



**City of Ketchum
Planning & Building**

**STAFF REPORT
KETCHUM PLANNING AND ZONING COMMISSION
REGULAR MEETING OF MARCH 28, 2023**

PROJECT: 400 East Ave Offices

FILE NUMBER: P22-069

APPLICANT: East Ave. Investment Properties, LLC (Owner)

PROPERTY OWNER: East Ave. Investment Properties, LLC

REQUEST: Conditional Use Permit to permit a 2,740 sq ft private office space on the ground floor in the CC-1 zone district.

LOCATION: 400 East Avenue (400 East Avenue Condo Unit 1 21% Commercial and Condo Unit 2 7% Commercial; Ketchum Townsite: Lot 1, Block 45)

ZONING: Community Core - Retail Core Subdistrict (CC-1)

REVIEWER: Adam Crutcher, Associate Planner

NOTICE: Notice was published in the Idaho Mountain Express and was mailed to properties within a 300-foot radius on March 8, 2023. Notice was posted at the subject location and on the city website on March 21, 2023.

EXECUTIVE SUMMARY

The Applicant is requesting a Conditional Use Permit (CUP) to establish a private office space in two of the ground floor units in the building located at 400 East Avenue (the "subject property"). The subject property sits at the corner of East Avenue & 4th Street with nearby businesses and locations including Atkinson's Market, Town Square, coffee shops, restaurants, retail and clothing shops. The existing building received design review approval on November 13th, 2001 and was constructed in 2003. As originally approved and constructed, the building has two commercial and one residential unit on the ground floor, two residential units on the second floor, and one residential unit on the third floor for a total of two commercial units and four residential units. Today, the ground floor commercial spaces are vacant.



Figure 1. Subject property highlighted in blue

The subject property is zoned Community Core Subdistrict 1 – Retail Core (CC-1), which allows “Office, business” with ground floor street frontage only through the approval of a Conditional Use Permit. The Ketchum Municipal Code defines “Office, business” as:

“**Office, business:** An establishment wherein the primary use is the conduct of a business or profession including, but not limited to, accounting, design services, computer software, information systems, engineering, insurance, legal services, management and administration, organization and association offices, psychology, real estate, travel and medical offices. Medical care facilities and hospitals are not included in this definition.”

As outlined in the cover letter in Attachment B the proposed office space is intended to be a private office space. If approved, the proposed space would consist of multiple office space units, a shared conference/break area and a storage room.

Staff reviewed the application for conformance with the City of Ketchum’s zoning regulations including but not limited to uses permitted, parking, and dark skies. During department review, staff asked for additional information regarding the proposed uses to occur within the ground floor suites. The applicants response to the request for additional information is included as Attachment C. Staff also reviewed the application for conformance with the conditional use permit criteria outline in Section 17.116.030, including conformance with the 2014 Comprehensive Plan, of the Ketchum Municipal Code. Based on review of the proposed application, staff does not believe the proposed office space meets the conditional use permit criteria and does not recommend approval of the application. The application proposes a ground floor private office use that would not contribute towards the goals of the Comprehensive Plan regarding downtown vibrancy and creating a pedestrian friendly environment. Further analysis of the criteria are discussed below.

BACKGROUND

The subject property was issued a stop work order on 09/22/2022, for remodeling without a building permit. A building permit to perform the desired scope of work was submitted on 10/28/2022 where through the review process, staff notified the applicant that ground floor office space would require a Conditional Use Permit. The

City of Ketchum received the Conditional Use Permit application on December 8, 2022. Following the receipt of the application, staff routed the application materials to all city departments for review. The application was deemed complete on January 24th, 2023. As of the date of this letter, all departments' comments have been resolved, or identified in the staff report for the Commission to consider.

ANALYSIS

Staff has reviewed the Conditional Use Permit Application against the zoning regulations including but not limited to uses permitted, parking, and dark skies. Staff also reviewed the application for conformance with the conditional use permit criteria outlined in KMC 17.116.030.

Conformance with Zoning Regulations

The existing exterior lighting meets the dark sky requirements as listed in KMC 17.132. No new exterior lighting is proposed as part of the project. Parking for the first 5,500 sq ft of office space within the Community Core is exempt from providing parking. As the proposed office space is under the 5,500 sq ft threshold, no parking is required to be provided for the office. As the application is not requesting any changes to the exterior of the building, all dimensional standards are still met.

Conformance with Conditional Use Permit Criteria

Pursuant to KMC Section 17.116.030, conditional use permits can be granted if and only if all criteria listed below are met. Below is the stated criteria and staff's analysis of each:

- *Criteria 1* - The characteristics of the conditional use will not be unreasonably incompatible with the types of uses permitted in the applicable zoning district;
 - *Analysis:* The Community Core (CC) Zone District is divided into two subdistricts, Retail Core (CC-1) & Mixed Use (CC-2) Subdistricts. The Retail Core intends to be the community's primary shopping district and provide ground floor storefronts which create an active pedestrian-friendly environment. The Mixed-Use Subdistrict includes many of the same uses seen in the Retail Core but the two subdistricts differ when it comes to office space. While office space is permitted by right in all portions of a building in the Mixed-Use Subdistrict, the Retail Core requires a conditional use permit for office space that is on the ground floor and has street frontage. As further discussed in Criteria 5, office is identified as an appropriate use on upper floors of buildings within the Retail Core land use category. The proposed office space is located on the ground floor with frontage on East Avenue & 4th Street, both highly used pedestrian corridors within Ketchum's downtown. Frequently visited pedestrian uses in the immediate area include Atkinson's Market, Town Square, restaurants, coffee shops, and multiple retail and clothing stores making the area a very active pedestrian hub. Other uses which are permitted in the Retail Core include convenience stores, daycare centers, food service, instructional services (music, painting, educational tutoring facilities), personal services (beauty/barber shops, pet grooming, tailors, shoe repair), cultural facilities (museums, libraries, art galleries), medical care facilities, and more. These uses differ from retail but still attract frequent pedestrian activity which help to contribute to the overall pedestrian activity which defines the area. According to the applicant narrative (Attachment B), the proposed office space intends to be used for private business by two clients with few visitors each day. The lack of frequent visitors and private nature of the office makes the space not compatible with the surrounding businesses in the immediate area as it creates a gap in pedestrian activity on the block and decreases the connectivity of pedestrian activating uses.
- *Criteria 2* - The conditional use will not materially endanger the health, safety and welfare of the community;
 - *Analysis:* The building and fire department have reviewed the proposed plans for the space. All life safety and building code requirements are being met. Staff does not believe the request meets the policies in the Comprehensive Plan and therefore does not believe the application to

support the overall welfare of the downtown and the community. Further discussion regarding whether the request meets the policies of the comprehensive plan is reviewed later in Criteria 5.

- *Criteria 3* - 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;

Analysis: The proposed use is in a portion of the community core that has fully connected sidewalks providing a pedestrian path from surrounding businesses, transportation stops, and parking areas. The proposed office space does not anticipate frequent visitors, therefore an increase pedestrian and vehicular traffic is not anticipated. Visitors and users of the office space will have access to on street parking or can walk, bike, or bus to the space depending on where they are coming from. Interim Ordinance 1234 exempts on-site parking requirements for the first 5,500 square feet of office space in the Community Core zoning district. The proposed office is space is less than 5,500 square feet and located within the Community Core zoning district, making the proposed use exempt from providing on-site parking.

- *Criteria 4* - 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; and
 - *Analysis:* As mentioned above, all departments have reviewed the proposed use including streets, fire, water, wastewater, building and engineering. Additionally, the proposed use is within a commercial building currently served by all other utilities necessary to service the use including electricity, gas, and garbage service with no increase in service levels anticipated with the proposed use.
- *Criteria 5* - The conditional use is not in conflict with the policies of the comprehensive plan or the basic purposes of this chapter.
 - *Analysis:* See Table 1 below.

Table 1. Comprehensive Plan Analysis

<p>Land Use Category: <i>Retail Core</i></p> <p>Purpose <i>The community’s primary shopping district is the Retail Core. The Retail Core provides a variety of mixed-use buildings that have ground-floor storefronts. Specialty shops, restaurants, and outdoor seating areas line the sidewalks, creating an active pedestrian-friendly environment. Convenient shopping and dining is served by sidewalks, parking, and bike access. Upper floors include a mix of residential uses and offices.</i></p>
<p>Analysis: The comprehensive plan identifies office as an appropriate use within the retail core but notes that offices should be located on the upper floor of buildings. As outlined in the application narrative (Attachment B), the proposed office space expects to see one to three regular users with few visitors per day. The proposed office space being a private use with a few visitors per day does not achieve the Retail Core’s purpose of creating an active pedestrian-friendly environment. The subject property is located along the 4th Street Heritage Corridor and adjacent to active pedestrian uses such as Atkinson’s Market and Town Square. The 4th Street Heritage Corridor was embarked upon by the City with assistance from the Ketchum Community Development Corporation (KCDC) in 2007. In a newsletter published by the KCDC in April of 2007 the intent of the 4th Street Heritage Corridor was to be, “the pedestrian-priority spine of the city center” and would aid in making “the Downtown core an exciting place to BE, to walk, to meet, and to shop” (KCDC, April 2007). As seen in the floor plans for the proposed office space (Attachment X), portions of the space fronting East Avenue will be used for storage. Locating a storage room in a portion of the building with street frontage reduces the pedestrian activation of the proposed space even further than a private office suite. The proposed office space’s lack of pedestrian activity and private nature does not contribute towards the Retail Core’s goal of creating an active pedestrian-friendly environment.</p>
<p>Comprehensive Plan Value: Vibrant Downtown <i>Our downtown core is critical to the economic health and well-being of Ketchum. It functions as both an economic engine and the symbolic “heart and soul” of the City. We will preserve this vibrant commercial area as a place where</i></p>

local businesses can thrive and where people can congregate. Downtown must be a place that people can reach easily by foot, bike, and transit. We will continue to reinforce the downtown as the City's primary business district, retail core, and key gathering place for residents and visitors for shopping, dining, and entertainment. Enhancements and efforts to support events, the arts, and Ketchum's history and culture will make downtown an even greater community asset.

Analysis: The proposed use does not support the city's value of creating a vibrant downtown as it would be a private office space and anticipates few visitors per day to the site. Additionally, Ketchum's downtown should be a "key gathering place for residents and visitors for shopping, dining, and entertainment". Instead of using the space to further the goal of downtown being a key gathering space for residents and visitors for shopping, dining, and entertainment, the proposal instead occupies a building with frontage on both 4th Street & East Avenue with two private office suites and storage room which expects very few visitors to visit the site per day. Staff believes the proposal does not reinforce the downtown as the City's primary retail core, due to the lack of pedestrian activity which would result from a private office space being located on the ground floor as discussed previously.

Policy E-1(b)

Downtown as a Major Community Asset and Tourism Attraction

The community will strive to maintain a single concentrated commercial and retail core. The City will reinforce the downtown core's role as a major asset and visitor attraction by encouraging businesses that fit the downtown character and by developing policies, programs, investment strategies, and organizations that help retain downtown businesses.

Analysis: While the proposed office space may be appropriate in the Mixed Use Subdistrict where pedestrian activated street fronts aren't as vital to the purpose of that zoning district, allowing a ground floor private office space in the Retail Core detracts from the pedestrian activation that the area intends to provide. The proposal for a ground floor private office space does not fit the downtown character, particularly the character of the East Avenue & 4th Street intersection. This intersection is a key pedestrian visited area with Atkinson's Market located across the street and Town Square kitty corner from the subject property. These two sites, including many other businesses around the subject property, help to reinforce the downtown as a vibrant and engaging space where both residents and visitors come to visit and shop. As the subject property is within such an area, any proposed ground floor use should contribute to the downtown being a key provider of commercial & retail space. The proposal of a ground floor private office space, with a storage room having street frontage, does not contribute towards the downtown being a major community asset and tourism attraction.

STAFF RECOMMENDATION

Staff believes the proposed project does not meet the criteria for conditional use permits as the proposal reduces pedestrian activity in a key location of Ketchum's downtown. Staff recommends denial of the application.

Recommended Motion

"I move to deny the 400 East Avenue Office Space Conditional Use Permit and direct staff to return with findings of fact"

ATTACHMENTS:

- A. Application Materials – CUP Application and Supporting Materials
- B. Application Materials – CUP Plan Set
- C. Applicant Response to Additional Information

Attachment A:
400 East Ave CUP Application



City of Ketchum
Planning & Building

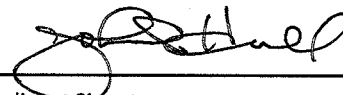
OFFICIAL USE ONLY
File Number:
Date Received:
By:
Fee Paid:
Approved Date:
Denied Date:
By:

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, 191 5th St. West, 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: 400 E Office Suites	
Name of Owner of Record: East Ave. Investment Properties, LLC	
Physical Address: 400 E. Ave. N, Ketchum, ID 83340, Suites 101 & 102	
Property Legal Description: 400 EAST AVENUE CONDO UNIT 1 21% COMMERCIAL AND 2 7% COMMERCIAL	
Property Zoning District: CC-1	
Contact Phone: 208-284-2999	Contact Email: rich@pointarchitects.com
PROJECT INFORMATION	
Description of Proposed Conditional Use: Private Office Suites	
Description of Proposed and Existing Exterior Lighting: Existing to remain	
ADDITIONAL COMMENTS	
See attached narrative.	
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 tortious 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.


MANAGER
12-7-2022

Applicant Signature Date

Attachment B:
400 East Ave CUP Plans

December 5, 2022

Application: Conditional Use

Property: 400 East Ave N, Units 101 (400 EAST AVENUE CONDO UNIT 1) and 102 (400 EAST AVENUE CONDO UNIT 2), Ketchum, ID 83340

Proposed Use:

The new Owners of 400 East, Units One (400 EAST AVENUE CONDO UNIT 1) and Two (400 EAST AVENUE CONDO UNIT 2), propose to use these spaces as their business office suites. They will typically be occupied during the business day and occasionally in the evening for later meetings or international calls. Each suite may expect one to three regular users with few visitors per day. Occasional group meetings may take place as required. The suites include two designated office work areas. Those areas have restrooms and share a break/meeting room, multi-use/fitness room and storage room. The proposed interior tenant improvements do not enlarge the existing building or change the exterior of the existing building or the existing site in any way.

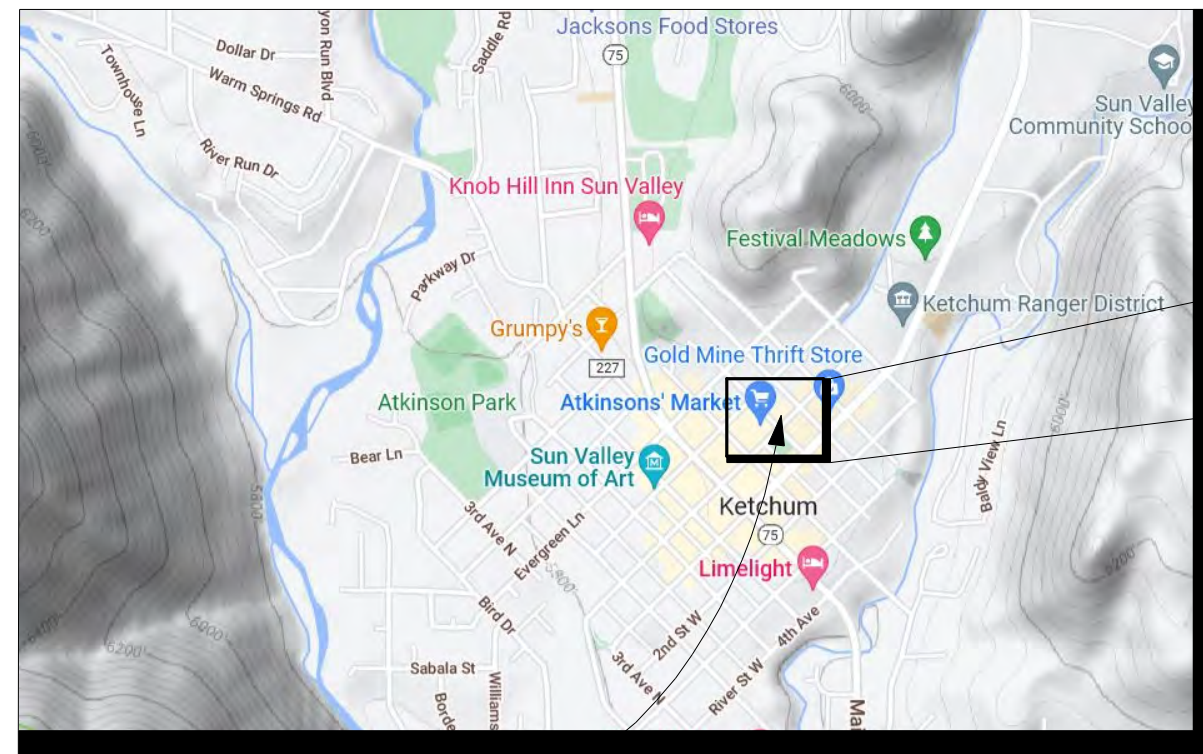
17.116.030 - Conditional use permit criteria response:

- A. General office use is allowed in this district, and as a consequence, this office use will be compatible with other office uses in the district. The use of building space as an office is identical whether it be a public or a private office. The owners of the building conduct multiple private business endeavors and operate at least two charitable philanthropic entities. This office space provides the owners of the building with a convenient location when they are in residence in the Valley.
- B. Nothing will be done within the private offices that would endanger the health, safety or welfare of the community. The fact that other types of offices are allowed in this district is an indicator that office use in general does not present a danger to the community. When considering a CUP under Chapter 17.116.010 of the Ketchum Zoning Code, the Commission is to “determine whether or not the use would cause any public health, safety or welfare concerns”. If not, the Code states that a conditional use shall be allowed upon the Commission’s approval.
- C. Pedestrian and vehicular traffic to serve these private offices will be *de minimis*, and the traffic generated by such land use can be expected to be less than a commercial office in the same neighborhood. As a consequence, parking requirements are expected to be significantly less than that required for a commercial business office of similar size.
- D. The building in which these private offices would be located is currently served by adequate public facilities and services, and such private office use will not affect or change the availability of public services to the surrounding area.
- E. While the Comprehensive Plan encourages business and retail development in the community core, the Plan also recognizes the use and value of private property. Additionally, the Plan expressly states that it is not a legally binding regulatory document and that it is intend to serve only as a guide. There is nothing in the Plan to suggest that private office use is incompatible with other types of office use in the core area, or that such use should not be allowed in the core.

400 BUILDING FIRST FLOOR OFFICES

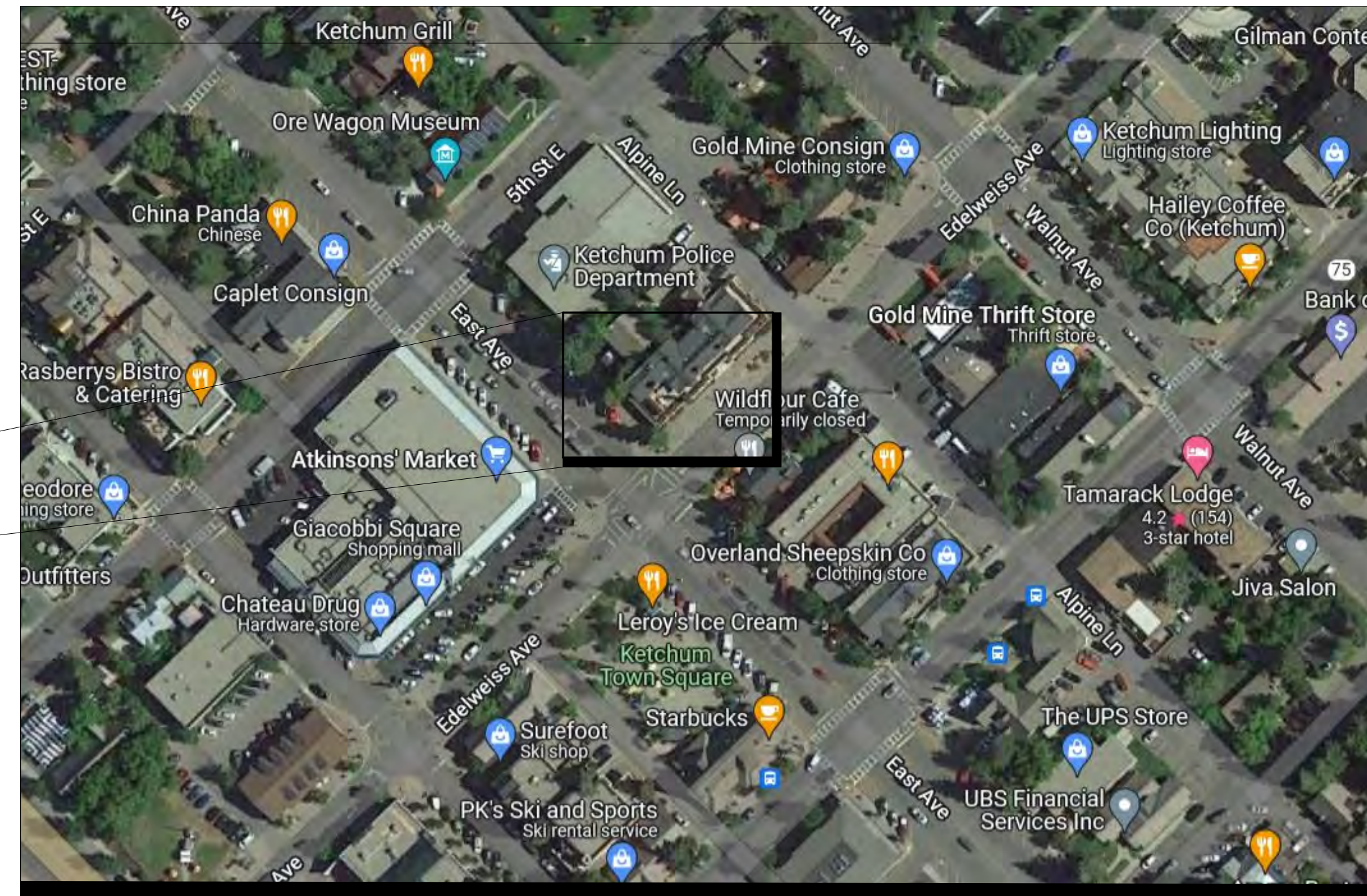
PROJECT LOCATION:

400 E Ave N
Ketchum, ID 83340
Suites 101 & 102



PROJECT SITE

LOCAL MAP



GENERAL CONTRACTOR:

ELIAS CONSTRUCTION

ADAM ELIAS
P.O. Box 6272
Ketchum, ID 83340
p. 208-309-0132
aelias@eliasconstruction.com

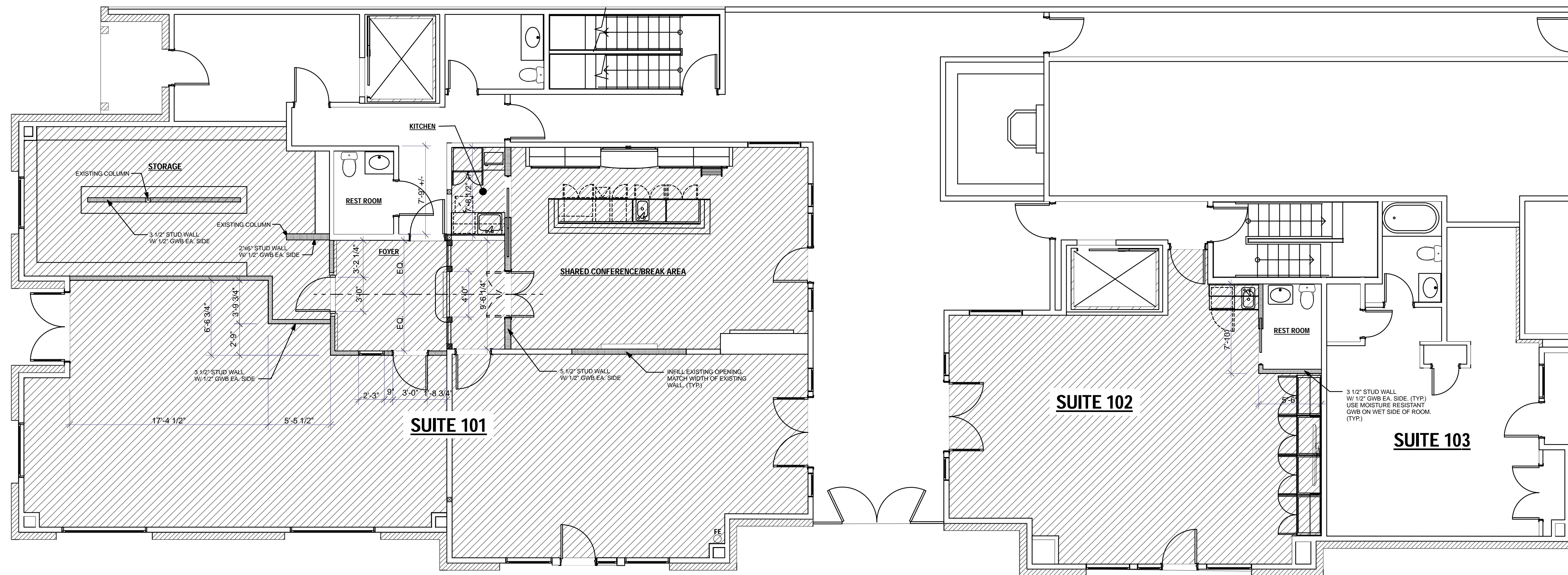
ARCHITECT:

POINT ARCHITECTS :: www.pointarchitects.com

RICHARD CHILDRESS
209 E. 35th Street
Garden City, ID 83714
p. 208-284-2999
rich@pointarchitects.com

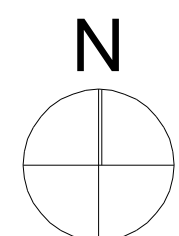
SHEET INDEX:

- A0.0 GROUND LEVEL FLOOR PLAN - REMODEL
- CC1.0 CODE COMPLIANCE PLAN - GROUND FLOOR



GROUND LEVEL FLOOR PLAN - REMODEL

3/16" = 1'-0"



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LICENSED ARCHITECT AR-2694

10/7/22

RICHARD H. CHILDRESS
STATE OF IDAHO

POINT ARCHITECTS

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p. 208-284-2999

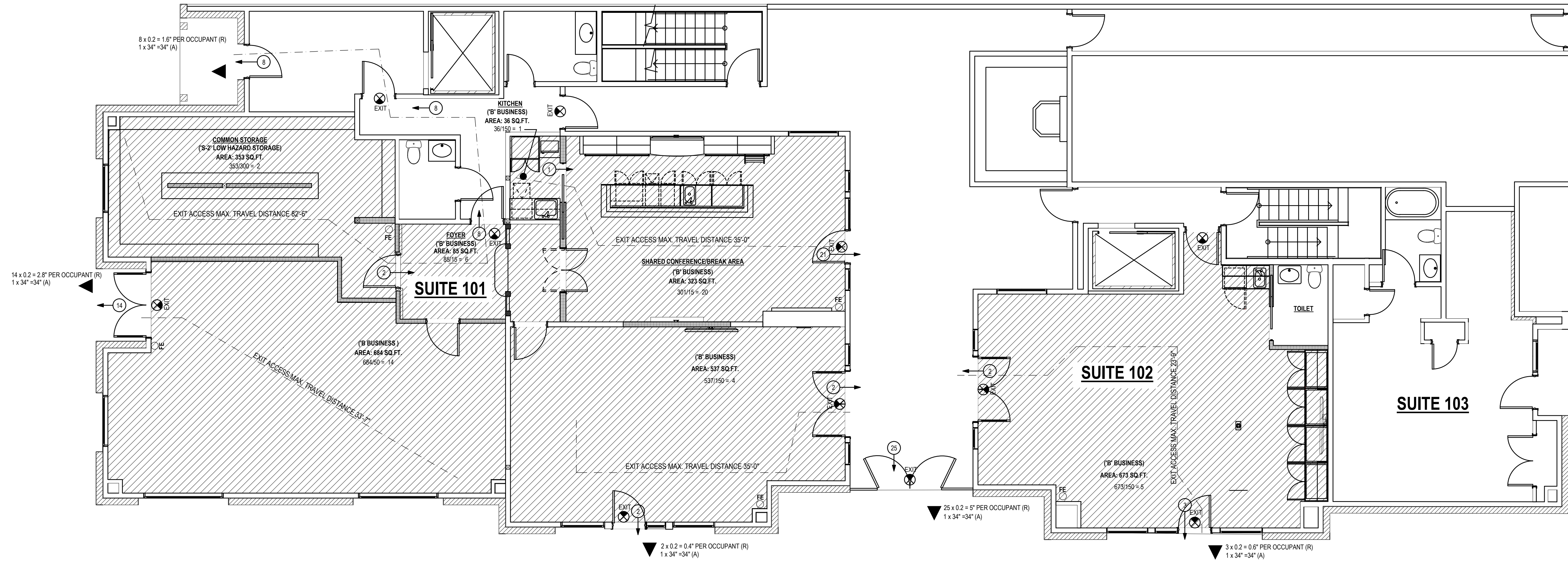
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Cody, Wyoming 82411
p. 307-272-4006
www.pointarchitects.com

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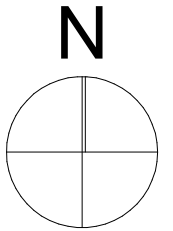
DATE 11/14/2022
SCALE 3/16" = 1'-0"
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BY JRH

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400 BLDG. FIRST FLOOR OFFICES
400 EAST AVENUE KETCHUM, IDAHO 83340



CODE COMPLIANCE PLAN - GROUND FLOOR
3/16" = 1'-0"



I. ZONING INFORMATION:

- A. ZONING DISTRICT: (CC) COMMUNITY CORE (SD-1) SUB-DISTRICT-1
- B. DISTRICT USE: (B) BUSINESS
- C. PARKING REQUIREMENTS: PER SECTION 17.125.050 - COMMUNITY CORE DISTRICT OFF STREET PARKING AND LOADING CALCULATIONS -
 - 1. EXISTING RESIDENTIAL USE = (5) REQUIRED SPACES.
 - 2. PROPOSED OFFICE USE = 2,740 SQ.FT./1,000 = (3) TOTAL PARKING

II. BUILDING CODES:

INTERNATIONAL BUILDING CODE	2018
NATIONAL ELECTRIC CODE	2020
INTERNATIONAL PLUMBING CODE	2021
INTERNATIONAL MECHANICAL CODE	2021
INTERNATIONAL FIRE CODE	2018
INTERNATIONAL EXISTING BUILDING CODE	2018
AMERICANS WITH DISABILITIES ACT AND GUIDELINES PER SECTION 1007 & CHAPTER 11	
NFPA 13	
ICC A117.1-2017 - ACCESSIBILITY CODE	

A. PROJECT CONSTRUCTION PURPOSE

THE PROPOSED PROJECT IS A GROUND FLOOR REMODEL OF (2) EXISTING TENANT SUITES WITHIN AN EXISTING BUILDING FOR USE AS PERSONAL SERVICE, STUDIO OR OFFICE SPACE.

B. REASON FOR SUBMITTAL:

BUILDING INSPECTION REQUIREMENT FOR NEW BUILDING CONSTRUCTION AND REMODEL.

C. IDAHO FIRE PREVENTION CODE

Idaho State Statute; 41-259

D. FUTURE ADDITIONS AND REMODELS:

NO FURTHER ADDITIONS OR REMODELS ARE PLANNED AT THIS TIME.

E. FACILITY NAME:

400 1ST FLOOR OFFICES
400 EAST AVENUE
KETCHUM, IDAHO 83340

F. LOCAL FIRE DEPARTMENT

KETCHUM FIRE DEPARTMENT
107 SADDLE ROAD
KETCHUM, IDAHO 83340
(208) 726-7805

G. LOCAL BUILDING INSPECTION DEPARTMENT

KETCHUM PLANNING & BUILDING DEPARTMENT
191 5TH STREET WEST
KETCHUM, IDAHO 83340
(208) 726-7801

H. WATER SUPPLY:

KETCHUM UTILITIES DEPARTMENT
110 RIVER RANCH ROAD
KETCHUM, IDAHO 83340
(208) 284-2999

III. PROJECT CERTIFICATION:

A. ARCHITECT: POINT ARCHITECTS
209 EAST 35TH STREET
GARDEN CITY, IDAHO 83714
(208) 284-2999

IV. ACCESSIBILITY PROVISIONS:

A. WALKS, INGRESS, EGRESS, PUBLIC TOILETS AND ALL MAIN FUNCTION AREAS.

V. OCCUPANCY / AREA / CONSTRUCTION:

OCCUPANCY: GROUP 'B' BUSINESS

OCCUPANCY: GROUP 'S-2' LOW-HAZARD STORAGE

OCCUPANCY GROUP 'R-2' RESIDENTIAL GROUP (2ND FLOOR CONDO'S & PENTHOUSE)

OCCUPANCY SEPARATION: NON-SEPARATED OCCUPANCY PER THE REQUIREMENTS IN SECTION 508.3 AND PER THE MOST RESTRICTIVE REQUIREMENTS OF SECTION 903.

TYPE OF CONSTRUCTION: TYPE V-B

THE EXISTING BUILDING IS A THREE STORY MIXED USE BUILDING OVER A BELOW GRADE PARKING GARAGE. THE PROPOSED PROJECT IS A REMODEL TO TWO OF THE THREE EXISTING TENANT SPACES ON THE GROUND FLOOR. THE EXISTING FLOOR STRUCTURE IS CONCRETE ON FORM DECK OVER STEEL WIDE FLANGE SECTIONS.

THE EXISTING EXTERIOR WALLS ARE COMPRISED OF 2"x6" WOOD STUD FRAMING WITH 1/2" PLYWOOD AND 1/2" GYPSUM SHEATHING. THE EXTERIOR WALLS APPEAR TO BE INSULATED WITH SPRAY FOAM INSULATION AND ARE COVERED WITH 5/8" TYPE 'X' GYPSUM WALL BOARD. THE PROPOSED THE INTERIOR WALLS WILL BE CONSTRUCTED OF GYPSUM WALL BOARD OVER 2x4 OR 2x6 WOOD STUD FRAMING WITH ACOUSTICAL BATT. INSULATION.

THE FLOOR CEILING ASSEMBLY SEPARATING THE EXISTING GROUND LEVEL TENANT SUITES FROM THE CONDOMINIUM/TOWNHOUSE ABOVE IS COMPRISED OF 1-1/2" FINISH FLOORING, 2" LIGHT WEIGHT CONCRETE, 5/16" SOUND BOARD, 11-7/8" TJI'S AND 5/8" GYPSUM WALL BOARD.

THE REQUIRED RATING OF THE EXISTING FLOOR CEILING ASSEMBLY IS 1 HOUR.

OCCUPANCY REQUIREMENTS:

OCCUPANCY:
GROUP 'B' - BUSINESS

GROUP 'S-2' LOW HAZARD STORAGE

BASIC ALLOWABLE FLOOR AREA:

OCCUPANCY: 'B' / TYPE V-B (STUDIO/SERVICE/OFFICE)
BASIC ALLOWABLE FLOOR AREA: 27,000 SF (TABLE 506.2 2018 IBC)

ALLOWABLE AREA INCREASE: (SPRINKLER: 300%)

NOT APPLICABLE

TOTAL ALLOWABLE AREA: 27,000 SF

ACTUAL AREA: 2,387 SF

ALLOWABLE STORIES / ACTUAL STORIES: 3 / 3 (TABLE 504.4)

ALLOWABLE HEIGHT / ACTUAL HEIGHT: 60' / 40'-0" (TABLE 504.3)

TOTAL OCCUPANT LOAD: 50 OCCUPANTS

OCCUPANCY: 'S-2' / LOW HAZARD STORAGE

BASIC ALLOWABLE FLOOR AREA: 40,500 SF (TABLE 506.2 2018 IBC)

ALLOWABLE AREA INCREASE: (SPRINKLER: 300%)

NOT APPLICABLE

TOTAL ALLOWABLE AREA: 27,000 SF

ACTUAL AREA: 353 SF

ALLOWABLE STORIES / ACTUAL STORIES: 3 / 3 (TABLE 504.4)

ALLOWABLE HEIGHT / ACTUAL HEIGHT: 60' / 40'-0" (TABLE 504.3)

TOTAL OCCUPANT LOAD: 2 OCCUPANTS

TOTAL OCCUPANT LOAD OF TENANT IMPROVEMENT: 52 OCCUPANTS

VI. TABLE 601- FIRE RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS:

STRUCTURAL FIRE RATING FOR TYPE V-B CONSTRUCTION (ALLOWABLE)
STRUCTURAL FRAME - 0 HR
EXTERIOR LOAD BEARING WALLS - 1 HR
INTERIOR LOAD BEARING WALLS - 0 HR
EXTERIOR NON-BEARING WALLS - 0 HR
INTERIOR NON-BEARING WALLS - 0 HR
SHAFT ENCLOSURES - 1 HR
FLOOR CEILING ASSEMBLY - 1 HR
ROOFS - 0 HR
EXTERIOR OPENINGS - 0 HR

VII. BUILDING FIRE PROTECTION:

NFPA 13 FIRE SPRINKLER SYSTEM: - REQUIRED / PROVIDED

FIRE EXTINGUISHERS: PROVIDED IN ACCORDANCE WITH 906.1

SMOKE DETECTORS: - NOT REQUIRED / NOT PROVIDED

EXIT LIGHTS: YES (W/ BATTERY BACKUP) - REQUIRED / PROVIDED

EMERGENCY LIGHTS: YES (W/ BATTERY BACKUP)

VIII. PASSIVE FIRE SAFETY FEATURES:

COMMON PATH PER (IBC 1006.2.1): 100'-0" ('B' and S-2 OCCUPANCY)

EXIT TRAVEL DISTANCE PER (IBC TABLE 1017.2): 300'-0"
FOR BUILDINGS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM.

DEAD END LIMIT PER (IBC 1018.4): 50'-0"
FOR BUILDINGS EQUIPPED THROUGHOUT WITH AN AUTOMATIC SPRINKLER SYSTEM.

LEGEND

- TRAVEL DISTANCE
 - # OF PEOPLE EXITING @ LOCATION
 - EXITING REQUIREMENT @ DOOR / CORRIDOR
 - REQUIRED EXIT WIDTH
 - 300 x 0.2' = 60' (R)
2 x 0.2' = 60' (A)
 - ACTUAL CLEAR DOOR OPENING WIDTH
 - TOTAL OPENING WIDTH @ EACH DOOR OPENING
 - # OF DOORS @ LOCATION
 - ▲ DESIGNATED EXITS
 - FE PORTABLE FIRE EXTINGUISHER LOCATIONS
 - ▨ HATCH INDICATES TENANT SUITES UNDER REMODEL.
- * AREAS NOT HATCHED INDICATE NO WORK IN THAT AREA **

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LICENSED ARCHITECT AR-2694
10/17/22
RICHARD H. CHILDRESS
STATE OF IDAHO

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www.pointarchitects.com

DATE	REV.
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DATE 10/10/22
SCALE 400EAveN.pln
BY JRH

CONSTRUCTION ACTIVITY PLAN
400 Building Offices

KETCHUM, IDAHO

Updated 10/27/2022



A. General Information and Schedule:

The 400 Bldg. is located at 400 N East Ave. in Ketchum, Idaho. The proposed project is a remodel of the first floor office space. The total area of the remodel building is proposed to be approximately 2,740 square feet.

Our work schedule is Monday through Saturday 7:30am to 7:00pm.

1. All subcontractors will receive the Construction Activity Plan as a contract document. Elias Construction takes responsibility for all subcontractors and all aspects of the construction activity permit.
2. Elias Construction will deliver all adjacent property owners a letter that details scope of work, schedule of construction, and contact information, if required.

Anticipated Project Milestone Schedule

12/5/2022	Demolition
12/19/2022	Rough-in Utilities
01/16/2023	Drywall
02/10/2023	Finishes
04/20/2023	Project completion

B. Excavation:

There is no excavation needed for this project.

C. Vehicle Parking and Traffic Control:

1. Due to the limited contractor parking on site. All contractors, subcontractors, inspectors, supervisors, deliveries, caterers, and any other person associated with the project will be given signage for their vehicles and made aware that they are not allowed to park in public parking areas within 1,500 feet of the job site. If they do, they are at risk of receiving tickets.
2. Given City Ordinance, 15.06.030, contractor will monitor vehicle count, if vehicle count exceeds 15, overflow parking will be located at River Run with shuttle service to and from job site.
3. Traffic control will be conducted per plan and flaggers will be used as necessary for materials delivery, moving equipment, hauling and as needed. In special cases where the task at hand must be completed outside the gate, proper noticing, flagging, and traffic control will be scheduled. Material loading and unloading will not take place East Ave.

D. Material Storage/Deliveries:

1. Material storage is depicted on the **Construction Activity Site Plan**. All locations are with-in the interior of building

2. Delivery truck routes are depicted on the **Construction Activity Plan Map** in red. Trucks will enter Ketchum from the south on Highway 75, turn right on Sun Valley Rd. left on Spruce Ave., left on 4th St. E, and then left on Alpine Lane, and right on Sun Valley Rd. to exit town. They will utilize Alpine Ln. and 4th street to access the Material Staging.
3. Loading and Unloading will take place on Alpine Lane and 4th street with flaggers in place as necessary.

E. Temporary Restrooms, Job Shacks, Dumpsters:

1. All debris will be removed daily from the jobsite. No dumpster is needed. Restrooms will be located on private property utilizing existing restrooms within the building.
2. All permits will be obtained by Elias Construction if it is necessary to use the city right of way for staging, material storage, or dumpster location as needed.
3. This job does not require a job shack.

F. Screening:

1. This job does not require a temporary construction fence or any screening.
2. Material Staging & Stockpile will be inside the building and is noted on the **Construction Activity Plan Map**.

G. Use of Rights of Way:

1. All right of way uses permits will be obtained prior to use.
2. Elias Construction will document the city right of way with photographs and a site visit with the street department personnel and will repair any damage that occurs during the construction process.
3. Elias Construction understands that manholes may not be obstructed at any time and will maintain a minimum of three feet (3') clearance on back and sides of fire hydrants, and a minimum fifteen feet (15') clearance on the front, street side of fire hydrants.
4. Travel lanes will be open at all times except for deliveries as needed.

H. Noticing:

1. Elias Construction will deliver all adjacent property owners a letter that details scope of work, schedule of construction, and contact information, if required.

I. Site Clean Up:

1. Elias Construction will maintain a clean and orderly job site on a daily basis. Daily clean up is also a condition of the subcontractors' contracts. The job site and materials shall be kept in a clean and orderly condition.

- Restroom Inside (existing)
- Contractor Parking
- Material Storage
- Trucking Route

Pedestrian and vehicle traffic on East Ave. and Edelweiss Ave. (4th Street) will not be impacted during the course of construction.

Trucking route will be along 4th street, with trucks approaching from the east or west, trucks will be directed to use Walnut Ave if they need to move north or south.

Construction debris will be removed daily, at the end of each work day. Therefore there is no need for a dumpster on site.



Construction Activity Site Plan

SCALE: 1" = 20'

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DATE REV.



DATE 10/26/22
SCALE Site Plan.pln
BY JRH













Attachment C:
Applicant Response to Additional
Information

Robertson & Slette, p.l.l.c.

J. EVAN ROBERTSON
GARY D. SLETTE

Cassie Chapman – Legal Assistant
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GARY D. SLETTE
gslette@rsidaholaw.com

January 13, 2023

Adam Crutcher, Associate Planner
Ketchum Department of Planning and Building
P.O. Box 2315
Ketchum, Idaho 83340
acrutcher@ketchumidaho.org

RE: **400 East Avenue Office**

Dear Adam,

I am in receipt of your letter dated January 11, 2023, in which you stated that my clients' application has been "deemed incomplete". When the application was submitted, we provided all of the required information, plus we voluntarily furnished a narrative of additional information to assist the City in understanding and processing the application. I fail to understand the authority or the code language upon which you rely to say that our application is incomplete. That having been said, I will address your enumerated concerns as follows:


1. The office space is planned to accommodate two (2) individuals, both of whom are engaged in the conduct of their private business affairs. As you noted, a "business office" includes, **but is not limited to**, certain types of enumerated activities, but my clients' plan is simply to conduct their own private business affairs within the confines of these two office suites. For privacy reasons, they intend to keep the nature of their individual businesses to themselves, but most assuredly, they conduct legitimate worldwide business while maintaining their privacy.
2. The multi-use/fitness room is located in an area facing the street and is depicted on the submitted drawing. Equipment such as a treadmill, stationary bike and other similar work-out equipment is contemplated to be utilized in that room by the occupants of the office suites.
3. The private storage area is contemplated to be used for office supplies, record storage and other similar types of uses. The owners also intend to utilize a part of the storage area for their own private wine collection and certain personal effects. There will be no storage of hazardous or flammable materials.

4. The shared break/meeting room will predominantly be used as a break/lounge area for the owners or their guests when they conduct meetings. The room will not be divided, but rather, its entirety will be available for use by either of the owners as their needs dictate.
5. The term “hours of operation” can be defined as a regular schedule of days and hours when a business organization operates, or when services are offered. There are no contemplated hours or days of operation because no public business or service is contemplated to be operated within the confines of the office suites. As owners of the two office suites, my clients plan to come and go as the dictates of their private businesses require.
6. The exterior lighting on the building has been modified to be dark sky compliant. The fixtures have been retrofitted with LED lights and the light source is fully shielded.
7. No right-of-way use will be affected during the remodel, and as such, no traffic control plan is required. While the alley may not be deemed the best place for contractor parking, it is a public thoroughfare available for use by my clients and their contractors, as well as the street in front of the building where contractor parking can likewise take place. The alley is 30 ft wide, so if there is an eight-foot width shown for vehicular parking, there is still 22 feet of clear travel lane emergency vehicle access.

Please consider the foregoing a full and complete response to your inquiries. I would be curious to see if the City delves into the usage of private office space for other members of the community such as that which is taking place with regard to this proposal. The right of privacy afforded to people when they conduct their own private business affairs needs to be respected by the government at all levels. As long as the conduct of such private business does not involve immoral, illegal or hazardous activities, my clients have a right to conduct their business affairs in private and without governmental intrusion.

Please place this application on the agenda for the Commission as soon as possible in order for us to move the project forward without undue delay.

Yours truly,



GARY D. SLETTE

cc: clients
Josh Shetler
Matt Johnson, City Attorney