



City of Ketchum  
Planning & Building

IN RE:	)	
	)	
Crossbuck McNee Townhomes	)	<b>KETCHUM PLANNING &amp; ZONING COMMISSION</b>
Design Review	)	<b>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND</b>
Date: September 21, 2021	)	<b>DECISION</b>
	)	
File Number: 21-025	)	

PROJECT: Crossbuck McNee Townhomes

APPLICATION TYPE: Design Review

FILE NUMBER: P21-025

ASSOCIATED APPLICATIONS: Townhouse Subdivision Preliminary Plat P21-026

REPRESENTATIVE: Chad Blincoe, Architect

OWNER: MMDM11 LLC

LOCATION: Southwest Corner of 2nd Avenue & W 7th Street (Ketchum Townsite: Amended Block 67: Lot 1A)

ZONING: General Residential Low Density (GR-L)

OVERLAY: None

**RECORD OF PROCEEDINGS**

The Planning & Zoning Commission considered the Crossbuck McNee Townhomes Design Review (Application File No. P21-025) and Townhouse Subdivision Preliminary Plat (Application File No. P21-026) applications during their meetings on July 27<sup>th</sup>, July 30<sup>th</sup>, and August 24<sup>th</sup>, 2021. The development applications were considered concurrently and the associated public hearings were combined in accordance with Idaho Code §67-6522. After considering Staff’s analysis, the applicant’s presentation, and public comment, the Planning & Zoning Commission unanimously approved the Crossbuck McNee Townhomes Design Review (Application File No. P21-025) and Townhouse Subdivision Preliminary Plat (Application File No. P21-026) applications.

Public Hearing Notice

A public hearing notice for the project was mailed to all owners of property within 300 feet of the project site and all political subdivision on July 7<sup>th</sup>, 2021. The public hearing notice was published in the

Idaho Mountain Express the on July 7<sup>th</sup>, 2021. A notice was posted on the project site and the city's website on July 20<sup>th</sup>, 2021. The public hearing for the project was continued from the Planning & Zoning Commission meetings of July 27<sup>th</sup> and July 30<sup>th</sup>, 2021.

### **FINDINGS OF FACT**

The Planning & Zoning Commission having reviewed the entire project record, provided notice, and conducted the required public hearing does hereby make and set forth these Findings of Fact, Conclusions of Law, and Decision as follows:

#### **FINDINGS REGARDING CROSSBUCK DEVELOPMENT BACKGROUND**

This project is part of the Crossbuck Townhomes development on Block 67 of Ketchum Townsite. The property is located between 7<sup>th</sup> Street to the north, 6<sup>th</sup> Street to the south, 2<sup>nd</sup> Avenue to the east, and the partially improved alleyway to the west. In 2018, the four lots within Block 67 were reconfigured (Lot Line Shift Application File No.) to accommodate the Crossbuck Townhome development. The City and the developers at that time, Bill Sundali and Shane and Sharon Mace, entered into Construction Phasing Agreement #20233 (Instrument #657569) for the installation of water, sewer, and right-of-way improvements as well as the designation of maintenance responsibilities. Water and sewer improvements were installed during the summer of 2018. The alleyway drainage and paving and 6<sup>th</sup> Street right-of-way (ROW) improvements, including a 5-foot concrete sidewalk, were installed with the construction of the first four detached townhome units on Lots 3 and 4.

The 7<sup>th</sup> Street ROW improvements were shown as part of the project plans. Two driveway accesses were shown along 7<sup>th</sup> Street—one to access Lot 1A and one to access Lot 2A. These lots were contemplated to be developed with single-family residences as a future phase of the Crossbuck development. The Construction Phasing Agreement did not specify a completion date for the 7<sup>th</sup> Street ROW improvements. During their review of the Construction Phasing Agreement, the City Council discussed concerns regarding curb cuts for driveway access along the bike path. The Council approved one curb cut for a shared driveway over the bike path because an existing deed restriction precluded any curb cuts along 6<sup>th</sup> Street. The remaining lots and sublots within the development were required to be accessed from 7<sup>th</sup> Street or the alley.

The current owners of Lot 1A and 2A have each submitted Design Review and Townhouse Subdivision Preliminary Plat applications for the construction of two detached townhome units on remaining Lots 1A and 2A. The two proposed townhome developments comply with the improvement plan approved with the Construction Phasing Agreement. Additionally, a multi-family development containing a maximum of two dwelling units is a permitted use in the GR-L Zone (Ketchum Municipal Code §17.12.020). The building form, architectural design features, and exterior materials proposed with these new units match the existing townhomes within the Crossbuck development. The existing Crossbuck townhome units on Lot 3A and 4A have a building coverage of 35% and a maximum building height of 30 feet.

#### **FINDINGS REGARDING CROSSBUCK MCNEE TOWNHOMES**

The Crossbuck McNee Townhomes project is comprised of concurrent Design Review and Townhouse Subdivision Preliminary Plat applications for the development of two new detached townhome units and associated site improvements on an undeveloped property located at the southwest corner of 2nd Avenue and W 7th Street (Ketchum Townsite: Amended Block 67: Lot 1A). The townhome units will

share a private driveway accessed from 7th Street. The townhome development's total proposed building coverage is 35%. Lot 1A within Block 67 of Ketchum Townsite will be subdivided into two townhouse sublots. The Crossbuck McNee Townhomes project requires both Design Review for the development of multi-family residential dwellings (Ketchum Municipal Code §17.96.010.A3) and a Townhouse Subdivision Preliminary Plat to create the townhouse sublots (Ketchum Municipal Code §16.04.080). The project plans for the new townhome development were attached as Exhibit A to the July 27<sup>th</sup> and August 24<sup>th</sup>, 2021 staff reports.

### FINDINGS REGARDING CITY DEPARTMENT COMMENTS

City Department comments are based on the project concept as proposed with the Design Review project plans. 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 must be reviewed and approved by the City Engineer and Streets Department prior to issuance of a Building Permit for the project.

<b>City Department Comments</b>
<i>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><b>Fire Department:</b></p> <ul style="list-style-type: none"> <li>• It is the General Contractor's responsibility to understand and adhere to all Fire Protection Ordinance #1217 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.</li> <li>• The above project shall meet all 2018 International Fire Code requirements in addition to specific City Building and Fire Ordinances.</li> <li>• An approved monitored fire sprinkler alarm system shall be installed per City of Ketchum Ordinance No. 1217 and the requirements of NFPA 72. Two 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.</li> <li>• An approved key box shall be installed on each townhome unit, with the appropriate keys, for emergency 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 townhome unit.</li> <li>• Smoke and carbon monoxide detectors shall be installed per NFPA and the 2018 International Fire Code. Smoke detectors shall be installed inside each bedroom, within 21 feet of each sleeping area, and on every level of occupancy, including the basement. Carbon monoxide alarms shall be installed in a central location outside each sleeping area and on every level of the townhome unit.</li> <li>• 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.</li> <li>• An approved access roadway per 2018 International Fire Code Appendix D 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</li> </ul>

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. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet, an approved aerial fire apparatus access road shall be provided. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.

- 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.
- Fire extinguishers shall be installed and maintained per 2018 IFC Section 906 both during construction and upon occupancy of the building. During construction fire extinguishers shall be placed in a conspicuous, easy to access, unobstructed location that is less than 75 feet travel distance to any combustibles on site, 30 feet to any hot work. Upon completion of project, every townhome unit shall have a minimum of one extinguisher per garage and one extinguisher per kitchen area. Extinguishers shall be mounted in a conspicuous, easy to access, unobstructed location. During construction, three 5-pound Class A fire extinguishers shall be required in each townhome unit.
- Spark arresters are required on all solid fuel burning appliance chimneys to reduce potential fires from burning embers. A minimum 10-feet of separation from all chimneys to combustible vegetation and tree crowns shall be maintained at all times.
- This project shall comply with the City of Ketchum Fire Protection Ordinance No. 1217 and defensible space characteristics. All exterior windows shall be glazed, and all exterior doors shall be solid core construction, both shall have a fire rating of not less than 20 minutes. All exterior vents shall be designed and approved to prevent flame or ember penetration and all exterior mesh shall have openings that do not exceed 1/8". Gutters and downspouts shall be non-combustible and shall be provided with an approved means to prevent the accumulation of leaves and debris. All materials within 12 inches vertical of finished grade shall be 1-hour rated, non-combustible, or covered with minimum 28-gauge flashing. The area 12-inches horizontal from the base of a wall shall be finished in a way to prevent any vegetation growing, and for vegetative debris to be easily removed. Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet. Tree crowns within 30 feet of any structure shall be pruned to remove limbs located less than 6 feet above the ground surface adjacent to the trees. Non-fire-resistive vegetation or growth shall be kept clear of buildings and structures, in such a manner as to provide a clear area for fire suppression operations.
- 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](http://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](http://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.

**FINDINGS REGARDING COMPLIANCE WITH ZONING CODE AND DIMENSIONAL STANDARDS**

Zoning and Dimensional Standards Analysis				
Compliant			Ketchum Municipal Code Standards and Commission Findings	
Yes	No	N/A	KMC §	Standards and Commission Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.12.030</b>	<b>Minimum Lot Area</b>
			<b>Commission Findings</b>	<p><b>Required Minimum Lot Area:</b> 8,000 square feet minimum</p> <p><b>Required Minimum Townhouse Sublot Area:</b> equal to the of the perimeter of the townhouse unit</p> <p>KMC §17.08.020 defines <i>Area of Lot</i> as the area of a lot, exclusive of any area contained within a private driveway easement.</p> <p><i>Ketchum Municipal Code §17.08.020: Definitions</i>  <b>AREA OF LOT:</b> The area within the boundaries of a lot, exclusive of any area contained within a public or private street, alley, fire lane or private driveway easement; also, exclusive of any narrow strip of land connecting a lot set back from any public street for the purpose of providing driveway access with that street and exclusive of any portion of the property that lies between the mean high-water marks of the Big Wood River, Trail Creek and Warm Springs Creek. All exclusions shall not be used for the purpose of calculating density and building coverage. Lot area shall include the area of any dedicated public bike path, equestrian path or other public pathway within the boundaries of a lot.</p> <p><b>Proposed:</b>                      Lot 1A of Block 67 within Ketchum Townsite has a total area of 8,240 square feet (0.19 acres).</p> <p>The area of the private driveway easement on subplot 1A is 660 square feet.</p> <p>The area of the lot as defined by KMC §17.08.020 exclusive of the private driveway easement on subplot 1A is 7,580 square feet.</p> <p>Lot 1A is proposed to be subdivided into two townhouse sublots. All townhouse sublots within the proposed subdivisions are greater than the perimeter of the townhouse unit. No land within the townhouse subdivision is proposed to be designated as common area. The proposed areas of each townhouse subplot are indicated on the preliminary plat.</p> <p>Townhouse Sublot 1A: 4,120 square feet                      Townhouse Sublot 1B: 4,120 square feet</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.12.030</b>	<b>Building Coverage</b>
			<b>Commission</b>	<b>BUILDING COVERAGE:</b> The total square footage of the building foundation and

			<b>Findings</b>	<p>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><b>Permitted:</b> 35%  <b>Proposed:</b> The townhome development's total building coverage is 35% (2,651 square feet building coverage/7,580-square-foot lot).</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.12.030</b>	<b>Minimum Building Setbacks</b>
			<b>Commission Findings</b>	<p><b>Minimum:</b>  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><b>Proposed:</b>  Dimensioned setbacks from property lines are indicated on Sheet L1.0 of the project plans.  Front (North/7th Street): 15'  Street Side (East/2nd Avenue): 11'-8"  Side (West/Interior): 15'  Rear (South/Interior): 15'</p> <p>At-grade paver patios extend into the required setback areas, which is permitted pursuant to KMC §17.128.020.H. As indicated on Sheet A-2A, roof overhangs extend into the setback area a maximum of 3 feet.</p> <p>The site plan on Sheet L1.0 shows three stairs encroach within unit A's required setback from 2nd Avenue. These stairs are not permitted within the required side setback area. Staff has added a recommended condition of approval that these stairs be removed from the side setback area. As conditioned, this project will comply with the setbacks required in the GR-L Zone.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.12.030</b>	<b>Building Height</b>
			<b>Commission Findings</b>	<p><b>Maximum Permitted:</b> 35 feet</p> <p><i>KMC §17.08.020: HEIGHT OF BUILDING: The greatest vertical distance measured at any point from the roof to natural, existing, or finished grade, whichever is lowest. The maximum vertical distance from the lowest exposed finished floor to the highest point of the roof (regardless of vertical alignment) shall be no more than five feet (5') greater than the maximum height permitted</i></p>

				<p><i>in the zoning district (see illustration B on file in the Office of the City Clerk). No facade shall be greater than the maximum height permitted in the zoning district. (See definition of "facade" in this section and illustration B on file in the Office of the City Clerk.) Facades which step up or down hillsides shall be set back from the lower facade a minimum of fifty percent (50%) of the height of the lower facade; except, that roof overhangs may extend up to three feet (3') into this area (see illustration B on file in the Office of the City Clerk). This building height provision shall apply to parapets, boston roofs and any other portion of a building roof, but shall not apply to flagpoles, lightning rods, weather vanes, antennas or chimneys.</i></p> <p><b>Proposed:</b>  Townhome Unit A  Lowest Grade Elevation: 5795'  Highest Point of Roof Elevation: 5830'  Building Height: 34'-11"</p> <p>Townhome Unit B  Lowest Grade Elevation: 5800'  Highest Point of Roof Elevation: 5831'  Building Height: 29'-9"</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.125.030H</b>	<b>Curb Cut</b>
			<b>Commission Findings</b>	<p><b>Required:</b>  A total of 35% of the linear footage of any street frontage can be devoted to access to off street parking.</p> <p><b>Proposed:</b> Both townhomes are accessed from a shared driveway that is 26 feet wide, which is 35% (26-foot-wide driveway/75 feet of street frontage along 7<sup>th</sup> Street) of the development's site street frontage along 7<sup>th</sup> Street.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.125.040</b>	<b>Parking Spaces</b>
			<b>Commission Findings</b>	<p>Off-street parking standards apply to any new development and to any new established uses.</p> <p><b>Required:</b>  Multiple-Family Residential Dwelling Units in the GR-L Zone  Units 2,001 square feet and above: 2 parking spaces</p> <p><b>Proposed:</b>  Both townhome units exceed 2,001 square feet.  Each townhome unit has its own attached 2-car garage.</p>

**FINDINGS REGARDING COMPLIANCE WITH DESIGN REVIEW STANDARDS**

Design Review Improvements and Standards (KMC §17.96.060)				
Yes	No	N/A	City Code	City Standards and Commission Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.A1 Streets	<b>The applicant shall be responsible for all costs associated with providing a connection from an existing city street to their development.</b>
			<b>Commission Findings</b>	No new streets are proposed with this development. The townhome units will be accessed from a shared driveway off 7 <sup>th</sup> Street. Pursuant to KMC §17.96.060.G3, vehicle, bicycle, and pedestrian traffic shall flow safely within the project and onto adjacent streets. 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 accesses.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.96.060.A2 Streets	<b>All street designs shall be approved by the City Engineer.</b>
			<b>Commission Findings</b>	Pursuant to KMC §17.96.060.G3, vehicle, bicycle, and pedestrian traffic shall flow safely within the project and onto adjacent streets. 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 accesses. The circulation design shall be indicated on civil drawings stamped by an Idaho-licensed engineer (KMC §12.04.020.C.3) included with the project plans submitted with the building permit application for final review and approval by the City Engineer and Streets Department prior to issuance of a building permit for the project.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.96.060.B1 Sidewalks	<b>All projects under 17.96.010(A) that qualify as a “Substantial Improvement” shall install sidewalks as required by the Public Works Department.</b>
			<b>Commission Findings</b>	While the Crossbuck McNee Townhomes project qualifies as a substantial improvement, sidewalks are not required to be installed along 7 <sup>th</sup> Street within this residential neighborhood. The property has street frontage along 2 <sup>nd</sup> Avenue and the bike path.  The applicant shall improve the right-of-way (ROW) adjacent to the front property line along 7 <sup>th</sup> Street to City ROW standards for residential roadways. Material shall be pervious/permeable to allow drainage. Surface must allow for vehicle parking and be consistent along the entire property frontage. Material within the first eight (8) feet from edge of asphalt shall be distinct from driveway and rest of property in order to visually appear to be available for parking. Grading and drainage improvements must meet the following standards: minimum 5% slope, no obstructions, such as boulders or



				<p>berms, no buried irrigation systems within the first eight (8) from the edge of asphalt, and no subsurface irrigation lines are permitted beyond the first eight (8) feet, however popup heads are not permitted anywhere in the ROW. No live plant material within the first eight (8) feet from edge of asphalt. Low ground cover plant material, such as turf grass, is permitted beyond the first eight (8) feet. Drought-tolerant species is preferred.</p> <p>Final civil drawings for all associated ROW improvements shall be submitted with the building permit application to be reviewed and approved by the City Engineer and Streets Department prior to issuance of a building permit for the project.</p> <p>See Table 1 for comments and conditions from the City Engineer &amp; Streets Department.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.B2 Sidewalks</b>	<p><b>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.</b></p>
			<b>Commission Findings</b>	<p>The City Engineer has determined that sidewalks are not required to be installed along 7<sup>th</sup> Street within this residential neighborhood.</p> <p>The applicant shall improve the right-of-way (ROW) adjacent to the front property line along 7<sup>th</sup> Street to City ROW standards for residential roadways.</p> <p>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 Table 1 for review comments and conditions from the City Engineer &amp; Streets Department.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.B3 Sidewalks</b>	<p><b>Sidewalks may be waived if one of the following criteria is met:</b></p> <ul style="list-style-type: none"> <li>a. The project comprises an addition of less than 250 square feet of conditioned space.</li> <li>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.</li> </ul>
			<b>Commission Findings</b>	<p>The City Engineer has determined that sidewalks are not required to be installed along 7<sup>th</sup> Street within this residential neighborhood.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.B4 Sidewalks</b>	<p><b>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.</b></p>
			<b>Commission Findings</b>	<p>The City Engineer has determined that sidewalks are not required to be installed along 7<sup>th</sup> Street within this residential neighborhood.</p>

				The applicant shall improve the right-of-way (ROW) adjacent to the front property line along 7 <sup>th</sup> Street to City ROW standards for residential roadways.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.B5 Sidewalks</b>	<b>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.</b>
			<b>Commission Findings</b>	N/A. The City Engineer has determined that sidewalks are not required to be installed within this residential neighborhood.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.B6 Sidewalks</b>	<b>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.</b>
			<b>Commission Findings</b>	N/A. The City Engineer has determined that sidewalks are not required to be installed within this residential neighborhood.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.C1 Drainage</b>	<b>All storm water shall be retained on site.</b>
			<b>Commission Findings</b>	The drainage system must keep all storm water within the project site. Storm water is prohibited from draining onto the 7 <sup>th</sup> Street or 2 <sup>nd</sup> Avenue rights-of-way. All drainage improvements must meet city standards. Drainage improvements are indicated on Sheet L3 of the project plans (Exhibit A). Proposed drainage improvements include landscape drywells.  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. As noted in the Utilities Department’s comments, all drywells must have proper separation from potable water lines. See Table 1 for City Department comments and conditions.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.C2 Drainage</b>	<b>Drainage improvements constructed shall be equal to the length of the subject property lines adjacent to any public street or private street.</b>
			<b>Commission Findings</b>	See above analysis for Ketchum Municipal Code §17.96.060C1. All drainage improvements shall be equal to the length of the property lines adjacent to 7 <sup>th</sup> Street and 2 <sup>nd</sup> Avenue. All drainage improvements shall meet City standards.

				<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 &amp; Streets Department prior to issuance of a Building Permit for the project.</p> <p>See Table 1 for comments and conditions from the City Engineer &amp; Streets Department.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.C3 Drainage</b>	<b>The City Engineer may require additional drainage improvements as necessary, depending on the unique characteristics of a site.</b>
			<b>Commission Findings</b>	The application will be required to install drainage improvements to the satisfaction of the City Engineer. 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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.C.4 Drainage</b>	<b>Drainage facilities shall be constructed per City standards.</b>
			<b>Commission Findings</b>	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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.D1 Utilities</b>	<b>All utilities necessary for the development shall be improved and installed at the sole expense of the applicant.</b>
			<b>Commission Findings</b>	<p>The property owner/developer and all successors in interest are responsible for the installation, maintenance, repair, and other costs associated with the private water and sewer lines serving the property.</p> <p>Each detached townhome unit shall have separate water and sewer services. Connection fees are determined based on water and sewer meter sizes. The applicant shall have the proposed water and sewer service connection line and meter sizes verified by an Idaho-licensed plumber or mechanical engineer. The service line connections shall be installed to City standards.</p> <p>Requirements and specifications for the water and sewer connections will be verified, reviewed, and approved by the Utilities and Wastewater departments prior to issuance of a building permit for the project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.D2 Utilities</b>	<b>Utilities shall be located underground and utility, power, and communication lines within the development site shall be concealed from public view.</b>
			<b>Commission Findings</b>	All utilities within the development site shall be underground and concealed from public view.

				The project plans indicate a relocated transformer at the southwest corner of the parcel straddling the property line onto adjacent Lot 2A of Block 67. The transformer is proposed to be screened by deciduous shrubs.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.D3 Utilities</b>	<b>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.</b>
			<b>Commission Findings</b>	The applicant is aware of this requirement to install services for high-speed internet to the site. The applicant will work with the City Engineer to identify if additional fiber optical conduit is required to be installed for the new multi-family residential development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.E1 Compatibility of Design</b>	<b>The project's materials, colors and signing shall be complementary with the townscape, surrounding neighborhoods and adjoining structures.</b>
			<b>Commission Findings</b>	As noted on Sheet MB, the Crossbuck McNee Townhomes will match the existing Crossbuck townhome units developed on the remainder of Block 67. All townhome units share the same exterior material patterns and color palette.  The proposed exterior materials include metal clad windows, corrugated metal roofing, steel frame awnings, concrete and gabion site walls, vertical wood siding, steel posts and beams, steel wainscot, and stone veneer. The stone veneer and wood siding are shades of gray. The steel posts and beams, trellises, and metal trim are dark gray and brown. The darker colors contrast with the lighter gray wood siding and stone veneer adding more articulation to the façade design.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.E2 Compatibility of Design</b>	<b>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.</b>
			<b>Commission Findings</b>	N/A. No significant landmarks of historical or cultural importance have been identified on the property. The site is vacant—this townhome development is an infill project.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.E3 Compatibility of Design</b>	<b>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.</b>
			<b>Commission Findings</b>	N/A This standard does not apply because the project is new construction.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F1 Architectural</b>	<b>Building(s) shall provide unobstructed pedestrian access to the nearest sidewalk and the entryway shall be clearly defined.</b>
			<b>Commission Findings</b>	The front doors to both townhome units are clearly defined by a covered entry framed by steel posts landscaped planters. The entrances to both townhome units lead to at-grade paver patios that connect to the bike path along 2 <sup>nd</sup> Avenue.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F2 Architectural</b>	<b>The building character shall be clearly defined by use of architectural features.</b>
			<b>Commission Findings</b>	The proposed architectural features include exterior material differentiation, fenestration, steel canopy elements, and wire mesh trellises. The exterior materials and architectural features will match the existing Crossbuck townhomes. The exterior material differentiation and fenestration provide visual interest and define the character of the building.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F3 Architectural</b>	<b>There shall be continuity of materials, colors and signing within the project.</b>
			<b>Commission Findings</b>	As noted on Sheet MB, the Crossbuck McNee Townhomes will match the existing Crossbuck Townhomes developed on the remainder of Block 67. All townhome units share the same exterior material patterns and color palette.  The proposed exterior materials include metal clad windows, corrugated metal roofing, steel frame awnings, concrete and gabion site walls, vertical wood siding, steel posts and beams, steel wainscot, and stone veneer. The stone veneer and wood siding are shades of gray. The steel posts and beams, trellises, and metal trim are dark gray and brown. The darker colors contrast with the lighter gray wood siding and stone veneer adding more articulation to the façade design.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F4 Architectural</b>	<b>Accessory structures, fences, walls and landscape features within the project shall match or complement the principal building.</b>
			<b>Commission Findings</b>	The project does not propose any accessory structures. The project's site improvements include landscaping, planters, and gabion. The landscape plan is provided on Sheet L-3.0 of the project plans (Exhibit A). Landscaping includes conifer trees, flowering crab deciduous trees, deciduous shrubs, and grasses. The proposed landscaping softens the rectangular mass of each townhome unit and provides screening between the townhome units.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F5 Architectural</b>	<b>Building walls shall provide undulation/relief, thus reducing the appearance of bulk and flatness.</b>
			<b>Commission Findings</b>	The mass of the building's rectangular volumes is broken up through material differentiation and an upper-level setback created by the second-floor deck. The projections created by the steel from awnings add visual interest to the building design. The landscaped trellis softens the rectangular volumes at the side facade.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F6 Architectural</b>	<b>Building(s) shall orient towards their primary street frontage.</b>
			<b>Commission Findings</b>	The townhome units include covered entryways that orient towards the 2 <sup>nd</sup> Avenue. These covered entryway landings lead to paver walkways that connect to the bike path along 2 <sup>nd</sup> Avenue.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F7 Architectural</b>	<b>Garbage storage areas and satellite receivers shall be screened from public view and located off alleys.</b>

			<b>Commission Findings</b>	<p>Each townhome unit have its own trash and recycling bins stored and screened from public view within the attached, enclosed garages. The applicant has submitted a letter from Clear Creek Disposal approving the townhome development's garbage disposal configuration. The townhome unit owners will move the garbage and recycling bin to 7<sup>th</sup> Street for service.</p> <p>The project plans do not indicate the installation of any satellite receivers. Any future installations of satellite receivers must be screened from public view.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.F8 Architectural</b>	<b>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.</b>
			<b>Commission Findings</b>	The building design includes weather protection that prevents water from dripping or snow from sliding onto areas where pedestrians gather and circulate and onto adjacent properties. As indicated on Sheet A2-A, the roof includes a system of internal drains as well as gutters. The roof plans shows snow guards to prevent snow from sliding onto areas where pedestrians gather and circulate or onto adjacent properties.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.G1 Circulation Design</b>	<b>Pedestrian, equestrian and bicycle access shall be located to connect with existing and anticipated easements and pathways.</b>
			<b>Commission Findings</b>	The townhome units' entrances lead to at-grade paver patios that connect to the bike path along 2 <sup>nd</sup> Avenue. The City Engineer has determined that sidewalks are not required to be installed along 7 <sup>th</sup> Street within this residential neighborhood. Pedestrian and bicycle access is provided within the low-traffic residential streets.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.G2</b>	<b>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.</b>
			<b>Circulation Design</b>	N/A. No awnings are proposed to extend across the public sidewalk.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.G3 Circulation Design</b>	<b>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.</b>
			<b>Commission Findings</b>	<p>The townhome units will both be accessed from a shared driveway along 7<sup>th</sup> Street.</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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.G4</b>	<b>Curb cuts and driveway entrances shall be no closer than twenty (20') feet to the nearest intersection of two or more streets, as measured</b>

			<b>Circulation Design</b>	<b>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.</b>
			<b>Commission Findings</b>	As specified on Sheet L-1.0, the shared driveway entrance to the townhome development is located 58 feet from the intersection of 7 <sup>th</sup> Street and 2 <sup>nd</sup> Avenue.  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.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.G5 Circulation Design</b>	<b>Unobstructed access shall be provided for emergency vehicles, snowplows, garbage trucks and similar service vehicles to all necessary locations within the proposed project.</b>
			<b>Commission Findings</b>	The new multi-family residential development provides unobstructed access for emergency vehicles, snowplows, garbage trucks, and other services vehicles. Unobstructed access to the townhome units is provided from the shared driveway along 7 <sup>th</sup> Street.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.H1 Snow Storage</b>	<b>Snow storage areas shall not be less than thirty percent (30%) of the improved parking and pedestrian circulation areas.</b>
			<b>Commission Findings</b>	The snow storage calculation is indicated on Sheet L3 of the property plans. The applicant has provided 600 square feet of snow storage on site, which is 30% of the asphalt driveway area.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.H2 Snow Storage</b>	<b>Snow storage areas shall be provided on-site.</b>
			<b>Commission Findings</b>	The snow storage calculation is indicated on Sheet L3 of the property plans. The applicant has provided 600 square feet of snow storage on site, which is 30% of the asphalt driveway area.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.H3 Snow Storage</b>	<b>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.</b>
			<b>Commission Findings</b>	The 3 snow storage areas meet this dimensional requirement. The snow storage areas provided on site are 200, 50, and 350 square feet.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.H4 Snow Storage</b>	<b>In lieu of providing snow storage areas, snow melt and hauling of snow may be allowed.</b>
			<b>Commission Findings</b>	The applicant has provided snow storage on site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.I1 Landscaping</b>	<b>Landscaping is required for all projects.</b>
			<b>Commission Findings</b>	The landscape plan is provided on Sheet L3 of the project plans. Landscaping includes conifer trees, flowering crab deciduous trees, deciduous shrubs, and grasses.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.I2 Landscaping</b>	<b>Landscape materials and vegetation types specified shall be readily adaptable to a site's microclimate, soil conditions, orientation and aspect, and shall serve to enhance and complement the neighborhood and townscape.</b>

			<b>Commission Findings</b>	The landscape plan is provided on Sheet L3 of the project plans. Landscaping includes conifer trees, flowering crab deciduous trees, deciduous shrubs, and grasses. The landscape plan shows 7 deciduous trees planted along the street frontages. The proposed landscaping will beautify the adjacent bike path.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.I3 Landscaping</b>	<b>All trees, shrubs, grasses and perennials shall be drought tolerant. Native species are recommended but not required.</b>
			<b>Commission Findings</b>	All proposed landscape materials and vegetation types shall be drought tolerant. The applicant is encouraged to select native species.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.96.060.I4 Landscaping</b>	<b>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.</b>
			<b>Commission Findings</b>	The project's proposed landscaping provides a buffer between both townhome units and the adjacent existing Crossback townhome unit to the south. The 7 deciduous trees planted along the street side property line will buffer the townhome units from 2 <sup>nd</sup> Avenue.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.96.060.J1 Public Amenities</b>	<b>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.</b>
			<b>Commission Findings</b>	The City Engineer has determined that sidewalks are not required for this project in this residential neighborhood.

### CONCLUSIONS OF LAW

1. The City of Ketchum is a municipal corporation established in accordance with Article XII of the Constitution of the State of Idaho and Title 50 Idaho Code and is required and has exercised its authority pursuant to the Local Land Use Planning Act codified at Chapter 65 of Title 67 Idaho Code and pursuant to Chapters 3, 9 and 13 of Title 50 Idaho Code to enact the ordinances and regulations, which ordinances are codified in the Ketchum Municipal Code ("KMC") and are identified in the Findings of Fact and which are herein restated as Conclusions of Law by this reference and which City Ordinances govern the applicant's Design Review application for the development and use of the project site.
2. The Commission has authority to hear the applicant's Design Review Application pursuant to Chapter 17.96 of Ketchum Municipal Code Title 17.
3. The City of Ketchum Planning Department provided notice for the review of this application in accordance with Ketchum Municipal Code §17.96.080.
4. The Design Review application is governed under Ketchum Municipal Code Chapters 17.96, 17.124, 17.08, 17.12, 17.18, and 17.128.



5. The Crossbuck McNeeTownhomes Design Review application meets all applicable standards specified in Title 17 of Ketchum Municipal Code.

## DECISION

**THEREFORE**, the Ketchum Planning and Zoning Commission **approves** this Design Review Application File No. P21-025 this Tuesday, September 21<sup>st</sup>, 2021 subject to the following conditions of approval.

## CONDITIONS OF APPROVAL

1. This Design Review approval is subject to all comments and conditions as described in Table 1 (City Department Comments, Table 2 (Findings Regarding Compliance with Zoning Code and Dimensional Standards, and Table 3 (Compliance with Design Review Standards).
2. The Crossbuck McNee Townhomes Design Review (Application File No. P21-025) approval is subject to the Townhouse Subdivision Preliminary Plat Application File No. P21-026. All associated conditions of approval shall apply to the project.
3. The applicant shall remove the stairs that encroach into townhome unit A's required setback from 2<sup>nd</sup> Avenue.
4. 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 & Zoning Commission or the Administrator. Any building or site discrepancies which do not conform to the approved plans will be subject to removal.
5. The project shall comply with all governing ordinances, requirements, and regulations of the Fire Department (2018 International Fire Code and local Fire Protection Ordinance No.1217), Building Department (2018 International Residential Code and Title 15 of Ketchum Municipal Code), Utilities Department, Street Department (Title 12 of Ketchum Municipal Code), and the City Engineer.
6. The applicant shall submit civil drawings prepared by an engineer licensed in the State of Idaho that include specifications for the project's right-of-way improvements, circulation design, utilities, and drainage improvements for final review and approval by the City Engineer, Streets Department, and Utilities Department prior to issuance of a Building Permit for the project.
7. Pursuant to Ketchum Municipal Code §17.96.090A, 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. Any extensions of Design Review approval shall comply with Ketchum Municipal Code §17.96.090b.
8. All Design Review elements, including right-of-way improvements and landscaping, shall be completed prior to issuance of a Certificate of Occupancy for the townhome development.
9. All exterior lighting on the property shall comply with Ketchum Municipal Code, Chapter 17.132, Dark Skies, and shall be inspected by Planning Staff and approved prior the issuance of a Certificate of Occupancy for the townhome development.
10. Prior to issuance of a Building Permit for the project, the applicant shall submit a construction management plan that addresses each of the construction activity standards specified in Chapter 15.06 of Ketchum Municipal Code for review and approval by the Building, Planning, Streets, Utilities, and Fire departments and the City Engineer.

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 21<sup>st</sup> day of September 2021.

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Neil Morrow, Chair  
City of Ketchum  
Planning and Zoning Commission