

**MINUTES OF THE
HAILEY PLANNING & ZONING COMMISSION
Monday, April 22, 2013
Hailey City Hall
6:30 p.m.**

Present: Regina Korby, Jay Cone, Geoffrey Moore, Owen Scanlon

Absent: Janet Fugate

Staff: Bart Bingham, Micah Austin, Ned Williamson

Call to Order

[6:28:53 PM](#) Chair Moore called the meeting to order.

Public Comment for items not on the agenda

[6:30:47 PM](#) None.

Consent Agenda

CA 1 Motion to approve minutes of April 8, 2013 Regular Meeting.

[6:31:17 PM](#) Micah Austin noted the minutes were corrected to include the swearing-in language.

[6:34:00 PM](#) **Owen Scanlon moved to approve CA 1. Jay Cone seconded, and the motion passed unanimously.**

[6:34:35 PM](#) Mr. Austin asked Ned Williamson to address the Commission on the matter of electronic signs. Mr. Williamson noted there are some First Amendment protection issues to be considered, and he answered questions from the Commission's last meeting. Mr. Williamson recommended "really tight language" in considering these signs, and further asked for additional time to review the issue.

[6:42:40 PM](#) Chair Moore noted the agenda should be amended to switch the order of Tabs 3 and 4. **Jay Cone moved to amend the agenda to place Tab 3 in place of Tab 4 and vice versa. Owen Scanlon seconded, and the motion carried unanimously.**

New Business

NB 1 Motion to approve Findings of Fact, Conclusions of Law—approval of an annexation request from the Blaine County School District to annex Parcel 4 of a Replat of Maurer Subdivision (Inst.510590), comprising a total of .62 acres, into Hailey City Limits for the purpose of expanding the Wood River Middle School.

[6:43:51 PM](#) Micah Austin reminded of the difference between the design review consideration and the annexation consideration in this matter. He further provided background and overview.

[6:48:42 PM](#) John Gaeddart, BCSD, thanked the Commission and expressed hope for their approval.

[6:49:00 PM](#) Chair Moore opened the matter to public comment. None was offered. Commission discussion included whether the 25' height limit should be a condition of approval and be carried on to plat notes for future reference. Micah Austin noted it is included in the Conclusions of Law. Chair Moore still believed it should be on a plat note for added protection

in the future. Mr. Gaeddart assured that BCSD had no problem with that. Chair Moore also asked for clarification on City services impacts and kitchens included in the project.

[6:51:44 PM](#) Jolyon Sawrey, project architect, explained that the overall project will have only two kitchen sinks rather than the current three and therefore may represent a reduction of impact on City services. He further noted that the courtyard improvements for this project will come before the Commission on a new application. Micah Austin noted he is comfortable with the impact information provided in the engineer's analysis of the project, which shows no additional impact. Commission discussion continued to clarification of the question.

[6:58:01 PM](#) **Regina Korby moved to approve the annexation request from Blaine County School District. Owen Scanlon seconded, and the motion carried unanimously.**

NB 2 Motion to approve Findings of Fact, Conclusions of Law—approval of an application by Strada Capital Inc. for Design Review of an alteration to the exterior of an existing residence by altering the roof over front entry from a shed roof to a gabled roof type and an existing installed window to a garage door and vehicle entry area. The residence being located at Hailey Townsite, Blk 24, Lots 4 & 5 (305 S. 4th Ave.) is within the Townsite Overlay (TO) and General Residential (GR) Zoning Districts.

[6:59:14 PM](#) Bart Bingham provided background and overview.

[7:01:34 PM](#) **Jay Cone moved to approve the Findings of Fact, Conclusions of Law for the Strada Capital, Inc. application provided Conditions 1 through 12 are met. Regina Korby seconded, and the motion passed unanimously.**

[7:01:34 PM](#) Chair Moore granted a short recess to allow for a computer re-start in order to rectify a malfunction. [7:12:19 PM](#) The meeting was called back to order.

NB 3 Motion to approve Findings of Fact, Conclusions of Law—approval of an application by Blaine County School District for Design Review of a 4,370 sq. ft. classrooms and hallway addition to the existing Wood River Middle School. The school is located at Northridge Sub No. 4, Blk 1, Lot 2 (900 N. 2nd Ave.) and within the General Residential (GR) Zoning District.

[7:16:41 PM](#) Bart Bingham provided the details requested by Commissioners at their last meeting. Parking provisions were emphasized for clarity with John Gaeddart, BCSD, pointing out parking areas on the drawings. [7:23:53 PM](#), Commission discussion included parking clarifications, the importance of memorializing requirements and agreements, and how parking lot/exterior lighting will fit into the City's dark sky ordinance. [7:31:17 PM](#) Paul Stoops, project lighting engineer, clarified information and provided historical background. He further explained requirements to bring existing lighting into current compliance. [7:38:01 PM](#) Mr. Gaeddart continued to address the Commission's questions regarding parking. [7:39:48 PM](#) Chair Moore voiced concerns about the sightline from the bike path and impact on neighbors nearby. He asked to add a condition of approval requiring that future changes around the courtyard area of the project come back to the Commission. [7:42:54 PM](#) Micah Austin explained that Mr. Moore's concerns were already addressed in existing requirements. [7:45:32 PM](#) Jolyon Sawrey clarified plans for the courtyard area. Mr. Sawrey emphasized that there is one current project now before the Commission, but a separate future project could certainly be discussed. [7:48:59 PM](#) Further discussion included whether there would be a separate design review, and whether these plans should be handled as one project or two.

7:52:31 PM Jay Cone moved to go into Executive Session to discuss the applicability of the design review process and requirements. Regina Korby seconded. The majority voted in favor with Mr. Scanlon dissenting.

8:02:44 PM The Commission returned from Executive Session.

8:03:07 PM Chair Moore opened the meeting to public comment.

8:03:16 PM John Gaeddart, BCSD, advised that the school district will submit an application for the second future project by week's end. He noted the district's intention to proceed under Mr. Austin's guidance and to work with the Commission's concerns. Mr. Gaeddart further reminded that timing of the project remains an issue in order to have occupancy by the end of summer.

8:06:11 PM With no further comment offered, Chair Moore closed the public hearing.

8:07:24 PM Regina Korby moved to approve the Findings of Fact, Conclusions of Law, and Decision for the design review application by Blaine County School District, provided conditions (1) through (12) are met. Jay Cone seconded. Discussion continued to emphasize that this review addressed only the four classrooms and the hallway addition, and that the second project must come before the Commission at the next P&Z meeting on May 13, 2013. **In a call for the question, the motion passed unanimously.**

NB 4 Motion to approve Findings of Fact, Conclusions of Law—approval of a Conditional Use Permit request from Mountain Rides Transportation Authority for operating a South Valley Facility on Woodside Subdivision Plat #10, Lot 38, Block 42 (otherwise known as 4021 Glenbrook Dr.) which is located in the Business (B) Zone.

7:12:43 PM Micah Austin summarized the application and reviewed the details.

7:15:10 PM Chair Moore opened the matter to public comment. None was offered.

7:15:24 PM Owen Scanlon moved to approve the Conditional Use Permit request from Mountain Rides Transportation Authority. Regina Korby seconded, and the motion carried unanimously.

NB 5 Public Hearing and consideration of an application by Craig Johnson for Design Review of a new single family residence (Curran Residence) proposed to be built at Hailey Townsite, Blk 47, Am Lot 9A (205 N. 3rd Ave.), which is within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.

8:10:39 PM Bart Bingham provided background, and noted that the phone availability of the project representative at the last P&Z meeting did not work out, so the applicant was present at this meeting. Mr. Bingham addressed the concerns of commissioners at the last meeting and showed the applicant's new information as provided. 8:17:27 PM Mr. Bingham introduced Craig Johnson to answer any questions. Discussion included elevation and drainage, cost savings of a ¾" meter line, and the sidewalk in-lieu fee.

8:19:57 PM Chair Moore opened the meeting to public comment. None was offered.

8:21:57 PM Regina Korby moved to approve the design review application by Craig Johnson provided conditions (a) through (l) are met. Jay Cone seconded, and the motion passed unanimously.

NB 6 Public Hearing and consideration of an Application by The Sage School for Design Review of two new 2,880 sq. ft. modular classrooms to be located at Airport West Sub. #2, Blk 4, Lot 2 (1451 Aviation Dr.) within the SCI-Sales Office zoning district.

[8:23:58 PM](#) Bart Bingham provided an overview of the application, and noted one letter in opposition was received. Jolyon Sawrey presented for the applicant, clarifying size and exterior appearance of modular buildings, fire access and sidewalk compliance, the process of building with modular structures, foundations and engineering of modulars, the garbage enclosure, existing lighting and new lighting compliance, and materials samples. [8:39:58 PM](#) Commission discussion included zoning and impact on the parking area. Nancy Linscott, Sage School, clarified how zoning approval was originally obtained. She further addressed the impact on the parking area. [8:43:03 PM](#) Mr. Sawrey also commented on the parking issue, and why these structures are temporary rather than permanent. Harry Weekes, Sage School, explained that Airport West specifically asked for a clear reference to temporary structures. Micah Austin noted that the City views these as permanent structures architecturally compatible with Airport West. [8:50:58 PM](#) Commission discussion included window orientation and how closely the Commission must follow guidelines. With concerns about energy efficiency, discussion continued on an “approved alternative” option. Further discussion continued on whether the City’s Build Better Program should apply to this structure, [9:06:09 PM](#) snow storage, fencing, deck and ramp materials, color choices, handrails, skirting and ventilation, soffit material/color, truss/beam color, connectors on trusses, colors of pressure plates and gutters, water and sewer connections.

[9:16:07 PM](#) Chair Moore opened the matter to public comment.

[9:16:35 PM](#) Ari Drougas, 1231 Snow Fly Drive, spoke in favor of the application noting he lives nearby and believes these structures are much improved over early versions of modular buildings.

[9:18:36 PM](#) Peter Boyce, Della View, spoke in favor, adding that he believes the school is an asset to the community.

[9:19:21 PM](#) Pam Gammon, Robin Hood Drive, spoke in favor, noting that the new structures would allow older students to mentor younger ones.

[9:20:09 PM](#) Mary Rau, mother of a Sage School student, spoke in favor.

[9:20:33 PM](#) Collette Evans, mother of a Sage School student, spoke in favor of the project and noted her appreciation of environmental concerns being well addressed.

[9:21:35 PM](#) Nancy Linscott, Sage School, noted the benefit of enhancing the safety of the school facility by having the students together on a more cohesive campus.

[9:23:33 PM](#) Carla Penfield Stroh, 117 West Bullion Street, spoke in support and advised that she also submitted a letter of support to the City.

[9:24:00 PM](#) Bart Bingham noted for the record the opposition of Brad Billger who is concerned about noise and traffic. Micah Austin added that a large number of public comments were received regarding this application, and that Mr. Billger’s was the only one in opposition.

[9:25:21 PM](#) With no further comment offered, Chair Moore closed the matter to public comment. Commission discussion addressed the fact that colors not yet chosen must be presented to staff before building, and that this must be incorporated into the Findings of Fact. Mr. Sawrey assured he would be happy to comply.

[9:28:08 PM](#) Jay Cone moved to approve the design review application by The Sage School provided conditions (a) through (k) are met and with the addition of conditions (l) and (m). That is, drawings and specifications are to be reviewed by at least one staff member and one commission member to show the addition of at least one of the following: one additional energy saving option, or two energy saving elements. Condition (m) will require additional color samples and confirmation of all colors and locations. Owen Scanlon

seconded. Discussion continued on the intent of Mr. Cone's motion language. Mr. Bingham assured there is "an approved alternative" in the existing language. **In a call for the question, the motion carried unanimously.**

[9:32:59 PM](#) Chair Moore called for a brief recess. [9:37:56 PM](#) The meeting was called back to order.

NB 7 Public Hearing and consideration of a City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by deleting the following sections and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4. All zoning requirements from the preceding sections will be consolidated into the District Use Matrix. The proposed amendment's objective is to make the Zoning Ordinance easier to understand and interpret.

[9:38:06 PM](#) Micah Austin provided a summary and clarification on narratives in bulk requirements that do not fit into the matrix. He further walked the Commission through some portions that he reviewed with Ned Williamson. [9:45:34 PM](#) Discussion included how the commission can review sufficiently for any change of original intent, the importance of consistency, and one added use: "residential assisted living care." [9:53:10 PM](#) Discussion continued on reasons for the matrix, how language applies and some suggested changes, whether "mixed use" is a use or a zone, and the importance of clear definitions. [10:01:10 PM](#) Further discussion included how the matrix addresses convenience stores in gas stations, accessory dwelling units, garages, possible errors of omission, and swimming pools. [10:07:13 PM](#) In addressing the ways in which the matrix meets the code and whether this process is amending the ordinance, Micah Austin made suggested changes directly on his computer. Discussion continued on procedural questions for this meeting.

[10:16:42 PM](#) Owen Scanlon moved to recommend the City Council approve the proposed amendments to City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by deleting the sections listed here and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4, and as further amended by the Commission during this meeting, finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare. Regina Korby seconded, and the motion carried unanimously.

[10:17:59 PM](#) Jay Cone moved to continue to a date certain (May 13, 2013) agenda items OB 1 and SR 1. Owen Scanlon seconded and the motion passed unanimously.

Old Business

OB 1 Public Hearing and consideration of an amendment to Section 8.2 of the Zoning Ordinance which addresses signs and sign regulations. The proposed amendment revises the definition of an Animated Sign, adds a definition for Electronic Message Display (EMD) Sign, and defines the standards and regulations for Electronic Message Display and Animated Signs. (Continue from 4-08-2013)

Commission Reports and Discussion

Staff Reports and Discussion

SR 1 Discussion of Goals and Priorities for the Hailey Planning and Zoning Commission.

SR 2 Discussion of current building activity and upcoming projects.

[10:18:56 PM](#) With 38 permits to date this year, building activity is up considerably.

[10:20:04 PM](#) Bart Bingham introduced the City's new tree guide.

SR 3 Discussion of the next Planning and Zoning meeting: Monday, May 13, 2013.

[10:22:34 PM](#) Jay Cone wondered if the Middle School representatives fully understood the benefit of the Commission's approval tonight given the circumstances. [10:24:08 PM](#) Micah Austin briefly compared what is in the code and what is on the design review checklist. He noted he would like to revise that checklist to avoid circumstances such as came up in this meeting. Mr. Cone expressed hope the code and revised checklist could be compared side-by-side.

Adjourn

[10:26:03 PM](#) Owen Scanlon moved to adjourn. Jay Cone seconded and the motion carried unanimously.