO 83340
 PHONE 208/238-4331 FAX 208/238-1899

IDAHO
201 GARNET STREET
 KETCHUM

ARCHITECT
PRELIMINARY
 NOT FOR CONSTRUCTION

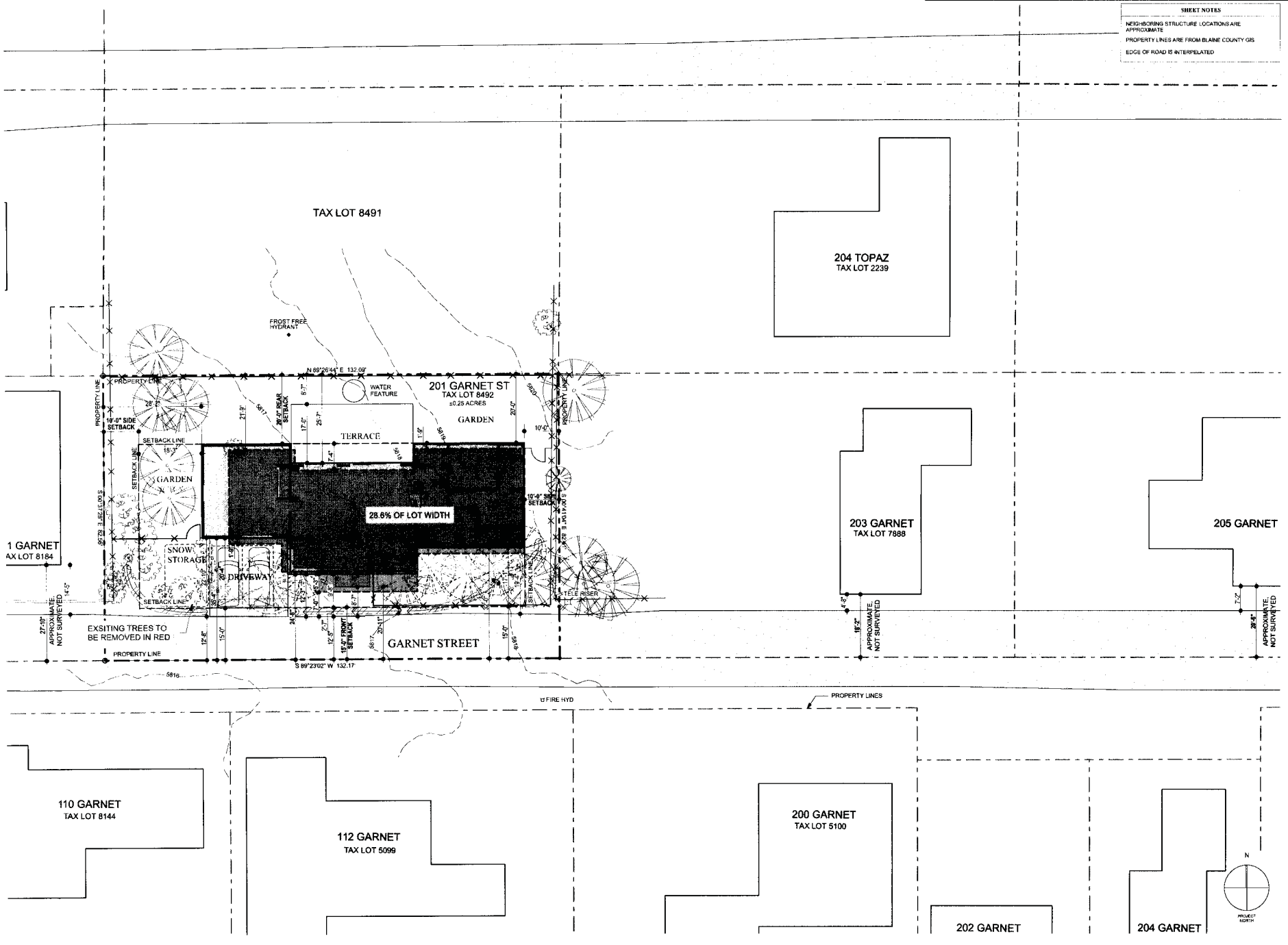
ENGINEER

1:00 DRAWING SCALE PER TITLE BLOCK
 PROPERTY OF THE ARCHITECT AND ENGINEER. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT AND ENGINEER.

DRAWN _____
 DATE _____
 FILE _____

REVISIONS

NO.	DATE	DESCRIPTION



1 PLAN: SITE PLAN
 SCALE 1" = 40'

SITE PLAN 1:10

Attachment D.

Written public comment received as of 4:00 p.m. Wednesday, June 3rd, 2020

From: [Marjolaine](#)
To: [Participate](#)
Subject: Nalen Appeal
Date: Tuesday, June 02, 2020 9:53:29 AM

Planning and Zoning Commission -

I am writing concerning the Nalen Appeal for a front yard setback at 201 Garnet Street, Ketchum.

A property owner can do whatever he/she wants within the confines of the planning and zoning rules and regulations attached to their property.

Changing the rules and regulations after purchase does not show for-thought. It shows greed. If Mr. Nalen had wanted more property available to him for his building site, he could have purchased a larger piece of property.

Garnet Street is a quiet street with appropriate sized buildings on each property.

We would welcome Mr. Nalen and his family.

We do not welcome someone who is trying to get more than what he is legally allowed to do.

I also am troubled that the property was sold to Mr. Nalen by Mr. Haemmerle, who is now his legal counsel. Were promises made before purchase? We will never know.

I am asking that the Planning and Zoning Commission do the right thing.
In these troubled times, doing the right thing over the easy thing is the correct choice.
It is up to you. Do the right thing.

Sincerely,

Marjolaine Renfro
30 year resident of Garnet Street.
49 year resident of Ketchum



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF JUNE 8, 2020

PROJECT: Cherp Work/Live Conditional Use Permit

FILE NUMBER: P20-033

OWNER: Mia L. Cherp

APPLICANT: Mia L. Cherp

REQUEST: Conditional Use Permit (CUP) for a work/live unit

LOCATION: 270 Northwood Way #201 (Redfish Industrial Condo Unit 201 .09)

ZONING: Light Industrial District No. 2 (LI-2)

OVERLAY: 58' Height Overlay

NOTICE: Notice was published in the legal section of the Idaho Mountain Express on May 20, 2020 and was mailed to properties within 300' and political subdivisions and was posted on the city website and on the premises on May 22, 2020.

REVIEWER: Brittany Skelton, Senior Planner

ATTACHMENTS:

- A. Application
- B. Applicant's business description and signage (existing and proposed)
- C. City of Ketchum business license for STITCHstudio
- D. Floor plan and partition wall examples
- E. Photos from staff site visit May 29th, 2020
- F. Written public comment received by 12:00 p.m. June 4th, 2020
- G. draft Findings of Fact, Conclusions of Law, and Decision

BACKGROUND

Mia Lyon, owner/operator of STITCHstudio and owner of the subject property 270 Northwood Way Unit 201, has applied for a Conditional Use Permit to allow work/live use within the condominium unit where her business is currently operating. The subject property is located in the LI-2 zoning district.

STITCHstudio is a custom sewing and upholstery business and is classified as the land use category "craft/cottage industry" per Ketchum's zoning code. Craft/cottage, defined as "a facility devoted solely to the arts and crafts that produces or makes items that by their nature are designed or made by an artist or craftsman by using hand skills," is a permitted use in the LI-2 zoning district.

Adding residential use to the subject property will classify the use as Work/Live per the zoning code and Work/Live is permitted via a Conditional Use Permit. Work/Live units are a relatively new category of residential use permitted in the Light Industrial zoning districts, made possible through the light industrial zoning amendments considered by the Planning and Zoning Commission and City Council in 2018 and 2019.

STITCHstudio currently operates from the subject property (with a City of Ketchum business license and registration with the Idaho Secretary of State for the subject location), as indicated by the applicant, and noted by city staff Brittany Skelton and Abby Rivin during a site visit to the subject property conducted on May 29, 2020. In lieu of a Commission site visit for the Conditional Use Permit staff photos from the May 29th site visit are included as **Attachment E**; Commission site visits have been suspended due to the Covid-19 pandemic.

In 2019 the applicant obtained a building permit (BP19-004) to remodel the condominium unit for commercial use. The Commission's denial of a 2018 Conditional Use Permit application (P18-138) for residential and commercial use in the unit preceded the building permit application. The 2018 CUP application was denied on the basis of the proposal being found to be a "home occupation" with proposed residential square footage exceeding the maximum 1,000 square feet permitted by code. Further, the Commission found the application noncompliant with Conditional Use Permit criteria KMC §§17.116.030.A, C, and E.

The prior CUP application was evaluated during public hearings in December 2018 and January 2019 under the light industrial residential standards that have since been augmented and modernized through the adoption of the suite of light industrial zoning code amendments in 2019.

A Certificate of Occupancy was issued for the remodel in 2019. All city departments have verified that due to the commercial standards the remodel adhered to, including relocation and upgrading of fire sprinklers, the unit is safe for residential occupancy.

Several written public comments regarding the proposal have been received. Written comments received by 12:00 p.m. Thursday, June 4th, 2020 are included as attachments to the staff report. All written comments received after this time are part of the record and will be distributed to the Commission for consideration.

WORK/LIVE STANDARDS

Work/Live units are defined by Ketchum Municipal Code as follows:

Work/live units incorporate residential living space in a non-residential building. Work/live units are held jointly in common ownership and the work and live spaces cannot be sold or platted as separate condominiums, as documented with a City-approved restrictive covenant recorded against the property are permitted in the LI-2 zone provided a Conditional Use Permit for the live component is approved by the Planning and Zoning Commission.

The proposed work/live unit's live and work square footages are depicted in the floor plan, prepared by TDN Architects and included as **Attachment D**, and excerpted below, Figure 1. The floor plan reflects the unit as-built currently and indicates two (2) partition walls, "sliding panel walls @ 36" each", which are proposed to be installed. The partition walls will allow the work and live spaces to be physically separated from one another when needed but can also allow greater integration between the two sewing/production areas and the open work area (center of unit) and the open work area with the future kitchen (the area designated "future kitchen" currently has only a refrigerator, counter top/shelves, and center island). Two illustrative examples of what the partition walls will look like and how they will operate are included with **Attachment D** and below, Figures 2 and 3. (Note* the example photos utilize partition walls for a bedroom setting, the bedroom in the subject unit is fully enclosed by a drywall-wall and is accessed with a door.)

There are 579 square feet delineated for residential use (indicated in yellow in Figure 1 and the complete floorplan, Attachment D), which includes a bedroom with its own entry door, private bathroom, a storage room with an additional entry door, and the future kitchen. There are 754 square feet delineated for commercial use consisting of two sewing/production and material storage suites, an open floorplan work room, and a bathroom. The commercial area of the unit is accessed from the primary entrance to the unit (the interior shared corridor for the upper floor of the building) and an ADA accessible bathroom shared by the entire building is located in the shared interior corridor. The total square footage of the unit is 1,333 square feet.

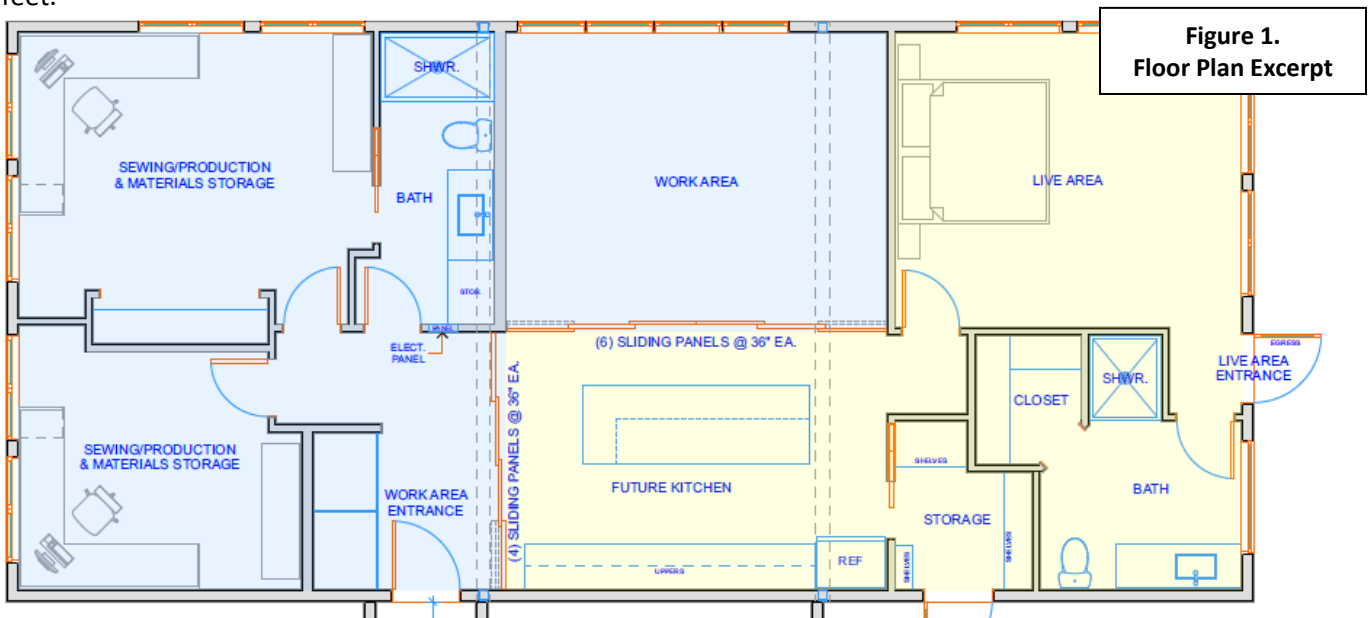


Figure 2.
Slider Door Example



Figure 3.
Slider Door Example

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>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></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum’s economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>A work/live unit with a cottage industry producing locally made products being the work component meets both the primary and secondary intention of the light industrial area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The applicant is applying for work/live approval under the provisions of the newly amended light industrial residential standards. The light industrial zoning code regulations were revised and modernized in part to facilitate and encourage additional work/live opportunities in Ketchum city limits.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2. City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire: Unit is safe for residential occupancy. No other comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Streets Department: No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: Change of use but not a change of demand, no comment at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: Unit is safe for residential occupancy. No other comments at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the Staff Report.

Table 3. Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:				
Residential units in the light industrial districts shall comply with the following minimum criteria:				
Yes	No	N/A	City Code	City Standards and Staff Comments

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	Dwelling units shall not occupy the ground floor.							
			Staff Comments	<i>The application is for a work/live unit and the entirety of the unit is located on the top floor of the Redfish Building.</i>							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.							
			Staff Comments	<i>Design Review is not required as this application does not change the exterior of the building.</i>							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.							
			Staff Comments	<p><i>There are 10 units and common area in the Redfish Building consisting of 16,591 square feet (per Blaine County Assessor records).</i></p> <p><i>Three (3) residential units exist in the building to date with a cumulative residential square footage of 2,968 square feet:</i></p> <table border="1" data-bbox="781 663 1276 898"> <thead> <tr> <th>Unit</th> <th>Residential Floor Area (sq ft)</th> </tr> </thead> <tbody> <tr> <td>202</td> <td>1,000</td> </tr> <tr> <td>204</td> <td>973</td> </tr> <tr> <td>205</td> <td>995</td> </tr> <tr> <td><i>total</i></td> <td><i>2,968 residential square footage</i></td> </tr> </tbody> </table> <p><i>The existing residential share of the building's square footage is 17.8%.</i></p> <p><i>Approval of the additional 579 square feet of residential square footage for Unit 201 would result in 3,547 cumulative residential square feet, equating to 21.3% of the building's square footage.</i></p> <p><i>Within this particular work/live unit, 579 square feet of living area represents 43% of the total square footage of the wok/live unit (579 square feet of 1,333 total square feet).</i></p>	Unit	Residential Floor Area (sq ft)	202	1,000	204	973	205
Unit	Residential Floor Area (sq ft)										
202	1,000										
204	973										
205	995										
<i>total</i>	<i>2,968 residential square footage</i>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	<p>Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to:</p> <ul style="list-style-type: none"> a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid residential conditional use permit prior to the adoption of this section as published. 							
			Staff Comments	<i>This unit is eligible for individual ownership in accordance with 17.124.090.A.(4).a – a work/live unit is proposed.</i>							

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.124.090 A (5)</p>	<p>5. Work/Live Units: In the approval of work/live units, the City shall also find that:</p> <p>a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant;</p> <p>b. The work unit is:</p> <ul style="list-style-type: none"> (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation; (3) Served by the prominent means of access for the work/live unit; and, (4) Associated with a business license for a use allowed (either conditionally or permitted) in the district. <p>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</p> <ul style="list-style-type: none"> (1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet; (2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and (3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.
			<p>Staff Comments</p>	<p><i>5a. The proposed work/live unit meets the definition of work/live unit. If approved, the Findings of Fact and Conclusions of Law for this application will be forwarded to City Council for approval of a restrictive covenant in accordance with 17.124.090 A (5).</i></p> <p><i>5b.1. The unit is suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire codes as verified by the city building official and city Fire Marshal.</i></p> <p><i>The work/live unit has been designed to provide the greatest distance from and physical separation between the bedroom/bathroom delineated for residential use, located on one end of the unit, and the two sewing/production suites and bathroom located on the other end of the unit (an ADA compliant bathroom is shared by all second-floor units in the building and is accessed from the interior hallway corridor).</i></p> <p><i>The center of the unit is comprised of both residential space, the kitchen and kitchen island, and an open floorplan work room. The open floorplan workroom and kitchen are designed to allow complete physical separation when the proposed partition wall is fully extended. When additional work area is needed, or to provide potential employee access to the kitchen (delineated on the floor plan as residential square footage), the partition wall can be opened.</i></p> <p><i>5b.2. The exterior of the building and interior hallway are currently signed for STITCHstudio. WindyCity Arts is producing additional signage, to be located at the interior entry to the unit, noting hours of operation which are to be by appointment only. Recommended condition of approval #1 states, "Hours of operation for the business shall be posted and remain posted."</i></p> <p><i>5b.3. The work area is served by the most prominent means of access to the unit, which is the entry door accessed by the building's interior circulation corridor.</i></p>

				<p>5b.4. The applicant has a valid business license with the City of Ketchum for a permitted use, STITCH Studio, which is a craft/cottage industry.</p> <p>C1. The size of the live component is less than 1,000 square feet (it is 579 square feet), and is less than the work component, which is 754 square feet.</p> <p>C2. The means of access to the residential portion of the unit is not prominent (two secondary accesses exist for the residential unit).</p> <p>C3. Parking requirements are met as the building has forty (40) shared parking-lot spaces for the building; one parking space is required for the residential unit, which has one bedroom, and one parking space is required for the 754 square feet of light industrial craft/cottage industry floor area.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			Staff Comments	N/A, this is a work/live unit.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			Staff Comments	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>8. Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone</p>

				<p>and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			Staff Comments	<i>The applicant is aware that the property is located in a light industrial zone and operates a valid light industrial use as part of the work/live operation. The applicant is aware of all other standards described in this subsection.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			Staff Comments	<i>The applicant meets parking ordinance requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards; b. Separation of residential and light industrial parking on the site to minimize conflicts; c. Restrictions on exterior storage of personal property of tenants; d. Certificate of occupancy required prior to occupancy of units; e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy; f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations; g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged; i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or, j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.
			Staff Comments	<i>Staff recommends the conditions of approval noted in the last section of this staff report.</i>

Table 4. Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments

☒	☐	☐	17.116.030(A)	The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.
			Staff Comments	<p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the LI-2 zoning district is established “with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone.”</i></p> <p><i>The proposed work/live unit includes a permitted light industrial use, craft/cottage industry, and the conditionally permitted residential use. Residential use is the secondary purpose of the LI-2 zone.</i></p> <p><i>The Redfish Building where the subject condominium unit is located is currently comprised of a mix of commercial operations and work/live uses approved by Conditional Use Permit in the past. As such, the proposed work/live unit is compatible with the types of uses permitted in the zoning district.</i></p>
☒	☐	☐	17.116.030(B)	The conditional use will not materially endanger the health, safety and welfare of the community.
			Staff Comments	<p><i>The unit recently received a Certificate of Occupancy for commercial use and the commercial use, STITCH Studio, is currently operating within the unit with a valid city business license. The nature of this craft/cottage industry involves sewing and producing custom soft goods, upholstery, window furnishings, costumes, and so forth, and the business is owner operated.</i></p> <p><i>The city’s Fire Marshal and Building Official have been consulted about a portion of the unit being used for residential living and both officials have confirmed the unit is safe for residential occupancy. As such, neither the commercial use nor the residential pose health, safety, or welfare concerns to the community.</i></p>
☒	☐	☐	17.116.030(C)	The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.
			Staff Comments	<p><i>The Redfish Building has an adequately sized parking lot for the development; there are ten (10) condominium units and 40 parking spaces located in a surface parking lot that is shown as Common Area on the development’s plat (see Redfish Light Industrial Condominiums plat, 1995, on file with the Blaine County Recorder).</i></p> <p><i>Per Ketchum’s parking ordinance, chapter 17.125 of the zoning code, the work/live unit requires two (2) parking spaces – one (1) for the residential unit, which has one proposed bedroom, and one (1) for the commercial square footage.</i></p> <p><i>The business is currently in operation and does not cause hazardous pedestrian or vehicular traffic. Approval for one-bedroom of residential use will not substantially increase vehicular or pedestrian traffic to the unit. As such, the residential use will not create pedestrian or vehicular use that will be hazardous or conflict with existing or anticipated traffic in the neighborhood.</i></p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			Staff Comments	<i>The work/live unit is within an existing building that is adequately served by public services and facilities. The work/live operation will not adversely affect public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.
			Staff Comments	<i>As described in Table 1 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</i>

The Planning and Zoning Commission may attach additional conditions to the application approval as it determines necessary in order to ensure the residential use is compatible with the vicinity and adjoining uses, mitigate adverse impacts, and enhance public health, safety, and welfare. Such conditions may include, but are not limited to (KMC §17.116.050):

- A. Minimizing adverse impact on other development;
- B. Controlling the sequence and timing of development;
- C. Controlling the duration of development;
- D. Assuring that development is maintained properly;
- E. Designating the exact location and nature of development;
- F. Requiring the provision for on site or off site public facilities or services;
- G. Requiring more restrictive standards than those generally required in an ordinance; and
- H. Requiring mitigation of effects of the proposed development upon service delivery by any political subdivision, including school districts, providing services within the city.

Additionally, KMC §17.124.090 pertaining to residential standards in light industrial districts states that the following conditions may be attached to the Conditional Use Permit:

- a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards;
- b. Separation of residential and light industrial parking on the site to minimize conflicts;
- c. Restrictions on exterior storage of personal property of tenants;
- d. Certificate of occupancy required prior to occupancy of units;
- e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy;
- f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations;
- g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses;
- h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged;
- i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or,
- j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section [KMC §17.124.090].

STAFF RECOMMENDATION

Staff recommends holding the public hearing, considering the application and public comment, and approving the Cherp Work/Live Conditional Use Permit with conditions.

RECOMMENDED MOTION

"I MOVE to approve the Cherp Work/Live Conditional Use Permit for a work/live unit located at 270 Northwood Way, Unit 201 of the Redfish Building, with conditions 1-10*" [**or with the addition of any other conditions determined necessary by the Commission*].

RECOMMENDED CONDITIONS

- 1.** Hours of operation for the business shall be posted and remain posted;
- 2.** This approval is based on the floorplan submitted and attached to the staff report dated June 8, 2020 and attached to the Findings of Fact, Conclusions of Law, and Decision, any increase in residential square footage is subject to an amendment to this Conditional Use Permit within one (1) year of approval of the Findings of Fact, Conclusions of Law, and Decision or is subject to a new Conditional Use Permit thereafter;
- 3.** The Conditional Use Permit is non-transferable and is valid only for residential occupancy by the applicant, Mia Cherp, for the duration that Wood River Joiners is in operation. If the light industrial operation ceases this permit shall be void. If a new residential tenant or new light industrial use is proposed a new Conditional Use Permit shall be applied for.
- 4.** This Conditional Use permit is non-transferrable to another location or another work/live use for the subject property; the approval is specific to STITCH Studio and residential owner/occupant Mia Cherp. Should a STITCH Studio cease operation or should Mia Cherp cease residential use or a different residential occupancy desire to operate a work/live use a new Conditional Use Permit for work/live use will be required to be approved by the Planning and Zoning Commission.
- 5.** Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirements that the "live" portion of the work/live unit remains secondary in size to the "work" portion and the "live" portion does not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
- 6.** The applicant agrees to facilitate routine inspections of the work/live unit by Planning staff to ensure requirements of the zoning code and conditions of approval specific to the Conditional Use Permit are met;
- 7.** The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use;
- 8.** All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities;
- 9.** Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone; and
- 10.** All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

ATTACHMENTS

- A. Application
- B. Applicant's business description and signage (existing and proposed)
- C. City of Ketchum business license for STITCHstudio
- D. Floor plan and partition wall examples
- E. Photos from staff site visit May 29th, 2020
- F. Written public comment received by 12:00 p.m. June 4th, 2020
- G. draft Findings of Fact, Conclusions of Law, and Decision

Attachment A.
Application



City of Ketchum
Planning & Building

OFFICIAL USE ONLY	
Permit Number	P 20-033
Issue Date	4/27/20
Fee	\$1,100.00

Conditional Use Permit Application

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: www.ketchumidaho.org and click on Municipal Code.

OWNER INFORMATION	
Project Name: REDFISH RESIDENTIAL LIVE/WORK UNIT 201	
Name of Owner of Record: MIA L. CHERP	
Physical Address: 270 NORTHWOOD WAY #201	
Property Legal Description: REDFISH LIGHT INDUSTRIAL CONDO UNIT 201	
Property Zoning District: LI 2 LIGHT INDUSTRIAL DISTRICT 2	
Contact Phone: 208 720 8113	Contact Email: mia.lyonpearl@gmail.com
PROJECT INFORMATION	
Description of Proposed Conditional Use: Residential live/work	
Description of Proposed and Existing Exterior Lighting:	
ADDITIONAL COMMENTS	
ACCOMPANYING SUPPORTING INFORMATION REQUIRED	
<ul style="list-style-type: none"> • Existing Site Plan • Proposed Site Plan • Landscape Plan • Grading and Drainage Plan • Exterior Lighting Plan and Specifications • Other plans and studies related to the social, economic, fiscal, environmental, traffic, and other effects of the proposed conditional use, as required by the Administrator 	

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortuous conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Applicant Signature

Date April 23, 2020

Attachment B.
Applicant's business description and signage (existing and proposed)

Brief Description of My Background in Sewing

I have been sewing my entire life. My Grandmother was a professional seamstress and began teaching me as a little girl. As a young adult I turned to my sewing skills to make myself clothes, decorate my living spaces and even took small jobs to make extra money. One of my favorite areas of creating is that of costuming. I have made many costumes over the years, both for family and friends.

My sewing skills led me to my work in film production. I started as a wardrobe assistant. My first job was as wardrobe assistant for a Woolrich commercial. This led to further production jobs; Wardrobe, Production Assistant, Stylist, Set Decoration and now Art Direction. It began with my sewing skills. Clients included LLBean, Lands End, Eddie Bauer, Hewlett Packard, Idaho Tourism Board, Your Health Idaho and Beretta. My most recent job was as Art Director for a feature film called Mass.

Recently I have been working with several decorators making custom made soft goods for homes such as pillows, bedding and cushions. I intend to take my passion and skills through STITCHstudio to create and develop a viable business.

STITCHstudio

COMMERCIAL SEWING & UPHOLSTERY

STITCH is a full-service fabrication studio specializing in the design and manufacture of window treatments, pillows, cushions, bedding, table linens, and other fabric products for home, business and outdoor spaces. STITCH offers custom order home décor fabrics, and a variety of skilled, high-quality custom sewing services. If it's sewing related chances are STITCH can help.

Professional Sewing Made Simple

We provide commercial grade sewing services for homeowners and businesses alike, working with design firms, fabric designers, and interior decorators to produce top quality, one-of-a-kind items made from the finest custom fabrics.



270 Northwood Way Suite 201 Ketchum, Idaho 83340 tel. 208 720 8113

STITCHstudio

COMMERCIAL SEWING & UPHOLSTERY



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STITCHstudio

COMMERCIAL SEWING & UPHOLSTERY



270 Northwood Way Suite 201 Ketchum, Idaho 83340 tel. 208 720 8113







name a few.







LEVEL 1

- 102 Big Wood Bread
- 103 M Herich & Associates, Inc.
- 104 Davis Embroidery Inc.
- 105 GP Services

LEVEL 2

- 201 StitchStudio/Mia Cherp
- 202 Jan Lassetter Fine Art
- 203 Jan Lassetter / Mike Mead
- 204 Godfrey Studio / Gallery
- 205 Lisa Holley / Studio



REDFISH

LEVEL 2

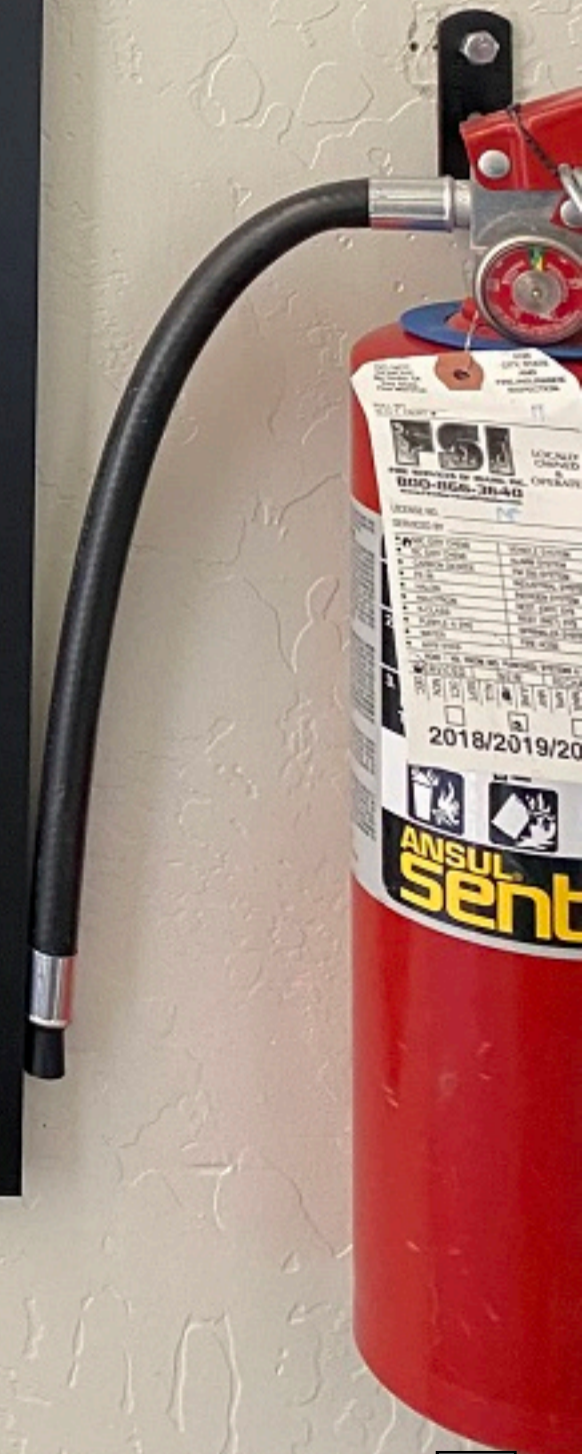
• ← Jan Lassetter Fine Art •

• 201 StitchStudio/Mia Cherp •

• 203 Jan Lassetter / Mike Mead •

• 204 Godfrey Studio / Gallery •

• 205 Lisa Holley / Studio •



201

STITCHSTUDIO

BY APPOINTMENT ONLY

201

STITCHSTUDIO

BY APPOINTMENT ONLY

Attachment C.
City of Ketchum business license for STITCHstudio

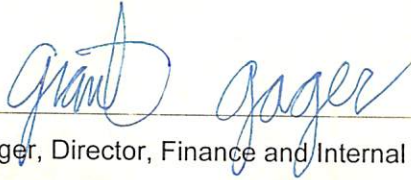


LICENSE #: 50659
EXPIRATION DATE: 01/01/0001
ISSUED TO: STITCH
DBA: STITCH STUDIO
LOCATION: 270 NORTHWOOD WAY UNIT 201
OWNER: MIA LYON CHERP

BUSINESS LICENSE

CITY OF KETCHUM
480 EAST AVE NORTH
BOX 2315
KETCHUM ID 83340

BUSINESS ACTIVITY:
Business License



Grant Gager, Director, Finance and Internal Services



Neil Bradshaw, Mayor

This certifies that the above named business or person is hereby authorized to do business in the City of Ketchum and has paid the necessary amount to operate such business for the time stated. The receipt of a business license does not indicate compliance with other pertinent laws, ordinances, rules and regulations.

THIS IS NOT TRANSFERABLE BETWEEN OWNER AND / OR LOCATIONS

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE AT THE BUSINESS LOCATION

Attachment D.
Floor plan and partition wall examples





Attachment E.
Photos from staff site visit May 29th, 2020

Staff site visit photos
270 Northwood Way Unit #201
May 29th, 2020

Center work area / future kitchen – proposed to be divided with sliding door partition wall



Staff site visit photos
270 Northwood Way Unit #201
May 29th, 2020

Proposed future bedroom



Staff site visit photos
270 Northwood Way Unit #201
May 29th, 2020

Proposed sewing production rooms #1 and #2



Attachment F.
Written public comment received by 12:00 p.m. June 4th, 2020

HALLORAN & SONS ANTIQUES

ENGLISH AND FRENCH PERIOD COUNTRY FURNITURE

PATRICIA HALLORAN WHEELER

May 29, 2020

City of Ketchum
Planning and Zoning Commission
Ketchum, Idaho

Dear Commission:

My name is Patricia Halloran Wheeler of Halloran and Sons Antiques. I have been a dealer and interior decorator for over 35 years. I have had successful businesses in Corona del Mar, Napa, California and now for the last 16 years here in Ketchum, Idaho.

I am writing on behalf of Mia Cherp. I have known Mia for 8 years. She is incredibly creative with an eye for detail, style and vision. Her work is impeccable and beautiful. In fact, she has made some lovely pillows and cushions for my own home. I have encouraged her over the years to continue sewing and creating items for some of my clients.

As a seasoned and successful decorator and dealer, I am very familiar with this skill set and talent. I am thrilled she is taking her abilities and passions to start STITCHstudio. I intend on utilizing her company and recommend she be granted a CUP.

Sincerely,

Patricia Halloran Wheeler

Patricia Holloran

SUSAN SUBBOTIN INTERIORS
2519 HALE DRIVE
BURLINGAME, CA 94010
(650) 315-2379

May 27,2020

City of Ketchum
Planning and Zoning Commision
Ketchum, Idaho

Dear Commission,

I am writing this letter to verify that on several occasions I've commissioned Mia Cherp to fabricate soft home goods for my interior design clients. She has made lovely pillows and duvets. Her work is beautiful. She is reliable and very competent, not to mention extremely creative. Currently she is making bedding ensembles for my client's mountain cabin in Mackay, Idaho.

I have been in the interior design business for over 30 years. There are numerous fabricators to choose from, and Mia is becoming one of my favorites. I am in full support of her new business and plan on using her as much as possible.

Sincerely,

Susan Subbotin, ASID allied- Design Principal
Sue Subbotin Interiors
<https://www.suesubbotininteriors.com>

From: [Participate](#)
To: [AllPlanningAndZoning](#)
Subject: FW: Letter on behalf of Mia Lyon Cherp
Date: Tuesday, June 02, 2020 6:05:11 PM
Attachments: [SkyAlpine Logo-Spot_small.bmp](#)
[LOI StitchStudio.pdf](#)

Please see public comment below and attachment.

LISA ENOURATO | CITY OF KETCHUM

Assistant City Administrator

P.O. Box 2315 | 480 East Ave. N. | Ketchum, ID 83340

o: 208.726.7803 | f: 208.726.7812

lenourato@ketchumidaho.org | www.ketchumidaho.org

From: Ted Ayliffe <ted@sky-alpine.com>
Sent: Tuesday, June 02, 2020 5:34 PM
To: Participate <participate@ketchumidaho.org>
Subject: Letter on behalf of Mia Lyon Cherp

Ketchum Department of Planning and Building:

I'm am submitting this letter of intent describing our (Sky Alpine's) desire to work with Mia Cherp to help develop and manufacture custom soft goods for our startup outdoor equipment company. We have been working together on proof of concept prototypes for 2-3 months, and it is important for Sky Alpine that Mia has a facility to operate in.

I personally believe that live/work spaces are fantastic ideas. As a serial entrepreneur, live/work spaces are ideal environments for creativity and starting/building companies. Every single one of my companies (5 now) were started in the home/garage. I actually think the closer you can work where you live, the more likely you will be to creating a successful business. For example, I founded and ran ORFLO Technologies for 17 years (a high-tech life science company). During this entire time, I worked about 50% of the time at the kitchen counter and always had a small lab in the garage where I could immediately build and test ideas. There should be no barriers between life and work for a start up company, if you want it to succeed.

I'm happy to address any questions you may have.

Kind regards,

Ted.

Ted Ayliffe, Ph.D., CEO



Ketchum, ID 83340
206-719-0037
haroldayliffe@gmail.com

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LETTER OF INTENT



skyalpine™

June 1, 2020

StitchStudio LLC
270 Northwood Way Ste 201
Ketchum, ID 83340
Stitchstudiosv@gmail.com
208-720-8113

.....
106 Carriage Lane
Ketchum, ID 83340
ted@sky-alpine.com
Tel: 206.719.0037

Dear Mia Cherp:

Sky Alpine LLC is a Ketchum, ID based start-up focusing on the development, manufacturing, and direct marketing/sales of a new line of automotive rooftop carriers for outdoor equipment. As part of the product lineup, we intent to offer custom protective ski bags that will be used in conjunction with our new "roof racks".

Sky Alpine intends to contract with Mia for the development of the desired soft goods, with the long-term goal of having StitchStudio manufacture the ski bags as sales increase this 2020/21 ski season.

Sky Alpine is my fifth company. Previously, I was a co-owner of G3, Genuine Guild Gear LLC, founder of Skye Alpine LLC (sold to Black Diamond Inc. in 2013), founder of ORFLO Technologies (recently sold to Gemini BioProducts LLC), and co-founder of Vestigo Research LLC (a medical device company).

Sincerely,

Ted Ayliffe, PhD. Engineering
CEO, Sky Alpine LLC.

From: [Participate](#)
To: [Brittany Skelton](#); [Abby Rivin](#); [Maureen Puddicombe](#)
Cc: [Lisa Enourato](#)
Subject: Fwd: For Public Comment , June 8 hearing regarding CUP/Mia Cherp
Date: Tuesday, June 02, 2020 7:37:46 PM

FYI—for the packet.

SUZANNE FRICK | CITY OF KETCHUM

City Administrator

P.O. Box 2315 | [480 East Ave. N. | Ketchum, ID 83340](#)

o: [208.727.5086](tel:208.727.5086) | m: [208.721.2765](tel:208.721.2765)

sfrick@ketchumidaho.org

Begin forwarded message:

From: Britt Davis <britt@brittdavisbeauty.com>
Date: June 2, 2020 at 6:20:46 PM MDT
To: Participate <participate@ketchumidaho.org>
Subject: For Public Comment , June 8 hearing regarding CUP/Mia Cherp

Dear Commisioners,

My name is Britt Davis (aka Britt Peterson) of Britt Davis Beauty. I am a native and long time resident of Blaine County. I am an artist, stylist, make-up artist, influencer and business owner. I am sole proprietor of Britt Davis Beauty and partner in Grace Coffee in Hailey, Idaho.

I am writing on behalf of Mia Cherp and her application for a Conditional Use Permit in the Light Industrial area of Ketchum. I have known Mia for 10 years. I've had the good fortune of working with Mia on several production jobs where we served together on creative teams. She is incredibly hard working and extremely creative. She always has a can do attitude and works her tail off! I have seen her sewing creations and can attest to their beauty and quality.

I support her in her endeavors with Stitch Studio and am certain she will be successful! Please grant her application so she can get going on what she is so very good at!

Sincerely,

Britt Davis

Sent from my iPhone

From: [Participate](#)
To: [Brittany Skelton](#); [Abby Rivin](#); [Maureen Puddicombe](#)
Cc: [Lisa Enourato](#)
Subject: Fwd: For Public Comment, June 8 hearing re: CUP/MiaLCherp
Date: Tuesday, June 02, 2020 7:38:16 PM

For the packet

SUZANNE FRICK | CITY OF KETCHUM
City Administrator
P.O. Box 2315 | [480 East Ave. N. | Ketchum, ID 83340](#)
o: [208.727.5086](#) | m: [208.721.2765](#)
sfrick@ketchumidaho.org

Begin forwarded message:

From: Cindy Lyon <lyonclan75@gmail.com>
Date: June 2, 2020 at 6:45:11 PM MDT
To: Participate <participate@ketchumidaho.org>
Subject: For Public Comment, June 8 hearing re: CUP/MiaLCherp

June1, 2020

City of Ketchum
Planning and Zoning Commission

Planning Commissioners,

As the widow of the former Planning Commissioner and Mayor of Oceanside California, I have an understanding of the process of a conditional use permit application. I am writing to you as a character reference for Mia Cherp who is attempting to comply with the numerous and somewhat complex requirements and restrictions in this process.

Ms. Cherp is a long time resident of Sun Valley and Ketchum. She is a hard working individual with immense creative talent. She is a very competent and talented seamstress who, in American tradition, hopes to build a successful small privately owned business called "Stitch Studio."

As the now retired Executive Director of the Trauma Intervention Programs of San Diego County, Inc., I am familiar with the emotional effects of bureaucratic delays and misinformation involved in Mia's attempts to navigate this process. Mia has applied for all of the proper permits, used professional contractors,

worked diligently with City staff and now has to have an Attorney to assist her through this process. Please grant her the CUP to allow her to begin and build her dream business which can only benefit your lovely community.

Respectfully,
Cindy Lyon
600 South The Strand
Oceanside, CA
760-433-7924

Brittany Skelton

From: Elinor Jannotta <ejannotta@gmail.com>
Sent: Wednesday, June 03, 2020 5:10 PM
To: Brittany Skelton
Subject: Mia Lyon Cherp endorsement

To whom it may concern ~

I am writing on behalf of Mia Cherp.

First, she is my friend. I met her when I moved to Ketchum 8 years ago.

Mia is kind, whole hearted in everything she does, an excellent mother and a thoughtful, reliable, and supportive human being. I count her on the short list of confidantes I trust to non-judgmentally show up and be supportive.

I met Mia through our children being close friends. In fact, her son and young daughter are among my children's best friends, and it is important to add, best influences. They too are kind, thoughtful, diligent and reliable which is a direct result as to how they were raised.

Mia is creative, resourceful and resilient. As you probably know since you are reviewing her profile, she has had plenty of challenges, but always meets them with creative solutions. When her children were all went to school full day and she needed to create revenue, she parlayed her athleticism and long time love of skiing and Sun Valley into being an instructor. But, she is not just an instructor, she is really more of a concierge. Ingratiating her guests into the culture and whole-heartedly serving them and accommodating their needs. Then, in recent years when socked with physical traumas she began to think about what might be possible in her next chapter. From that came Stitch Studio and she put her creativity to work.

Mia has designed and produced cushions, duvet covers and pillows throughout my house. (They are good quality, and extremely tasteful by the way!)

A few years ago I had to move back to Chicago for job purposes, around the time Mia was transforming her new space (until she ran into the glitches now under review) . Because our house was vacant I offered her to move here, for what turned out to be a much longer amount of time than anticipated.for either of us. SO, I have had the experience of being her landlord of sorts. Her consideration was almost embarrassing to me. Stocking refrigerators, leaving Stitch Studio items for my use. She is an over the top excellent and considerate tenant.

And of course it is no surprise, that as Covid hit the valley, and her own life hard, as soon she regained her health she was putting her creative juices to help others and making and donating masks all over town. Once again a first responder to a difficult situation.

Honestly, from the multi faceted ways I know Mia I cannot imagine a better tenant. Or a more creative person with the drive, adaptability and consideration required to successfully grow her small business.

Thank you for your consideration in this.

Sincerely ,

Elinor Jannotta
425 Clubhouse Drive
Ketchum

(PO Box 9210)

ejannotta@gmail.com

312-952-9374

Brittany Skelton

From: Peta Verhaeghe <peta@pvsunvalley.com>
Sent: Thursday, June 04, 2020 10:36 AM
To: Brittany Skelton
Subject: Public Comment, June 8 Hearing CUP/Mia Cherp

PV SUN VALLEY LLC

June 3rd, 2020

City of Ketchum
Planning and Zoning Commission
Ketchum, ID

Dear P&Z Commission,

I am a long time resident of the Wood River Valley and have known Mia Cherp for several years. Mia has created amazing costumes for my daughter. Her talents are truly a gift!
As a realtor and supporter for the LI area, it makes sense for Mia to be able to work (Stitch Studio) and live in the same space. It would be great to see her pull her talents together under one roof.

I will continue to recommend Mia's talents to my clients and friends. I also recommend she be granted CUP. Mia and Stitch Studio are a great addition to our community and the LI aea as a whole.

Best regards,

Peta Verhaeghe
Berkshire Hathaway HomeServices Sun Valley
peta@pvsunvalley.com
c. 208-806-1702



Attachment G.
draft Findings of Fact, Conclusions of Law, and Decision



City of Ketchum
Planning & Building

IN RE:)
)
 Cherp Work/Live) KETCHUM PLANNING AND ZONING COMMISSION
 Conditional Use Permit) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
 Date: June 8, 2020) DECISION
)
 File Number: 20-033)

PROJECT: Cherp Work/Live Conditional Use Permit

FILE NUMBER: P20-033

APPLICANT: Mia L. Cherp

REQUEST: Conditional Use Permit (CUP) for a work/live unit

LOCATION: 270 Northwood Way #201 (Redfish Industrial Condo Unit 201 .09)

ZONING: Light Industrial District No. 2 (LI-2)

OVERLAY: 58' Height Overlay

NOTICE: Notice was published in the legal section of the Idaho Mountain Express on May 20, 2020 and was mailed to properties within 300' and political subdivisions and was posted on the city website and on the premises on May 22, 2020.

ATTACHMENTS: A. Floorplan

FINDINGS OF FACT

1. On June 8, 2020, the Planning and Zoning Commission considered a Conditional Use Permit (CUP) application for the proposed work/live unit.
2. The subject property is located in the Light Industrial District No. 2 (LI-2) zoning district.
3. Residential dwelling units, which include work/live units, require a Conditional Use Permit in the LI-2 zoning district.
4. This work/live unit is located on the second floor of the Redfish Light Industrial Condominium building and consists of 579 square feet of residential dwelling use and 754 square feet of commercial craft/cottage industry space. The 579 square foot dwelling area is classified as the 'live' component and the craft/cottage industry space floor is classified as the 'work' component; see attached floor plans for reference.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: Mixed-Use Industrial</p> <p>PRIMARY USES <i>Light manufacturing, wholesale, services, automotive, workshops, studios, research, storage, construction supply, distribution and offices make up the bulk of development within this district.</i></p> <p>SECONDARY USES <i>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></p> <p>CHARACTERISTICS AND LOCATION <i>The Mixed-Use Industrial category is intended to provide critical lands for Ketchum’s economic growth and entrepreneurial opportunity within a vibrant business district where people can work and live in the same area.</i></p>
<p>A work/live unit with a cottage industry producing locally made products being the work component meets both the primary and secondary intention of the light industrial area.</p>
<p>Policy E-2(e) Live-Work Opportunities and Home Businesses <i>Support small home-based businesses that allow people to live and work from their residences and evaluate existing home-occupation, live/work, and related land use standards.</i></p>
<p>The applicant has applied for work/live approval under the provisions of the newly amended light industrial residential standards. The light industrial zoning code regulations were revised and modernized in part to facilitate and encourage additional work/live opportunities in Ketchum city limits.</p>
<p>Policy H-1.4 Integrated Housing in Business and Mixed-Use Areas <i>Housing should be integrated into the downtown core and light industrial areas, and close to the ski bases, The resulting mix of land use will help promote a greater diversity of housing opportunities as well as social interactions.</i></p>
<p>The proposal integrates housing into the light industrial area in a mixed-use building.</p>

Table 2. City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire: Unit is safe for residential occupancy. No other comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Streets Department: No comments at this time.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Utilities: Change of use but not a change of demand, no comment at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: Unit is safe for residential occupancy. No other comments at this time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: Comments are denoted throughout the Staff Report.

Table 3. Standards for Residential, Light Industrial Districts

IMPROVEMENTS AND STANDARDS: 17.124.090 – RESIDENTIAL, LIGHT INDUSTRIAL DISTRICTS:														
Residential units in the light industrial districts shall comply with the following minimum criteria:														
Yes	No	N/A	City Code	City Standards and Staff Comments										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (1)	Dwelling units shall not occupy the ground floor.										
			Staff Comments	<i>The entirety of the work/live unit is located on the top floor of the Redfish Building.</i>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (2)	Design review under chapter 17.96 of this title shall be required whether new building, addition to existing building or remodel of existing building.										
			Staff Comments	<i>Design Review is not required as this application does not change the exterior of the building.</i>										
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (3)	Dwelling Units: Unless otherwise specified in this section, up to fifty percent (50%) of any light industrial building may be devoted to dwelling units and up to fifty percent (50%) of a work/live unit's gross floor area may be devoted to the residential portion of a work/live unit.										
			Staff Comments	<p><i>There are 10 units and common area in the Redfish Building consisting of 16,591 square feet (per Blaine County Assessor records).</i></p> <p><i>Three (3) additional residential units exist in the building with a cumulative residential square footage of 2,968 square feet:</i></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Unit</th> <th>Residential Floor Area (sq ft)</th> </tr> </thead> <tbody> <tr> <td>202</td> <td>1,000</td> </tr> <tr> <td>204</td> <td>973</td> </tr> <tr> <td>205</td> <td>995</td> </tr> <tr> <td><i>total</i></td> <td><i>2,968 residential square footage</i></td> </tr> </tbody> </table> <p><i>The residential share of the building's square footage is 17.8%.</i></p> <p><i>Approval of the 579 square feet of residential square footage for Unit 201 results in 3,547 cumulative residential square feet, equating to 21.3% of the building's square footage.</i></p> <p><i>Within this particular work/live unit, 579 square feet of living area represents 43% of the total square footage of the wok/live unit (579 square feet of 1,333 total square feet).</i></p>	Unit	Residential Floor Area (sq ft)	202	1,000	204	973	205	995	<i>total</i>	<i>2,968 residential square footage</i>
Unit	Residential Floor Area (sq ft)													
202	1,000													
204	973													
205	995													
<i>total</i>	<i>2,968 residential square footage</i>													
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (4)	<p>Individual Units: Except as set forth in the following instances noted herein below, dwelling units shall not be separated in any manner for sale as individual units and may only be leased or rented. The instances where dwelling units may be sold are limited to:</p> <ul style="list-style-type: none"> a. City approved work/live units, as defined in chapter 17.08 of this title and subsection A5 of this section; b. Three-story projects in the LI-3 where not less than one-third (1/3) of the total square footage of housing units includes deed restricted community housing that are for sale consistent with subsection B of this section; c. Four-story and five-story projects in LI-2 and LI-3 where not less than two-thirds (2/3) of the total square footage of housing units includes deed restricted community housing units that are for sale consistent with subsection A7 of this section; d. Existing non-conforming single-family dwellings existing in the LI-1 prior to adoption of Ketchum City Ordinance #85, as enacted on May 27, 1965; e. Existing condominiums and work/live units with less than one thousand (1,000) square feet of residential gross floor area that have a valid 										

				residential conditional use permit prior to the adoption of this section as published.
			Staff Comments	<i>This unit is eligible for individual ownership in accordance with 17.124.090.A.(4).a – a work/live unit is proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (5)	<p>5. Work/Live Units: In the approval of work/live units, the City shall also find that:</p> <p>a. The work portion of the unit meets the definition of work/live unit set forth in section 17.08.020 of this title, including that the project is subject to Council approval of a restrictive covenant;</p> <p>b. The work unit is:</p> <ul style="list-style-type: none"> (1) Suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire Codes; (2) Signed and posted with regular hours of operation; (3) Served by the prominent means of access for the work/live unit; and, (4) Associated with a business license for a use allowed (either conditionally or permitted) in the district. <p>c. The residential portion of the living space is secondary to the primary use as a place of work. A finding that the residential space is secondary to the work space shall be based on measurable findings, including but not limited to:</p> <ul style="list-style-type: none"> (1) The size of the live portion of the work/live unit is both smaller than the work portion of the unit and, further, the live portion of the work/live unit does not exceed one thousand (1,000) gross square feet; (2) Means of access to the residential portion of the unit is not prominent and, preferably, is located to the side or rear of the property; and (3) Suitable residential parking that does not interfere with snow removal or the operation of proximate LI uses and, further, is in accordance with the parking and loading requirements set forth in chapter 17.125 of this title.
			Staff Comments	<p><i>5a. The proposed work/live unit meets the definition of work/live unit and the Findings of Fact and Conclusions of Law for this application will be forwarded to City Council for approval of a restrictive covenant in accordance with 17.124.090 A (5).</i></p> <p><i>5b.1. The unit is suitable for on-site employees, foot traffic/customers, and meets applicable Building and Fire codes as verified by the city building official and city Fire Marshal.</i></p> <p><i>The work/live unit has been designed to provide the greatest distance from and physical separation between the bedroom/bathroom delineated for residential use, located on one end of the unit, and the two sewing/production suites and bathroom located on the other end of the unit (an ADA compliant bathroom is shared by all second-floor units in the building and is accessed from the interior hallway corridor).</i></p> <p><i>The center of the unit is comprised of both residential space, the future kitchen (range/sink to be installed) and existing island, and an open floorplan work room. The open floorplan workroom and future kitchen are designed to allow complete physical separation when the proposed partition wall is fully extended. When additional work area is needed, or to provide potential employee access to the kitchen (delineated on the floor plan as residential square footage), the partition wall can be opened.</i></p> <p><i>5b.2. The exterior of the building and interior hallway are currently signed for STITCHstudio. WindyCity Arts is producing additional signage, to be located at the interior entry to the unit, noting hours of operation which are to be by appointment</i></p>

				<p>only. Condition of approval #1 states, "Hours of operation for the business shall be posted and remain posted."</p> <p>5b.3. The work area is served by the most prominent means of access to the unit, which is the entry door accessed by the building's interior circulation corridor.</p> <p>5b.4. The applicant has a valid business license with the City of Ketchum for a permitted use, STITCH Studio, which is a craft/cottage industry.</p> <p>C1. The size of the live component is less than 1,000 square feet (it is 579 square feet), and is less than the work component, which is 754 square feet.</p> <p>C2. The means of access to the residential portion of the unit is not prominent (two secondary accesses exist for the residential unit).</p> <p>C3. Parking requirements are met as the building has forty (40) shared parking-lot spaces for the building; one parking space is required for the residential unit, which has one bedroom, and one parking space is required for the 754 square feet of light industrial craft/cottage industry floor area.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (6)	<p>6. Size: Dwelling units in the Light Industrial District shall be a minimum of four hundred (400) square feet. In the LI-1 and LI-2 no individual dwelling unit shall exceed a maximum of two thousand (2,000) square feet, contain more than two (2) bedrooms, and all units shall not exceed a mean average of one thousand (1,000) square feet.</p>
			Staff Comments	N/A, this is a work/live unit.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.124.090 A (7)	<p>7. Fourth Or Fifth Floor: Buildings proposing a fourth or fifth floor with a qualifying ground floor consistent with section 17.12.050 of this title shall comply with the following minimum criteria:</p> <p>a. If dwelling units are to be sold, a minimum of two-thirds (2/3) of the total square footage of housing units shall be for deed restricted community housing units that are for sale and the deed restricted community housing units shall be designed and administered in accordance with the Blaine-Ketchum housing authority guidelines;</p> <p>b. The area designated as light industrial shall be as follows:</p> <p>(1) The area designated as light industrial shall be a minimum of twenty five percent (25%) of the gross floor area in four story buildings.</p> <p>(2) The area designated as light industrial shall be a minimum of twenty percent (20%) of the gross floor area in five story buildings.</p> <p>(3) Subject light industrial use shall not be for personal storage by dwelling occupants;</p> <p>c. Up to seventy five percent (75%) of the gross square footage of any four-story building and up to eighty percent (80%) of the gross square footage of a five story building may be devoted to dwelling units; and</p> <p>d. Unless otherwise deemed appropriate by the Administrator, common area allocation shall be assessed at a LI to residential ratio of 1:1 for four story buildings and 2:3 for five story buildings.</p>
			Staff Comments	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (8)	<p>8. Anti-Nuisance And Notice Provisions:</p> <p>a. The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the City will not condition, limit, restrict or otherwise</p>

				<p>interfere with any lawful light industrial use solely because it interferes with a residential use.</p> <p>b. All persons who rent or sublet any residential living unit within the Light Industrial Zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the Light Industrial Zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities.</p> <p>c. Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such Light Industrial Zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such Light Industrial Zone.</p> <p>d. All brochures and other printed materials advertising rental or lease of a living unit within the Light Industrial Zones shall contain a provision designating that such unit or units are located within the Light Industrial Zone and are within a mixed use area. Lessees and tenants shall be notified that the residential uses within the Light Industrial Zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.</p>
			Staff Comments	<i>The applicant is aware that the property is located in a light industrial zone and operates a valid light industrial use as part of the work/live operation. The applicant is aware of all other standards described in this subsection.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (9)	<p>Compliance: Compliance with all applicable code sections, including among others, the City's parking and loading standards as set forth in chapter 17.125 of this title, except that if a parking reduction is requested through a Transportation Demand Management Plan per section 17.125.090 of this title, the reduction request shall be submitted to the Zoning Administrator and the Ketchum City Council will determine if such request shall be approved.</p>
			Staff Comments	<i>The applicant meets parking ordinance requirements.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.124.090 A (10)	<p>10. Conditions: Conditions including, but not limited to, the following may be attached to the conditional use permit approval:</p> <ul style="list-style-type: none"> a. Access to the residential units relative to design and relationship to light industrial uses, including suitable access consistent with adopted City standards; b. Separation of residential and light industrial parking on the site to minimize conflicts; c. Restrictions on exterior storage of personal property of tenants; d. Certificate of occupancy required prior to occupancy of units; e. Ketchum Fire Department and Ketchum Building Department requirements shall be met prior to occupancy; f. Snow removal required to ensure utility of residential spaces and non-interference with continuous LI operations; g. Any portion or all waived fees become due and payable upon conversion of resident housing unit(s) to light industrial uses; h. Construction techniques that aid sound proofing and limit externalities of LI noise and use impacts on residences is encouraged; i. Provision for and reasonable extension of sidewalks to assure safe pedestrian access; and/or, j. Any other condition deemed to enhance the purposes under this use, or to establish or promote the criteria referenced in subsections A1 through A10 of this section.
			Staff Comments	<i>Conditions of approval have been included as noted in the last section of these Findings of Fact, Conclusions of Law, and Decision.</i>

Table 4. Conditional Use Permit Requirements

Conditional Use Requirements				
EVALUATION STANDARDS: 17.116.030 and § 67-6512 of Idaho Code				
A conditional use permit shall be granted by the commission only if the applicant demonstrates the following:				
Compliance and Analysis				
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(A)	<p>The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district.</p> <p><i>The Light Industrial Number Two (LI-2) District allows for a variety of permitted and conditionally permitted uses ranging from manufacturing to personal service to wholesaling to automotive uses. Per KMC §17.18.150, the LI-2 zoning district is established “with the foremost purpose of providing suitable land and environs for uses that are not appropriate in other Commercial Zones due to their light industrial nature, but which provide an essential or unique service to support the local economy and permanent year-round employment base. Uses include: 1) light manufacturing; 2) wholesale trade and distribution; 3) research and development; 4) service industries; 5) limited bulk retail and; 6) offices related to building, maintenance and construction. A secondary purpose of the LI-2 is to provide multiple-family dwellings, constructed to be secondary and subordinate to the primary light industrial purpose of the LI-2. Uses in the LI-2 are intended to generate traffic primarily from the industrial trades and secondarily by other permitted uses that, due to the natures of the uses, are not reliant on pedestrian traffic or high visibility, and/or are not permitted in other zoning districts, and/or are characterized by sale, rental, or service of large, bulky equipment or materials, necessitating location of such use in a Light Industrial Zone.”</i></p> <p><i>The work/live unit includes a permitted light industrial use, craft/cottage industry, and the conditionally permitted residential use. Residential use is the secondary purpose of the LI-2 zone.</i></p> <p><i>The Redfish Building where the subject condominium unit is located is currently comprised of a mix of commercial operations and work/live uses approved by Conditional Use Permit in the past. As such, the work/live unit is compatible with the types of uses permitted in the zoning district.</i></p>
			Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(B)	<p>The conditional use will not materially endanger the health, safety and welfare of the community.</p> <p><i>The unit recently received a Certificate of Occupancy for commercial use and the commercial use, STITCH Studio, is currently operating within the unit with a valid city business license. The nature of this craft/cottage industry involves sewing and producing custom soft goods, upholstery, window furnishings, costumes, and so forth, and the business is owner operated.</i></p> <p><i>The city’s Fire Marshal and Building Official have been consulted about a portion of the unit being used for residential living and both officials have confirmed the unit is safe for residential occupancy. As such, neither the commercial use nor the residential pose health, safety, or welfare concerns to the community.</i></p>
			Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(C)	<p>The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood.</p> <p><i>The Redfish Building has an adequately sized parking lot for the development; there are ten (10) condominium units and 40 parking spaces located in a surface parking lot that is shown as Common Area on the development’s plat (see Redfish Light Industrial Condominiums plat, 1995, on file with the Blaine County Recorder).</i></p> <p><i>Per Ketchum’s parking ordinance, chapter 17.125 of the zoning code, the work/live unit requires two (2) parking spaces – one (1) for the residential unit, which has one proposed bedroom, and one (1) for the commercial square footage.</i></p>
			Staff Comments	

				<i>The business is currently in operation and does not cause hazardous pedestrian or vehicular traffic. The one-bedroom residential component will not substantially increase vehicular or pedestrian traffic to the unit. As such, the residential use will not create pedestrian or vehicular use that will be hazardous or conflict with existing or anticipated traffic in the neighborhood.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(D)	The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts.
			Staff Comments	<i>The work/live unit is within an existing building that is adequately served by public services and facilities. The work/live operation will not adversely affect public services to the surrounding area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.116.030(E)	The conditional use is not in conflict with the policies of the Comprehensive Plan or the basic purposes of this section.
			Staff Comments	<i>As described in Table 1 of this staff report and 17.116.030(A) of this table, the conditional use aligns with, rather than conflicts with, the policies of the Comprehensive Plan and the basic purposes of this section.</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 ordinance, Title 17;
3. The Commission has the authority to hear the applicant’s Conditional Use Permit Application pursuant Ketchum Municipal Code Title 17;
4. The Planning and Zoning Commission’s June 8th, 2020 public hearing and consideration of the applicant’s Conditional Use Permit application was properly noticed pursuant to the Local Land Use Planning Act, Idaho Code Section 67-6512;
5. The application meets the standards of approval under Chapter 17.116, Conditional Uses of Ketchum Zoning Code Title 17 and the 2014 Comprehensive Plan;

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission approves this Conditional Use Permit application allowing for the Cherp work/live unit on this 8th day of June, 2020 subject to the following conditions 1 - 10:

- 1.** Hours of operation for the business shall be posted and remain posted;
- 2.** This approval is based on the floorplan submitted and attached to the staff report dated June 8, 2020 and attached to the Findings of Fact, Conclusions of Law, and Decision, any increase in residential square footage is subject to an amendment to this Conditional Use Permit within one (1) year of approval of the Findings of Fact, Conclusions of Law, and Decision or is subject to a new Conditional Use Permit thereafter;
- 3.** The Conditional Use Permit is non-transferable and is valid only for residential occupancy by the applicant, Mia Cherp, for the duration that Wood River Joiners is in operation. If the light industrial operation ceases this permit shall be void. If a new residential tenant or new light industrial use is proposed a new Conditional Use Permit shall be applied for.

- 4.** This Conditional Use permit is non-transferrable to another location or another work/live use for the subject property; the approval is specific to STITCH Studio and residential owner/occupant Mia Cherp. Should a STITCH Studio cease operation or should Mia Cherp cease residential use or a different residential occupancy desire to operate a work/live use a new Conditional Use Permit for work/live use will be required to be approved by the Planning and Zoning Commission.
- 5.** Because of the mixed-use nature of this space, and in order to ensure compliance with the zoning code requirements that the “live” portion of the work/live unit remains secondary in size to the “work” portion and the “live” portion does not exceed 1,000 square feet in the LI-2 zoning district, the Fire Marshal shall conduct routine inspections of the work/live building;
- 6.** The applicant agrees to facilitate routine inspections of the work/live unit by Planning staff to ensure requirements of the zoning code and conditions of approval specific to the Conditional Use Permit are met;
- 7.** The applicant is aware the mixed use of the property can result in conflict, that the light industrial use may on occasion or in certain respects be incompatible with the quiet enjoyment of the dwelling units, that due to the subordinate and junior nature of the residential use to the light industrial use, the city will not condition, limit, restrict or otherwise interfere with any lawful light industrial use solely because it interferes with a residential use;
- 8.** All persons who rent or sublet any residential living unit within the light industrial zones shall provide the tenant, lessee or subtenant with written notice that such unit is located within the light industrial zone and, as such, is junior and, therefore, subordinate in nature to all legal light industrial activities;
- 9.** Each and every real estate agent, sales person and broker and each and every private party who offers for rent or shows a parcel of real property and/or structure for lease or rent within such light industrial zones shall, upon first inquiry, provide the prospective lessee or tenant, prior to viewing such real property, with written notice that such real property and/or structure is located within such light industrial zone; and
- 10.** All brochures and other printed materials advertising rental or lease of a living unit within the light industrial zones shall contain a provision designating that such unit or units are located within the light industrial zone and are within a mixed-use area. Lessees and tenants shall be notified that the residential uses within the light industrial zone are subordinate and, therefore, junior in nature to the legal light industrial activities within the zone.

Findings of Fact **adopted** this 8th day of June, 2020.

Neil Morrow
Chair
Planning and Zoning Commission



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
MEETING OF JUNE 8, 2020

- PROJECT:** 3020 Warm Springs Rd Duplex Design Review
- FILE NUMBER:** P20-031
- APPLICATION TYPE:** Design Review
- REPRESENTATIVE:** Craig Lawrence, AIA
- PROPERTY OWNER:** Doug & Stacey Waddell
- LOCATION:** 3020 Warm Springs Road (Wills Condominium Subdivision No 2)
- ZONING:** General Residential Low Density (GR-L) Zoning District
- NOTICE:** A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site on April 29th, 2020. Public comment has been attached as Exhibit F to the Staff Report.
- REVIEWER:** Abby Rivin, Associate Planner

BACKGROUND

The applicant, architect Craig Lawrence representing property owners Doug & Stacey Waddell, have proposed a new duplex located at 3020 Warm Springs Road. The development is comprised of two attached townhome units with mirrored floor plans accessed from a new circular driveway. The property is currently developed with a duplex, which will be demolished to accommodate the project.

The Planning & Zoning Commission previously considered this Design Review application during their last meeting on May 18th. The Commission expressed concerns regarding the flat, uninterrupted appearance of the building walls at the rear and side elevations. Their recommendations focused on: (1) enhancing the design of the rear and side façades to provide visual relief, and (2) adding landscaping to soften the duplex’s rectangular mass, provide visual relief from building walls, and screen the townhomes from the street and neighboring properties. The Commission moved to continue review of the project and directed the applicant to update the project plans based on their feedback.

The applicant has submitted new renderings of the side and rear elevations and an enhanced landscape plan. These updates have been incorporated in the project plans attached as Exhibit B to the Staff Report.

ANALYSIS

Comprehensive analysis is attached to the Staff Report as Exhibit C, including: (1) the project's compliance with zoning and dimensional standards, (2) evaluation of Design Review criteria, and (3) City Department comments. An analysis of the project site and neighborhood context is included in the May 19th Staff Report attached as Exhibit E.

The following analysis summarizes the applicant's project plan updates in response to Commission feedback and Design Review standards.

Design Review

Architectural

Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness (Ketchum Municipal Code §17.96.060.F5).

The applicant has submitted new renderings of the rear and side elevations. The applicant has enhanced material differentiation through the addition of cedar siding to the project's exterior material palette. The cedar siding contrasts with the stucco to form horizontal and vertical elements that add visual interest to the rear and side elevations. The applicant has also adjusted the pattern of windows to visually distinguish each floor level. The new renderings highlight undulations of building mass that were less apparent in the project plan elevations.

Landscaping

The updated landscape plan is indicated on Sheet L-01 of the project plans (Exhibit B). Three new fir trees have been added to the backyard. These coniferous trees will help soften the rectangular building mass and provide visual relief at the rear elevation. Aspen trees have been added to the side yards. The island separating the two circular driveway entrances has been enhanced with new landscape plantings. The introduction of new trees and shrubs enhances screening between neighboring properties and Warm Springs Road.

STAFF RECOMMENDATION

After considering the updated project plans attached as Exhibit B, Staff's analysis attached as Exhibit C, the applicant's presentation, and public comment attached as Exhibit F and any received at the hearing, Staff recommends the Commission provide move to approve the Design Review application for the new duplex located at 3020 Warm Springs Road.

RECOMMENDED MOTION

"I move to approve the Design Review application for the new duplex located at 3020 Warm Springs Road, subject to conditions."

RECOMMENDED CONDITIONS OF APPROVAL

1. This Design Review approval is subject to all comments and conditions as described in Exhibits C1, C2, and C3.
2. This Design Review approval is based on the plans and information presented and approved at the meeting on the date noted herein. Building Permit plans for all on-site improvements must conform to the approved Design Review plans unless otherwise approved in writing by

- the Planning and Zoning Commission or Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
3. All governing ordinances, requirements, and regulations of the Fire Department (2012 International Fire Code and local Fire Protection Ordinance No.1125), Building Department (2012 International Building Code, the 2012 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer shall be met prior to Certificate of Occupancy.
 4. The applicant shall submit final civil drawings prepared by an engineer registered in the State of Idaho to include specifications for the ROW, utilities, and drainage improvements to be reviewed and approved by the City Engineer, Streets, and Utilities departments prior to issuance of a Building Permit for the project.
 5. The term of Design Review approval shall be twelve (12) months from the date that the Findings of Fact, Conclusions of Law, and Decision are adopted by the Commission or upon appeal, the date the approval is granted by the Council subject to changes in zoning regulations (KMC §17.96.090).
 6. All Design Review elements shall be completed prior to issuance of a Certificate of Occupancy for the building.
 7. All exterior lighting on the property shall comply with Ketchum Municipal Code, Chapter 17.132, Dark Skies, and will be inspected by Planning Staff and approved prior the issuance of a Certificate of Occupancy for the building.
 8. Prior to issuance of a Building Permit for the project, the applicant shall submit a construction management plan, which addresses each of the standards as set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards.
 9. In addition to the requirements set forth in this Design Review approval, this project shall comply with all applicable local, state, and federal laws.

EXHIBITS:

- A. Design Review Application
- B. Project Plans with Updates
- C. Staff Analysis
 1. Zoning and Dimensional Standards Analysis
 2. Design Review Standards Analysis
 3. City Department Comments
- D. Applicant Letter
- E. Staff Report: May 19th, 2020 Planning & Zoning Commission Meeting
- F. Public Comment

Exhibit A:

Design Review Application



City of Ketchum
Planning & Building

2150-
will let me
know payor

OFFICIAL USE ONLY	
P 20-031	
4-23-20	
mp	
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Design Review Application

APPLICANT INFORMATION			
Project Name: <u>WADDELL/POUSH DUPLEX</u>	Phone: <u>206-300-2599</u>		
Owner: <u>DOUG & STACEY WADDELL</u>	Mailing Address: <u>PO BOX 2545</u>		
Email: <u>doug@waddellpropertiesinc.com</u>	<u>KIRKLAND, WA 98003</u>		
Architect/Representative: <u>CRAIG LAWRENCE AIA</u>	Phone: <u>208-720-5372</u>		
Email: <u>clawrenceaia@msn.com</u>	Mailing Address: <u>BOX 2662</u>		
Architect License Number: <u>AR-2152</u>	<u>KETCHUM, ID 83340</u>		
Engineer of Record: <u>CRAIG MAXWELL PE</u>	Phone: <u>208-721-2171</u>		
Email: <u>craig@maxwellsds.com</u>	Mailing Address: <u>BOX 1911</u>		
Engineer License Number: <u>PE-14254</u>	<u>SUN VALLEY, ID 83353</u>		
<i>All design review plans and drawings for public commercial projects, residential buildings containing more than four (4) dwelling units and development projects containing more than four (4) dwelling units shall be prepared by an Idaho licensed architect or an Idaho licensed engineer.</i>			
PROJECT INFORMATION			
Legal Land Description: <u>WILLS CONDOMINIUMS NO. 2</u>			
Street Address: <u>3020 WARM SPRINGS ROAD</u>			
Lot Area (Square Feet): <u>11,000 ±</u>			
Zoning District: <u>GRL</u>			
Overlay District:	<input type="checkbox"/> Floodplain <input type="checkbox"/> Avalanche <input type="checkbox"/> Mountain		
Type of Construction:	<input checked="" type="checkbox"/> New <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Other		
Anticipated Use: <u>RESIDENTIAL DUPLEX</u>	Number of Residential Units:		
TOTAL FLOOR AREA			
	Proposed	Existing	
Basements	0 Sq. Ft.	Sq. Ft.	
1 st Floor	3412 Sq. Ft.	Sq. Ft.	
2 nd Floor	3,222 Sq. Ft.	Sq. Ft.	
3 rd Floor	2,040 Sq. Ft.	Sq. Ft.	
Mezzanine	0 Sq. Ft.	Sq. Ft.	
Total	8,678 Sq. Ft.	Sq. Ft.	
FLOOR AREA RATIO			
Community Core:	Tourist:	General Residential-High:	
BUILDING COVERAGE/OPEN SPACE			
Percent of Building Coverage: <u>31%</u>			
DIMENSIONAL STANDARDS/PROPOSED SETBACKS			
Front: <u>35'-0"</u>	Side: <u>12'-0"</u>	Side: <u>12'-0"</u>	Rear: <u>15'-0"</u>
Building Height: <u>34'-8"</u>			
OFF-STREET PARKING			
Parking Spaces Provided: <u>4</u>			
Curb Cut: <u>35</u> Sq-Ft.	<u>35</u> %		
WATER SYSTEM			
<input checked="" type="checkbox"/> Municipal Service	<input type="checkbox"/> Ketchum Spring Water		

The Applicant agrees in the event of a dispute concerning the interpretation or enforcement of the Design Review 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, the undersigned, certify that all information submitted with and upon this application form is true and accurate to the best of my knowledge and belief.

Greg Lawrence AIA for H. DOUGLAS WADDELL 3-5-20
Signature of Owner/Representative Date

DESIGN REVIEW EVALUATION STANDARDS

(May not apply to Administrative Design Review):

17.96.060: IMPROVEMENTS AND STANDARDS FOR ALL PROJECTS

A. Streets:

1. The applicant shall be responsible for all costs associated with providing a connection from an existing city streets to their development.
2. All streets designs shall be in conformance with the right-of-way standards and approved by the Public Works Director.

B. Sidewalks:

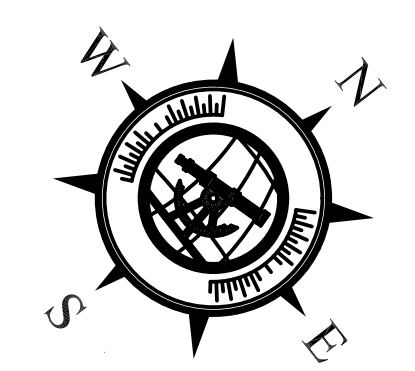
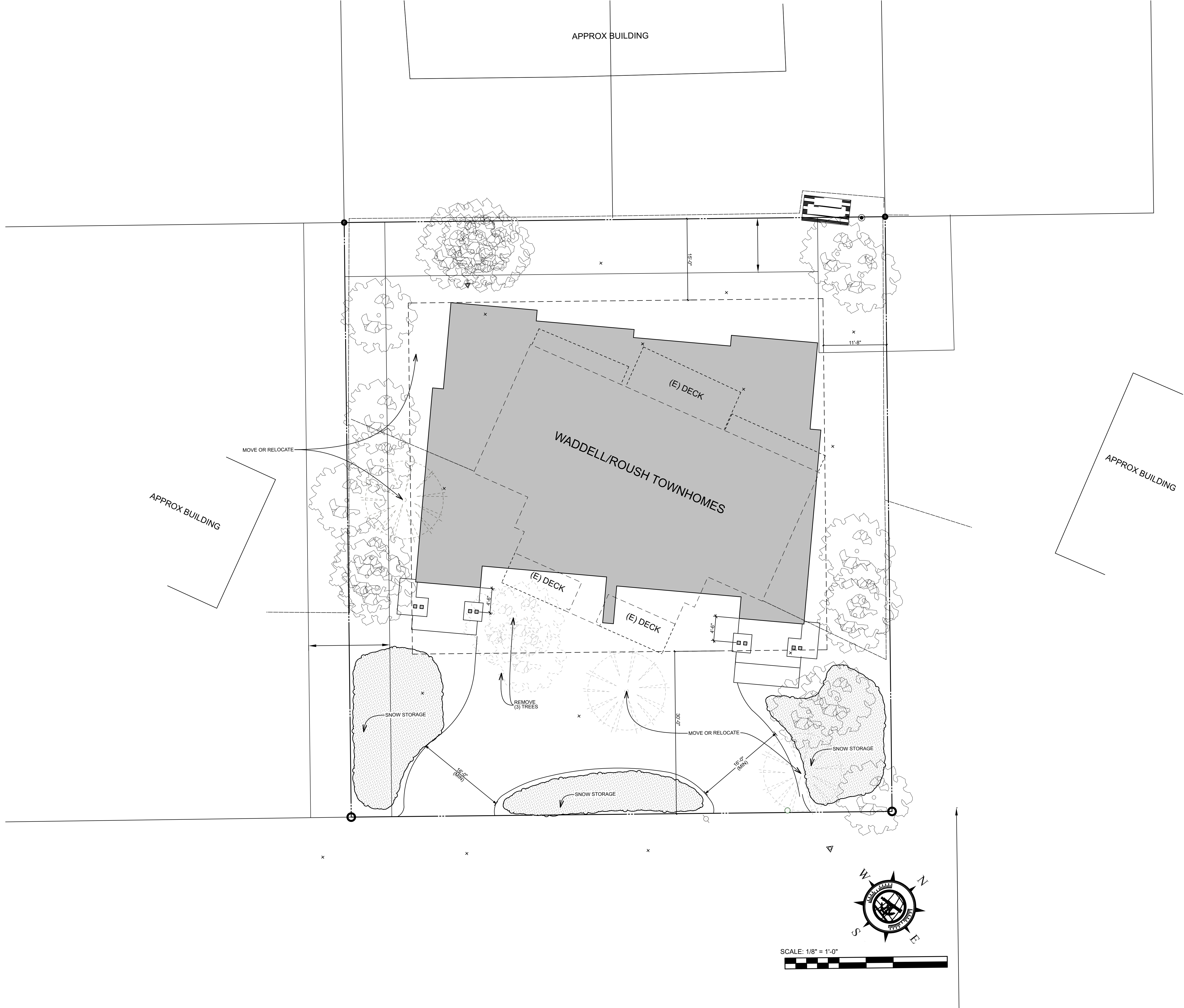
1. All projects under 17.96.010(A) that qualify as a "Substantial Improvement" shall install sidewalks in conformance with the right-of-way standards. Sidewalk improvements may be waived for projects that qualify as a "Substantial Improvement" which comprise additions of less than 250 square feet of conditioned space.
2. The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.
3. New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.
4. The city may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the city and not used for any purpose other than the provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the Public Works Director. Any approved in-lieu contribution shall be paid before the city issues a certificate of occupancy.

C. Drainage:

1. All storm water shall be retained on site.
2. Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.
3. The Public Works Director may require additional drainage improvements as necessary, depending on the unique characteristics of a site.

Exhibit B:

Project Plans with Updates



SCALE: 1/8" = 1'-0"

DRAWING DATE
4/30/20

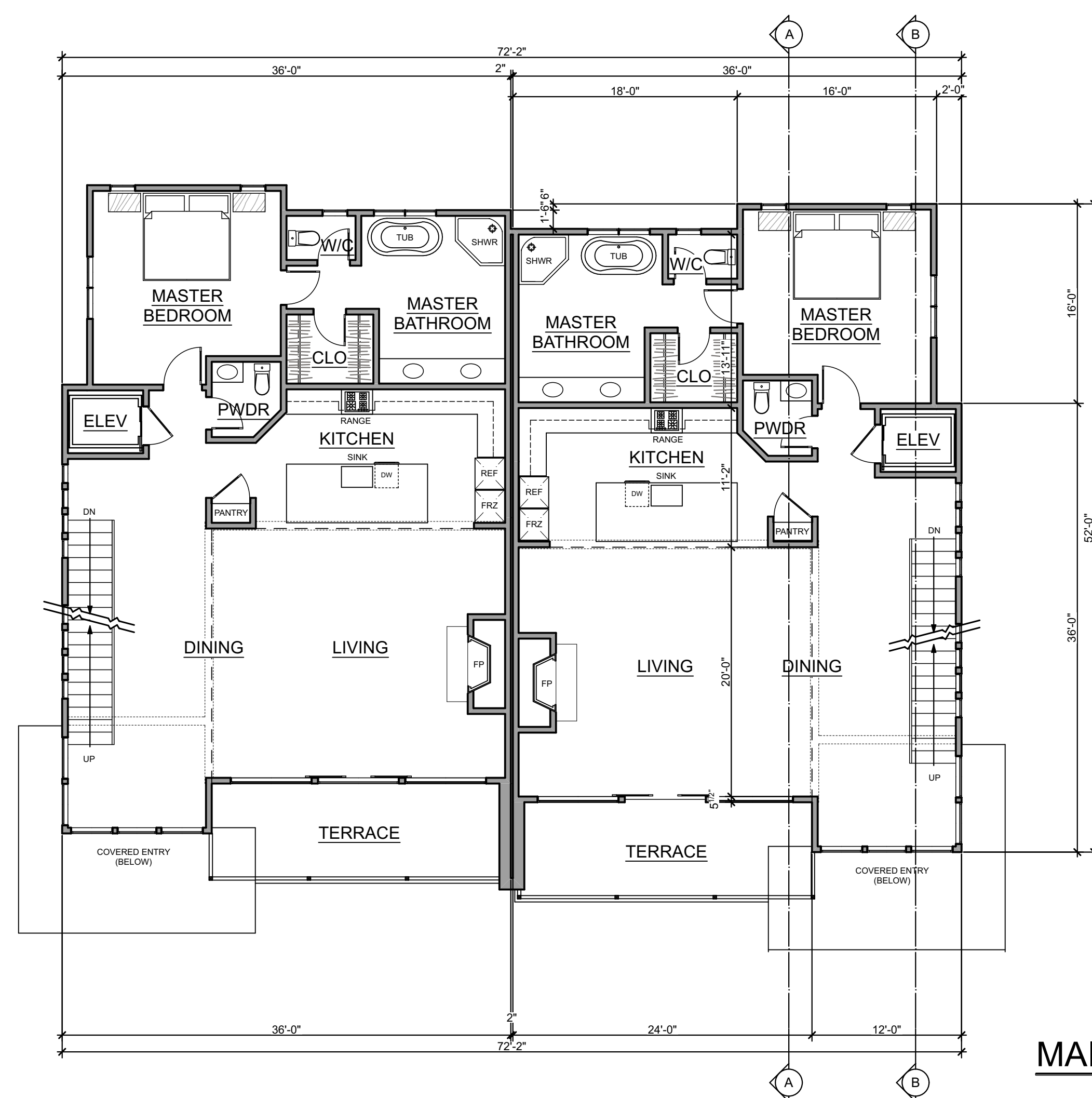
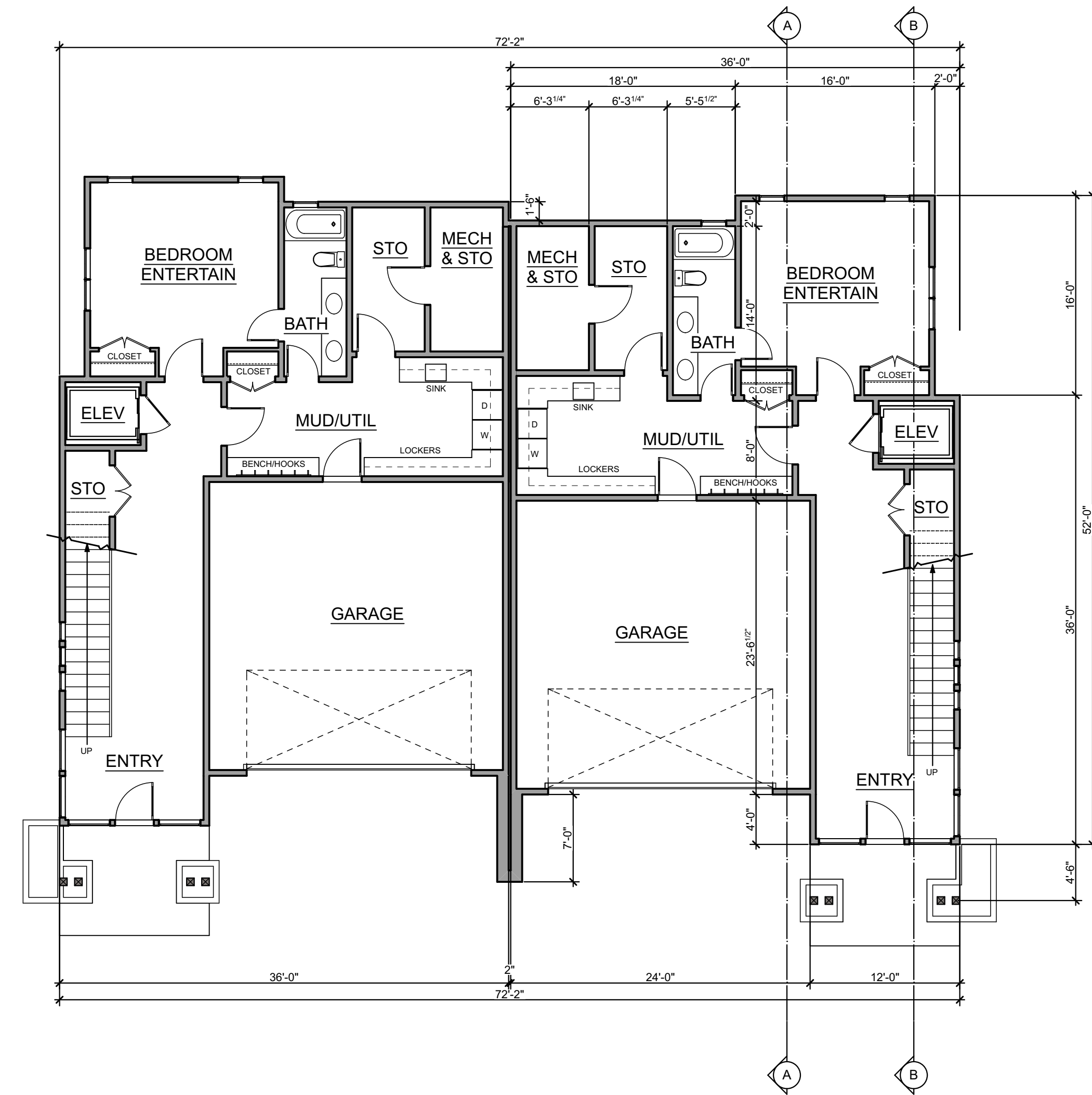
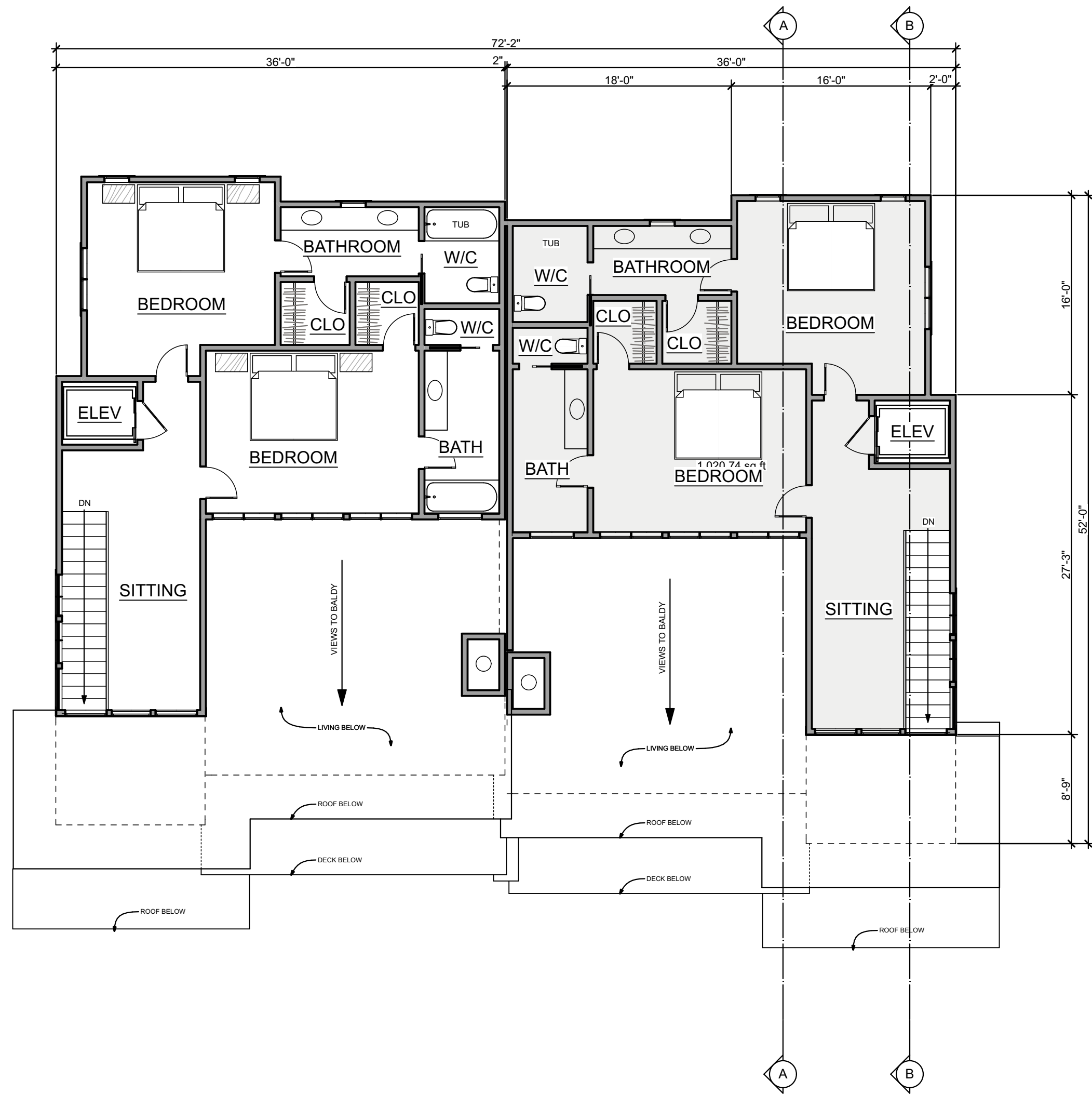
DATE	

WADDELL/ROUSH DUPLEX
 3020 WARM SPRINGS ROAD, KETCHUM, ID. 83340

Craig Lawrence AIA
ARCHITECTURE
 Planning - Design
 208 770 5777 • clawrenceaia@mlra.com
 P.O. Box 2642 • Ketchum, ID 83340

SHEET NUMBER
A-01

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DRAWING DATE
4/30/20

DATE	

WADDELL/ROUSH DUPLEX
3020 WARM SPRINGS ROAD, KETCHUM, ID. 83340
PRELIMINARY DESIGN REVIEW
IS PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN PERMISSION.

Craig Lawrence AIA
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SHEET NUMBER

A-02

WADDELL/ROUSH DUPLEX

3020 WARM SPRINGS ROAD, KETCHUM, ID, ID 83340

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SOUTH EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"



EAST EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"



NORTH EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"

DRAWING DATE
4/30/20

DATE	

PRELIMINARY DESIGN REVIEW
IS PROHIBITED BY LAW WITHOUT THE EXPRESS WRITTEN PERMISSION.

WADDELL/ROUSH DUPLEX

3020 WARM SPRINGS ROAD, KETCHUM, ID. 83340

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 Planning - Design

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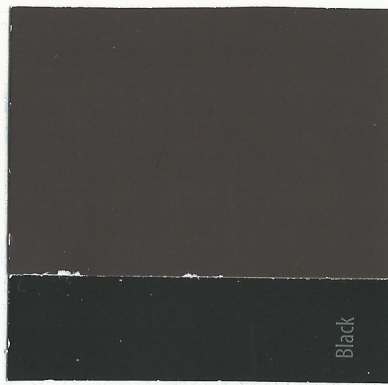
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SHEET NUMBER

A-04



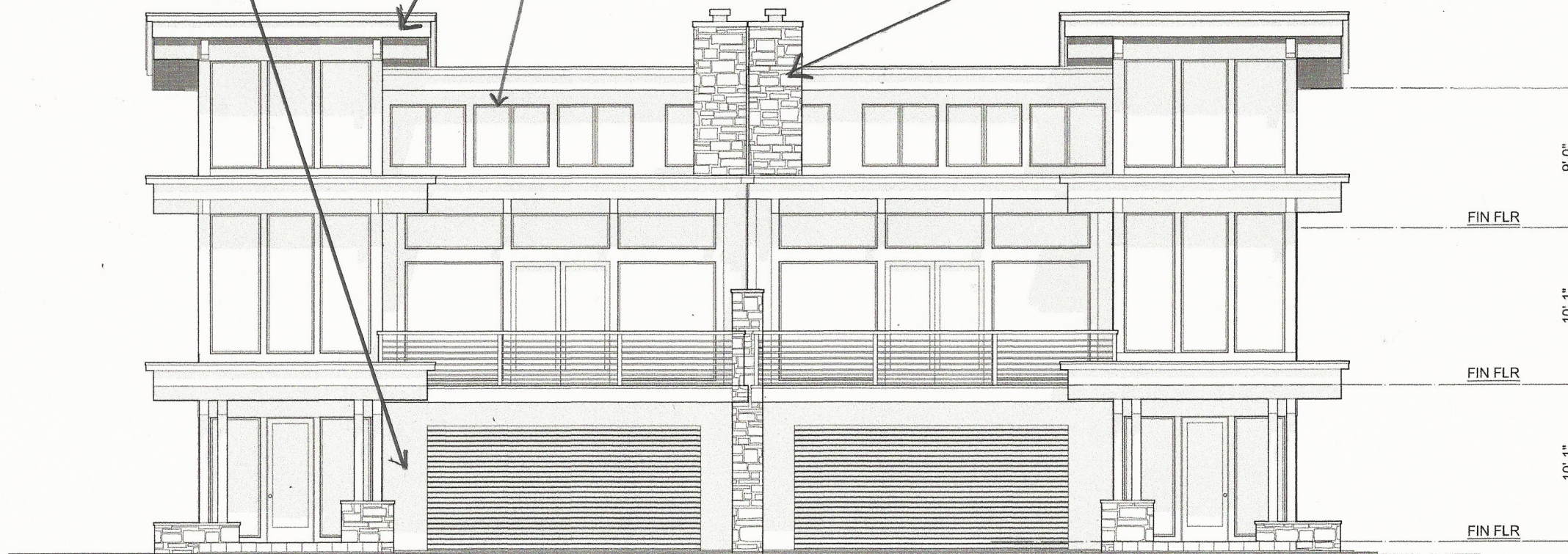
STUCCO
 MATCH BENJAMIN
 MOORE 1543
 PLYMOUTH ROCK



FASCIA, TRIM
 BENJAMIN MOORE
 2134-20
 MID SUMMER NIGHT
WINDOW CLADDING
 BLACK



STONE VENEER
 SELECT STONE
 FRONTIER
 SANDSTONE



SOUTH EXTERIOR ELEVATION
 SCALE: 1/4" = 1'-0"

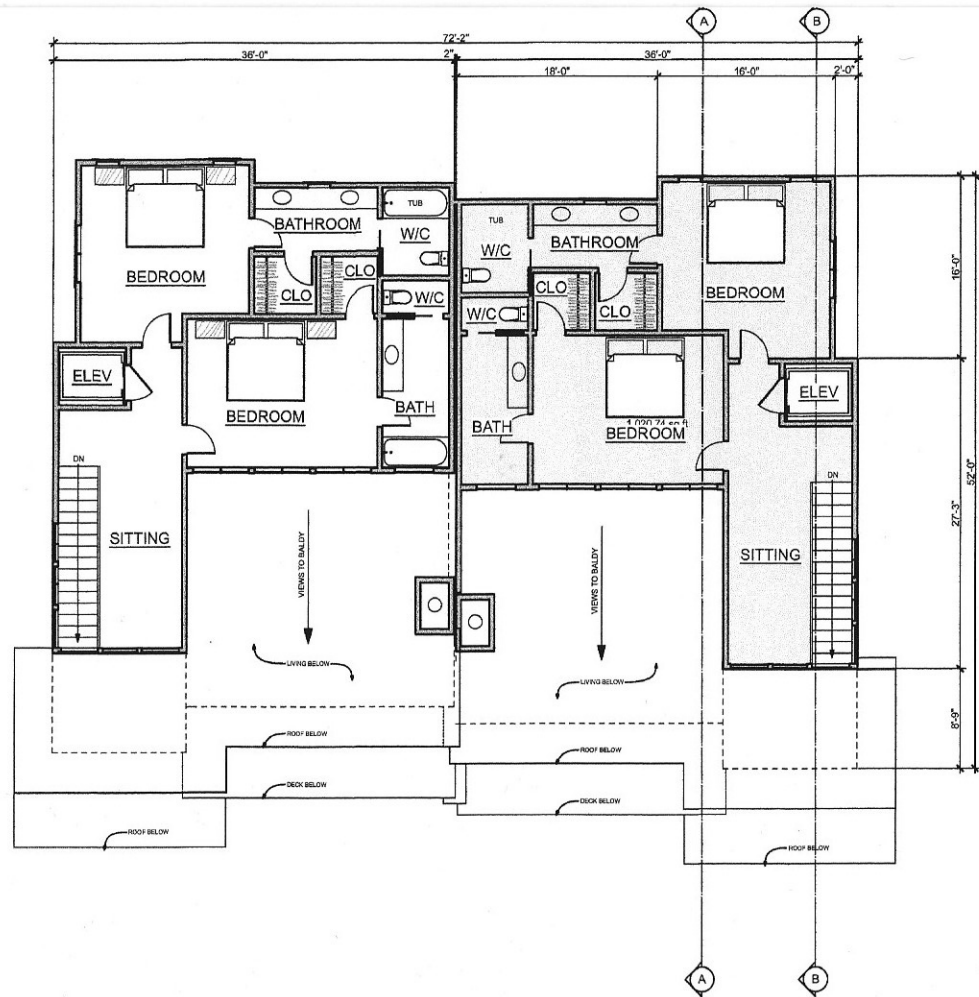
WADDELL/ROUSH DUPLEX

3020 WARM SPRINGS ROAD

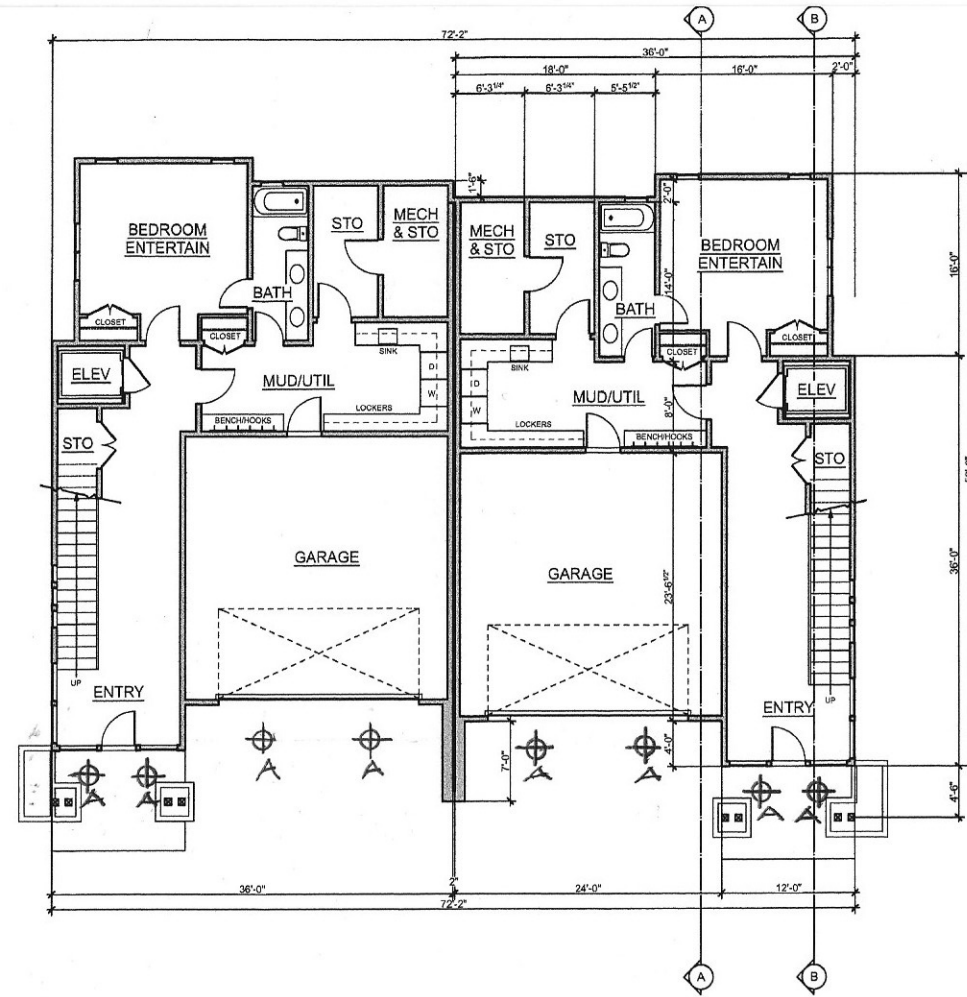
KETCHUM, IDAHO

**CRAIG LAWRENCE AIA
 ARCHITECTURE**

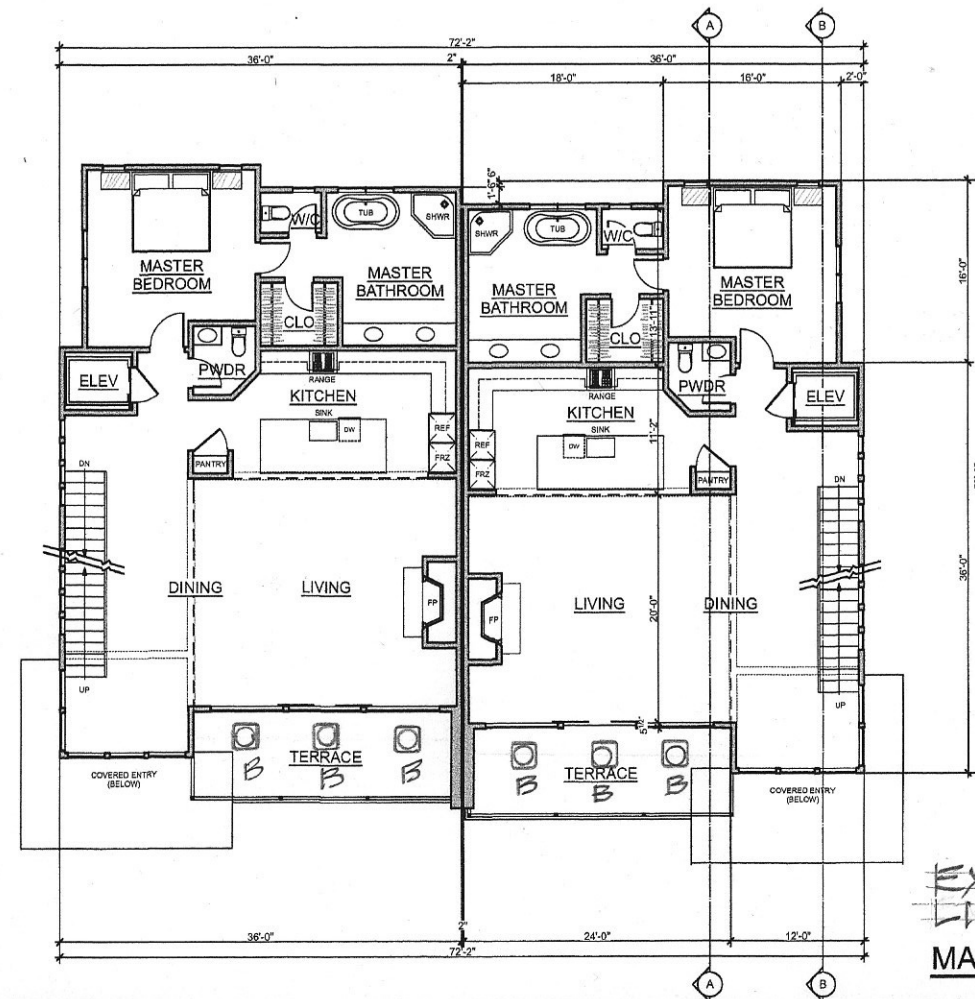
BOX 2662
 KETCHUM, ID 83340
 208-720-5372
 clawrenceaia@msn.com



UPPER LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"



LOWER LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"



EXTERIOR LIGHTING
MAIN LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

NOTE:
- ALL EXTERIOR LIGHTING FIXTURES
TO COMPLY W/ KETCHUM PARK
SKY ORDINANCE, CHAPTER 7.132

DRAWING DATE

DATE	

WADDELL/ROUSH DUPLEX
3020 WARM SPRINGS ROAD, KETCHUM, ID, 83340

Craig Lawrence AIA
ARCHITECTURE
Planning - Design
208-726-5172 • clawrenceaia@msn.com
P.O. Box 2661 • Ketchum, ID 83340

PRELIMINARY DESIGN REVIEW
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SHEET NUMBER **191**
A-02



**Waddell/Roush Duplex
Fixture A**

PRODUCT SPECIFICATIONS

*Image shown may not reflect your configured options



Twilight Dark Sky Friendly Outdoor Semi-Flush

HUBBARDTON FORGE

Base Item #364903
Configured Item #364903-1019
364903-LED-78

FINISH
Coastal Burnished Steel - 78

LAMPING
LED

OPTIONS

FINISH	LAMPING
Coastal Black - 10	Incandescent
Coastal Natural Iron - 20	LED
Coastal Gold - 70	
Coastal Mahogany - 73	
Coastal Bronze - 75	
Coastal Dark Smoke - 77	
Coastal Burnished Steel - 78	

SPECIFICATIONS

Twilight Dark Sky Friendly Outdoor Semi-Flush

Base Item #: 364903
Configured Item #: 364903-1019
364903-LED-78

Aluminum outdoor semi-flush ceiling light. Designed and built to Dark Sky standards.

- Handcrafted to order by skilled artisans in Vermont, USA
- Lifetime Limited Warranty when installed in residential setting
- Features our robust Coastal Outdoor finish specifically formulated to resist some of the harshest environmental conditions.

Dimensions

Height	6.80"
Length	9.00"
Width	9.00"
Product Weight	4.20 lbs
Canopy	9.0" SQ
Packed Weight	7.00 lbs
Shipping (DIM) Weight	19.00 lbs

LED Lamping Retrofit

LED: LED - GU24, 9.8W Bulb, 800lm (Bulb Incl)
CCT: 2700K
CRI: Min 80
Dimming: Yes
IES Files Available: N

Location Rating

Outdoor Damp

Safety Rating

UL, CUL listed

HALO LED ICAT HOUSING for NEW CONSTRUCTION

Recessed 5" aperture new construction housing for use with LED integrated trims or modules. Suitable for 2x8 residential framing or commercial plenum construction, type IC rated and can be used in direct contact with insulation*. Airtight rating reduces airflow between living spaces and unconditioned areas providing additional energy savings. Use with Halo® LT56, SMD6, RL56, RA56, SLD6 LED integrated trims and the ML56 LED modular recessed lighting system.

**Waddell/Roush Duplex
Fixture B**

Catalog #		Type
Project		
Comments		Date
Prepared by		

DESIGN FEATURES

Housings

- Single wall precision rolled aluminum housing with interlocking construction maintains concentricity
- Adjusts vertically to accommodate 3/8" to 1" thick ceilings and locks in position with (3) setscrews
- V notches facilitate use of guide strings or laser lines for precise positioning
- Shipped with overspray protector installed
- Housing can be removed from below the ceiling for service or splice inspection

Plaster Frame

- Compact galvanized steel plaster frame with integral bar hanger receivers
- (2) regressed screws provide positive horizontal bar hanger locking from below the ceiling
- Integral gasket achieves ASTM-E283 airtight code compliance without additional gaskets or caulk

Junction Box

- Compact galvanized steel junction box with 16in³ internal volume
- Listed for (10) #12 or (14) #14 AWG 90° C splice conductors
- (4) 1/2" conduit pry-outs positioned to allow straight conduit runs.
- (3) Slide-N-Side™ non-metallic (NM) wire traps allows wiring outside the box
- Accepts 14-2, 14-3, 12-2, 12-3 U.S. and 14-2, 14-3, 12-2 Canadian NM cable
- (3) 4-port push wire nuts with clear caps for quick and reliable mains voltage connections
- Hinged door with offset cover for easy wire access
- Junction box is repositionable 90° on plaster frame to avoid obstructions

Bar Hangers

- Captive preinstalled All-Nail™ bar hangers support housing at any point along span
- Pass-N-Thru™ feature adjust bars from 7-1/4" to 24" wide without removal
- Score lines allow "tool-less" shortening for 12" joists
- Captive nail penetrates standard and engineered lumber
- Leveling flange aligns plaster frame with framing
- Integral clip attaches directly to tee-bar

Connector

- Two-conductor wire mount connector is rated for 120-277V
- CAUTION – verify LED module input voltage is compatible with the input voltage of the housing. If uncertain, consult a qualified electrician
- cULus listed with Halo® LT56, SMD6, RL56, RA56, SLD6 and ML56 family of LED integrated trims

Code Compliance

- Type IC inherently protected, suitable for direct contact to air permeable insulation and cULus listed for damp locations
- Not for use in direct contact with spray foam insulation, consult NEMA LSD57-2013
- Wet location listed in covered ceilings and IP56 certified with select trims
- Airtight per ASTM-E283
- Can be used for State of California Title 24 high efficacy luminaire compliance
- Suitable for use in clothes closets when installed in accordance with the NEC 410.16 spacing requirements
- Contains no mercury or lead and RoHS compliant

Warranty

- Five year limited warranty, consult website for details www.eaton.com/lighting/Legal



E550ICAT

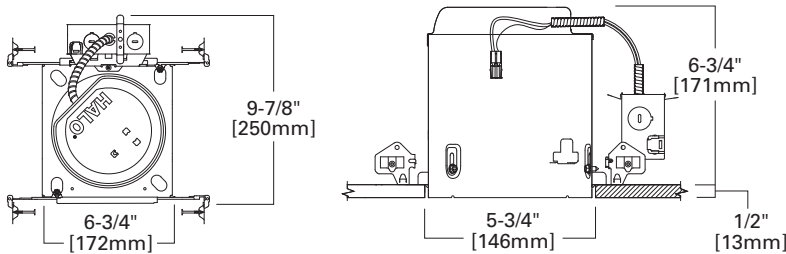
5" Recessed New Construction Housing

For Integrated LED Trims and Modules

20W Maximum

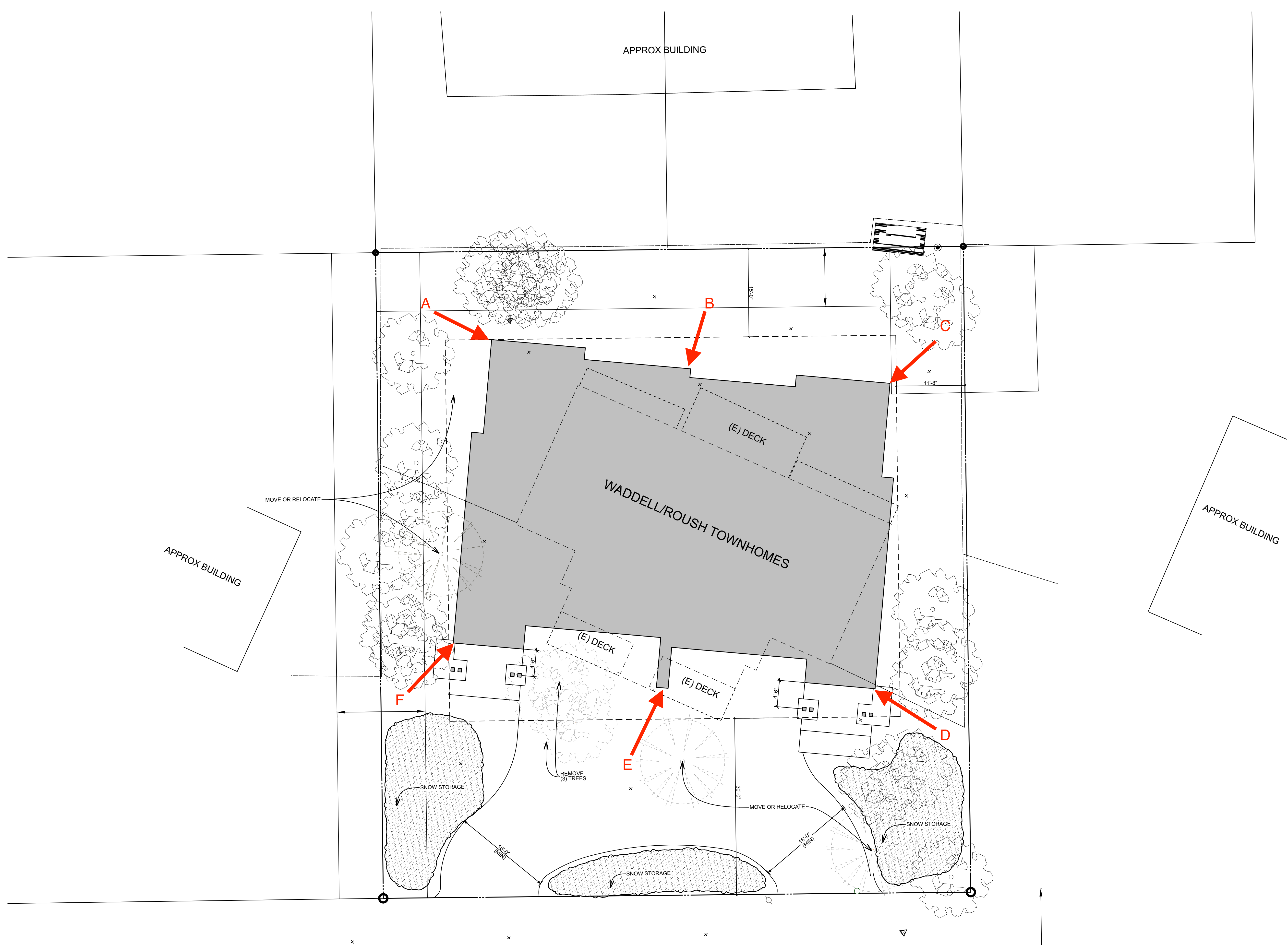
FOR USE IN INSULATED CEILINGS

FOR DIRECT CONTACT WITH INSULATION



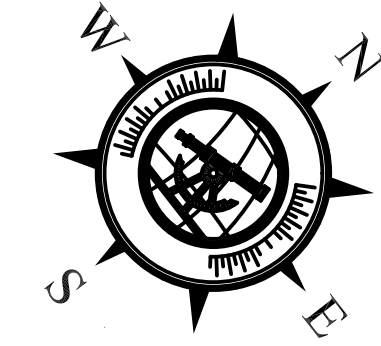
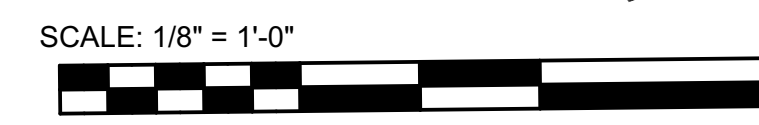
Refer to ENERGY STAR® certified Products List and CEC (T20) Database for compatible Halo LED listings.

* Not to be used in direct contact with spray foam insulation.



Design Review Staking Plan

5-13-20



DATE	REVISION

WADDELL/ROUSH DUPLEX
3020 WARM SPRINGS ROAD, KETCHUM, ID. 83340

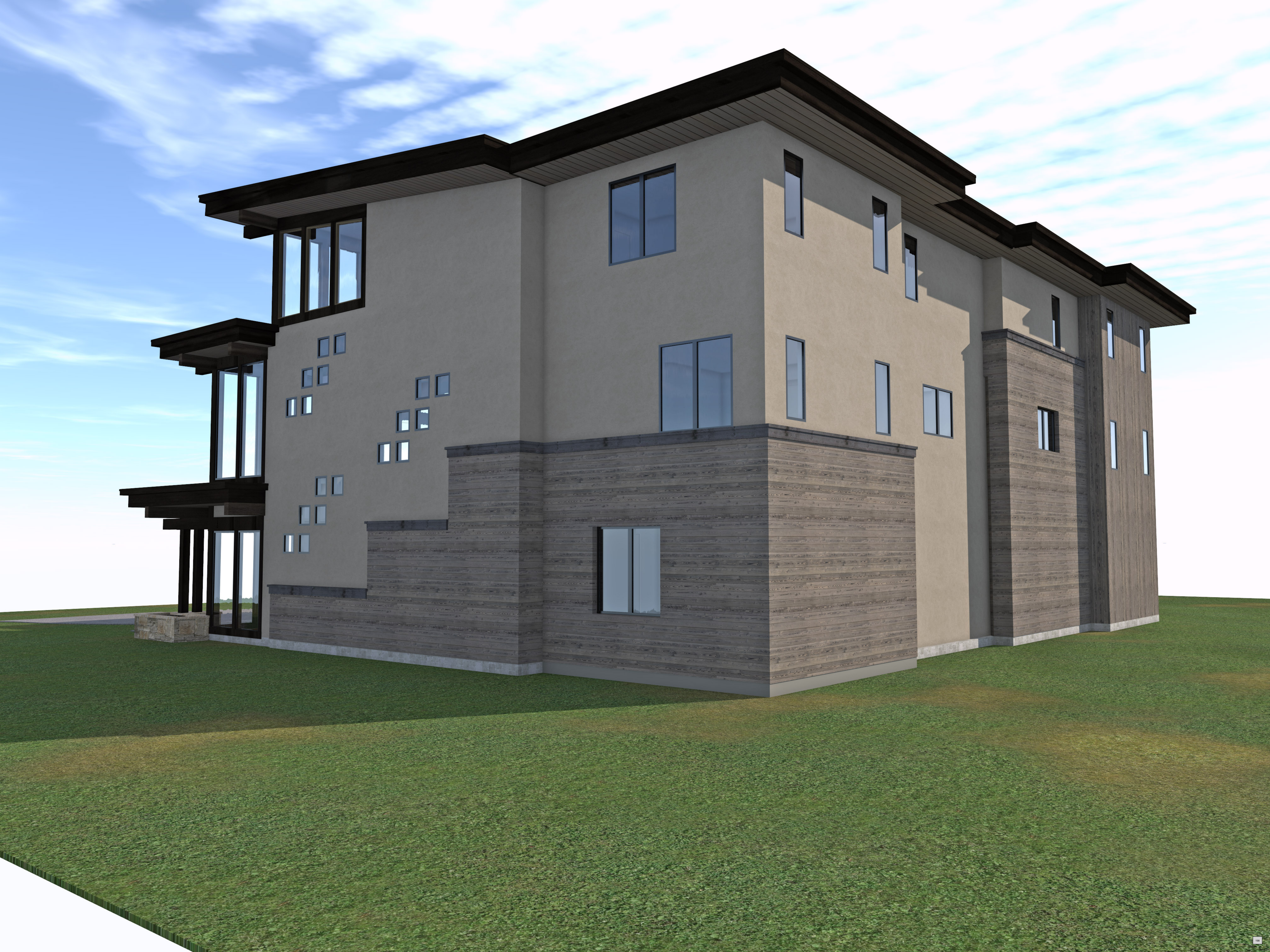
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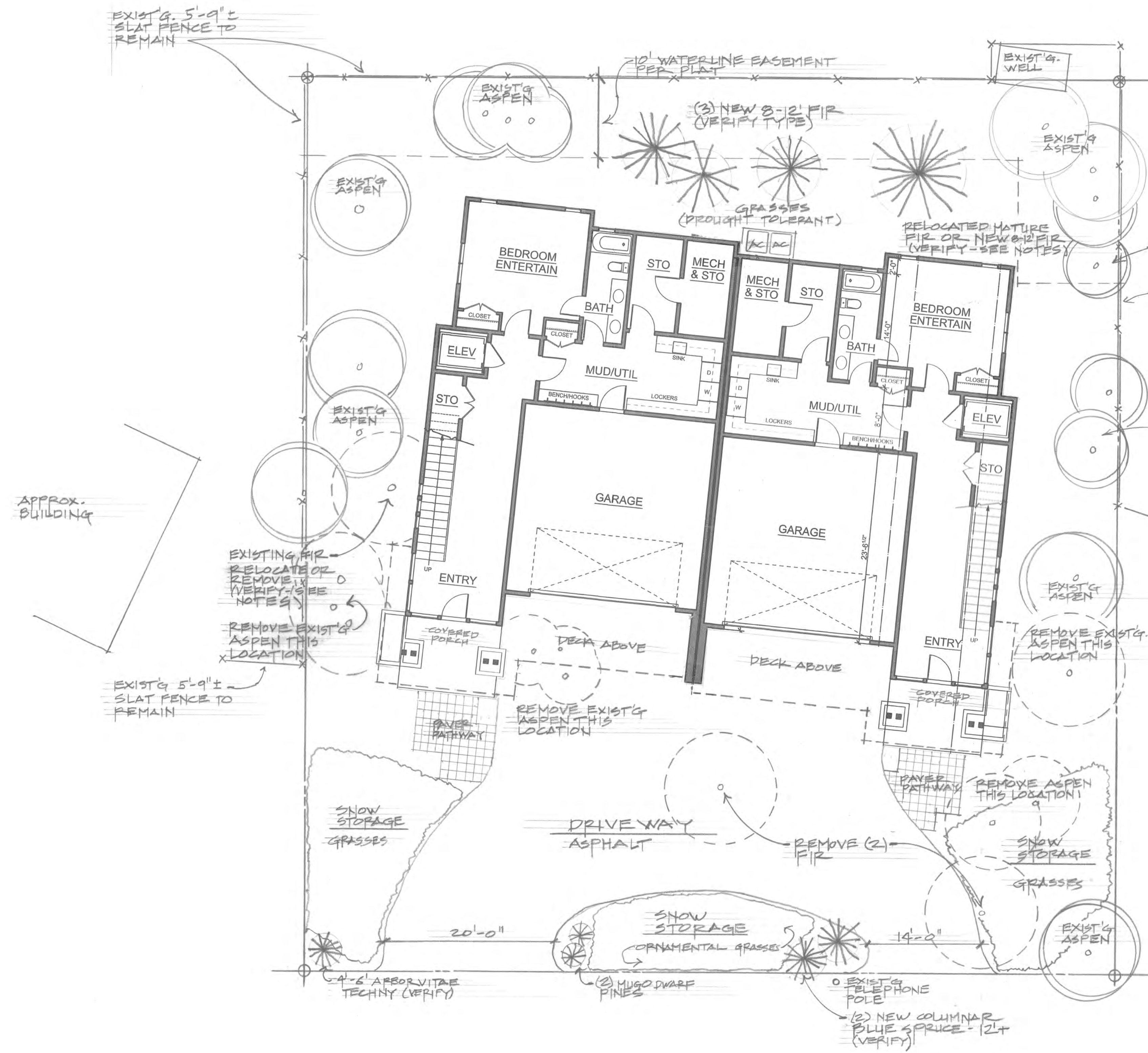




APPROX. BLDG.

SNOW STORAGE CALCULATION:

- PROPOSED UNCOVERED DRIVEWAY & HARDSCAPE: 1837 SQ. FT.
- REQ'D. SNOW STO. 30% = 1837 x 30% = 551 SQ. FT.
- PROPOSED SNOW STO. AREA = 636 SQ. FT., 35%



LANDSCAPE PLAN

NOTES:

- CERTIFIED ARBORIST TO VERIFY CONDITION & SUITABILITY OF EXISTING FIR FOR RELOCATION OR REMOVAL.
- CERTIFIED ARBORIST TO VERIFY CONDITION OF EXISTING ASPEN FOR POSSIBLE REMOVAL & REPLACEMENT (VERIFY TYPE FOR REPLACE).
- EXISTING SITE DRAINAGE TO REMAIN WITH 5% POSITIVE SLOPE AWAY FROM BUILDING AS PER CODE.
- SPRINKLER SYSTEM LAYOUT & ZONES T.B.D.
- A.C. CONDENSERS TO BE SCREENED AS REQ'D.
- REPAIR OR REPLACE EXISTING FENCES. ALL FENCES TO MEET KETCHUM CODES.

WADDELL/ROUSH DUPLEX
KETCHUM, IDAHO
3020 WARM SPRINGS ROAD

CRAIG LAWRENCE AIA
ARCHITECTURE
BOX 2662
KETCHUM, ID 83340
208-720-5372

REVISED DR: 5-30-20
DESIGN REVIEW: 5-14-20

Exhibit C: Staff Analysis

1. Zoning and Dimensional Standards Analysis
2. Design Review Standards Analysis
3. City Department Comments



3020 Warm Springs Rd Duplex Design Review
EXHIBIT C1: ZONING & DIMENSIONAL STANDARDS ANALYSIS

Zoning and Dimensional Standards Analysis				
Compliant			Ketchum Municipal Code Standards and Staff Comments	
Yes	No	N/A	KMC §	Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Lot Area
			Staff Comments	<p>Required: 8,000 square feet minimum</p> <p>Existing (Wills Condominiums No. 2): 11,000 square feet The applicant will submit a Townhouse Subdivision Preliminary Plat application to subdivide the lot into two townhouse sublots.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Coverage
			Staff Comments	<p>BUILDING COVERAGE: The total square footage of the building foundation and all horizontal projections which constitute a "building" as defined in this section, but not including roof overhangs that are 3 feet or less or uncovered decks less than 30 inches above grade. Garages and guest homes shall be included in building coverage (KMC §17.08.020).</p> <p>Permitted: 35%</p> <p>Proposed: 31% (3,410 square feet/11,000-square-foot lot area)</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Minimum Building Setbacks
			Staff Comments	<p>Minimum: Warm Spring Road: 30 feet Front: 15 feet Side: 1 foot for every 3 feet in building height, but no less than 5 feet Rear: 15 feet</p> <p>KMC §17.128.020: Supplementary Yard Regulations A. Cornices, canopies, eaves, chimney chases or similar architectural features may extend into a required yard not more than 3 feet. H. Decks less than 30 inches in height from existing grade may be constructed to the property line.</p> <p>Proposed: Front (Warm Springs Rd): 30' Side (E/Interior): 11'-8" Side (W/Interior): 12' Rear (N/Interior): 15'</p> <p>As shown on Sheet A-01 of the project plans, the covered entry extends into the required setback from Warm Springs Road. The support posts are located within the required setbacks. The portion of the porch that extends within the setback area must be less than 30 inches in height. The roof covering may extend no more than 3 feet within the setback area. These encroachments must be dimensioned and shown in elevation on the project plans submitted with the Building Permit application.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.030	Building Height
			Staff Comments	<p>Maximum Permitted: 35 feet</p> <p>Proposed: 34'-8"</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.030H	Curb Cut
			Staff Comments	<p>Required: A total of 35% of the linear footage of any street frontage can be devoted to access to off street parking.</p> <p>Proposed: The circular driveway has one 20-foot access to meet Fire Department requirements and one 14-foot access along Warm Spring Road. 34% (34-feet of curb cut/100 linear feet along Warm Springs Road) of the property's street frontage along Warm Springs Road is used for the two driveway accesses to the duplex development.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.125.040	Parking Spaces
			Staff Comments	<p>Off-street parking standards apply to any new development and to any new established uses.</p> <p>Required: Multiple-Family Residential Dwelling Units in the GR-L Zone</p>

				<p>Units 2,001 square feet and above: 2 parking spaces</p> <p>Proposed: Each townhome unit has its own attached garage. 2 parking spaces are provided for each townhome unit that may be accommodated within the enclosed garages or on the circular driveway.</p>
--	--	--	--	---



3020 Warm Springs Rd Duplex Design Review
EXHIBIT C2: DESIGN REVIEW STANDARDS ANALYSIS

Design Review Improvements and Standards (KMC §17.96.060)				
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.A1 Streets	The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development. <i>Staff Comments</i> The duplex will be accessed from a circular driveway along Warm Springs Road.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.A2 Streets	All street designs shall be approved by the City Engineer. <i>Staff Comments</i> No changes are proposed to the street design or lanes of travel within the Warm Springs Road right-of-way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.B1 Sidewalks	All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department. <i>Staff Comments</i> While the project qualifies as a substantial improvement, sidewalks are not required to be installed along residential roads. The right-of-way next to the front property line must be improved to City standards residential streets. Final civil drawings for all associated ROW improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project. See Exhibit C3 for comments and conditions from the City Engineer & Streets Department.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B2 Sidewalks	Sidewalk width shall conform to the City’s right-of-way standards, however the City Engineer may reduce or increase the sidewalk width and design standard requirements at their discretion. <i>Staff Comments</i> The City does not require developers to install sidewalks along residential roads. The developer must improve the right-of-way next to the front property line to meet City standards for residential streets. Final civil drawings for all associated ROW improvements shall be submitted with the Building Permit application to be verified, reviewed, and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project. See Exhibit C3 for review comments and conditions from the City Engineer & Streets Department.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B3 Sidewalks	Sidewalks may be waived if one of the following criteria is met: a. The project comprises an addition of less than 250 square feet of conditioned space. b. The City Engineer finds that sidewalks are not necessary because of existing geographic limitations, pedestrian traffic on the street does not warrant a sidewalk, or if a sidewalk would not be beneficial to the general welfare and safety of the public. <i>Staff Comments</i> The applicant is not required to install sidewalks for the townhome development.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B4 Sidewalks	The length of sidewalk improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street. <i>Staff Comments</i> This standard does not apply because sidewalks are not included in the City right-of-way standards for residential roads. The applicant must improve the right-of-way next to the front property line to meet City standards for residential streets.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B5 Sidewalks	New sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building. <i>Staff Comments</i> N/A. The City does not require developers to install sidewalks in residential neighborhoods.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B6 Sidewalks	The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the

				<p>provision of these improvements. The contribution amount shall be one hundred ten percent (110%) of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.</p> <p><i>Staff Comments</i> N/A. Staff does not recommend a voluntary cash contribution in-lieu of improvements for this project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.96.060.C1 Drainage</p> <p><i>Staff Comments</i> The drainage system must keep all storm water within the project site. The developer must install drainage improvements that meet City standards.</p> <p>Prior to issuance of a Building Permit for the project, the applicant shall submit a final drainage plan indicating grading, catch basins, piping, and drywells (KMC §17.96.040.C.2b & KMC §17.96.060.C.1-4) prepared by a civil engineer licensed in the state to be submitted for review and approval by the City Engineer and Streets Department. See Exhibit C3 for City Department comments including City Engineer and Streets Department conditions.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.96.060.C2 Drainage</p> <p><i>Staff Comments</i> See above analysis for Ketchum Municipal Code §17.96.060C1. All drainage improvements are required to meet City standards.</p> <p>All drainage improvements shall be indicated on civil plans prepared by an Idaho licensed engineer and require review and approval from the City Engineer & Streets Department prior to issuance of a Building Permit for the project.</p> <p>See Exhibit C3 for review comments and conditions from the City Engineer & Streets Department.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.96.060.C3 Drainage</p> <p><i>Staff Comments</i> A final drainage plan prepared by a civil engineer licensed in the state of Idaho shall be submitted with the Building Permit application to be reviewed and approved by the City Engineer and the Streets Department. The City Engineer may require additional drainage improvements as necessary.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.96.060.C.4 Drainage</p> <p><i>Staff Comments</i> All drainage facilities within the project site and the public right-of-way shall meet City standards. Final drainage specifications must be included with the civil drawings submitted with the Building Permit application to be reviewed and approved by the City Engineer & Streets Department.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.96.060.D1 Utilities</p> <p><i>Staff Comments</i> All utilities necessary for the duplex project must be improved and installed at the sole expense of the applicant.</p> <p>Final plans will be reviewed and approved by the Utilities Department prior to issuance of a Building Permit for the project. See Exhibit C3 for review comments and conditions from the Utilities Department.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.96.060.D2 Utilities</p> <p><i>Staff Comments</i> All utilities within the development site shall be underground and concealed from public view. See above analysis for Ketchum Municipal Code §17.96.060D1.</p>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>17.96.060.D3 Utilities</p> <p><i>Staff Comments</i> Services for high-speed internet are available to serve the duplex project.</p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.96.060.E1 Compatibility of Design</p> <p>The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</p>	

			Staff Comments	<p>The project is primarily comprised of windows and gray stucco. Stone veneer (frontier sandstone) ornaments the two chimneys running vertically along the party wall separating the two townhomes. The stone veneer is also used for the front porches. The black trim, fascia, window cladding, and garage doors contrast with the gray stucco and stone to provide visual interest. The front façade is mostly glass doors and windows. The black garage doors and second-floor balcony as well as the stone veneer elements provide relief from the extensive glazing.</p> <p>The duplex project will add a more modern design style to the residential neighborhood. Surrounding development is characterized by a more traditional design style with natural materials and pitched roofs. While the project design is more modern, the exterior materials and color palate complement the traditional architecture of the neighboring residential development.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.E2 Compatibility of Design	<p>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.</p> <p>Staff Comments N/A. No significant landmarks of historical or cultural importance have been identified on the property.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.E3 Compatibility of Design	<p>Additions to existing buildings, built prior to 1940, shall be complementary in design and use similar material and finishes of the building being added to.</p> <p>Staff Comments N/A This standard does not apply because this project is new construction. The existing duplex on the property, built in 1975, will be demolished.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F1 Architectural	<p>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</p> <p>Staff Comments The townhome units have two entrances—one interior access from the garage and an exterior entryway. The covered porch entryways at either side of the duplex lead to the shared circular driveway. The driveway leads to the multi-use pathway along Warm Springs Road</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F2 Architectural	<p>The building character shall be clearly defined by use of architectural features.</p> <p>Staff Comments Building elevations are included on Sheets A-03 and A-04 of the project plans. The front façade is defined by rectangular windows and doors. The three floors are separated by thick borders of black fascia. The garage doors and second-floor balcony provide relief from the significant glazing. Projecting between the townhome units, the stone veneer chimneys separate the townhome units. The side and rear façade are comprised primarily of gray stucco with windows. The roof covering at the entryway as well canopy elements decrease the stacked appearance of first and second floors. The third floor is setback from the bottom floors at the front elevation. The slight butterfly slope of the roof decreases the bulk of the box-shaped building.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F3 Architectural	<p>There shall be continuity of materials, colors and signing within the project.</p> <p>Staff Comments Each façade incorporates gray stucco and black fascia and trim. The applicant has enhanced material differentiation through the addition of cedar siding to the project's exterior material palette. The cedar siding contrasts with the stucco to form horizontal and vertical elements that add visual interest to the rear and side elevations. The window and door openings provide each façade with different rectangular rhythm. The duplex design appears cohesive through the same materials and colors across all facades. Stone veneer provides ornamentation and relief to the front elevation.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F4 Architectural	<p>Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.</p> <p>Staff Comments The project does not propose any fences or accessory structures. The applicant proposes to retain the existing vegetation on the property. Sheet A-01. The existing landscaping provides a buffer from the adjacent property to the west.</p> <p>The updated landscape plan is indicated on Sheet L-01 of the project plans. Three new fir trees have been added to the backyard. These coniferous trees will help soften the rectangular building mass and provide visual relief at the rear elevation. Aspen trees have been added to the side yards. The island separating the two circular driveway entrances has been enhanced with new landscape plantings. The introduction of new trees and shrubs enhances screening between neighboring properties and Warm Springs Road.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F5 Architectural	Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.
			<i>Staff Comments</i>	<i>The front façade is defined by rectangular windows and doors. The three floors are separated by thick borders of black fascia. The garage doors and second-floor balcony provide relief from the significant glazing. Projecting between the townhome units, the stone veneer chimneys separate the townhome units. The side and rear façade are comprised primarily of gray stucco with windows. The roof covering at the entryway as well canopy elements decrease the stacked appearance of first and second floors. The third floor is setback from the bottom floors at the front elevation. The inverted pitch of the butterfly roof reduces the bulk of the box-shaped building form.</i> <i>The applicant has enhanced material differentiation through the addition of cedar siding to the project's exterior material palette. The cedar siding contrasts with the stucco to form horizontal and vertical elements that add visual interest to the rear and side elevations. The applicant has also adjusted the pattern of windows to visually distinguish each floor level. The new renderings highlight undulations of building mass that were less apparent in the project plan elevations.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F6 Architectural	Building(s) shall orient towards their primary street frontage.
			<i>Staff Comments</i>	<i>The duplex buildings orient towards Warm Springs Road.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F7 Architectural	Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.
			<i>Staff Comments</i>	<i>This project is a townhome development in a residential neighborhood accessed off Warm Springs Road. Each townhome will have its own garbage bin fully screened within the townhome unit. No common dumpster has been proposed for the duplex development. Prior to issuance of a Building Permit for the project, the applicant shall submit a will serve letter from Clear Creek Disposal to the Planning & Building Department.</i> <i>The project plans do not indicate the installation of any satellite receivers. Any future installations of satellite receivers must be screened from public view.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.F8 Architectural	Building design shall include weather protection which prevents water to drip or snow to slide on areas where pedestrians gather and circulate or onto adjacent properties.
			<i>Staff Comments</i>	<i>Enhancing weather protection, the inverted pitch of the roof and the flat roof forms will prevent water from dripping or snow from sliding from the building. The covered porches provide weather protection at the front entryway.</i> <i>Any sloped roof shedding snow and rain onto pedestrian and vehicular circulation pathways below must include snow clips, gutters, and downspouts.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.G1 Circulation Design	Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.
			<i>Staff Comments</i>	<i>The covered porches at the front doors lead to the shared circular driveway, which connects to multi-use path along Warm Spring Road.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.G2	Awnings extending over public sidewalks shall extend five (5') feet or more across the public sidewalk but shall not extend within two (2') feet of parking or travel lanes within the right of way.
			Circulation Design	<i>N/A. No awnings are proposed to extend across of a public sidewalk.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.G3 Circulation Design	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>The townhome development will be accessed from Warm Springs Road. The shared circular driveway enhances usability and safety by allowing drivers to exit without having to back out onto Warm Springs Road.</i> <i>Prior to issuance of a Building Permit for the project, the City Engineer and Streets Department shall review the civil drawings to ensure adequate sight distances and proper signage for the proposed circular driveway access.</i>

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.96.060.G4 Circulation Design	Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured along the property line adjacent to the right of way. Due to site conditions or current/projected traffic levels or speed, the City Engineer may increase the minimum distance requirements.
			<i>Staff Comments</i>	<i>The project site is located over 500 feet from Warm Spring Road's intersection with Skiway Drive to the north and over 300 feet from its intersection with Jane Lane.</i> <i>Prior to issuance of a Building Permit for the project, the City Engineer and Streets Department shall review the civil drawings to ensure adequate sight distances for the proposed parking access.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.G5 Circulation Design	Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.
			<i>Staff Comments</i>	<i>The townhome development is accessed from Warm Springs Road. The circular driveway system will provide unobstructed access for emergency vehicles, snowplows, and garbage trucks.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.H1 Snow Storage	Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.
			<i>Staff Comments</i>	<i>The snow storage areas and associated calculation is included on Sheet L-01 of the Design Review submittal. The applicant has proposed three snow storage areas totaling 636 square feet, which is 35% of the total improved driveway and hardscape areas (1,837 square feet) proposed on the site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.H2 Snow Storage	Snow storage areas shall be provided on-site.
			<i>Staff Comments</i>	<i>As indicated on Sheets A-01 and L-01, three snow storage areas surround the circular driveway on-site. See Staff analysis for KMC §17.96.060.H1.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.H3 Snow Storage	A designated snow storage area shall not have any dimension less than five (5') feet and shall be a minimum of twenty-five (25) square feet.
			<i>Staff Comments</i>	<i>The proposed snow storage areas comply with these dimensional requirements. See Staff analysis for KMC §17.96.060.H1.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.H4 Snow Storage	In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.
			<i>Staff Comments</i>	<i>N/A the applicant indicated that snow storage areas will be provided on site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.I1 Landscaping	Landscaping is required for all projects.
			<i>Staff Comments</i>	<i>The updated landscape plan is indicated on Sheet L-01 of the project plans. Three new fir trees have been added to the backyard. These coniferous trees will help soften the rectangular building mass and provide visual relief at the rear elevation. Aspen trees have been added to the side yards. The island separating the two circular driveway entrances has been enhanced with new landscape plantings. The introduction of new trees and shrubs enhances screening between neighboring properties and Warm Springs Road.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.I2 Landscaping	Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.
			<i>Staff Comments</i>	<i>The landscape materials and vegetation types are indicated on Sheet L-01 of the project plans. See above analysis for KMC § 17.96.060.I1. All landscape materials and vegetation types shall be readily adaptable to the site's microclimate, soil conditions, orientation, and aspect.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.I3 Landscaping	All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.
			<i>Staff Comments</i>	<i>All proposed landscape materials and vegetation types shall be drought tolerant. The applicant is encouraged to select native species.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.I4 Landscaping	Landscaping shall provide a substantial buffer between land uses, including, but not limited to, structures, streets and parking lots. The development of landscaped public courtyards, including trees and shrubs where appropriate, shall be encouraged.
			<i>Staff Comments</i>	<i>The updated landscape plan is indicated on Sheet L-01 of the project plans. Three new fir trees have been added to the backyard. These coniferous trees will help soften the rectangular building mass and provide visual relief at the rear elevation. Aspen trees have been added to the side yards. The island separating the two circular driveway entrances has been enhanced with new landscape plantings. The introduction of new trees and shrubs enhances screening between neighboring properties and Warm Springs Road.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.J1 Public Amenities	Where sidewalks are required, pedestrian amenities shall be installed. Amenities may include, but are not limited to, benches and other seating, kiosks, bus shelters, trash receptacles, restrooms, fountains, art, etc. All public amenities shall receive approval from the Public Works Department prior to design review approval from the Commission.
			<i>Staff Comments</i>	<i>This standard does not apply because the applicant is not required to install sidewalks. The City does not require the installation of sidewalks in residential neighborhoods.</i>



3020 Warm Springs Rd Duplex Design Review
EXHIBIT C3: CITY DEPARTMENT COMMENTS

City Department Comments
<p><i>Note: City Department comments are preliminary. All City Departments shall review and approve the project through the Building Permit application process. All comments pertaining to the Design Review drawings are subject to change. All right-of-way improvements shall be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project. All City Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.</i></p>
<p>Fire Department:</p> <ul style="list-style-type: none"> • It is the General Contractor’s responsibility to understand and adhere to all Fire Protection Ordinance #1125 requirements in addition to any and all other City of Ketchum requirements in effect at the time of Building Permit issuance. Failure to comply with all local ordinances and codes may result in project work stoppage as well as criminal penalties. • The above project shall meet all 2012 International Fire Code requirements 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 the road fronting the property. Numbers and letters shall be a minimum of four (4) inches tall, contrast with their background and be positioned a minimum of forty-eight (48) inches above final grade. • Vehicle parking and material storage during construction shall not restrict or obstruct public streets or access to any building. A minimum twenty-foot travel lane for emergency vehicle access shall be maintained clear and unobstructed at all times. All required Fire Lanes, including within 15 feet of fire hydrants, shall be maintained clear and unobstructed at all times. • An approved automatic fire sprinkler system shall be installed throughout the building per City of Ketchum Ordinance #1125 (www.ketchumfire.org) and the National Fire Protection Association Standard 13. An approved fire sprinkler flow bell, Knox box and Fire Department Connection shall be installed in an approved location visible to approaching firefighters. Water service lines to structures shall be hydraulically calculated for size to meet fire sprinkler flow requirements. Fire sprinkler systems shall be annually tested and maintained per NFPA 25. An approved fire department connection and flow bell shall be installed in a location approved by the fire department and the system shall be supervised by an approved alarm system. • NOTE: One electronic set of fire sprinkler system plans must be submitted to the Ketchum Fire Department as well as the State Fire Marshal’s office and a Ketchum Fire Department Permit must be obtained prior to installation of fire sprinkler systems. Inspections of fire sprinkler systems by the Fire Chief or an appointee are required. Inspections must be scheduled at least 48 hours in advance. • An approved monitored fire sprinkler alarm system shall be installed per City of Ketchum Ordinance #1125 (www.ketchumfire.org) and the requirements of NFPA 72. Two (2) sets of alarm system plans shall be submitted to the Ketchum Fire Department for approval and a permit is required prior to installation of alarm systems. Inspections of fire detection systems by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance. • An approved access roadway per 2012 International Fire Code Appendix D (www.ketchumfire.org) shall be installed prior to any combustible construction on the site. The road shall be a minimum of twenty (20) feet in width and capable of supporting an imposed load of at least 75,000 pounds. The road must be an all-weather driving surface maintained free, clear, and unobstructed at all times. Grades shall not exceed 7%. Dead end access roadways exceeding 150 feet in length shall be provided with an approved turnaround. Gates, if installed, are required to be siren activated for emergency vehicle access. • Fire extinguishers shall be installed and maintained per 2012 IFC Section 906 both during construction and upon occupancy of the building. • Spark arresters are required on all solid fuel burning appliance chimneys to reduce potential fires from burning embers. • An approved key box shall be installed, with the appropriate keys, for emergency fire department access in a location approved by the fire department. The key box shall be a Knox box brand and sized to accommodate keys to every door of the project. • Inspections of Fire Department permit required installations shall be scheduled at least 48 hours in advance. • An 8 ½ by 11 color coded site map of this project shall be provided on paper and electronically to the fire department. This site map shall show the locations of gas shut-offs, power shut-offs, fire sprinkler riser rooms, fire department connections, alarm panels, Knox boxes, access doors, egress windows, stairways and any additional Fire Department requirements. Exact details for color coded “On-Sites” can be found at www.ketchumfire.org. • Final inspections of all Fire Department permit required installations by the Fire Chief or an appointee are required and shall be scheduled at least 48 hours in advance. A Final Inspection Checklist can be found at www.ketchumfire.org. • Fire Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.
<p>City Engineer & Streets Department:</p> <ul style="list-style-type: none"> • Pursuant to KMC §17.96.060.C.1, all storm water drainage shall be retained on site. • All construction for the project must comply with the standards set forth in Ketchum Municipal Code, Chapter 15.06 Construction Activity Standards. The applicant shall submit a Construction Activity Plan addressing all applicable activities including excavation, material storage and deliveries, screening, and site clean-up (KMC §15.06.030) to be reviewed and approved by the Building Department prior to issuance of a Building Permit for the project. Pursuant to KMC §15.06.030.A.2, the applicant shall provide notice of the project, construction schedule, and general contractor’s contact information to all neighbors with properties adjacent to the project site. • The design shall meet all applicable sections of Chapter 12 of Ketchum Municipal Code including design criteria for private driveways (KMC §12.04.030.L).

<ul style="list-style-type: none"> • The public right-of-way adjacent to the subject property shall be improved to the City’s right-of-way standards for local-residential street ROWs. Material within the first eight (8) feet from the edge of asphalt shall be (1) distinct from the driveway in order to visually appear to be available for parking, (2) pervious and permeable to enhance drainage, and (3) the surface must allow for vehicle parking and be consistent along the entire property frontage. No live plant materials or obstructions, such as boulder or berms, are permitted within the first 8 ft from the edge of asphalt. • The applicant shall submit a Street and Alley Digging, Excavation, and Trenching (“DIG”) Permit application with an associated traffic control plan for all construction work within the City right-of-way to be reviewed and approved by the Streets Department. The use of City right-of-way for construction including the closure of adjacent streets or sidewalks requires a Temporary Use of Right-of-Way Permit (“TURP”). • City Engineer & Streets Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.
<p>Utilities:</p> <ul style="list-style-type: none"> • The applicant will be responsible for installing connections to the water and sewer system at Warm Spring Road. • Improvements installed within the 5-foot public utility easement on the subject property are installed at the applicant’s own risks and any associated repairs shall be at the property owner’s expense. • Requirements and specifications for the water and sewer connections will be verified, reviewed, and approved by the Utilities Department prior to issuance of a Building Permit for the project.
<p>Building:</p> <ul style="list-style-type: none"> • The building must meet the 2012 International Building Code and Title 15 Buildings and Construction of Ketchum Municipal Code. • Building Department requirements and associated specifications for the required improvements must be verified, reviewed, and approved prior to issuance of a Building Permit for the project.
<p>Planning and Zoning: Comments are denoted throughout the Staff Report and Exhibits C1 and C2.</p>

Exhibit D: Applicant Letter

**CRAIG LAWRENCE AIA
ARCHITECTURE**

Box 2662
Ketchum, ID 83340
208-720-5372
clawrenceaia@msn.com

May 31, 2020

Suzanne Frick, City Administrator, City of Ketchum
Brittany Shelton, Senior Planner, City of Ketchum
Abby Rivin, Associate Planner, City of Ketchum

Re: Waddell/Roush Duplex Design Review

Dear Suzanne, Brittany, and Abby,

I feel that it is important that I reach out to you regarding the Waddell/Roush Duplex Design Review. There are (2) issues that will be helpful to make sure the project doesn't get delayed any longer:

1. I think it is important that that I be allowed to stay in the meeting chamber through the entire portion of the meeting during which Waddell/Roush is being deliberated. During the Zoom meeting on May 11, I was muted after I spoke. If I am present through the whole deliberation, I can address any concerns the Commission may come up with during their deliberations. Although I don't believe this extra time of my being in the chamber will compromise anyone's health, I am happy to wear a mask and exercise Social Distancing precautions.
2. I also feel that we are meeting all of the issues that have been expressed by Staff and the Commission and that the Staff Report for this meeting should recommend approval of this project.
 - It should be noted that during the initial meeting 4 of the 5 Commissioners felt the height, mass, and undulation of the design were approvable. The Commission recommended that additional materials and color be introduced in the back and side elevations. As you can see in the Rendering of the back of the duplex, there is quite a bit of undulation. The owners have agreed to the addition of cedar siding in multiple configurations (at additional cost to them), which not only warms the feeling and adds additional color, but also provides more variation in the vertical planes.
 - The owners have also agreed to the removal of some windows and the reorganization of others to help reduce the "stacked" look of the elevation.

I think on review of my request and the submitted materials, you will be able to facilitate the forward progress of this project.

Sincerely,

Craig Lawrence AIA

Exhibit E:
Staff Report
May 19th, 2020 Planning &
Zoning Commission Meeting



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
MEETING OF MAY 19, 2020

- PROJECT:** 3020 Warm Springs Rd Duplex Design Review
- FILE NUMBER:** P20-031
- APPLICATION TYPE:** Design Review
- REPRESENTATIVE:** Craig Lawrence, AIA
- PROPERTY OWNER:** Doug & Stacey Waddell
- LOCATION:** 3020 Warm Springs Road (Wills Condominium Subdivision No 2)
- ZONING:** General Residential Low Density (GR-L) Zoning District
- NOTICE:** A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site on April 29th, 2020.
- REVIEWER:** Abby Rivin, Associate Planner

NEW DUPLEX

The applicant, architect Craig Lawrence representing property owners Doug & Stacey Waddell, has proposed a new duplex located at 3020 Warm Springs Road. The development is comprised of two attached townhome units with mirrored floor plans accessed from a new circular driveway. The property is currently developed with a duplex, which will be demolished to accommodate the project.

The three-story duplex is slightly less than 35-feet tall, which is the maximum building height permitted in the GR-L Zone. The duplex's proposed building coverage is 31%, which is 440 square feet less than the maximum permitted by KMC §17.12.030. The building is sited within all required setbacks from



Figure 1: Project Location

property lines, including the 30-foot setback required from Warm Springs Road. A comprehensive analysis of each zoning standard and dimensional regulation is attached as Exhibit C1 the Staff Report.

PROJECT SITE & NEIGHBORHOOD CONTEXT

The property is located on Warm Springs Road between Skiway Drive and Jane Lane. The 11,000-square-foot lot is constrained by a 5-foot public utility easement bordering the front lot line, a 15-foot sewer easement along the western property line, and a 10-foot waterline easement along the rear lot line. A well easement is located at the northeast corner of the lot.



Figure 2: Neighboring Duplex

Most of the surrounding neighborhood is developed with single-family residences and townhomes except for a few vacant properties within the Avalanche Zone along Sage Road and a couple of vacant lots on Ritchie Drive. Neighboring properties on either side of the project site are developed with similar duplexes. These townhomes developments were all built in 1975. Each duplex is two stories with a total floor area of 2,304 square feet and approximately 11% of building coverage. The site's rear yard borders the Bernath Townhomes, which is accessed from Sage Road. Constructed in 2005, the Bernath duplex is 34-feet tall with 35% of building coverage.

DESIGN REVIEW

Ketchum Municipal Code §17.96.010.A3 requires Design Review for the construction of new multi-family dwellings. The following analysis highlights certain Design Review standards for the Planning & Zoning Commission's consideration. A comprehensive analysis of all Design Review evaluation criteria is included as Exhibit C2.

Compatibility of Design

The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures (Ketchum Municipal Code §17.96.060.E1).

Ketchum doesn't have an established design theme. Our town has grown organically overtime with an eclectic mix of styles. While the neighborhood has a broad range of residential design styles, Warm Springs is a distinct and recognizable area of town. The 2014 Comprehensive Plan identified

Warm Springs Road as a key gateway and the community established a goal to maintain the appearance of this scenic corridor.

35-foot tall buildings with 35% building coverage have been permitted in the GR-L Zone since the City first adopted a comprehensive zoning ordinance in 1974. Despite this permitted building bulk and mass, older homes were smaller in size and scale. New development has trended towards maximizing building size to the greatest extent permitted by Ketchum's zoning regulations. Taller and bigger buildings have challenged the preservation of Ketchum's mountain community and small-town character.

Architectural

Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness (Ketchum Municipal Code §17.96.060.F5).

Building elevations are included on Sheets A-03 and A-04 of the project plans. The three floors are horizontally stacked on top of each other as one-story elements separated by a border of black fascia. The lack of sufficient vertical, two- or three-story elements incorporated into the façade design exacerbates the appearance of flatness.

The building character shall be clearly defined by use of architectural features (Ketchum Municipal Code §17.96.060.F2).

Rectangular window and door openings break up the solid, gray stucco walls across each façade. The front façade is characterized by the extensive glass used for the window and door treatments. The stone veneer chimney separating the townhome units is the only vertical, three-story element that grounds the building to the project site. The slight butterfly angle of the roof reduces the box-like appearance of the building.

Landscaping

The project plans indicate that existing vegetation will be retained on the property and no additional landscaping has been proposed. Staff recommends the applicant consider adding landscaping to soften the duplex's rectangular mass, provide visual relief from building walls, and screen the townhomes from the street and neighboring homes.

PUBLIC COMMENT

Public comment regarding the project has been attached as Exhibit D to the Staff Report. Neighbors have raised concerns about the size of the building and the duplex's compatibility with the surrounding neighborhood.

STAFF RECOMMENDATION

After considering the project plans attached as Exhibit B, the applicant's presentation, and any public comment received, Staff recommends the Commission provide feedback to the applicant and move to continue review of the Design Review application to a date certain.

RECOMMENDED MOTION

"I move to continue review of the 3020 Warm Springs Rd Duplex Design Review application to the Planning & Zoning Commission Meeting of June 8th."

EXHIBITS:

- A. Design Review Application
- B. Project Plans
- C. Staff Analysis
 - 1. Zoning and Dimensional Standards Analysis
 - 2. Design Review Standards Analysis
 - 3. City Department Comments
- D. Public Comment

Exhibit F: Public Comment

From: Alex Hughes <alexsunvalley@gmail.com>
Sent: Tuesday, May 19, 2020 4:22 PM
To: Participate <participate@ketchumidaho.org>
Subject: 3020 Warm Springs Duplex Construction plans

So sorry this is late getting to you.

To: Ketchum Planning & Zoning Meeting – 5/19/2020 5:30

Virtual Meeting

Regarding: 3020 Warm Springs Duplex construction.

My name is Alex Hughes and I own the property located at 319 Sage Road, Unit A. My property abuts the subject property at the NW corner of the subject property and the SW corner of my property.

Thank you for the opportunity to share comments and thoughts.

I have a couple of comments to discuss here including firsthand information on new technology as it relates to noise pollution.

In Warm Springs where lot size can be of higher density than some areas of Ketchum, the new 'high efficiency' technology has turned quiet neighborhoods into mini commercial districts butting up against neighbors and overloading the atmosphere with noxious noise decibels, electromagnetic fields and toxins.

Engines, motors and exhausts from these high efficiency heating and cooling conditioners, and some hot tubs are way over allowable decibel readings. The purveyors of the products do not share this information with clients who are installing these products. The people inside of these hermetically sealed homes do not hear their own noise pollution due to ALL the windows being shuttered up. The neighbors who enjoy the quiet outdoors and evening air are left to deal with night-time noise pollution.

There is a hot tub, an air conditioner, and two 'snow melt' large boilers to heat the driveway, outside of my bedroom window and deck, which belong to my neighbors. All of this equipment individually make noise and disrupt the once quiet of my life and sleep.

My concerns now are, 4 additional air conditioners, two more hot tubs (circulating and heating) and possibly snow-melt boilers with very loud exhaust pipes? All of these engines/machines/equipment and exhausts amplify the noise pollution in direct vicinity to my home.

Some ideas regarding solutions to noise:

Hot tubs - should have timers to shut down the noise at 10:00 PM so they are not running, on and off, all night disturbing the peace of the neighbors and not to mention when not in use for months at a time.

Air Conditioners - it is 50 to 65 degrees in the evenings/nights on average here in the beautiful mountains at 6000 feet above sea level and one of the reasons we have all come here to enjoy life and these cool, beautiful, summer evenings. Sure

some nights have been warmer in late July/early August - open your windows OR put **interior air conditioners into your homes** so we, your neighbors, do not have to listen to the engines spewing out noise, EMFs, (electro magnetic frequencies) which are polluting our beautiful evenings here in the mountains.

For the record: Fences and screening do not stop noise pollution from exterior air conditioners, noxious loud noise and exhaust from snow melt boilers or high efficiency water heaters and boiler exhausts which have very loud over acceptable decibel noise. Dark Sky Ordinance means turn off exterior lights at night.

I am not happy at all with the box like, commercial look of the architectural plans from my side of the fence. The building from the north of this property is very unappealing with its commercial box like construction with no thought to the owners on the NW of the property. The architectural look of this box-like structure is not within the style of neighboring homes here in Warm Springs on these 'typically small lots'. I hope there is going to be more discussion on softening the façade.

I am sorry I did not have more time to read the codes and review the information supplied by the architect. I thank you for sharing the information and I look forward to spending more time reviewing.

Mayor Neil, I look forward to talking to you about this ongoing problem regarding these very real disruptive noises from 'new building operational systems' ie HVAC and located in our higher density living areas. I am happy to discuss these notes with anyone regarding this subject. I have recently experienced my own installation of 'high efficiency hot air heating system and I, voluntarily, am working with another HVAC company to mitigate (move the location of the

exhaust) the sound from the furnace which is currently being exhausted toward the street since D&S heating installed the furnace without my understanding of the loud noxious noise from a high efficiency furnace. This leads me to believe that HVAC installers do not share that there is a VERY loud noise from these new 'high efficiency' boilers/furnaces being used by all for new buildings.

Again, thank you for allowing us to discuss our concerns,

Thank you,

Alex Hughes

208 720 7444

alexsunvalley@gmail.com

Sun Valley, A Great Place to Wake UP!

Alexandria 'Alex' Hughes
Sun Valley Real Estate,LLC
CHRISTIE'S
INTERNATIONAL REAL ESTATE
Ketchum, Idaho
Located next to the
Pioneer Saloon!

(208) 720 7444 cell

Hey Abby,

I just wanted to let you know that we logged on to the Zoom call tonight regarding the discussion of the new build we corresponded about earlier. We had hoped that Mark Kern would make mention, in his public remarks, that he was also speaking on our behalf. Since he didn't, we felt the need to call ourselves and did so. We called the number, access the meeting ID and were told we were the second in queue. Unfortunately, it appeared that no one was aware we were waiting as we were never acknowledged. Of course, the conversation regarding approval continued without us and we understand the limited approval the builders were given assuming they address the back wall concerns.

We appreciate the effort made tonight and just wanted to make sure it was known that we attempted to make our own concerns known regarding the back wall issue during the public comment period but were not successful. If you could let us know what the next step is so that we can better coordinate, I'd sure appreciate it.

Thank you!

Steven Hart
401B Sage Road

From: Baird Gourlay <bairdg7@gmail.com>

Sent: Wednesday, May 20, 2020 1:03 PM

To: Neil Morrow <nmorrow@ketchumidaho.org>; Matthew Mead <mmead@ketchumidaho.org>; Tim Carter <tcarter@ketchumidaho.org>; Jennifer Cosgrove <JCosgrove@ketchumidaho.org>; Kurt Eggers <keggers@ketchumidaho.org>

Cc: Suzanne Frick <sfrick@ketchumidaho.org>; Neil Bradshaw <NBradshaw@ketchumidaho.org>

Subject: 3020 WS rd

This is Public Comment for 3020 WS RD Duplex. Please forward to the commissioners, ASAP.

This is Baird Gourlay 405 Sage Rd. (Kitty corner to 3020) I've lived at this location for 35 years, and as a 3 year P&Z commissioner and 16 year Ketchum City Councilmen I learned more and forgotten as much about the codes as anyone. Thanks for serving!

From the Warm Springs side/south elevation this project looks great, from all other elevations it's a bit of a disaster. If this is the typed of building that is going to be allowed in this subdivision, we are going in a different direction than I perceived.

Specifically the code says:

Compatibility of Design: The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures (Ketchum Municipal Code §17.96.060.E1).

There isn't a building like this on the north side of WS Rd. Most of them are two stories with sloped roofs and way under the max height and bulk. The materials are nice on the South exposure, but all other exposures are bland. I totally understand they can go to 35' and three stories, but there absolutely needs to be more relief on the back and side walls not in inches, in FEET.

Architectural: Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness (Ketchum Municipal Code §17.96.060.F5).

The South Elevation looks great. Unfortunately, the other Elevations are virtually flat walls. In particular the North elevation/ back wall is literally a 32' high wall that's 65-70' in length. There is little undulation and no wedding caking, like the south elevation. It appears as a giant flat surface, reminds me of a 'border wall'.

I and other neighbors tried to participate in the virtual meeting but, apparently the call in number was incorrect. The neighborhood wasn't really able to participate. We weren't able to convey these concerns. I/ We will come to the next meeting and I will reach out to both Brian Poster and Craig Lawrence.

Baird Gourlay
PO 1221
Ketchum, ID 83340
208 720 4769
Bairdg7@gmail.com

To Whom It may concern,

As a point of reference, I am a property owner, live and work, in Warm Spring and pass the subject property every day. First, I want to commend the Owners and Architect for not designing a monstrosity or asking for extra building height, lot line shifts and other zoning variances!!!

Second, I encourage the City of Ketchum to take into consideration the following, in the process of approving this project;

1. The new structure will be built under the most current fire/safety and structural codes. You can be assured the present structure, built in the early 70s, does not.
2. The design is in keeping with the neighborhood and is similar to homes currently being built in many Ketchum and Blaine County neighborhoods.
3. As a property owner, I assume when purchasing real estate, I will be able to build or make improvements, to the property, in the future, within the mandates of current zoning codes, plat restrictions and easements, without undue public scrutiny.

As public officials, you can rest assure, this project is welcomed by many of the Warm Spring neighbors.

Thank you for your consideration,

Jeff Smull

116 Ritchie Drive.

P.s. Please insert this email into public comment section of the P&Z process.

From: Mark Kern <markdkern@me.com>

Sent: Friday, May 15, 2020 6:05 AM

To: Abby Rivin <ARivin@ketchumidaho.org>; CRAIG LAWRENCE <clawrenceaia@msn.com>

Cc: Jamey Kern <jameykern@me.com>

Subject: Re: Duplex proposal - plans attached

Hi Abby and/or Craig,

We are very appreciative of applicant's willingness to install story poles at the maximum roof peaks. Additionally, we are hopeful they will also install story poles at north corners where elevations are nearly as high but also pushed to setbacks. The NW corner will have greatest impact of Bald Mt view from our view windows, a sense of sheer dimensions of generally a flat back wall will be better visualized as it is moved closer to property lines, direct sunlight/view impact for all neighbors, and project scale in neighborhood.

- Is applicant also willing to install project's north corner story poles as well?
- Will city representatives, applicants, and applicants' representatives be willing to schedule a site visit to our residence once story poles are installed prior to application approval? You are all welcome and invited.

Greatly appreciated,

Jamey and Mark Kern
401A Sage Road
Ketchum, ID 83340
248.914.4272

Hi,

I wanted to take a minute to weigh in on the Waddell/Roush duplex plans for 3020 Warm Springs Road. I think they've done a wonderful job in their design and hope to see it constructed in the near future. Please insert my note into the public comment section of the P&Z process.

Thank you for your consideration.

Sincerely,

Kristen Jarvis
111 Huffman Drive
Ketchum, ID 83340

#206-954-2122

Hi, my name is Irvin Bier and I own a home at 2206 Warm Springs Rd. This e-mail is being sent to support the approval of the Waddell Duplex Project at 3020 Warm Springs Rd. I have reviewed the plans and feel that the design is appropriate for the neighborhood as it contains many elements common to past as well as current development across the North Valley. Please insert this letter into the public comment section of the P&Z process.

Irvin Bier

Sent from my iPad

There is a lot of concern from my neighbors on the Sage Rd side of this project. It seems difficult to for any and all of the neighbors to comment on their concerns and to hear the commissions and staffs response to those concerns. I would strongly suggest that this project's hearings be delayed until a proper, not virtual meeting be held. I know the owners have the right to develop this property, but virtual meetings make it very difficult to work with the neighbors on a mutually acceptable project. For the record, a major concern is that this project pushes the max of the code. As a former councilmen and originator of the form based code, I know that we, the city tried to move away from boxes like this in the core. We required setbacks to increase as heights went up, wedding cake design was the term. I know when I added on to my house on Sage rd., I was required to have setbacks from the side property line as the addition went up in height. Has the code changed?

Please forward this email to the P&Z commissioners,

Thanks,

Baird Gourlay
PO 1221
Ketchum, ID 83340
208 720 4769
Bairdg7@gmail.com



Good morning,

Our names are Julie and Tad Gulick and we reside at 420 Huffman Dr. in Warm Springs. We have taken a look at the design of the proposed Waddell duplex at 3020 Warm Springs Rd. We feel it would be a nice addition to the neighborhood and support the building of this structure. Please add our letter of support to the public comment section of the P&Z process.

Thank you,
Julie and Tad Gulick

Hello,

I am sending this email in support of the plans for the Waddell Duplex at 3020 Warm Springs Road in Ketchum. I have reviewed the plans and feel the design is appropriate for the neighborhood and community. I support approval of the design and project. Please insert this letter into the public comment section of the P&Z process.

Robert and Kayse Gundram
308 Sage Rd
Unit 4
Ketchum, ID 83340

Good Morning,

My name is Scot Jarvis and I have a home at 109 Georgina in Ketchum.

I have recently had the opportunity to review the plans for the Waddell/Roush Duplex at 3020 Warm Springs Road.

It certainly has the feel and consistency of its design to fit well into the surrounding neighborhood.

I fully support approval of this project.

I would request that you include this letter in the public comment section of the Permit & Zoning process.

Sincerely,

Scot Jarvis

425 864-6000

My name is Jill Wood, I live at 201B Skiway Drive. I have seen the design plan for the Waddell Duplex (3020 Warm Springs Road), it is gorgeous and I would love to have it built in our neighborhood. I support this project, please add my comments to the public comment section.

Thanks,

Jill

Greetings Abby,

We are glad to hear a new dwelling will be built at 3020 Warm Spring Road. We are hopeful, based on elevations your team provided, the property owners will work with neighbors toward final design that has more of a tiered (wedding caked) and undulated building form along with sensitivity to building scale in our neighborhood. As property owners of 401A Sage Road directly north (behind) the subject property, we anticipate our residence will be impacted to the greatest degree of a decreased Bald Mountain view. Our direct sunlight will also be significantly decreased along with multiple surrounding neighbors due to maxed rectangular building envelope in both height and width.

We completely understand and expect new construction will increase in height and expanded to zoned setbacks. Our request is for consideration of property owners, architect, and builder to produce plans reducing impact of neighbors' views, loss of direct sunlight, and generally a better blend of scale in our neighborhood than the plans provided. To better review project we'd like to submit the following questions and comments:

- Are story poles able to be erected for better visualization of project scope?
- Are AC units being installed and, if so, where? Will screening for AC units be built?
- Is snow melt system being installed and, if so, where? Will screening for snow melt system be installed?
- We welcome property owners and representative, City of Ketchum Planning, and other interested parties to schedule a site visit to our home with plans and to view story poles.
- We understand the landscaping plans and staff report will be posted on city website and we'll keep checking back for them being posted.
- Are owner's square footage goal able to include a basement in the project to any extent?

Please let us know if you have questions for us, and we request the comments and questions in this email be included in the March 19, meeting.

Thank you,

Jamey and Mark Kern
401A Sage Road,
Ketchum, ID 83340
248.914.4272

All,

I am a home owner with a property on Simpson Road. I have reviewed the plans for the Waddell Duplex at 3020 Warm Springs Road and approve of its design. I believe this project is consistent with the “look and feel” of the Warm Springs neighborhood. I support approval of this project.

Please insert this letter into public comment section of the P&Z process.

Todd Patrick

Greetings:

My name is Karin Schock. My husband and I own unit #144 at The Prospector, 315 Skiway Drive in Ketchum.

The plans for the Waddell Duplex at [3020 Warm Springs Road](#) exceed what we would like to see people build in the neighborhood. In our opinion, the design is attractive, efficient and will enhance the overall aesthetic of the Warm Springs Road area.

I fully support approval of this project. Please insert this letter into public comment section of the P&Z process.

Sincerely,
Karin Schock
karin@schocks.com
509.630.0063

Greetings,

My name is James Zogg and I have a home at 161 Simpson Rd in Ketchum. I've reviewed the plans for the Waddell Duplex at 3020 Warm Springs Road. I feel it has an appropriate design and fits into the neighborhood. I support approval of this project. Please insert this letter into public comment section of the P&Z process.

James Zogg

Sent from [Mail](#) for Windows 10

From: Mark Kern <markdkern@me.com>
Sent: Thursday, May 14, 2020 2:04 PM
To: Abby Rivin <ARivin@ketchumidaho.org>
Cc: Jamey Kern <jameykern@me.com>
Subject: Re: Duplex proposal - plans attached

Hi Abby,

We are emailing to confirm your receipt of questions and comments submitted earlier in email chain for next Tuesday's meeting, along with the following questions and comments:

- Will your Staff Report be posted at the following location or other?
<https://www.ketchumidaho.org/bc-pc/page/planning-and-zoning-commission-10>
- Do you have an anticipated day and time the Staff Report will be posted?
- Structure on NE corner of Skiway and Warm Springs Road intersection is an example of the impact a wall-to-wall box structure can have on a neighborhood, even as a single family dwelling. Not knowing the situation of lots directly to the north and to the east, just walking either lot shows the impact of view and direct light obstruction, along with the negative appeal of box structure. The north elevation of subject duplex has even a greater degree of box/strait flat wall design which is our direct view.

Much appreciated,

Jamey and Mark Kern



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF JUNE 8, 2020

PROJECT: Bavarian Village Townhomes

FILE NUMBER: P20-030

OWNER: Timothy J. Linehan

APPLICANT: Timothy J. Linehan

REPRESENTATIVE: Garth McClure, Benchmark Associates

REQUEST: Preliminary Plat for a two-unit detached townhome development that previously received Design Review approval (2017, amended 2018 and 2019) and a Building Permit (2019) and is currently under construction

ASSOCIATED PERMITS: B19-091, P19-091, P18-042, P17-065

LOCATION: 112 Rember Street (Lot 2, Bavarian Village Subdivision)

ZONING: General Residential – High Density (GR-H)

OVERLAY: None

NOTICE: Notice was mailed to properties within a 300 ft radius of the subject property and all political subdivisions on May 22, 2020. Notice was published in the May 20, 2020 edition of the Idaho Mountain Express.

REVIEWER: Abby Rivin, Associate Planner

BACKGROUND

The applicant is requesting Preliminary Plat approval for a two-unit detached townhome development. The subject property, 112 Rember Street (Lot 2, Bavarian Village Subdivision), is located between Williams Street and Bird Drive in West Ketchum, adjacent to the existing Smoky Lane Condominium Development. The property is zoned General Residential – High Density (GR-H).

In 2019, a Building Permit was approved to construct two detached residential structures, each with an associated accessory building. In 2017, the project received Administrative Design Review approval under the procedural regulations in place at the time. Prior to the adoption of Ordinance No. 1190 in 2018, the Administrator was authorized to approve multi-family residential projects of 4 units or less not located in the Community Core District. The project plans were amended in 2018 and 2019. These changes were administratively reviewed and approved pursuant to Ketchum Municipal Code §17.96.030.A.1a, which

authorizes the Administrator to approve minor modifications to projects that have received Design Review approval.

The project is currently under construction and the property owner has now applied for a Preliminary Plat to subdivide the development into two sublots so that the detached residential structures will be eligible for individual sale. Preliminary Plat review before the Planning and Zoning Commission is the first step in the platting process.

Because the project has already been evaluated for conformance with zoning, Design Review, and all other applicable life safety codes through Building Permit review, review of this application is limited to the Preliminary Plat standards of evaluation for townhome developments.

STAFF RECOMMENDATION

After holding a public hearing and considering public comment, staff recommends recommending approval of the Preliminary Plat application to City Council with recommended conditions #1-8.

Staff also recommends adopting the Findings of Fact and Conclusions of Law as drafted and with any amendments desired by the Commission.

ANALYSIS

Table 1: City Department Comments

City Department Comments			
Compliant			City Standards and City Department Comments
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire: <i>The project shall comply with all conditions as specified in the Fire Department Memo dated September 16, 2019 regarding Building Permit 19-091.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City Engineer and Streets Department: <i>The project shall comply with all comments as noted in the City Engineer’s review of the preliminary plat dated June 1st, 2020 and attached as Exhibit C.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities: <i>The applicant will be responsible for installing connections to the water and sewer system at Rember Street. All drywells must comply with DEQ regulations.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: <i>The townhome development must meet the 2012 International Residential Code and Title 15 Buildings and Construction of Ketchum Municipal Code.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: <i>Comments are denoted throughout the Tables 2 & 3.</i>

Table 2: Townhouse Plat Requirements

Townhouse Plat Requirements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.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.
			Findings	<i>The applicant has submitted the draft Townhouse Declaration for the project. The developer shall submit a final copy of the document to the Planning & Building Department and file such document prior to recordation of the final plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.1	<p>Preliminary Plat Procedure: Townhouse developments shall be administered consistent with the procedures and design and development regulations established in §16.04.030 and §16.04.040 and the standards of this subsection.</p> <p>All townhouse developments shall be platted under the procedures contained in the subdivision ordinance in effect and shall be required to obtain design review approval prior to building permit issuance.</p>
			Findings	<i>In 2017, the project received Administrative Design Review approval under the procedural regulations in place at the time. A Building Permit was issued for the townhome development in 2019.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.2	<p>The subdivider may apply for preliminary plat approval from the commission pursuant to subsection 16.04.030D of this chapter at the time application is made for design review approval pursuant to title 17, chapter 17.96 of this code. The commission may approve, deny or conditionally approve such preliminary plat upon consideration of the action taken on the application for design review of the project.</p>
			Findings	<i>In 2017, the project received Administrative Design Review approval under the procedural regulations in place at the time. Prior to the adoption of Ordinance No. 1190 in 2018, the Administrator was authorized to approve multi-family residential projects of 4 units or less not located in the Community Core District. The project plans were amended in 2018 and 2019. These changes were administratively reviewed and approved pursuant to Ketchum Municipal Code §17.96.030.A.1a, which authorizes the Administrator to approve minor modifications to projects that have received Design Review approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.3	<p>The preliminary plat, other data, and the commission's findings may be transmitted to the council prior to commencement of construction of the project under a valid building permit issued by the City. The council shall act on the preliminary plat pursuant to subsection 16.04.030E and F of this chapter.</p>
			Findings	<i>A Building Permit was issued for the project in 2019 and the townhomes are currently under construction.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080.C.4	<p>4. In the event a phased townhouse development project is proposed, after preliminary plat is granted for the entirety of a project, the final plat procedure for each phase of a phased development project shall follow §16.04.030.G and comply with the additional provisions of §16.04.110 of this code.</p>
			Findings	<i>N/A as the applicant has not proposed phasing for this development project. The developer is constructing the townhomes concurrently.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.D	<p>D. Final Plat Procedure:</p> <p>1. The final plat procedure contained in subsection 16.04.030G 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 either:</p> <p style="padding-left: 40px;">a. A certificate of occupancy issued by the city of Ketchum for all structures in the townhouse development and completion of all design review elements as approved by the planning and zoning administrator; or</p> <p style="padding-left: 40px;">b. Signed council approval of a phased development project consistent with §16.04.110 herein.</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 title 17, chapter 17.96 of this code.</p>
			Findings	<i>The applicant shall follow the final plat procedure upon completion of construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.1	<p>E. Required Findings: In addition to all Townhouse Developments complying with the applicable provisions of Title 17 and this Subdivision Chapter (§16.04), the Administrator shall find that</p> <p>All Townhouse Developments, including each individual subplot, shall not exceed the maximum building coverage requirements of the zoning district.</p>
			Findings	<p><i>GR-H Permitted Gross FAR: 0.5</i> <i>GR-H Permitted Gross FAR with Inclusionary Housing Incentive: 1.4</i> <i>Proposed:</i> <i>Maximum Bavarian Village Lot 2 Gross Floor Area Permitted: 4,538 sq ft</i> <i>Maximum Gross Floor Area Permitted with Gross Floor Area Inclusionary Housing Incentive:12,709 sq ft</i></p> <p><i>Bavarian Village Lot 2 Townhome Development Gross Floor Area: 4,327 sq ft</i> <i>Proposed Expansion Gross Floor Area: 5,806 sq ft</i> <i>Lot 2 Area: 9,078 sq ft</i> <i>FAR Proposed: 0.64 (5,086 sq ft/9,079 sq ft lot area)</i> <i>Increase Above Permitted FAR: 548 sq ft</i> <i>Groundwater Issue & Underground Parking Credit: 1,400 sq ft (350 sq feet per 4 required parking spaces)</i> <i>The 1,400 sq ft discount to net livable square footage subject to the community housing contribution exceeds the increase above the permitted FAR.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.2	<p>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.</p>
			Findings	<i>The associated accessory buildings are designated on the preliminary plat as storage. The storage areas will be platted on the same sublots as the townhomes.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.3	<p>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. (Ord. 1061 § 3, 2009: Ord. 879 § 4, 2001: Ord. 460 § 2, 1987)</p>
			Findings	<i>This townhouse subdivision will comply with all applicable local, state, and federal ordinances, rules, and regulations.</i>

Table 3: Preliminary Plat Requirements (all subdivisions)

Preliminary Plat Requirements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	<p>The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.</p>
			Findings	<i>The application has been reviewed and determined to be complete.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J	Application and Preliminary Plat Contents: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application. The preliminary plat shall be drawn to a scale of not less than one inch equals one hundred feet (1" = 100') and shall show the following:
			Findings	<i>All required materials for the Preliminary Plat application have been submitted.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I.1	The scale, north point and date.
			Findings	<i>This standard has been met. The preliminary plat contains a scale, north point, and date.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.2	The name of the proposed subdivision.
			Findings	<i>This standard has been met. The name of the proposed subdivision is Bavarian Village Townhomes.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			Findings	<i>This information has been provided on the application form and indicated on the Preliminary Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.4	Legal description of the area platted.
			Findings	<i>This standard has been met. The legal description of the area platted is Lot 2 of Bavarian Village Subdivision.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			Findings	<i>This standard has been met. The neighboring lots within Bavarian Village Subdivision as well as the Smokey Lane Condominiums are indicated on the preliminary plat.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.6	A contour map of the subdivision with contour lines and a maximum interval of two feet (2') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.
			Findings	<i>This standard is not applicable to the subdivision of an existing lot into two townhouse sublots.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.7	The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.
			Findings	<i>The location of neighboring buildings within Smokey Lane Condominiums is indicated on the plat. The neighboring lots within Bavarian Village Subdivision are indicated on the plat. Rember Street is labeled on the preliminary plat. As noted in the City Engineer's comment (Exhibit C), the required utility easements must be indicated on the final plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.8	Boundary description and the area of the tract.
			Findings	<i>This boundary description and the area of the tract are noted on the Preliminary Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.9	Existing zoning of the tract.
			Findings	<i>The property is within the GR-H Zoning District. Plat note #5 references the zoning district.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.10	The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.
			Findings	<i>This standard has been met. No new streets are proposed. The subplot lines and dimensions are indicated on the preliminary plat.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.11	The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.
			Findings	<i>No land for common or public use is required or proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.12	The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.
			Findings	<i>The plat indicates the proposed locations of all utilities service the townhome development. No street infrastructure improvements are proposed with this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.13	The direction of drainage, flow and approximate grade of all streets.
			Findings	<i>N/a as no new streets are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.14	The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.
			Findings	<i>Civil drawings for the drainage improvements were reviewed and approved with the Building Permit application.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.15	Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials and collector streets.
			Findings	<i>This application subdivides a platted lot into two townhouse sublots. The original subdivision's plat serves as the vicinity map.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.16	The boundaries of the floodplain, floodway and avalanche overlay district shall also be clearly delineated and marked on the preliminary plat or a note provided if the entire project is in the floodplain, floodway or avalanche overlay district.
			Findings	<i>N/A. The property is not currently mapped to be in the floodplain/floodway. The property is not within the avalanche overlay.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.17	Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.
			Findings	<i>N/A . The property is not located within the floodway, floodplain, or avalanche zone. The property doesn't lie adjacent to a river or creek. The lot doesn't contain slopes of 25% or greater. The subject property is not a corner lot.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.18	Lot area of each lot.
			Findings	<i>The existing and proposed size of each lot is indicated.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.19	Existing mature trees and established shrub masses.
			Findings	<i>The townhome development is currently under construction. The landscape plan was approved through Design Review and the Building Permit processes.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.20	To be provided to Administrator:
				Subdivision names shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho and shall be approved by the Blaine County Assessor.
			Findings	<i>The Bavarian Village Townhomes is unique and is not the same as another townhouse subdivision in Blaine County.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.21	All percolation tests and/or exploratory pit excavations required by state health authorities.

			Findings	<i>N/A. Both lots contain existing development that is connected to municipal services.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.22	A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.
			Findings	<i>The subject parcels are within an existing subdivision. The applicant submitted a draft Townhouse Subdivision with the application. This declaration shall be filed with the final plat application.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.23	A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.
			Findings	<i>This standard has been met. The applicant has submitted a Lot Book Guarantee and the Last Deed of Record.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.24	A digital copy of the preliminary plat shall be filed with the administrator.
			Findings	<i>This standard has been met. The digital copy of the preliminary plat is attached as Exhibit B.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.A	Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			Findings	<i>N/A. No existing natural features, like mature trees, watercourses, rock outcroppings, established shrub masses, or historic area, were present on Lot 2 of Bavarian Village to preserve. The landscape plan approved with the Design Review and Building Permit applications will enhance the attractiveness of the proposed subdivision.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			Findings	<i>The City Engineer reviewed and approved the civil drawings submitted with Building Permit 19-091.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.C	Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost

				<p>of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.</p>
			Findings	<i>Inspection of the required improvements will be conducted prior to issuance of a Certificate of Occupancy for the townhome development prior to final plat approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.D	<p>As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.</p>
			Findings	<i>The City Engineer shall inspect the required improvements prior to issuance of a Certificate of Occupancy for the project. As indicated within the City Engineer's comments attached as Exhibit C the proposed water and sewer service location has been modified from the approved Building Permit drawings. The water and sewer line locations will need to be updated to reflect what was constructed in the field.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.E	<p>Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows:</p> <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
			Findings	<i>The applicant shall meet the required monumentation standards prior to recordation of the final plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.F	<p>Lot Requirements:</p> <ol style="list-style-type: none"> 1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings. 2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only

				<p>be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following: a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met. b. For small, isolated pockets of twenty five percent (25%) or greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section.</p> <p>3. Corner lots outside of the original Ketchum Townsite shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</p> <p>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</p> <p>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</p> <p>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat..</p>
			Findings	<p><i>Standards 4, 5, and 6 have been met.</i></p> <p><i>Standards 2 and 3 are not applicable.</i></p> <p><i>Standard 1 has been met. Existing Lot 2 of Bavarian Village Subdivision has a lot width of 68 feet, which is nonconforming to the 80-foot average lot width required in the GR-H Zone. The townhouse subplot subdivision does not increase the degree of nonconformity. The size, shape, and orientation meet the standards required in the GR-H Zone.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.G	<p>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <ol style="list-style-type: none"> 1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots. 2. Blocks shall be laid out in such a manner as to comply with the lot requirements. 3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features. 4. Except in the original Ketchum Townsite, corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.
			Findings	<p><i>N/A. Lot 2 is within the existing Bavarian Village Subdivision. No new blocks are proposed.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.1	<p>H. Street Improvement Requirements:</p> <ol style="list-style-type: none"> 1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;

			Findings	<i>N/A, the subject properties are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.2	2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;
			Findings	<i>This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.3	3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;
			Findings	<i>N/A. Lot 2 is within an existing subdivision. No street frontage improvements like planting strips are required.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.4	4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;
			Findings	<i>This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.5	5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;
			Findings	<i>This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.6	6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;
			Findings	<i>N/A. This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.7	7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;
			Findings	<i>N/A. This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.8	8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.9	9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.10	10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;

			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.11	11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.12	12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.13	13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the County Assessor's office before submitting same to council for preliminary plat approval;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.14	14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.15	15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.16	16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.17	17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.18	18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.19	19. Private streets may be allowed upon recommendation by the commission and approval by the Council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section and chapter 12.04 of this code;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.20	20. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the Administrator and shall be consistent with the type and design of existing street signs elsewhere in the City;

			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.21	21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;
			Findings	<i>N/A. This proposal does not require construction of a new bridge or impact any existing bridges.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.22	22. Sidewalks, curbs and gutters shall be required consistent with adopted city standards and where designated shall be a required improvement installed by the subdivider;
			Findings	<i>N/A. The subject properties abut an existing developed street within a residential area. No sidewalks are required for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.23	23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights-of-way unless approved by the City Council; and
			Findings	<i>N/A. No private road or gates are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.24	24. No new public or private streets or flag lots associated with a proposed subdivision (land, planned unit development, townhouse, condominium) are permitted to be developed on parcels within the Avalanche Zone
			Findings	<i>N/A. The townhouse sublots are not located within the Avalanche Zone and no new public or private streets or flag lots are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.I	I. Alley Improvement Requirements: Alleys shall be provided in, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be permitted only within the original Ketchum Townsite and only after due consideration of the interests of the owners of property adjacent to the dead end alley including, but not limited to, the provision of fire protection, snow removal and trash collection services to such properties. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.
			Findings	<i>N/A. The townhouse sublots are located in the GR-H Zone and do not abut an alley.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.J.1	J. Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands. 1. A public utility easement at least ten feet (10') in width shall be required within the street right-of-way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the City Engineer to be necessary for the provision of adequate public utilities.
			Findings	<i>As noted in the City Engineer's comments, the public utility easement must be indicated on the final plat. Pursuant to KMC §12.04.030.G, utilities shall be provided along front lot lines, rear lot lines, side lot lines, or other locations deemed necessary. The final plat must indicate the required 5-foot utility easement at the front lot line. As conditioned, the project shall comply with this standard.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.2	2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.
			Findings	<i>N/A. The townhouse sublots do not border a waterway.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.3	3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the Council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.
			Findings	<i>N/A. The townhouse sublots do not border a waterway.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.4	4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.
			Findings	<i>N/A. The townhouse sublots do not border a waterway.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.5	5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.
			Findings	<i>N/A. No changes to ditches, pipes, or other irrigation structures are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.6	6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the City.
			Findings	<i>N/A. The townhouse sublots are within the existing, platted Bavarian Village Subdivision.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.K	K. Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the City Engineer, Council and Idaho Health Department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho Department of Health and the Council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the Council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.
			Findings	<i>N/A. The townhouse sublots are within the existing, platted Bavarian Village Subdivision., which contains all necessary infrastructure.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.L	<p>L. Water System Improvements: A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the City under the supervision of the Ketchum Fire Department and other regulatory agencies having jurisdiction. Furthermore, the central water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the Municipal water system and shall meet the standards of the following agencies: Idaho Department of Public Health, Idaho Survey and Rating Bureau, District Sanitarian, Idaho State Public Utilities Commission, Idaho Department of Reclamation, and all requirements of the City.</p>
			Findings	<i>N/A. The townhouse sublots are within the existing, platted Bavarian Village Subdivision, which contains all necessary infrastructure.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.M	<p>M. Planting Strip Improvements: Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>
			Findings	<i>N/A. The townhouse sublots are within the existing, platted Bavarian Village Subdivision. The subdivision has adequate plantings where necessary.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N.1	<p>N. Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <p>1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or Council as part of the preliminary plat application.</p>
			Findings	<i>A preliminary soils report was reviewed and approved with Design Review 17-065.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N.2	<p>2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information:</p> <ul style="list-style-type: none"> a. Proposed contours at a maximum of five foot (5') contour intervals. b. Cut and fill banks in pad elevations. c. Drainage patterns. d. Areas where trees and/or natural vegetation will be preserved. e. Location of all street and utility improvements including driveways to building envelopes. f. Any other information which may reasonably be required by the Administrator, commission or Council to adequately review the affect of the proposed improvements.
			Findings	<i>Site grading was approved with Building Permit 19-091.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N.3	<p>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</p>

			Findings	<i>The site grading plan was reviewed and approved by City Departments with Building Permit 19-091.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N.4	4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.
			Findings	<i>N/A. Lot of Bavarian Village is appropriate for the construction of the two townhome units.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N.5	5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.
			Findings	<i>Landscaping will be installed pursuant to the landscape plan approved with the Design Review and Building Permit applications.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N.6	6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply: a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability. b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American Standard Testing Methods). c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability. d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope. e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.
			Findings	<i>N/A no significant cuts, fills, or excavation were required for the townhome development.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.0	O. Drainage Improvements: The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the City on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.
			Findings	<i>No natural drainage courses are proposed to be disturbed.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.P	P. Utilities: In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.
			Findings	<i>All utilities, including electricity, natural gas, telephone, and cable services, shall be installed underground.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.Q	Q. Off Site Improvements: Where the off site impact of a proposed subdivision is found by the commission or Council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.
			Findings	<i>N/A. The townhouse subdivision does not trigger off-site improvements.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.R	R. Avalanche And Mountain Overlay: All improvements and plats (land, planned unit development, townhouse, condominium) created pursuant to this chapter shall comply with City of Ketchum Avalanche Zone District and Mountain Overlay Zoning District requirements as set forth in Title 17 of this Code.
			Findings	<i>N/A. The townhouse sublots are not located in the Avalanche or Mountain overlay zoning districts.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.S	S. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			Findings	<i>N/A. No existing natural features, like mature trees, watercourses, rock outcroppings, established shrub masses, or historic area, were present on Lot 2 of Bavarian Village to preserve. The landscape plan approved with the Design Review and Building Permit applications will enhance the attractiveness of the proposed subdivision.</i>

STAFF RECOMMENDATION

After holding a public hearing and considering public comment, Staff recommends the Commission recommend approval of the Preliminary Plat application to City Council with recommended conditions #1-8.

Staff also recommends adopting the Findings of Fact and Conclusions of Law as drafted and with any amendments desired by the Commission.

RECOMMENDED MOTION

“I move to recommend approval of the Bavarian Village Townhomes Preliminary Plat to City Council with conditions 1-8 and to authorize the Commission Chair to sign the draft Findings of Fact, Conclusions of Law, and Decision.”

RECOMMENDED CONDITIONS

1. All governing ordinances, requirements, and regulations of the Fire Department (2012 International Fire Code and local Fire Protection Ordinance No.1125), Building Department (2012 International Building Code, the 2012 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer shall be met prior to Certificate of Occupancy. The project shall meet all requirements of the Fire, Utility, Building, Streets/City Engineer, and Planning requirements as specified in Table 1.

2. The project shall comply with all City Engineer comments dated June 1, 2020 and attached as Exhibit C.
3. This preliminary plat approval is subject to Building Permit 19-091 and Design Review approvals 17-065, 18-042, and 19-091. All conditions of approval shall apply.
4. 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.
5. 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"; and,
 - d. 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. The Townhouse Declaration shall be simultaneously recorded with the Final Plat. The developer shall submit a final copy of the document to the Planning & Building Department and file such document prior to recordation of the final plat. The City will not now, nor in the future, determine the validity of the Townhouse Declaration.
8. Failure to record a Final Plat within two (2) years of Council's approval of a Preliminary Plat shall cause the Preliminary Plat to be null and void.

EXHIBITS

- A. Application
- B. Preliminary Plat
- C. City Engineer Review Comments
- D. Draft Findings of Fact, Conclusions of Law, and Decision

Exhibit A: Application



City of Ketchum
Planning & Building

OFFICIAL USE ONLY	
Application Number	220-030
Date Received	4-20-20
By:	MP
Fee Paid	1050-
Approved Date	
By:	

Subdivision Application

Submit completed application and payment to the Planning and Building Department, PO Box 2315, Ketchum, ID 83340 or hand deliver to Ketchum City Hall, 480 East Ave. N., Ketchum. If you have questions, please contact the Planning and Building Department at (208) 726-7801. To view the Development Standards, visit the City website at: www.ketchumidaho.org and click on Municipal Code.

APPLICANT INFORMATION			
Name of Proposed Subdivision: Bavarian Village Townhomes, Lot 2			
Owner of Record: Timothy J. Linehan			
Address of Owner: 9038 15th Ave, Seattle WA 98117			
Representative of Owner: Garth McClure, Benchmark Associates			
Legal Description: Lot 2, Bavarian Village Subdivision.			
Street Address: 112 Rember Street			
SUBDIVISION INFORMATION			
Number of Lots/Parcels: 2			
Total Land Area: Sublot 1: 0.1 AC Sublot 2: 0.1 AC			
Current Zoning District: GR-H			
Proposed Zoning District: GR-H			
Overlay District: N/A			
TYPE OF SUBDIVISION			
Condominium <input type="checkbox"/>	Land <input type="checkbox"/>	PUD <input type="checkbox"/>	Townhouse <input checked="" type="checkbox"/>
Adjacent land in same ownership in acres or square feet:			
Easements to be dedicated on the final plat: Existing 5' utility & drainage esmt. per CC&R's			
Briefly describe the improvements to be installed prior to final plat approval: 2 townhouse units, paved driveways, utilities, drywells			
ADDITIONAL INFORMATION			
All lighting must be in compliance with the City of Ketchum's Dark Sky Ordinance			
One (1) copy of Articles of Incorporation and By-Laws of Homeowners Associations and/or Condominium Declarations			
One (1) copy of current title report and owner's recorded deed to the subject property			
One (1) copy of the preliminary plat			
All files should be submitted in an electronic format.			

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 reasonable attorney's fees and costs, including fees and costs of appeal for the City of Ketchum. Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, city officials, agents and employees from and for any and all losses, claims, actions, judgments for damages, or injury to persons or property, and losses and expenses caused or incurred by Applicant, its servants, agents, employees, guests and business invitees and not caused by or arising out of the tortuous conduct of city or its officials, agents or employees. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

Garth McClure REP.
Applicant Signature

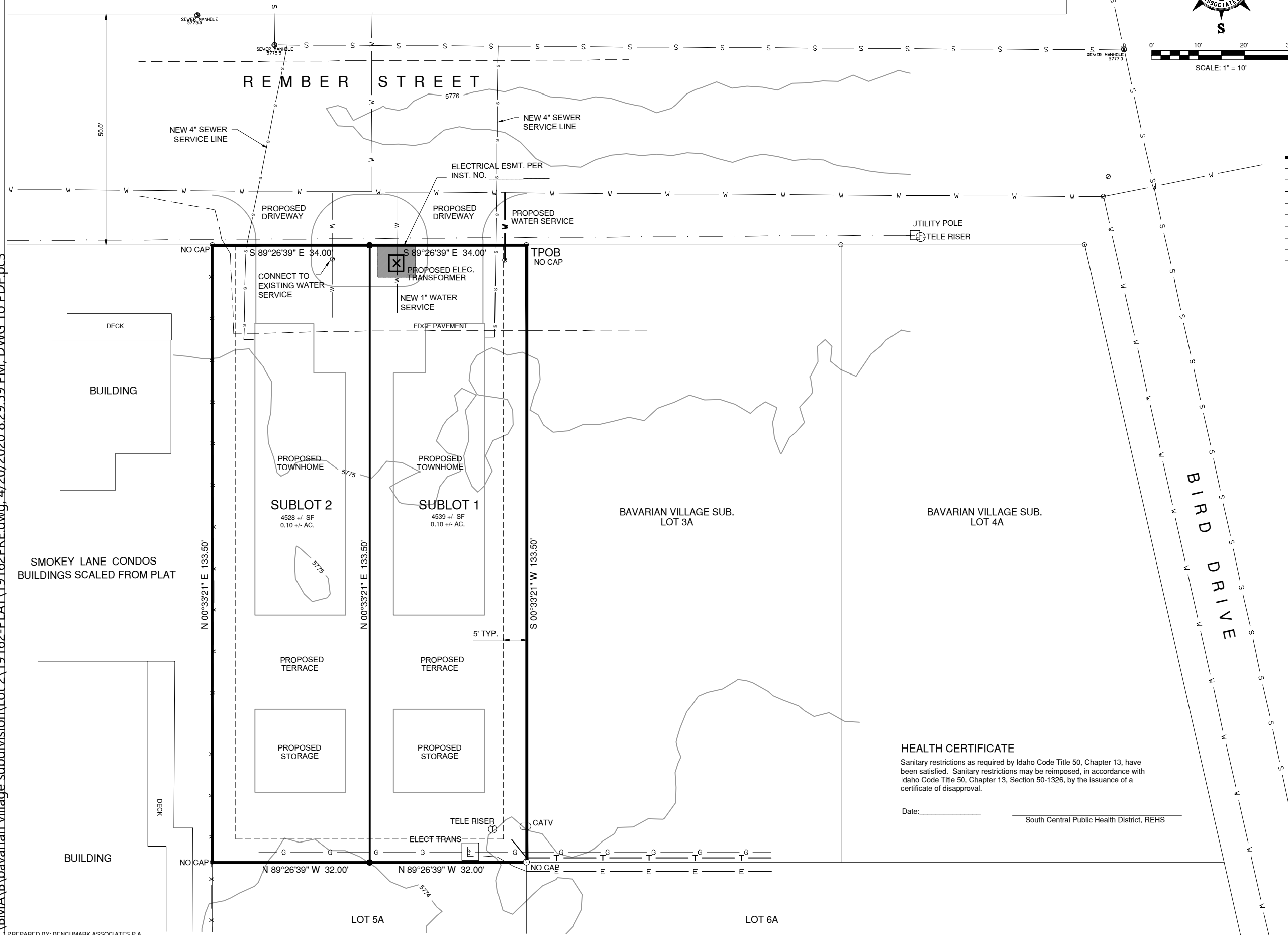
3.24.20
Date

Exhibit B: Preliminary Plat

BAVARIAN VILLAGE TOWNHOMES

LOCATED WITHIN: SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO
A TOWNHOUSE SUBDIVISION OF LOT 2, BAVARIAN VILLAGE SUBDIVISION.

MARCH 2020



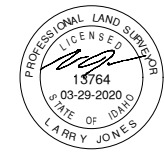
LEGEND:

	PROPERTY LINE
	5' UTILITY AND DRAINAGE EASEMENT (PER CC&R'S)
	PAINTED GAS LINE
	PAINTED TELE COMM LINE
	PAINTED POWER LINE
	WATER LINE PER KETCHUM GIS
	SEWER LINE
	OVERHEAD UTILITY LINES
	EDGE PAVEMENT
	FENCE
	FOUND 1/2" REBAR
	FOUND 5/8" REBAR
	SET 5/8" REBAR, LS 13764

SURVEYOR NARRATIVE & NOTES

1. THE PURPOSE OF THIS PLAT IS TO REPLAT LOT 2, BAVARIAN VILLAGE SUBDIVISION INTO TOWNHOMES AS SHOWN. THE BOUNDARY SHOWN IS BASED ON FOUND MONUMENTS AND THE RECORDED PLAT OF BAVARIAN VILLAGE SUBDIVISION, INSTRUMENT NO. 139821, RECORDS OF BLAINE COUNTY, IDAHO. ALL FOUND MONUMENTS WERE ACCEPTED AS EITHER ORIGINAL OR REPLACEMENTS OF ORIGINAL CORNERS.
2. EXCEPT AS SPECIFICALLY STATED OR DEPICTED ON THIS MAP, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT OF REAL PROPERTY: NATURAL HAZARDS, ENCROACHMENTS, WETLANDS, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR ANY OTHER LAND-USE REGULATIONS. AN INDEPENDENT TITLE SEARCH HAS NOT BEEN PERFORMED BY THE SURVEYOR FOR THIS PROJECT.
3. ALL TOWNHOUSE OWNERS SHALL HAVE MUTUAL RECIPROCAL EASEMENTS FOR EXISTING AND FUTURE PUBLIC AND PRIVATE UTILITIES INCLUDING, BUT NOT LIMITED TO, WATER, CABLE TV, SEWER, NATURAL GAS, TELEPHONE, AND ELECTRIC LINES OVER, UNDER AND ACROSS THEIR TOWNHOUSE SUBLOTS AND COMMON AREA FOR THE REPAIR, MAINTENANCE AND REPLACEMENT THEREOF.
4. THE TOWNHOME DECLARATION AND PARTY WALL AGREEMENT FOR BAVARIAN VILLAGE TOWNHOMES ARE RECORDED AS INST. NO. _____, RECORDS OF BLAINE COUNTY, IDAHO.
5. THE CURRENT ZONING IS GENERAL RESIDENTIAL HIGH DENSITY (GR-H). REFER TO THE CITY OF KETCHUM ZONING CODE FOR MORE INFORMATION ABOUT THIS ZONE.
6. REFER TO THE ENGINEERING BASE DRAWINGS, PREPARED BY BENCHMARK ASSOCIATES, FOR EXISTING CONDITIONS & PROPOSED IMPROVEMENTS.
7. ELEVATIONS BASED ON NAVD 88 (GEOID03) DATUM.

HEALTH CERTIFICATE
Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.
Date: _____ South Central Public Health District, REHS



C:\BVA\B\Bavarian village subdivision\lot 2\19162-PLAT\19162PRE.dwg, 4/20/2020 8:29:59 PM, DWG TO PDF.pcs

BAVARIAN VILLAGE TOWNHOMES		
LOCATED WITHIN SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, B.M., CITY OF KETCHUM, BLAINE COUNTY, IDAHO		
PREPARED FOR: TIMOTHY LINEHAN		
PROJECT NO. 19162	DWG BY: DWS/CPL	19162PRE.DWG
PRELIMINARY PLAT	DATE: 03-29-2020	SHEET: 1 OF 1

Exhibit C:
City Engineer
Review Comments



TO: City of Ketchum
FROM: Sherri Newland, PE
DATE: June 1, 2020
RE: Preliminary Plat – Bavarian Village Townhomes – Subdivision of Lot 2

NO.	ITEM	PROVIDED
1	Subdivision Name tied to at least 2 corners	X
2	Surveyor Stamp/certification	X
3	Date	X
4	Sheet Title and Preamble	X
5	Basis of Bearing	Address
6	North Arrow	X
7	Scale	X
8	Plat Closure	X
9	Total Area	X
10	Monuments	X
11	Land Corners	X
13	Street Names & Width & Centerlines	X
14	Easements – Utilities	Address
15	Lot & Block Numbers	X
16	Lot Dimensions	X
17	Curve & Line Tables	X
18	Certifications	NA
19	Certificate of Owner	NA
20	Surveyor Approval	NA
21	Sanitary Restriction/Health Certificate	NA
22	Agency Approvals:	NA
23	Public Dedication:	NA
24	Common Areas:	NA
25	Legend	X
26	Notes	X
27	Condominium CC&R or CC&R reference	X
28	18" x 24" Mylar	NA
29	Title Report	X
30	Floodways	NA



31	25% slope line	NA
32	Vicinity Map	Address
33	Contours (max 5')	X

Notes:

Per 12.04.30 Section G - Utility easements shall be provided along front lot lines, rear lot lines, side lot lines or other appropriate locations deep necessary. A 5' front lot line easement is needed.

The proposed water service and sewer service location has been modified from the approved building permit drawings and not accurately represented on the preliminary plat. The water and sewer line locations will need to be updated to reflect what was constructed in the field.

Basis of Bearing and a vicinity map need to be shown.

Exhibit D:
**Draft Findings of Fact,
Conclusions of Law, and
Decision**



City of Ketchum
Planning & Building

IN RE:)
)
Bavarian Village Townhomes Subdivision) KETCHUM PLANNING & ZONING COMMISSION
Preliminary Plat) FINDINGS OF FACT, CONCLUSIONS OF LAW, AND
Date: June 8, 2020) DECISION
)
File Number: 20-020)

PROJECT: Bavarian Village Townhomes

FILE NUMBER: P20-030

OWNER: Timothy J. Linehan

APPLICANT: Timothy J. Linehan

REPRESENTATIVE: Garth McClure, Benchmark Associates

REQUEST: Preliminary Plat for a two-unit detached townhome development that previously received Design Review approval (2017, amended 2018 and 2019) and a Building Permit (2019) and is currently under construction

ASSOCIATED PERMITS: B19-091, P19-091, P18-042, P17-065

LOCATION: 112 Rember Street (Lot 2, Bavarian Village Subdivision)

ZONING: General Residential – High Density (GR-H)

OVERLAY: None

NOTICE: Notice was mailed to properties within a 300 ft radius of the subject property and all political subdivisions on May 22, 2020. Notice was published in the May 20, 2020 edition of the Idaho Mountain Express.

FINDINGS OF FACT

1. The applicant is requesting Preliminary Plat approval for a two-unit detached townhome development. The subject property, 112 Rember Street (Lot 2, Bavarian Village Subdivision), is located between Williams Street and Bird Drive in West Ketchum, adjacent to the existing Smoky Lane Condominium Development. The property is zoned General Residential – High Density (GR-H).
2. In 2019, a Building Permit was approved to construct two detached residential structures, each with an associated accessory building. In 2017, the project received Administrative Design Review approval under the procedural regulations in place at the time. Prior to the adoption of Ordinance No. 1190 in 2018, the Administrator was authorized to approve multi-family residential projects of 4 units or less not located in the Community Core District. The project plans were amended in 2018 and 2019. These changes were administratively reviewed and approved pursuant to Ketchum Municipal Code

§17.96.030.A.1a, which authorizes the Administrator to approve minor modifications to projects that have received Design Review approval.

3. The project is currently under construction and the property owner has now applied for a Preliminary Plat to subdivide the development into two sublots so that the detached residential structures will be eligible for individual sale. Preliminary Plat review before the Planning and Zoning Commission is the first step in the platting process.
4. Because the project has already been evaluated for conformance with zoning, Design Review, and all other applicable life safety codes through Building Permit review, review of this application is limited to the Preliminary Plat standards of evaluation for townhome developments.

Table 1: City Department Comments

City Department Comments			
Compliant			City Standards and <i>City Department Comments</i>
Yes	No	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire: <i>The project shall comply with all conditions as specified in the Fire Department Memo dated September 16, 2019 regarding Building Permit 19-091.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City Engineer and Streets Department: <i>The project shall comply with all comments as noted in the City Engineer's review of the preliminary plat dated June 1st, 2020 and attached as Exhibit C.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Utilities: <i>The applicant will be responsible for installing connections to the water and sewer system at Rember Street. All drywells must comply with DEQ regulations.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Building: <i>The townhome development must meet the 2012 International Residential Code and Title 15 Buildings and Construction of Ketchum Municipal Code.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Planning and Zoning: <i>Comments are denoted throughout the Tables 2 & 3.</i>

Table 2: Townhouse Plat Requirements

Townhouse Plat Requirements				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.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.
			Findings	<i>The applicant has submitted the draft Townhouse Declaration for the project. The developer shall submit a final copy of the document to the Planning & Building Department and file such document prior to recordation of the final plat.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.1	<p>Preliminary Plat Procedure: Townhouse developments shall be administered consistent with the procedures and design and development regulations established in §16.04.030 and §16.04.040 and the standards of this subsection.</p> <p>All townhouse developments shall be platted under the procedures contained in the subdivision ordinance in effect and shall be required to obtain design review approval prior to building permit issuance.</p>
			Findings	<i>In 2017, the project received Administrative Design Review approval under the procedural regulations in place at the time. A Building Permit was issued for the townhome development in 2019.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.2	<p>The subdivider may apply for preliminary plat approval from the commission pursuant to subsection 16.04.030D of this chapter at the time application is made for design review approval pursuant to title 17, chapter 17.96 of this code. The commission may approve, deny or conditionally approve such preliminary plat upon consideration of the action taken on the application for design review of the project.</p>
			Findings	<i>In 2017, the project received Administrative Design Review approval under the procedural regulations in place at the time. Prior to the adoption of Ordinance No. 1190 in 2018, the Administrator was authorized to approve multi-family residential projects of 4 units or less not located in the Community Core District. The project plans were amended in 2018 and 2019. These changes were administratively reviewed and approved pursuant to Ketchum Municipal Code §17.96.030.A.1a, which authorizes the Administrator to approve minor modifications to projects that have received Design Review approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.C.3	<p>The preliminary plat, other data, and the commission's findings may be transmitted to the council prior to commencement of construction of the project under a valid building permit issued by the City. The council shall act on the preliminary plat pursuant to subsection 16.04.030E and F of this chapter.</p>
			Findings	<i>A Building Permit was issued for the project in 2019 and the townhomes are currently under construction.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080.C.4	<p>4. In the event a phased townhouse development project is proposed, after preliminary plat is granted for the entirety of a project, the final plat procedure for each phase of a phased development project shall follow §16.04.030.G and comply with the additional provisions of §16.04.110 of this code.</p>
			Findings	<i>N/A as the applicant has not proposed phasing for this development project. The developer is constructing the townhomes concurrently.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.D	<p>D. Final Plat Procedure:</p> <p>1. The final plat procedure contained in subsection 16.04.030G 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 either:</p> <p style="padding-left: 40px;">a. A certificate of occupancy issued by the city of Ketchum for all structures in the townhouse development and completion of all design review elements as approved by the planning and zoning administrator; or</p> <p style="padding-left: 40px;">b. Signed council approval of a phased development project consistent with §16.04.110 herein.</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 title 17, chapter 17.96 of this code.</p>
			Findings	<i>The applicant shall follow the final plat procedure upon completion of construction.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.1	E. Required Findings: In addition to all Townhouse Developments complying with the applicable provisions of Title 17 and this Subdivision Chapter (§16.04), the Administrator shall find that All Townhouse Developments, including each individual subplot, shall not exceed the maximum building coverage requirements of the zoning district.
			Findings	<i>GR-H Permitted Gross FAR: 0.5 GR-H Permitted Gross FAR with Inclusionary Housing Incentive: 1.4 Proposed: Maximum Bavarian Village Lot 2 Gross Floor Area Permitted: 4,538 sq ft Maximum Gross Floor Area Permitted with Gross Floor Area Inclusionary Housing Incentive:12,709 sq ft Bavarian Village Lot 2 Townhome Development Gross Floor Area: 4,327 sq ft Proposed Expansion Gross Floor Area: 5,806 sq ft Lot 2 Area: 9,078 sq ft FAR Proposed: 0.64 (5,086 sq ft/9,079 sq ft lot area) Increase Above Permitted FAR: 548 sq ft Groundwater Issue & Underground Parking Credit: 1,400 sq ft (350 sq feet per 4 required parking spaces) The 1,400 sq ft discount to net livable square footage subject to the community housing contribution exceeds the increase above the permitted FAR.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.2	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.
			Findings	<i>The associated accessory buildings are designated on the preliminary plat as storage. The storage areas will be platted on the same sublots as the townhomes.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.080.E.3	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. (Ord. 1061 § 3, 2009: Ord. 879 § 4, 2001: Ord. 460 § 2, 1987)
			Findings	<i>This townhouse subdivision will comply with all applicable local, state, and federal ordinances, rules, and regulations.</i>

Table 3: Preliminary Plat Requirements (all subdivisions)

Preliminary Plat Requirements				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.C.1	The subdivider shall file with the administrator copies of the completed subdivision application form and preliminary plat data as required by this chapter.
			Findings	<i>The application has been reviewed and determined to be complete.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J	Application and Preliminary Plat Contents: The preliminary plat, together with all application forms, title insurance report, deeds, maps, and other documents reasonably required, shall constitute a complete subdivision application. The preliminary plat shall be drawn to a scale of not less than one inch equals one

				hundred feet (1" = 100') and shall show the following:
			Findings	<i>All required materials for the Preliminary Plat application have been submitted.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.I.1	The scale, north point and date.
			Findings	<i>This standard has been met. The preliminary plat contains a scale, north point, and date.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.2	The name of the proposed subdivision.
			Findings	<i>This standard has been met. The name of the proposed subdivision is Bavarian Village Townhomes.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.3	The name and address of the owner of record, the subdivider, and the engineer, surveyor, or other person preparing the plat.
			Findings	<i>This information has been provided on the application form and indicated on the Preliminary Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.4	Legal description of the area platted.
			Findings	<i>This standard has been met. The legal description of the area platted is Lot 2 of Bavarian Village Subdivision.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.5	The names and the intersecting boundary lines of adjoining subdivisions and parcels of property.
			Findings	<i>This standard has been met. The neighboring lots within Bavarian Village Subdivision as well as the Smokey Lane Condominiums are indicated on the preliminary plat.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.6	A contour map of the subdivision with contour lines and a maximum interval of two feet (2') to show the configuration of the land based upon the United States geodetic survey data, or other data approved by the city engineer.
			Findings	<i>This standard is not applicable to the subdivision of an existing lot into two townhouse sublots.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.7	The scaled location of existing buildings, water bodies and courses and location of the adjoining or immediately adjacent dedicated streets, roadways and easements, public and private.
			Findings	<i>The location of neighboring buildings within Smokey Lane Condominiums is indicated on the plat. The neighboring lots within Bavarian Village Subdivision are indicated on the plat. Rember Street is labeled on the preliminary plat. As noted in the City Engineer's comment (Exhibit C), the required utility easements must be indicated on the final plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.8	Boundary description and the area of the tract.
			Findings	<i>This boundary description and the area of the tract are noted on the Preliminary Plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.9	Existing zoning of the tract.
			Findings	<i>The property is within the GR-H Zoning District. Plat note #5 references the zoning district.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.10	The proposed location of street rights of way, lots, and lot lines, easements, including all approximate dimensions, and including all proposed lot and block numbering and proposed street names.
			Findings	<i>This standard has been met. No new streets are proposed. The subplot lines and dimensions are indicated on the preliminary plat.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.11	The location, approximate size and proposed use of all land intended to be dedicated for public use or for common use of all future property owners within the proposed subdivision.
			Findings	<i>No land for common or public use is required or proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.12	The location, size and type of sanitary and storm sewers, water mains, culverts and other surface or subsurface structures existing within or immediately adjacent to the proposed sanitary or storm sewers, water mains, and storage

				facilities, street improvements, street lighting, curbs, and gutters and all proposed utilities.
			Findings	<i>The plat indicates the proposed locations of all utilities service the townhome development. No street infrastructure improvements are proposed with this project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.13	The direction of drainage, flow and approximate grade of all streets.
			Findings	<i>N/a as no new streets are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.14	The location of all drainage canals and structures, the proposed method of disposing of runoff water, and the location and size of all drainage easements, whether they are located within or outside of the proposed plat.
			Findings	<i>Civil drawings for the drainage improvements were reviewed and approved with the Building Permit application.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.15	Vicinity map drawn to approximate scale showing the location of the proposed subdivision in reference to existing and/or proposed arterials and collector streets.
			Findings	<i>This application subdivides a platted lot into two townhouse sublots. The original subdivision's plat serves as the vicinity map.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.16	The boundaries of the floodplain, floodway and avalanche overlay district shall also be clearly delineated and marked on the preliminary plat or a note provided if the entire project is in the floodplain, floodway or avalanche overlay district.
			Findings	<i>N/A. The property is not currently mapped to be in the floodplain/floodway. The property is not within the avalanche overlay.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.17	Building envelopes shall be shown on each lot, all or part of which is within a floodway, floodplain, or avalanche zone; or any lot that is adjacent to the Big Wood River, Trail Creek, or Warm Springs Creek; or any lot, a portion of which has a slope of twenty five percent (25%) or greater; or upon any lot which will be created adjacent to the intersection of two (2) or more streets.
			Findings	<i>N/A . The property is not located within the floodway, floodplain, or avalanche zone. The property doesn't lie adjacent to a river or creek. The lot doesn't contain slopes of 25% or greater. The subject property is not a corner lot.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.18	Lot area of each lot.
			Findings	<i>The existing and proposed size of each lot is indicated.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.19	Existing mature trees and established shrub masses.
			Findings	<i>The townhome development is currently under construction. The landscape plan was approved through Design Review and the Building Permit processes.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.20	To be provided to Administrator: Subdivision names shall not be the same or confused with the name of any other subdivision in Blaine County, Idaho and shall be approved by the Blaine County Assessor.
			Findings	<i>The Bavarian Village Townhomes is unique and is not the same as another townhouse subdivision in Blaine County.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.030.J.21	All percolation tests and/or exploratory pit excavations required by state health authorities.
			Findings	<i>N/A. Both lots contain existing development that is connected to municipal services.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.22	A copy of the provisions of the articles of incorporation and bylaws of homeowners' association and/or condominium declarations to be filed with the final plat of the subdivision.
			Findings	<i>The subject parcels are within an existing subdivision. The applicant submitted a draft Townhouse Subdivision with the application. This declaration shall be filed</i>

				<i>with the final plat application.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.23	A current title report shall be provided at the time that the preliminary plat is filed with the administrator, together with a copy of the owner's recorded deed to such property.
			Findings	<i>This standard has been met. The applicant has submitted a Lot Book Guarantee and the Last Deed of Record.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.030.J.24	A digital copy of the preliminary plat shall be filed with the administrator.
			Findings	<i>This standard has been met. The digital copy of the preliminary plat is attached as Exhibit B.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.A	Required Improvements: The improvements set forth in this section shall be shown on the preliminary plat and installed prior to approval of the final plat. Construction design plans shall be submitted and approved by the city engineer. All such improvements shall be in accordance with the comprehensive plan and constructed in compliance with construction standard specifications adopted by the city. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			Findings	<i>N/A. No existing natural features, like mature trees, watercourses, rock outcroppings, established shrub masses, or historic area, were present on Lot 2 of Bavarian Village to preserve. The landscape plan approved with the Design Review and Building Permit applications will enhance the attractiveness of the proposed subdivision.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.B	Improvement Plans: Prior to approval of final plat by the commission, the subdivider shall file two (2) copies with the city engineer, and the city engineer shall approve construction plans for all improvements required in the proposed subdivision. Such plans shall be prepared by a civil engineer licensed in the state.
			Findings	<i>The City Engineer reviewed and approved the civil drawings submitted with Building Permit 19-091.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.C	Prior to final plat approval, the subdivider shall have previously constructed all required improvements and secured a certificate of completion from the city engineer. However, in cases where the required improvements cannot be constructed due to weather conditions or other factors beyond the control of the subdivider, the city council may accept, in lieu of any or all of the required improvements, a performance bond filed with the city clerk to ensure actual construction of the required improvements as submitted and approved. Such performance bond shall be issued in an amount not less than one hundred fifty percent (150%) of the estimated costs of improvements as determined by the city engineer. In the event the improvements are not constructed within the time allowed by the city council (which shall be one year or less, depending upon the individual circumstances), the council may order the improvements installed at the expense of the subdivider and the surety. In the event the cost of installing the required improvements exceeds the amount of the bond, the subdivider shall be liable to the city for additional costs. The amount that the cost of installing the required improvements exceeds the amount of the performance bond shall automatically become a lien upon any and all property within the subdivision owned by the owner and/or subdivider.
			Findings	<i>Inspection of the required improvements will be conducted prior to issuance of a Certificate of Occupancy for the townhome development prior to final plat approval.</i>

☒	☐	☐	16.04.040.D	<p>As Built Drawing: Prior to acceptance by the city council of any improvements installed by the subdivider, two (2) sets of as built plans and specifications, certified by the subdivider's engineer, shall be filed with the city engineer. Within ten (10) days after completion of improvements and submission of as built drawings, the city engineer shall certify the completion of the improvements and the acceptance of the improvements, and shall submit a copy of such certification to the administrator and the subdivider. If a performance bond has been filed, the administrator shall forward a copy of the certification to the city clerk. Thereafter, the city clerk shall release the performance bond upon application by the subdivider.</p>
			Findings	<p><i>The City Engineer shall inspect the required improvements prior to issuance of a Certificate of Occupancy for the project. As indicated within the City Engineer's comments attached as Exhibit C< the proposed water and sewer service location has been modified from the approved Building Permit drawings. The water and sewer line locations will need to be updated to reflect what was constructed in the field.</i></p>
☒	☐	☐	16.04.040.E	<p>Monumentation: Following completion of construction of the required improvements and prior to certification of completion by the city engineer, certain land survey monuments shall be reset or verified by the subdivider's engineer or surveyor to still be in place. These monuments shall have the size, shape, and type of material as shown on the subdivision plat. The monuments shall be located as follows:</p> <ol style="list-style-type: none"> 1. All angle points in the exterior boundary of the plat. 2. All street intersections, points within and adjacent to the final plat. 3. All street corner lines ending at boundary line of final plat. 4. All angle points and points of curves on all streets. 5. The point of beginning of the subdivision plat description.
			Findings	<p><i>The applicant shall meet the required monumentation standards prior to recordation of the final plat.</i></p>
☒	☐	☐	16.04.040.F	<p>Lot Requirements:</p> <ol style="list-style-type: none"> 1. Lot size, width, depth, shape and orientation and minimum building setback lines shall be in compliance with the zoning district in which the property is located and compatible with the location of the subdivision and the type of development, and preserve solar access to adjacent properties and buildings. 2. Whenever a proposed subdivision contains lot(s), in whole or in part, within the floodplain, or which contains land with a slope in excess of twenty five percent (25%), based upon natural contours, or creates corner lots at the intersection of two (2) or more streets, building envelopes shall be shown for the lot(s) so affected on the preliminary and final plats. The building envelopes shall be located in a manner designed to promote harmonious development of structures, minimize congestion of structures, and provide open space and solar access for each lot and structure. Also, building envelopes shall be located to promote access to the lots and maintenance of public utilities, to minimize cut and fill for roads and building foundations, and minimize adverse impact upon environment, watercourses and topographical features. Structures may only be built on buildable lots. Lots shall only be created that meet the definition of "lot, buildable" in section 16.04.020 of this chapter. Building envelopes shall be established outside of hillsides of twenty five percent (25%) and greater and outside of the floodway. A waiver to this standard may only be considered for the following: a. For lot line shifts of parcels that are entirely within slopes of twenty five percent (25%) or greater to create a reasonable building envelope, and mountain overlay design review standards and all other city requirements are met. b. For small, isolated pockets of twenty five percent (25%) or

				<p>greater that are found to be in compliance with the purposes and standards of the mountain overlay district and this section.</p> <p>3. Corner lots outside of the original Ketchum Townsite shall have a property line curve or corner of a minimum radius of twenty five feet (25') unless a longer radius is required to serve an existing or future use.</p> <p>4. Side lot lines shall be within twenty degrees (20°) to a right angle or radial line to the street line.</p> <p>5. Double frontage lots shall not be created. A planting strip shall be provided along the boundary line of lots adjacent to arterial streets or incompatible zoning districts.</p> <p>6. Every lot in a subdivision shall have a minimum of twenty feet (20') of frontage on a dedicated public street or legal access via an easement of twenty feet (20') or greater in width. Easement shall be recorded in the office of the Blaine County recorder prior to or in conjunction with recordation of the final plat..</p>
			Findings	<p><i>Standards 4, 5, and 6 have been met.</i></p> <p><i>Standards 2 and 3 are not applicable.</i></p> <p><i>Standard 1 has been met. Existing Lot 2 of Bavarian Village Subdivision has a lot width of 68 feet, which is nonconforming to the 80-foot average lot width required in the GR-H Zone. The townhouse subplot subdivision does not increase the degree of nonconformity. The size, shape, and orientation meet the standards required in the GR-H Zone.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.G	<p>G. Block Requirements: The length, width and shape of blocks within a proposed subdivision shall conform to the following requirements:</p> <ol style="list-style-type: none"> 1. No block shall be longer than one thousand two hundred feet (1,200'), nor less than four hundred feet (400') between the street intersections, and shall have sufficient depth to provide for two (2) tiers of lots. 2. Blocks shall be laid out in such a manner as to comply with the lot requirements. 3. The layout of blocks shall take into consideration the natural topography of the land to promote access within the subdivision and minimize cuts and fills for roads and minimize adverse impact on environment, watercourses and topographical features. 4. Except in the original Ketchum Townsite, corner lots shall contain a building envelope outside of a seventy five foot (75') radius from the intersection of the streets.
			Findings	<i>N/A. Lot 2 is within the existing Bavarian Village Subdivision. No new blocks are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.1	<p>H. Street Improvement Requirements:</p> <ol style="list-style-type: none"> 1. The arrangement, character, extent, width, grade and location of all streets put in the proposed subdivision shall conform to the comprehensive plan and shall be considered in their relation to existing and planned streets, topography, public convenience and safety, and the proposed uses of the land;
			Findings	<i>N/A, the subject properties are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.2	<p>2. All streets shall be constructed to meet or exceed the criteria and standards set forth in chapter 12.04 of this code, and all other applicable ordinances, resolutions or regulations of the city or any other governmental entity having jurisdiction, now existing or adopted, amended or codified;</p>
			Findings	<i>This proposal does not create a new street. These standards are no applicable.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.3	3. Where a subdivision abuts or contains an existing or proposed arterial street, railroad or limited access highway right of way, the council may require a frontage street, planting strip, or similar design features;
			Findings	<i>N/A. Lot 2 is within an existing subdivision. No street frontage improvements like planting strips are required.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.4	4. Streets may be required to provide access to adjoining lands and provide proper traffic circulation through existing or future neighborhoods;
			Findings	<i>This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.5	5. Street grades shall not be less than three-tenths percent (0.3%) and not more than seven percent (7%) so as to provide safe movement of traffic and emergency vehicles in all weather and to provide for adequate drainage and snow plowing;
			Findings	<i>This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.6	6. In general, partial dedications shall not be permitted, however, the council may accept a partial street dedication when such a street forms a boundary of the proposed subdivision and is deemed necessary for the orderly development of the neighborhood, and provided the council finds it practical to require the dedication of the remainder of the right of way when the adjoining property is subdivided. When a partial street exists adjoining the proposed subdivision, the remainder of the right of way shall be dedicated;
			Findings	<i>N/A. This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.7	7. Dead end streets may be permitted only when such street terminates at the boundary of a subdivision and is necessary for the development of the subdivision or the future development of the adjacent property. When such a dead end street serves more than two (2) lots, a temporary turnaround easement shall be provided, which easement shall revert to the adjacent lots when the street is extended;
			Findings	<i>N/A. This proposal does not create a new street. These standards are no applicable.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.8	8. A cul-de-sac, court or similar type street shall be permitted only when necessary to the development of the subdivision, and provided, that no such street shall have a maximum length greater than four hundred feet (400') from entrance to center of turnaround, and all cul-de-sacs shall have a minimum turnaround radius of sixty feet (60') at the property line and not less than forty five feet (45') at the curb line;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.9	9. Streets shall be planned to intersect as nearly as possible at right angles, but in no event at less than seventy degrees (70°);
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.10	10. Where any street deflects an angle of ten degrees (10°) or more, a connecting curve shall be required having a minimum centerline radius of three hundred feet (300') for arterial and collector streets, and one hundred twenty five feet (125') for minor streets;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.11	11. Streets with centerline offsets of less than one hundred twenty five feet (125') shall be prohibited;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.12	12. A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.13	13. Proposed streets which are a continuation of an existing street shall be given the same names as the existing street. All new street names shall not duplicate or be confused with the names of existing streets within Blaine County, Idaho. The subdivider shall obtain approval of all street names within the proposed subdivision from the County Assessor's office before submitting same to council for preliminary plat approval;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.14	14. Street alignment design shall follow natural terrain contours to result in safe streets, usable lots, and minimum cuts and fills;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.15	15. Street patterns of residential areas shall be designed to create areas free of through traffic, but readily accessible to adjacent collector and arterial streets;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.16	16. Reserve planting strips controlling access to public streets shall be permitted under conditions specified and shown on the final plat, and all landscaping and irrigation systems shall be installed as required improvements by the subdivider;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.17	17. In general, the centerline of a street shall coincide with the centerline of the street right of way, and all crosswalk markings shall be installed by the subdivider as a required improvement;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.18	18. Street lighting shall be required consistent with adopted city standards and where designated shall be installed by the subdivider as a requirement improvement;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.19	19. Private streets may be allowed upon recommendation by the commission and approval by the Council. Private streets shall be constructed to meet the design standards specified in subsection H2 of this section and chapter 12.04 of this code;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.20	20. Street signs shall be installed by the subdivider as a required improvement of a type and design approved by the Administrator and shall be consistent with the type and design of existing street signs elsewhere in the City;
			Findings	<i>N/A. The townhouse sublots are within an existing subdivision. No new streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.21	21. Whenever a proposed subdivision requires construction of a new bridge, or will create substantial additional traffic which will require construction of a new bridge or improvement of an existing bridge, such construction or improvement

				shall be a required improvement by the subdivider. Such construction or improvement shall be in accordance with adopted standard specifications;
			Findings	<i>N/A. This proposal does not require construction of a new bridge or impact any existing bridges.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.22	22. Sidewalks, curbs and gutters shall be required consistent with adopted city standards and where designated shall be a required improvement installed by the subdivider;
			Findings	<i>N/A. The subject properties abut an existing developed street within a residential area. No sidewalks are required for the project.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.23	23. Gates are prohibited on private roads and parking access/entranceways, private driveways accessing more than one single-family dwelling unit and one accessory dwelling unit, and public rights-of-way unless approved by the City Council; and
			Findings	<i>N/A. No private road or gates are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.H.24	24. No new public or private streets or flag lots associated with a proposed subdivision (land, planned unit development, townhouse, condominium) are permitted to be developed on parcels within the Avalanche Zone
			Findings	<i>N/A. The townhouse sublots are not located within the Avalanche Zone and no new public or private streets or flag lots are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.I	I. Alley Improvement Requirements: Alleys shall be provided in, commercial and light industrial zoning districts. The width of an alley shall be not less than twenty feet (20'). Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall be provided to permit safe vehicular movement. Dead end alleys shall be permitted only within the original Ketchum Townsite and only after due consideration of the interests of the owners of property adjacent to the dead end alley including, but not limited to, the provision of fire protection, snow removal and trash collection services to such properties. Improvement of alleys shall be done by the subdivider as required improvement and in conformance with design standards specified in subsection H2 of this section.
			Findings	<i>N/A. The townhouse sublots are located in the GR-H Zone and do not abut an alley.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.J.1	J. Required Easements: Easements, as set forth in this subsection, shall be required for location of utilities and other public services, to provide adequate pedestrian circulation and access to public waterways and lands. 1. A public utility easement at least ten feet (10') in width shall be required within the street right-of-way boundaries of all private streets. A public utility easement at least five feet (5') in width shall be required within property boundaries adjacent to Warm Springs Road and within any other property boundary as determined by the City Engineer to be necessary for the provision of adequate public utilities.
			Findings	<i>As noted in the City Engineer's comments, the public utility easement must be indicated on the final plat. Pursuant to KMC §12.04.030.G, utilities shall be provided along front lot lines, rear lot lines, side lot lines, or other locations deemed necessary. The final plat must indicate the required 5-foot utility easement at the front lot line. As conditioned, the project shall comply with this standard.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.2	2. Where a subdivision contains or borders on a watercourse, drainageway, channel or stream, an easement shall be required of sufficient width to contain such watercourse and provide access for private maintenance and/or reconstruction of such watercourse.
			Findings	<i>N/A. The townhouse sublots do not border a waterway.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.3	3. All subdivisions which border the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a ten foot (10') fish and nature study easement along the riverbank. Furthermore, the Council shall require, in appropriate areas, an easement providing access through the subdivision to the bank as a sportsman's access. These easement requirements are minimum standards, and in appropriate cases where a subdivision abuts a portion of the river adjacent to an existing pedestrian easement, the Council may require an extension of that easement along the portion of the riverbank which runs through the proposed subdivision.
			Findings	<i>N/A. The townhouse sublots do not border a waterway.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.4	4. All subdivisions which border on the Big Wood River, Trail Creek and Warm Springs Creek shall dedicate a twenty five foot (25') scenic easement upon which no permanent structure shall be built in order to protect the natural vegetation and wildlife along the riverbank and to protect structures from damage or loss due to riverbank erosion.
			Findings	<i>N/A. The townhouse sublots do not border a waterway.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.5	5. No ditch, pipe or structure for irrigation water or irrigation wastewater shall be constructed, rerouted or changed in the course of planning for or constructing required improvements within a proposed subdivision unless same has first been approved in writing by the ditch company or property owner holding the water rights. A written copy of such approval shall be filed as part of required improvement construction plans.
			Findings	<i>N/A. No changes to ditches, pipes, or other irrigation structures are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.J.6	6. Nonvehicular transportation system easements including pedestrian walkways, bike paths, equestrian paths, and similar easements shall be dedicated by the subdivider to provide an adequate nonvehicular transportation system throughout the City.
			Findings	<i>N/A. The townhouse sublots are within the existing, platted Bavarian Village Subdivision.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.K	K. Sanitary Sewage Disposal Improvements: Central sanitary sewer systems shall be installed in all subdivisions and connected to the Ketchum sewage treatment system as a required improvement by the subdivider. Construction plans and specifications for central sanitary sewer extension shall be prepared by the subdivider and approved by the City Engineer, Council and Idaho Health Department prior to final plat approval. In the event that the sanitary sewage system of a subdivision cannot connect to the existing public sewage system, alternative provisions for sewage disposal in accordance with the requirements of the Idaho Department of Health and the Council may be constructed on a temporary basis until such time as connection to the public sewage system is possible. In considering such alternative provisions, the Council may require an increase in the minimum lot size and may impose any other reasonable requirements which it deems necessary to protect public health, safety and welfare.
			Findings	<i>N/A. The townhouse sublots are within the existing, platted Bavarian Village Subdivision., which contains all necessary infrastructure.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.L	L. Water System Improvements: A central domestic water distribution system shall be installed in all subdivisions by the subdivider as a required improvement. The subdivider shall also be required to locate and install an adequate number of fire hydrants within the proposed subdivision according to specifications and requirements of the City under the supervision of the Ketchum Fire Department and other regulatory agencies having jurisdiction. Furthermore, the central

				<p>water system shall have sufficient flow for domestic use and adequate fire flow. All such water systems installed shall be looped extensions, and no dead end systems shall be permitted. All water systems shall be connected to the Municipal water system and shall meet the standards of the following agencies: Idaho Department of Public Health, Idaho Survey and Rating Bureau, District Sanitarian, Idaho State Public Utilities Commission, Idaho Department of Reclamation, and all requirements of the City.</p>
			Findings	<i>N/A. The townhouse sublots are within the existing, platted Bavarian Village Subdivision, which contains all necessary infrastructure.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.M	<p>M. Planting Strip Improvements: Planting strips shall be required improvements. When a predominantly residential subdivision is proposed for land adjoining incompatible uses or features such as highways, railroads, commercial or light industrial districts or off street parking areas, the subdivider shall provide planting strips to screen the view of such incompatible features. The subdivider shall submit a landscaping plan for such planting strip with the preliminary plat application, and the landscaping shall be a required improvement.</p>
			Findings	<i>N/A. The townhouse sublots are within the existing, platted Bavarian Village Subdivision. The subdivision has adequate plantings where necessary.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N.1	<p>N. Cuts, Fills, And Grading Improvements: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts, fills, alterations of topography, streams, drainage channels, and disruption of soils and vegetation. The design criteria shall include the following:</p> <p>1. A preliminary soil report prepared by a qualified engineer may be required by the commission and/or Council as part of the preliminary plat application.</p>
			Findings	<i>A preliminary soils report was reviewed and approved with Design Review 17-065.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N.2	<p>2. Preliminary grading plan prepared by a civil engineer shall be submitted as part of all preliminary plat applications. Such plan shall contain the following information:</p> <p>a. Proposed contours at a maximum of five foot (5') contour intervals. b. Cut and fill banks in pad elevations. c. Drainage patterns. d. Areas where trees and/or natural vegetation will be preserved. e. Location of all street and utility improvements including driveways to building envelopes. f. Any other information which may reasonably be required by the Administrator, commission or Council to adequately review the affect of the proposed improvements.</p>
			Findings	<i>Site grading was approved with Building Permit 19-091.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N.3	<p>3. Grading shall be designed to blend with natural landforms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</p>
			Findings	<i>The site grading plan was reviewed and approved by City Departments with Building Permit 19-091.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N.4	<p>4. Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for open space for the benefit of future property owners within the subdivision.</p>

			Findings	<i>N/A. Lot of Bavarian Village is appropriate for the construction of the two townhome units.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.N.5	5. Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the subdivider for revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction. Until such times as such revegetation has been installed and established, the subdivider shall maintain and protect all disturbed surfaces from erosion.
			Findings	<i>Landscaping will be installed pursuant to the landscape plan approved with the Design Review and Building Permit applications.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.N.6	6. Where cuts, fills, or other excavations are necessary, the following development standards shall apply: a. Fill areas shall be prepared by removing all organic material detrimental to proper compaction for soil stability. b. Fills shall be compacted to at least ninety five percent (95%) of maximum density as determined by AASHO T99 (American Association of State Highway Officials) and ASTM D698 (American Standard Testing Methods). c. Cut slopes shall be no steeper than two horizontal to one vertical (2:1). Subsurface drainage shall be provided as necessary for stability. d. Fill slopes shall be no steeper than three horizontal to one vertical (3:1). Neither cut nor fill slopes shall be located on natural slopes of three to one (3:1) or steeper, or where fill slope toes out within twelve feet (12') horizontally of the top and existing or planned cut slope. e. Toes of cut and fill slopes shall be set back from property boundaries a distance of three feet (3'), plus one-fifth (1/5) of the height of the cut or the fill, but may not exceed a horizontal distance of ten feet (10'); tops and toes of cut and fill slopes shall be set back from structures at a distance of at least six feet (6'), plus one-fifth (1/5) of the height of the cut or the fill. Additional setback distances shall be provided as necessary to accommodate drainage features and drainage structures.
			Findings	<i>N/A no significant cuts, fills, or excavation were required for the townhome development.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.0	O. Drainage Improvements: The subdivider shall submit with the preliminary plat application such maps, profiles, and other data prepared by an engineer to indicate the proper drainage of the surface water to natural drainage courses or storm drains, existing or proposed. The location and width of the natural drainage courses shall be shown as an easement common to all owners within the subdivision and the City on the preliminary and final plat. All natural drainage courses shall be left undisturbed or be improved in a manner that will increase the operating efficiency of the channel without overloading its capacity. An adequate storm and surface drainage system shall be a required improvement in all subdivisions and shall be installed by the subdivider. Culverts shall be required where all water or drainage courses intersect with streets, driveways or improved public easements and shall extend across and under the entire improved width including shoulders.
			Findings	<i>No natural drainage courses are proposed to be disturbed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.040.P	P. Utilities: In addition to the terms mentioned in this section, all utilities including, but not limited to, electricity, natural gas, telephone and cable services shall be installed underground as a required improvement by the subdivider. Adequate provision for expansion of such services within the subdivision or to adjacent lands including installation of conduit pipe across and underneath streets shall be installed by the subdivider prior to construction of street improvements.

			Findings	<i>All utilities, including electricity, natural gas, telephone, and cable services, shall be installed underground.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.Q	Q. Off Site Improvements: Where the off site impact of a proposed subdivision is found by the commission or Council to create substantial additional traffic, improvements to alleviate that impact may be required of the subdivider prior to final plat approval, including, but not limited to, bridges, intersections, roads, traffic control devices, water mains and facilities, and sewer mains and facilities.
			Findings	<i>N/A. The townhouse subdivision does not trigger off-site improvements.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.R	R. Avalanche And Mountain Overlay: All improvements and plats (land, planned unit development, townhouse, condominium) created pursuant to this chapter shall comply with City of Ketchum Avalanche Zone District and Mountain Overlay Zoning District requirements as set forth in Title 17 of this Code.
			Findings	<i>N/A. The townhouse sublots are not located in the Avalanche or Mountain overlay zoning districts.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.040.S	S. Existing natural features which enhance the attractiveness of the subdivision and community, such as mature trees, watercourses, rock outcroppings, established shrub masses and historic areas, shall be preserved through design of the subdivision.
			Findings	<i>N/A. No existing natural features, like mature trees, watercourses, rock outcroppings, established shrub masses, or historic area, were present on Lot 2 of Bavarian Village to preserve. The landscape plan approved with the Design Review and Building Permit applications will enhance the attractiveness of the proposed subdivision.</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 subdivision ordinance, Title 16.
4. The Commission has authority to review and recommend approval of the applicant’s Preliminary Plat Application pursuant to Chapter 16.04 of Ketchum Code Title 16.
5. The project **does** meet the standards of approval under Chapter 16.04 of Subdivision Code Title 16.

DECISION

THEREFORE, the Ketchum Planning and Zoning Commission **recommends approval** of this Preliminary Plat application this Monday, June 8th, 2020 subject to the following conditions

CONDITIONS OF APPROVAL

1. All governing ordinances, requirements, and regulations of the Fire Department (2012 International Fire Code and local Fire Protection Ordinance No.1125), Building Department (2012 International Building Code, the 2012 International Residential Code, and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer shall be met prior to Certificate of Occupancy. The project shall meet all requirements of the Fire, Utility, Building, Streets/City Engineer, and Planning requirements as specified in Table 1.
2. The project shall comply with all City Engineer comments dated June 1, 2020 and attached as Exhibit C.
3. This preliminary plat approval is subject to Building Permit 19-091 and Design Review approvals 17-065, 18-042, and 19-091. All conditions of approval shall apply.

4. 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.
5. 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"; and,
 - d. 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. The Townhouse Declaration shall be simultaneously recorded with the Final Plat. The developer shall submit a final copy of the document to the Planning & Building Department and file such document prior to recordation of the final plat. The City will not now, nor in the future, determine the validity of the Townhouse Declaration.
8. Failure to record a Final Plat within two (2) years of Council's approval of a Preliminary Plat shall cause the Preliminary Plat to be null and void.

Findings of Fact **adopted** this 8th day of June 2020.

Neil Morrow, Chair
City of Ketchum
Planning and Zoning Commission



**City of Ketchum
Planning & Building**

**STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF JUNE 8th, 2020**

PROJECT: 4th & Main St (Hot Dog Hill) Mixed-Use Building

FILE NUMBER: P 20-002

APPLICATION TYPE: Pre-Application Design Review

ARCHITECT: Peter Paulos, PH Architects

DEVELOPER: Chris Ensign, Solstice Homes Development

PROPERTY OWNER: 400 North Main LLC & Formula Investment LLC (Blaine County Assessor's Office Database)

REQUEST: Pre-Application Design Review for the development of a new four-story, 47.5-foot tall, 59,130-square-foot mixed-use building

LOCATION: West Half of Block 5 adjacent to Main Street between 4th & 5th Streets (Ketchum Townsite: Block 5: Lots 1, 2, 3, & 4)

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

REVIEWER: Abby Rivin, Associate Planner

BACKGROUND

The 4th & Main Street (Hot Dog Hill) project proposes to develop a new four-story, 47.5-foot tall, 59,130-square-foot mixed-use building on four lots along Main Street between 4th and 5th streets. The Planning & Zoning Commission has previously considered this Pre-Application Design Review twice this year during their meetings on January 10th and March 9th. The Commission identified design issues, offered constructive advice, and highlighted opportunities for the developer to improve the project. The Commission moved to continue review of the Pre-Application and directed the applicant to update the project plans based on their feedback.

COMMISSION FEEDBACK

The Commission expressed concerns about the project's compatibility with Ketchum's small-town, mountain community and vibrant downtown. Their recommendations focused on the building's design and scale in relation to the surrounding local context and Main Street's pedestrian-oriented streetscape. The Commission directed the applicant to: (1) incorporate scaling devices, including

vertical elements and varying roof heights, to break up the building’s bulk and mass, (2) enhance the façade design through undulation and material differentiation , and (3) create an activated, pedestrian-friendly, and human-scale environment along Main Street.

APPLICANT’S PROJECT PLAN UPDATES

The applicant has submitted four additional renderings of the building from different perspectives as well as a drone fly-over video illustrating the building’s relationship to the surrounding downtown neighborhood. The undulation of the front façade is more pronounced through projections and recessions of building mass along Main Street. The applicant has attempted to mitigate the design’s repetitiveness and monotony through slight adjustments to the application of exterior materials.

STAFF RECOMMENDATION

Staff recommends the Commission provide feedback to the applicant and move to continue review of the Pre-Application. The applicant’s proposed design updates (Exhibit A) are insufficient and fail to meaningfully incorporate changes that address the Commission’s recommendations.

ANALYSIS

Local Context: Ketchum’s Vibrant Downtown

No one architectural style defines Ketchum. Our town has grown incrementally through time with an eclectic mix of diverse building types. Blocks in downtown Ketchum are historically platted into 55-foot wide lot increments. These platted façade increments along a block create an urban pattern with an authentic rhythm.



Figure 1: Ketchum Main Street



Figure 2: Lane Mercantile Building (Source: The Community Library Regional History Department)

Main Street’s built environment combines repurposed historic buildings, like the Lane Mercantile built in 1887, with more modern development, like the Argyros Theater, to form a textured urban fabric with western mountain charm. The variation of building types and façade identities create unique urban spatial experiences that visually engage pedestrians and activate the streetscape.

Proposed Mid-Rise, Mixed-Use Building

The project plans maximize the size of the building to the greatest extent permitted by Ketchum’s Zoning Regulations. The 59,130-square-foot mixed-use building has a total Floor Area Ratio of 2.23. The building reaches 47.5-feet in height from Main Street to the fourth-floor roof. Covering the length of the entire block, the building’s front façade will span 210 feet along Main Street.



Figure 3: Perspective Rendering, Sheet A5.0 of Project Plans

Design Review Maintains Ketchum’s Authenticity & Mountain-Town Character

Design Review helps our community achieve a more sustainable, vibrant, connected, and beautiful Ketchum. The 4th & Main Street (Hot Dog Hill) project needs design changes to harmonize with the local context of Ketchum, complement the design character of the built environment, and blend with the prevailing scale of downtown development.

The proposed mid-rise is significantly larger than the surrounding built environment. The applicant’s drone fly-over video highlights the mixed-use building’s imposing and dominating appearance within downtown Ketchum. More meaningful scaling devices need to be integrated into the project plans to break up the building’s bulk and mass.

DESIGN REVIEW STANDARDS (Ketchum Municipal Code §17.96.060)

Architectural

Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness (Ketchum Municipal Code §17.96.060.F5).

The building character shall be clearly defined by use of architectural features (Ketchum Municipal Code §17.96.060.F2).

Compatibility of Design

The project’s materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures (Ketchum Municipal Code §17.96.060.E1).

The façade design exacerbates the project’s size. The projections and recessions of building mass along Main Street repeat the same monotonous pattern. The applicant has updated the project plans to increase the undulation of building mass along Main Street. This treatment fails to meaningfully provide visual relief because the same wall surface design repeats horizontally across the front façade along Main Street. These undulation treatments that shift the building’s depth must be combined with changes in the façade’s exterior material or design character to alleviate this repetitive wall pattern.

4th and Main (Hot Dog Hill) Mixed-Use Building

Pre-Application Design Review

Planning & Zoning Commission Meeting of June 8th, 2020

City of Ketchum Planning & Building Department

The front façade’s uniform design creates a monotonous environment across the entire block along Main Street. The building’s bulk coupled with its uninterrupted façade design creates an unwelcoming and uninteresting experience for the community. The mixed-use building needs scaling devices and design treatments that define and activate the public realm and enhance the pedestrian experience.

Downtown Ketchum is the soul of our small-town, mountain community. Downtown is Ketchum’s vibrant and walkable commercial area and the social center for gatherings with neighbors and visitors. Downtown bring us together to make us a connected community. How will this building enhance the character of downtown Ketchum and contribute to our mountain community?

“We create our buildings and then they create us. Likewise, we construct our circle of friends and our communities and then they construct us.” –Frank Lloyd Wright

“We understand that Ketchum is as much a state of mind as it is a place.”

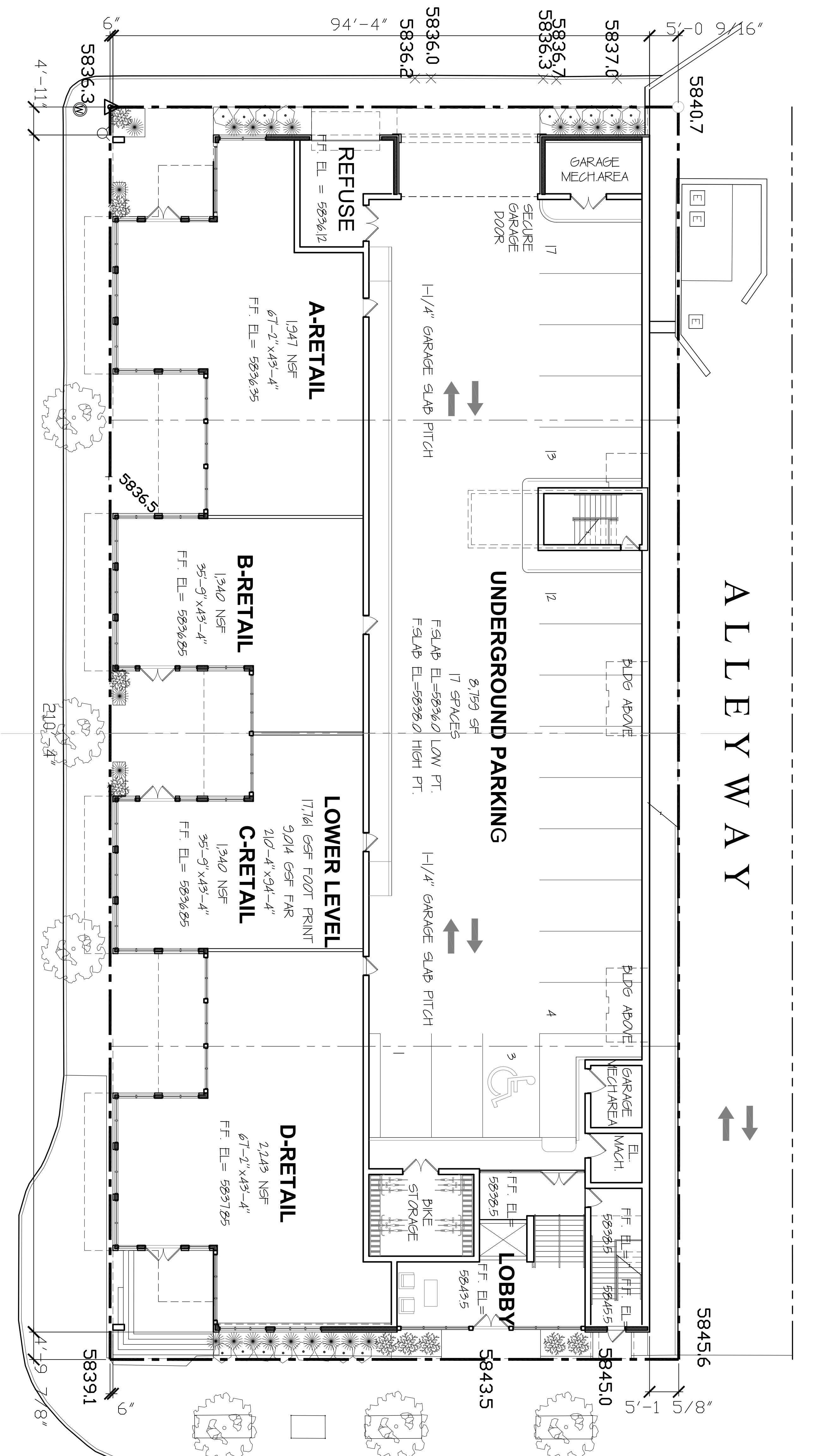
-2006 Downtown Ketchum Master Plan Vision Statement

EXHIBITS:

- A. Pre-Application Design Review Submittal & Project Plan Updates
- B. Staff Report: Planning & Zoning Commission Meeting of March 9th, 2020

Exhibit A:
Pre-Application Design Review
Submittal
&
Project Plan Updates

EAST FIFTH STREET



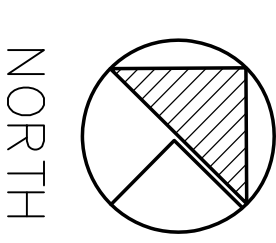
EAST FOURTH STREET

FIRST FLOOR PLAN
SCALE: 3/32"=1'-0"

NORTH MAIN STREET

SUMMARY

GENERAL BUILDING INFORMATION		FLOOR	GROSS SQUARE FOOTAGE PER AREA	GROSS SQUARE FOOTAGE PER PK	UNITS/ PERSON COUNT	REMARKS
OCCUPANCY CLASS		MAIN LEVEL	6256 SQ FT / INTERPRETIVE PARKING	6256 SQ FT	N/A	LOT SIZE: 1200 SQ FT
CONFORMANCE		SECOND LEVEL	600 SQ FT / (RESOLUTION, ELEVATOR, WALKWAY, RAMP, AND STAIRS)	600 SQ FT	0-1 PERSON UNITS (COMMITTY UNITS)	MINIMUM 100 SQ FT PER UNIT
BUILDING CONSTRUCTION		THIRD LEVEL	1948 SQ FT / (ALONE (COMMITTY UNITS))	1948 SQ FT	0-1 PERSON UNITS (COMMITTY UNITS)	MINIMUM 100 SQ FT PER UNIT
PROPOSED WOOD CONSTRUCTION (TYPE V00)		FOURTH LEVEL	570 SQ FT / (ALONE (COMMITTY UNITS))	570 SQ FT	0-1 PERSON UNITS (COMMITTY UNITS)	MINIMUM 100 SQ FT PER UNIT
BUILDING VOLUME						5700 SQ FT / (TOTAL GROSS SQ FT)
MAX 172.9 SF PER FLOOR PLATE						5700 SQ FT / (TOTAL GROSS SQ FT)
PARKING COUNT		PERSON UNITS (COMMITTY UNITS)	PERSON UNITS (COMMITTY UNITS)	PERSON UNITS (COMMITTY UNITS)	PERSON UNITS (COMMITTY UNITS)	PERSON UNITS (COMMITTY UNITS)
1 PERSON UNITS (COMMITTY UNITS)		0-1 PERSON UNITS (COMMITTY UNITS)	0 PERSON UNITS (COMMITTY UNITS)	0 PERSON UNITS (COMMITTY UNITS)	0 PERSON UNITS (COMMITTY UNITS)	0 PERSON UNITS (COMMITTY UNITS)
0-1 PERSON UNITS (COMMITTY UNITS)		0 PERSON UNITS (COMMITTY UNITS)	0 PERSON UNITS (COMMITTY UNITS)	0 PERSON UNITS (COMMITTY UNITS)	0 PERSON UNITS (COMMITTY UNITS)	0 PERSON UNITS (COMMITTY UNITS)
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NORTH

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DO NOT SCALE THE DRAWINGS.

VERIFY ALL DIMENSIONS IN THE FIELD REPORT DISCREPANCIES.

MIXED USE DEVELOPMENT

4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
MILLCREEK UT 84117



A R C H I T E C T S

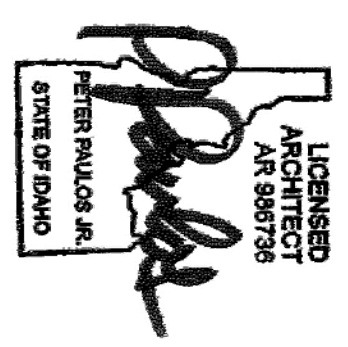
38 Taunton Hill Road
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203-426-0300 tel. 203-426-0303 fax
ph-archts.com



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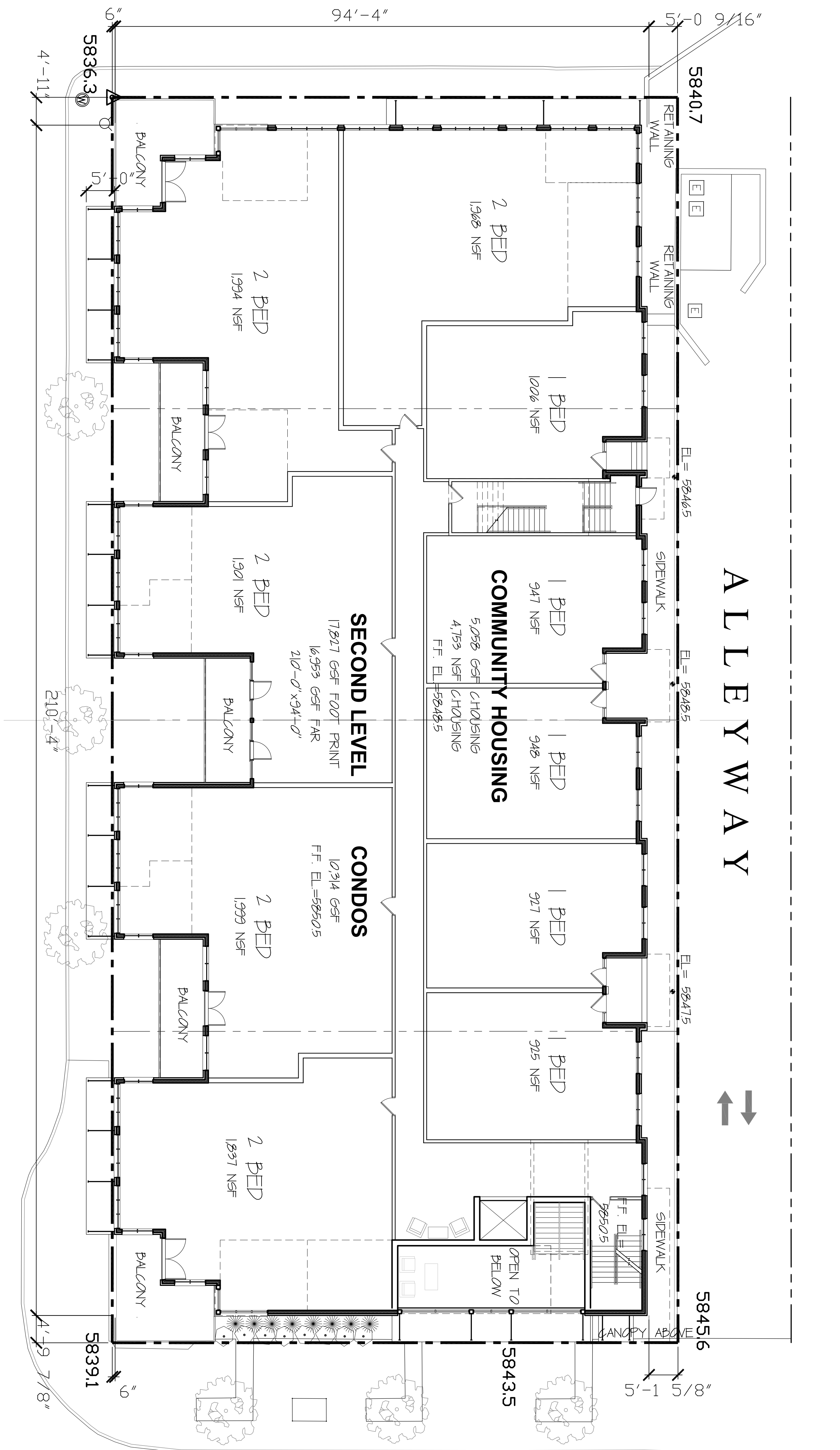


No.	Date	Issue
1	2020/01/05	ELEMENT REVISIONS
2	2020/04/19	ELEVATION REVISIONS
3	2020/05/12	GRADING CONSTRUCTION
4	2020/05/14	COMMISSION RESUBMISSION

FIRST FLOOR PLAN

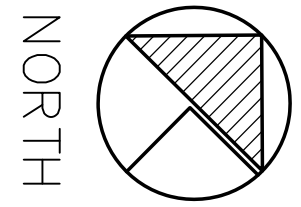
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Designer: SBZ
Sheet No.: A1.0

EAST FIFTH STREET



Ⓡ SECOND FLOOR PLAN
SCALE: 3/32"=1'-0"

EAST FOURTH STREET



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MIXED USE DEVELOPMENT

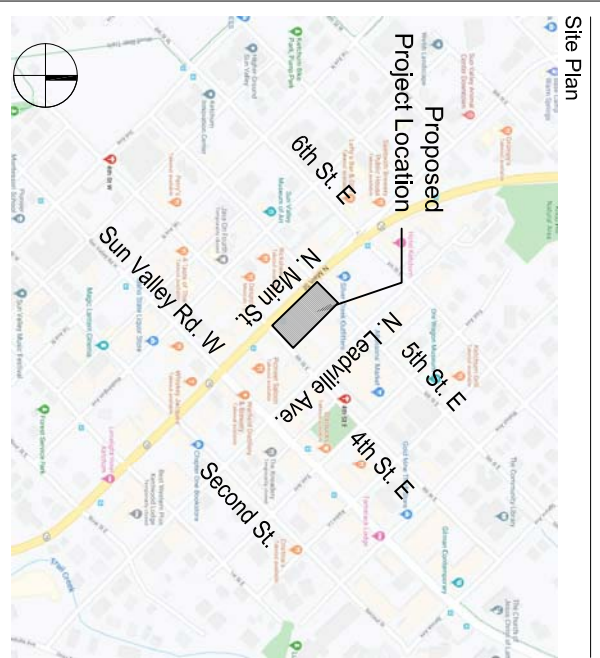
4TH & MAIN ST.
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Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
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ARCHITECTS

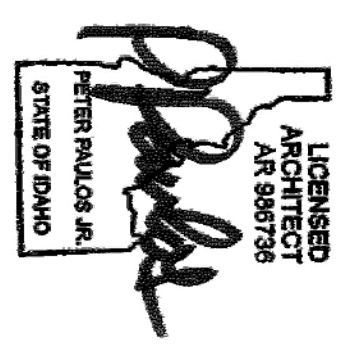
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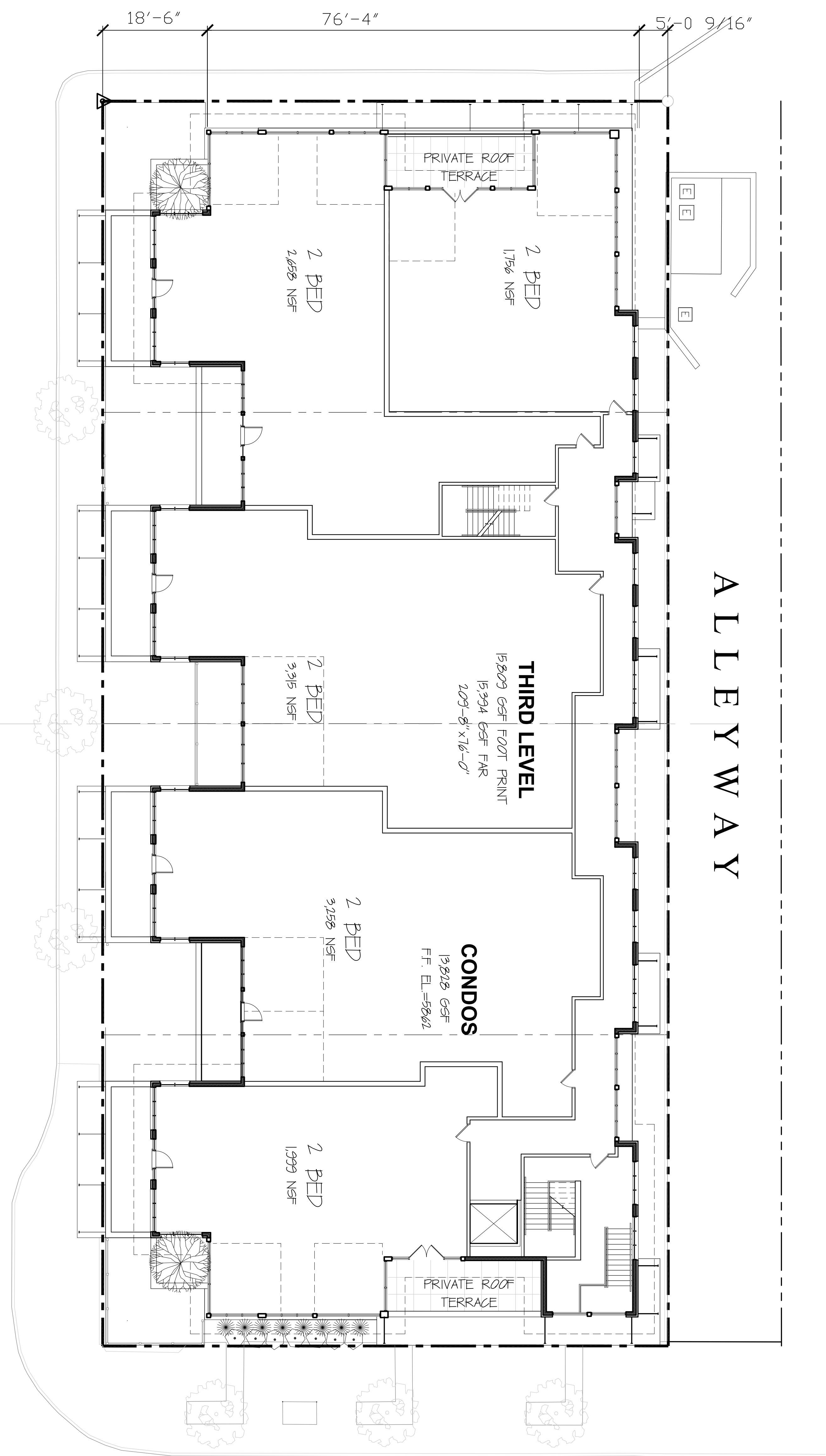
Revisions	No.	Date	Issue
	1	2020/01/05	CLIENT REVISIONS
	2	2020/04/19	ELEVATION REVISIONS
	3	2020/05/14	COMMISSION REAPPLICATION

SECOND FLOOR PLAN

Date: 2020/01/17
Scale: 3/32"=1'-0"
Sheet No.: SBZ

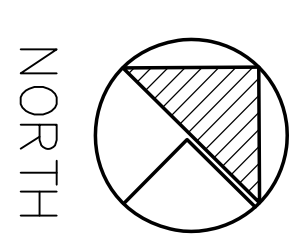
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EAST FIFTH STREET



① THIRD FLOOR PLAN
SCALE: 3/32"=1'-0"

EAST FOURTH STREET



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MIXED USE DEVELOPMENT

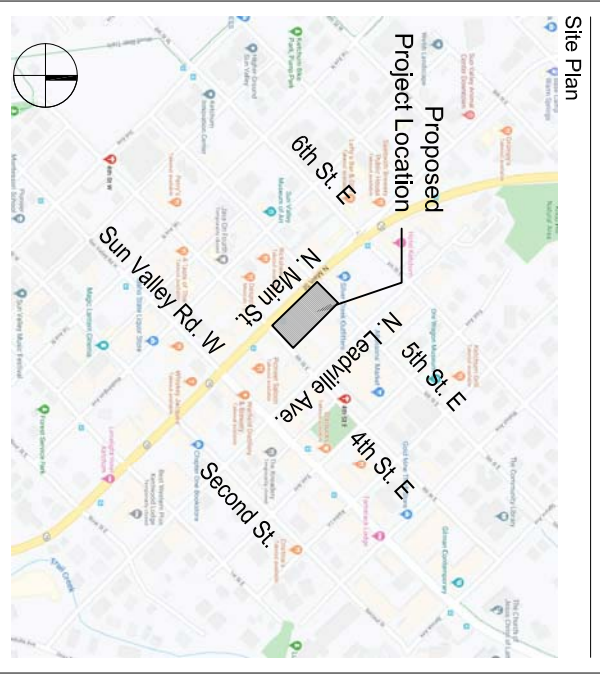
4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
MILLCREEK UT 84117



ARCHITECTS

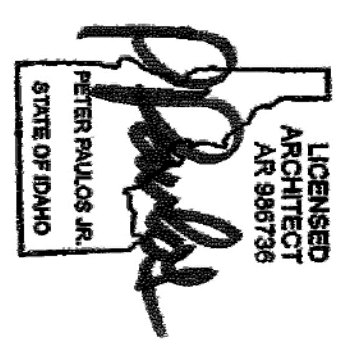
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Eggers Associates, Landscape Architecture
Kathleen Eggers, ASLA
Kathleen Eggers, ASLA
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(203) 725-0872 fax



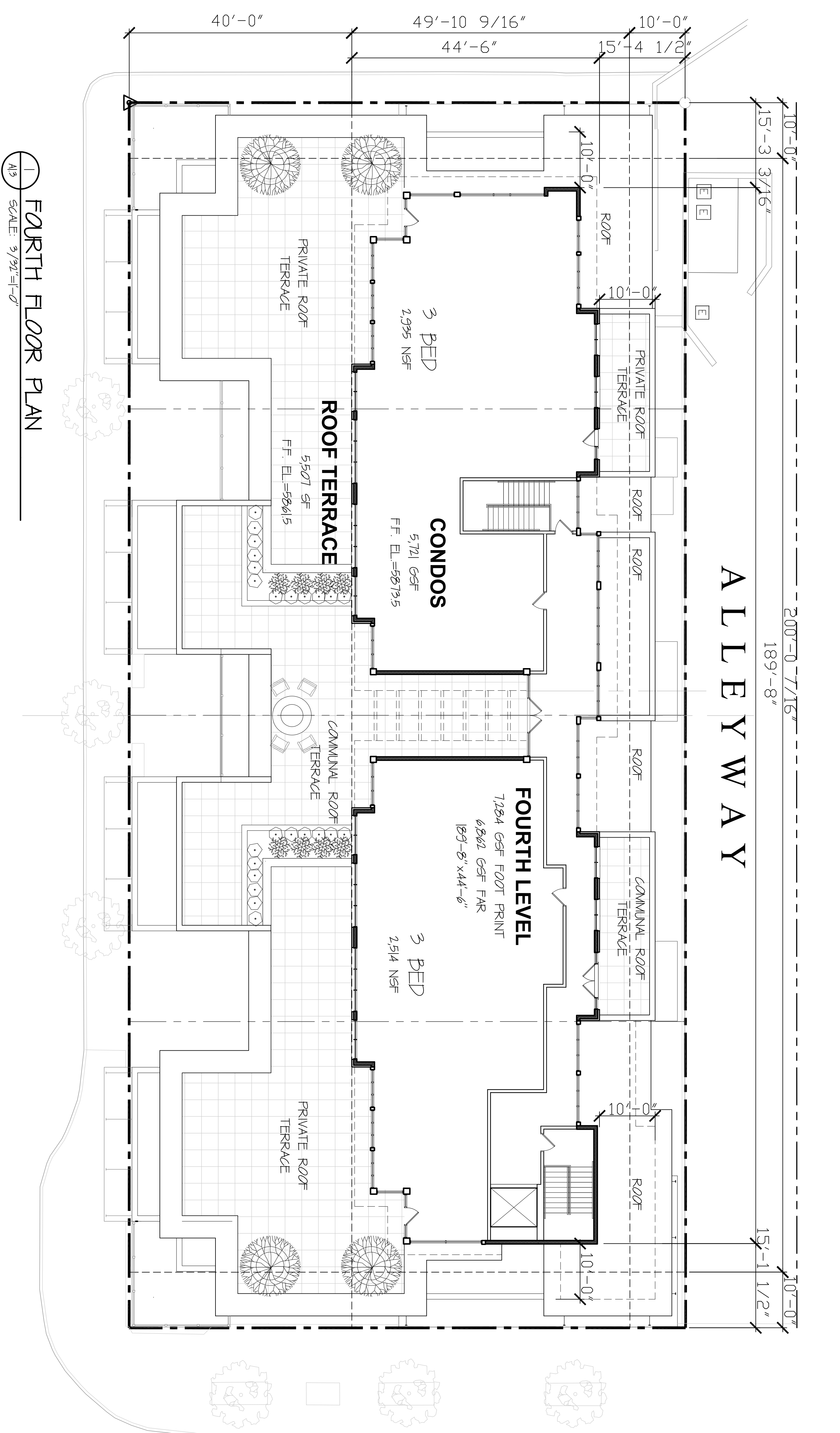
Revisions	No.	Date	Issue
	1	2020/01/25	CLIENT REVISIONS
	2	2020/04/23	ELEVATION REVISIONS
	5	2020/05/14	COMMISSION REAPPLICATION

THIRD FLOOR PLAN

Date: 2020/01/21
Scale: 3/32"=1'-0"
Sheet No.: SDZ

A1.2

EAST FIFTH STREET



⊕ FOURTH FLOOR PLAN
SCALE: 3/32"=1'-0"

EAST FOURTH STREET

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KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
MILLCREEK UT 84117



ARCHITECTS

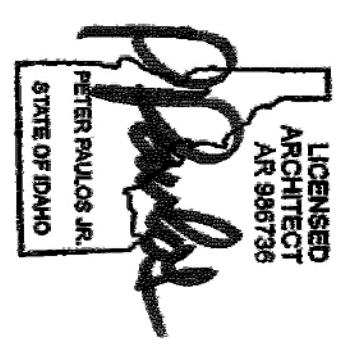
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Kathleen Eggers, ASLA
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(208) 725-0972 fax



No.	Date	Issue
1	2020/02/05	CLIENT REVISIONS
2	2020/04/23	ELEVATION REVISIONS
5	2020/05/14	COMMISSION REGISTRATION

FOURTH FLOOR PLAN

Date:	2020/01/21	Project No.:	20-001
Scale:	3/32"=1'-0"	base-1 floor plans	
Designer:	SBZ	Checker:	
Sheet No.:	A1.3		

MIXED USE DEVELOPMENT

4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4686 HIGH AND DR 4224
MILLCREEK UT 84117



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ph-archs.com

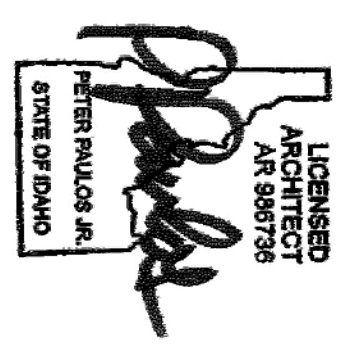


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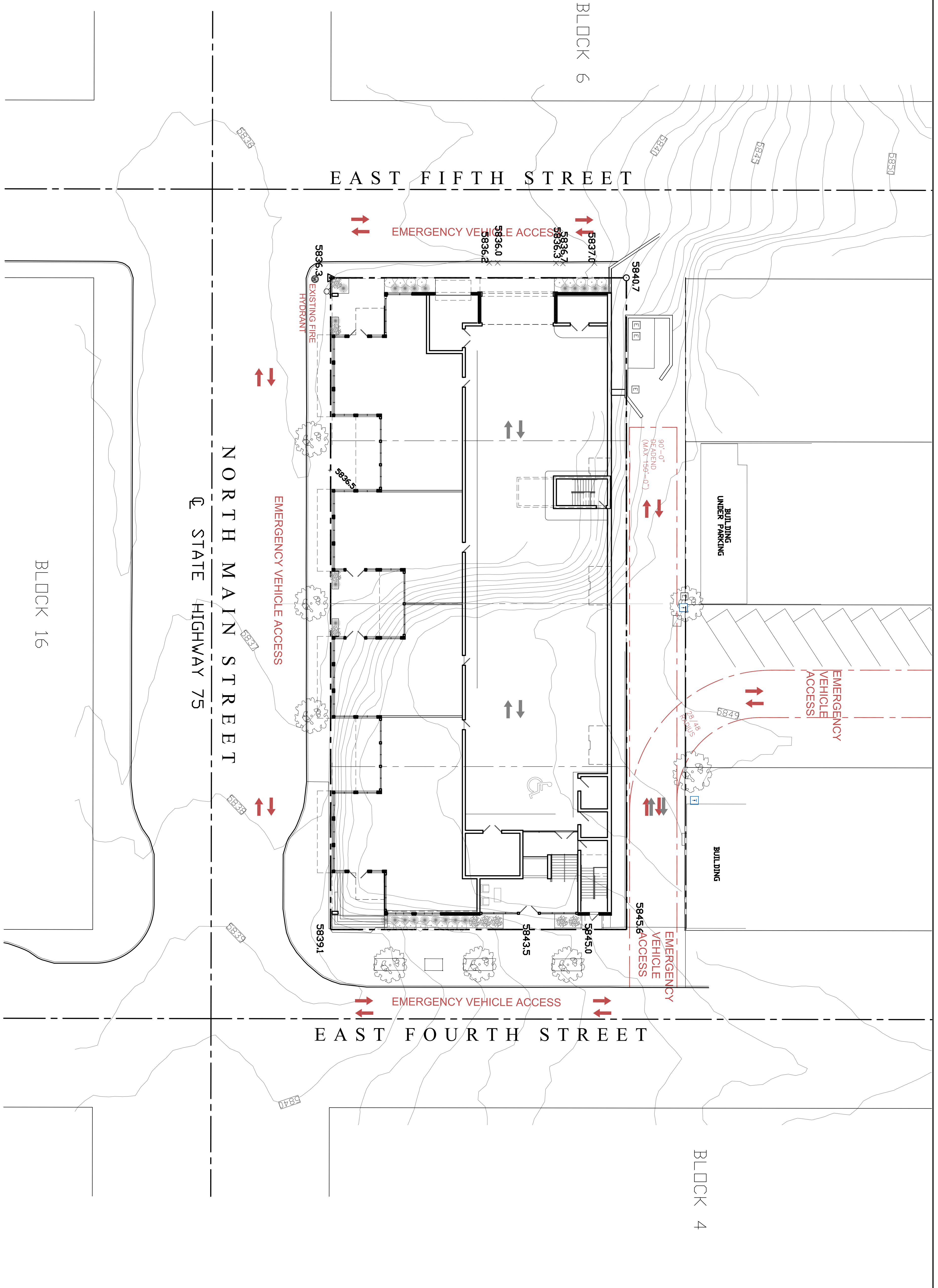
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No.	Date	Issue
1	2020/02/05	CLIENT REVISIONS
2	2020/04/19	ELEVATION REVISIONS
5	2020/05/14	COMMISSION REGISTRATION

EMERGENCY VEHICLE ACCESS

Date:	2020/01/07	Project No.:	20-001
Scale:	1/8" = 1'-0"	GAO FILED:	
Drawn:	SDZ	base-floor plans	Checked:
Sheet No.:	A1.4		



EMERGENCY VEHICLE ACCESS

SCALE: 1/8" = 1'-0"

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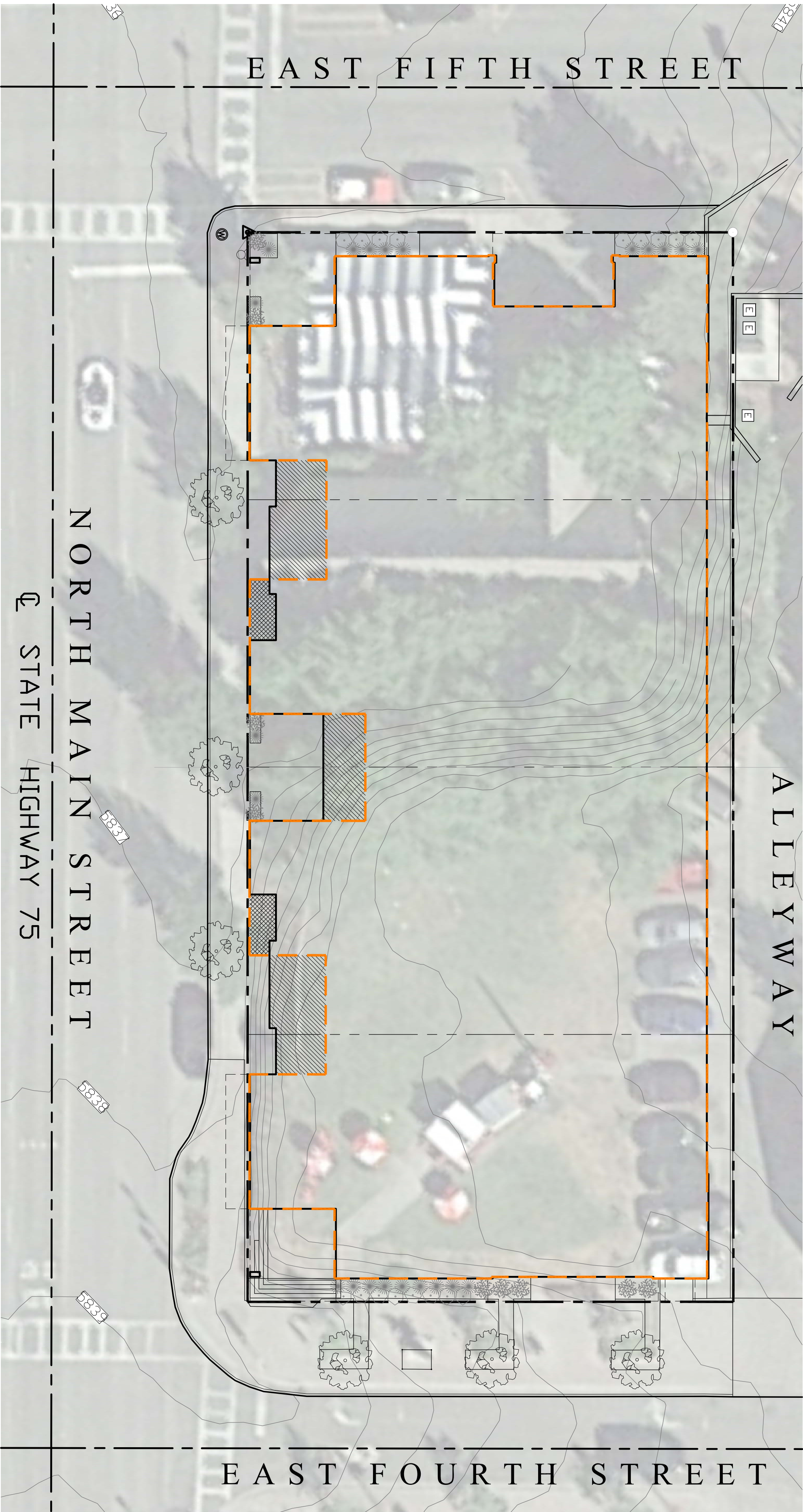
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1 BUILDING FOOTPRINT DIA.
SCALE: 1/16"=1'-0"



PREVIOUS FOOTPRINT
NEWLY PROPOSED

2 BUILDING FOOTPRINT DIA.
SCALE: 1/16"=1'-0"



MAIN LEVEL
2ND FLOOR
3RD FLOOR
4TH FLOOR

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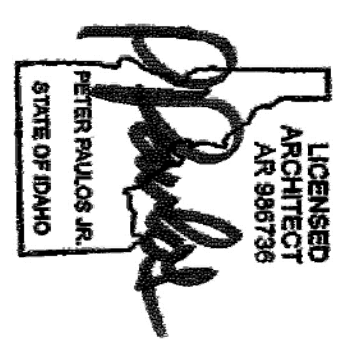
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Revisions

No.	Date	Issue
1	2020/02/05	CLIENT REVISIONS
2	2020/03/02	PER COMMISSION COMMENTS
3	2020/04/29	ELEVATION REVISIONS
5	2020/05/14	COMMISSION REVISIONS



BUILDING FOOTPRINT DIAGRAM

Date: 2020/03/09 Project No.: 20-001
Scale: 1/16"=1'-0" base-1 floor plans
Drawn: SDZ
Sheet No.: A1.5

**MIXED USE
DEVELOPMENT**

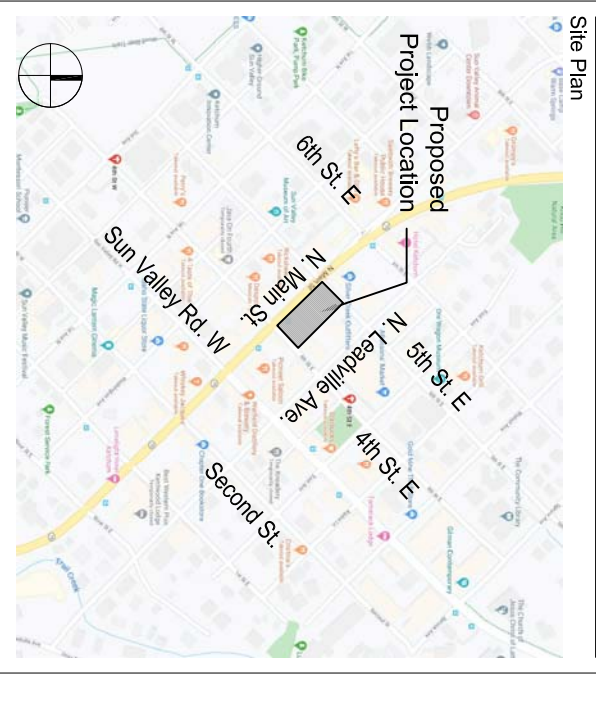
4TH & MAIN ST.
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IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
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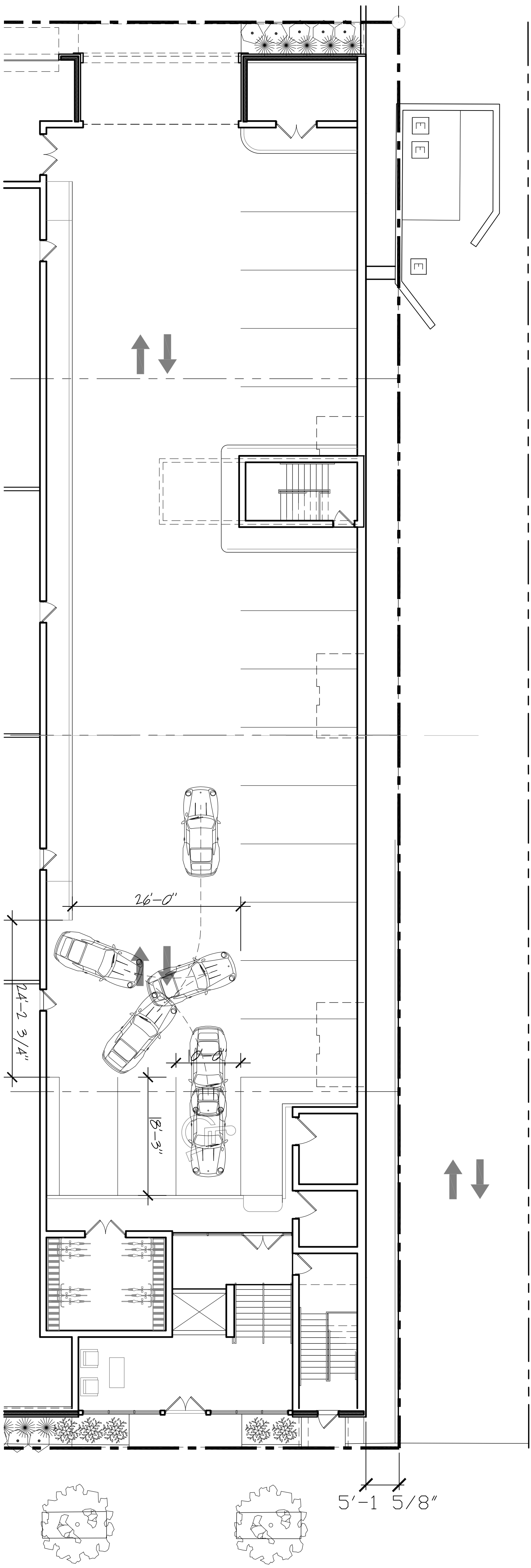
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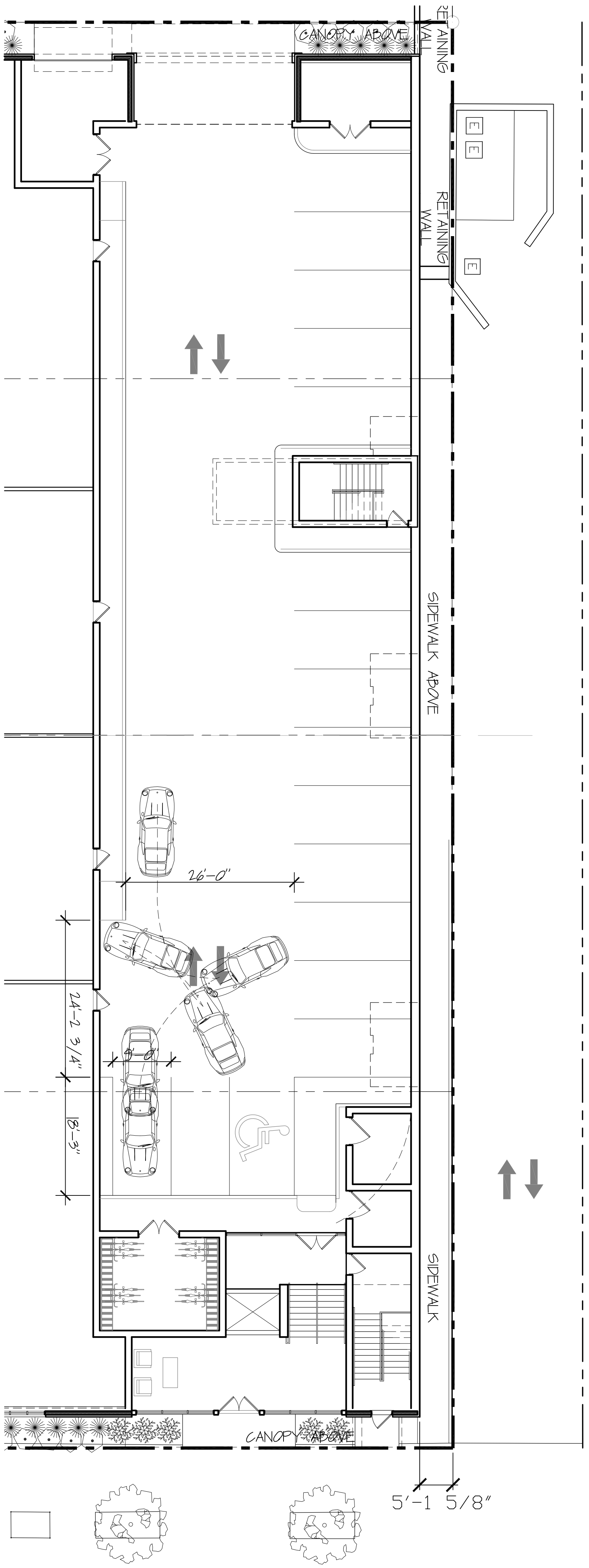


Revisions	No.	Date	Issue
	1.	2020/01/05	CLIENT REVISIONS
	2.	2020/03/09	PER COMMISSION COMMENTS
	5.	2020/05/14	COMMISSION REAPPLICATION

PARKING DIAGRAMS



1 HANDICAP END SPACE PARKING DIAGRAM
SCALE: 3/32"=1'-0"



2 END SPACE PARKING DIAGRAM
SCALE: 3/32"=1'-0"

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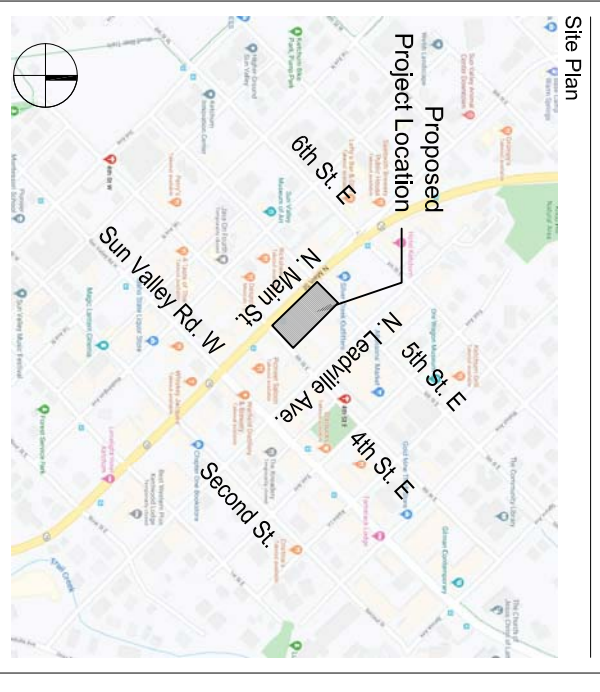
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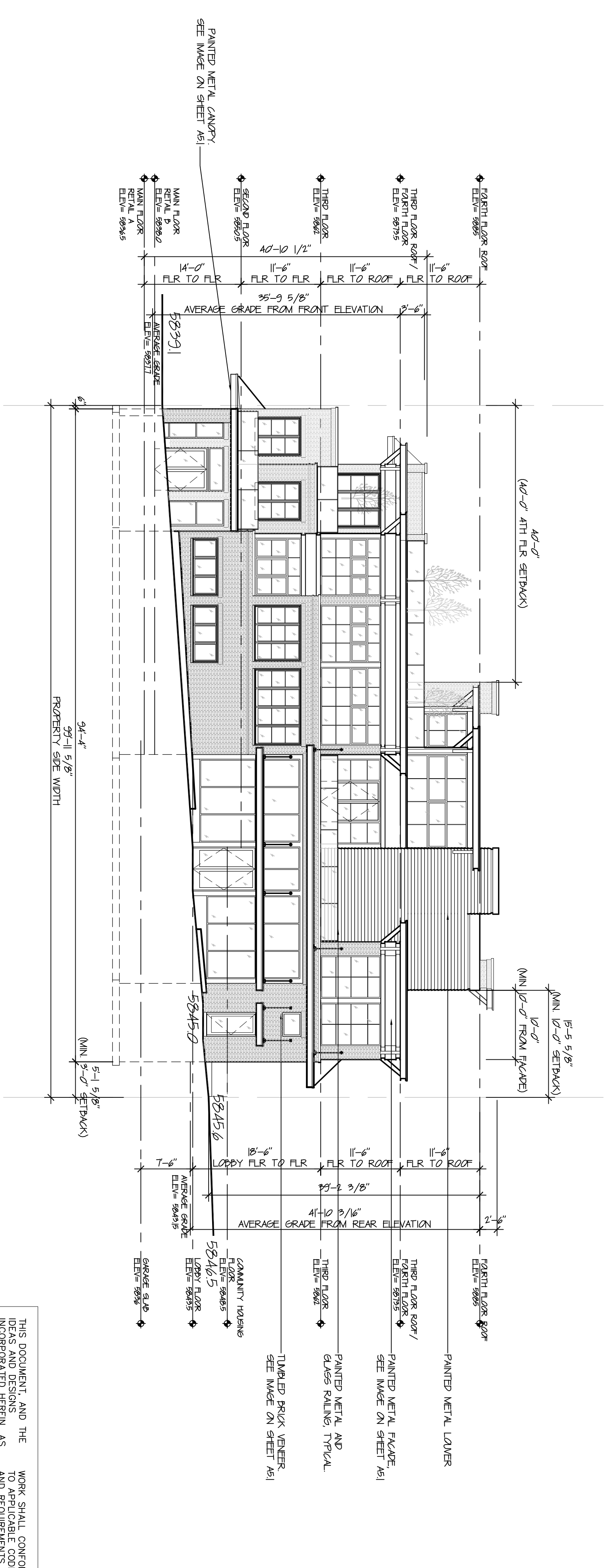
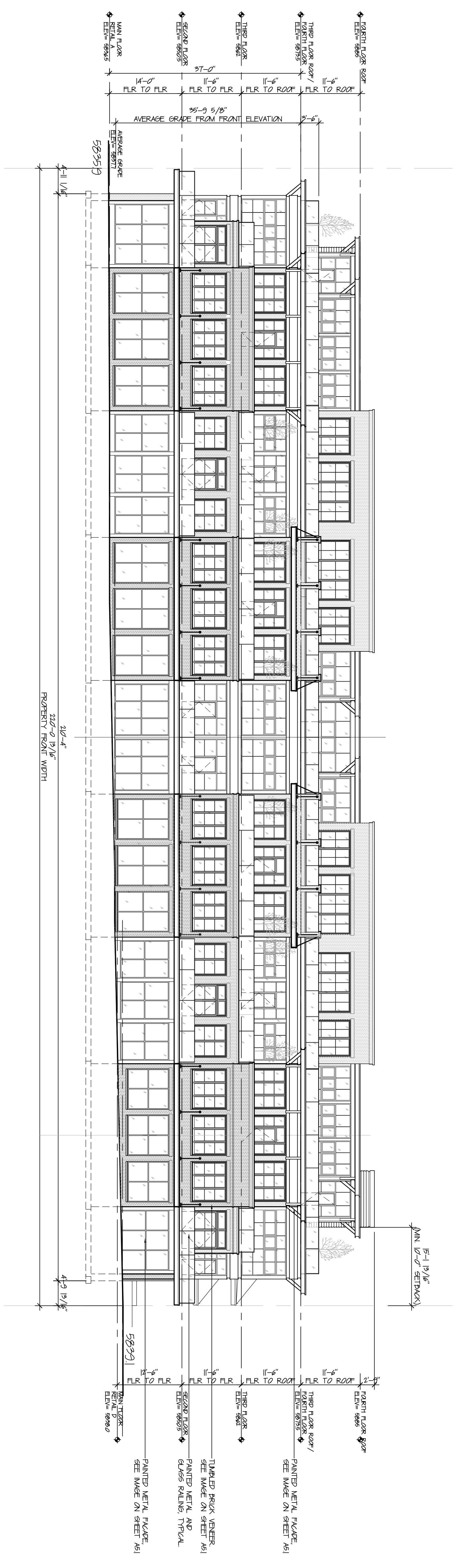


Revisions	No.	Date	Issue
	1.	2020/01/05	CLIENT REVISIONS
	2.	2020/04/21	ELEVATION REVISIONS
	3.	2020/04/23	ELEVATION REVISIONS
	4.	2020/05/10	GRADING CORRECTION
	5.	2020/05/14	COMMISSION RESUBMISSION

FRONT & SIDE EXTERIOR ELEVATIONS

Drawn: 2020/01/07 Project No.: 20-001
 Scale: 3/32"=1'-0" Base-Ext. Elev.
 Designer: SBZ Check: _____
 Sheet No.: _____

A2.0



2 SIDE EXTERIOR ELEVATION (SOUTH)

SCALE: 3/32"=1'-0"

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MIXED USE DEVELOPMENT

4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
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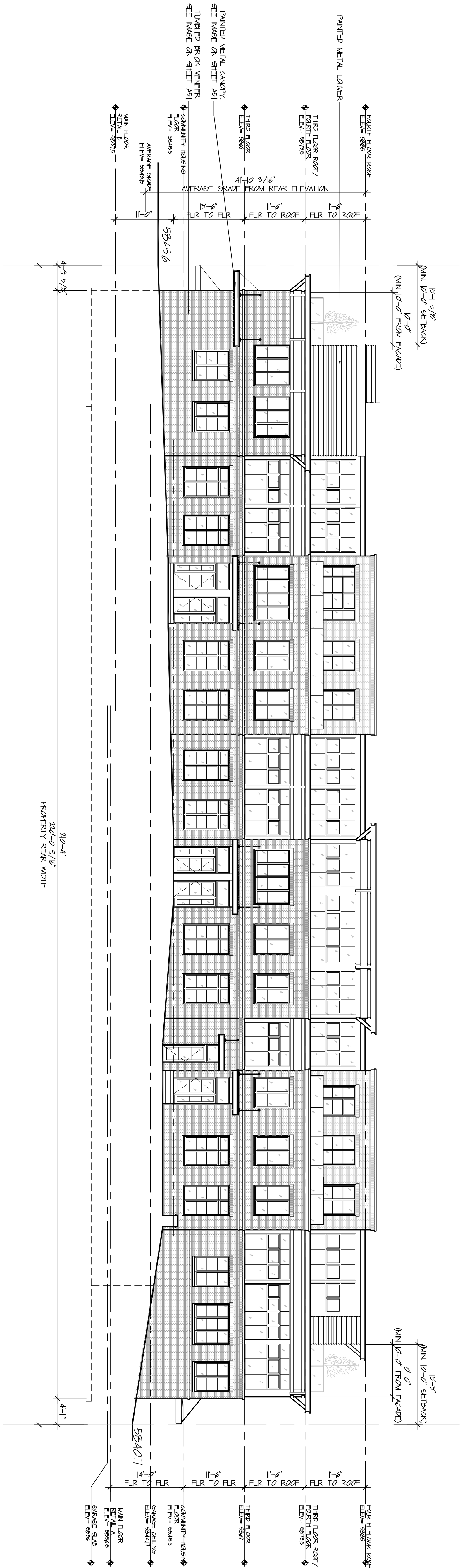


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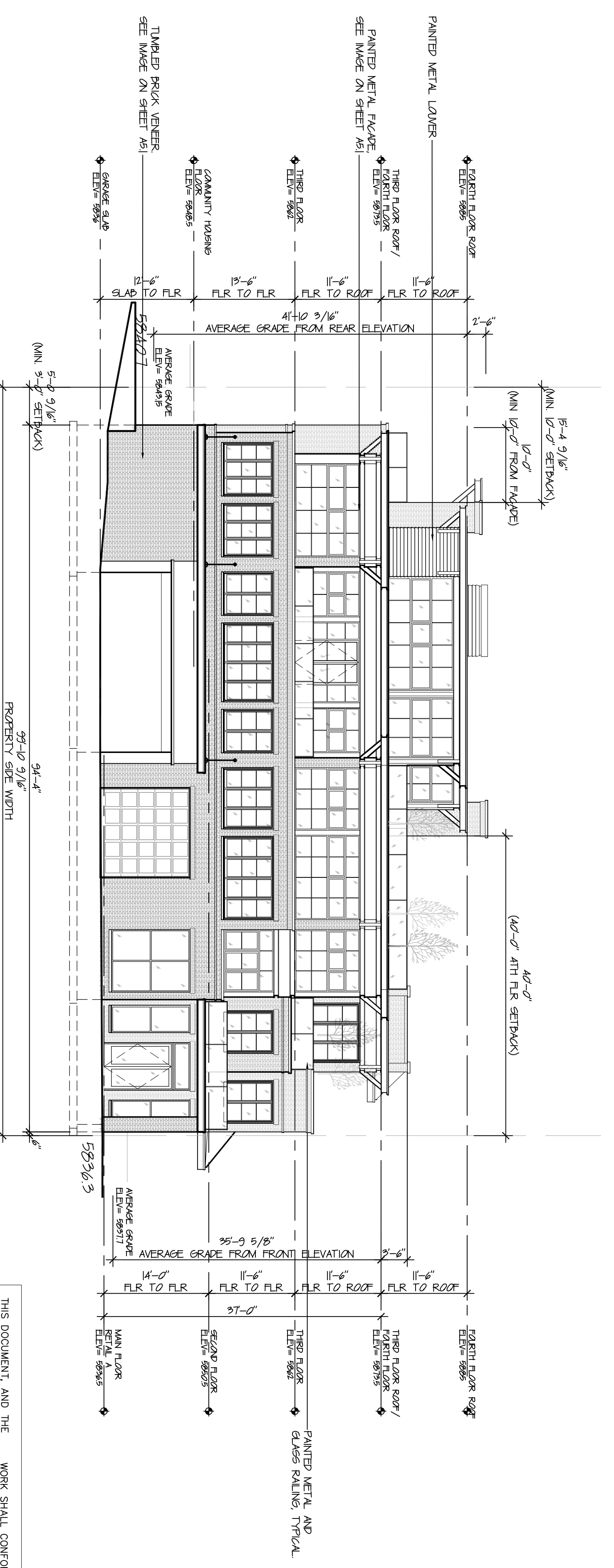
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1 REAR EXTERIOR ELEVATION
SCALE: 3/32"=1'-0"



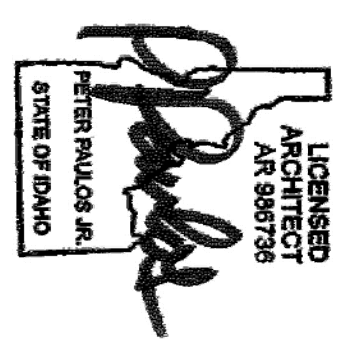
2 SIDE EXTERIOR ELEVATION (NORTH)
SCALE: 3/32"=1'-0"



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No.	Date	Issue
1.	2020/01/05	CLIENT REVISIONS
2.	2020/04/21	ELEVATION REVISIONS
3.	2020/04/29	ELEVATION REVISIONS
4.	2020/05/18	GRADING CORRECTION
5.	2020/05/14	COMMISSION RESUBMISSION

REAR & SIDE EXTERIOR ELEVATIONS

Date: 2020/01/01
Scale: 3/32"=1'-0"
Designer: SBZ
Sheet No.: _____

Project No.: 20-001
Client: GAS FILL elev.
Checked: _____

A2.1

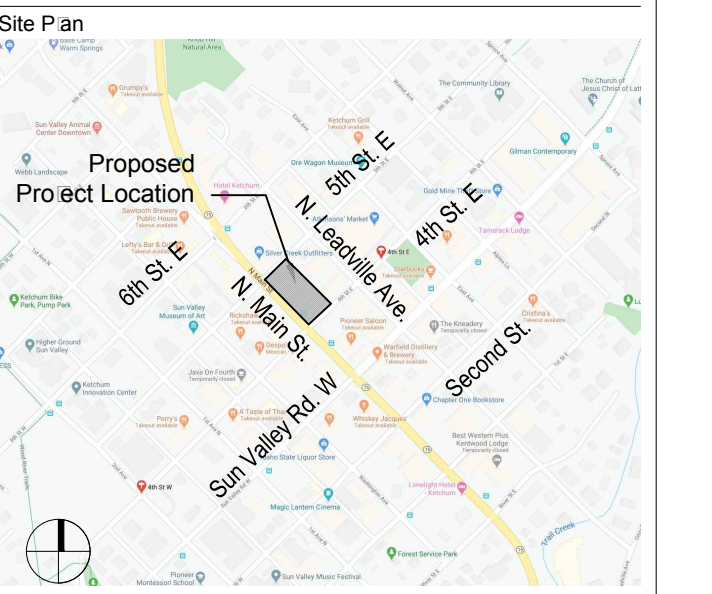
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IDAHO 84117

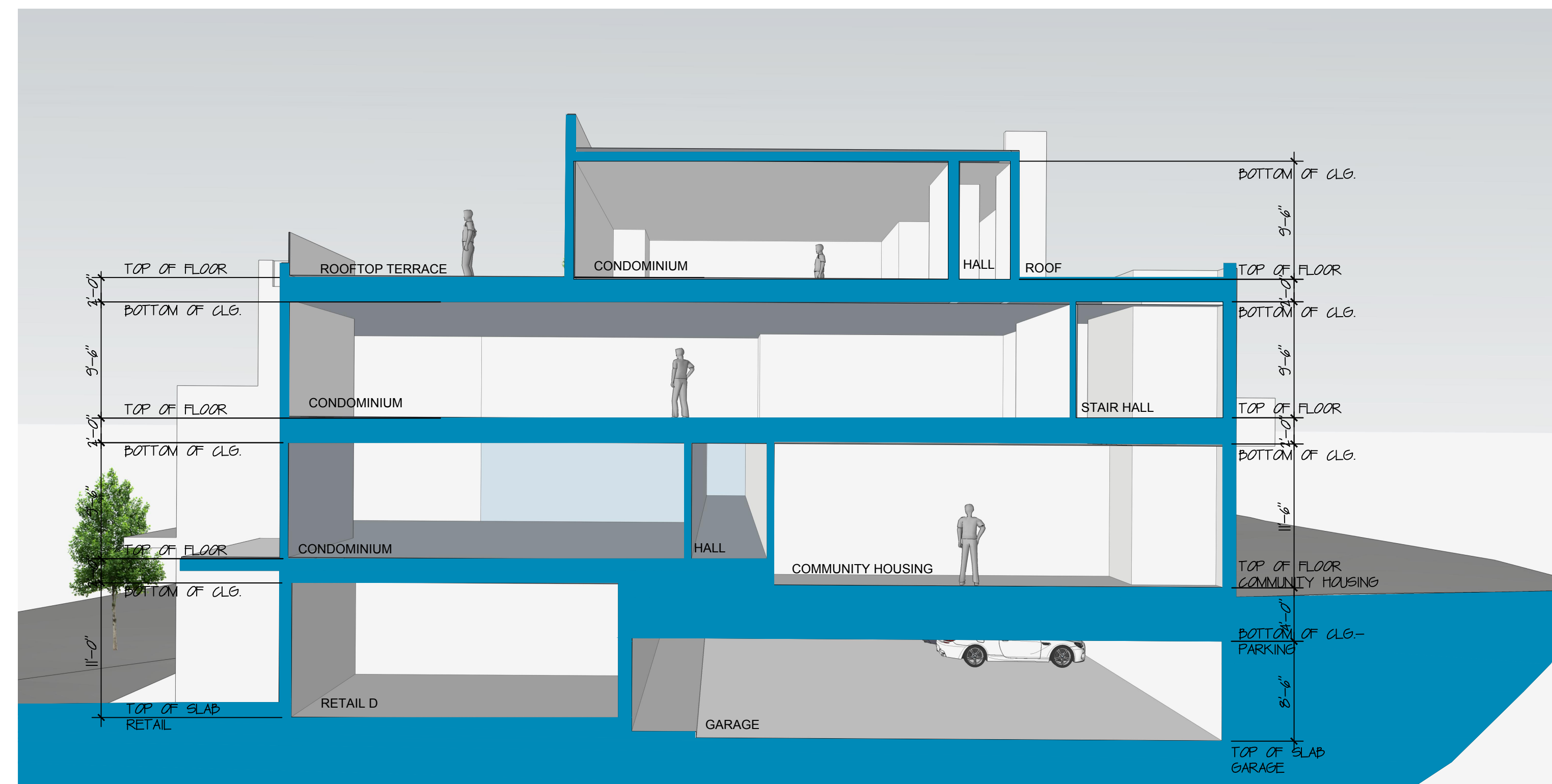
Prepared For: SOLSTICE DEVELOPMENT
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BUILDING SECTION-RETAIL D
SCALE: 1/8"=1'-0"

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Seal
LICENSED ARCHITECT AR 886736
Peter Paulos Jr.
PETER PAULOS JR.
STATE OF IDAHO

Revisions

No.	Date	Issue
5.	2010/05/14	COMMISSION RESUBMISSION

BUILDING SECTIONS

Date: 2010/1/17
Scale: 1/8"=1'-0"
Design: sbz
Sheet No.:

Project No.:
CAD File Name:
Checked:

A3.1

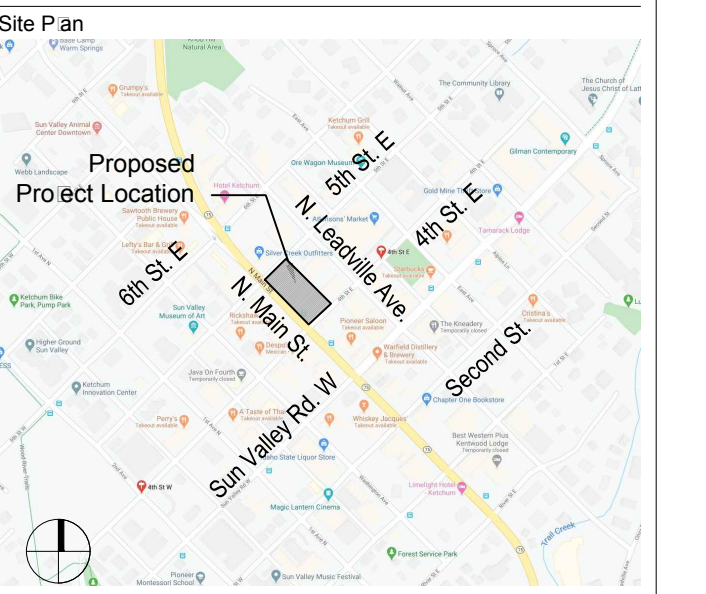
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IDAHO 84117

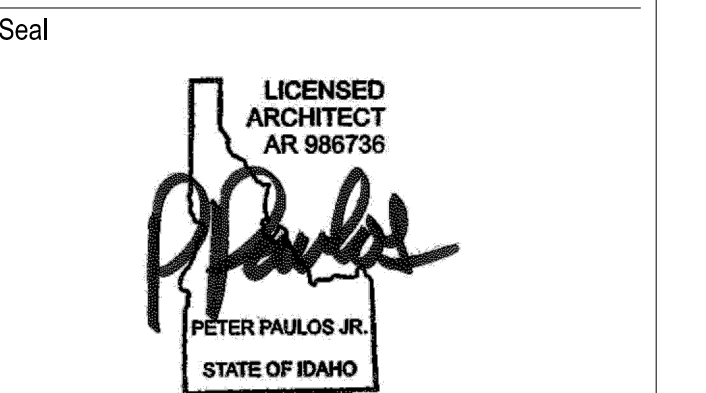
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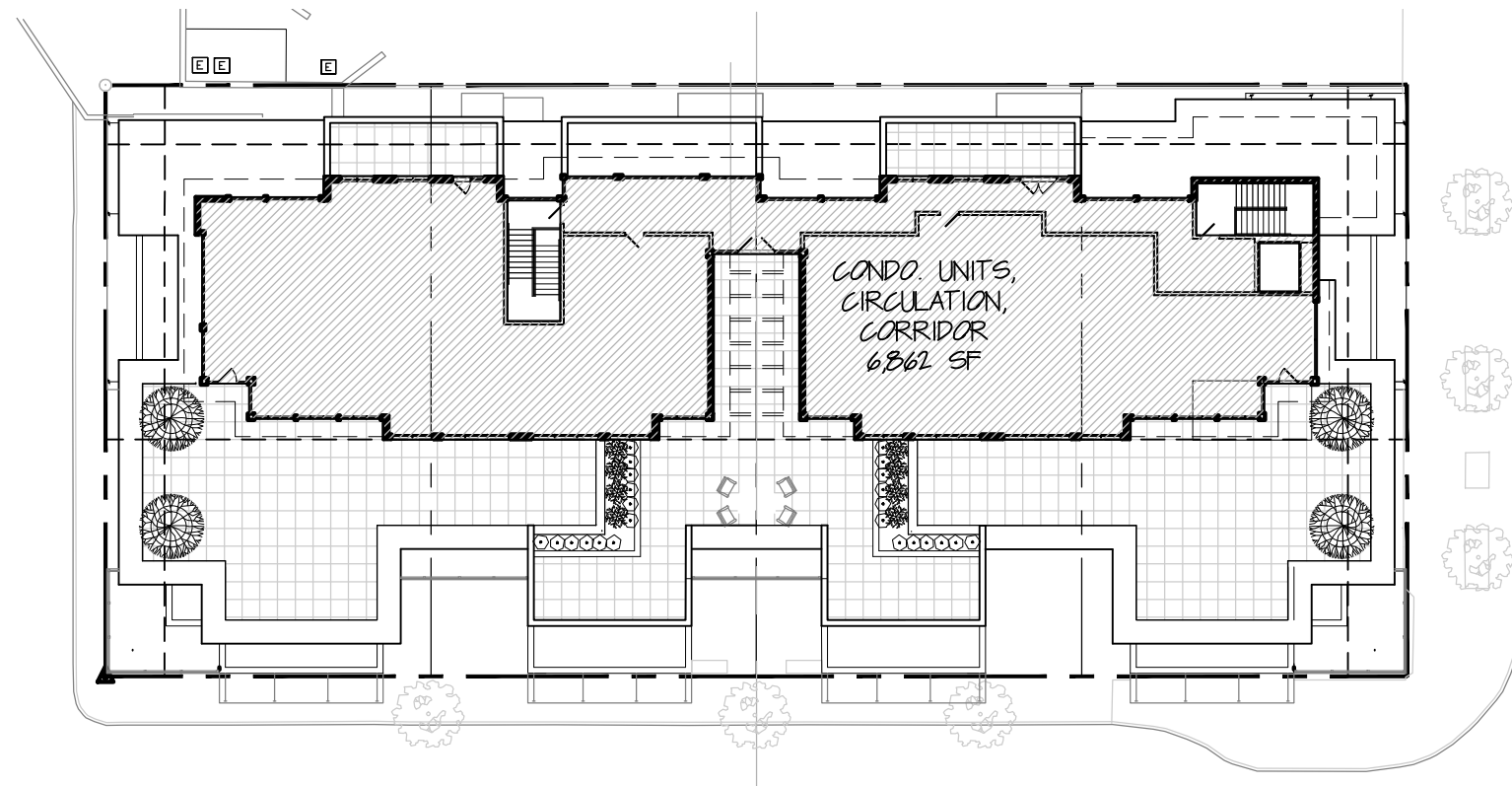


No.	Date	Issue
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5.	2010/05/14	COMMISSION RESUBMISSION

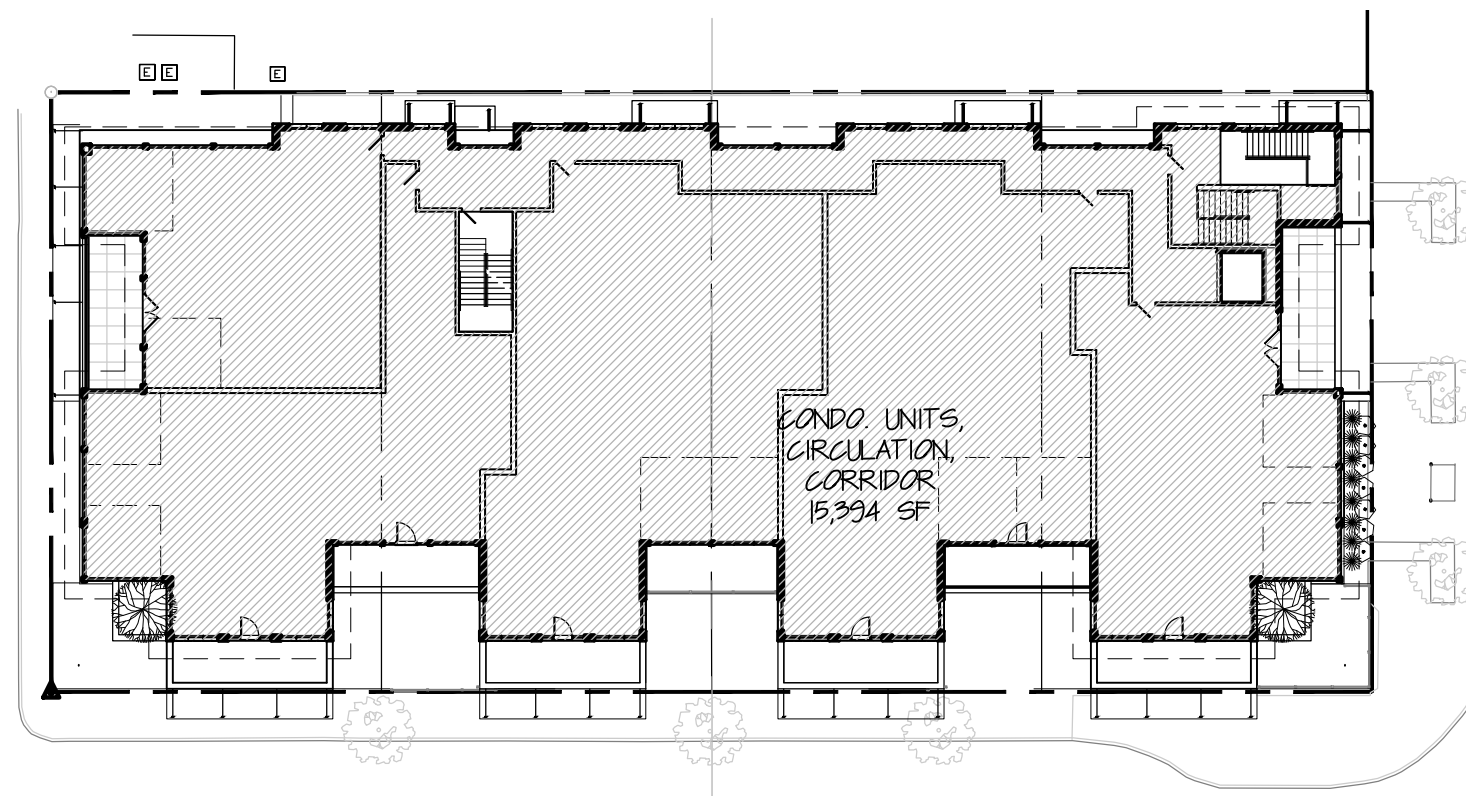
F.A.R. CALCULATIONS

Date: 2010/1/17 Project No.:
Scale: 1/32"=1'-0" CAD File Name:
Design: sbz Checked:
Sheet No.:

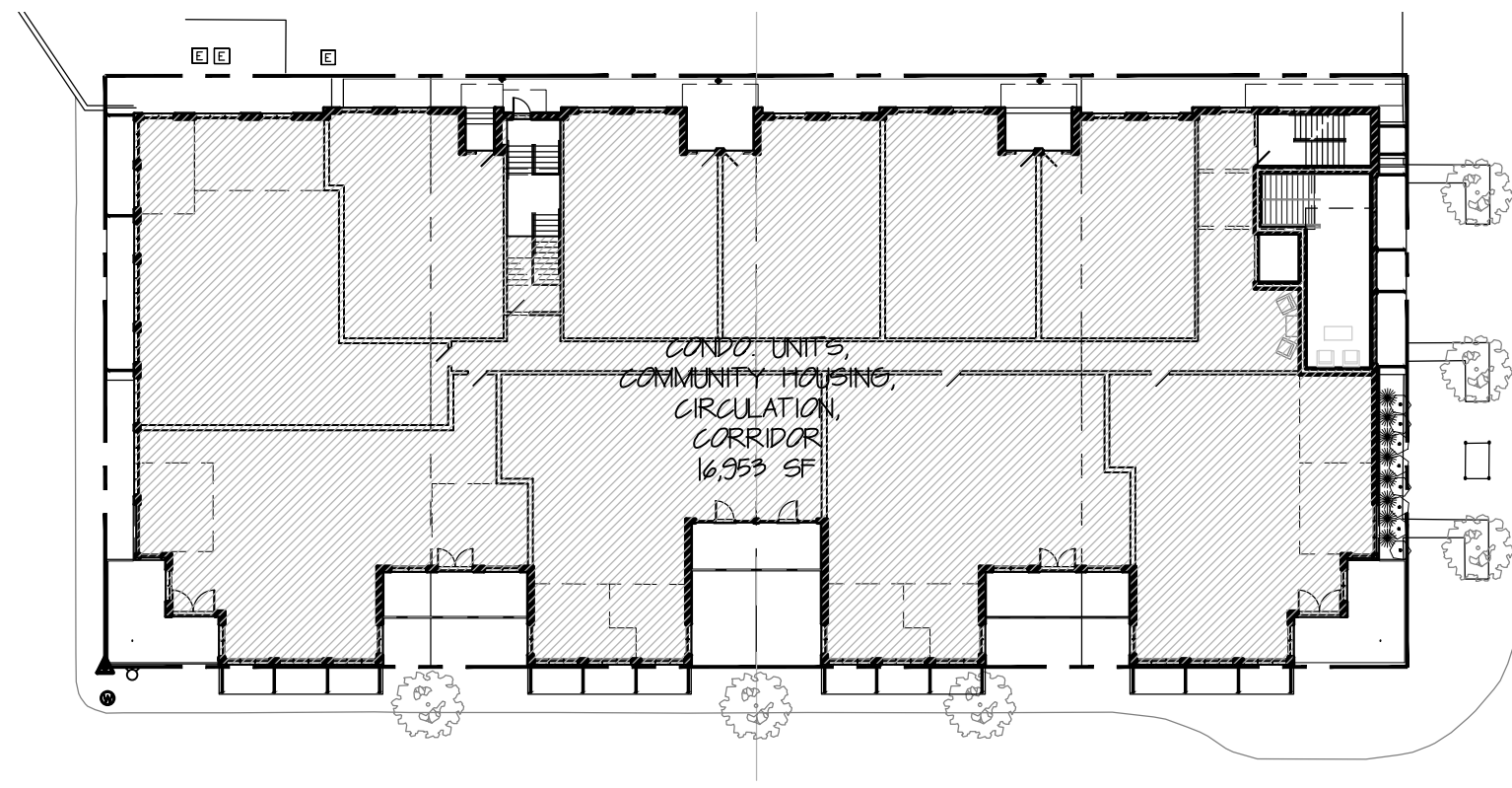
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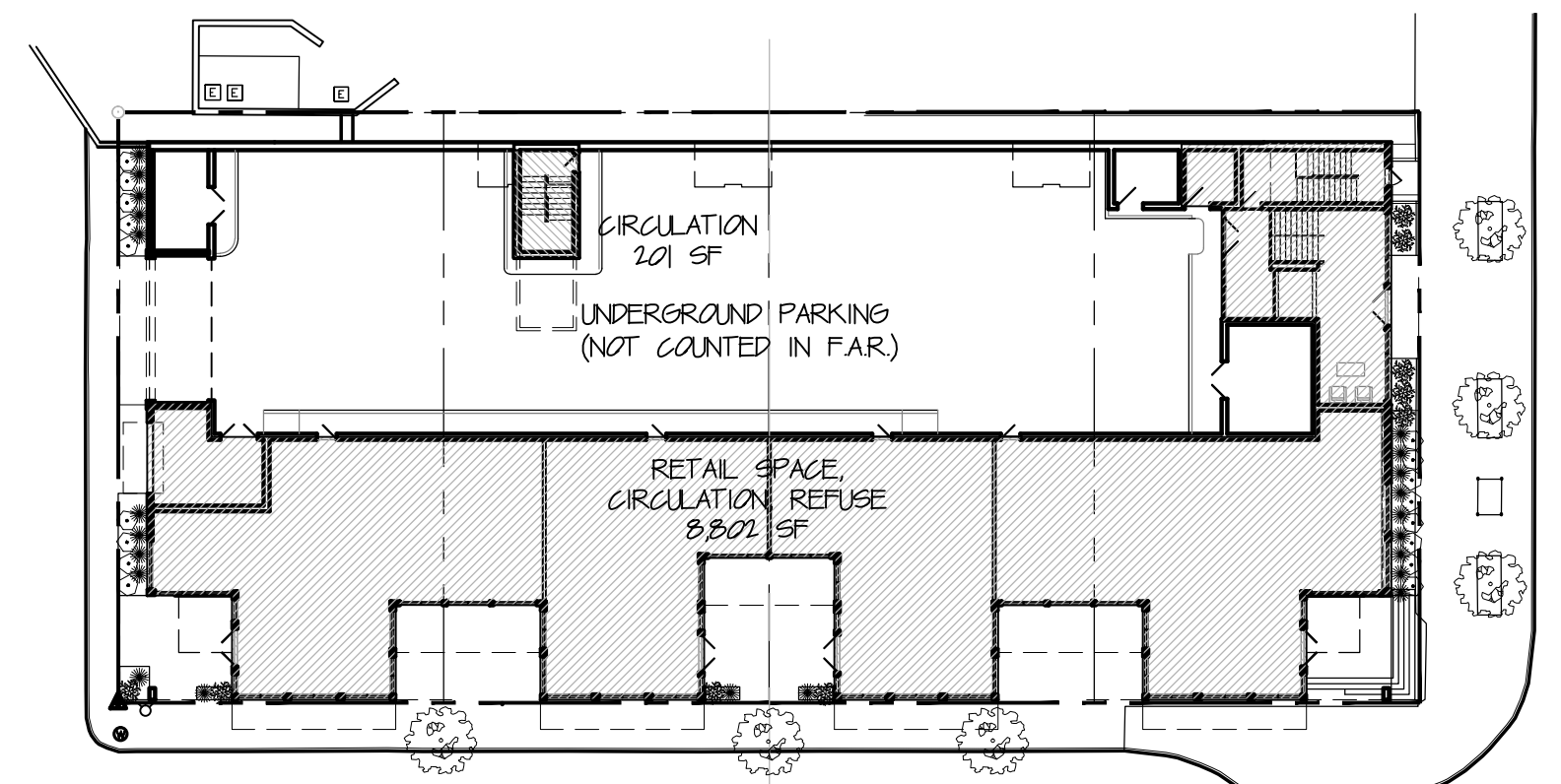
5 FOURTH FLOOR F.A.R.
SCALE: 1/32"=1'-0"



4 THIRD FLOOR F.A.R.
SCALE: 1/32"=1'-0"



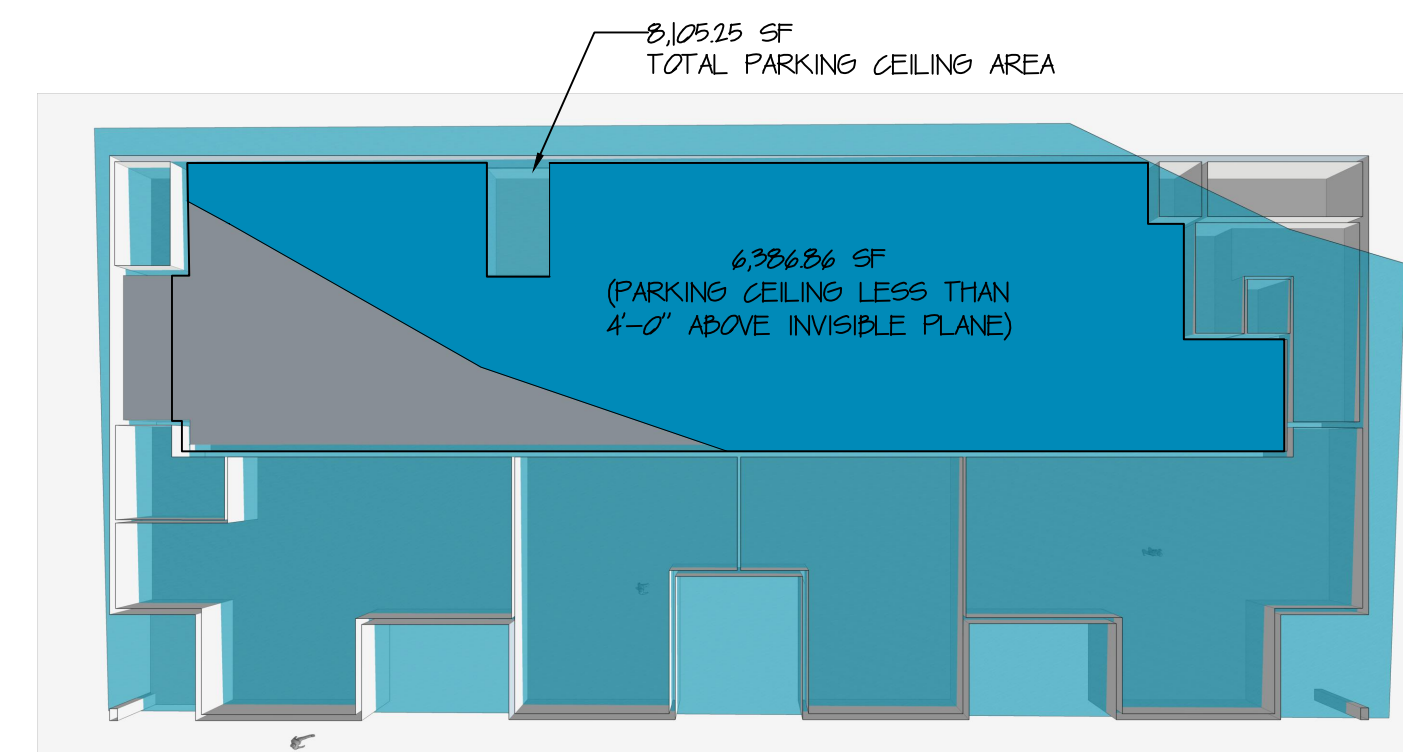
3 SECOND FLOOR F.A.R.
SCALE: 1/32"=1'-0"



2 FIRST FLOOR F.A.R.
SCALE: 1/32"=1'-0"

9,014 GSF FIRST FLOOR
16,593 GSF SECOND FLOOR
15,934 GSF THIRD FLOOR
6,862 GSF FOURTH FLOOR
48,223 GSF TOTAL FLOOR AREA

48,223 GSF TOTAL FLOOR AREA = 2.19 F.A.R. □ 2.25 ALLOWED
21,989 SF LOT AREA



1 UNDERGROUND PARKING DIAGRAM
SCALE: 1/32"=1'-0"

$\frac{6,386.86 \text{ SF}}{8,105.25 \text{ SF}} = .788 = 78.8\% \text{ LESS THAN } 4'-0" \text{ ABOVE INVISIBLE PLANE}$
PARKING MEETS UNDERGROUND PARKING DEFINITION (NOT INCLUDED IN F.A.R. AREA)

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1 PERSPECTIVE RENDERING
SCALE: NTS

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DEVELOPMENT

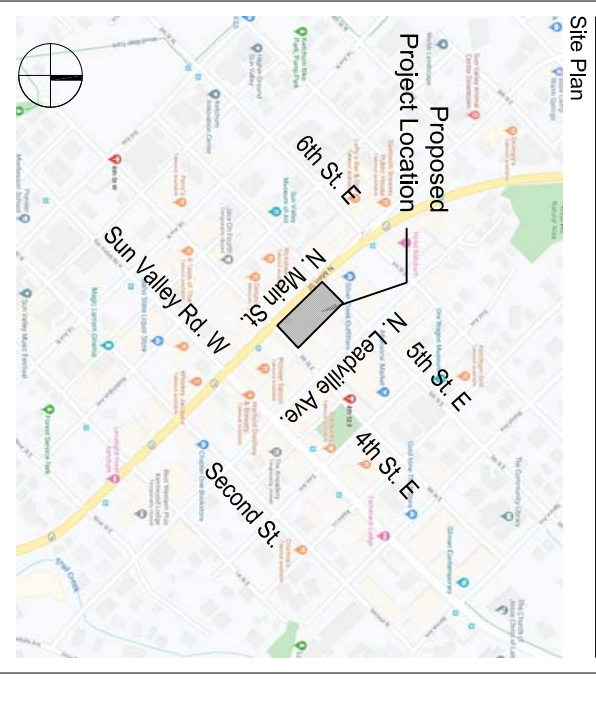
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IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
MILLCREEK UT 84117



A R C H I T E C T S

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Newtown, Connecticut 06470
203-426-6500 Tel. 203-426-6503 fax
ph-archs.com



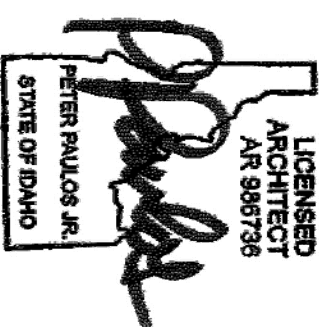
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Ketchum, Idaho 84140
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(208) 725-0972 fax

Seal



Revisions	No.	Date	Issue
	1	2020/01/09	CLIENT REVISIONS
	5	2020/05/14	COMMISSION REAPPLICATION

PERSPECTIVE RENDERING

Date:	2020/01/09	Project No.:	20-001
Scale:	NTS	Client Name:	
Drawn:	SBZ	Checked:	
Sheet No.:			

A5.0

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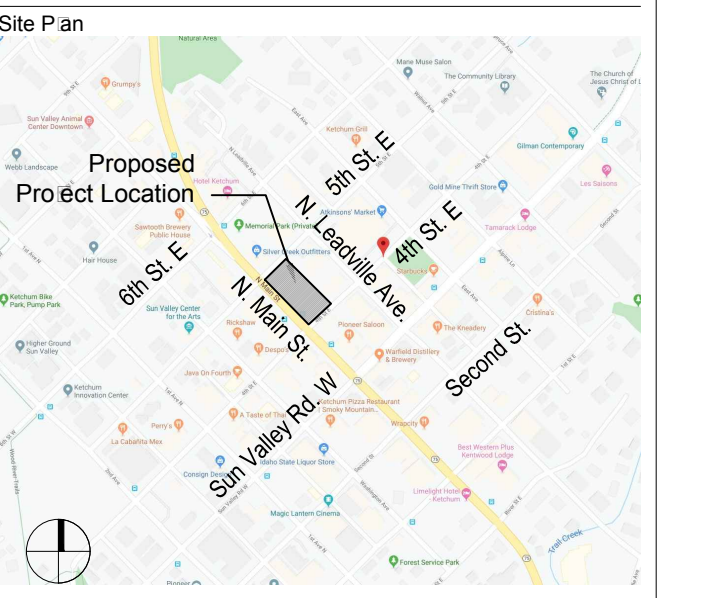
**MIXED USE
DEVELOPMENT**

4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4686 HIGHLAND DR. #224
MILLCREEK, UT 84117

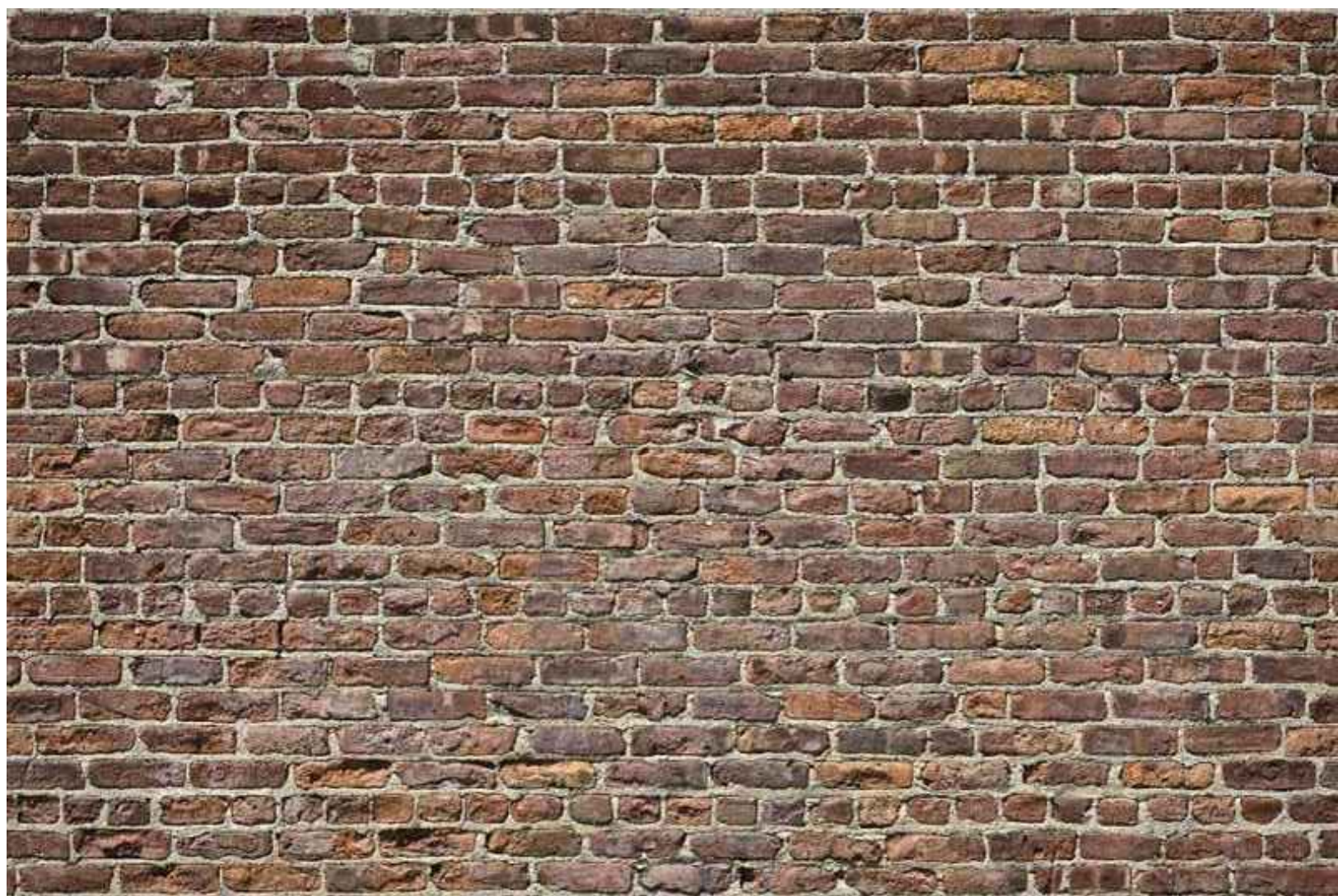
P | H
ARCHITECTS

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Newtown, Connecticut 06470
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ph-archs.com

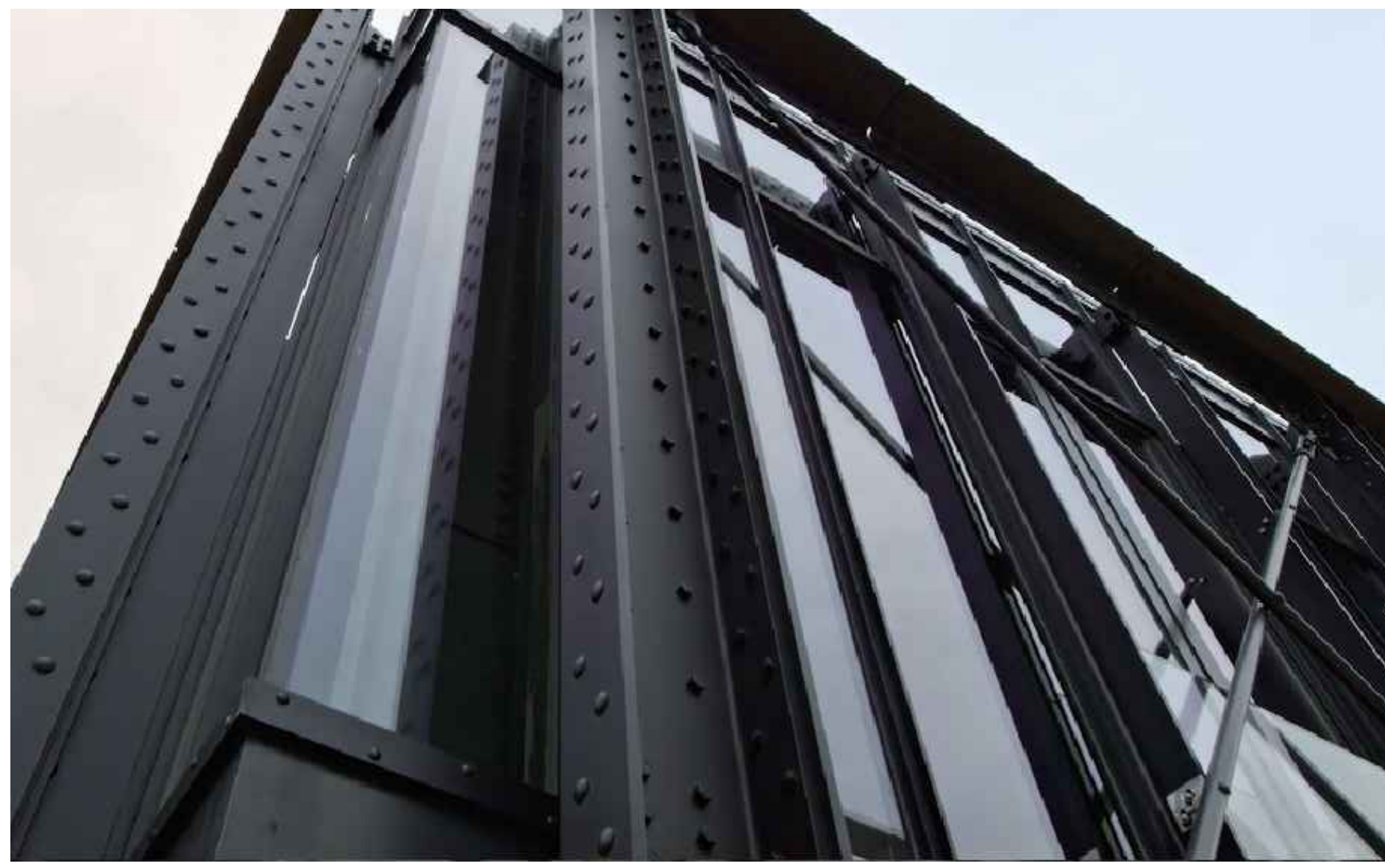


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1 RENDERED ELEVATION
SCALE: NTS



2 BRICK VENEER EXAMPLE
SCALE: NTS



3 METAL FACADE EXAMPLE
SCALE: NTS



4 METAL CANOPY IMAGE
SCALE: NTS

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Seal

Revisions	No.	Date	Issue

RENDERED ELEVATION

Date: 2010/01/09 Project No.: 20-00
Scale: NTS CAD File Name:
Design: sbz Checked:
Sheet No.:

A5.1

MIXED USE DEVELOPMENT

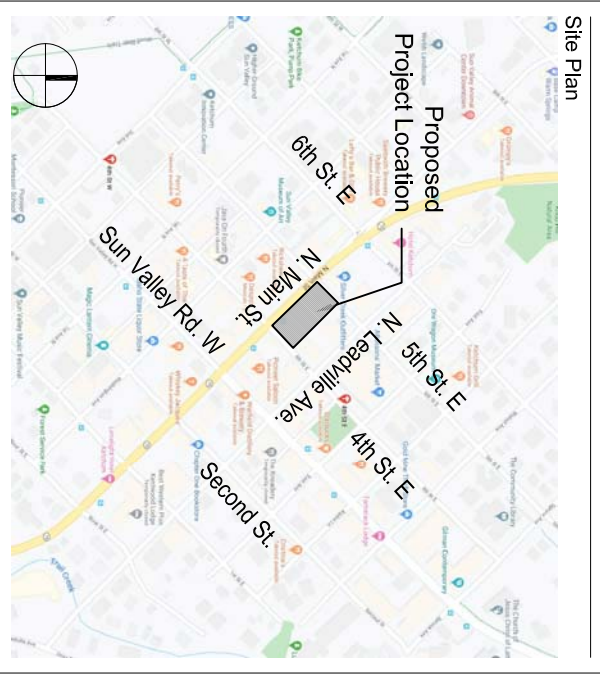
4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
MILLCREEK UT 84117



ARCHITECTS

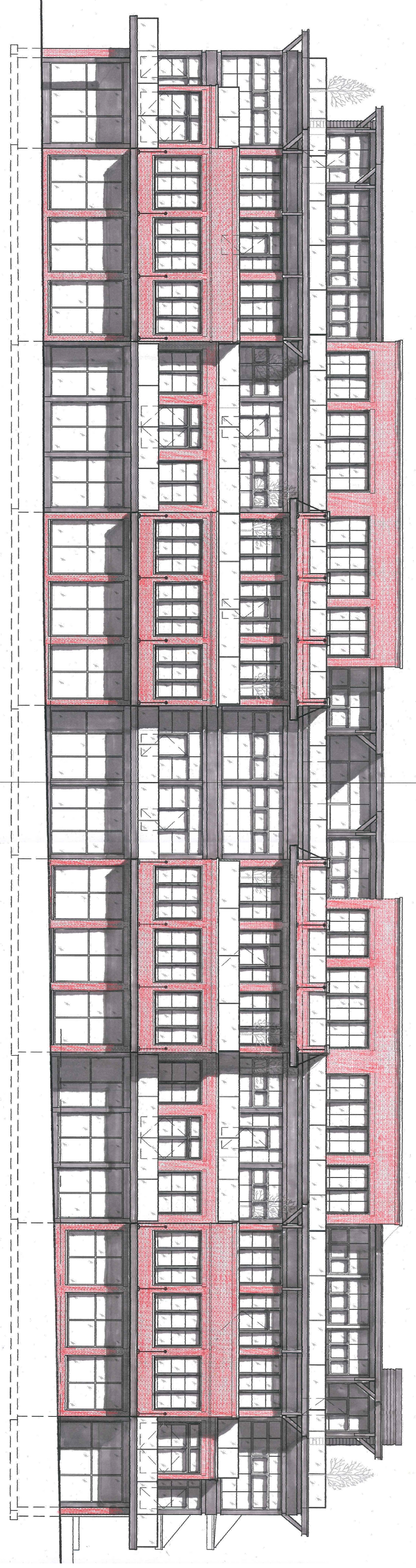
38 Taunton Hill Road
Newtown, Connecticut, 06470
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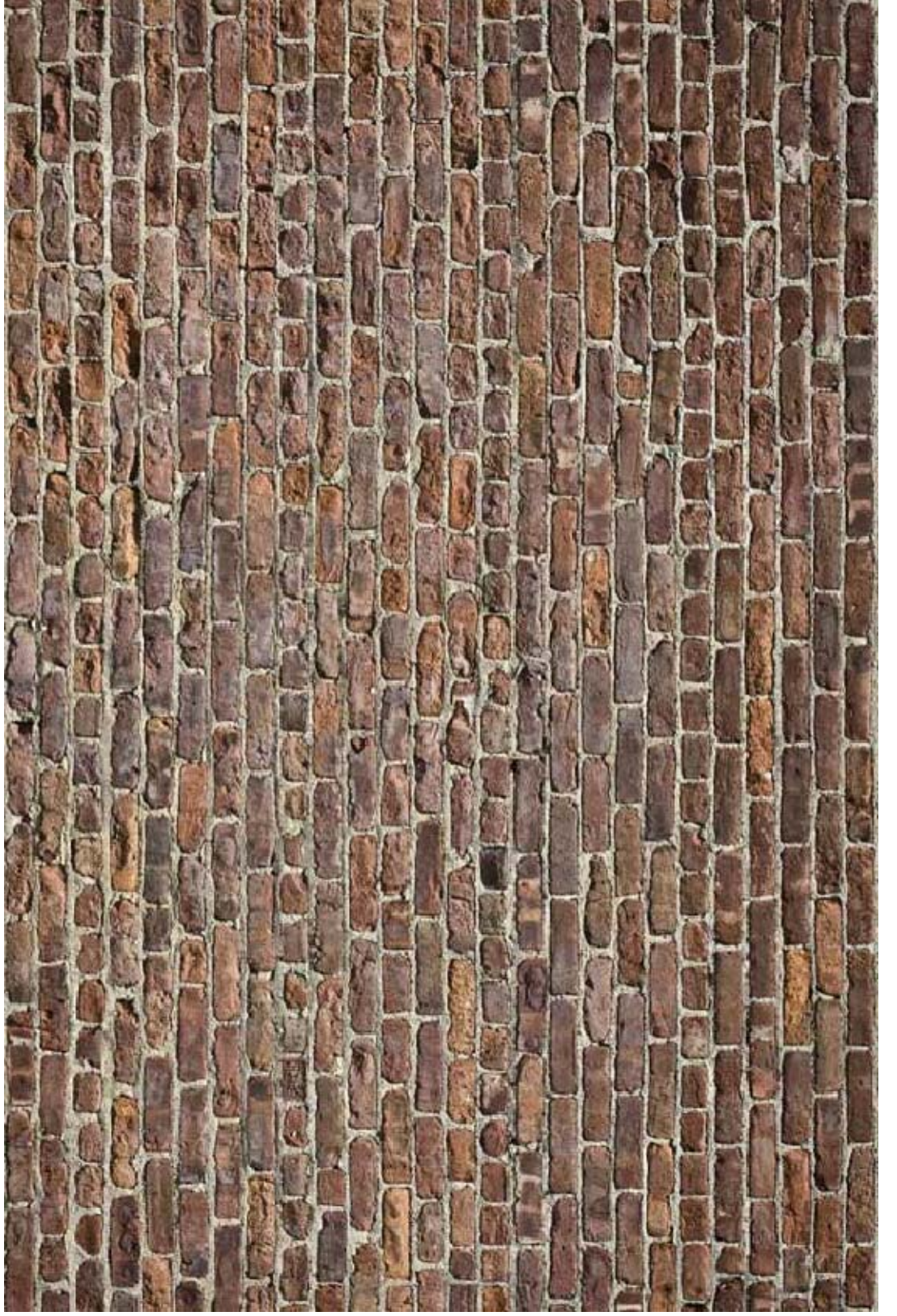
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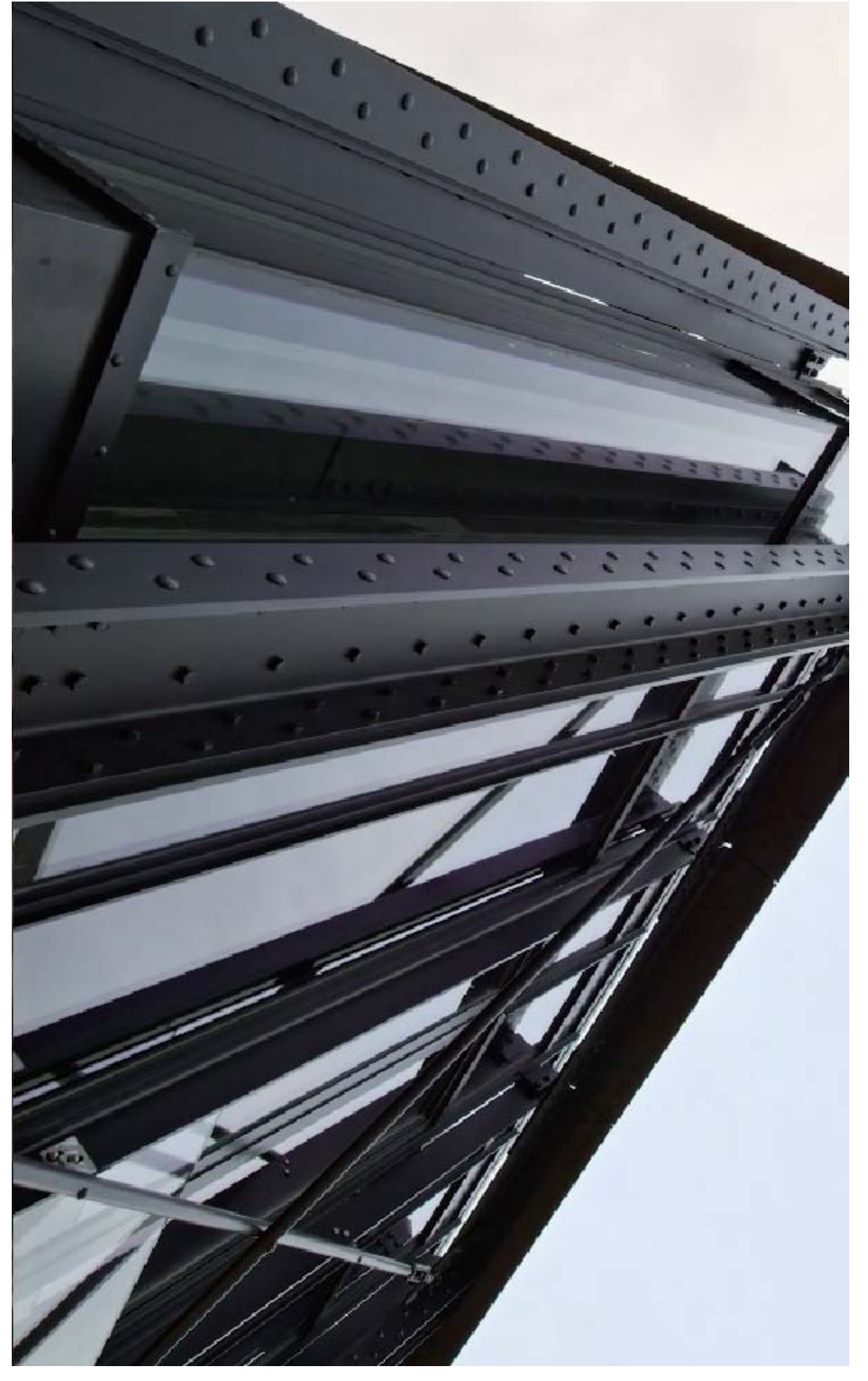
Landscape Architect:
Eggers Associates, Landscape Architecture
Ketchum, Idaho 83349
(208) 725-0888 tel.
(208) 725-0972 fax



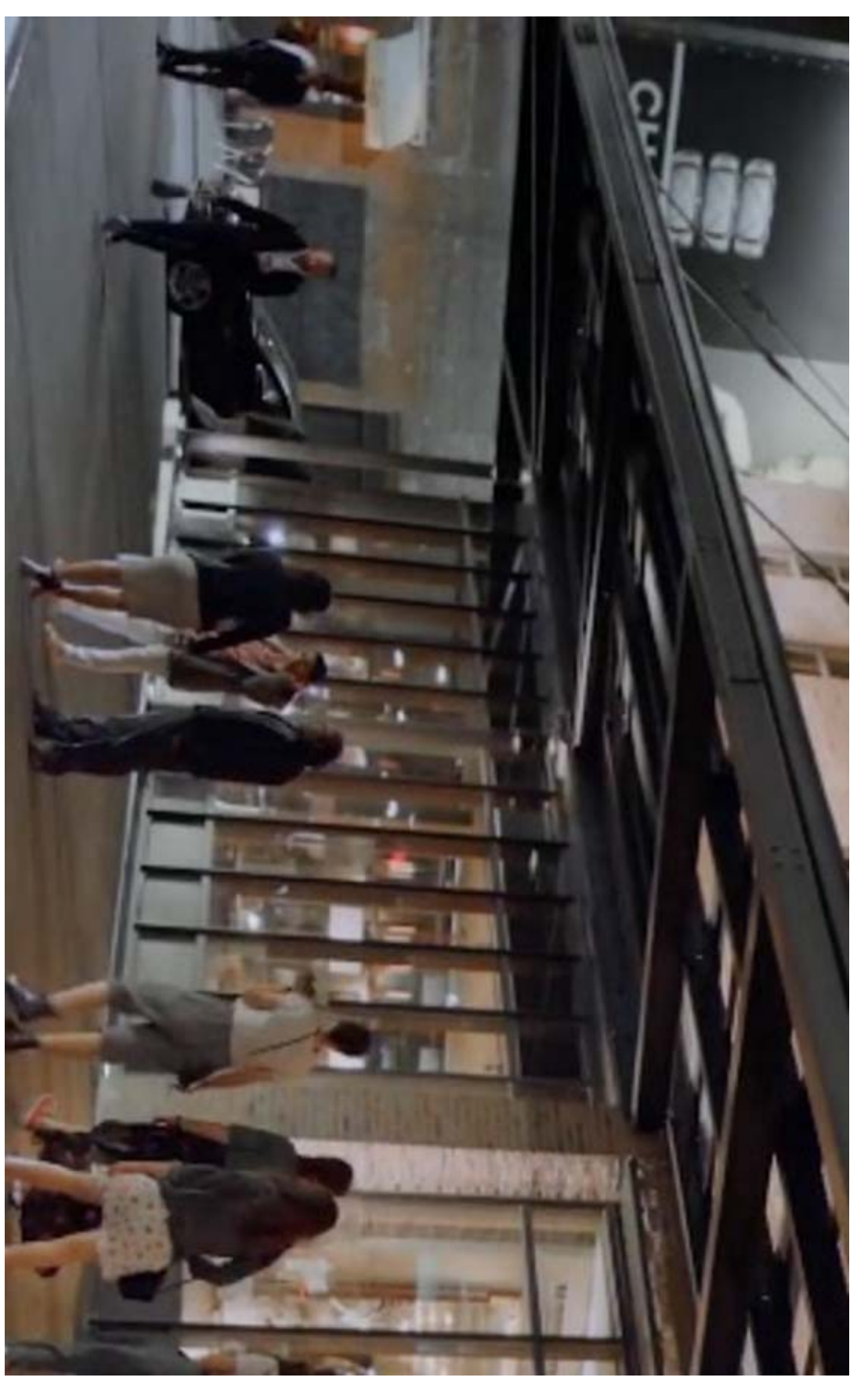
1 RENDERED ELEVATION
SCALE: 1/8"=1'-0"



2 BRICK VENEER EXAMPLE
SCALE: NTS



3 METAL FACADE EXAMPLE
SCALE: NTS



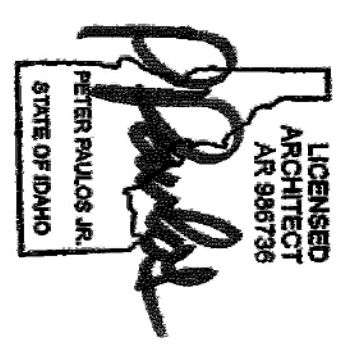
4 METAL CANOPY IMAGE
SCALE: NTS

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Revisions	No.	Date	Issue
	4	10/20/09/12	GRADING CORRECTION
	5	10/20/09/14	COMMISSION RESUBMISSION



RENDERED ELEVATION

Date: 10/20/09/09 Project No.: 20-001
Scale: NTS CAD File Name:
Designer: SBDZ Checker:
Sheet No.:

A5.1

MIXED USE DEVELOPMENT

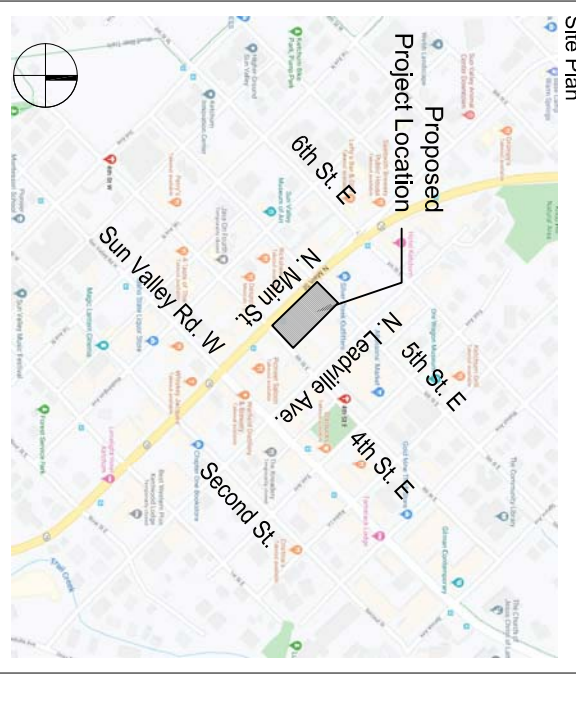
4TH & MAIN ST.
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IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
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Site Map

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(208) 725-0972 fax



1 PERSPECTIVE RENDERING

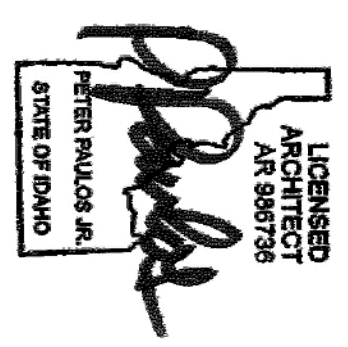
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No.	Date	Issue
1.	2020/09/07	DESIGN REVIEW BOARD
4.	2020/08/18	GRADING COORDINATION
5.	2020/05/18	COMMISSION REGISTRATION



PERSPECTIVE RENDERING

Date:	2020/09/07	Project No.:	20-001
Scale:	NTS	Client Name:	
Designer:	SBZ	Checker:	
Sheet No.:	A5.2		

MIXED USE DEVELOPMENT

4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4686 HIGH AND DR 4224
MILLCREEK UT 84117

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(208) 725-0972 fax



1 PERSPECTIVE RENDERING

SCALE: NTS

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Revisions	No.	Date	Issue
	1.	2020/01/09	CLIENT REVISIONS
	4.	2020/05/12	GRADING CORROBORATION
	5.	2020/05/14	COMMISSION RESUBMISSION

Licensed Architect
Peter Mulca Jr.
STATE OF IDAHO

Seal

PERSPECTIVE RENDERING

Date: 2020/01/09 Project No.: 20-001
Scale: NTS CAD File Name:
Designer: SBDZ Checkist:
Sheet No.:

A5.3

MIXED USE DEVELOPMENT

4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
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1 PERSPECTIVE RENDERING

AS4 SCALE: NTS

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Revisions	No.	Date	Issue
	1.	2020/09/07	DESIGN REVIEW BOARD
	4.	2020/09/16	GRADING COORDINATION
	5.	2020/09/18	COMMISSION REAPPLICATION

LICENSED ARCHITECT
PETER MAJORS JR.
STATE OF IDAHO

Seal

PERSPECTIVE RENDERING

Date: 2020/09/07 Project No.: 20-001
Scale: NTS CAD File Name:
Designer: SBZ Checker:
Sheet No.:

A5.4

**MIXED USE
DEVELOPMENT**

4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
MILLCREEK UT 84117



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Kathleen Eggers, ASLA
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(203) 725-0972 fax



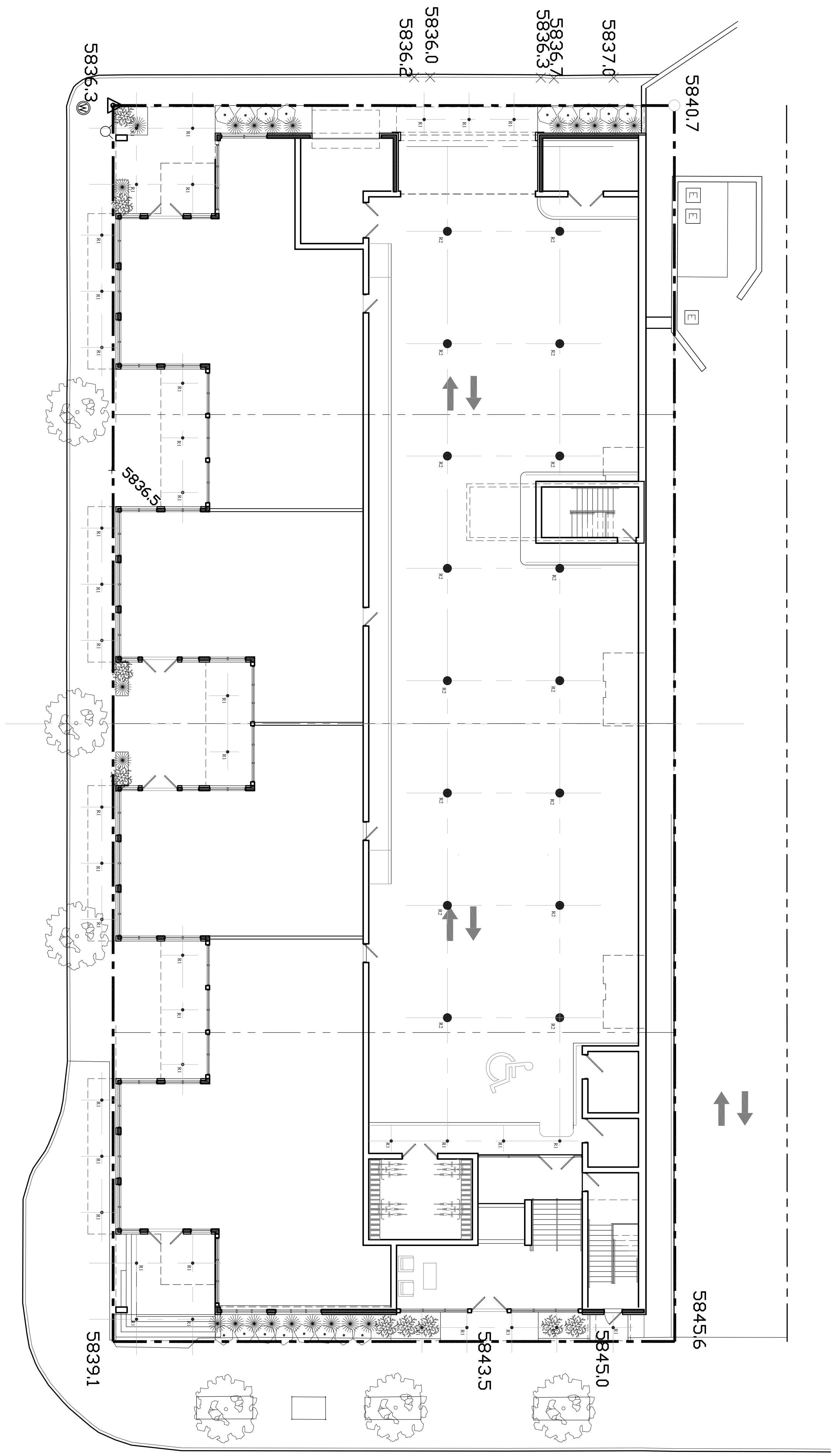
Revisions

No.	Date	Issue
1.	2020/01/05	CLIENT REVISIONS
3.	2020/04/19	ELEVATION REVISION
5.	2020/05/14	COMMISSION REAPPLICATION

FIRST FLOOR LIGHTING PLAN

Date:	2020/01/17	Project No.:	20-001
Scale:	3/32"=1'-0"	Drawn by:	GAO
Checked:	SBZ	Project Manager:	GAO
Sheet No.:		Project Name:	

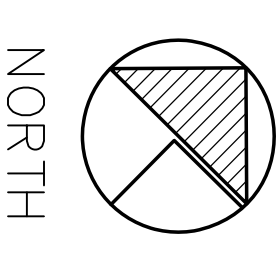
A6.0



FIRST FLOOR LIGHTING PLAN
SCALE: 3/32"=1'-0"

LIGHT FIXTURE SCHEDULE

TYPE	MANUFACTURER	MOUNTING	LAMPS-OUTPUT	DESCRIPTION
R1	LF ILLUMINATION, INC.	RECESSED	LED-3000 LUMENS	OUTDOOR RECESSED FIXED DOWNLIGHT WITH DIE-CAST ALUMINUM TRIM
R2	KENDALL MANUFACTURING COMPANY	SURFACE MOUNTED	LED-21,000 LUMENS	OUTDOOR SURFACE MOUNTED PARKING GARAGE LIGHT FIXTURE
W1	PEGA LIGHTING PRODUCTS	RECESSED WALL - SHIELDED	LED-600 LUMENS	RECESSED WALL LIGHT FIXTURE - SHIELDED



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MIXED USE DEVELOPMENT

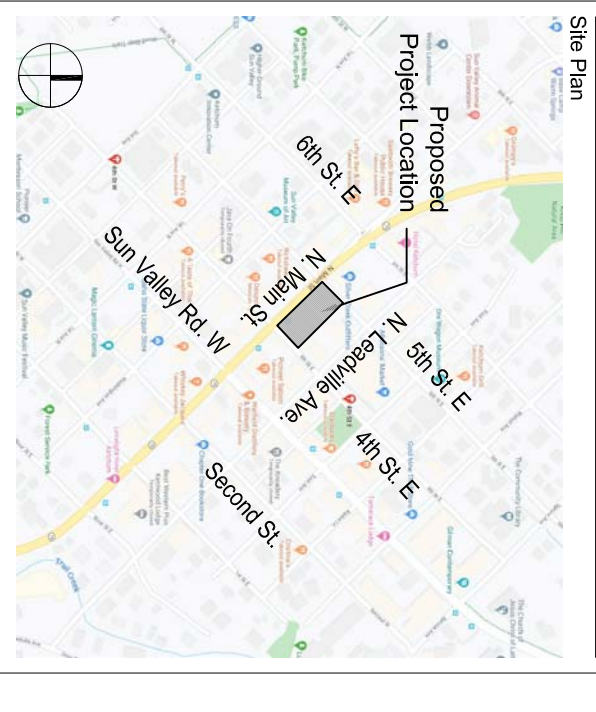
4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4686 HIGH AND DR 4224
MILLCREEK UT 84117

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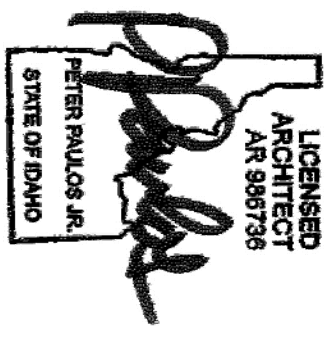
Site Plan

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Newtown, CT 06470
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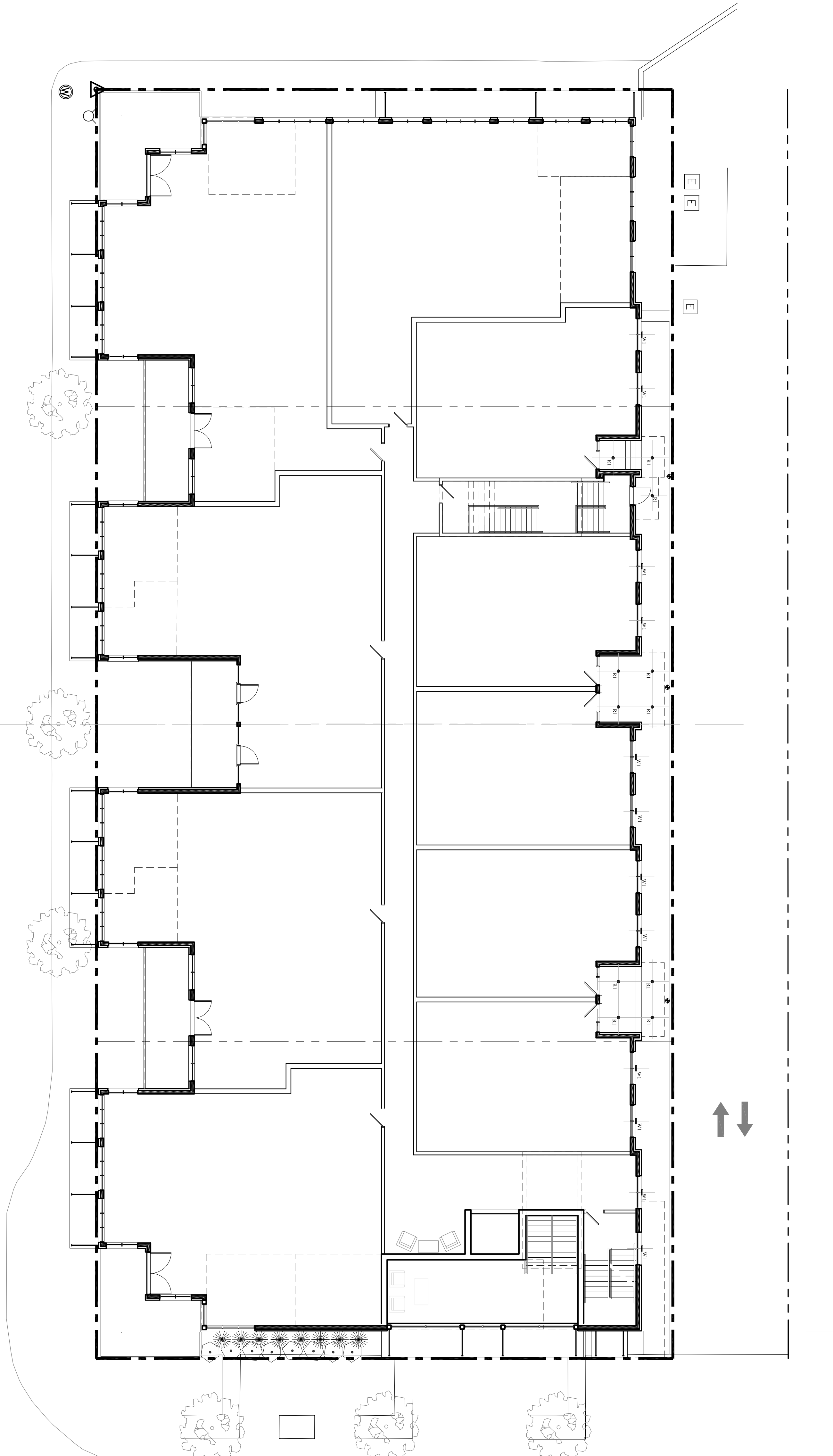
Landscape Architect:
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Seal

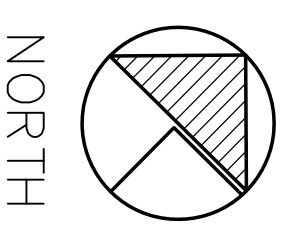


Revisions	No.	Date	Issue
	1.	2020/01/05	CLIENT REVISIONS
	3.	2020/04/19	ELEVATION REVISIONS
	5.	2020/05/14	COMMISSION REVISIONS

SECOND FLOOR LIGHTING PLAN



SECOND FLOOR LIGHTING PLAN
SCALE: 3/32"=1'-0"



NORTH

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Date: 2020/01/17 Project No.: 20-001
Scale: 3/32"=1'-0" base-floor plans
Designer: SBZ
Sheet No.:

A6.1

MIXED USE DEVELOPMENT

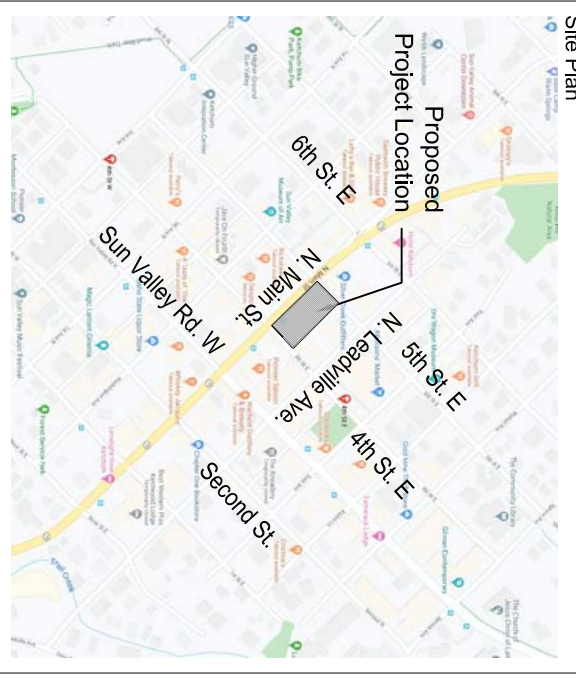
4TH & MAIN ST.
KETCHUM, BLAINE COUNTY,
IDAHO 84117

Prepared For: SOLSTICE DEVELOPMENT
4886 HIGH AND DR 4224
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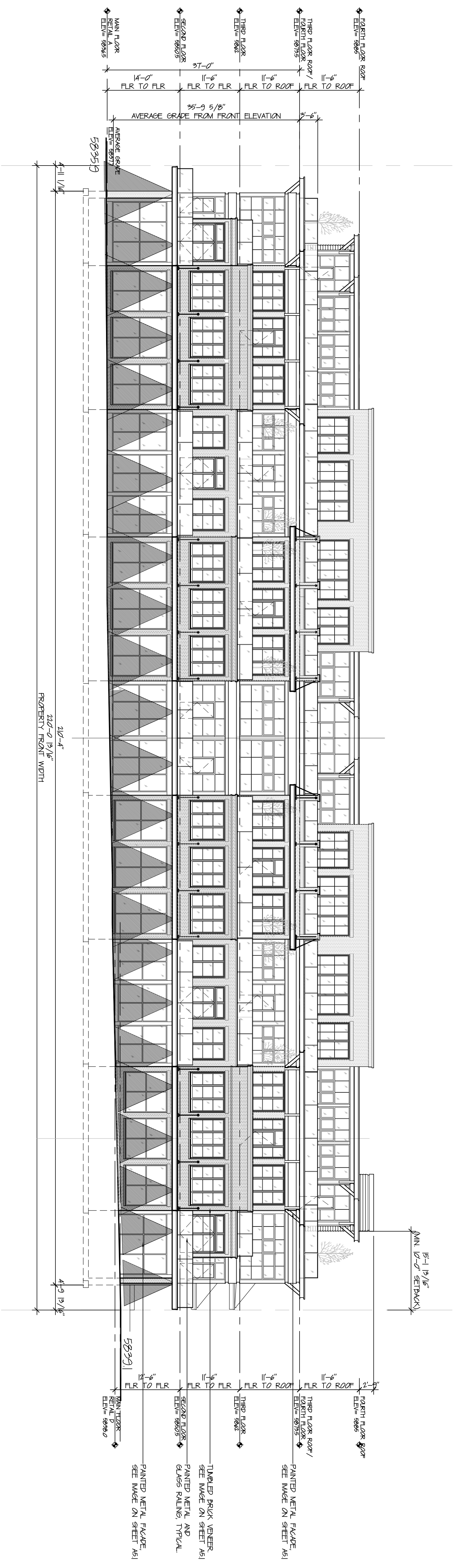


Revisions	No.	Date	Issue
	1	2020/01/05	CLIENT REVISIONS
	3	2020/04/19	ELEVATION REVISIONS
	5	2020/05/14	COMMISSION REAPPLICATION

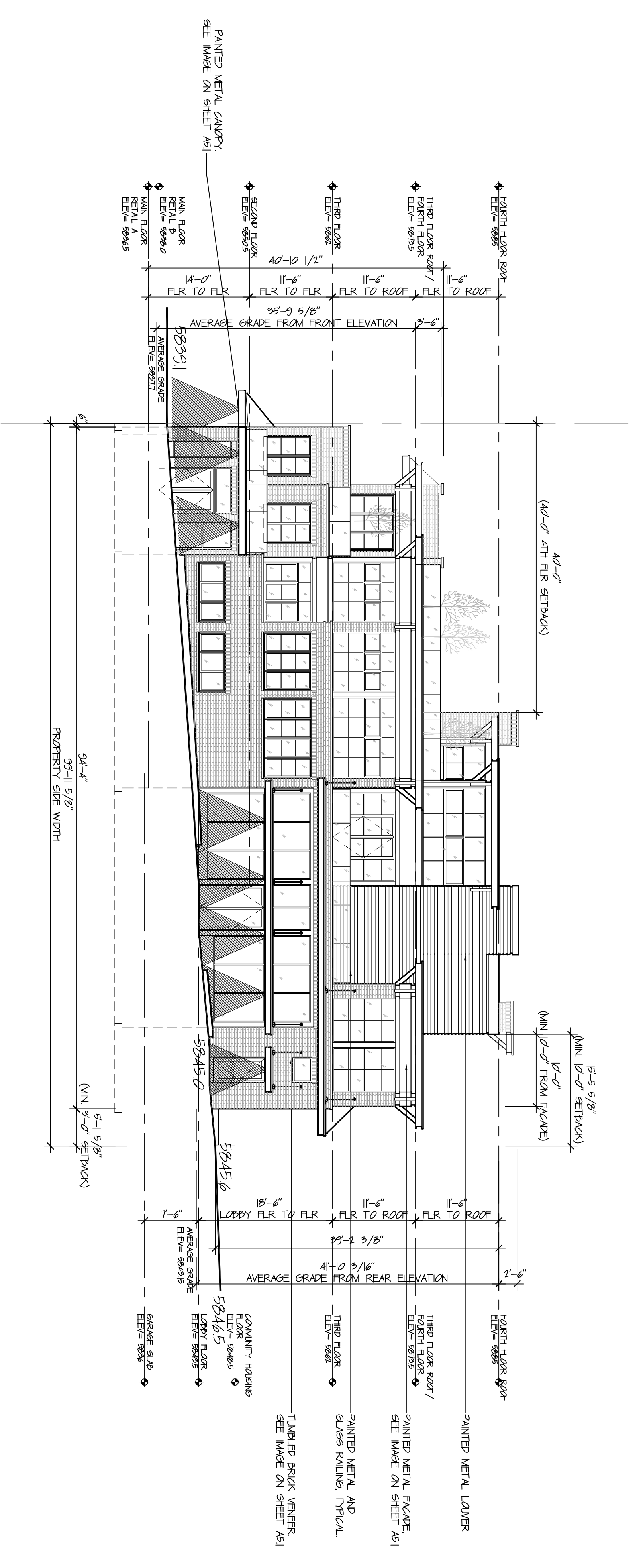
FRONT & SIDE ELEVATIONS - LIGHTING

Date: 2020/01/07 **Project No.:** 20-001
Scale: 3/32"=1'-0" **Case:** ext elev.
Drawn: SBDZ **Checked:**

AG.2



1 FRONT ELEVATION - LIGHTING
SCALE: 3/32"=1'-0"



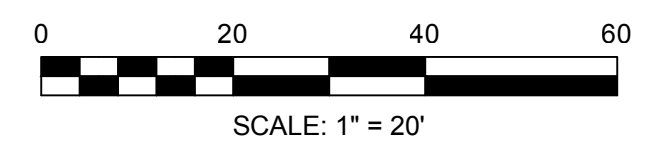
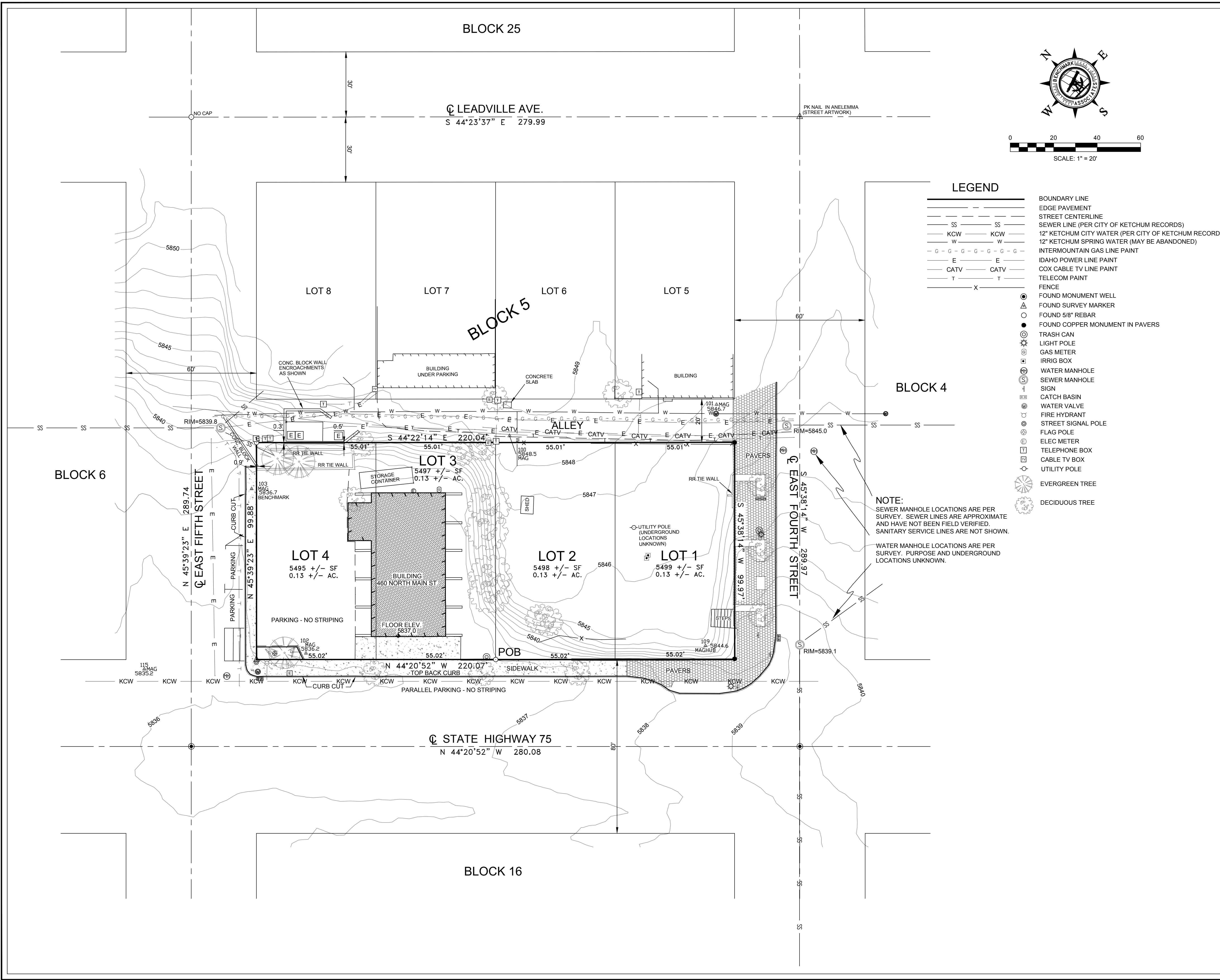
2 SIDE ELEVATION (SOUTH) - LIGHTING
SCALE: 3/32"=1'-0"

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LEGEND

- BOUNDARY LINE
- EDGE PAVEMENT
- STREET CENTERLINE
- SEWER LINE (PER CITY OF KETCHUM RECORDS)
- 12" KETCHUM CITY WATER (PER CITY OF KETCHUM RECORDS)
- 12" KETCHUM SPRING WATER (MAY BE ABANDONED)
- INTERMOUNTAIN GAS LINE PAINT
- IDAHO POWER LINE PAINT
- COX CABLE TV LINE PAINT
- TELECOM PAINT
- FENCE
- ⊙ FOUND MONUMENT WELL
- ⊙ FOUND SURVEY MARKER
- ⊙ FOUND 5/8" REBAR
- FOUND COPPER MONUMENT IN PAVERS
- ⊙ TRASH CAN
- ⊙ LIGHT POLE
- ⊙ GAS METER
- ⊙ IRRIG BOX
- ⊙ WATER MANHOLE
- ⊙ SEWER MANHOLE
- ⊙ SIGN
- ⊙ CATCH BASIN
- ⊙ WATER VALVE
- ⊙ FIRE HYDRANT
- ⊙ STREET SIGNAL POLE
- ⊙ FLAG POLE
- ⊙ ELEC METER
- ⊙ TELEPHONE BOX
- ⊙ CABLE TV BOX
- ⊙ UTILITY POLE
- ⊙ EVERGREEN TREE
- ⊙ DECIDUOUS TREE

NOTE:
SEWER MANHOLE LOCATIONS ARE PER SURVEY. SEWER LINES ARE APPROXIMATE AND HAVE NOT BEEN FIELD VERIFIED. SANITARY SERVICE LINES ARE NOT SHOWN.

WATER MANHOLE LOCATIONS ARE PER SURVEY. PURPOSE AND UNDERGROUND LOCATIONS UNKNOWN.

NOTES:

GENERAL RESTRICTIONS & TITLE INFORMATION:

- THE PURPOSE OF THIS MAP IS TO SHOW TOPOGRAPHIC/SITE INFORMATION AS IT EXISTED ON THE DATE THE FIELD SURVEY WAS PERFORMED. CHANGES MAY HAVE OCCURRED TO SITE CONDITIONS SINCE SURVEY DATE.
- THIS MAP WAS PREPARED FOR THE EXPRESS USE OF THE CLIENT AND IS NOT TRANSFERABLE TO OTHERS WITHOUT WRITTEN CONSENT.
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- THIS DRAWING IS VOID AFTER 2 YEARS AND NO FURTHER COPIES OR DIGITAL FILES WILL BE TRANSMITTED.

EASEMENTS, ENCUMBRANCES AND RESTRICTIONS:

- GENERAL RESTRICTIONS - EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS MAP, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY APPLICABLE TO THE SUBJECT OF REAL ESTATE: EASEMENTS, OTHER THAN THOSE SHOWN OR LISTED HEREON, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING, WETLANDS, AVALANCHE, ANY OTHER LAND-USE REGULATIONS OR HAZARDS.
- STORM WATER PLAN: IF SOIL DISTURBANCE, CLEARING, GRADING AND/OR EXCAVATION OF ONE (1) ACRE OR MORE IS TO TAKE PLACE A FEDERAL GENERAL CONSTRUCTION PERMIT, INCLUDING A STORM WATER POLLUTION PREVENTION PLAN (SWPPP), MUST BE PREPARED AND SUBMITTED TO AND APPROVED BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY PRIOR TO ANY SITE DISTURBANCE.
- BOUNDARY LINES ARE PER RECORD OF SURVEY'S INSTRUMENT NUMBERS 644104 & 642700.

SURVEY AND SITE FEATURES:

- BASIS OF BEARINGS IS IDAHO STATE PLANE COORDINATE SYSTEM, NAD83. CENTRAL ZONE AS DERIVED BY GPS OBSERVATIONS. BOUNDARY LINES AND CERTAIN EASEMENTS SHOWN HEREON ARE PER RECORD OF SURVEYS, RECORDED AS INSTRUMENT NUMBERS 642700 & 64104. ALL DISTANCES SHOWN ARE GROUND DISTANCES IN U.S. SURVEY FEET.
- ELEVATIONS BASED ON NAVD 88 (GEOID03) DATUM.
- UTILITIES AND DRAIN PIPES IF SHOWN HEREON ARE PER SURFACE EVIDENCE ONLY AS MARKED BY DIGLINE NOV. 2019. OTHER UNDERGROUND UTILITIES MAY EXIST. LOCATION OF UNDERGROUND UTILITIES AND SERVICES SHOULD BE CONFIRMED PRIOR TO EXCAVATION OR DESIGN.
- BUILDING WALLS IF SHOWN HEREON ARE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
- SPRINKLER HEADS AND IRRIGATION LINES ARE NOT SHOWN HEREON.
- TREE LOCATIONS AND DRIP LINES IF SHOWN HEREON ARE APPROXIMATE.
- CONTOUR INTERVAL: 1' - CONTOURS IN AREAS OF DENSE VEGETATION MAY DEVIATE FROM TRUE ELEVATION BY ONE HALF THE HEIGHT OF THE VEGETATION. DATE OF LIDAR FLIGHT FOR CONTOURS: 2017.
- MAP SCALE: DUE TO ELECTRONIC MAP DELIVERY AND ALTERNATE PRINTING METHODS, PLEASE USE BAR SCALE TO DETERMINE ACTUAL PRINTED SCALE.
- FEATURES OBTAINED BY DEBRIS, SNOW OR VEHICLES AT THE TIME OF SURVEY, DO NOT APPEAR ON THIS MAP.

PREPARED BY:
BENCHMARK ASSOCIATES, P.A.
P.O. BOX 733 - 100 BELL DRIVE, KETCHUM, IDAHO, 83340
PHONE (208)726-9512 FAX (208)726-9514
WEB: <http://benchmark-associates.com/>
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SEE PRINTED HARD COPY
FOR SURVEYORS STAMP
AND SEAL

KETCHUM BLOCK 5

LOTS 1-4

LOCATED WITHIN:
SECTION 18, TOWNSHIP 4 NORTH, RANGE 18 EAST, B.M.,
CITY OF KETCHUM, BLAINE COUNTY, IDAHO

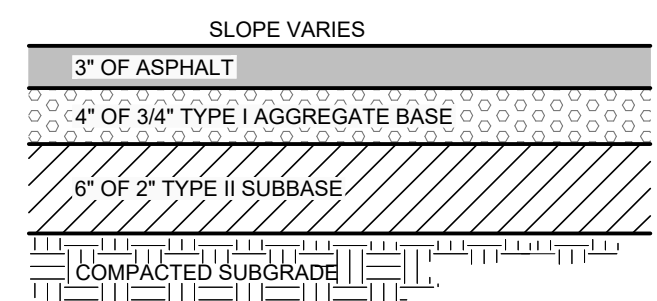
PROJECT NO. 19195
A TOPOGRAPHIC MAP

DWG BY: DWS/CPL
DATE OF SURVEY: 11/6/2019

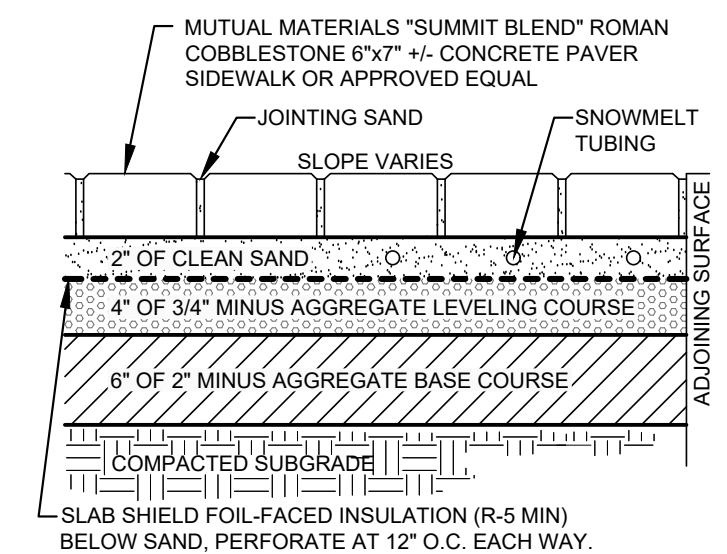
19195 TOPO.DWG
SHEET: 1 OF 1

CONSTRUCTION NOTES

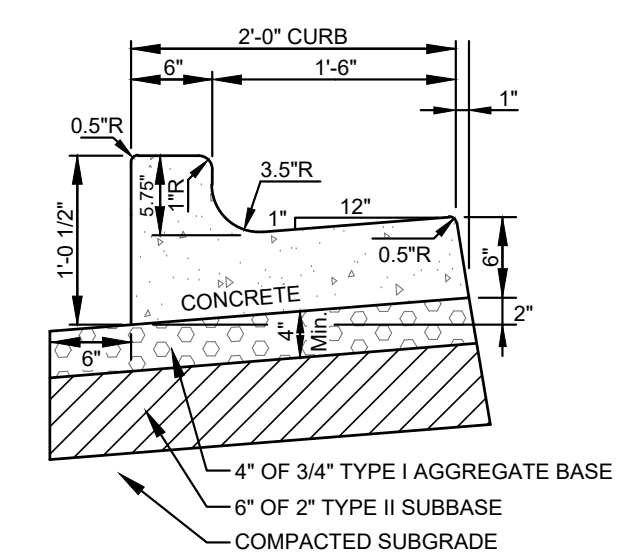
- ALL CONSTRUCTION SHALL BE IN CONFORMANCE WITH THE MOST CURRENT EDITION OF THE "IDAHO REGULATIONS FOR PUBLIC DRINKING WATER SYSTEMS," THE CURRENT EDITION OF THE "IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION" (ISPCW), AND CITY OF KETCHUM STANDARDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND KEEPING A COPY OF THE ISPCW ON SITE DURING CONSTRUCTION.
- THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN ON THE PLANS IN AN APPROXIMATE WAY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING EXISTING UTILITIES PRIOR TO COMMENCING AND DURING THE CONSTRUCTION. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH RESULT FROM HIS FAILURE TO ACCURATELY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. CONTRACTOR SHALL CALL DIGLINE (1-800-342-1585) TO LOCATE ALL EXISTING UNDERGROUND UTILITIES.
- THE CONTRACTOR SHALL CLEAN UP THE SITE AFTER CONSTRUCTION SO THAT IT IS IN A CONDITION EQUAL TO OR BETTER THAN THAT WHICH EXISTED PRIOR TO CONSTRUCTION, INCLUDING BUT NOT LIMITED TO, EPA'S NPDES CONSTRUCTION GENERAL PERMIT.
- THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
- CONSTRUCTION OF WATER MAINS AND ALL OTHER RELATED APPURTENANCES SHALL BE IN ACCORDANCE WITH THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (ISPCW), IDAPA 58.01.08, IDAHO RULES FOR PUBLIC DRINKING WATER SYSTEMS AND THE CITY OF KETCHUM UTILITIES DEPARTMENT STANDARDS.
- CONTRACTOR SHALL PRESSURE TEST, DISINFECT, AND CONDUCT BIOLOGICAL TESTING IN ACCORDANCE WITH THE IDAHO STANDARDS FOR PUBLIC WORKS CONSTRUCTION (ISPCW), AMERICAN WATER WORKS ASSOCIATION (AWWA) STANDARDS, AND THE PRESSURE TESTING, DISINFECTION, AND MICROBIOLOGICAL TESTING PROCEDURES.
- ALL WATER SUPPLY FIXTURES, FITTINGS, PIPING, AND ALL RELATED APPURTENANCES SHALL BE ANSINSF STD. 61 COMPLIANT.
- ALL WATER SUPPLY FIXTURES, FITTINGS, PIPING, AND ALL RELATED APPURTENANCES SHALL COMPLY WITH THE LOW LEAD ACT REQUIRING ALL MATERIALS TO HAVE A LEAD CONTENT EQUAL TO OR LESS THAN 0.25%.
- THE CONTRACTOR SHALL USE ANSINSF STANDARD 60 CHEMICALS AND COMPOUNDS DURING INSTALLATION & DISINFECTION OF POTABLE WATER MAIN.
- CONTRACTOR SHALL COORDINATE LOCATIONS OF DRY UTILITY FACILITIES (POWER, CABLE, PHONE, TV) NOT SHOWN ON THE DRAWING WITH IDAHO POWER.
- ALL CLEARING & GRUBBING SHALL CONFORM TO ISPCW SECTION 201.
- ALL EXCAVATION & EMBANKMENT SHALL CONFORM TO ISPCW SECTION 202. EXCAVATED SUBGRADE SHALL BE COMPACTED AND ALL UNSUITABLE SECTIONS REMOVED AND REPLACED WITH STRUCTURAL FILL AS DETERMINED BY THE ENGINEER. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 95% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99 OR ITD T-91.
- ALL 2" MINUS GRAVEL SHALL CONFORM TO ISPCW 802, TYPE II (ITD STANDARD 703.04, 2"), SHALL BE PLACED IN CONFORMANCE WITH ISPCW SECTION 801 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 90% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99.
- ALL 3/4" MINUS CRUSHED GRAVEL SHALL CONFORM TO ISPCW 802, TYPE I (ITD STANDARD 703.04, 3/4" B), SHALL BE PLACED IN CONFORMANCE WITH ISPCW SECTION 802 AND COMPACTED PER SECTION 202. MINIMUM COMPACTION OF PLACED MATERIAL SHALL BE 95% OF MAXIMUM LABORATORY DENSITY AS DETERMINED BY AASHTO T-99 OR ITD T-91.
- ALL ASPHALTIC CONCRETE PAVEMENT WORK SHALL CONFORM TO ISPCW SECTION(S) 805, 810, AND 811 FOR CLASS II PAVEMENT. ASPHALT AGGREGATE SHALL BE 1/2" (13MM) NOMINAL SIZE CONFORMING TO TABLE 803B IN ISPCW SECTION 803. ASPHALT BINDER SHALL BE PG 58-28 CONFORMING TO TABLE A-1 IN ISPCW SECTION 805.
- ALL EDGES OF EXISTING ASPHALT PAVING SHALL BE SAW CUT 24" TO PROVIDE A CLEAN PAVEMENT EDGE FOR MATCHING. NO WHEEL CUTTING SHALL BE ALLOWED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING TRAFFIC CONTROL PER THE CURRENT EDITION OF THE US DEPARTMENT OF TRANSPORTATION MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
- ALL CONCRETE FORM WORK SHALL CONFORM TO ISPCW SECTION 701 AND 703. ALL CONCRETE SHALL BE 3,000 PSI MINIMUM, 28 DAY, AS DEFINED IN ISPCW SECTION 703, TABLE 1.C.
- ALL TRENCHING SHALL CONFORM TO ISPCW STANDARD DRAWING SD-301. TRENCHES SHALL BE BACKFILLED AND COMPACTED TO A MINIMUM OF 95% OF MAXIMUM DENSITY AS DETERMINED BY AASHTO T-99.
- TOPOGRAPHIC, SITE, AND BOUNDARY SURVEYS SHOWN HEREON WERE CONDUCTED BY BENCHMARK ASSOCIATES, P.A., 11/6/2019. REFER TO TOPOGRAPHIC MAP FOR NOTES.
- PER IDAHO CODE § 55-1613, THE CONTRACTOR SHALL RETAIN AND PROTECT ALL MONUMENTS, ACCESSORIES TO CORNERS, BENCHMARKS AND POINTS SET IN CONTROL SURVEYS; ALL MONUMENTS, ACCESSORIES TO CORNERS, BENCHMARKS AND POINTS SET IN CONTROL SURVEYS THAT ARE LOST OR DISTURBED BY CONSTRUCTION SHALL BE REESTABLISHED AND RE-MONUMENTED, AT THE EXPENSE OF THE AGENCY OR PERSON CAUSING THEIR LOSS OR DISTURBANCE AT THEIR ORIGINAL LOCATION OR BY SETTING OF A WITNESS CORNER OR REFERENCE POINT OR A REPLACEMENT BENCHMARK OR CONTROL POINT, BY OR UNDER THE DIRECTION OF A PROFESSIONAL LAND SURVEYOR.



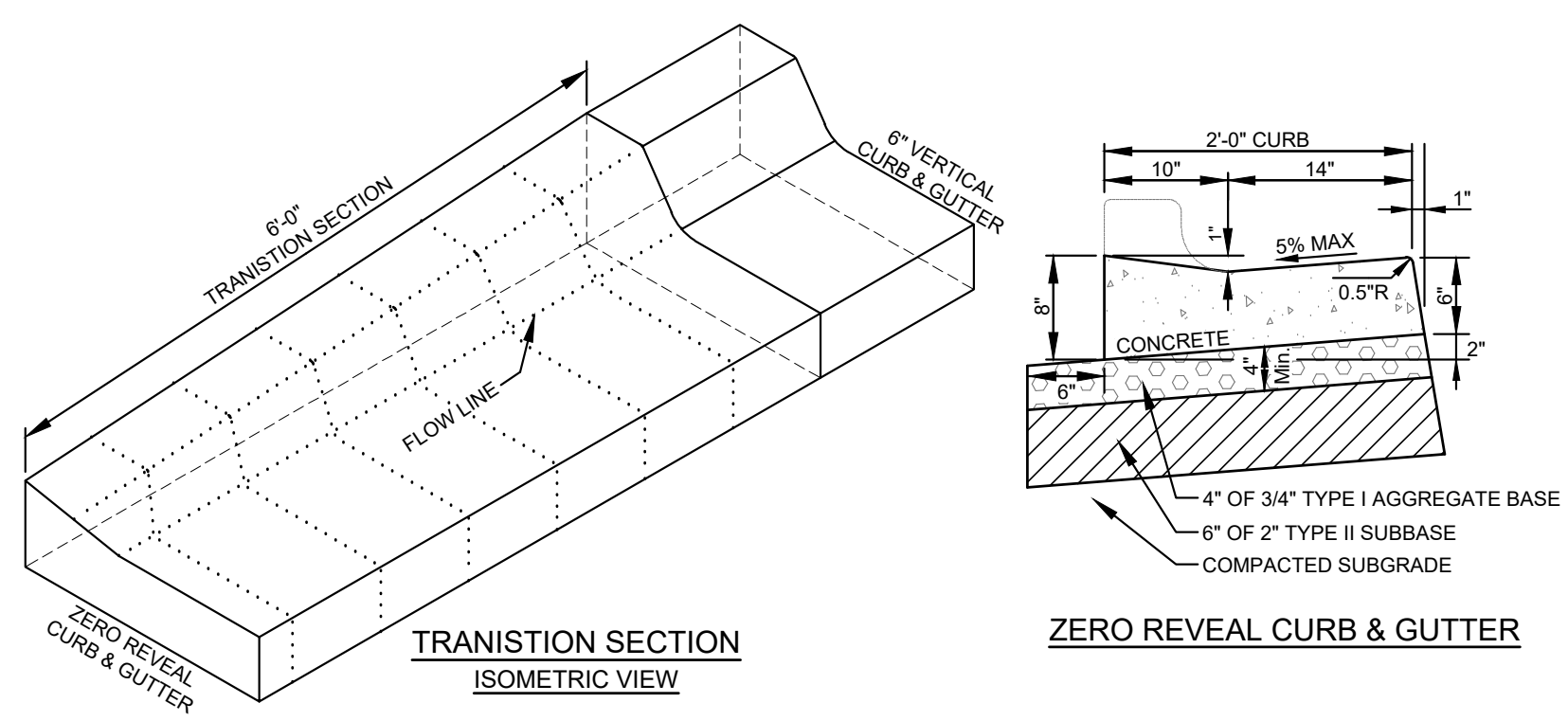
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C0.1 TYPICAL STREET ASPHALT SECTION
N.T.S.



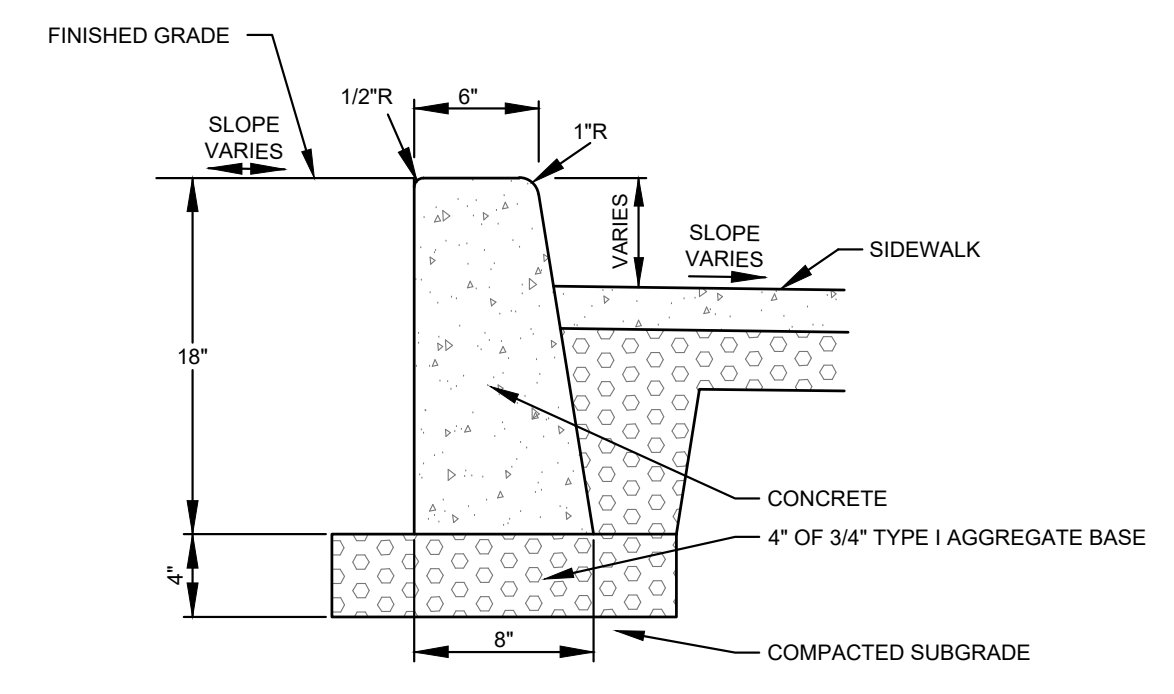
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C0.1 PAVER DETAIL
N.T.S.



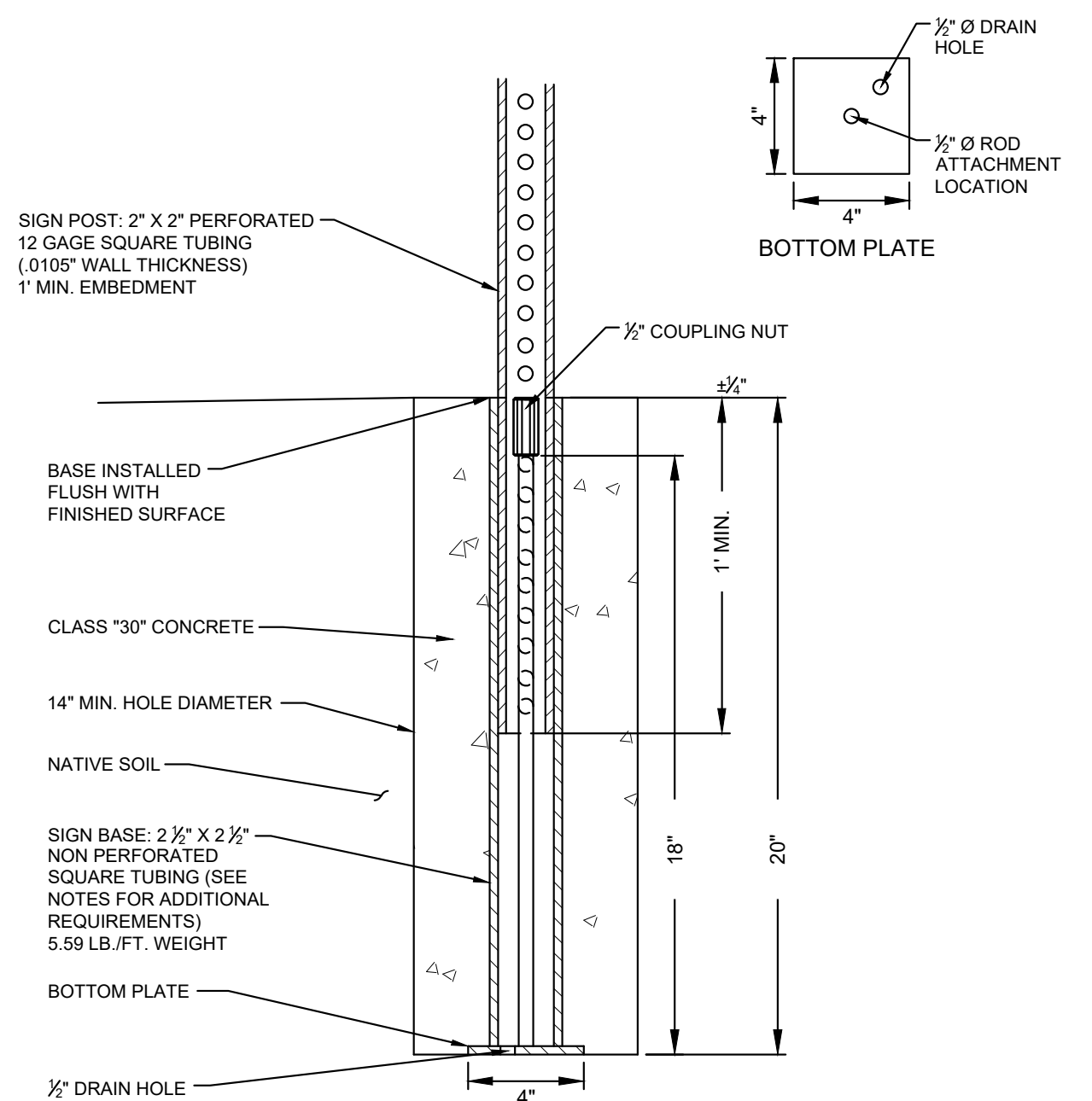
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C0.1 6\"/>



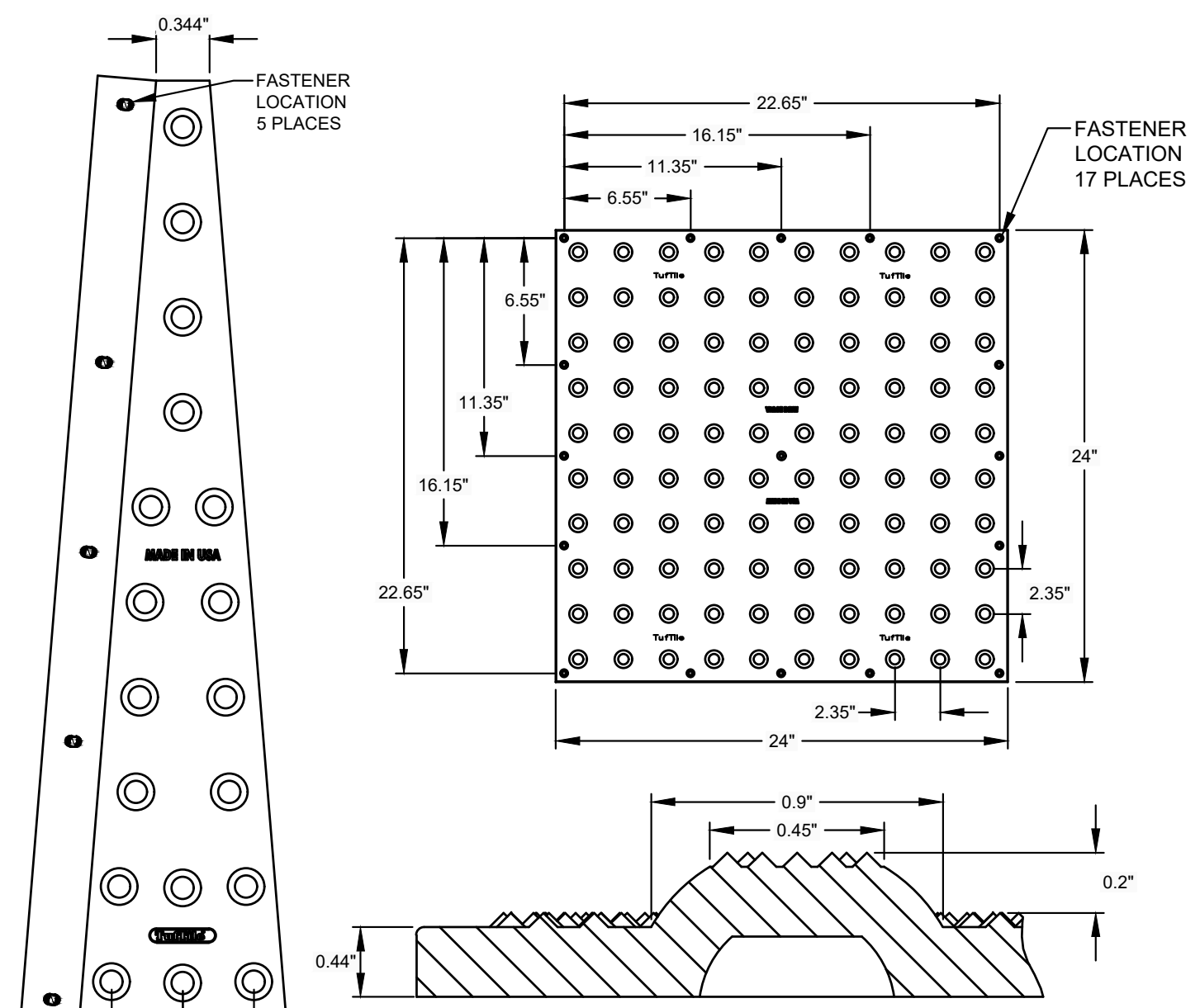
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C0.1 TYPICAL CURB TRANSITION DETAIL
N.T.S.



5
C0.1 CONCRETE VERTICAL CURB
N.T.S.

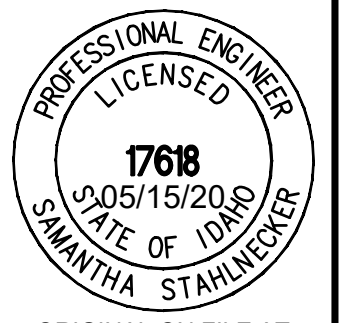


6
C0.1 TYPICAL SIGN BASE
N.T.S.



7
C0.1 DETECTABLE WARNING PLATE
N.T.S.

NOTES AND DETAIL SHEET
MIXED USE DEVELOPMENT, 4TH AND MAIN ST.
 LOCATED WITHIN SEC 13, T4N, R18E, B4M, CITY OF KETCHUM, BLAINE COUNTY, IDAHO
 PREPARED FOR SOLISTICE DEVELOPMENT

ORIGINAL SIGNED BY
 SAMANTHA STAHLNECKER
 DATE ORIGINAL SIGNED:
 05/15/2020

 ORIGINAL ON FILE AT
 OFFICE OF GALENA
 ENGINEERING
 (HAILEY, ID)

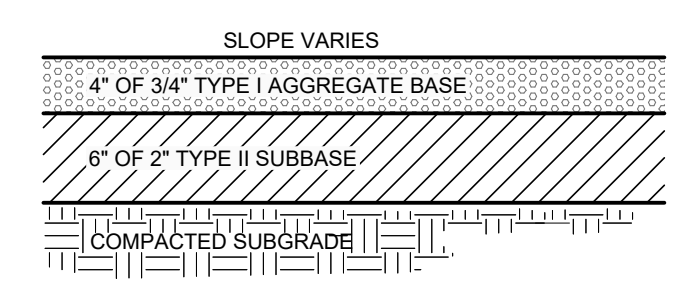
DESIGNED BY _____
 CT _____
 DRAWN BY _____
 SMF _____
 CHECKED BY _____
GALENA
ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 317 N. River Street
 Hailey, Idaho 83433
 (208) 768-1705
 email: galena@galena-engineering.com

PURPOSE: ISSUE FOR DESIGN REVIEW	REVISIONS
NO.	DATE BY

PRELIMINARY
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CONSTRUCTION

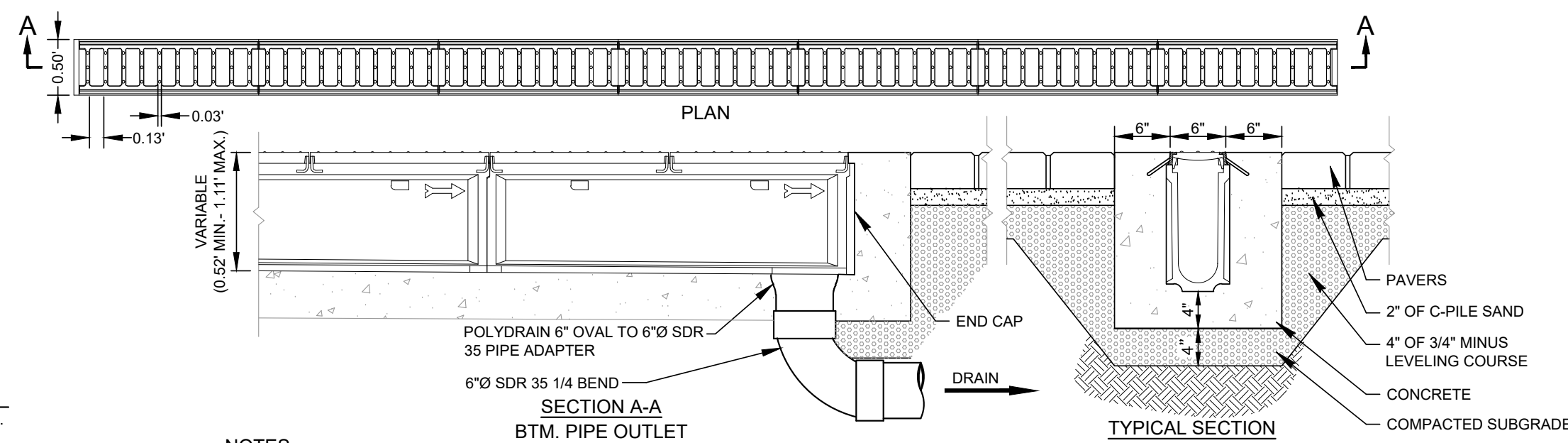
REUSE OF DRAWINGS: These drawings, or any portion thereof, shall not be used on any project or extension of this project except by agreement in writing with Galena Engineering, Inc.

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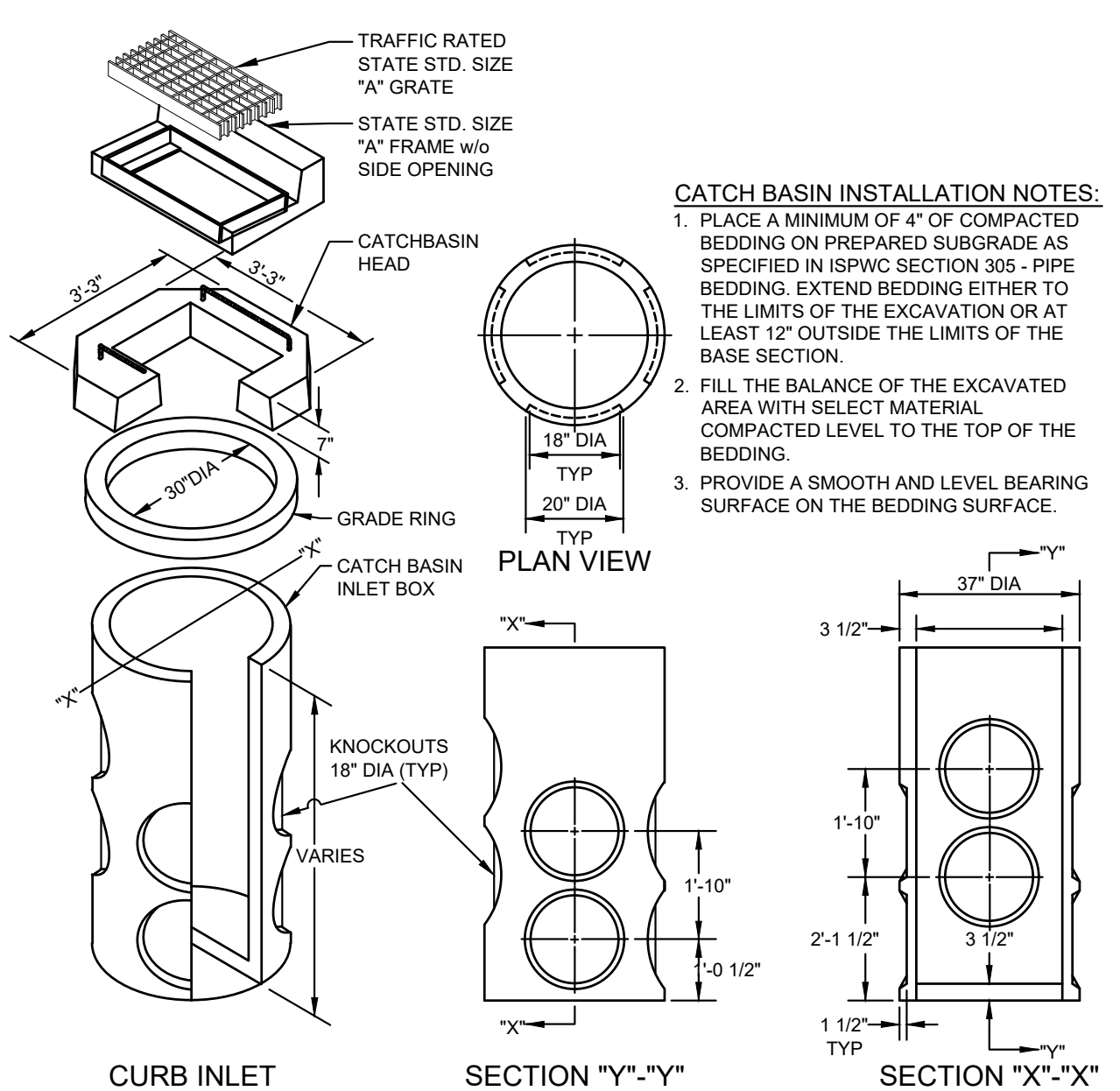
- NOTES:**
- SUBBASE CAN BE 2" TYPE II OR 3/4" TYPE I CRUSHED AGGREGATE BASE COURSE.
 - MATERIALS SHALL CONFORM WITH CURRENT ISWPC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.
 - PAVEMENT SECTION MAY BE MODIFIED IF A PROJECT SPECIFIC GEOTECHNICAL REPORT, STAMPED BY LICENSED ENGINEER, IS PROVIDED.

1
C0.2 **TYPICAL GRAVEL SECTION**
N.T.S.



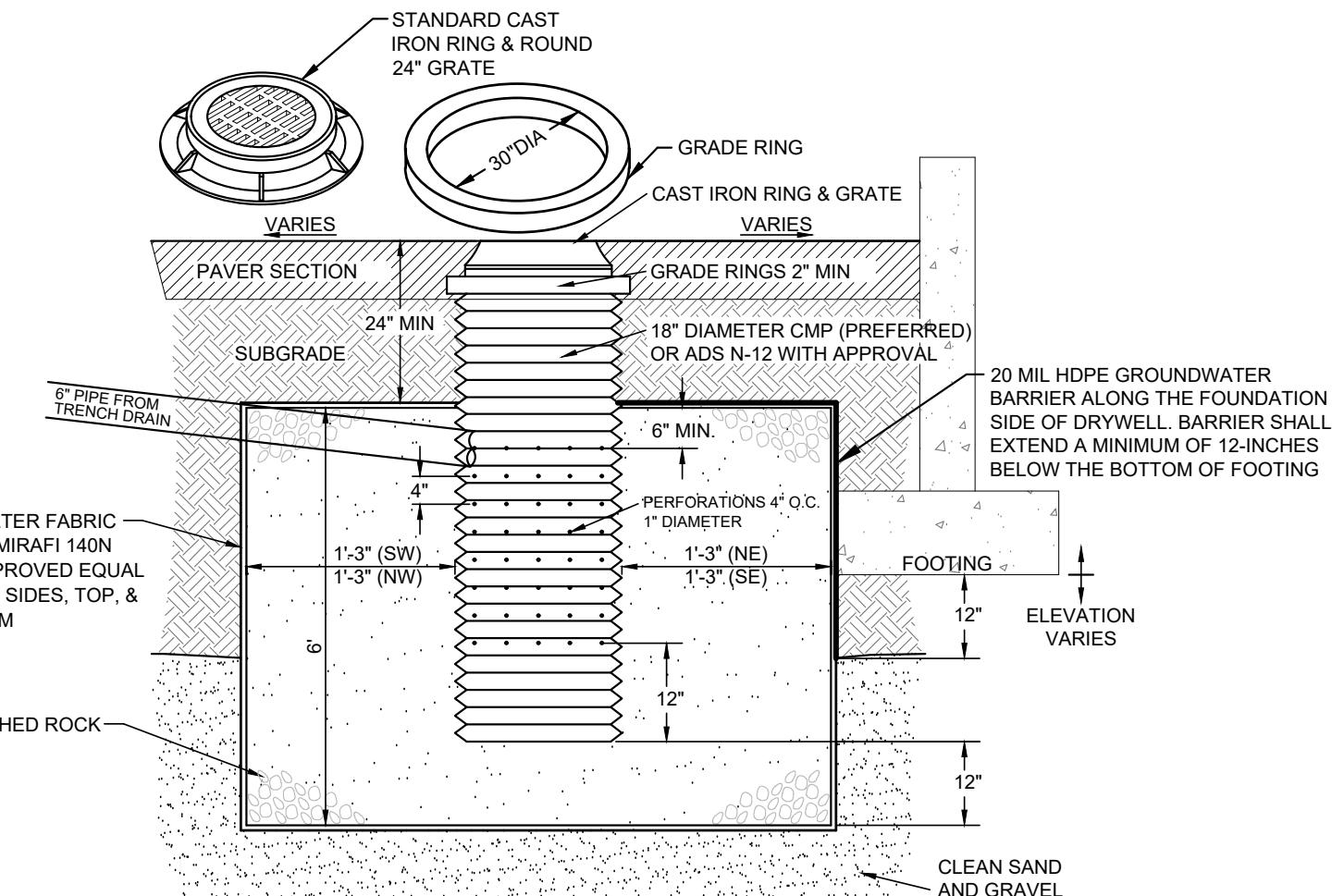
- NOTES:**
- LINE DRAIN IS SUITABLE FOR APPLICATIONS FOR CONTROLLING SPREAD IN GUTTER FLOW CONDITIONS OR TO INTERCEPT SHEET FLOW. TYPICAL APPLICATION IS AT THE STREET CURB OR BARRIER.
 - THE FRAME AND GRATE IS SUITABLE FOR PEDESTRIAN AND BICYCLE TRAFFIC AND RATED FOR H-25 AND HS-25 LOADS.
 - CONCRETE THICKNESS, TYPE, AND AMOUNT OF REINFORCEMENT TO BE SAME AS ADJACENT PAVEMENT OR GREATER. PERFORM STRUCTURAL ANALYSIS TO DETERMINE REQUIREMENTS FOR APPLICATION.
 - TOP OF GRATE TO BE INSTALLED FLUSH TO 1/8 IN BELOW FINISHED GRADE. BEVEL CONCRETE TO TOP OF GRATE IF BELOW FLUSH.

2
C0.2 **TRENCH DRAIN DETAIL**
(ABT INTERCEPTOR LINE DRAIN OR APPROVED EQUAL)
N.T.S.

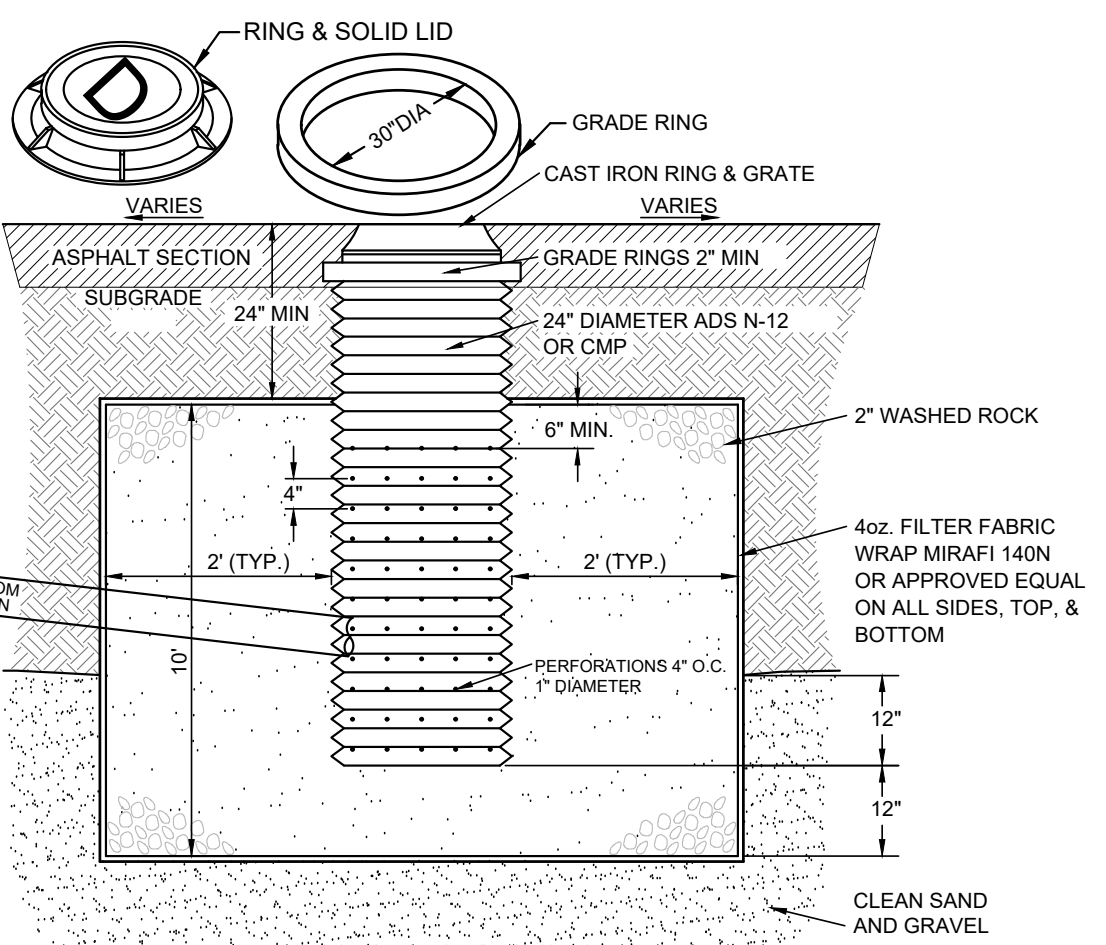


- CATCH BASIN INSTALLATION NOTES:**
- PLACE A MINIMUM OF 4" OF COMPACTED BEDDING ON PREPARED SUBGRADE AS SPECIFIED IN ISWPC SECTION 305 - PIPE BEDDING. EXTEND BEDDING EITHER TO THE LIMITS OF THE EXCAVATION OR AT LEAST 12" OUTSIDE THE LIMITS OF THE BASE SECTION.
 - FILL THE BALANCE OF THE EXCAVATED AREA WITH SELECT MATERIAL. COMPACTED LEVEL TO THE TOP OF THE BEDDING.
 - PROVIDE A SMOOTH AND LEVEL BEARING SURFACE ON THE BEDDING SURFACE.

3
C0.2 **30\"/>**

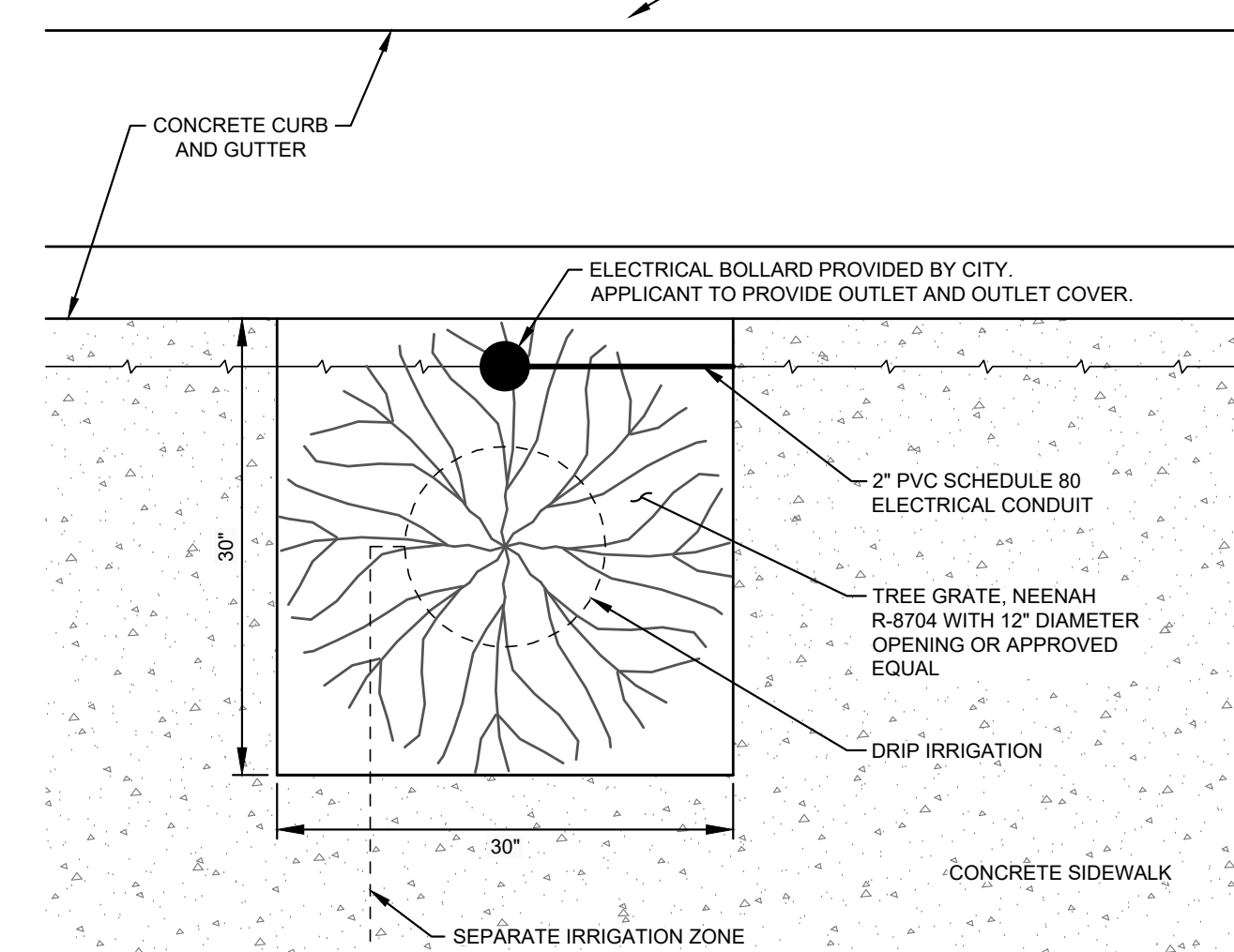


4
C4.0 **LANDSCAPE DRYWELL DETAIL**
N.T.S.



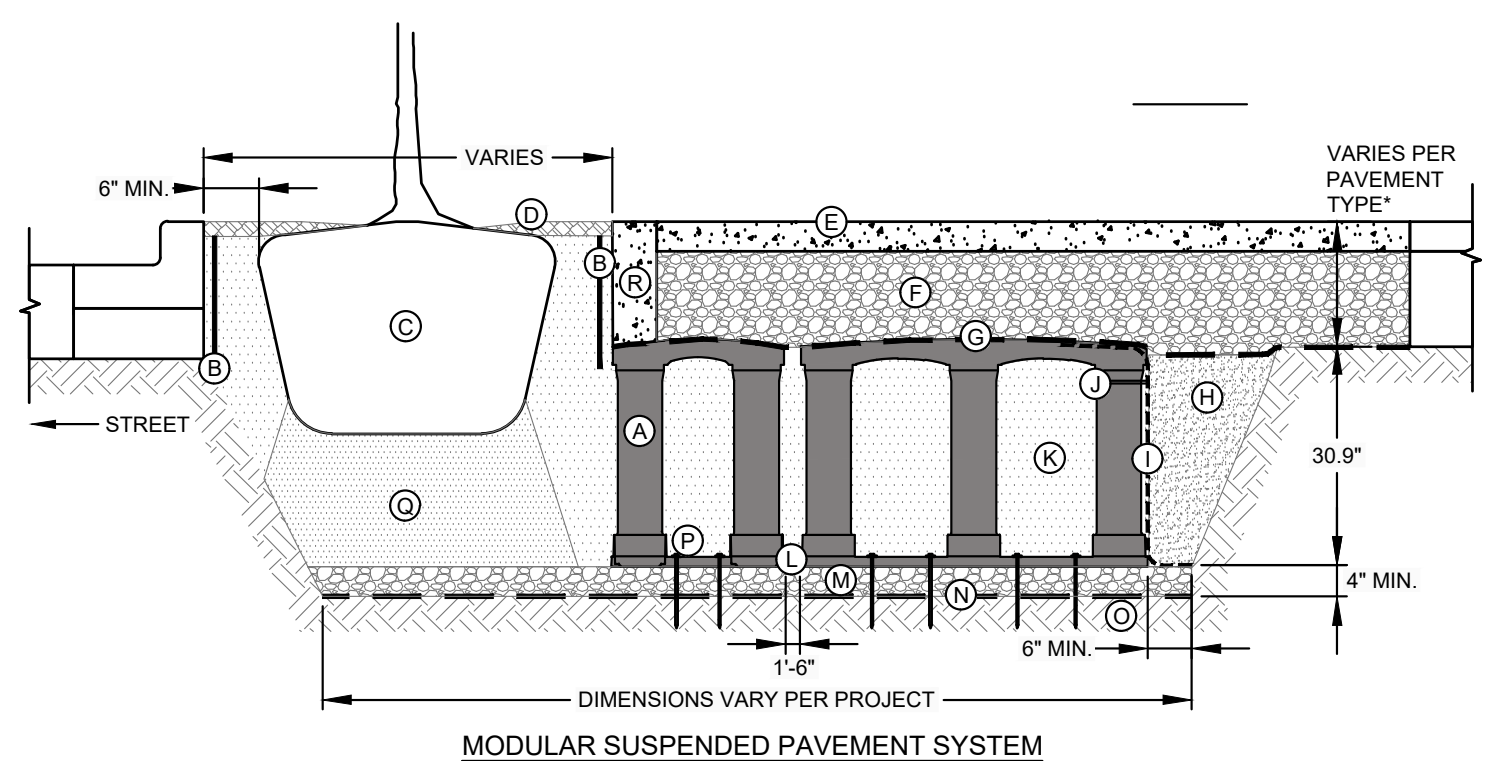
- NOTES:**
- THE BED SHALL BE EXCAVATED A MINIMUM OF 24" INTO CLEAN SAND AND GRAVEL.
 - MAXIMUM DEPTH SHALL NOT EXCEED 12 FEET.
 - IF CLEAN SAND AND GRAVEL IS NOT ENCOUNTERED WITHIN 12 FEET, THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER.
 - GRATE OR SOLID LID AS APPROVED BY CITY OF KETCHUM.

5
C0.2 **DRYWELL DETAIL (6'X6')**
N.T.S.



- NOTES:**
- TREE TO BE 3" MINIMUM CALIPER AUTUMN BLAZE MAPLE OR APPROVED EQUAL.
 - CITY OF KETCHUM REQUIRES DRIP IRRIGATION TO BE ON A SEPARATE ZONE WITH HUNTER/RAINWISE SMART CLOCK, OR APPROVED EQUAL, FOR REMOTE ACCESS BY CITY.
 - APPLICANT TO CONNECT AND PROVIDE CONDUITS, WIRING, AND SEPARATE CIRCUIT, OR TIE TO A CITY CIRCUIT FOR POWER.
 - NO DIRECT BURIAL WIRE PERMITTED.
 - TREE INSTALLATION TO BE MODULAR SUSPENDED PAVEMENT SYSTEM. SEE TREE WELL SECTION VIEW, DETAIL 2.

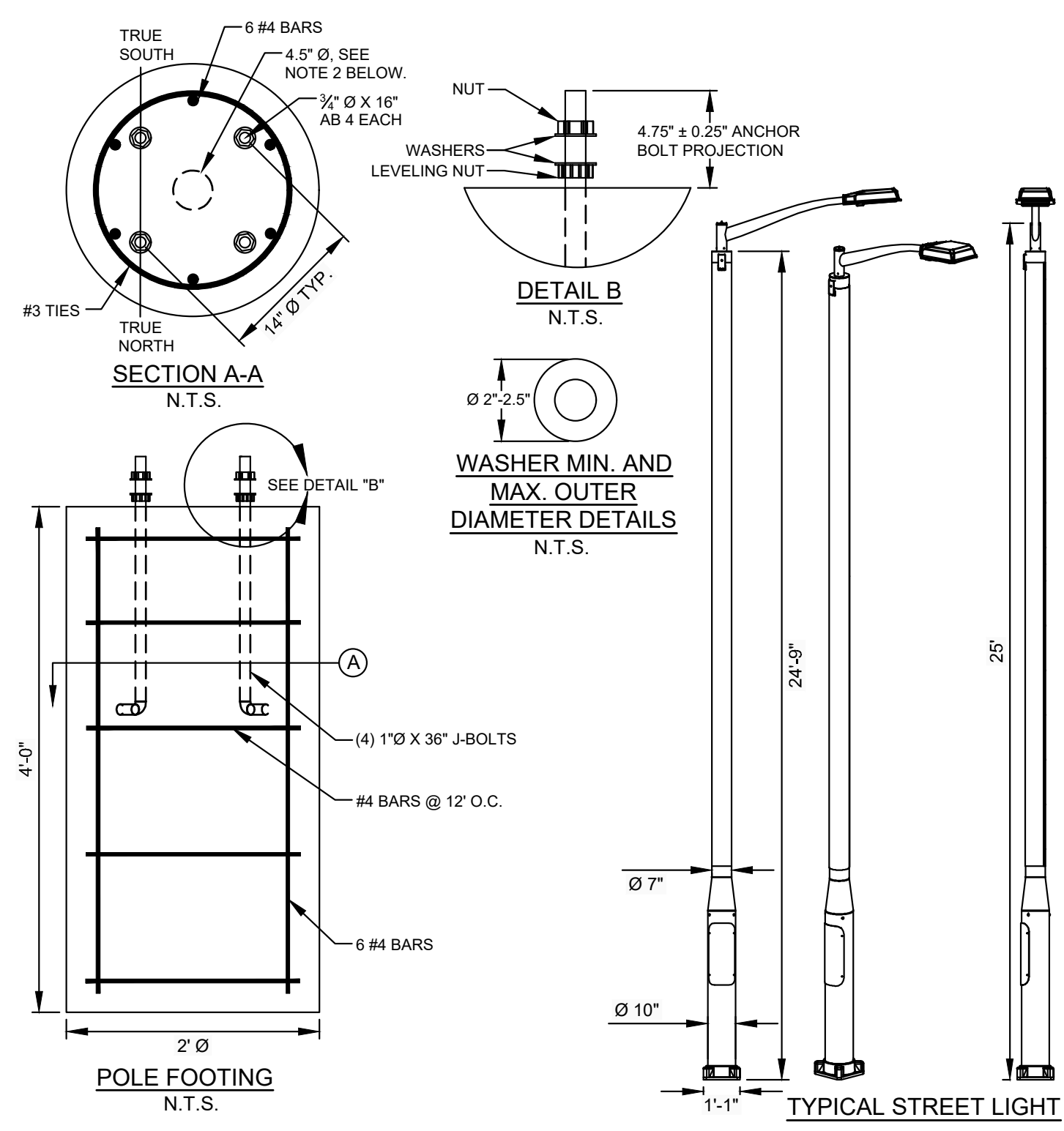
6
C0.2 **TREE WELL DETAILS**
N.T.S.



- KEY PLAN:**
- A. SILVA CELL SYSTEM (DECK, BASE, AND POSTS) OR APPROVED EQUAL.
 - B. DEEPROOT ROOT BARRIER, 12" OR 18", DEPTH DETERMINED BY THICKNESS OF PAVEMENT SECTION, INSTALL DIRECTLY ADJACENT TO CONCRETE EDGE RESTRAINT. PREVENTS ROOTS FROM DISTURBING PAVEMENT.
 - C. TREE ROOT PACKAGE, SIZE VARIES.
 - D. TREE OPENING TREATMENT, PER PROJECT SPECIFICATIONS.
 - E. SURFACE TREATMENT, PER PROJECT.
 - F. AGGREGATE BASE COURSE, DEPTH VARIES PER PROJECT.
 - G. GEOTEXTILE TO KEEP AGGREGATE FROM MIGRATING DOWN THROUGH CELL DECK.
 - H. BACKFILL, PER PROJECT SPECIFICATIONS.
 - I. GEOGRID TO PROVIDE FOR VERTICAL SEPARATION BETWEEN PLANTING SOILS AND BACKFILL WHILE ALLOWING ROOT PENETRATION INTO ADJACENT SOILS. 6" (150 mm) TOE (OUTWARD FROM BASE) AND 12" (305 mm) EXCESS (OVER TOP OF DECK).
 - J. CABLE TIE, ATTACHING GEOGRID TO SILVA CELL AT BASE OF UPPER POST FLARE.
 - K. PLANTING SOIL, PER PROJECT SPECIFICATIONS, COMPACTED TO 70-80% PROCTOR.
 - L. SILVA CELL BASE SLOPE, 10% MAX.
 - M. 4" (100 mm) MN AGGREGATE SUB BASE, COMPACTED TO 95% PROCTOR.
 - N. GEOTEXTILE, TO PROVIDE SEPARATION BETWEEN SUBGRADE AND AGGREGATE BASE.
 - O. SUBGRADE, COMPACTED TO 95% PROCTOR.
 - P. PIN, PER SILVA CELL SPECIFICATIONS, TO KEEP CELLS IN PLACE DURING CONSTRUCTION.
 - Q. PLANTING SOIL BELOW TREE ROOT PACKAGE, COMPACTED TO 85-90% PROCTOR.
 - R. CONCRETE EDGE RESTRAINT TO STABILIZE EDGE AND PREVENT AGGREGATE MIGRATION INTO TREE OPENING.

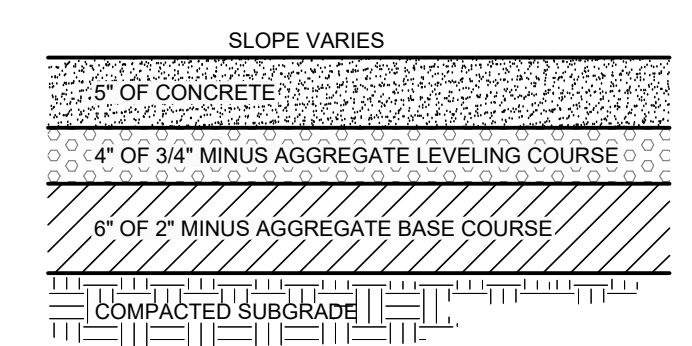
- NOTES:**
- EXCAVATION SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE HEALTH AND SAFETY REGULATIONS.
 - INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
 - A PROJECT SPECIFIC DETAIL WILL NEED TO BE PROVIDED TO CITY FOR REVIEW AND APPROVAL.

SECTION VIEW



- NOTES:**
- STREET LIGHT IS SOLARONE RFS DESIGN 158 LFP OR APPROVED EQUAL.
 - ANY CONDUITS AND/OR GROUNDING WIRES MUST BE HARDWIRED AND CONTAINED WITHIN A 4.5" Ø CIRCLE CENTERED ON THE FOUNDATION. GROUNDING ELECTRODE WIRE (IF REQUIRED) ARE 5" MIN. ABOVE THE BASE.
 - ANCHOR BOLT ORIENTATION TO TRUE NORTH/SOUTH IS ONLY RELEVANT FOR OFF-GRID SOLAR POLES. DISREGARD FOR GRID-TIED POLES.
 - GROUNDING WIRE MUST BE 60" FROM BASE SO IT CAN REACH THE GROUNDING LUG INSIDE THE POLE.
 - STREET LIGHT SHALL BE 25' IN HEIGHT OR AS APPROVED BY CITY OF KETCHUM.

7
C0.2 **TYPICAL STREET LIGHT**
N.T.S.



- NOTES:**
- INSTALL SCORE JOINTS AT INTERVALS TO MATCH WIDTH OF WALK NOT TO EXCEED 5 FEET SPACING IN BOTH THE LONGITUDINAL AND TRANSVERSE DIRECTION FOR SIDEWALK GREATER THAN 5 FEET IN WIDTH. INSTALL EXPANSION JOINTS EVERY 10 FEET IN LONGITUDINAL DIRECTION.
 - 12" TRANSVERSE PREFORMED BITUMINOUS JOINTS AT THE TERMINUS POINTS FOR CURVE AND WHERE SIDEWALK IS PLACED BETWEEN TWO PERMANENT FOUNDATIONS OR ADJACENT TO THE STRUCTURE, PLACE 3/4" EXPANSION JOINT MATERIAL ALONG THE BACK OF WALK THE FULL LENGTH.
 - SIDEWALK CONSTRUCTION JOINTS SHALL BE CONSTRUCTED APPROXIMATELY 1/2" WIDE, 3/4" IN DEPTH AND FINISHED AND EDGED SMOOTH. A PREFORMED EXPANSION JOINT FILLER SHALL BE PLACED EVERY 40' FOR NEW SIDEWALK CONSTRUCTION.
 - WHEN TRANSITIONING NEW SIDEWALK TO EXISTING, A MINIMUM 5' TRANSITIONAL PANEL SHALL BE SEPARATED AND ISOLATED WITH EXPANSION MATERIAL.
 - SIDEWALK ALIGNMENT TRANSITIONS SHALL HAVE A MINIMUM RADIUS OF 30' TO THE FACE OF CURB.
 - MATERIALS SHALL CONFORM WITH CURRENT ISWPC STANDARDS, DIVISION 800 AGGREGATES AND ASPHALT.
 - CONCRETE THICKNESS PER THIS DETAIL OR MATCH EXISTING, WHICHEVER IS GREATER.

8
C0.2 **TYPICAL CONCRETE SECTION**
N.T.S.

DETAIL SHEET
MIXED USE DEVELOPMENT, 4TH AND MAIN ST.
LOCATED WITHIN SEC 13, T4N, R18E, B4M, CITY OF KETCHUM, BLAINE COUNTY, IDAHO
PROJECT INFORMATION
Prepared by: SAMANTHA STAHLNECKER
Date: 02/13/2020 2:59:00 PM

ORIGINAL SIGNED BY
SAMANTHA STAHLNECKER
DATE ORIGINAL SIGNED:
05/15/2020
PROFESSIONAL ENGINEER
17618
STATE OF IDAHO
SAMANTHA STAHLNECKER

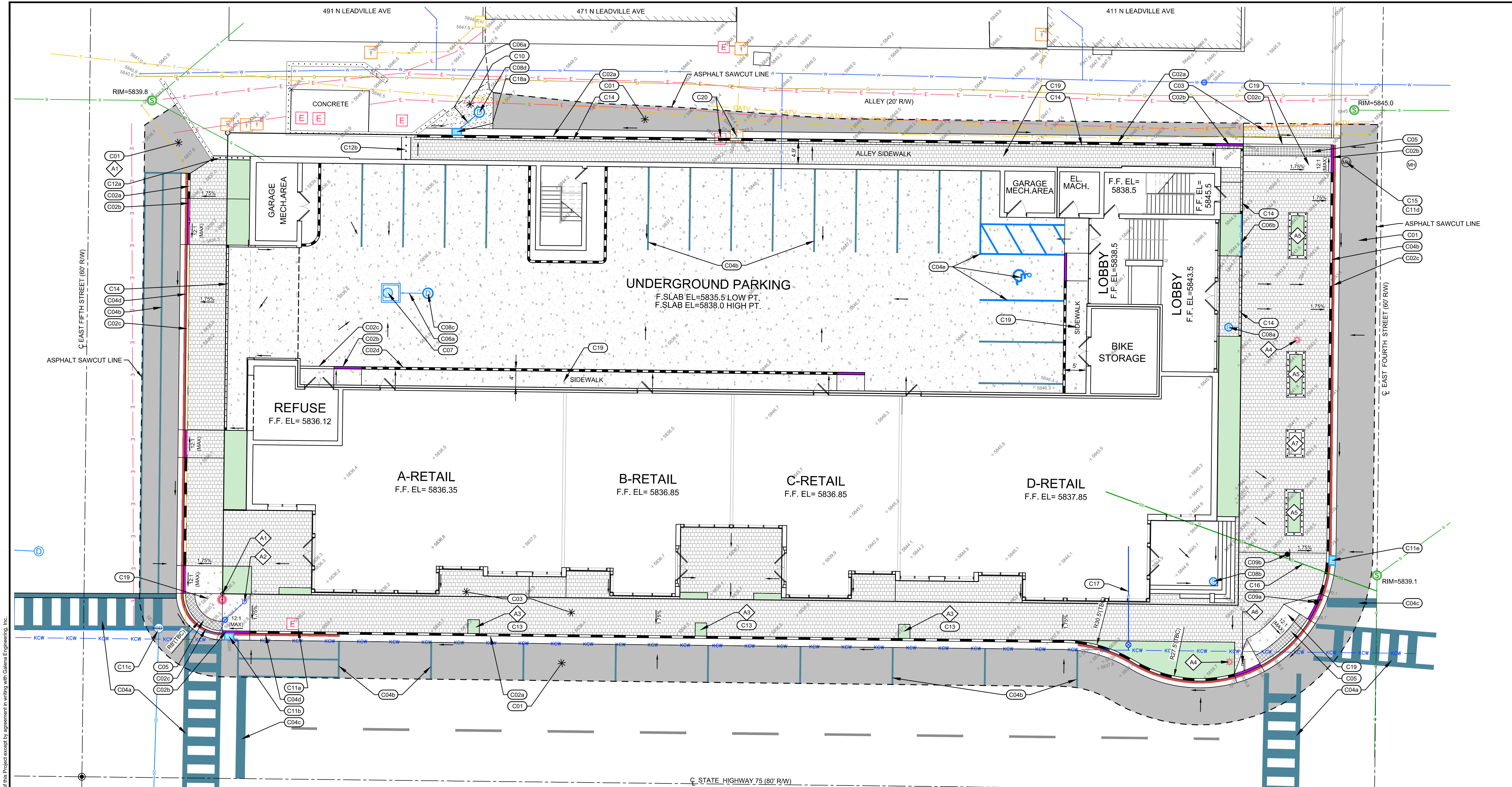
DESIGNED BY
CT
DRAWN BY
SMF
CHECKED BY

GALENA
ENGINEERING, INC.
Civil Engineers & Land Surveyors
317 N. River Street
Halley, Idaho 83333
(208) 768-1705
email: galena@galena-engineering.com

PURPOSE: ISSUE FOR DESIGN REVIEW	NO.	DATE	BY	REVISIONS

C0.2

PRELIMINARY
NOT FOR
CONSTRUCTION

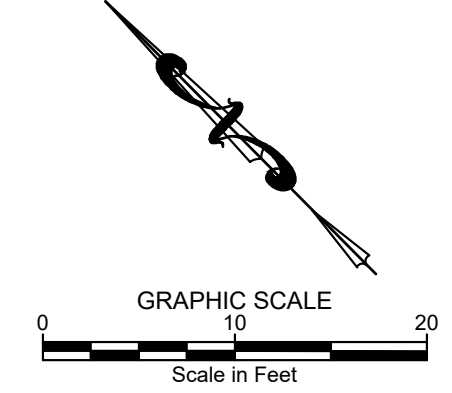


LEGEND

EXISTING ITEMS		PROPOSED ITEMS	
Property Line	—	Asphalt	▨
Adjainer's Lot Line	---	Paver Sidewalk	▨
Centerline	—	6" Vertical Curb & Gutter	▨
Edge of Pavement	---	Zero Reveal Curb & Gutter	▨
5' Contour Interval	—	Curb Transition	▨
1' Contour Interval	—	6" Vertical Curb (no gutter)	▨
Cable TV Line	—	No Parking Zone	▨
Buried Power Line	—	ADA Access Truncated Dome	▨
Gas Line	—	Street Light	☀
Telephone Line	—	Sign	Ⓢ
Sewer Line	—	Drywell	Ⓢ
Spring Water Line	—	Sand & Grease Trap	Ⓢ
Ketchum City Water	—	Storm Drain	Ⓢ
Storm Drain Manhole	Ⓢ	Catch Basin	Ⓢ
Fire Hydrant	Ⓢ	Sawcut Line	▨
Water Valve	Ⓢ	Road Paint	▨
Traffic Signal Light Base	Ⓢ	Grade	▨
Street Light	Ⓢ	Spot Elevation	Ⓢ
Water Manhole	Ⓢ	Trench Drain	▨
Telephone Riser	Ⓢ	Retaining/Landscape Wall	▨
Electrical Box	Ⓢ	Gravel	▨
		Concrete	▨

- CONSTRUCTION KEY NOTES**
- C01** CONSTRUCT ASPHALT ROADWAY / ASPHALT REPAIR. SEE DETAIL 1 / C0.1.
 - C02** CONSTRUCT CONCRETE CURB AND GUTTER
 - a. 6" VERTICAL C&G PER DETAIL 3 / C0.1.
 - b. CURB TRANSITION PER DETAIL 4 / C0.1.
 - c. ZERO REVEAL CURB AND GUTTER PER DETAIL 4 / C0.1.
 - d. CONCRETE VERTICAL CURB PER DETAIL 5 / C0.1.
 - C03** CONSTRUCT HEATED PAVER SIDEWALK, WIDTH AS SHOWN HEREON. SEE DETAIL 2 / C0.1.
 - C04** INSTALL ROAD STRIPING / PAINT
 - a. WHITE CROSSWALK STRIPING. MATCH CITY PATTERNS.
 - b. YELLOW ASPHALT PARKING STRIPING (4" WIDE). MATCH CITY PATTERNS.
 - c. WHITE STOP BAR STRIPING (24" WIDE).
 - d. RED "NO PARKING" STRIPING ON CURB. MATCH CITY PATTERNS.
 - e. BLUE ADA PARKING STRIPING AND SYMBOL.
 - C05** INSTALL CITY OF KETCHUM APPROVED CAST IRON TRUNCATED DOME DETECTABLE WARNING INSERT. SEE DETAIL 7 / C0.1.
 - C06** STORM DRAIN.
 - a. INSTALL 12" ADS N-12 STORM DRAIN PIPE WITH A MINIMUM SLOPE OF 2.0%. SEE DETAIL 2 / C0.3 FOR POTABLE AND NON-POTABLE WATER LINE SEPARATION AND DETAIL 1 / C0.3 FOR TRENCHING.
 - b. INSTALL 6" PVC STORM DRAIN PIPE WITH A MINIMUM SLOPE OF 2.0%.
 - C07** INSTALL CONCRETE 350 GALLON SAND AND GREASE TRAP WITH 24" GRATE
 - RIM = 5835.68
 - INV. OUT = 5832.6
 - C08** DRYWELL:
 - a. CONSTRUCT NEW LANDSCAPE DRYWELL. SEE DETAIL 4 / C0.2
 - RIM = 58
 - INV. IN = 58
 - b. CONSTRUCT NEW LANDSCAPE DRYWELL. SEE DETAIL 4 / C0.2
 - RIM = 5837.63
 - INV. IN = 5832.4
 - c. CONSTRUCT NEW DRYWELL. SEE DETAIL 5 / C0.2
 - RIM = 5835.73
 - INV. IN = 5832.4
 - d. CONSTRUCT NEW DRYWELL. SEE DETAIL 5 / C0.2
 - RIM = 58
 - INV. IN = 58
 - C09** SIGNS:
 - a. INSTALL STOP / STREET SIGN. USE PREVIOUSLY REMOVED SIGN. COORDINATE FINAL LOCATION WITH CITY OF KETCHUM. SEE DETAIL 6 / C0.1 FOR SIGN BASE DETAIL.
 - b. INSTALL REGULATORY SIGN. COORDINATE TYPE AND FINAL LOCATION WITH CITY OF KETCHUM. SEE DETAIL 6 / C0.1 FOR SIGN BASE DETAIL.
 - C10** CONSTRUCT GRAVEL DRIVEWAY / PARKING AREA IMPROVEMENTS. REGRADE AREA TO PROVIDE FOR A SMOOTH TRANSITION. SEE DETAIL 1 / C0.2.
 - C11** RESET UTILITY BOX LID/GRATE ELEVATION.
 - a. POWER HANDHOLE/TRAFFIC SIGNAL CONTROL. ORIGINAL RIM = 5836.0 NEW RIM = 5835.95
 - b. CATCH BASIN GRATE ORIGINAL RIM = 5835.42 NEW RIM = 5835.26
 - c. STORM DRAIN MANHOLE LID ORIGINAL RIM = 5835.75 NEW RIM = 5835.7
 - d. PAVEMENT HYDRONIC HEATING MANHOLE LID ORIGINAL RIM = 58__ NEW RIM = 58
 - e. CATCH BASIN GRATE ORIGINAL RIM = 5838.62 NEW RIM = 5838.66
 - C12** CONSTRUCT RETAINING WALL:
 - a. USE PREVIOUSLY REMOVED KEystone BLOCKS.
 - b. TYPE TO BE DETERMINED BY STRUCTURAL ENGINEER.
 - C13** INSTALL TREE WELL BOLLARDS AND MODULAR SUSPENDED PAVEMENT SYSTEM. SEE DETAIL 6 / 4.0.
 - C14** INSTALL TRENCH DRAIN. SEE DETAIL 2 / C0.2
 - C15** DISCONNECT EXISTING PAVER HYDRONIC HEATING SYSTEM. CAP EXISTING TUBES FOR FUTURE CITY USE. COORDINATE WORK WITH CITY.
 - C16** INSTALL 6" PVC SEWER SERVICE.
 - C17** INSTALL 6" PVC WATER SERVICE.
 - C18** INSTALL CATCH BASIN. SEE DETAIL 3 / C0.2.
 - a. RIM = 58
 - INV. OUT = 58
 - C19** CONSTRUCT CONCRETE SIDEWALK, WIDTH AS SHOWN HEREON. SEE DETAIL 8 / C0.2.
 - C20** RELOCATE UTILITIES. CONTRACTOR TO COORDINATE RELOCATION WITH UTILITY COMPANY.

- C16** INSTALL 6" PVC SEWER SERVICE.
- C17** INSTALL 6" PVC WATER SERVICE.
- C18** INSTALL CATCH BASIN. SEE DETAIL 3 / C0.2.
 - a. RIM = 58
 - INV. OUT = 58
- C19** CONSTRUCT CONCRETE SIDEWALK, WIDTH AS SHOWN HEREON. SEE DETAIL 8 / C0.2.
- C20** RELOCATE UTILITIES. CONTRACTOR TO COORDINATE RELOCATION WITH UTILITY COMPANY.



PRELIMINARY NOT FOR CONSTRUCTION

GRADING AND DRAINAGE PLAN
MIXED USE DEVELOPMENT, 4TH AND MAIN ST.

LOCATED WITHIN SEC 13, T4N, R17E & SEC 18, T4N, R17E & SEC 18, T4N, R18E, BM, CITY OF KETCHUM, BLAINE COUNTY, IDAHO

PROJECT INFORMATION
 PREPARED FOR SOLISTICE DEVELOPMENT
 PROJECT INFORMATION
 PREPARED FOR SOLISTICE DEVELOPMENT

ORIGINAL SIGNED BY SAMANTHA STAHLNECKER
 DATE ORIGINAL SIGNED: 05/15/2020

PROFESSIONAL ENGINEER
 LICENSED
 17618
 05/15/2020
 STATE OF IDAHO
 SAMANTHA STAHLNECKER

ORIGINAL ON FILE AT OFFICE OF GALENA ENGINEERING (HAILEY, ID)

DESIGNED BY _____
 CT
 DRAWN BY _____
 SMF
 CHECKED BY _____

GALENA ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 317 N. River Street
 Hailey, Idaho 83433
 (208) 768-1705
 email: galena@galena-engineering.com

NO.	DATE	ISSUE FOR DESIGN REVIEW	REVISIONS

C1.0

Drone Fly-Over Video Link

<https://www.youtube.com/watch?v=1eNkkBlwXIM&feature=youtu.be>

Exhibit B:
Staff Report
Planning & Zoning Commission
Meeting of March 9th, 2020



City of Ketchum
Planning & Building

STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF MARCH 9th, 2020

- PROJECT:** 4th & Main St Mixed-Use Building
- FILE NUMBER:** P 20-002
- APPLICATION TYPE:** Pre-Application Design Review
- ARCHITECT:** Peter Paulos, PH Architects
- DEVELOPER:** Chris Ensign, Solstice Homes Development
- PROPERTY OWNER:** 400 North Main LLC & Formula Investment LLC (Blaine County Assessor’s Office Database as of 3/6/20)
- REQUEST:** Pre-Application Design Review for the development of a new four-story, 47.5-foot tall, 59,130 sq ft mixed-use building
- LOCATION:** West Half of Block 5 adjacent to Main Street between 4th & 5th Streets (Ketchum Townsite: Block 5: Lots 1, 2, 3, & 4)
- ZONING:** Retail Core of the Community Core (CC-1)
- REVIEWER:** Abby Rivin, Associate Planner

NEW MIXED-USE BUIDLING ON MAIN STREET

Chris Ensign of Solstice Homes, a Utah-based developer, has proposed a new four-story, 47.5-foot tall, 59,130-square-foot mixed-use building located on Main Street between 4th and 5th streets. The ground level features 7,523 square feet of retail space and an underground parking garage with 16 spaces. The upper floors contain 12 two- and three-bedroom condominium and penthouse units with private balconies and rooftop terraces. The developer has proposed five community housing units within the building in exchange for an increase in total floor area.



Figure 1: Rendered Elevation, Project Plans: Sheet A5.1

DESIGN REVIEW MAINTAINS THE CHARACTER OF OUR MOUNTAIN COMMUNITY

The Pre-Application facilitates an iterative and collaborative process between the Planning & Zoning Commission, developers and their design teams, and the community. This preliminary review allows the Commission to identify design issues, offer constructive advice, and highlight opportunities to improve project. The Commission's feedback helps developers produce high-quality buildings and projects that enhance the character of downtown Ketchum.

PROJECT LOCATION

The new mixed-use building will be located on four lots along Main Street between 4th and 5th streets within the Retail Core of downtown Ketchum. The 21,989-square-foot site has topographical challenges including multiple slopes. An existing retaining wall divides the block separating the natural topography of lots 1 and 2 from existing development on lots 3 and 4. The developer will demolish the historic A-frame that was Ketchum's first post office and is currently occupied by Formula Sports. While undeveloped, the southern half of the site is the summer home of Irving's Red Hots, an iconic hot dog stand.



Figure 2: Formula Sports within Historic A-frame at Southeast Corner of Main & 5th Streets

HOW BIG IS THE BUILDING?

The project plans maximize the size of the building to the greatest extent permitted by Ketchum's Zoning Regulations. The 59,130-square-foot mixed-use building has a total Floor Area Ratio of 2.23. The building reaches 47.5-feet in height from Main Street to the fourth-floor roof. Covering the length of the entire block, the building's front façade will span 210 feet along Main Street.

DESIGN CHANGES ARE NEEDED TO IMPROVE QUALITY OF PROJECT

Before granting Design Review approval, the Planning & Zoning Commission must determine that applications meet two criteria: (1) the project doesn't jeopardize the health, safety, or welfare of the public, and (2) the project conforms to all Design Review standards and zoning regulations (KMC 17.96.050.A). Design Review safeguards the well-being of our mountain community. This project needs significant changes to improve design and meet the high-quality standards of the surrounding built environment in downtown Ketchum. Design Review helps us achieve a more sustainable, vibrant, connected, and beautiful Ketchum. The Staff Analysis highlights areas of concern in relation to Design Review standards and other provisions of Ketchum Municipal Code.

Architectural

Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness (Ketchum Municipal Code §17.96.060.F5).

The proposed design exacerbates the building's bulk and flatness. Lacking continuity, the design layers monotonous one-story elements on top of each other through uniform steps. The building moves to the same degree at the same locations in just one direction—in and out. The projections and recessions of building mass along Main Street fail to meaningfully undulate the front façade. The 210-foot building wall along Main Street appears entirely flat with no relief. The uniform steps to the third and fourth floors exacerbate the building's bulk and mass. The walls of windows with glass-railing borders aggravate the appearance of flatness. With any roof-line variation or two-story elements, the design is devoid of any vertical elements to undulate the facade up and down.

The building character shall be clearly defined by use of architectural features (Ketchum Municipal Code §17.96.060.F2).

The design is monotonous—three materials, two colors, and rectangular shapes repeat the same pattern. Walls of windows are separated by horizontal bands of red brick and black steel. The building lacks continuity because these horizontal layers fail to provide any connection between floor levels. Horizontal borders of black fascia and red brick separate each floor level. Without any vertical elements to connect floor levels, nothing grounds the building. The building looks like a layered-wedding-cake due to the lack of vertical integration.

Compatibility of Design

The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures (Ketchum Municipal Code §17.96.060.E1).

The mass and height of the building is overbearing and out of scale with downtown Ketchum. The design incorporates limited materials, colors, and shapes in repetitive patterns. The red brick on such a big building may overpower the material palette of nearby structures. The final Design Review application must include a materials and colors sample board showing all exterior materials used on the façade of the structure (KMC §17.96.040.C.2i). All specifications for the proposed materials must be included with the project plans. For example, the specification for the brick must include the proposed dimension of the veneer's thickness.

The rendering submitted with the Pre-Application (Sheet A5.0) is an unrealistic bird's-eye view of the building. In order to ensure the proposed development maintains Ketchum's mountain town character, the project plans must show the mixed-use building within the context of downtown Ketchum. The final Design Review application must include building renderings within the context of neighboring buildings and from multiple key vantage points throughout town. The renderings should represent realistic points-of-view to show the building's relationship to Main Street and with the existing development in downtown Ketchum.



Figure 3: Perspective Rendering, Project Plans: Sheet A5.0

Walls of Windows

The walls of windows make the building look like an industrial warehouse that is out of context in our mountain town. The extensive use of glass used for the window treatments raises several concerns:

4th and Main Mixed-Use Building

Pre-Application Design Review

Planning & Zoning Commission Meeting of March 9th, 2020

City of Ketchum Planning & Building Department

- How will the project look at night with light emanating from the inside of the building? How will the project appear at night when no one is home and the retail spaces have closed?
- With Ketchum’s high-altitude UV levels, what solar control or building elements will be incorporated to help shade the west- and south-facing facades? With the astronomical heat gain, how will the commercial and residential units be cooled? Where will the A/C units be located? Will the mixed-use building be capable of meeting Ketchum’s Green Building Code standards? What are the mixed-use building’s energy demands?
- Is the project feasible with local conditions in our mountain town including seismic zone and snow loads? With the extensive use of glass, will the building be able to structurally withstand seismic conditions and snow loads? The project plans submitted with the Design Review application must be prepared and stamped by an Idaho licensed architect or engineer (KMC §17.96.040.B)

The floor plans on Sheets A1.0, A1.1, A1.2, and A1.3 don’t show the location of window or door openings. The elevations indicate residential units with walls comprised entirely of windows. The building’s outsides don’t match its insides—the exterior of the building doesn’t match the residential use proposed within the building. This discrepancy raises a concern that of the preliminary design drawings unrealistically depict the building’s appearance.

Circulation Design

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 (Ketchum Municipal Code §17.96.060.G3).

The site plan (Sheet C1.0) indicates three parking spaces, including the ADA space, that appear to require backing out onto 5th Street. The Design Review application should include a diagram illustrating circulation within the underground parking garage and vehicles exiting onto 5th Street.

Service Areas and Mechanical Equipment

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 (Ketchum Municipal Code §17.96.070.C1).

The refuse building is located within the building adjacent to the parking garage access along 5th Street (Sheet C1.). The trash disposal area must be adequately sized for both trash and recycling for the entire building, including the commercial retail spaces. The developer must submit a will-serve letter from Clear Creek Disposal with the final Design Review application.

Roof and ground mounted mechanical and electrical equipment shall be fully screened from public view. Screening shall be compatible with the overall building design (Ketchum Municipal Code §17.96.070.C2).

All roof and ground mounted mechanical and electrical equipment and associated screening must be shown on the project plans and elevation drawings. The developer must submit a will-serve letter from Idaho Power with the final Design Review application.

RECOMMENDATION

After considering the Pre-Application Design Review submittal attached as Exhibit A, the applicant’s presentation, and any public comment received, Staff recommends the Commission provide feedback to the applicant and move to either:

- (a) Continue the Pre-Application Design Review to a date certain and direct the developer to submit drawings, renderings, or information to assist in the Commission’s review of the project plans and the design concept, or
- (b) Advance the 4th and Main Mixed-Use Building to final Design Review with the condition that significant changes to the project plans will require Commission review of an additional Pre-Application.

EXHIBITS:

- A. 4th and Main Mixed-Use Building Pre-Application Design Review Submittal