

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, February 10, 2014
Hailey City Hall
5:30 p.m.

Call to Order

Public Comment for items not on the agenda

Consent Agenda

- CA 1 Motion to approve minutes of January 13, 2014 regular meeting
- CA 2 Motion to approve Findings of Fact and Conclusions of Law for a Design Review application submitted by Syringa Mountain School, represented by Greg Bloomfield and Graham Whipple, for the construction of a school providing education for grades K-8 located at Tax Lot 6902 FR SWSE & NWE TL 6902, Section 9 &16, 2N 18E.

New Business and Public Hearings

- NB 1 Public Hearing and Consideration of a City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by amending Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts and add Schools as Conditional Uses in SCI-O and SCI-L. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.
- NB 2 Consideration of a Conditional Use Permit request from Chateau Discount Outlet, represented by Ken Sangha, for operating a Wholesale Distributor on Friedman Park Subdivision, Lot 11A, Block 2 (otherwise known as 960 South Main Street) which is located in the Limited Business (LB) Zone.

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

- SR 1 Discussion of current building activity and upcoming projects
- SR 2 Discussion of the next Planning and Zoning meeting: Monday, March 10, 2014
(no documents)

Adjourn

For further information regarding this agenda, or for special accommodations to participate in the public meeting, please contact planning@haileycityhall.org or (208) 788-9815.

**MINUTES OF THE
HAILEY PLANNING & ZONING COMMISSION
Monday, January 13, 2014
Hailey City Hall
5:30 p.m.**

Present: Owen Scanlon, Janet Fugate, Regina Korby, Jay Cone

Staff: Micah Austin, Kristine Hilt, Ned Williamson, Tom Hellen, Jim Lynch, Jeff Gunter

Absent:

Call to Order

[5:31:52 PM](#) Jay Cone called the meeting to order.

Election of Officers

Election of Chair position

[5:33:17 PM](#) Owen Scanlon moved to nominate Jay Cone as Chair. Janet Fugate seconded and the motion passed unanimously.

Election of Vice Chair

[5:33:42 PM](#) Owen Scanlon moved to elect Janet Fugate as Vice Chair. Regina Korby seconded and the motion passed.

Public Comment ~~for items not on the agenda~~

[5:34:01 PM](#) Geoffrey Moore requested the Chair to pull CA2 based on clerical errors on the Findings of Fact. [5:35:29 PM](#) Janet Fugate moved to pull the CA2. Owen Scanlon seconded and the motion passed. [5:35:39 PM](#) Janet Fugate motioned to re-arrange the agenda, Owen Scanlon seconded and the motion passed.

Consent Agenda

~~CA 1 — Motion to approve minutes of December 9, 2013 regular meeting~~

~~[5:35:58 PM](#) Owen Scanlon moved to approve the minutes. Regina Korby seconded and the motion carried unanimously.~~

New Business and Public Hearings

~~NB 1 — Public Hearing and Consideration of a Design Review application by Syringa Mountain School (d.b.a. Wood River Waldorf Methods School Inc), represented by Greg Bloomfield and Graham Whipple, for the construction of a school providing education for grades K-8. This is located on Tax Lot 6902 (FR SWSE & NWNE TL 6902, Section 9 & 16, 2N 18E), adjacent to Aspen Drive in China Gardens Subdivision, within the General Residential (GR) Zoning District. In addition to the Design Review application, public comment is invited for any public infrastructure improvements constructed in connection to this project, pursuant to Title 18 of the Hailey Municipal Code.~~

[5:36:55 PM](#) Chair Cone asked fellow Commissioners to disclose any exParte conversations or site visits prior to the meeting. Regina Korby noted that she has had one conversation with Greg Bloomfield. Janet Fugate and Owen Scanlon had nothing to disclose. Jay Cone had a one sided conversation with Susan McBryant to disclose. Chair Cone briefed the audience for the meeting agenda and notified all audience members about public comment and rebuttal guidelines. [5:39:38 PM](#) Greg Bloomfield introduced the application to the commissioners and noted key statistics about The Mountain School. He included facts about funding, organization, educational goals, opportunities for local students, and a timeline for

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progression for the school. He then briefed the Commissioners on the Mountain School's approach to learning. [5:42:45 PM](#) Greg Bloomfield presented the benefits of moving the school to Hailey and included property values, new jobs, and neighborhood impacts. His presentation went on to include trends in school sites, proposed site size, and projected student enrollment. He went on to include information about why the Mountain School chose the current site for a new school. [5:47:06 PM](#) Greg Bloomfield introduced the project architect Graham Whipple. [5:47:23 PM](#) Graham Whipple introduced the site overview to the Commissioners pointing out different phases of growth, parking, structures, security, landscaping, and the drop off/pick up area. Presentation included information about transportation to and from the site, sidewalk infrastructure, and pedestrian access. [5:55:53 PM](#) Graham Whipple pointed out areas on the plans for slowing vehicular traffic through the residential neighborhoods. He noted that there was an easement on the initial application that has been pulled from the plans. Presentation continued on to include class room assembly and required parking spaces outlined in Hailey City Code. He continued on to discuss elevations of the building, different roof forms, additive elements including eaves and canopies, building materials, color choices, purpose of architecture and overall structural design in relationship to surrounding neighborhood architecture. [6:06:12 PM](#) Chair Cone inquired about the building material and color samples. Graham Whipple presented those to the Commission. [6:06:56 PM](#) Chair Cone called for Staff comments. [6:07:07 PM](#) Micah Austin summarized the staff report and some of his concerns. He noted noticing dates, application requirements, parcel specifics including zoning, and Design Review guidelines for the City of Hailey. [6:10:29 PM](#) Micah Austin went through the general requirements for the application in detail noting that the application was in fact complete. He noted concerns from the Fire Department, Police Department, Street Department, and City Engineer including snow removal, fire hydrant requirements, parking, crosswalk and sidewalk requirements, security requirements, degradation of surrounding roads, school zone speed limit requirements, and landscaping requirements. [6:16:47 PM](#) Micah Austin summarized proposed signage and recommended Commission approval on all signage moving forward. He included required parking specifications, outdoor lighting, building height, setbacks, drainage, and street classification. Micah Austin continued with recommendations for the Commissioners for new street classifications, sidewalk widths and pedestrian zones in accordance to Title 18 standards. [6:22:12 PM](#) Micah Austin informed the Commissioners about bike rack standards and lack thereof on the application and site plan. Micah Austin went on to summarize building services, trash enclosures, sun exposure, snow storage, and additional site plan specifics. [6:27:44 PM](#) Micah Austin went on to summarize the building design portion of the staff report. He included details about roof pitches, architecture, solar orientation, south facing windows, exterior shading devices, and snow clips. [6:31:34 PM](#) Ned Williamson, City Attorney, informed the audience on public meeting etiquette then went on to address important concerns from the public that had been previously submitted including subdivision requirements and floodplain overlay requirements. Ned Williamson informed the Commission that the subdivision and floodplain requirements were irrelevant and not required by the applicant. Ned Williamson recommended to the Commission to inquire about the parking requirements in regards to the assembly requirements with the City Code. He also recommended that the applicant address the total length and size of the building in regards to the surrounding neighborhoods. [6:37:03 PM](#) Micah Austin summarized the public comment that was submitted prior to the meeting and included details about the nature of the comments. He noted that all letters and comments were on file and available for the Commissioners for review. [6:39:48 PM](#) Owen Scanlon inquired about why City Engineer Tom Hellen recommended for a gravel easement between the road and the sidewalk. [6:40:19 PM](#) Tom Hellen noted that the snow removal and storage was the primary reason for gravel requirements. [6:40:40 PM](#) Owen Scanlon inquired about student location and transportation clarification. Greg Bloomfield responded and clarified. Owen Scanlon also inquired about emergency access. Graham Whipple clarified and responded with details about plans for emergency vehicle access. Owen Scanlon inquired about parking requirements for the site in regards to school functions, graduations, and parent teacher conferences. [6:44:31 PM](#) Greg Bloomfield answered with examples of other community organizations and institutions that utilize street parking. [6:45:50 PM](#) Jay

Cone inquired about the parking lot diagram. He went on to summarize the code interpretation of "Assembly". Jay Cone asked Graham Whipple about specific parking requirements noting that 28 spaces may not be adequate. Graham Whipple responded with stating that this concern may be resolved with additional planning. He also noted that he felt that the City of Hailey parking requirements have been met. Discussion between Jay Cone and Graham Whipple went on to include phasing, lack of information, documents at hand, current outlined parking, and additional land that may be used for parking. [6:51:00 PM](#) Owen Scanlon inquired about emergency access requirements. [6:51:12 PM](#) Micah Austin answered. Janet Fugate inquired about procedure. Ned Williamson informed the Commissioners about procedure including items that had been newly submitted. [6:53:45 PM](#) Janet Fugate inquired about trash enclosure and surrounding property distances from that enclosure. Discussion included setbacks and distances with Graham Whipple. [6:55:50 PM](#) Discussion went on to include down spouts, drainage, roof metal color samples, security issues in regards to landscaping, drop off area for students, building height, and student access into the school. [7:03:44 PM](#) Regina Korby inquired about traffic safety and vehicular access to the school. Concerns also included cafeteria space, eating areas, and growth of student population. The Commissioners continued to address concerns about parking and realistic requirements. [7:09:36 PM](#) Discussion about the ordinance and the parking requirements continued between Micah Austin, Ned Williamson and the Commissioners. [7:11:11 PM](#) Janet Fugate inquired about clarification about the projected number of students and building dimensions. Greg Bloomfield notified the Commissioners that a maximum number of 280 students would be enrolled at this designated site and that a student enrollment cap was possible for Charter Schools. Graham Whipple notified the Commissioners that he was not certain of the building dimensions. [7:14:46 PM](#) Chair Cone called for a recess and reiterated public hearing etiquette and pertinent comments for the application at hand.

[7:25:00 PM](#) **Chair Cone called the meeting back to order.** [7:26:12 PM](#) Ned Williamson notified the Commissioners that the noticing was proper and that a movement was necessary. **Janet Fugate moved to include that the noticing was appropriate for the public hearing.** [7:27:07 PM](#) Chair Cone notified audience members about addressing the Commissioners and directing questions. Steve Bashista, Hailey, notified the Commissioners that he was opposed to the applicants based on health and safety issues including debris from flooding, vehicular access, and noticing. Pam Gammom, Hailey, commented on the zoning, the lack of phasing plans, privacy, and the magnitude and scale of the project. Pam Gammom objected the project. Kim Coonis, Hailey, commented that the neighborhood lacked the infrastructure for a school in the chosen location and commented on the lack of safety for the children. Judy Harrison, Hailey, mentioned that she was confused in regards to the materials that were presented at the meeting and at the application submittal time prior to the meeting. Randy Flood, Hailey, commented on property values and onsite parking noting that the local high school lacked efficient parking and overflow used the athletic fields. Bob Hoskins, Hailey, encouraged the Commissioners to consider the maximum occupancy of the school's enrollment. Blaine Porter commented that the school concept was "great" but that the chosen location was "lousy". [7:37:49 PM](#) He also noted that the building size was "offensive" and "outrageous". Rick Spaulding, Hailey, commented about state funding in regards to a Charter School noting that fundraisers were common and necessary. Rick Spaulding also noted that China Gardens standards for buildings were one story 1200 square foot buildings. Martin Flannes, Hailey, commented that several concerns were not addressed in the current application. Martin Flannes urged the Commissioners to vote to have the applicant re-submit the application with appropriate documentation to address all concerns in writing. [7:43:01 PM](#) Travis Scott, Syringa Mountain School board, commented about choice of location for the school, other two-story buildings in the neighborhood, community assembly areas that could be shared. David Harrison, Hailey, commented that the proposed project would incur several inefficiencies for the roadways. David Harrison also commented on density concerns, parking, fire and police concerns, and traffic impacts. Alison Akehurst, Hailey, noted current traffic flow and safety concerns for her children, pets, and neighboring children. [7:47:42 PM](#) Julia Dupuis, Hailey, commented that the application was incomplete and that many concerns were not

addressed. Julia Dupuis urged the Commissioners to ask the applicants to resubmit a more complete application and plan. Ragna Caron, Hailey, commented that the design of the building was not in compliance with the City of Hailey Design Review Guidelines. Ragna Caron also commented on opposition for the project due to traffic concerns and flooding. Steve Krossner, Hailey, commented that the traffic plan was unavailable until the meeting and that he opposed the increase of traffic in the neighborhood. Steve Krossner, Hailey, inquired about school hours. Susan McBryant, Hailey, commented that the application was incomplete and confusing. She recommended to the Commissioners to vote down the application and to urge the applicant to resubmit. Susan McBryant also commented on zoning and farm animals. Joey Sides, Hailey, commented that his residence would be located near the trash enclosure as well as the traffic, the lighting, safety, building design. He also commented that the easement requirements should be clarified. Mike Broman, Hailey, commented that he had concerns about the success of the school, farm animals. Peter Caldera, Hailey, commented that his concerns included the future of the school. Bill Smith, Hailey, commented about the road systems and the children safety in the neighborhood. [8:01:23 PM](#) Mark Cassinika, Hailey, commented on the design of the buildings, the lack of space around the school, and other neighboring schools. Susan Lidstone, Hailey, commented on construction noise, buffer zones, lack of fencing, and traffic. Matt Filbert, Bellevue, urged the Commissioners to consider solutions to the concerns. Ann Fuller, Hailey, commented on her concern about egress and fire escape routes. Barbara Nance, Hailey, commented on safety of children walking on neighboring streets around the proposed location. Linda Rotondella-Elie, Hailey, commented that the proposed location has been flooded six times in the past forty years. Marie Wania, Hailey, commented about scale of the buildings and property choice. Jorjan Sarich, Hailey, commented about her research on the Mountain School including alternative sites. She urged the Commissioners to require re-submittal of the application. [8:09:34 PM](#) Del Webber, Hailey, commented on her opposition of a roadway or parking lot on the parcel. [8:10:33 PM](#) Jay Cone closed the public comment period and opened the comment period for rebuttal. [8:10:57 PM](#) Micah Austin clarified concerns about Parcel A. He noted that Parcel A was set aside for City access and that it was the City of Hailey's suggestion to set aside an easement for potential public safety access. [8:14:24 PM](#) Greg Bloomfield added clarification about public easements, student enrollment caps, farm animals, floodplain, traffic, and school mission. [8:17:19 PM](#) Chair Cone called the discussion back to the Commissioners. [8:18:27 PM](#) Owen Scanlon stated that the health, safety, and welfare of the public were not considered. Janet Fugate noted that her concerns included traffic safety, mobility for school children, and impact on neighboring residents, size and scope of the project. Regina Korby stated that there were several concerns that were not addressed and that the design needed to be re-evaluated. [8:22:17 PM](#) Chair Cone added that he was disappointed that concerns voiced by the Police Chief and City of Hailey were not addressed. He further added that many areas were not in compliance with the guidelines and requirements of the City of Hailey. [8:26:02 PM](#) Chair Cone cited noncompliance within the staff report. [8:27:41 PM](#) Chair Cone stated the following for the record; Sections 9.4, 8B.4.1, 6A.7(A), 6A.8(A)1g, 6A.8(A)1d, 6A.8(A)2a, 6A.8(A)3h, and 6A.8(A)4h of the Zoning Ordinance and Sections 18.06.016, 18.06.022, 18.06.024 of Title 18, the Mobility Design Ordinance.

[8:29:23 PM](#) Janet Fugate recommended downsizing, a feasible drop off and pick up plan for students, sufficient parking, and detailed lighting plan. [8:30:38 PM](#) Chair Cone recommended a detailed landscaping plan. [8:31:27 PM](#) Owen Scanlon **motioned to deny the Design Review application for the Syringa Mountain School, represented by Greg Bloomfield and Graham Whipple, for a new school providing education for grades K-8 to be constructed and operated on Tax Lot 6902 (FR SWSE & NWNE TL 6902, Section 9 &16, 2N 18E) finding that all of the ordinances and recommendations by staff have been noted as well as accommodations and suggestions by the Commission that the owner and applicant represented can respond to. Janet Fugate seconded and the motion passed unanimously.**

8:35:26 PM Chair Cone called the meeting back to order.

~~CA 2 — Motion to approve Findings of Fact and Conclusions of Law for a Design Review exemption application submitted by NationStar Mortgage, represented by Jim Bradley, for a new garage door and a new man door on a garage located at 405 S. Second Avenue.~~

8:37:02 PM Geoffrey Moore commented on errors that he found within the Findings of the Fact for this project. He went on to include suggestions for new conditions of approval. 8:42:53 PM Janet Fugate noted that it was not necessary to include exclusions in Findings of Facts. Micah Austin summarized the application. 8:45:13 PM Janet Fugate motioned to approve the Findings of Fact and Conclusions of Law for the Design Review application submitted by NationStar Mortgage, represented by Jim Bradley, for a new garage door and a new man door on a garage located at 405 S. Second Avenue. Owen Scanlon seconded and the motion carried.

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

~~SR 1 — Discussion of current building activity and upcoming projects~~

~~SR 2 — Discussion of the next Planning and Zoning meeting: Monday, February 10, 2014
(no documents)~~

8:48:56 PM Micah Austin and Kristine Hilt briefed the Commissions on current building activity and upcoming projects.

Adjourn

8:49:52 PM Regina Korby motioned to adjourn. Janet Fugate seconded and the motion carried unanimously.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On January 13, 2014, the Hailey Planning and Zoning Commission considered an application for Design Review approval submitted by Syringa Mountain School (d.b.a. Wood River Waldorf Methods School Inc), represented by Greg Bloomfield and Graham Whipple, for the construction of a school providing education for grades K-8, located on Tax Lot 6902 (FR SWSE & NWNE TL 6902, Section 9 &16, 2N 18E), adjacent to W. Chestnut Street in China Gardens Subdivision, within the General Residential (GR) Zoning District. The Commission, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

Public Hearing

On January 13, 2014, the Hailey Planning and Zoning Commission held a public hearing to consider the Design Review application submitted by Syringa Mountain School (d.b.a. Wood River Waldorf Methods School Inc), represented by Greg Bloomfield and Graham Whipple, for the construction of a school providing education for grades K-8, located on Tax Lot 6902 (FR SWSE & NWNE TL 6902, Section 9 &16, 2N 18E).

Notice

Notice for the public hearing was published in the Idaho Mountain Express on December 24, 2013 and mailed to all property owners within 300 feet on December 26. Notice was mailed to public agencies and media on December 26, 2013. The property was posted on December 27, 2013.

Application

A school providing education for grades K-8 through the public charter school, Syringa Mountain School, is proposed for Tax Lot 6902 (FR SWSE & NWNE TL 6902, Section 9 &16, 2N 18E), located between the China Gardens and Sherwood Forest subdivisions. The school will consist of one, two-story building comprising 12,000 square feet with 6,200 square feet on the main floor and 5,800 square feet on the upper floor (second floor). The proposed building is 35 feet in height and oriented due-south. Eight classrooms are proposed with 30 students per classroom. No cafeterias or gymnasiums are proposed. Parking is located adjacent to the building. Landscaping is shown on all sides of the buildings and along all lot lines. Six foot (6') wide sidewalks are proposed along Chestnut Street with a nine foot (9') landscape buffer with drainage swale maintained between sidewalk and the edge of asphalt on Chestnut Street. The plans show a total Sidewalk Zone of fifteen feet (15') wide.

The completed application includes a site plan, vicinity map, drainage map, utilities plan, parking specification, snow storage plan, circulation details, lot dimensions, building dimensions, landscape plan, floor plan, detailed elevations of all structures, exterior lighting plan, sign plan, materials and color samples, staging and contractor plan, and one colored rendering of the buildings. The plans are stamped by Graham Whipple, a licensed Idaho Architect (AR-984760).

Procedural History

The application was submitted on December 19, 2013 and certified complete on December 19, 2013. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held

on January 13, 2014 at 5:30 pm in the Council Chambers. After receiving extensive public comment and lengthy deliberation among the commissioners, the Planning and Zoning Commission voted unanimously to deny the Design Review application. On February 10, 2014, the Planning and Zoning Commission adopted these Findings of Fact, Conclusions of Law and Decision.

Department and Boards/Commissions Comments				
Compliant			Standards and Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.5 (B)	Complete Application
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Department and Boards/Commissions Comments	<p>Life/Safety:</p> <ul style="list-style-type: none"> - Police Department <ul style="list-style-type: none"> o The current landscaping does not reflect best practices for landscaping a public school to ensure optimal public safety. <ul style="list-style-type: none"> ▪ Architect and applicant have been provided best practices for landscaping schools. o The current landscaping places unnecessary risk to student, officer, and public safety. o Without resolving the landscaping concerns, the Police Department cannot recommend approval. - Fire Department <ul style="list-style-type: none"> o New fire hydrants are shown located by either new or existing trees. These need to be clear of trees. o Looking at the access to the building they may need to designate some of W. Chestnut Street as a fire lane, which may cut into some of their street side parking. o Because the fire hydrants will be accessed from W. Chestnut Street the road width must be at least 26 feet wide and if they wish to designate parking on the street side they would have to have a 26 foot road plus the parking area. o Based on the footprint of the building and given the only access to the building is from the street, a fire sprinkler system is required. This may impact the size of water lines and number of Fire hydrants that they will need.
				<p>Water and Sewer:</p> <ul style="list-style-type: none"> - No concerns. - The water and sewer lines adjacent to and servicing the site are adequate for the use and will not require any upgrades.
				<p>Building:</p> <ul style="list-style-type: none"> - The Building Official has no concerns with the current site plan, layout or

				<p>proposed building.</p> <ul style="list-style-type: none"> - When construction plans are submitted, the Building Official will review them for compliance with the 2012 IBC.
				<p>Streets:</p> <ul style="list-style-type: none"> - Minimum of 6’ width for sidewalk - The SMS must clear snow from sidewalks adjacent to their property line - Need a street X-section at on street parking areas. - Crosswalks are required on W. Chestnut Street. Staff will review any proposals for crosswalk locations based on a pedestrian plan to be supplied by the applicant. - A pedestrian plan is required to show how pedestrian traffic will interact with vehicular traffic. - A safe route to school program must be provided to show how students can safely access the school. - Key note 18. Incidental parking of this type will cause additional stress on the W. Chestnut Street because of existing medium transverse cracking and medium – high edge cracking. This will cause the RSL of the road way to prematurely drop and require additional road maintenance along Chestnut St and possibly any other road impacted by higher volumes of traffic. - How big of an increase in the ADT for vehicles is expected? The applicant must address this question. - All streets leading to the site must have School Zone speed signs installed at the applicant’s expense. I would like to see the location for School Zone Speed limits Signs added to the Site plans. <ul style="list-style-type: none"> o <u>4 of these speed limit signs will be needed for the 15 MPH School Speed Limit Zone</u> <ul style="list-style-type: none"> ▪ W. Chestnut St. ▪ Aspen St ▪ Almond St ▪ Ivy St ▪ Willow St - School Zone Speed Limit Signs shall comply with the following standards: <ul style="list-style-type: none"> o Section 7B.15 School Speed Limit Assembly (S4-1P, S4-2P, S4-3P, S4-4P, S4-6P, S5-1) and END SCHOOL SPEED LIMIT Sign (S5-3) o Standard: o 01 A School Speed Limit assembly (see Figure 7B-1) or a School Speed Limit (S5-1) sign (see Figure 7B-1) shall be used to indicate the speed limit where a reduced school speed limit zone has been established based upon an engineering study or where a reduced school speed limit is specified for such areas by statute. <ul style="list-style-type: none"> ▪ The School Speed Limit assembly or School Speed Limit sign shall be placed at or as near as practical to the point where the reduced school speed limit zone begins (see Figures 7B-3 and 7B-5). o 02 If a reduced school speed limit zone has been established, a School (S1-1) sign shall be installed in advance (see Table 2C-4 for advance placement guidelines) of the first School Speed Limit sign assembly or S5-1 sign that is encountered <ul style="list-style-type: none"> ▪ School Speed Limit assembly shall consist of a top

				<p>plaque (S4-3P) with the legend</p> <ul style="list-style-type: none"> ▪ SCHOOL, a Speed Limit (R2-1) sign, and a bottom plaque (S4-1P, S4-2P, S4-4P, or S4-6P) indicating ▪ the specific periods of the day and/or days of the week that the special school speed limit is in effect ▪ (see Figure 7B-1). <ul style="list-style-type: none"> ○ Guidance: ○ 07 The beginning point of a reduced school speed limit zone should be at least 200 feet in advance of the school grounds, a school crossing, or other school related activities; however, this 200-foot distance should be increased if the reduced school speed limit is 30 mph or higher. <p style="text-align: center;">-</p>
				<p>Tree Committee:</p> <ul style="list-style-type: none"> - Aspen and willow trees are not appropriate for screening the parking lot or adjacent to sidewalks. Roots and shooters will impact both of these. - Recommended species for landscaping the site should be longer-living, non-suckering deciduous species such as <ul style="list-style-type: none"> ○ oak, ash, maple, american elm, Japanese lilac or some evergreens like larch, pines, juniper. - Transplantation of existing material is not a viable answer. The list above is an appropriate list of species for landscaping. - All plant selections should be suitable for a high water table. - Arctic willow shrubs and Isanti dogwood around the parking lot are recommended choices because they can tolerate some snow removal abuse. - This project will always have to contend with the aspen and willows trying to reclaim their home.

6A.6 Criteria

A. The Commission or Hearing Examiner shall determine the following before approval is given:

1. The project does not jeopardize the health, safety or welfare of the public.

The Commission finds that the project jeopardizes the health, safety or welfare of the public, particularly the health and safety of the residents of China Gardens who would experience significant traffic for the school which may have 280 students. The streets in China Gardens are not collector streets and are not designed to handle a high volume of traffic.

2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Ordinance, and City Standards.

The applicable guidelines, requirements and standards are set forth below in the chart, along with an explanation of the criteria and standards considered relevant, a statement of relevant facts and an explanation of the rationale for the decision.

General Requirements for all Design Review Applications				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.5 (B)	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8.2 Signs	8.2 Signs: The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.
			<i>Commission Findings</i>	<i>The signage proposed meets city standards for square footage and lighting.</i> <ul style="list-style-type: none"> - Proposed sign is 24 square feet. - According to 8.2, this building is allowed 150 square feet of signage - Each building has 178' of frontage onto W. Chestnut Street. - The sign will be an unlit monument sign. - Details of the sign are not available at this time. - All signage on the signage must fit within 150 square feet - Staff recommends requiring a separate approval for the monument sign at a later date when the Mountain School is ready to submit.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9.4 On-site Parking Req.	See Section 9.4 for applicable code. <ul style="list-style-type: none"> - Require 1 space for every teacher or employee or 1 space for every two person rated capacity of all assembly areas, whichever is greater.
			<i>Commission Findings</i>	<i>According to 9.4.4, the required number of parking spaces for this use is one (1)</i>

				<p>space for every teacher or employee or 1 space for every two person rated capacity of all assembly areas, whichever is greater. With seven (7) classrooms and an office suite anticipating five (5) office/administration employees, 12 parking spaces are required.</p> <ul style="list-style-type: none"> - The site plan shows 15 spaces, including one additional space for ADA parking. - There is no designated Assembly Areas as part of Phase I development. <ul style="list-style-type: none"> o On-street parallel parking is also anticipated for use during occasional events where additional parking may be required. o There are 22 on-street parallel parking spaces provided - During the January 13 hearing, the applicant proposed an additional 12 on-site spaces and decreased the on-street parallel parking to 12 spaces, thereby providing a total of 27 on-site spaces and 12 spaces for on-street parking. - Regardless of the proposal for parking, there is not adequate parking for teachers and employees and for parents who will be attending events at the school. The applicant presented evidence that the parking was sufficient for the school if there was an event in one classroom only. However, parking would not be sufficient if multiple classrooms held assemblies or events.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>8B.4.1 Outdoor Lighting Standards</p>	<p>8B.4.1 General Standards</p> <ul style="list-style-type: none"> a. All exterior lighting shall be designed, located and lamped in order to prevent: <ol style="list-style-type: none"> 1. Overlighting; 2. Energy waste; 3. Glare; 4. Light Trespass; 5. Skyglow. b. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes. c. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties. d. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires. e. Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator.
			<p><i>Commission Findings</i></p>	<p><i>All lighting meets the outdoor lighting standards:</i></p> <ul style="list-style-type: none"> - Two pole mounted lights are shown for the on-site parking area. (Selux, Arc Mini LED lights on a 10' light pole) - Entry canopies for the buildings will have recessed can lighting (Lithonia, standard exterior can. LED lighting will be used) - The current site plan does not call out locations for outdoor lighting.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Bulk Requirements</p>	<p>General Residential (GR) District:</p> <ul style="list-style-type: none"> - Minimum Lot Size: 6,000 ft - Maximum Lot Width: 50

				<ul style="list-style-type: none"> - Maximum Building Height: 35 - Front Setback: 20 ft - Side and Rear Yard Setback: 10 feet
			Commission Findings	<p><i>Maximum Building Height: 35 ft</i></p> <ul style="list-style-type: none"> - <i>Elevations show an actual height of 35’ at the highest point of any given roof line.</i> - <i>The building has several varied roof lines with at least four roof portions extending to 35’. All other roof lines are below 35’</i> <p><i>Front Setback: 20 ft</i></p> <ul style="list-style-type: none"> - <i>Building is setback 27’9” from W. Chestnut Street</i> <p><i>Side and Rear: Required 10’ setback</i></p> <ul style="list-style-type: none"> - <i>Building is setback from rear property line (south side) 15’6”</i> - <i>Due to the length of the site, the building setbacks at the sides exceeds the minimum setback.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6A.7 (A) Required Street Improvements Required	<p>Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.</p> <p>Street Designation per 18.06.010</p> <ul style="list-style-type: none"> - Prior to Syringa Mountain
			Commission Findings	<p><u>Street Designation and Required Standards</u></p> <p><i>Street Designation per 18.06.010</i></p> <ul style="list-style-type: none"> - <i>Residential Local Classification (18.06.010 A)</i> - <i>Prior to Syringa Mountain School, this street clearly falls into the Residential Local category, however with the addition of the Syringa Mountain School, it would be reclassified as a Residential Collector based on the projected traffic volumes. This will change the requirements for street improvements. Commission Findings below address the current requirements and Staff’s recommendations based on the project impacts.</i> <p>Required Standards:</p> <ul style="list-style-type: none"> - <i>Sidewalk Zone, Bicycle Facilities, Parking and Drainage</i> <ul style="list-style-type: none"> o <i>11 feet total width minimum of 7 foot pedestrian zone</i> o <i>Recommendation: 15 feet total width with minimum 7 foot pedestrian zone</i> - <i>All improvements must meet the standards of Title 18, including curb ramps, sidewalk slope, landscape buffer, street markings, pedestrian crosswalks, and other improvements.</i> <p><u>Proposed Improvements as shown on the site plan:</u></p> <p><i>Sidewalks Zone (curb, buffer, pedestrian and frontage zones):</i></p> <ul style="list-style-type: none"> - <i>Site plan shows a six foot (6’) sidewalk to be installed along W. Chestnut Street, at the property line.</i> - <i>Crosswalks are required according the City Engineer and Street</i>

				<p><i>Superintendent's requests (see comments above)</i></p> <ul style="list-style-type: none"> - <i>Minimum of 7' sidewalks is required to comply with Title 18 requirements for Residential/Collector streets.</i> - <i>The application does not contain cross sections for curb ramps.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>6A.7 (B) Required Water System Improvements</p>	<p>In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.</p>
			<p><i>Commission Findings</i></p>	<ul style="list-style-type: none"> - N/A
Title 18: Mobility Design Ordinance Requirements				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>18.06.010 Street Classifications, Types, and Designations</p>	<p><u>Street Classification and Type</u></p> <ul style="list-style-type: none"> - <i>Residential Local Classification (18.06.010 A)</i> - <i>According to 18.06.010, W. Chestnut Street is considered a Residential Local street with traffic volumes less than 1,000 vehicle trips per day.</i> - <i>Prior to Syringa Mountain School, this street clearly falls into the Residential Local category, however with the addition of the Syringa Mountain School, it would be reclassified as a Residential Collector based on the projected traffic volumes. This will change the requirements for street improvements. Commission Findings below address the current requirements, based on the project impacts.</i>
			<p><i>Commission Findings</i></p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>18.06.012 Street Design and Guideline Standards</p>	<p><u>Sidewalk Zone, Bicycle Facilities, Parking and Drainage Requirements (18.06.012 C)</u></p> <ul style="list-style-type: none"> - 11 feet total width minimum of 7 foot pedestrian zone - Staff Recommended: 15 feet total width with minimum 7 foot pedestrian zone - All improvements must meet the standards of Title 18, including curb ramps, sidewalk slope, landscape buffer, street markings, pedestrian crosswalks, and other improvements. - The applicant has not submitted a plan for sidewalk ramps, street marking, or pedestrian crosswalks. <p><u>Proposed Improvements as shown on the site plan:</u></p> <p><u>Pedestrian Facilities</u></p>
			<p><i>Commission Findings</i></p>	

			<ul style="list-style-type: none"> - Sidewalks Zone (curb, buffer, pedestrian and frontage zones): - Site plan shows a six foot (6') sidewalk to be installed along W. Chestnut Street, at the property line. - Crosswalks are required according the City Engineer and Street Superintendent's requests (see comments above) - Staff recommends a minimum of 7' sidewalks to comply with Title 18 requirements for Residential/Collector streets. - The application does not contain cross sections for curb ramps. <p><u>Bicycle Facilities</u></p> <ul style="list-style-type: none"> - Applicant will be required to use the existing east/west bound lanes as a Shared Lane with Sharrows - This use is compliant with 18.06.012(C) - The site plan does not show bike racks or parking areas near entrances where bikes will be kept. Staff recommended revising the site plan to show these areas called out. - All bike racks must comply with Title 18.06.024D <p><u>Parking</u></p> <ul style="list-style-type: none"> - In the original application, parallel parking was proposed with 22 spaces called out along W. Chestnut Street; however, during the January 13 public hearing, the applicant proposed 12 on-street parking spaces along W. Chestnut Street. - Parallel parking is the preferred method for this street classification. - Parallel parking adds a safety buffer between the sidewalk and W. Chestnut Street. <p><u>Drainage:</u></p> <ul style="list-style-type: none"> - The applicant will be using a Natural Swale for drainage - According to Title 18, the Mobility Design Ordinance, a natural swale drainage is allowed along W. Chestnut Street (18.06.012.C). - The swale will be retained between the on-street parking and pedestrian zone with a 9' wide landscape buffer in the swale area. - The site drainage plan indicates swale areas in this 9' buffer along the street. - The 9' buffer along the pedestrian zone is also anticipated to function as snow storage for the pedestrian zone pathways. <p><u>Pedestrian Path (Recommended, not required)</u></p> <ul style="list-style-type: none"> - Staff recommended a pedestrian path dedicated between Sherwood Forest Subdivision and China Gardens Subdivision within and along the existing City of Hailey property and across the Syringa Mountain School property. 		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>18.06.016 Traffic Calming</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;"><i>Commission Findings</i></td> <td>Stop Signs</td> </tr> </table>	<i>Commission Findings</i>	Stop Signs
<i>Commission Findings</i>	Stop Signs				

				<ul style="list-style-type: none"> - All streets entering W. Chestnut Street must have stop signs (18.06.016.B.1.iv) <p>The Street Superintendent recommended the following traffic calming measures as they relate to school traffic zones:</p> <ul style="list-style-type: none"> - All streets leading to the site must have School Zone speed signs installed at the applicant’s expense. The location for School Zone Speed limits Signs need to be added to the site plans. <ul style="list-style-type: none"> o <u>4 of these speed limit signs will be needed for the 15 MPH School Speed Limit Zone</u> <ul style="list-style-type: none"> ▪ W. Chestnut Street ▪ Aspen Drive ▪ Almond St ▪ Ivy St ▪ Willow St - School Zone Speed Limit Signs shall comply with the following standards: <ul style="list-style-type: none"> o Section 7B.15 School Speed Limit Assembly (S4-1P, S4-2P, S4-3P, S4-4P, S4-6P, S5-1) and END SCHOOL SPEED LIMIT Sign (S5-3) o Standard: o 01 A School Speed Limit assembly (see Figure 7B-1) or a School Speed Limit (S5-1) sign (see Figure 7B-1) shall be used to indicate the speed limit where a reduced school speed limit zone has been established based upon an engineering study or where a reduced school speed limit is specified for such areas by statute. <ul style="list-style-type: none"> ▪ The School Speed Limit assembly or School Speed Limit sign shall be placed at or as near as practical to the point where the reduced school speed limit zone begins (see Figures 7B-3 and 7B-5). o 02 If a reduced school speed limit zone has been established, a School (S1-1) sign shall be installed in advance (see Table 2C-4 for advance placement guidelines) of the first School Speed Limit sign assembly or S5-1 sign that is encountered <ul style="list-style-type: none"> ▪ School Speed Limit assembly shall consist of a top plaque (S4-3P) with the legend ▪ SCHOOL, a Speed Limit (R2-1) sign, and a bottom plaque (S4-1P, S4-2P, S4-4P, or S4-6P) indicating ▪ the specific periods of the day and/or days of the week that the special school speed limit is in effect ▪ (see Figure 7B-1). o Guidance: o 07 The beginning point of a reduced school speed limit zone should be at least 200 feet in advance of the school grounds, a school crossing, or other school related activities; however, this 200-foot distance should be increased if the reduced school speed limit is 30 mph or higher.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>18.06.022 Pedestrian Facility Design Guidelines and Standards</p> <p><i>Commission Findings</i></p>	<ul style="list-style-type: none"> - Applicant has not submitted detailed cross sections of sidewalks,

				crosswalks, or ramps. - Staff does not recommend approval without first receiving detailed cross sections of all pedestrian facilities planned to ensure they comply with Title 18
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	18.06.024 Bicycle Facility Design Guidelines and Standards	
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - As a Residential/Local Street classification, sharrow striping would be required for W. Chestnut Street. This is not shown on the site plan. - No bike racks are shown on the site plan, which would be designed according to 18.06.024
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	18.06.026 Street Tree Guidelines and Standards	
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - No street trees are proposed. All landscaping is containing on private property
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	18.06.028 Streetscape Elements Guidelines and Standards	
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - No streetscape elements are proposed

Design Review Requirements for Non-Residential, Multifamily, and/or Mixed Use Buildings within the City of Hailey				
1. Site Planning: 6A.8 (A) 1, items (a) thru (n)				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1a	<ul style="list-style-type: none"> a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the residents and allow for safe access to buildings
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - Southern exposure has been maximized with the buildings length oriented almost due south. - North facing building access is protected at entrances with covered canopies at the building entrances.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1b	<ul style="list-style-type: none"> a. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated or removed. Removal of trees larger than 6 inch caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, shall be replaced with a species

				<p style="text-align: center;">of tree found in the Tree Guide and shall be a minimum of 4 inch caliper.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - The site is heavily forested in parts with aspens and cottonwoods, which will necessarily have to be removed to complete the site planning improvements. - Parking areas will be screened with trees and shrubs that are acceptable and recommended in the Wood River Tree Guide. - See comments from the Tree Committee regarding choices of trees for landscaping
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1c	<p>a. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.</p>
			<i>Commission Findings</i>	<p>Adequate pedestrian access is provided from the on-site parking lot and from the on-street parking along W. Chestnut Street to the primary and secondary entrances of the building.</p> <ul style="list-style-type: none"> - Pedestrian access is provided to W. Chestnut Street in three places; two paved and one for emergency access - Pedestrian sidewalks to each building will be eight feet (8') wide - Pedestrian access to the parking lot is provided via six foot (6') wide sidewalks. - All classrooms on the main floor have emergency exits
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1d	<p>a. Building services including loading areas, trash storage/pickup areas and utility boxes shall be located at the rear of a building; the side of the building adjacent to an internal lot line may be considered as an alternate location. These areas shall be designed in a manner to minimize conflict among uses and shall not interfere with other uses, such as snow storage. These areas shall be screened with landscaping, enclosures, fencing or by the principal building.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - Trash enclosure is not located in the back of the building, but is located in the rear of the parking lot - Trash enclosure in the rear of the parking areas is screened at two levels. <ul style="list-style-type: none"> o Screening of the parking lot occurs on the north end near the entrance from W. Chestnut Street. o Trash dumpster(s) will also be enclosed within a gated enclosure structure.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)1e	<p>a. Where alleys exist, or are planned, they shall be utilized for building services.</p>
			<i>Commission Findings</i>	<p>No alley access on this site.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)1f	<p>a. Vending machines located on the exterior of a building shall not be visible from any street.</p>
			<i>Commission Findings</i>	<p>No vending machines are proposed.</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1g	<p>a. On-site parking areas shall be located at the rear of the building and screened from the street. Parking and access shall not be obstructed by snow accumulation. (NOTE: If project is located in Airport West Subdivision, certain</p>

				<i>standards may apply that are not listed here. See code for details.)</i>
			<i>Commission Findings</i>	- <i>On-site parking is not located behind the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1h	a. Access to on-site parking shall be from the alley or, if the site is not serviced by an alley, from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.
			<i>Commission Findings</i>	- <i>The original plan is compliant with this standard. Access to the parking is serviced from a single entrance from W. Chestnut Street, but the plan submitted during the January 13 hearing would not be compliant because there are 2 approaches.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1i	a. Snow storage areas shall be provided on-site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow.
			<i>Commission Findings</i>	- <i>Snow storage areas are sited conveniently adjacent to the parking lot and adjacent to hard surfaces that will require snow removal.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1j	a. Snow storage areas shall not be less than 25% of the improved parking and vehicle and pedestrian circulation areas.
			<i>Commission Findings</i>	<p><i>Site plan shows 1,400 sf for snow storage, which equates to 28.7% of total impervious services used for parking.</i></p> <ul style="list-style-type: none"> - <i>Total paving and concrete surfaces for parking equates to 4,873 square feet</i> - <i>Total sidewalks and concrete pads equates to 1,820 square feet</i> - <i>Total paved surfaces is 6,693 square feet.</i> - <i>1673 square feet is required (6,693 X 25%=1673)</i> - <i>1,400 square feet is dedicated to snow storage, equating to 28.7% of the total paving and concrete areas.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1k	a. A designated snow storage area shall not have any dimension less than 10 feet.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>The current snow storage plan shows one major location for snow storage which has dimensions exceeding the minimum 10 feet.</i> <ul style="list-style-type: none"> o <i>The snow storage area is 35' X 40'</i> - <i>Snow storage for internal circulation pathways is located in the ample landscaped areas adjacent to the circulation pathways.</i> - <i>Snow storage for pedestrian zone along W. Chestnut Street is located in the sealed landscape buffer zone along the street.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1l	l. Hauling of snow from downtown areas is permissible where other options are not practical.
			<i>Commission Findings</i>	- <i>All snow will be stored and retained on site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1m	m. Snow storage areas shall not impede parking spaces, vehicular and pedestrian circulation or line of sight, loading areas, trash storage/pickup areas, service areas or utilities.
			<i>Commission Findings</i>	- <i>Snow storage is shown on the plan as hatched areas, adjacent to</i>

			<i>Findings</i>	<p><i>the parking area at the rear of the lot.</i></p> <ul style="list-style-type: none"> - <i>Snow storage does not impede pedestrian access.</i> - <i>Snow storage is placed in a location that will not impede circulation.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)1n	n. Snow storage areas shall be landscaped with vegetation that is salt-tolerant and resilient to heavy snow.
			<i>Commission Findings</i>	- <i>Grass and turf is planned for the snow areas.</i>
2. Building Design: 6A.8 (A) 2, items (a) thru (m)				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2a	a. The proportion, size, shape and rooflines of new buildings shall be compatible with surrounding buildings.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>The surrounding uses are residential with predominantly single storied construction. China Gardens is a single family residential neighborhood that primarily consists of one-story buildings. China Gardens is located directly to the north of the proposed project. Sherwood Forest is a newer single family residential neighborhood that primarily consists of two-story buildings. Sherwood Forest is located directly to the south of the proposed project. The applicant has justified the size of the two-story building based on the number of two-story residences in Sherwood Forest</i> - <i>The building is larger, taller, and more expansive than all surrounding homes. Therefore, the proposed building is not compatible with the surrounding buildings.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)2b	a. Standardized corporate building designs are prohibited.
			<i>Commission Findings</i>	- <i>The elevations are not standard corporate designs and have been customized for Hailey and are site specific.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2c	a. At ground level, building design shall emphasize human scale, be pedestrian oriented and encourage human activity and interaction.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>The building has a varied roof forms with entrance canopies and additive building mass helping break down the overall building into a more pedestrian friendly scale.</i> - <i>Building materials are varied but with a distinct rhythm along the facades of the building.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2d	a. The front façade of buildings shall face the street and may include design features such as windows, pedestrian entrances, building off-sets, projections, architectural detailing, courtyards and change in materials or similar features to create human scale and break up large building surfaces and volumes.
			<i>Commission</i>	- <i>The “Front Elevations” as shown on the plans faces W. Chestnut</i>

			<i>Findings</i>	<p><i>Street. This front facade features building offsets, canopies at entrances, varied materials, stepped roof lines adding character to the building facade.</i></p> <ul style="list-style-type: none"> - <i>The current Front Facades utilize the following techniques to distinguish them from other sides of the building:</i> <ul style="list-style-type: none"> o <i>Building offsets, stepped roof lines, and roof canopies at building entrances.</i> o <i>Four-side architectural throughout the buildings on all sides.</i> o <i>Materials for all buildings:</i> <ul style="list-style-type: none"> ▪ <i>Board and batt siding</i> ▪ <i>Shingle style siding</i> ▪ <i>Natural tone EIFS “Stucco”</i> ▪ <i>Gabled ends are all staggered</i> ▪ <i>Thickened facia, 12” deep stacked facia</i> ▪ <i>Metal roofing with snow rails/cleats</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)2e	<p>a. Any addition onto or renovation of an existing building shall be designed to create a cohesive whole.</p>
			<i>Commission Findings</i>	<i>No addition is planned. Building is new construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2f	<p>a. All exterior walls of a building shall incorporate the use of varying materials, textures and colors.</p>
			<i>Commission Findings</i>	<p><i>The following are used to define the exterior walls of the buildings:</i></p> <ul style="list-style-type: none"> - <i>Building offsets, stepped roof lines, and roof canopies at building entrances.</i> - <i>Four-side architectural throughout the buildings on all sides.</i> - <i>Materials for all buildings:</i> <ul style="list-style-type: none"> o <i>Board and barton siding</i> o <i>Shingle style siding</i> o <i>Natural tone EIFS “Stucco”</i> o <i>Gabled ends are all staggered</i> o <i>Thickened facia, 12” deep stacked facia</i> o <i>Metal roofing with snow rails/cleats</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2g	<p>a. Exterior buildings colors and materials shall be integrated appropriately into the architecture of the building and be harmonious within the project and with surrounding buildings.</p>
			<i>Commission Findings</i>	<p><i>The following are used to define the exterior walls of the buildings:</i></p> <ul style="list-style-type: none"> - <i>Building offsets, stepped roof lines, and roof canopies at building entrances.</i> - <i>Four-side architectural throughout the buildings on all sides.</i> - <i>Materials for all buildings:</i> <ul style="list-style-type: none"> o <i>Board and batt siding</i> o <i>Shingle style siding</i> o <i>Natural tone EIFS “Stucco”</i> o <i>Gabled ends are all staggered</i>

				<ul style="list-style-type: none"> <i>o Thickened fascia, 12" deep stacked fascia</i> <i>o Metal roofing with snow rails/cleats</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2h	<p>a. Flat-roofed buildings over two stories in height shall incorporate roof elements such as parapets, upper decks, balconies or other design elements.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>Building has varying roof pitches. The gabled roof portions of the building have a broken slope truss with the top slopes at 6:12 and the lower eave edge slope at 2.5:12.</i> - <i>Several low slope roof sections break up the larger roof mass and have a slope of 1:12.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2i	<p>i. All buildings shall minimize energy consumption by utilizing alternative energy sources and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:</p> <ul style="list-style-type: none"> i) Solar Orientation. If there is a longer wall plane, it shall be placed on an east-west axis. A building's wall plane shall be oriented within 30 degrees of true south. ii) South facing windows with eave coverage. At least 40% of the building's total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south. iii) Double glazed windows. iv) Windows with Low Emissivity glazing. v) Earth berming against exterior walls vi) Alternative energy. Solar energy for electricity or water heating, wind energy or another approved alternative shall be installed on-site. vii) Exterior light shelves. All windows on the southern most facing side of the building shall have external light shelves installed.
			<i>Commission Findings</i>	<p><i>The building will utilize the following techniques:</i></p> <ul style="list-style-type: none"> <i>i) Solar Orientation</i> <i>ii) South facing windows with eave coverage</i> <i>iii) Double glazed windows on all exterior windows of both buildings</i> <i>iv) All windows will be double paned, low-E windows.</i> <i>vii) Exterior shading devices with interior light shelves to extend the natural lighting deeper into the building interior.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2j	<p>j. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts shall be provided over all walkways and entries to prevent snow from falling directly onto adjacent sidewalks.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>Snow clips/fences are noted on the drawings to be integrated in the metal roof system.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2k	<p>a. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>Downspouts are not anticipated based on roof configurations.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)2l	<p>a. Vehicle canopies associated with gas stations, convenience stores or drive-through facilities shall have a minimum roof pitch of 3/12 and be consistent</p>

				with the colors, material and architectural design used on the principal building(s).
			<i>Commission Findings</i>	- N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)2m	a. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with Article 8.
			<i>Commission Findings</i>	- One monument sign is proposed. No other signs are proposed for this facility. o The sign is proposed for the northwest corner of the parking lot.

3. Accessory Structures, Fences and Equipment/Utilities: 6A.8 (A) 3, items (a) thru (i)

Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)3a	a. Accessory structures shall be designed to be compatible with the principal building(s).
			<i>Commission Findings</i>	- N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)3b	a. Accessory structures shall be located at the rear of the property.
			<i>Commission Findings</i>	- N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)3c	a. Walls and fences shall be constructed of materials compatible with other materials used on the site.
			<i>Commission Findings</i>	- The trash enclosure fence will be constructed using materials and finishes used on the primary building - No fences are planned around the perimeter of the property.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)3d	a. Walls and fencing shall not dominate the buildings or the landscape. Planting should be integrated with fencing in order to soften the visual impact.
			<i>Commission Findings</i>	- No fences or walls are planned for the development
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)3e	a. All roof projections including, roof-mounted mechanical equipment, such as heating and air conditioning units, but excluding solar panels and Wind Energy Systems that have received a Conditional Use Permit, shall be shielded and screened from view from the ground level of on-site parking areas, adjacent public streets and adjacent properties.
			<i>Commission Findings</i>	- No roof projections, outside of standard venting, are proposed. - No mechanical equipment will be visible from the public right-of-way
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)3f	a. The hardware associated with alternative energy sources shall be incorporated into the building's design and not detract from the building and its surroundings.

			<i>Commission Findings</i>	<ul style="list-style-type: none"> - Potential for future addition of solar panels on the south facing roof slopes has been discussed and proposed, but there are no panels planned at this time. - The project plans to integrate infrastructure to allow future addition and integration of these systems if desired at a later time.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)3g	<ul style="list-style-type: none"> a. All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - Trash enclosure in the rear of the property is screened with landscaping and an enclosure. <ul style="list-style-type: none"> o Drawings do not fully detail the nature of the enclosure. - Ground mounted equipment on the west side of the building are shown to be screened with willows (see comments from the Tree Committee). -
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6A.8(A)3h	<ul style="list-style-type: none"> a. All service lines into the subject property shall be installed underground.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - Not all utilities are shown on the plans. The utilities that are shown are underground
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)3i	<ul style="list-style-type: none"> a. Additional appurtenances shall not be located on existing utility poles.
			<i>Commission Findings</i>	None

4. Landscaping: 6A.8 (A) 4, items (a) thru (n)

Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)4a	<ul style="list-style-type: none"> a. Only drought tolerant plant species and/or xeriscape specific plant materials shall be used, as specified by the Hailey Landscaping Manual or an approved alternative.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - All species meet the specifications for the Wood River Valley tree guide.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)4b	<ul style="list-style-type: none"> a. All plant species shall be hardy to the Zone 4 environment.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - All species meet the specifications for the Wood River Valley tree guide.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)4c	<ul style="list-style-type: none"> a. At a minimum, a temporary irrigation system that fully operates for at least two complete growing seasons is required in order to establish drought tolerant plant species and/or xeriscape specific plant materials. Features that minimize water use, such as moisture sensors, are encouraged.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - No irrigation system is anticipated due to the high water table and proximity to the Wood River floodplain.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)4d	<p>a. Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees shrubs, vines, ground covers and ornamental grasses shall be used. New landscaped areas having more than 10 trees, a minimum of 10% of the trees shall be at least 4-inch caliper, 20% shall be at least 3-inch caliper, and 20% shall be at least 2½ inch caliper and a maximum of 20% of any single tree species may be used in any landscape plan (excluding street trees). New planting areas shall be designed to accommodate typical trees at maturity. Buildings within the LI and SCI-I zoning district are excluded from this standard.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>Landscape shows compliance with all standards.</i> - <i>The Chief of Police has raised concerns over the safety of the landscaping as it relates to potential threats that have recently occurred at schools. As a result, a more open and less dense landscaping plan has been requested. These changes have not been made to the landscape plan.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)4e	<p>a. Seasonal plantings in planter boxes, pots, and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)4f	<p>a. Plantings for pedestrian areas within the B, LB, TN and SCI-O zoning districts shall be designed with attention to the details of color, texture and form. A variety of trees, shrubs, perennials, ground covers and seasonal plantings, with different shapes and distinctive foliage, bark and flowers shall be used in beds, planter boxes, pots, and/or hanging baskets.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6A.8(A)4g	<p>a. Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>Drainage plan shows retainage areas on site in areas that will also provide irrigation for on-site plant materials</i> - <i>The site is relatively flat and has been designed to retain all storm water on site</i> <ul style="list-style-type: none"> o <i>The natural existing grade drops one foot in 225' of linear distance, making for a flat lot.</i> - <i>The City Engineer has reviewed the drainage plan and approved it.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6A.8(A)4h	<p>a. A plan for maintenance of the landscaping areas is required to ensure that the project appears in a well maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>The School is planning for a naturally landscaped and irrigated site with minimal maintenance.</i> <ul style="list-style-type: none"> o <i>The School is looking to avoid a highly manicured and landscaped look, but relying on more of a natural look.</i> o <i>The School will be performing all maintenance themselves without contracting out.</i> o <i>Due to the proximity to the Draper Preserve, the School</i>

				<p style="text-align: center;"><i>would like their landscaping to feel like an extension of the Draper Preserve.</i></p> <ul style="list-style-type: none"> - <i>The Syringa Mountain School has not submitted a maintenance plan for landscaping.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)4i	<p>a. Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.</p>
			<i>Commission Findings</i>	- <i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)4j	<p>a. Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.</p>
			<i>Commission Findings</i>	- <i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)4k	<p>a. Retaining walls, where visible to the public and/or to residents or employees of the project, shall be no higher than four feet or terraced with a three foot horizontal separation of walls.</p>
			<i>Commission Findings</i>	- <i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)4l	<p>a. Landscaping should be provided within or in front of extensive retaining walls.</p>
			<i>Commission Findings</i>	- <i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)4m	<p>a. Retaining walls over 24" high may require railings or planting buffers for safety.</p>
			<i>Commission Findings</i>	- <i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6A.8(A)4n	<p>a. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.</p>
			<i>Commission Findings</i>	- <i>N/A</i>

CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law:

1. Adequate notice, pursuant to Zoning Ordinance No. 532, Section 6A.5, was given.
2. The project, as submitted to the City of Hailey on December 19 and as presented by the Syringa Mountain School on January 13, 2014, will jeopardize the health, safety, or welfare of the public.
3. The project does not conform to the applicable standards of Article 6A, Design Review, other Articles of the Zoning Ordinance and City Standards.

DECISION

The Design Review application submitted by Syringa Mountain School (d.b.a. Wood River Waldorf Methods School Inc), represented by Greg Bloomfield and Graham Whipple, for the construction of a school providing education for grades K-8, located on Tax Lot 6902 (FR SWSE & NWNE TL 6902, Section 9 & 16, 2N 18E) is hereby denied based on the following concerns of noncompliance:

1. The project, as submitted to the City of Hailey on December 19 and as presented by the Syringa Mountain School on January 13, 2014, will jeopardize the health, safety, or welfare of the public, thus not complying with Section 6A.6.A.1.
2. The project does not conform to the applicable standards of Article 6A, Design Review, other Articles of the Zoning Ordinance and City Standards. The Planning and Zoning Commission found the project noncompliant with the following City of Hailey standards: Sections 9.4, 8B.4.1, 6A.7(A), 6A.8(A)1d, 6A.8(A)1g, 6A.8(A)2a, 6A.8(A)3h, and 6A.8(A)4h of the Zoning Ordinance and Sections 18.06.016, 18.06.022, and 18.06.024 of the Mobility Design Ordinance.

Below are the actions, if any, that the applicant could take to obtain approval (Idaho Code §§67-6535 and 67-6519). The Planning and Zoning Commission request the following actions to be addressed and corrected if the applicant seeks approval of this application:

1. Full compliance with the following city ordinances: Sections 9.4, 8B.4.1, 6A.7(A), 6A.8(A)1g, 6A.8(A)1d, 6A.8(A)2a, 6A.8(A)3h, and 6A.8(A)4h of the Zoning Ordinance and Sections 18.06.016, 18.06.022, 18.06.024 of Title 18, the Mobility Design Ordinance.
2. Downsize the building to be more compatible with the neighborhood
3. Design and present a feasible drop off and pick up plan for students to ensure student safety and minimize traffic concerns
4. Provide parking behind any building and provide sufficient parking to accommodate all projected events and uses that will occur at the school.

5. Provide a detailed lighting plan showing the location, luminosity and intensity, and photometric plan to address neighborhood concerns with fugitive light.
6. Provide a detailed landscaping plan that ensures public, student, and officer safety around the school.

A party aggrieved by a final decision of the Commission may appeal in writing any final decision by filing a Notice of Appeal with the Hailey City Clerk within fifteen (15) days from the date of the decision.

Signed this ____ day of _____, 2014.

Jay Cone, Chair

Attest:

Kristine Hilt, Community Development Coordinator

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the _____ day of _____, 2014,
 I served a true and correct filed copy of the within and foregoing document upon the parties
 named below, in the manner noted:

<input type="checkbox"/>	U.S. Mail	Syringa Mountain School P.O. Box 3531 Hailey, Idaho 83333 C/O Greg Bloomfield gregb@woodriverinsurance.com;
<input type="checkbox"/>	Via Electronic Mail	
<input type="checkbox"/>	Via Facsimile	
<input type="checkbox"/>	Hand Delivered	

<input type="checkbox"/>	U.S. Mail	Syringa Mountain School P.O. Box 3531 Hailey, Idaho 83333 C/O Mary Gervase <u>marymgervase@yahoo.com</u> ;
<input type="checkbox"/>	Via Electronic Mail	
<input type="checkbox"/>	Via Facsimile	
<input type="checkbox"/>	Hand Delivered	

CITY OF HAILEY

By _____
 Kristine Hilt, Community Development Coordinator

STAFF REPORT

TO: Hailey Planning and Zoning Commission

FROM: Micah Austin, Community Development Director

RE: Zoning Ordinance Amendment – Consideration of a City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by amending Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts and add Schools as Conditional Uses in SCI-O and SCI-I. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

HEARING: Planning and Zoning: February 10, 2014

Notice

Notice for the public hearing before the Planning and Zoning Commission was published in the Idaho Mountain Express on January 19 and January 21 and mailed to public agencies and area media on January 14, 2014.

Proposal

The proposed text amendment makes changes to Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts and add Schools as Conditional Uses in SCI-O and SCI-I. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

Background

Schools are currently Permitted Uses within Business (B), General Residential (GR), and Limited Business (LB) zones. As a Permitted Use, only Design Review would apply to a new school within these zones. A recent application for a new school within the China Gardens Subdivision raised many questions as to whether Schools should be required to follow a Conditional Use Permit process to ensure that a proposed school does not incur any undue hardships or impacts to the existing neighborhood, public services, or cause any foreseeable and avoidable impacts. At the direction of the Mayor and City Council, staff has prepared the proposed ordinance with input from all existing and proposed schools within Hailey City Limits. Blaine County School District, Sage School, and the proposed Syringa Mountain School have all had the opportunity to comment on the amendment as well as the public. Comments have been received from all schools and from members of the public. The current proposed ordinance reflects these comments, as applicable, and represents staff's recommendation to the Hailey Planning and Zoning Commission.

Procedural History

The text amendment will be considered by the Planning and Zoning Commission on February 10,

2014, at which time the public will have a chance to comment on the ordinance during a public hearing.

Department Comments

In drafting the proposed ordinance, staff did extensive research on best practices in siting and approving schools within the State of Idaho and in other parts of the nation. When doing this research, it was discovered that planning practices for schools were far from standard and varied from one end of the regulatory spectrum to the other. In some instances, staff found that cities had few or no standards for citing schools apart from the standard criteria for evaluating any Conditional Use Permit, regardless of proposed. In other instances, the standards required for schools were highly restrictive and did not particularly seem appropriate or applicable for our community. The proposed ordinance represents staff's attempt to address all major concerns that were brought up at the recent application for a new school while incorporating the best practices that are applicable to our community.

The changes proposed address parking, site planning, traffic and pedestrian safety, and other concerns that were previously difficult to address for any new school with our current ordinance. For example, the proposed ordinance requires an on-site parking requirement when no assembly areas are called out. This particular amendment proposed addressing this issue with the following language, "If no assembly areas are proposed, the required minimum number of on-site parking spaces shall be one (1) space for every teacher and employee, or five (5) spaces per 1,000 square feet of Gross Area, whichever is greater." The intent of this requirement is not to create large asphalt parking lots of impermeable surfaces, but represents a maximum requirement if a school does not fit the criteria of the previous on-site parking requirements.

Another proposed requirement is provide a traffic study that would be prepared by a licensed engineer. According to the ordinance, "The traffic study shall include but is not limited to 1) a description of the source of vehicle trips (*e.g.*, students, teachers, deliveries, etc.), 2) an estimate of average daily trips including trips during peak hours, 3) an estimate of increased waiting times at keys intersections on projected routes of travel to and from the School, 4) a description of average drop-off and pick-up times per student, 5) a description of designated area for drop-off and pick-up of students, along with a projected average time for drop-off and pick-up, 6) a description of proposed traffic calming measures and 7) a description of proposed traffic reduction measures." The objective for the traffic study is to fully inform the public, the City of Hailey officials, the Planning and Zoning Commission, and the applicants of the traffic impacts to the neighborhood and address any safety concerns. It is anticipated that this information will be critical in determining whether the selected site is appropriate for locating a school and, with all other information provided by the applicant, will be used by the Commission in making their decision.

Other proposed standards address landscape safety, public infrastructure demand, public infrastructure planning, and significant consideration for public safety and welfare. It is important to note that the objective for this amendment is not to frustrate the planning efforts for any school or to discourage new schools within Hailey, but rather to ensure that all schools are

sited and planned so as to fully maximize their effectiveness and benefit to the community while minimizing or eliminating any undue burden the schools may cause to the community.

Standards of Evaluation

Note: Staff analysis is in lighter type,
Italicized words are words or phrases added by staff for clarification purposes.

14.6 When evaluating any proposed amendment under this Article, the Commission and Council shall make findings of fact on the following criteria:

a. The proposed amendment is in accordance with the Comprehensive Plan;
The Council should consider how the proposed amendment relates to the various goals of the Comprehensive Plan (listed below for reference). Section 9, Public Services, Facilities, and Utilities, has been addressed as being most applicable to this application as seen below.

Section 9: Public Services, Facilities and Utilities

The following excerpt from Section 9 of the Comprehensive Plan that contains section applicable to this application. Emphasis added.

Public Facilities

The City of Hailey adopted the Capital Improvement Plan as an element of the Comprehensive Plan in 2007 as required by Idaho Code Section 67-8208. The Capital Improvement Plan is overseen by the Public Works Department and updated in the spring of each year as part of the annual budget process. The Capital Improvement Plan projects the costs for street projects, water projects, wastewater projects, sidewalk projects, path and trail projects, park projects, city building projects (city hall, library, police and fire stations, etc) and storm water projects. The City Council prioritizes these projects through the annual budget process.

Consistent with the above section of the Comp Plan, the proposed has requirements for ensuring that all public infrastructure is adequate to accommodate the proposed school.

Emergency Services

In addition to law enforcement, the Hailey Police provide a number of services to the Community, such as bicycle safety, fingerprinting services, vacant home and vacation checks, business checks, theft prevention education, vehicle lockouts, and a traffic school. The Police Department has its headquarters at City Hall.

The Hailey Fire Department is comprised of 3 divisions; Administration, Prevention and Operations. Currently the department has a single station located at 617 S. Third Street. New stations are planned for the central Woodside area, and the Northridge areas, which would allow the existing aging station to be decommissioned.

Consistent with the above, the proposed amendment contains landscaping and access requirements that have been recommended and approved by both the Police Department and the Fire Department. These standards ensure that the public, students, and emergency personnel are as safe as possible when responding to an emergency at the school.

Goal 9.1: Plan for the long-term utilities, service and facility needs of the City while minimizing impacts to the greatest extent possible.

The proposed amendments comply with this goal. The intent of the amendment is to minimize impacts of schools and to ensure the public health, welfare, and safety are addressed.

Comp Plan Goals (2010)
1.1 Preserve, protect and restore natural resources including waterways, floodplains, wetlands, soil, community forest, native vegetation, green space and wildlife habitat and migration corridors for the benefit of the City and its residents.
1.2 Efficiently use and conserve resources.
1.3 Promote renewable energy production
1.4 Promote energy conservation
1.5 Promote air quality protection
2.1 Reduce the potential threat to loss of life, limb or property and minimize public expenditures due to natural and man-made hazards.
3.1 Assure the protection and preservation of Special Sites, Areas and Features to maintain a strong community identity for future generations
3.2 Protect the residential character of the original Townsite.
4.1 Create and maintain an interconnected system of parks, recreational facilities, trails, green spaces and natural lands in order to provide diverse recreation opportunities for Hailey residents within ¼ mile to ½ mile of the greatest number of residents.
5.1 Retain a compact City comprised a central downtown with surrounding diverse neighborhoods, areas and characteristics as depicted in the Land Use Map:
a. Main Street Corridor – area of high density commercial, mixed use and residential development.
b. Downtown - the historic commercial center containing the greatest concentration of commercial, cultural and civic activity. Downtown is the priority area for encouraging higher density commercial and mixed use (commercial and residential) development.
c. Community Activity Areas – located at the north and south ends of the Main Street Corridor. High density residential is encouraged. Commercial and mixed use (commercial and residential) development is appropriate, but should be subordinate and secondary to the infill of Downtown.
d. High Density Residential – high density residential infill is encouraged in the area along Main Street and River Street between Downtown and the north and south ends of Main Street.
e. Residential Buffer – medium density residential, providing a buffer between lower density residential neighborhoods to the east and west and the Main Street District.
f. Traditional Residential – Density varies depending on the qualities of different neighborhoods, generally density is higher within a ¼ mile of Downtown, Community Activity Areas or Neighborhood Service Centers and connected by transit service.
g. Neighborhood Service Centers – Small commercial areas serving residents within walking distance (¼ to ½ mile) where commercial use is subordinate to residential uses and to Downtown or Community Activity Areas.
h. Light Industrial – Areas containing uses important to a variety of business sectors that focus on the production of products and services that are less compatible with, and do not compete with, uses in Downtown and the Community Activity Areas.
i. Airport Site Redevelopment – a diversity and integration of uses and community assets that complement and support Downtown and are connected within and to existing

neighborhoods.
j. Community Gateways – areas where one has a sense of arrival or sense of being within a part of town distinguished from others providing opportunities for special design considerations.
5.2 Maintain Downtown as the area containing the greatest concentration of commercial, cultural and civic activity and as the priority area for encouraging higher density commercial and mixed use (commercial and residential) development.
5.3 Continue cooperation with the Blaine County and the Friedman Memorial Airport Authority in regional planning efforts to optimally relocate the airport and plan for the long term redevelopment of the site within the city limits to ensure that changes in land use are beneficial to the community of Hailey.
5.4 Protect open space within and surrounding Hailey, including visible ridgelines, undeveloped hillsides and agricultural areas which help define the unique character of Hailey.
5.5 Lessen dependency on the automobile.
5.6 Manage and accommodate population growth by infill development and, when appropriate, minimal expansion by annexation and/or density increases.
5.7 Encourage development at the densities allowed in the Zoning Code.
6.1 Encourage a diversity of economic development opportunities within Hailey
6.2 Encourage abundant, competitive and career-oriented opportunities for young workers.
7.1 Encourage a variety of projects and programs that meet the needs generated by various segments of the population, especially the needs of those who risk suffering effects of discrimination or are socially or economically disadvantaged.
7.2 Encourage projects and programs that seek to provide opportunities for cultural, cross-cultural and educational enrichment.
8.1 Encourage development that provides opportunities for home ownership and rental homes for individuals and families of all socio-economic levels.
9.1 Plan for the long-term utilities, service and facility needs of the City while minimizing impacts to the greatest extent possible.
10.1. Create and maintain a pedestrian and bicycle-friendly community that provides a safe, convenient and efficient multi-modal transportation system for all Hailey residents.
11.1 Establish a built environment that maintains a human scale, retains interest, aesthetics, encourages various levels of interaction among all members of the community, and enhances the character of different neighborhoods.
12.1 Evaluate whether proposed regulatory or administrative actions may result in an unconstitutional taking of private property.
13.1 Encourage and facilitate the development of school facilities that are planned consistently with the city’s other land use policies.
13.2 Ensure the provision of safe, adequate, convenient multi-modal transportation access to all existing and future school sites.

- b. 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;**

The amendment will ensure that all public facilities are available to accommodate new schools, thereby fulfilling this requirement of the text amendment.

- c. The proposed uses are compatible with the surrounding area; and**

The amendment will provide opportunity for the public to comment whether schools are compatible with the surrounding area. In addition, the Planning and Zoning Commission will have the ability to make this determination as part of the CUP process.

- d. The proposed amendment will promote the public health, safety and general welfare.**

The proposed amendment is primarily and fundamentally designed to promote the health, safety, and general welfare of the public.

Motion Language

Approval:

Motion to recommend to the City Council the proposed amendments to the Hailey Zoning Ordinance No. 532 by amending Section 5.4, Section 9.4, and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

Denial:

Council

Motion to recommend to the City Council denial of the proposed amendments to the Hailey Zoning Ordinance No. 532 by amending Section 5.4, Section 9.4, and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit, finding that _____ [the Commission should cite which standards are not met and provided the reason why each identified standard is not met].

Continuation:

Motion to continue the public hearing upon the proposed amendments to _____ [the Commission should specify a date].

Table:

Motion to table the proposed amendments.

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 5.4 TO MAKE SCHOOLS A CONDITIONAL USE IN THE GENERAL RESIDENTIAL (GR), LIMITED BUSINESS (LB), BUSINESS (B) AND SERVICE COMMERCIAL INDUSTRIAL (SCI-SO AND SCI-I) ZONING DISTRICTS; AMENDING SECTION 9.4.4 TO CLARIFY PARKING REQUIREMENTS FOR SCHOOLS; AMENDING SECTION 11.2.2 TO REQUIRE A TRAFFIC STUDY, A PEDESTRIAN AND BICYCLE PLAN AND A WATER DEMAND ESTIMATE; ADDING A NEW SUBSECTION 11.4.3 TO ADD STANDARDS FOR A SCHOOL CONDITIONAL USE PERMIT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Idaho Code § 67-6512 authorize the City of Hailey to establish conditional use permits;

WHEREAS, Hailey Zoning Ordinance allows schools as permitted uses in the General Residential (GR), Limited Business (LB) and Business (B) zoning districts, but disallows schools in the Service Commercial Industrial District (SCI-SO and SCI-I) zoning districts;

WHEREAS, the City of Hailey believes it is in the public health, safety and welfare to make schools a conditional use in the General Residential (GR), Limited Business (LB), Business (B) and the Service Commercial Industrial District (SCI-SO and SCI-I) zoning districts;

WHEREAS, the Hailey City Council has found that the following amendments to the Hailey Zoning Ordinance will generally conform to the Hailey Comprehensive Plan;

WHEREAS, the amendments will not create excessive additional requirements at public cost for public facilities and services; and

WHEREAS, the amendment will be in accordance with the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Portions of the District Use Matrix found in Section 5.4 of the Hailey Zoning Ordinance No. 532 are hereby amended by addition of the underlined language and by deletion of the stricken language, as follows:

Section 5.4 District Use Matrix

Category	Description (Excerpt)	Districts & Corridors															
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I			
PUBLIC OR SEMI/PUBLIC																	
	Schools and other educational services. <u>(Refer to §11.4.3 for specific criteria when reviewing schools)</u>	N	N	N	<u>P</u> <u>C</u>	N	<u>P</u> <u>C</u>	N	<u>P</u> <u>C</u>	N	N	N	N	N <u>C</u>	N <u>C</u>		

Section 2. Section 9.4.4 of the Hailey Zoning Ordinance No. 532 is hereby amended by addition of the underlined language and by deletion of the stricken language, as follows:

9.4.4 Schools.

- a. Elementary schools: One (1) space for every teacher and employee, or one (1) space for every two (2) persons rated capacity of all assembly areas, whichever is greater. If no assembly areas are proposed, the required minimum number of on-site parking spaces shall be one (1) space for every teacher and employee, or five (5) spaces per 1,000 square feet of Gross Area, whichever is greater.
- b. Middle schools: One (1) space for every teacher and employee, or one (1) space for every two (2) persons rated capacity of all assembly areas, whichever is greater. If no assembly areas are proposed, the required minimum number of on-site parking spaces shall be one (1) space for every teacher and employee, or five (5) spaces per 1,000 square feet of Gross Area, whichever is greater.
- c. High schools: One (1) space for every five (5) students and one (1) space for each teacher and/or employee, or one (1) space for every two (2) persons rated capacity of all assembly areas, whichever is greater. If no assembly areas are proposed, the required minimum number of on-site parking spaces shall be one (1) space for every teacher and employee, or five (5) spaces per 1,000 square feet of Gross Area, whichever is greater.
- d. Colleges, universities, professional or trade schools: 1 space for every 3 students and 1 space for each employee.

Section 3. Section 11.2.2 of the Hailey Zoning Ordinance No. 532 is hereby amended by addition of the underlined language, as follows:

11.2.2 The application shall include at least the following information:

- a. Name, address, and phone number of the applicant.
- b. Proof of interest in the subject property by the applicant, such as a deed, contract of sale, option to purchase, or lease agreement.
- c. Legal description of the subject property, including street address.
- d. Description of existing use.

- e. Zoning district of subject property.
- f. Description of proposed conditional use.
- g. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, easements, existing and proposed grade, energy efficiency considerations, landscaping, exterior lighting plan as required by Article VIIIB of this Ordinance, refuse and service areas, utilities, signs, property lines, north arrow, and rendering of building exteriors, where applicable.
- h. A narrative statement evaluating the effects on adjoining property, the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property.
- i. A narrative statement identifying surrounding land uses and discussing the general compatibility of the proposed use with adjacent and other properties in the district.
- j. A narrative discussion of the relationship of the proposed use to the Comprehensive Plan.
- k. A list of the names and addresses of all property owners and residents within three hundred (300) feet of the external boundaries of the land being considered.
- l. Any other information as requested by the Administrator to determine if the proposed conditional use meets the intent and requirements of this Article.
- m. A fee established in a separate ordinance approved by the Council.
- n. For a School conditional use permit application, a traffic study and projected forecast of traffic certified by a licensed engineer. The traffic study shall include but is not limited to: 1) a description of the source of vehicle trips (e.g., students, teachers, deliveries, etc.), 2) an estimate of average daily trips including trips during peak hours, 3) an estimate of increased waiting times at keys intersections on projected routes of travel to and from the School, 4) a description of average drop-off and pick-up times per student, 5) a description of designated area for drop-off and pick-up of students, along with a projected average time for drop-off and pick-up, 6) a description of proposed traffic calming measures and 7) a description of proposed traffic reduction measures.
- o. For a School conditional use permit application, a pedestrian and bicycle plan certified by a licensed engineer.
- p. For a School conditional use permit application, a water demand estimate for all on-site water consumption submitted by a qualified person.

Section 4. Section 11.4 of the Hailey Zoning Ordinance No. 532 is hereby amended by addition of a new subsection 11.4.3, as follows:

11.4.3 Schools. For Schools, the Commission or Hearing Examiner shall review the particular facts and circumstances of a new School or a substantial increase in the change of use of an existing School (e.g., conversion of a middle school into a high school which increases parking requirements and which may affect traffic) in terms of the following standards, and if approved, shall find adequate evidence showing that such use at the proposed location:

- a. Will comply with the standards for any conditional use found in Section 11.4.1.
- b. Will be located on or within 1500 feet (1500') of a Collector Street, as designated by §18.06.010 of the Hailey Municipal Code.

- c. Will have sidewalks, bike and vehicle facilities necessary to accommodate vehicular, pedestrian and bicycle traffic to and from the School, extending to the nearest Collector Street, as designated by §18.06.010 of the Hailey Municipal Code.
- d. Will comply with the parking requirements in Article IX of the Hailey Zoning Ordinance.
- e. Will comply with the outdoor lighting requirements in Article VIII B of the Hailey Zoning Ordinance.
- f. Will construct fencing around all play areas at elementary schools in accordance with Article VIII of the Hailey Zoning Ordinance.
- g. Will comply with the following site design standards:
 - i. Landscaping shall be restricted to trees with canopies higher than ten feet (10') and bushes less than three feet (3') high to deter hiding.
 - ii. A minimum of thirty five feet (35') of unobstructed space on real property owned or leased by the School shall be provided around buildings in which no landscape feature may be higher than two feet (2').
 - iii. Sidewalks, bike and vehicle improvements shall meet the applicable standards in Title 18 of the Hailey Municipal Code.

Section 5. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 6. All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 7. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF _____, 2014.

Fritz X. Haemmerle, Mayor

Attest:

Mary Cone, City Clerk

STAFF REPORT

TO: Hailey Planning & Zoning Commission

FROM: Micah Austin, Community Development Director

RE: Conditional Use Permit – Chateau Discount Outlet located at 960 S. Main Street (Lot 11A, Block 2, Friedman Park Subdivision)

HEARING: February 10, 2014

Applicant: Airport LLC, represented by Ken Sangha d.b.a Chateau Discount Outlet

Location: 960 S. Main Street (Lot 11A, Block 2, Friedman Park Subdivision)

Zoning: Limited Business (LB)

Note: Staff analysis is in lighter type

Notice

Notice for the public hearing on February 10 was sent to the Mt. Express on January 17 and published in the Mountain Express on January 22, 2014. Notices were mailed to the adjoining property owners on January 17 and the property was posted on January 24, 2014.

Application

Airport LLC, represented by Ken Sangha, submitted a Conditional Use Permit application for the operation of a Wholesale Distributor located at 960 S. Main Street (Lot 11A, Block 2, Friedman Park Subdivision). The existing building is 3,600 square feet. The property is located in the Limited Business (LB) zoning district and is proposed to be used as a Wholesale Distributor of furniture. According to §5.4 of the Zoning Ordinance, a Wholesale Distributor requires a Conditional Use Permit in the Limited Business (LB) District.

General Requirements for all Conditional Use Permits				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.2.2	<p>Complete Application:</p> <p>11.2.2 The application shall include at least the following information:</p> <ul style="list-style-type: none"> a. Name, address, and phone number of the applicant. b. Proof of interest in the subject property by the applicant, such as a deed, contract of sale, option to purchase, or lease agreement. c. Legal description of the subject property, including street address. d. Description of existing use. e. Zoning district of subject property. f. Description of proposed conditional use. g. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, easements, existing and proposed grade, energy efficiency considerations, landscaping, exterior lighting plan as required by Article VIII B of this Ordinance, refuse and service areas, utilities, signs, property lines, north arrow, and rendering of building exteriors, where applicable. h. A narrative statement evaluating the effects on adjoining property, the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property. i. A narrative statement identifying surrounding land uses and discussing the general compatibility of the proposed use with adjacent and other properties in the district. j. A narrative discussion of the relationship of the proposed use to the Comprehensive Plan. k. A list of the names and addresses of all property owners and residents within three hundred (300) feet of the external boundaries of the land being considered. l. Any other information as requested by the Administrator to determine if the proposed conditional use meets the intent and requirements of this Article. m. A fee established in a separate ordinance approved by the Council.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department and Boards/Commissions Comments	<p>Engineering:</p> <ul style="list-style-type: none"> - See comments below from Water/Sewer and Streets. <p>Life/Safety:</p> <ul style="list-style-type: none"> - Police Department <ul style="list-style-type: none"> o No concerns - Fire Department <ol style="list-style-type: none"> 1. This business would be a change of use which would require the property to be brought up to current codes and standards. 2. The existing fire systems would have to be repaired or removed. 3. The west side of the building is built on the current property line and would require a four hour fire wall or working fire sprinkler system. (city code) 4. With the above concerns addressed, the Fire Prevention Department is okay with moving forward with the CUP, but a proper analysis of

				<p>the building will have to be done prior to any business operating out of the building.</p> <p>Water and Sewer:</p> <ul style="list-style-type: none"> - The water is off at the meter for this property. - In 2013, the City Water Department was sent to the building to turn the water on and found there was a leak on the property. After meeting with someone who could get into the building, they found the leak was inside and had us turn the water back off. The leak may not have been fixed and is the responsibility of the property owner. <p>Building:</p> <ul style="list-style-type: none"> - A change of use would be required for this proposed use - All areas accessible to the public will require ADA improvements prior to issuance of a Certificate of Occupancy. - No commercial activity may proceed without the issuance of a Certificate of Occupancy. <p>Streets:</p> <ul style="list-style-type: none"> - No concerns. <p>Boards and Committees:</p> <ul style="list-style-type: none"> - No concerns.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8.2 Signs	<p>8.2 Signs: The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - <i>No sign permit has been filed and sign is proposed as part of this application.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8B.4.1 Outdoor Lighting Standards	<p>8B.4.1 General Standards</p> <ul style="list-style-type: none"> a. All exterior lighting shall be designed, located and lamped in order to prevent: <ol style="list-style-type: none"> 1. Overlighting; 2. Energy waste; 3. Glare; 4. Light Trespass; 5. Skyglow. b. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes. c. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties. d. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires. e. Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator.
			<i>Commission</i>	<ul style="list-style-type: none"> • <i>All new and existing lighting shall comply with Hailey's Outdoor Lighting</i>

			<i>Findings</i>	<i>Ordinance.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9.4.8 A On-site Parking Req.	<p>See Section 9.4 for applicable code.</p> <ul style="list-style-type: none"> - Require 1 space for every teacher or employee or 1 space for every two person rated capacity of all assembly areas, whichever is greater.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • <i>Building is 3,600 square feet, requiring a minimum of 1 space per 1,000 square feet of building. Thus, the minimum required is four (4) spaces. There is more than adequate asphalt available for parking at this location, however there is no landscaping to screen the parking areas.</i> • <i>The applicant has indicated that he could provide up to 12 spaces if necessary, however no spaces are currently painted.</i> • <i>If the Commission allows the applicant to install 12 parking spaces, the applicant must meet four of the following criteria. Italics indicates items they could currently comply with:</i> <ul style="list-style-type: none"> ○ <i>The excess parking area will be commonly used for public interests such as park and ride or car pool lots. The property owner will be permitted to reserve the use of the parking area 12 days in any calendar year.</i> ○ <i>The excess parking area provided would relieve or help to relieve a substantial shortage of parking within an 800 foot radius. (Possible overflow parking from Rodeo Arena)</i> ○ <i>The excess parking area will not be adjacent to a public right - of way, and will be separated from the right-of-way by a building.</i> ○ <i>The excess parking area is part of an overall development scheme which compensates for insufficient parking in other portions of the same development.</i> ○ <i>The excess parking area will be used as an alternate facility, such as a basketball court or skateboard park, when not in use as an overflow parking area. The property owner will be permitted to reserve the use of the parking area 12 days in any calendar year.</i> ○ <i>The excess parking area will be surfaced with an alternative and attractive material.</i> • <i>All parking spaces shall meet City Standards and provide adequate spaces for the amount of usage the building will receive.</i> • <i>The site is entirely devoid of landscaping, which exposes all parking areas and all elements of the building with no buffering whatsoever. Staff recommends a landscape and buffering requirement if the Commission allows the 12 parking spaces as presented.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9.4.8 (B)	<p>B. Where alleys exist, access to on-site parking for any non-residential use or for any multifamily dwelling of three or more units shall be from the alley. Parking areas adjacent to alleys may be designed to allow a vehicle to back from the parking area into the alley.</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • <i>Not Applicable</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9.4.8 (C)	<p>C. If the site is not serviced by an alley, access shall be from a single approach to the</p>

				street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • Access to Highway 75 will be from a single approach, as seen on the site plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9.4.8 (D)	D. Access for on-site parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • Vehicles entering or leaving the parking area will be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street. • The City Engineer has reviewed the site plans and approves of the egress/ingress plan.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9.4.8 (E)	E. Access for subdivisions shall be provided in accordance with standards set forth in Section 4 of the Subdivision Ordinance.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • Not applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9.4.8 (F)	F. Parking areas containing no more than two (2) parking spaces in any zoning district or parking areas within the LR, GR, TN, TI and LI Districts may be designed to allow a vehicle to back from the parking area into the public right-of-way.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • Not applicable
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9.4.8 (G)	G. Parking areas for residential uses only may be designed to allow required parking spaces for one vehicle to deny access to another vehicle, thus “stacking” the parking area. For non-residential uses, stacked parking may be allowed only for additional spaces that may be provided in excess of the required number of parking spaces.
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • Not applicable
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Article 5.4: Bulk Requirements	Limited Business (LB) District: <ul style="list-style-type: none"> - Minimum Lot Size: 6,000 ft - Maximum Lot Width: 50 - Maximum Building Height: 35 - Front Setback: 20 ft - Side and Rear Yard Setback: 10 feet
			<i>Commission Findings</i>	<ul style="list-style-type: none"> - Existing building meets all bulk requirements except for on the west side of the property. There is some question as to where the property line is located in relation to the existing building. The applicant should supply documentation as to the correct location of the property line. The land use records show the property line running through the existing building, although this would need to be verify/dispelled by a record of survey.
Section 11.4 Criteria for Review of Conditional Use Permits				

Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.1	<p>Compliance with the Comprehensive Plan</p> <p>11.1 Purpose. The City of Hailey recognizes that certain uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. In order to protect the public welfare and promote conformance with the Comprehensive Plan, conditional use permits are required for such uses upon review by the Commission.</p>
			<i>Commission Findings</i>	<p><i>This application complies with the following goals and objectives of the Comprehensive Plan</i></p> <ul style="list-style-type: none"> • <i>Goal 6.1: Economic Development“</i> <ul style="list-style-type: none"> ○ <i>Encourage a diversity of economic development opportunities within Hailey.”</i> ○ <i>This use will provide 1 full-time jobs</i> ○ <i>Initial employees would be based out of this facility immediately</i> ○ <i>Within six months to one year, 6 FTE will be based out of this facility.</i> • <i>Goal 6.2: Economic Development</i> <ul style="list-style-type: none"> ○ <i>“Encourage abundant, competitive, and career-oriented opportunities for young workers”</i> ○ <i>The jobs created will be sale oriented and can be scaled for a variety of employee skills and talents.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.4.1(a)	<p>11.4.1 The Commission or Hearing Examiner shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and, if approved, shall find adequate evidence showing that such use at the proposed location:</p> <p>a. Will, in fact, constitute a conditional use as established for the zoning district involved; and</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • <i>According to §5.4 of the Zoning Ordinance, Wholesale Distributors currently require a Conditional Use Permit in the Limited Business (LB) zone. The owner, Ken Sangha, reports that he would like to distribute furniture at wholesale costs to the public. The business will not be a retail establishment, focusing entirely on wholesale distribution.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.4.1(b)	<p>b. Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area;</p>
			<i>Commission Findings</i>	<ul style="list-style-type: none"> • <i>The proposed use will be a Wholesale Distributor with periodic visit from customer, vendors, and for deliveries. Specifically, they will be storing and selling furniture, merchandise, and other items to the public from this location. Currently, there are no Wholesale Distributor adjacent to this project, however there are similar uses found in the vicinity along Airport Rd and 4th Avenue.</i> • <i>The facility and site is currently vacant but may be used as a storage facility for the owner’s personal items. The current design is that of a</i>

				<p><i>warehouse with few aesthetic features of note. Any improvement to the façade of the building would be acceptable, given the building does not match the aesthetic appeal of other surrounding buildings.</i></p> <ul style="list-style-type: none"> <i>The proposed use is not anticipated to detract nor change the intended character of the area.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.4.1(c)	<p>c. Will not be hazardous or disturbing to existing or future neighboring uses;</p> <p><i>Commission Findings</i></p> <ul style="list-style-type: none"> <i>Traffic to and from the building will be based on deliveries and customer volume, especially during the daytime hours of operation. Located adjacent to Highway 75 and the Airport is the appropriate location for a use with this degree of traffic.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.4.1(d)	<p>d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, and drainage structure. Agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service; and</p> <p><i>Commission Findings</i></p> <ul style="list-style-type: none"> <i>No concerns</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.4.1(e)	<p>e. Will not create excessive additional requirements at public cost for public facilities and services; and</p> <p><i>Commission Findings</i></p> <ul style="list-style-type: none"> <i>At this time, no additional cost will be incurred from any public agencies for this facility to function and operate.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.4.1(f)	<p>f. Will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, odors, vibration, water or air pollution, or safety hazards; and</p> <p><i>Commission Findings</i></p> <ul style="list-style-type: none"> <i>No externalities are anticipated by this use.</i> <i>This application has been reviewed by all city departments and there have been no issues.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.4.1(g)	<p>g. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public thoroughfares;</p> <p><i>Commission Findings</i></p> <ul style="list-style-type: none"> <i>Property is accessed via Highway 75 There will be an increase in traffic to this location, particularly with customers entering and leaving the property but also with deliveries throughout the week. Highway 75 is designed for extremely high traffic volumes, is maintained by the State of Idaho, and driveway access has already been provided for this facility off of the highway. This is not anticipated to place a burden on traffic on surrounding public thoroughfares.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11.4.1(h)	<p>b. Will be designed, constructed, operated, and maintained to be harmonious and</p>

			appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area;
		<i>Commission Findings</i>	<ul style="list-style-type: none"> <i>Proposed property does not contain a natural, scenic, or historic feature or structure and will be utilizing an existing facility that has landscaping and features already in place.</i>

11.6 Conditions.

The Commission or Hearing Examiner may impose any conditions which it deems necessary to secure the purpose of City regulations and give effect to the Comprehensive Plan. Conditions which may be attached include, but are not limited to those which will:

- 11.6.1 Require conformity to approved plans and specifications.
- 11.6.2 Require or restrict open spaces, buffer strips, walls, fences, signs, concealing hedges, landscaping and lighting.
- 11.6.3 Restrict volume of traffic generated, require off-street parking, and restrict vehicular movements within the site and points of vehicular ingress and egress or other conditions related to traffic.
- 11.6.4 Require performance characteristics related to the emission of noise, vibration and other potentially dangerous or objectionable elements.
- 11.6.5 Limit time of day for the conduct of specified activities.
- 11.6.6 Require guarantees such as performance bonds or other security for compliance with the terms of the approval.
- 11.6.7 Require dedications and public improvements on property frontages.
- 11.6.8 Require irrigation ditches, laterals, and canals to be covered or fenced.
- 11.6.9 Minimize adverse impact on other development.
- 11.6.10 Control the sequence, timing and duration of development.
- 11.6.11 Assure that development is maintained properly.
- 11.6.12 Designate the exact location and nature of development.
- 11.6.13 Require the provision for on-site or off-site public services.
- 11.6.14 Require more restrictive standards than those generally found in this Ordinance.
- 11.6.15 Mitigate foreseeable social, economic, fiscal and environmental effects.
- 11.6.16 Set a limit on the duration of the permit when deemed necessary.
- 11.6.17 Allow for subsequent periodic review.

The Commission may impose any conditions that are deemed necessary to secure the purpose of City ordinances and give effect to the Comprehensive Plan. Conditions including but not limited to those set forth in Section 11.6 may be placed on any approval.

Summary

Section 11.1 of the Hailey Zoning Ordinance states that “the City of Hailey recognizes that certain uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. In order to protect the public welfare and promote conformance with the Comprehensive Plan, conditional use permits are required for such uses upon review by the Commission.”

Conditional Use Permits are subject to review and revocation pursuant to Section 11.9 of the Hailey Zoning Ordinance. This statement will be included in the Findings of Fact, Conclusions of Law, and Decision for any CUP approved by the Commission.

By ordinance, the Commission is required to make a decision to approve, conditionally approve, or deny the application within forty-five (45) days after conclusion of the public hearing and issue its decision together with the reasons therefore. The Commission is required to review the application, all supporting documents and plans, and Section 11 of the Zoning Ordinance, in making their decision.

The Commission should make findings related to the criteria of Section 11.4, (a) through (h).

Suggested Conditions

The following conditions are suggested to be placed on any approval of this application:

- a) All Fire Department and Building Department requirements shall be met in regard all maintenance, administrative, and other functions of this facility.
- b) Landscaping added to the property to buffer the parking and building from Highway 75. Commission could request the landscaping plan a condition of approval.

Motion Language

Approval:

Motion to approve conditional use permit application for Chateau Discount Outlet, represented by Ken Sangha, for the operation of a Wholesale Distributor located at 960 S. Main Street (Lot 11A, Block 2, Friedman Park Subdivision) and finding that the application meets each of the criteria for review (a) through (h) cited in Zoning Ordinance Article 11.4, Section 11.4.1, that the conditional use permit complies with the Comprehensive Plan, and that the conditional use permit is subject to condition (a) thru ____ noted above and the following conditions

_____.

Denial:

Motion to deny conditional use permit application for Chateau Discount Outlet, represented by Ken Sangha, for the operation of a Wholesale Distributor located at 960 S. Main Street (Lot 11A, Block 2, Friedman Park Subdivision) citing the following reasons for denial _____.

Continuation:

Motion to continue discussion of the conditional use permit application for Chateau Discount Outlet, represented by Ken Sangha, for the operation of a Wholesale Distributor located at 960 S. Main Street (Lot 11A, Block 2, Friedman Park Subdivision), to a later day as specified here _____.

Table:

Motion to table decision of the conditional use permit application for Chateau Discount Outlet, represented by Ken Sangha, for the operation of a Wholesale Distributor located at 960 S. Main Street (Lot 11A, Block 2, Friedman Park Subdivision), to a later day as specified here _____.

City of Hailey - Conditional Use Permit Application

NR 5168

Submittal Date:

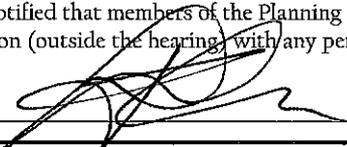
RECEIVED
DEC 31 2013

Project Name: Chateau Discount Outlet
Legal Description of Property: 960 S. Main St., Hailey
Street Address of Property: _____
Current Zoning of Property: LB.
Proposed Use: Wholesale

Name of Owner of the Property: AIRPORT LLC.
Mailing Address: PO Box 9200 City: Ketchum State: ID Zip: 83340
Phone: (575) 760-3063 Fax: () _____ Cell: () _____
Email Address: Ken Sangha@gmail.com

Property Owner Consent:

By signature hereon, the property owner acknowledges that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application, pursuant to Idaho Code §67-6507. The property owner is also hereby notified that members of the Planning and Zoning Commission and City Council are required to generally disclose the content of any *ex parte* discussion (outside the hearing) with any person, including the property owner or representative, regarding this application.

Property Owner's Signature:  Date: 12/13/13

Name of individual to contact on behalf of Trust or LLC (if applicable): Ken Sangha
Mailing Address: Same AS Above State: ID Zip: _____
Phone: () _____ Fax: () _____ Cell: () _____
Email Address: _____

Application Contact (if different than above):

**Application Contact will be the Planning Department's primary point of contact for questions related to the application.

Mailing Address: _____ City: _____ State: _____ Zip: _____
Phone: () _____ Fax: () _____ Cell: () _____
Email Address: _____
Signature: _____ Date: ____/____/____

Appeals:

Any interested party may appeal in writing any final decision of the Planning and Zoning Administrator, Hearing Examiner, or Commission to the City Council by filing an appeal with the Hailey City Clerk within fifteen (15) days from the date of the decision. The appeal shall specifically state the decision appealed and reasons for the appeal. If no appeal is filed within the fifteen (15) day period, the decision shall be deemed final.

FOR CITY USE ONLY Fees: cost of additional noticing, recording fees, and other direct costs will also be assessed.

Conditional Use Permit.....	\$ 400.00 -
OR Child Care Conditional Use.....	\$ 50.00
Publication cost.....	\$ 40.00 -
Mailing: # of addresses <u>18</u> x (<u>.46</u> postage + .15 for paper, envelope & label) DO NOT COUNT DUPLICATE ADDRESSES OR CITY OF HAILEY	\$ 10.98
Total Due.....	\$ 450.98

See attached checklist for items that must be submitted with this application in order for application to be considered complete. See the Hailey Zoning Ordinance for information on application process.

CONDITIONAL USE PERMIT CHECKLIST

Project Name: Chateau Discount Outlet City Use Only - Certified Compete by: _____ Date: 10/21/13

The following items must be submitted with the application for the application to be considered complete (✓):

- ___ One (1) large set of plans to scale of proposed conditional use site showing location of:
 - All buildings on the site
 - Parking and loading areas
 - Traffic access and traffic circulation
 - Open spaces (See Parking)
 - None Easements
 - None Existing and proposed grade
 - None Energy efficient considerations
 - None Landscaping
 - Refuse and service areas
 - Utilities
 - Signs
 - Property lines
 - North arrow
 - NA Rendering of building exteriors (where applicable)
- ___ Six (6) 11" x 17" copies of larger plans/maps. (Michael)
- ___ PDF files of all required documents and 11" x 17" plans/maps
- Proof of interest in subject property. (Michael)
- ___ Descriptions of:
 - WAREHOUSE Existing use
 - Wholesale to PUBLIC Proposed conditional use
- ___ Statement evaluating the effects on adjoining property such as elements of noise, glare, odor, fumes and vibration.
- ___ Statement identifying surrounding land uses and discussing general compatibility of the proposed use with adjacent and other properties in the district.
- ___ Statement discussing relationship of proposed use with compliance to the Comprehensive Plan.
- ___ Names and address of all property owners within three hundred (300) feet of the exterior boundaries of the land being considered. Submit paper copy and electronically on Excel spreadsheet. Names and addresses can be obtained using the Blaine County map server <http://maps.co.blaine.id.us/> or from the Blaine County Assessor's office. Assistance can be provided by the Hailey Planning staff upon request.
- ___ Other information as requested by the Planner to determine if the proposed conditional use meets the intent and requirements of the Hailey Zoning Ordinance.



115 MAIN STREET S. SUITE H
 HAILEY, ID 83333
 PHONE: (208) 788-4221
 FAX: (208) 788-2924

INVOICE #	INVOICE DATE
111839380	01/02/2014
DUE DATE	CUSTOMER ACCOUNT NUMBER
01/03/2014	5768
AMOUNT DUE	TERMS:
450.98	Open Terms

BILL TO:

SANGHA, KEN

PO BOX 9200
 KETCHUM ID 83340

PLEASE DETACH AND RETURN THIS TOP PORTION
 WITH YOUR PAYMENT BY DUE DATE TO:

CITY OF HAILEY
 115 S MAIN ST STE H
 HAILEY, ID 83333

INVOICE

DESCRIPTION	QUANTITY	CHARGE	EXT. PRICE
PLANNING CONDITNL USE PERMITS	1	400.00	400.00
PLANNING PUBLICATION	1	40.00	40.00
PLANNING POSTAGE	1	10.98	10.98
			450.98
			TOTAL AMOUNT DUE

THANK YOU FOR YOUR PROMPT PAYMENT
 For Billing Inquiries Call: (208)788-4221
 Office Hours: 9:00 a.m. - 5:00 p.m.
 Monday thru Friday

CITY OF HAILEY
115 MAIN ST SOUTH STE H
HAILEY ID 83333

208-788-4221

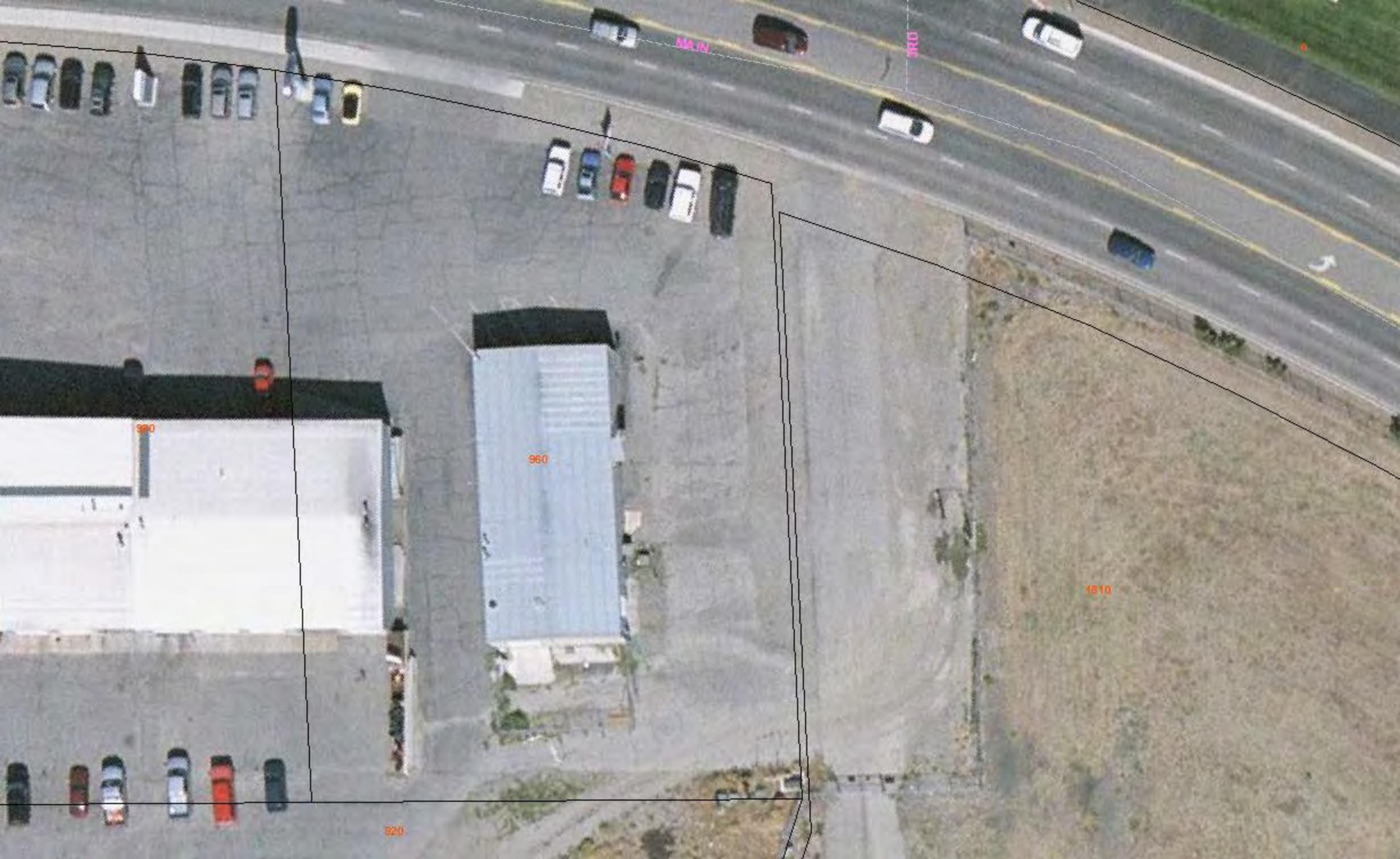
Jan 2, 2014

Receipt No: 1.014377

5768
SANGHA, KEN
PO BOX 9200
KETCHUM ID 83340

Previous Balance:	450.98
Accounts Receivable	450.98
A/R Payments	
001-00-10700	
Accts Rec Cash Clearing Acct	
Total:	450.98
New Balance:	.00
Check - MWB	450.98
Check No: 1007	450.98
Total Applied:	
Change Tendered:	.00

Duplicate Copy
01/02/2014 02:53PM



180.74

3710

980

960

1810

920

maps.google.com/maps?q=960+south+main+street,+hailey,+id&ie=UTF-8&hq=&hnear=0x!

960 south main street, hailey, id



+Ken



Existing Illuminated Sign.



↑ N

Refuse & Sves.



maps.google.com/maps?q=960+south+main+street,+hailey,+id&le=UTF-8&hq=&hnear=0x!

960 south main street, hailey, id



+Ken



Parking

LOADING

maps.google.com/maps?q=960+south+main+street,+hailey,+id&le=UTF-8&hq=&hnear=0x

960 south main street, hailey, id



+Ken



Property
Line



Utility Lines:
1) Communication (Cable, Century Link)
2) Power service line
3) Power service line
4) Intermountain Gas



Map

Traffic

S Main St

S Main St



New Entrance

NE Entrance

960
Main St S

FORD

Silver
Creek Ford



CUP for 960 S. Main St Hailey, Idaho 83333

City of Hailey
115 Main St.
Hailey, ID 83333
Attn: Micah Austin

Re: Statement evaluating the effects on adjoining properties such as elements of noise, glare, odor, fumes, and vibration.

We feel our proposed business plan and conditional use will only effect the adjoining properties in the positive way.

We are located at 960 S. Main St. Adjacent to us to the west is the Ford dealership and to the east is the north end of the runway. Rocky Mountain hardware is located a large distance to the south and main street in front of us. We feel that our business will be the quietest of any property we border.

Our business will produce no odor, fumes, or vibration.

The majority of our business will comprise of the wholesale customers coming in to look at the inventory. The increased traffic to our location is negligible compared to the overall traffic noise, glare, and any odors or vibration on main street itself.

We do plan to have a properly lit sign displayed at the street which meets the City of Hailey's Night Sky ordinance.

CUP for 960 S. Main St Hailey, Idaho 83333

City of Hailey
115 Main St.
Hailey, ID 83333
Attn: Micah Austin

Re: Statement discussing relationship of proposed use with compliance to the Comprehensive Plan.

The proposed CUP for 960 S. Main St. is in line with the comprehensive plan of Hailey and the general direction of the development of the businesses in the proximity as well as the growth of the population of Hailey to the South side namely Wood Side. Our business supports the social, environment, and economic aspects of the plan. 960 S. Main St is strategically located along the path of the other new projects like Rodeo Arena and Skate park and visitor center. Located at the southern end of the downtown core, our proposed business plan is convenient to all of Hailey. Our business will positively impact economic development, land use, community design, and services to Hailey's average annual population growth of 3%.

As Hailey grows and expands, its citizens want goods and services that larger cities provide. We will help provide products that the general population of Wood River Valley and Hailey specifically, often drive to Twin Falls or Boise to purchase. Our vision of a fresh looking exterior painted building in similar colors to the Hailey visitor center will welcome residents, visitors, and newcomers each time they enter Hailey from the south is in line with the goal of developing existing lands inside the city limits of Hailey. The property at 960 S. Main St will look clean, improved, and beautiful.

Our location allows for easy foot, bike, and car access from all adjacent neighborhoods including woodside. Our proposed business use generates a nominal amount of refuse. Our activities will contribute little if any significant waste to the landfill. Our business do not release anything into the air. And we are conscious recyclers. The gas and electric usage will also be well below average for business use.

We feel in addition to the recent opening of O'Reilly's, our proposed CUP and business will revitalize the southern end of the downtown Hailey. Our intended business will positively service the community of Hailey. With more than a quarter of the current local Hailey business related to real estate and construction, We feel that the addition of a wholesale warehouse will diversify the existing Hailey business culture and provide its residents with expanded choices not currently offered. We want to become a significant presence on the main street corridor for years to come. We are full time residents of Hailey and the Wood River Valley. Our commitment to our home and work allows us to follow, comply, and implement the goals and vision of the comprehensive plan on a daily basis.

CUP for 960 S. Main St. Hailey, ID 83333

City of Hailey
115 Main St.
Hailey, ID 83333
Attn: Micah Austin

RE: Statement identifying surrounding land uses and discussing general compatibility of the proposed use.

Our business will mainly be comprised of wholesale to the other businesses, contractors, interior designers and public which is in line with all the surrounding properties. The recently opened O'Reilly Auto Parts store, retails and wholesales Auto parts and supplies, the ford dealership next door retails and wholesales Auto parts and retails cars, the gas station across the street retails coffee, food and other convenience store goods and gas.

Thus our intended business use of the property is consistent with the adjacent businesses that are in the proximity of our location.

TRIPLE NET LEASE AGREEMENT

AGREEMENT OF LEASE between Airport LLC.("Lessor"), and Chateau Discount Outlet("Tenant").

1. DEMISED PREMISES: Lessor leases to Tenant and Tenant rents from Lessor those certain premises located at 960 S. Main Street, Hailey, ID, ("Demised Premises").

2. TERM: The initial term of this Lease shall be from November1, 2013, to and including October 30, 2015, unless sooner terminated as hereinafter provided.

3. MINIMUM RENT: The fixed annual minimum rent during the term of this Lease shall be 10% of the gross monthly sales for the previous month, payable by Tenant on the seventh day of next month throughout the Lease term. Rent shall be paid to Lessor at Post Office Box 9200, Ketchum, ID 83340.

4. LAST MONTH'S RENT: N/A

5. SECURITY DEPOSIT: Tenant has deposited with Lessor the sum of Four Thousand Dollars (\$4,000.00), to be held by Lessor without liability for interest as security for the faithful performance by Tenant of all the terms of this Lease. Should Tenant comply with all of said terms and promptly pay all of the rentals as they fall due and pay all other sums payable by Tenant to Lessor, said deposit shall be returned in full to Tenant at the end of the Lease. Lessor may deliver the funds deposited hereunder by Tenant to the purchaser of Lessor's interest in the Demised Premises in the event that such interest be sold and thereupon Lessor shall be discharged from any further liability with respect to such deposit.

6. EARLY POSSESSION: Tenant may have possession of the Demised Premises prior to the commencement of the initial term of this Lease.

7. CONDITION: Tenant is leasing the Demised Premises in its present condition "AS IS," "WHERE IS" and "WITH ALL FAULTS" of any kind or nature whatsoever in reliance upon Tenant's own independent inspection and investigation. Tenant acknowledges that no representations or warranties of any kind or nature have been made by Lessor or its representatives. Tenant's acceptance of delivery of possession of the Demised Premises shall constitute Tenant's acknowledgement that Tenant has examined the Demised Premises and the Demised Premises are in a condition acceptable by the Tenant. Tenant shall be responsible for the extension of all utilities, as needed by Tenant to the interior of the Demised Premises and installing any needed fixture, wall, ceiling or floor cover improvement and doing all other finishing work desired by Tenant with regard to the interior of the Demised Premises with Lessor's prior written approval, which approval shall not unreasonably be withheld. Tenant acknowledges that any improvements made to the Demised Premises shall become part of the Demised premises at the election of the Lessor and remain after the expiration/termination of the lease.

8. USE OF PREMISES: Tenant shall use the Demised Premises only as permitted by City of Hailey ordinance.

9. LAWS, WASTE OR NUISANCE: Tenant shall, at its own cost and expense comply with all governmental laws, ordinances, orders and regulations affecting Tenant's use of the Demised Premises now in force or which hereafter may be in force. Tenant shall comply with and execute all rules, requirements and regulations of the Board of Fire Underwriters, Lessor's insurance companies and other organizations establishing insurance rates, and shall not suffer, permit or commit any waste or nuisance.

Any other provision of this Lease notwithstanding, the parties hereby agree that the Demised Premises may be subject to the terms and conditions of the Americans with Disabilities Act of 1990 (hereinafter the "ADA"). The parties agree and acknowledge that it shall be the sole responsibility of the Tenant to comply with any and all provisions of the ADA, as such compliance may be required to operate the Demised Premises. Tenant agrees to indemnify and hold the Lessor harmless against any claims which may arise out of Lessor's failure to comply with the ADA. Such indemnification shall include, but not necessarily be limited to reasonable attorney's fees, court costs and judgments as a result of said claims.

10. SIGNS: Tenant may install an identification sign or signs of a size and design approved by Lessor and the City of Hailey at a place or places approved by Lessor. Other than the foregoing, Tenant shall not place or suffer to be placed or maintain any sign, awning or canopy upon the Demised Premises, or on the outside of the Building. Tenant shall maintain any such sign or other installation as may be approved in good condition and repair.

11. ASSIGNMENT AND SUBLETTING: Tenant shall not assign, mortgage or encumber this Lease, in whole or part or sublet all or any part of the Demised Premises, without the prior written consent of the Lessor in each instance. Any purported assignment or sublease contrary to hereto will be void and, at the option of the Lessor, shall constitute default of the lease.

12. REPAIRS: Lessor shall not be required to make any repairs or improvements of any kind to the Demised Premises. Tenant shall, at its own cost and expense, take good care of and make all the necessary repairs to the Demised Premises and the fixtures and equipment therein and appurtenances thereto, including, but not limited to the windows, doors and entrances, signs, floor coverings, interior walls, exterior walls, roof, partitions, lights, toilets, sinks, faucets, electrical equipment and heating and air conditioning equipment servicing the demised Premises.

13. UTILITY CHARGES: Tenant shall be solely responsible for and shall promptly pay all charges for use or consumption for heat, gas, electricity, trash removal or any other utility service servicing the Demised Premises. Lessor shall not be liable in damages or otherwise for any failure or interruption of any utility service furnished to the Demised Premises and any such interruption shall not entitle Tenant to terminate this Lease.

14. TAXES: Tenant shall pay to Lessor as additional rent all the real property taxes and bond assessments levied or assessed against the Demised Premises. The real property taxes for 2012 were \$3745.58. Should the taxing authorities include in such real estate taxes the value of any improvements made by Tenant, or include machinery, equipment, fixtures, inventory or other personal property or assets of Tenants, then Tenant shall pay the entire real estate taxes for such items in addition to the aforementioned. Taxes and assessments shall be paid when due. Lessor shall notify Tenant in writing of the amount of taxes due and the due date at least thirty (30) days before the due date. Lessor's tax bill submitted to Tenant shall be conclusive evidence of the amount of taxes assessed or levied as well as the items taxed. Tenant at all times shall be responsible for and shall pay, before delinquent, all municipal, county, state or federal taxes assessed against any leasehold interest or any personal property of any kind owned, installed or used by Tenant.

15. MAINTENANCE: Tenant shall maintain the exterior and interior of the Demised Premises including the exterior, roof, landscaping, specifically including the landscaping next to Main Street, and paving in a good first class condition at all times. Tenant shall remove snow from the sidewalks as needed and as required by the City of Hailey, and from the roof of the building as required. Lessor shall not have any responsibility to maintain the Demised Premises whatsoever.

16. INDEMNITY:

A) Tenant, at its sole cost and expense, shall indemnify and save harmless Lessor against and from any and all claims, suits, actions, damages, liabilities and expenses in connection with loss of life, bodily or personal injury or property damage arising from or out of any occurrence in, upon, at or from the Demised Premises, or the occupancy or use thereof by Tenant, or occasioned wholly or in part by any act of omission of Tenant, its agents, contractors, employees, servants, invitees, licensees or concessionaires, notwithstanding that joint or concurrent liability may be imposed by law upon Lessor;

B) Tenant shall store its own property in and shall occupy the Demised Premises and all other portions of the Building at its own risk, and releases Lessor, to the full extent permitted by law, from all claims of every kind resulting in loss of life, personal or bodily injury or property damage except where such claims are occasioned by the acts or negligence of Lessor, its employees, agents, contractors, servants, licensees, or concessionaires;

C) Lessor shall not be responsible or liable at any time for any loss or damage to Tenant's merchandise or equipment, fixtures or other personal property of Tenant or to Tenant's business, except where occasioned by the willful acts or gross negligence of Lessor, its employees, agents, contractors, servants, licensees or concessionaires;

D) Lessor shall not be responsible or liable to Tenant or to those claiming by, through or under Tenant for any loss or damage to either the person or property of Tenant that

may be occasioned by or through the acts or omissions of persons occupying adjacent, connecting or adjoining premises;

E) Lessor shall not be responsible or liable for any injury, loss or damage to any person or to any property of Tenant or other person caused by or resulting from strikes, lockouts, labor troubles, inability to procure materials, failure of power, restrictive governmental laws or regulations, the act, failure to act or default of the other party, acts of God or the elements, from the acts or negligence of any occupant of the Building or adjoining premises, or any other reason beyond its control;

F) Tenant shall give prompt notice to Lessor in case of fire or accidents in the Demised Premises or of defects therein or in any fixtures or equipment;

G) In case Lessor shall without fault on its part be made a party to any litigation commenced by or against Tenant, then Tenant shall protect and hold Lessor harmless and shall pay all costs, expenses and reasonable attorney's fees;

H) In case Tenant shall without fault on its part be made a party to any litigation commence by or against Lessor, then Lessor shall protect and hold Tenant harmless and shall pay all costs, expenses, and reasonable attorney's fees;

I) All costs, expenses and reasonable attorney's fees that may be incurred or paid by Lessor or Tenant in enforcing the terms of this Lease shall be paid by the non-prevailing party.

17. INSURANCE:

A) Tenant shall maintain at its own cost and expense:

1) Public Liability Insurance on an occurrence basis with minimum limits of liability in an amount of One Million Dollars (\$1,000,000.00) for injury or death of any person and Two Hundred Fifty Thousand Dollars (\$250,000.000) with respect to damage to property with Lessor as additional insured.

2) Fire Insurance in an amount adequate to cover the cost of replacement of all fixtures and contents in the Demised Premises in the event of fire, extended coverage perils, vandalism, malicious mischief and special extended coverage perils. If Tenant does not keep such insurance in full force and effect, Lessor may take out and/or maintain the necessary insurance and pay the premium and the repayment thereof shall be deemed to be an obligation of Tenant as additional rent payable on invoice.

3) Tenant agrees to pay Lessor as additional rent biannually or as determined by Lessor within ten (10) days after demand therefor the total premium for fire, liability and all other necessary insurance upon the Building, and improvements on the Demised Premises. The Lessor's cost for hazard and liability insurance was \$561.00 for 2008.

18. INSURED'S WAIVER: Any insurance procured by Tenant as herein required shall be issued in the name of Tenant and shall name Lessor as an additional insured and shall be issued by a company licensed to do business in Idaho and shall contain endorsements that (a) such insurance may not be canceled or amended with respect to Lessor without thirty (30) days written notice by registered mail to Lessor by the insurance company; and (b) Tenant shall be solely responsible for payment of premiums; and (c) the parties to this Lease shall each procure an appropriate clause in, or an endorsement on, any policy of fire or extended coverage insurance covering the Demised Premises, and the personal property, fixtures, equipment and leasehold improvements located in or on the Demised Premises, pursuant to which the insurance companies waive subrogation or consent to a waiver of right of recovery, and having obtained such clauses or endorsements of waiver of subrogation or consent to a waiver of right of recovery, each party hereby agrees that it shall not make any claim against or seek to recover from the other, its employees, agents or representatives, for any loss or damage to its property, or the property of the other, resulting from fire or other hazards covered by such fire and extended coverage insurance; provided, however, that the release, discharge, exonerations, and covenants not to sue herein contained shall be limited by the terms and provisions of the waiver of subrogation clauses or endorsements consenting to a waiver of right of recovery, and shall be coextensive therewith. The original policy of all such insurance shall be delivered to Lessor by the insurance company. The minimum limits of any insurance coverage required herein shall not limit Tenant's liability.

19. INSURANCE RATE INCREASE: Tenant shall not stock, use or sell any article or do anything in or about the Demised Premises which may be prohibited by Tenant's insurance policies or any endorsements or forms attached thereto, or which will increase any insurance rates and premiums on the Demised Premises. Tenant shall pay on demand any increase in premiums for Lessor's insurance that may be charged on such insurance carried by Lessor resulting from Tenant's use and occupancy of the Demised Premises.

20. DAMAGE OR DESTRUCTION: If the Demised Premises shall be partially destroyed by any casualty insured under any policy maintained pursuant to Paragraph 17 hereof or under any other policy, the proceeds of which are payable to Lessor, Lessor shall upon the receipt of such insurance proceeds repair the Demised Premises. If the Demised Premises are (a) destroyed and rendered wholly untenable, or (b) destroyed in whole or in part by any casualty or other occurrence not covered by insurance payable to Lessor, or (c) the Building is damaged, whether or not the Demised Premises are damaged, to the extent of ten percent (10%) or more of the then monetary value thereof, then, in any of such events, Lessor may elect to repair the damage or replace the destroyed property, or may terminate this Lease by notice of termination within sixty (60) days after such event, whether election to repair or replace damaged property is exercised or not. Upon the completion of any such work of repair or restoration by Lessor, Tenant shall forthwith repair and restore all other parts of the Demised Premises including without limitation, non-building standard leasehold improvements and all trade fixtures, equipment, furnishings, signs and other improvements originally installed by Tenant

21. DEFAULT: If Tenant fails to pay any rental or other payment due hereunder, or if Tenant fails to perform or observe any other of the terms of this Lease to be performed or observed by Tenant, within seven (7) days of the receipt of written notice, this Lease may be terminated. On such termination, Lessor may recover from Tenant: (a) the worth at the time of award of the unpaid rent which had been earned at the time of termination; (b) the worth at the time of award of the amount by which the unpaid rent which would have been earned after termination until the time of award exceeds the amount of such rental loss that Tenant proves could have been reasonably avoided; (c) the worth at the time of award of the amount by which the unpaid rent for the balance of the term after the time of award exceeds the amount of such rental loss for such period that Tenant proves could be reasonably avoided; and (d) any other amount necessary to compensate Lessor for all the detriment proximately caused by Tenant's failure to perform its obligations under this Lease, or which in the ordinary course of things would be likely to result therefrom.

A) Measure of Damages: The "worth at the time of award" of the amounts referred to in subparagraph (a) and (b) of this Paragraph 20 is computed by allowing interest at the legal rate. The worth at the time of award of the amount referred to in subparagraph (c) of this Paragraph 19 is computed by discounting such amount at the discount rate of the Federal Reserve Bank of San Francisco at the time of award plus one percent (1%).

B) Incidental Rights: Efforts by Lessor to mitigate the damages caused by Tenant's breach of this Lease do not waive Lessor's right to recover damages under this Paragraph 21. Nothing in this Paragraph 21 affects the right of Lessor to indemnification for liability arising prior to the termination of this Lease for personal injuries or property damages as provided by Paragraph 17 of this Lease.

C) Breach Without Termination: Even though Tenant has breached this Lease and abandoned the Demised Premises, this Lease continues in effect for so long as Lessor does not terminate Tenant's right to possession; and Lessor may enforce all its rights and remedies under this Lease, including the right to recover the rent as it becomes due under this Lease.

D) Non-Terminating Actions: For the purpose of this Paragraph 21, the following do not constitute termination of Tenant's right to possession: (a) acts of maintenance or preservation by Lessor or efforts to relet the Demised Premises by Lessor; or (b) the appointment of a receiver or initiative for Lessor to protect its interest under this Lease. In the event that Lessor does exercise its right of re-entry in the case of a breach of lease, Lessor shall have the right to remove all persons and property from the Demised Premises; such property may be removed and stored in a public warehouse or elsewhere at the cost and for the account of Tenant. In the event that Lessor does not terminate this Lease upon a breach by Tenant, Lessor shall have the right to relet the Demised Premises or any part thereof for such term or terms (which may be for a term extending beyond the term of this Lease) and at such rental or rentals and upon such other terms and conditions as Lessor may deem advisable with the right to make alterations and repairs, and Lessor and Tenant agree that the cost of said alterations and repairs

shall be borne by Tenant as consequential damages proximately caused Lessor along with costs of reletting the Demised incurred by Lessor. In case suit shall be brought for an unlawful detainer of the Demised Premises for recovery of any rent due under the provisions of this Lease or because of the breach of any other covenant herein contained, on the part of Tenant to be kept or performed, Tenant shall pay to Lessor a reasonable attorney's fee which shall be fixed by the court. (In determining the rent which would be payable by Tenant, subsequent to default for the purposes of this Paragraph 21, the annual rent for each year of the unexpired term shall be equal to the average annual minimum and percentage rents paid by Tenant from the commencement of the term to the time of default, or during the proceeding two (2) full calendar years, whichever period is shorter.)

22. SUBORDINATION: Upon request of the Lessor, Tenant agrees that it will subordinate its rights hereunder to the lien of any mortgage, ground lease or any other method of financing or refinancing now or hereafter placed against the land and/or the Demised Premises and/or to any and all advances made or to be made thereunder and to the interest thereon and to all renewals, replacements, consolidations and extensions thereof. This paragraph shall be self-operative and no further instrument of subordination shall be required, unless requested by Lessor on behalf of any such mortgagee or ground Lessor.

23. END OF TERM: At the expiration of this Lease, unless sooner terminated as hereinafter provided, Tenant shall surrender the Demised Premises in the same condition as it was in upon delivery of possession thereto with the restaurant equipment and fixtures, as described on Exhibit "A", reasonable wear and tear expected, and shall deliver all keys and combinations to Lessor. Before surrendering the Demised Premises, Tenant shall remove all its personal property, professionally clean the Demised Premises, and shall repair any damage caused thereby. Tenant's obligations to perform this provision shall survive the end of the term of this Lease. If Tenant fails to remove its property upon the expiration or surrender of this Lease, the said property shall be deemed abandoned and shall become the property of Lessor at Lessor's election.

24. NO WAIVER: Failure of Lessor to insist upon the strict performance of any provisions or to exercise any option or any rules and regulations shall not be construed as a waiver for the future of any such provision, rule or option. The receipt by Lessor of rent with knowledge of the breach of any provision of this Lease shall not be deemed a waiver of such breach. No provision of this Lease shall be deemed to have been waived unless such waiver be in writing signed by Lessor. No payment by Tenant or receipt by Lessor of a lesser amount than the monthly rent shall be deemed to be other than on account of the earliest rent then unpaid nor shall any endorsement or statement on any check or any letter accompanying any check or payment as rent be deemed an accord and satisfaction and Lessor may accept such check or payment without prejudice to Lessor's right to recover the balance of such rent or pursue any other remedy in this Lease provided.

25. PARTIAL INVALIDITY: If any provision of this Lease or application thereof to any person or circumstance shall to any extent be invalid, the remainder of this Lease or the

application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby and each provision of this Lease shall be valid and enforced to the fullest extent permitted by law.

26. BROKER'S COMMISSIONS: Lessor is not responsible to pay any brokerage commission or finders fee for the lease of the Demised Premises. Tenant represents and warrants that Tenant is not responsible for any claims for brokerage commissions or finder's fees in connection with the execution of this Lease, and agrees to indemnify Lessor against and hold it harmless from all liabilities arising from any such claim, including costs of attorneys fees.

27. ENTIRE AGREEMENT, ETC.: This Lease and the Exhibits and Riders, if any attached, set forth the entire agreement between the parties. Any prior conversations or writings are merged herein and extinguished. No subsequent amendment to this Lease shall be binding upon Lessor or Tenant unless reduced to writing and signed. Submission of this Lease for examination does not constitute an option for the Demised Premises and becomes effective as a lease only upon execution and delivery thereof by Lessor to Tenant. If any provision contained in a rider is inconsistent with the printed provision of this Lease, the provision contained in said rider shall supersede said printed provision. The captions, numbers and index appearing herein are inserted only as a matter of convenience and are not intended to define, limit, construe or describe the scope or intent of any paragraph, nor in any way affect this Lease.

28. RULES AND REGULATIONS: Tenant agrees as follows: (a) garbage and refuse shall be kept in the kind of container specified by Lessor and shall be placed at the location designated by Lessor, for collection at the times specified by Lessor; and (b) Lessor may reasonably amend or add new rules and regulations for the use and care of the Demised Premises.

29. LATE CHARGE: In the event that Tenant shall fail to pay any rent or fee or charge or assessment of any description due hereunder within seven (7) days from the date such rent or fee becomes payable, Lessor shall have, in addition to any other rights hereunder, the right to recover from Tenant and Tenant agrees to pay, additional rent for the period for which such rent or fee is due in the sum of Four Hundred Fifty Dollars (\$400.00), plus one and one-half percent (1.5%) per month, or portion thereof, finance charge on the outstanding balance which Tenant continues to fail to pay upon notice that said sum or sums is due. Tenant agrees that this late charge on rent not paid when due is not a penalty, but represents a fair and reasonable estimate of the costs that Lessor will incur by reason of the late payment by Tenant. This provision shall apply until the Lessor shall exercise its alternative rights under Paragraph 21.

30. CONSUMER PRICE INDEX CLAUSE: The minimum rental during the term of this Lease shall be the sum stated in Paragraph 3 for each and every year of the said lease term; provided, however, that if the Consumer Price Index (all items) using the 1984=100 Base, for All Urban Consumers (hereinafter called price index), shall at the end of each twelve (12) months of this Lease, be greater than the price index of this Lease, the minimum yearly rent shall be increased from the above-stated minimum yearly rent to an amount which shall be equal to the

above amount multiplied by a fraction, the numerator of which is the price index on such anniversary date and the denominator of which is said price index at the effective date of this Lease. (For the purpose of this paragraph, the price index shall be deemed the percentage of base indicated by the Consumer Price Index tables maintained and published by the U.S. Department of Labor or if at any pertinent time the said Department of Labor shall not be maintaining such tables, specifically the percentage of base so indicated by the U.S. Government tables then most nearly corresponding thereto) except that if at any pertinent time a base period different from the base period in use at the effective date of this Lease shall be used in the computation of such tables, adjustment shall be made to the related index to the base period in use at the effective date of this Lease.

31. RIGHT OF INSPECTION: Upon ten (10) days written notice, Tenant shall have the right to inspect and review tax assessments and insurance invoices in connection with the Demised Premises.

32. TERMINATION AND HOLDOVER: After the termination of the rental period as set forth herein, or any extension thereof, either party may terminate this Lease thirty (30) days after the delivery of the notice of the intention to terminate to the other party. Should Tenant holdover with the approval of the Lessor the Demised Premises or any part thereof after the term of this Lease unless otherwise agreed in writing, such holdover shall constitute a tenancy from month to month under the same terms and conditions as herein set forth and as were in effect at the point immediately prior to the termination of the rental period.

33. TIME: Time is of the essence of this Lease and every term, covenant, and condition herein contained.

34. BINDING EFFECT: This Lease shall inure to the benefit of, and be binding upon, the parties hereto and its permitted successors in interest and assigns.

35. ESTOPPEL DECLARATION: Tenant shall, upon request by Lessor, execute and deliver to Lessor a written declaration in recordable form:

- A) ratifying this Lease;
- B) expressing the commencement and termination dates thereof;
- C) certifying that this Lease is in full force and effect and has not been assigned, modified, supplemented or amended (except by such writings as shall be stated);
- D) that all conditions under this Lease to be performed by Lessor have been satisfied;
- E) that there are no defenses or offsets against the enforcement of this Lease by the Lessor, or stating those claimed by Tenant;

- Tenant;
- F) the amount of advance rental, if any, (or none if such is the case) paid by
 - G) the date to which rental has been paid; and
 - H) the amount of security deposited with Lessor.

Such declaration shall be executed and delivered by Tenant from time to time as may be requested by Lessor. Lessor's mortgage lenders and/or purchasers shall be entitled to rely upon the same.

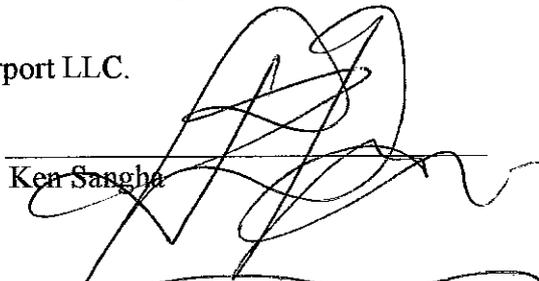
IN WITNESS WHEREOF, the parties have respectively signed and sealed this Lease.

LESSOR:

Airport LLC.

By

Ken Sangha



DATE

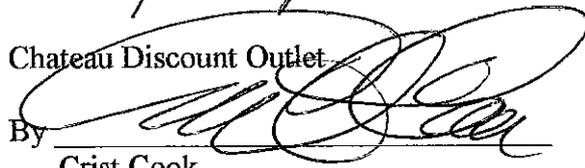
9/19/13

TENANT:

Chateau Discount Outlet

By

Crist Cook



DATE

9/19/13

DATE

GUARANTY

Christ Cook jointly and severally, unconditionally and unequivocally guarantees and promise to and for the benefit of Lessor that Tenant shall promptly perform its obligations under the foregoing Lease Agreement.



9/19/13
Date

Date

F:\WPDATA\ARK\491 Leadville\lease sangha.DOC

LEGAL NOTICES

c/o LAWSON LASKI CLARK & POGUE, PLLC
675 Sun Valley Road, Suite A
P.O. Box 3310 Ketchum, Idaho 83340

Dated this 14th of January, 2014.

LAWSON LASKI CLARK & POGUE, PLLC

/s/ Kirstin K. Dutcher
Attorneys for Linda Staum, Personal Representatives

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5, 2014

ADVERTISEMENT FOR BIDS

Sealed BIDS for the construction of the City of Bellevue 2013 WATER MAIN REPLACEMENT PROJECT addressed to: The City of Bellevue and will be received at offices of Galena Engineering Inc., 317 North River Street, Hailey, Idaho 83333 until 2:00 PM, Local Time, on Tuesday, the 11th day of February 2014, and then at said office publicly opened and read aloud.

The CONTRACT DOCUMENTS may be examined at Galena Engineering, Inc., 317 North River Street, Hailey, Idaho 83333.

Copies of the CONTRACT DOCUMENTS may be obtained upon payment of \$100 for each set. Include an additional \$10.00 for each set of documents requested to be mailed. Payment is nonrefundable.

The proposed project consists of furnishing and installation of approximately 7870 linear feet of 8 inch water main, 119 services, fittings, valves, fire hydrants, and other miscellaneous appurtenances along alleys and streets in Bellevue Idaho. The proposed project also includes abandoning existing 4" water mains, services and fire hydrants.

A pre-bid conference has been scheduled for February 4, 2014 at 10:00 a.m. at Bellevue City Hall, 115 East Pine Street. Plan holders are encouraged to attend.

A Public Works Contractors License for the State of Idaho must be in effect prior to the award of the contract.

A BID bond of 5% shall accompany each BID.

BIDDERS will submit a list of all subcontractors with their BID.

The City of Bellevue reserves the right to waive any informalities or to reject any and all bids.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22 & 29, 2014

CITY OF BELLEVUE, IDAHO
ORD. NO. 2014-03

AN ORDINANCE OF THE CITY OF BELLEVUE, IDAHO PROVIDING FOR AN EXTENSION OF A PHASE ONE PAYMENT DESCRIBED IN ORDINANCE 2009-04, SECTION 4.8.1, EXHIBIT "1"; PROVIDING FOR THE FILING AND RECORDATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF BELLEVUE, IDAHO:

SECTION 1. Per Ordinance 2009-04, the City of Bellevue (Bellevue) and Strahorn Partners, LLC, (Owner) an Oregon Limited Liability Company entered into an annexation agreement on January 22, 2009 which provided for certain commitments to be complied with.

SECTION 2. Per Ordinance 2009-04, Exhibit "1", pages 1-12 attached hereto as Exhibit "A", Strahorn Partners LLC has complied with all applicable required commitments as of January 7, 2014 which are:

1. Owner conveyed to Bellevue in fee simple title the East Parcel containing 61 acres with a capped domestic well onsite described in Exhibit C-1 of the recorded Annexation Agreement;
2. Owner resolved all mining clean-up issues with BLM and DEQ of an abandoned mine site which was not on the subject annexed properties, but tailings had been released on the subject annexed properties. BLM has gated, the mining hole and ground tests on the subject annexed properties showed no hazardous materials found;
3. Owner acquired at Bellevue's request and then conveyed to Bellevue in fee simple title the devel-

oped residential parcel containing approximately 6 acres described as the "710 Cedar Street Lot" which Bellevue exchanged in 2011 for the new fire station located at 517 N. 2nd Street. This was a required capital improvement in the Rinker, Scherer, Strahorn capital improvement plan, at a cost of over \$2,000,000;

4. Owner assisted in the Chestnut well rehabilitation project by involving his engineer, Dick Fosbury from Galena Engineering. Action taken per engineer's recommendation were diffusing a lodged rock in the well pipe in conjunction with recharging/building of the well base volume to 1,000 gallons and associated upgrades made to the well pumping equipment. The completed costs were less than \$60,000.00 in comparison to the \$1,200,000.00 bid previously accepted to build a new well;

5. Owner assisted Bellevue by including Bellevue's 61 acre parcel with their ongoing engineered FEMA application, to determine the FEMA zone designation of the Bellevue parcel and Strahorn parcel; and

6. Owner has processed the required Large Block Plat which was approved by the Bellevue Council in 2012.

SECTION 3. Per Ordinance 2009-04, Exhibit "1" Section 4.8 states "Owner may request from Bellevue reasonable extensions for good cause shown to any Development phasing schedule, which requests shall not be unreasonably denied by Bellevue; provided, the cash payments identified shall nevertheless be payable in five (5) year increments from the date of the Agreement as more particularly described below".

SECTION 4. Per Ordinance 2009-04, Exhibit "1" Section 4.8.1 states "The Phase One payment of \$500,000 adjusted in accordance with Paragraph 4.7 shall be due prior to the recordation of the Phase One Plat or within five (5) years of the date of this Agreement, whichever occurs first" (date of original agreement 1-22-2009).

SECTION 5. Strahorn Partners LLC, per Exhibit "B" has requested that the Phase One payment be extended to December 16, 2016 or prior to the recordation of the Phase One Plat. Extension request is due to the ongoing recession, delaying the completion of Phase One Plat and the current status of the United States District Court for the District of Idaho, currently considering the City of Hailey appeal of the (old Cutters Action-USDC Case No. 1:13-cv-00057-EJL) regarding unenforceable annexation fees not equitably allocated to the actual costs caused by the subject annexation.

SECTION 6. Bellevue has determined that all required commitments including all land conveyances, land applications, professional engineering assistance, and large block plat completion have been complied with and that there are no outstanding issues including financial payments. Subject property is undeveloped today therefore there are no impacts on the city as of the date of this Ordinance.

SECTION 7. Due to an unforeseen economic recession delaying Phase I Plat and no impacts created by the development, it is in the best interests of Bellevue and Strahorn Partners, LLC, that Bellevue extend the Phase One payment of \$500,000 in accordance with Paragraph 4.7 to be due on December 16, 2016 or prior to the recordation of the Phase One Plat.

SECTION 8. If any section or portion of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF BELLEVUE, IDAHO this ____ day of January, 2014.

s/s Christopher Koch, Mayor
ATTEST:
s/s Dorothy Barton,
City Clerk

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

LEGAL NOTICE
BLAINE COUNTY BOARD OF COUNTY COMMISSIONERS
FEBRUARY 11, 2014

On **Tuesday, February 11, 2014**, the **Blaine County Board of County Commissioners** will hold a public hearing beginning at 1:30 p.m. upstairs in the main meeting room in the Old County Courthouse located at 206 First Ave. So., in Hailey. Items on their agenda include the following:

1:30 p.m. Woodward Plat Amendment: Public hearing on and consideration of a Plat Amendment application by David and Sarah Woodward to amend Lot 5A, Huffman-Bender-Cox Subdivision by modifying the platted building envelope. The applicants are seeking to reconfigure the building envelope to allow for a remodel of the residence; the overall size of the envelope will not change as a result of this application. The property is zoned R-1 with areas of floodplain and riparian overlay and is located within Sections 31 & 32, T4N, R18E, BM, Blaine County.

2:00 p.m. ARCH Community Housing Trust Pre-Determination: Public hearing and consideration of an application by ARCH Community Housing Trust for pre-determination of a modification to the Highway 75 setback, pursuant to Title 9, Section 9-35-4 (D), for a Community Housing - Planned Unit Development consisting of 26 multi-family units. The request is to allow the encroachment of 29 feet of roadway within the 100-foot setback. The project is proposed south of Broadway Run, between the existing Meadows RV Park and Highway 75. The property is zoned Medium Density Residential District (R-4), with Community Housing Overlay District (CHOD)/Community Housing-South (CH-S) sub-district, and is located within Section 31, T4N, R18E, BM, Blaine County.

The materials associated with these applications are available for review at the Land Use Office in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey during regular business hours and on the Blaine County web page at www.blainecounty.org. To receive adequate consideration, written comment in excess of one page should be forwarded to the Blaine County Land Use Office at least 4 days prior to public hearing by mail, e-mail, pzcounter@co.blaine.id.us, or by fax to (208)788-5576. Written comments will not be read into the record but will be distributed to the Board for consideration and made part of the public record.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

IN THE MATTER OF
McKENZIE MARIE GARDIPE
A minor child,
Petitioner.

Case No. CV-14-21
NOTICE OF HEARING ON
PETITION FOR
CHANGE OF NAME

A Petition by McKenzie Marie Gardipe, now residing in the City of Hailey, State of Idaho, proposing a change of name to MCKENZIE MARIE GARRISON, has been filed in the above-entitled court; the reason for the change of name being that it is her mother's name.

Such petition will be heard before the above-entitled court on the 25th day of February, 2014 at the hour of 4:00 p.m. or as soon thereafter as can be heard. Objections may be filed by any person who can show to the court a good reason against such change of name.
Dated this 15th day of January, 2014.

Haemmerle & Haemmerle, PLLC
/s/ Jennifer L. K. Haemmerle
Attorney for Petitioner

Witness my hand and seal of said District Court this 15th day of January, 2014.

CLERK OF THE COURT
By /s/ Deputy Clerk

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5 & 12, 2014

SUN VALLEY
AIR SERVICE BOARD
JANUARY 23, 2014
2-4 PM

HAILEY CITY HALL
115 MAIN STREET SOUTH, HAILEY
IDAHO

1. Welcome and Introductions 2:00
2. Purpose of Air Service Board 2:05
(Tab 1)
3. Review of Draft Bylaws and Election of Officers 2:20
(Tab 2)
4. Review of 2014 Revenue Projections and Draft Budget 2:50
(Tab 3)
5. Administrative Discussion/Action (Meeting Schedule, Staff Roles, Budget, Website, Insurance) 3:05
(Tab 4)
6. BREAK 3:25
7. Presentations by Air Service and Marketing Organizations (Power Points: 15 minutes each FSVA and SVMA) 3:30
8. Adjourn 4:00

Note: Binders also include the Joint Powers Agreement, Ballot language and other background materials.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

IN THE MATTER OF THE ESTATE OF
GUY C. HANSEN,
Deceased.

Case No. CV-2014
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated below, or filed with the Clerk of the Court.

Dated this 14th day of January, 2014.

/s/ Steven Macdonald
PO Box 5372
Ketchum, ID 83340

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5, 2014

SUMMARY FOR PUBLICATION OF CITY OF SUN VALLEY ORDINANCE NO. 466

Pursuant to Idaho Code Section 50-901A, the City of Sun Valley, Idaho summarizes City of Sun Valley Ordinance No. 466, enacted on January 9, 2014, as follows:

1. The name of the City is the City of Sun Valley, Idaho
2. Formal Identification of Ordinance: City of Sun Valley Ordinance No. 466.
3. Descriptive Title: AN ORDINANCE OF THE CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO, AMENDING THE SUN VALLEY CITY CODE TO MODIFY, CORRECT AND FURTHER CLARIFY EXISTING CODE TEXT AND ORDINANCE TEXT BY REVISING THE INDIVIDUAL SECTIONS LISTED IN THE TITLE TABLE BELOW; BY PROVIDING FOR A SAVINGS AND SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING AN EFFECTIVE DATE.
3. Summary of ordinance: This ordinance is a "cleanup" ordinance updating and clarifying misdemeanor penalties in various sections of the Sun Valley Code, and updating the reference to the City's Depository.
4. Summary of Principal Provisions of Ordinance No. 466:
 - a. Every instance of misdemeanor penalty in the Sun Valley Code is corrected to refer to the General Penalty as defined in Sun Valley Code section 1-3-2;
 - b. The City's Depository bank is updated.
 - c. Effective Date: January 15th, 2014
5. The full text of City of Sun Valley

Ordinance No. 466 is available at Sun Valley City Hall, 81 Elkhorn Road, Sun Valley, Idaho 83353.

City Attorney Statement Pursuant to Idaho Code Section 50-901A(3)

I, Adam B. King, duly appointed City Attorney for the City of Sun Valley, Idaho, certify that the above summary is true and complete and provides adequate notice to the public.

Dated: 1/8/2014

/s/ Adam B. King

City Attorney for Sun Valley, Idaho

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

LEGAL NOTICE OF ADVERTISEMENT FOR SALE AT PUBLIC AUCTION

The public is notified that a sale of certain personal property shall occur as provided pursuant to Idaho Code Section 55-2306(3) to satisfy a lien claim based on an obligation owed by TROY ENGLAND whose last known address is PO BOX 4774, HAILEY, ID 83333.

The sale shall occur at 10:00 o'clock a.m. on the 25th day of JANUARY, 2014, at Valley Self Store, 1041 Airport Way, Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects.

DATED this 1st day of JANUARY, 2014.

VALLEY SELF STORE

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

LEGAL NOTICE OF ADVERTISEMENT FOR SALE AT PUBLIC AUCTION

The public is notified that a sale of certain personal property shall occur as provided pursuant to Idaho Code Section 55-2306(3) to satisfy a lien claim based on an obligation owed by BREANNA GLAHN whose last known address is PO BOX 171, BELLEVUE, ID 83313.

The sale shall occur at 10:00 o'clock a.m. on the 25th day of JANUARY, 2014, at Valley Self Store, 1041 Airport Way, Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects.

DATED this 1st day of JANUARY, 2014.

VALLEY SELF STORE

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

HAILEY PLANNING AND ZONING COMMISSION
Monday, February 10th, 2014

Public Notice is hereby given that the Hailey Planning and Zoning Commission will hold a Public Meeting at **5:30 p.m.** on **Monday, February 10th, 2014**, to be held in the upstairs meeting room of Hailey City Hall and will hold Public Hearings on the following items.

- Consideration of a Conditional Use Permit request from Chateau Discount Outlet, represented by Ken Sangha, for operating a Wholesale Distributor on Friedman Park Subdivision, Lot 11A, Block 2 (otherwise known as 960 South Main Street) which is located in the Limited Business (LB) Zone.

- Consideration of a City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by amending Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

Any and all interested persons are invited to attend this public hearing or submit written comments to the Community Development Department at 115 South Main Street, Hailey, Idaho,

LEGAL NOTICES

83333 or planning@haileycityhall.org. Supporting documents for this item(s) can be viewed on the City of Hailey's website as of the date of this publication; go to www.haileycityhall.org, under Meeting, click on the Planning and Zoning Commission and select the link for the most current Planning and Zoning agenda. The staff report will be posted in this same location on the Friday before the meeting. If documents are not posted please call 208-788-9815 to have documents emailed or visit the front counter at city hall.

For further information regarding this notice, or for special accommodations to participate in the noticed meeting, please contact planning@haileycityhall.org or (208) 788-9815.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

NOTICES OF TRUSTEE'S SALES

NOTICE OF TRUSTEE'S SALE

NOTICE OF TRUSTEE'S SALE T.S. No. P1379040-ID Parcel No. RPH04750580080 On 4/29/2014, at 10:30 AM (recognized local time). On the front steps of the west side of the Old Courthouse Building, 206 1st Avenue South, Hailey, ID 83333, in the County of Blaine, ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, as trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows, to wit: LOT 8 IN BLOCK 58 OF WOODSIDE SUBDIVISION FINAL PLAT NO. 13, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 152508, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code Section 60-113, the Trustee has been informed that the address of: 2951 BUTTERFLY DRIVE, HAILEY, ID 83333, is commonly associated with said real property. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by KENNETH S. MILLER AND MIRIAM LOUISE MILLER HUSBAND AND WIFE, as Grantors, to FIRST AMERICAN TITLE COMPANY, as Trustee, for the benefit and security of BENEFICIAL MORTGAGE CO. OF IDAHO, as Beneficiary, dated 1/10/2007, recorded 1/12/2007, as Instrument No. 543823, official records of Blaine County, Idaho. Please note: The above named Grantors are named to comply with Idaho Code Section 45-1506(4) (a); no representation is made that they are, or are not, presently responsible for the obligation. The default for which this sale is to be made is the failure to make monthly payments when due from 5/15/2012 and all subsequent monthly payments thereafter, including installments of principal, interest, impounds, advances, plus any charges lawfully due under the note secured by the aforementioned Deed of Trust, Deed of Trust and as allowed under Idaho Law. The sum owing on the obligation secured by said Deed of Trust is \$259,838.20, including interest costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the Note, Deed of Trust or as allowed under Idaho Law. All delinquent amounts are now due, together with accruing late charges, interest, unpaid and accruing taxes, assessments, trustee's fees, attorney fees and any amounts advanced to protect the security associated with the Deed of Trust described herein as provided under the Note, Deed of Trust and as allowed under Idaho Law. ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, DATED: 12/18/13 Signature/By: Elisa Magnuson, Esq., A-4434921

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 18, 2013 File No.: 7021.17895 Sale date and time (local time): April 18, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 300 S 4th St Bellevue, ID 83313-5099 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: LaShell L Bennett, a Married Woman as her sole and separate property Original trustee: Fidelity National Title Insurance Co. Original beneficiary: Mortgage Electronic Registration Systems, Inc. solely as nominee for Countrywide Bank, N.A., its successors and assigns Recording date: 11/30/2006 Recorder's instrument number: 542315 County: BLAINE Sum owing on the obligation: as of December 18, 2013: \$357,893.57 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lots 7 and 8 in Block 28 of THE CITY OF BELLEVUE, according to the official plat thereof, on file in the office of the County Recorder, Blaine County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17895) 1002.261884-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 16, 2013 File No.: 7037.101759 Sale date and time (local time): April 22, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 206 & 206 1/2 Big Wells Road Sun Valley, ID 83353 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Michael Douglas Daugherty and, Cindy Cook Daugherty, Trustees of the Michael and Cynthia Daugherty Trust dated April 6, 2000, amended December 30, 2002. Original trustee: Sun Valley Title Company Original beneficiary: Washington Mutual Bank, FA Recording date: 06/05/2006 Recorder's instrument number: 536067 County: Blaine Sum owing on the obligation: as of December 16, 2013: \$3,306,083.67 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lots 4 & 5 of Prospector Wells Subdivision, Blaine County, Idaho, according to the Official Plat thereof, recorded February 18, 1970, as Instrument No. 135063, records of Blaine County, Idaho. More accurately described as: Lots 4 & 5 of Prospector Wells Subdivision, according to the Official Plat thereof, recorded in Book 5 of Plats, Page 1, records of Blaine County, Idaho. The sale is subject to conditions, rules and procedures

as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7037.101759) 1002.247711-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 12, 2013 File No.: 7021.17889 Sale date and time (local time): April 14, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 304 William Street aka 304 Williams Street Ketchum, ID 83340 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Lindsey A. Woodcock and Kirsten H. Woodcock Original trustee: First American Title Company of Idaho, Inc. Original beneficiary: Bank of America, N.A. Recording date: 06/08/2005 Recorder's instrument number: 521248 County: BLAINE Sum owing on the obligation: as of December 12, 2013: \$638,565.33 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Township 4 North, Range 17 East, Section 13, Boise Meridian, Blaine County, Idaho. Section 13: A portion of Lot 3. Beginning at the NW corner of Lot 4; thence North 90 degrees 12' West 16.7 feet; thence North 0 degrees 14' West 371.2 feet to the TRUE POINT OF BEGINNING; thence North 0 degrees 14' West 54 feet; thence North 89 degrees 18' West 152.7 feet; thence South 0 degrees 14' East 54 feet; thence South 89 degrees 18' East 152.7 feet to the PLACE OF BEGINNING. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17889) 1002.261619-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 26, 2013 File No.: 7021.17929 Sale date and time (local time): April 28, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 540 Eureka Drive Hailey, ID 83333 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Nick W Boyett, and Kimberlee Boyett, husband and wife Original trustee: Fidelity National Title Insurance Company Original beneficiary: Mortgage Electronic Registration Systems, Inc. solely as nominee for America's Wholesale Lender, its successors and assigns Recording date: 12/29/2003 Recorder's instrument number: 497239 County: BLAINE Sum owing on the obligation: as of December 26, 2013: \$218,530.35 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at

public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lot 16, Block 2 of HIAWATHA ESTATES NO. 2, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, recorded May 30, 1979, as Instrument No. 193772, records of Blaine County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17929) 1002.262251-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 15, 22, 29 & Feb. 5, 2014

NOTICE OF TRUSTEE'S SALE

T.S. No. 003710-ID Parcel No. RPH0000061005B On 5/15/2014, at 10:30 AM (recognized local time). On the front steps of the west side of the Old Courthouse Building, 206 1st Avenue South, Hailey, ID 83333, in the County of Blaine, ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, as trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows, to wit: SOUTH 1/2 OF LOT 5, ALL OF LOTS 6 AND 7, NORTH 1/2 OF LOT 8 IN BLOCK 61 OF THE CITY OF HAILEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE COUNTY RECORDER, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code Section 60-113, the Trustee has been informed that the address of: 525 N 4th Avenue, Hailey, ID 83333, is commonly associated with said real property. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by CRISTIANN BECK, A SINGLE WOMAN as Grantor, to AMERITITLE, AN OREGON CORPORATION as Trustee, for the benefit and security of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS") AS NOMINEE FOR FIRST BANK OF IDAHO, FSB, ITS SUCCESSORS AND ASSIGNS as Beneficiary, dated 4/22/2005, recorded 4/27/2005, as Instrument No. 519293, official records of Blaine County, Idaho. Please note: The above named Grantors are named to comply with Idaho Code Section 45-1506(4) (a); no representation is made that they are, or are not, presently responsible for the obligation. The default for which this sale is to be made is the failure to make monthly payments when due from 3/1/2010 and all subsequent monthly payments thereafter, including installments of principal, interest, impounds, advances, plus any charges lawfully due under the note secured by the aforementioned Deed of Trust, Deed of Trust and as allowed under Idaho Law. The sum owing on the obligation secured by said Deed of Trust is \$261,887.30, including interest, costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the Note, Deed of Trust or as allowed under Idaho Law. All delinquent amounts are now due, together with accruing late charges, interest, unpaid and accruing taxes, assessments, trustee's fees, attorney fees and any amounts advanced to protect the security associated with the Deed of Trust described herein as provided under the Note, Deed of Trust and as allowed under Idaho Law. ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, DATED: 1/7/14 Signature/By: Elisa Magnuson, Esq., A-4437525

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5 & 12, 2014

NOTICE OF TRUSTEE'S SALE

Loan No. xxxxxx7852 T.S. No. 1379239-20 Parcel No. rpk086000600d0 **NOTICE OF TRUSTEE'S SALE ON May 21, 2014**, at the hour of 10:30am, of said day, at On the front steps of the west side of the old courthouse, Bldg, 206 1st Avenue South, Hailey, Idaho, Pioneer Title Company of Ada County, as trustee, will sell at public auction, to the highest bidder, for cash, cashier's check drawn on a State or National Bank, a check drawn by a State or Federal Credit Union, or a check drawn by a State or Federal Savings and Loan Association, Savings Association, or Savings Bank, all payable at the time of sale, the following described real property, situated in the County of Blaine, state of Idaho, and described as follows, to wit: **Condominium unit d in building 6 as shown on the condominium map for parkside village, recorded as instrument no. 194672, and as defined and described in the condominium declaration for parkside village recorded as instrument no. 194673 and first amendment recorded as instrument no. 362833 and second amendment recorded as instrument nos. 387046 and 411563 and third amendment recorded as instrument no. 565641, records of Blaine county, idaho.** Commonly known as 218 Pinewood Lane #d6 Ketchum Id 83340. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by Jay Richard Emmer, An Unmarried Man as Grantor, to Sun Valley Title, as Trustee, for the benefit and security of Mortgage Electronic Registration Systems, Inc., As Nominee For Taylor, Bean & Whitaker Mortgage Corp, Its Successors and Assigns as Beneficiary, recorded January 11, 2008, as Instrument No. 554756, Mortgage records of Blaine County, Idaho. THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(a), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION. The default for which this sale is to be made is: Failure to pay the monthly payment due August 1, 2012 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. The estimated balance owing as of this date on the obligation secured by said deed of trust is \$271,944.06, including interest, costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the promissory note secured by the aforementioned Deed of Trust. Pioneer Title Company of Ada County 8151 W. Rifleman Street Boise Id 83704 (888)342-2510 Dated: January 14, 2014 Signature/By Pioneer Title Company of Ada County Dba Pioneer Lender Trustee Services. DLPP-435914

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5 & 12, 2014



LEGAL NOTICES

83333 or planning@haileycityhall.org. Supporting documents for this item(s) can be viewed on the City of Hailey's website as of the date of this publication; go to www.haileycityhall.org, under Meeting, click on the Planning and Zoning Commission and select the link for the most current Planning and Zoning agenda. The staff report will be posted in this same location on the Friday before the meeting. If documents are not posted please call 208-788-9815 to have documents emailed or visit the front counter at city hall.

For further information regarding this notice, or for special accommodations to participate in the noticed meeting, please contact planning@haileycityhall.org or (208) 788-9815.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

NOTICES OF TRUSTEE'S SALES

NOTICE OF TRUSTEE'S SALE

NOTICE OF TRUSTEE'S SALE T.S. No. P1379040-ID Parcel No. RPH04750580080 On 4/29/2014, at 10:30 AM (recognized local time). On the front steps of the west side of the Old Courthouse Building, 206 1st Avenue South, Hailey, ID 83333, in the County of Blaine, ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, as trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows, to wit: LOT 8 IN BLOCK 58 OF WOODSIDE SUBDIVISION FINAL PLAT NO. 13, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 152508, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code Section 60-113, the Trustee has been informed that the address of: 2951 BUTTERFLY DRIVE, HAILEY, ID 83333, is commonly associated with said real property. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by KENNETH S. MILLER AND MIRIAM LOUISE MILLER HUSBAND AND WIFE, as Grantors, to FIRST AMERICAN TITLE COMPANY, as Trustee, for the benefit and security of BENEFICIAL MORTGAGE CO. OF IDAHO, as Beneficiary, dated 1/10/2007, recorded 1/12/2007, as Instrument No. 543823, official records of Blaine County, Idaho. Please note: The above named Grantors are named to comply with Idaho Code Section 45-1506(4) (a); no representation is made that they are, or are not, presently responsible for the obligation. The default for which this sale is to be made is the failure to make monthly payments when due from 5/15/2012 and all subsequent monthly payments thereafter, including installments of principal, interest, impounds, advances, plus any charges lawfully due under the note secured by the aforementioned Deed of Trust, Deed of Trust and as allowed under Idaho Law. The sum owing on the obligation secured by said Deed of Trust is \$259,838.20, including interest costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the Note, Deed of Trust or as allowed under Idaho Law. All delinquent amounts are now due, together with accruing late charges, interest, unpaid and accruing taxes, assessments, trustee's fees, attorney fees and any amounts advanced to protect the security associated with the Deed of Trust described herein as provided under the Note, Deed of Trust and as allowed under Idaho Law. ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, DATED: 12/18/13 Signature/By: Elisa Magnuson, Esq., A-4434921

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 18, 2013 File No.: 7021.17895 Sale date and time (local time): April 18, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 300 S 4th St Bellevue, ID 83313-5099 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: LaShell L Bennett, a Married Woman as her sole and separate property Original trustee: Fidelity National Title Insurance Co. Original beneficiary: Mortgage Electronic Registration Systems, Inc. solely as nominee for Countrywide Bank, N.A., its successors and assigns Recording date: 11/30/2006 Recorder's instrument number: 542315 County: BLAINE Sum owing on the obligation: as of December 18, 2013: \$357,893.57 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lots 7 and 8 in Block 28 of THE CITY OF BELLEVUE, according to the official plat thereof, on file in the office of the County Recorder, Blaine County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17895) 1002.261884-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 16, 2013 File No.: 7037.101759 Sale date and time (local time): April 22, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 206 & 206 1/2 Big Wells Road Sun Valley, ID 83353 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Michael Douglas Daugherty and, Cindy Cook Daugherty, Trustees of the Michael and Cynthia Daugherty Trust dated April 6, 2000, amended December 30, 2002. Original trustee: Sun Valley Title Company Original beneficiary: Washington Mutual Bank, FA Recording date: 06/05/2006 Recorder's instrument number: 536067 County: Blaine Sum owing on the obligation: as of December 16, 2013: \$3,306,083.67 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lots 4 & 5 of Prospector Wells Subdivision, Blaine County, Idaho, according to the Official Plat thereof, recorded February 18, 1970, as Instrument No. 135063, records of Blaine County, Idaho. More accurately described as: Lots 4 & 5 of Prospector Wells Subdivision, according to the Official Plat thereof, recorded in Book 5 of Plats, Page 1, records of Blaine County, Idaho. The sale is subject to conditions, rules and procedures

as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7037.101759) 1002.247711-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 12, 2013 File No.: 7021.17889 Sale date and time (local time): April 14, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 304 William Street aka 304 Williams Street Ketchum, ID 83340 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Lindsey A. Woodcock and Kirsten H. Woodcock Original trustee: First American Title Company of Idaho, Inc. Original beneficiary: Bank of America, N.A. Recording date: 06/08/2005 Recorder's instrument number: 521248 County: BLAINE Sum owing on the obligation: as of December 12, 2013: \$638,565.33 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Township 4 North, Range 17 East, Section 13, Boise Meridian, Blaine County, Idaho. Section 13: A portion of Lot 3. Beginning at the NW corner of Lot 4; thence North 90 degrees 12' West 16.7 feet; thence North 0 degrees 14' West 371.2 feet to the TRUE POINT OF BEGINNING; thence North 0 degrees 14' West 54 feet; thence North 89 degrees 18' West 152.7 feet; thence South 0 degrees 14' East 54 feet; thence South 89 degrees 18' East 152.7 feet to the PLACE OF BEGINNING. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17889) 1002.261619-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 26, 2013 File No.: 7021.17929 Sale date and time (local time): April 28, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 540 Eureka Drive Hailey, ID 83333 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Nick W Boyett, and Kimberlee Boyett, husband and wife Original trustee: Fidelity National Title Insurance Company Original beneficiary: Mortgage Electronic Registration Systems, Inc. solely as nominee for America's Wholesale Lender, its successors and assigns Recording date: 12/29/2003 Recorder's instrument number: 497239 County: BLAINE Sum owing on the obligation: as of December 26, 2013: \$218,530.35 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at

public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lot 16, Block 2 of HIAWATHA ESTATES NO. 2, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, recorded May 30, 1979, as Instrument No. 193772, records of Blaine County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17929) 1002.262251-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 15, 22, 29 & Feb. 5, 2014

NOTICE OF TRUSTEE'S SALE

T.S. No. 003710-ID Parcel No. RPH0000061005B On 5/15/2014, at 10:30 AM (recognized local time). On the front steps of the west side of the Old Courthouse Building, 206 1st Avenue South, Hailey, ID 83333, in the County of Blaine, ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, as trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows, to wit: SOUTH 1/2 OF LOT 5, ALL OF LOTS 6 AND 7, NORTH 1/2 OF LOT 8 IN BLOCK 61 OF THE CITY OF HAILEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE COUNTY RECORDER, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code Section 60-113, the Trustee has been informed that the address of: 525 N 4th Avenue, Hailey, ID 83333, is commonly associated with said real property. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by CRISTIANN BECK, A SINGLE WOMAN as Grantor, to AMERITITLE, AN OREGON CORPORATION as Trustee, for the benefit and security of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS") AS NOMINEE FOR FIRST BANK OF IDAHO, FSB, ITS SUCCESSORS AND ASSIGNS as Beneficiary, dated 4/22/2005, recorded 4/27/2005, as Instrument No. 519293, official records of Blaine County, Idaho. Please note: The above named Grantors are named to comply with Idaho Code Section 45-1506(4) (a); no representation is made that they are, or are not, presently responsible for the obligation. The default for which this sale is to be made is the failure to make monthly payments when due from 3/1/2010 and all subsequent monthly payments thereafter, including installments of principal, interest, impounds, advances, plus any charges lawfully due under the note secured by the aforementioned Deed of Trust, Deed of Trust and as allowed under Idaho Law. The sum owing on the obligation secured by said Deed of Trust is \$261,887.30, including interest, costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the Note, Deed of Trust or as allowed under Idaho Law. All delinquent amounts are now due, together with accruing late charges, interest, unpaid and accruing taxes, assessments, trustee's fees, attorney fees and any amounts advanced to protect the security associated with the Deed of Trust described herein as provided under the Note, Deed of Trust and as allowed under Idaho Law. ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, DATED: 1/7/14 Signature/By: Elisa Magnuson, Esq., A-4437525

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5 & 12, 2014

NOTICE OF TRUSTEE'S SALE

Loan No. xxxxxx7852 T.S. No. 1379239-20 Parcel No. rpk086000600d0 **NOTICE OF TRUSTEE'S SALE ON May 21, 2014**, at the hour of 10:30am, of said day, at On the front steps of the west side of the old courthouse, Bldg, 206 1st Avenue South, Hailey, Idaho, Pioneer Title Company of Ada County, as trustee, will sell at public auction, to the highest bidder, for cash, cashier's check drawn on a State or National Bank, a check drawn by a State or Federal Credit Union, or a check drawn by a State or Federal Savings and Loan Association, Savings Association, or Savings Bank, all payable at the time of sale, the following described real property, situated in the County of Blaine, state of Idaho, and described as follows, to wit: **Condominium unit d in building 6 as shown on the condominium map for parkside village, recorded as instrument no. 194672, and as defined and described in the condominium declaration for parkside village recorded as instrument no. 194673 and first amendment recorded as instrument no. 362833 and second amendment recorded as instrument nos. 387046 and 411563 and third amendment recorded as instrument no. 565641, records of Blaine county, idaho.** Commonly known as 218 Pinewood Lane #d6 Ketchum Id 83340. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by Jay Richard Emmer, An Unmarried Man as Grantor, to Sun Valley Title, as Trustee, for the benefit and security of Mortgage Electronic Registration Systems, Inc., As Nominee For Taylor, Bean & Whitaker Mortgage Corp, Its Successors and Assigns as Beneficiary, recorded January 11, 2008, as Instrument No. 554756, Mortgage records of Blaine County, Idaho. THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(a), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION. The default for which this sale is to be made is: Failure to pay the monthly payment due August 1, 2012 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. The estimated balance owing as of this date on the obligation secured by said deed of trust is \$271,944.06, including interest, costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the promissory note secured by the aforementioned Deed of Trust. Pioneer Title Company of Ada County 8151 W. Rifleman Street Boise Id 83704 (888)342-2510 Dated: January 14, 2014 Signature/By Pioneer Title Company of Ada County Dba Pioneer Lender Trustee Services. DLPP-435914

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5 & 12, 2014



LEGAL NOTICES

c/o LAWSON LASKI CLARK & POGUE, PLLC
675 Sun Valley Road, Suite A
P.O. Box 3310 Ketchum, Idaho 83340

Dated this 14th of January, 2014.

LAWSON LASKI CLARK & POGUE, PLLC

/s/ Kirstin K. Dutcher
Attorneys for Linda Staum, Personal Representatives

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5, 2014

ADVERTISEMENT FOR BIDS

Sealed BIDS for the construction of the City of Bellevue 2013 WATER MAIN REPLACEMENT PROJECT addressed to: The City of Bellevue and will be received at offices of Galena Engineering Inc., 317 North River Street, Hailey, Idaho 83333 until 2:00 PM, Local Time, on Tuesday, the 11th day of February 2014, and then at said office publicly opened and read aloud.

The CONTRACT DOCUMENTS may be examined at Galena Engineering, Inc., 317 North River Street, Hailey, Idaho 83333.

Copies of the CONTRACT DOCUMENTS may be obtained upon payment of \$100 for each set. Include an additional \$10.00 for each set of documents requested to be mailed. Payment is nonrefundable.

The proposed project consists of furnishing and installation of approximately 7870 linear feet of 8 inch water main, 119 services, fittings, valves, fire hydrants, and other miscellaneous appurtenances along alleys and streets in Bellevue Idaho. The proposed project also includes abandoning existing 4" water mains, services and fire hydrants.

A pre-bid conference has been scheduled for February 4, 2014 at 10:00 a.m. at Bellevue City Hall, 115 East Pine Street. Plan holders are encouraged to attend.

A Public Works Contractors License for the State of Idaho must be in effect prior to the award of the contract.

A BID bond of 5% shall accompany each BID.

BIDDERS will submit a list of all subcontractors with their BID.

The City of Bellevue reserves the right to waive any informalities or to reject any and all bids.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22 & 29, 2014

CITY OF BELLEVUE, IDAHO
ORD. NO. 2014-03

AN ORDINANCE OF THE CITY OF BELLEVUE, IDAHO PROVIDING FOR AN EXTENSION OF A PHASE ONE PAYMENT DESCRIBED IN ORDINANCE 2009-04, SECTION 4.8.1, EXHIBIT "1"; PROVIDING FOR THE FILING AND RECORDATION OF THIS ORDINANCE; PROVIDING A SAVINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF BELLEVUE, IDAHO:

SECTION 1. Per Ordinance 2009-04, the City of Bellevue (Bellevue) and Strahorn Partners, LLC, (Owner) an Oregon Limited Liability Company entered into an annexation agreement on January 22, 2009 which provided for certain commitments to be complied with.

SECTION 2. Per Ordinance 2009-04, Exhibit "1", pages 1-12 attached hereto as Exhibit "A", Strahorn Partners LLC has complied with all applicable required commitments as of January 7, 2014 which are:

1. Owner conveyed to Bellevue in fee simple title the East Parcel containing 61 acres with a capped domestic well onsite described in Exhibit C-1 of the recorded Annexation Agreement;
2. Owner resolved all mining clean-up issues with BLM and DEQ of an abandoned mine site which was not on the subject annexed properties, but tailings had been released on the subject annexed properties. BLM has gated, the mining hole and ground tests on the subject annexed properties showed no hazardous materials found;
3. Owner acquired at Bellevue's request and then conveyed to Bellevue in fee simple title the devel-

oped residential parcel containing approximately 6 acres described as the "710 Cedar Street Lot" which Bellevue exchanged in 2011 for the new fire station located at 517 N. 2nd Street. This was a required capital improvement in the Rinker, Scherer, Strahorn capital improvement plan, at a cost of over \$2,000,000;

4. Owner assisted in the Chestnut well rehabilitation project by involving his engineer, Dick Fosbury from Galena Engineering. Action taken per engineer's recommendation were diffusing a lodged rock in the well pipe in conjunction with recharging/building of the well base volume to 1,000 gallons and associated upgrades made to the well pumping equipment. The completed costs were less than \$60,000.00 in comparison to the \$1,200,000.00 bid previously accepted to build a new well;

5. Owner assisted Bellevue by including Bellevue's 61 acre parcel with their ongoing engineered FEMA application, to determine the FEMA zone designation of the Bellevue parcel and Strahorn parcel; and

6. Owner has processed the required Large Block Plat which was approved by the Bellevue Council in 2012.

SECTION 3. Per Ordinance 2009-04, Exhibit "1" Section 4.8 states "Owner may request from Bellevue reasonable extensions for good cause shown to any Development phasing schedule, which requests shall not be unreasonably denied by Bellevue; provided, the cash payments identified shall nevertheless be payable in five (5) year increments from the date of the Agreement as more particularly described below".

SECTION 4. Per Ordinance 2009-04, Exhibit "1" Section 4.8.1 states "The Phase One payment of \$500,000 adjusted in accordance with Paragraph 4.7 shall be due prior to the recordation of the Phase One Plat or within five (5) years of the date of this Agreement, whichever occurs first" (date of original agreement 1-22-2009).

SECTION 5. Strahorn Partners LLC, per Exhibit "B" has requested that the Phase One payment be extended to December 16, 2016 or prior to the recordation of the Phase One Plat. Extension request is due to the ongoing recession, delaying the completion of Phase One Plat and the current status of the United States District Court for the District of Idaho, currently considering the City of Hailey appeal of the (old Cutters Action-USDC Case No. 1:13-cv-00057-EJL) regarding unenforceable annexation fees not equitably allocated to the actual costs caused by the subject annexation.

SECTION 6. Bellevue has determined that all required commitments including all land conveyances, land applications, professional engineering assistance, and large block plat completion have been complied with and that there are no outstanding issues including financial payments. Subject property is undeveloped today therefore there are no impacts on the city as of the date of this Ordinance.

SECTION 7. Due to an unforeseen economic recession delaying Phase I Plat and no impacts created by the development, it is in the best interests of Bellevue and Strahorn Partners, LLC, that Bellevue extend the Phase One payment of \$500,000 in accordance with Paragraph 4.7 to be due on December 16, 2016 or prior to the recordation of the Phase One Plat.

SECTION 8. If any section or portion of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 9. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF BELLEVUE, IDAHO this _____ day of January, 2014.
s/s Christopher Koch, Mayor
ATTEST:
s/s Dorothy Barton,
City Clerk

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

LEGAL NOTICE
BLAINE COUNTY BOARD OF COUNTY COMMISSIONERS
FEBRUARY 11, 2014

On **Tuesday, February 11, 2014**, the **Blaine County Board of County Commissioners** will hold a public hearing beginning at 1:30 p.m. upstairs in the main meeting room in the Old County Courthouse located at 206 First Ave. So., in Hailey. Items on their agenda include the following:

1:30 p.m. Woodward Plat Amendment: Public hearing on and consideration of a Plat Amendment application by David and Sarah Woodward to amend Lot 5A, Huffman-Bender-Cox Subdivision by modifying the platted building envelope. The applicants are seeking to reconfigure the building envelope to allow for a remodel of the residence; the overall size of the envelope will not change as a result of this application. The property is zoned R-1 with areas of floodplain and riparian overlay and is located within Sections 31 & 32, T4N, R18E, BM, Blaine County.

2:00 p.m. ARCH Community Housing Trust Pre-Determination: Public hearing and consideration of an application by ARCH Community Housing Trust for pre-determination of a modification to the Highway 75 setback, pursuant to Title 9, Section 9-35-4 (D), for a Community Housing - Planned Unit Development consisting of 26 multi-family units. The request is to allow the encroachment of 29 feet of roadway within the 100-foot setback. The project is proposed south of Broadway Run, between the existing Meadows RV Park and Highway 75. The property is zoned Medium Density Residential District (R-4), with Community Housing Overlay District (CHOD)/Community Housing-South (CH-S) sub-district, and is located within Section 31, T4N, R18E, BM, Blaine County.

The materials associated with these applications are available for review at the Land Use Office in the Blaine County Annex at 219 First Avenue South, Suite 208 in Hailey during regular business hours and on the Blaine County web page at www.blainecounty.org. To receive adequate consideration, written comment in excess of one page should be forwarded to the Blaine County Land Use Office at least 4 days prior to public hearing by mail, e-mail, pzcounter@co.blaine.id.us, or by fax to (208)788-5576. Written comments will not be read into the record but will be distributed to the Board for consideration and made part of the public record.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

IN THE MATTER OF
McKENZIE MARIE GARDIPE
A minor child,
Petitioner.

Case No. CV-14-21
NOTICE OF HEARING ON
PETITION FOR
CHANGE OF NAME

A Petition by McKenzie Marie Gardipe, now residing in the City of Hailey, State of Idaho, proposing a change of name to MCKENZIE MARIE GARRISON, has been filed in the above-entitled court; the reason for the change of name being that it is her mother's name.

Such petition will be heard before the above-entitled court on the 25th day of February, 2014 at the hour of 4:00 p.m. or as soon thereafter as can be heard. Objections may be filed by any person who can show to the court a good reason against such change of name.

Dated this 15th day of January, 2014.

Haemmerle & Haemmerle, PLLC
/s/ Jennifer L. K. Haemmerle
Attorney for Petitioner

Witness my hand and seal of said District Court this 15th day of January, 2014.

CLERK OF THE COURT
By /s/ Deputy Clerk

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5 & 12, 2014

SUN VALLEY
AIR SERVICE BOARD
JANUARY 23, 2014
2-4 PM

HAILEY CITY HALL
115 MAIN STREET SOUTH, HAILEY
IDAHO

1. Welcome and Introductions 2:00
2. Purpose of Air Service Board 2:05
(Tab 1)
3. Review of Draft Bylaws and Election of Officers 2:20
(Tab 2)
4. Review of 2014 Revenue Projections and Draft Budget 2:50
(Tab 3)
5. Administrative Discussion/Action (Meeting Schedule, Staff Roles, Budget, Website, Insurance) 3:05
(Tab 4)
6. BREAK 3:25
7. Presentations by Air Service and Marketing Organizations (Power Points: 15 minutes each FSV and SVMA) 3:30
8. Adjourn 4:00

Note: Binders also include the Joint Powers Agreement, Ballot language and other background materials.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE

IN THE MATTER OF THE ESTATE OF
GUY C. HANSEN,
Deceased.

Case No. CV-2014
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named decedent. All persons having claims against the decedent or the estate are required to present their claims within four months after the date of the first publication of this Notice or said claims will be forever barred.

Claims must be presented to the undersigned at the address indicated below, or filed with the Clerk of the Court.

Dated this 14th day of January, 2014.

/s/ Steven Macdonald
PO Box 5372
Ketchum, ID 83340

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5, 2014

SUMMARY FOR PUBLICATION OF CITY OF SUN VALLEY ORDINANCE NO. 466

Pursuant to Idaho Code Section 50-901A, the City of Sun Valley, Idaho summarizes City of Sun Valley Ordinance No. 466, enacted on January 9, 2014, as follows:

1. The name of the City is the City of Sun Valley, Idaho
2. Formal Identification of Ordinance: City of Sun Valley Ordinance No. 466.
3. Descriptive Title: AN ORDINANCE OF THE CITY OF SUN VALLEY, BLAINE COUNTY, IDAHO, AMENDING THE SUN VALLEY CITY CODE TO MODIFY, CORRECT AND FURTHER CLARIFY EXISTING CODE TEXT AND ORDINANCE TEXT BY REVISING THE INDIVIDUAL SECTIONS LISTED IN THE TITLE TABLE BELOW; BY PROVIDING FOR A SAVINGS AND SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING AN EFFECTIVE DATE.
3. Summary of ordinance: This ordinance is a "cleanup" ordinance updating and clarifying misdemeanor penalties in various sections of the Sun Valley Code, and updating the reference to the City's Depository.
4. Summary of Principal Provisions of Ordinance No. 466:
 - a. Every instance of misdemeanor penalty in the Sun Valley Code is corrected to refer to the General Penalty as defined in Sun Valley Code section 1-3-2;
 - b. The City's Depository bank is updated.
 - c. Effective Date: January 15th, 2014
5. The full text of City of Sun Valley

Ordinance No. 466 is available at Sun Valley City Hall, 81 Elkhorn Road, Sun Valley, Idaho 83353.

City Attorney Statement Pursuant to Idaho Code Section 50-901A(3)

I, Adam B. King, duly appointed City Attorney for the City of Sun Valley, Idaho, certify that the above summary is true and complete and provides adequate notice to the public.

Dated: 1/8/2014

/s/ Adam B. King

City Attorney for Sun Valley, Idaho

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

LEGAL NOTICE OF ADVERTISEMENT FOR SALE AT PUBLIC AUCTION

The public is notified that a sale of certain personal property shall occur as provided pursuant to Idaho Code Section 55-2306(3) to satisfy a lien claim based on an obligation owed by TROY ENGLAND whose last known address is PO BOX 4774, HAILEY, ID 83333.

The sale shall occur at 10:00 o'clock a.m. on the 25th day of JANUARY, 2014, at Valley Self Store, 1041 Airport Way, Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects.

DATED this 1st day of JANUARY, 2014.

VALLEY SELF STORE

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

LEGAL NOTICE OF ADVERTISEMENT FOR SALE AT PUBLIC AUCTION

The public is notified that a sale of certain personal property shall occur as provided pursuant to Idaho Code Section 55-2306(3) to satisfy a lien claim based on an obligation owed by BREANNA GLAHN whose last known address is PO BOX 171, BELLEVUE, ID 83313.

The sale shall occur at 10:00 o'clock a.m. on the 25th day of JANUARY, 2014, at Valley Self Store, 1041 Airport Way, Hailey, Idaho 83333.

The property to be sold is the contents of a storage unit at Valley Self Store and is generally described as: personal effects.

DATED this 1st day of JANUARY, 2014.

VALLEY SELF STORE

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

HAILEY PLANNING AND ZONING COMMISSION
Monday, February 10th, 2014

Public Notice is hereby given that the Hailey Planning and Zoning Commission will hold a Public Meeting at **5:30 p.m.** on **Monday, February 10th**, 2014, to be held in the upstairs meeting room of Hailey City Hall and will hold Public Hearings on the following items.

- Consideration of a Conditional Use Permit request from Chateau Discount Outlet, represented by Ken Sangha, for operating a Wholesale Distributor on Friedman Park Subdivision, Lot 11A, Block 2 (otherwise known as 960 South Main Street) which is located in the Limited Business (LB) Zone.

- Consideration of a City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by amending Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

Any and all interested persons are invited to attend this public hearing or submit written comments to the Community Development Department at 115 South Main Street, Hailey, Idaho,

LEGAL NOTICES

83333 or planning@haileycityhall.org. Supporting documents for this item(s) can be viewed on the City of Hailey's website as of the date of this publication; go to www.haileycityhall.org, under Meeting, click on the Planning and Zoning Commission and select the link for the most current Planning and Zoning agenda. The staff report will be posted in this same location on the Friday before the meeting. If documents are not posted please call 208-788-9815 to have documents emailed or visit the front counter at city hall.

For further information regarding this notice, or for special accommodations to participate in the noticed meeting, please contact planning@haileycityhall.org or (208) 788-9815.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 2014

NOTICES OF TRUSTEE'S SALES

NOTICE OF TRUSTEE'S SALE

NOTICE OF TRUSTEE'S SALE T.S. No. P1379040-ID Parcel No. RPH04750580080 On 4/29/2014, at 10:30 AM (recognized local time). On the front steps of the west side of the Old Courthouse Building, 206 1st Avenue South, Hailey, ID 83333, in the County of Blaine, ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, as trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows, to wit: LOT 8 IN BLOCK 58 OF WOODSIDE SUBDIVISION FINAL PLAT NO. 13, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS INSTRUMENT NO. 152508, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code Section 60-113, the Trustee has been informed that the address of: 2951 BUTTERFLY DRIVE, HAILEY, ID 83333, is commonly associated with said real property. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by KENNETH S. MILLER AND MIRIAM LOUISE MILLER HUSBAND AND WIFE, as Grantors, to FIRST AMERICAN TITLE COMPANY, as Trustee, for the benefit and security of BENEFICIAL MORTGAGE CO. OF IDAHO, as Beneficiary, dated 1/10/2007, recorded 1/12/2007, as Instrument No. 543823, official records of Blaine County, Idaho. Please note: The above named Grantors are named to comply with Idaho Code Section 45-1506(4) (a); no representation is made that they are, or are not, presently responsible for the obligation. The default for which this sale is to be made is the failure to make monthly payments when due from 5/15/2012 and all subsequent monthly payments thereafter, including installments of principal, interest, impounds, advances, plus any charges lawfully due under the note secured by the aforementioned Deed of Trust, Deed of Trust and as allowed under Idaho Law. The sum owing on the obligation secured by said Deed of Trust is \$259,838.20, including interest costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the Note, Deed of Trust or as allowed under Idaho Law. All delinquent amounts are now due, together with accruing late charges, interest, unpaid and accruing taxes, assessments, trustee's fees, attorney fees and any amounts advanced to protect the security associated with the Deed of Trust described herein as provided under the Note, Deed of Trust and as allowed under Idaho Law. ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, DATED: 12/18/13 Signature/By: Elisa Magnuson, Esq., A-4434921

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 18, 2013 File No.: 7021.17895 Sale date and time (local time): April 18, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 300 S 4th St Bellevue, ID 83313-5099 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: LaShell L Bennett, a Married Woman as her sole and separate property Original trustee: Fidelity National Title Insurance Co. Original beneficiary: Mortgage Electronic Registration Systems, Inc. solely as nominee for Countrywide Bank, N.A., its successors and assigns Recording date: 11/30/2006 Recorder's instrument number: 542315 County: BLAINE Sum owing on the obligation: as of December 18, 2013: \$357,893.57 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lots 7 and 8 in Block 28 of THE CITY OF BELLEVUE, according to the official plat thereof, on file in the office of the County Recorder, Blaine County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17895) 1002.261884-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 16, 2013 File No.: 7037.101759 Sale date and time (local time): April 22, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 206 & 206 1/2 Big Wells Road Sun Valley, ID 83353 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Michael Douglas Daugherty and, Cindy Cook Daugherty, Trustees of the Michael and Cynthia Daugherty Trust dated April 6, 2000, amended December 30, 2002. Original trustee: Sun Valley Title Company Original beneficiary: Washington Mutual Bank, FA Recording date: 06/05/2006 Recorder's instrument number: 536067 County: Blaine Sum owing on the obligation: as of December 16, 2013: \$3,306,083.67 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lots 4 & 5 of Prospector Wells Subdivision, Blaine County, Idaho, according to the Official Plat thereof, recorded February 18, 1970, as Instrument No. 135063, records of Blaine County, Idaho. More accurately described as: Lots 4 & 5 of Prospector Wells Subdivision, according to the Official Plat thereof, recorded in Book 5 of Plats, Page 1, records of Blaine County, Idaho. The sale is subject to conditions, rules and procedures

as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7037.101759) 1002.247711-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 12, 2013 File No.: 7021.17889 Sale date and time (local time): April 14, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 304 William Street aka 304 Williams Street Ketchum, ID 83340 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Lindsey A. Woodcock and Kirsten H. Woodcock Original trustee: First American Title Company of Idaho, Inc. Original beneficiary: Bank of America, N.A. Recording date: 06/08/2005 Recorder's instrument number: 521248 County: BLAINE Sum owing on the obligation: as of December 12, 2013: \$638,565.33 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Township 4 North, Range 17 East, Section 13, Boise Meridian, Blaine County, Idaho. Section 13: A portion of Lot 3. Beginning at the NW corner of Lot 4; thence North 90 degrees 12' West 16.7 feet; thence North 0 degrees 14' West 371.2 feet to the TRUE POINT OF BEGINNING; thence North 0 degrees 14' West 54 feet; thence North 89 degrees 18' West 152.7 feet; thence South 0 degrees 14' East 54 feet; thence South 89 degrees 18' East 152.7 feet to the PLACE OF BEGINNING. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17889) 1002.261619-File No.

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IDAHO MOUNTAIN EXPRESS
Jan. 8, 15, 22 & 29, 2014

NOTICE OF TRUSTEE'S SALE

Idaho Code 45-1506 Today's date: December 26, 2013 File No.: 7021.17929 Sale date and time (local time): April 28, 2014 at 11:00 AM Sale location: in the office of First American Title Company, 120 2nd Avenue North, Suite 101 Ketchum, ID 83340 Property address: 540 Eureka Drive Hailey, ID 83333 Successor Trustee: Northwest Trustee Services, Inc., an Idaho Corporation P.O. Box 997 Bellevue, WA 98009 (425) 586-1900 Deed of Trust information Original grantor: Nick W Boyett, and Kimberlee Boyett, husband and wife Original trustee: Fidelity National Title Insurance Company Original beneficiary: Mortgage Electronic Registration Systems, Inc. solely as nominee for America's Wholesale Lender, its successors and assigns Recording date: 12/29/2003 Recorder's instrument number: 497239 County: BLAINE Sum owing on the obligation: as of December 26, 2013: \$218,530.35 Because of interest, late charges, and other charges that may vary from day to day, the amount due on the day you pay may be greater. Hence, if you pay the amount shown above, an adjustment may be necessary after we receive your check. For further information write or call the Successor Trustee at the address or telephone number provided above. Basis of default: failure to make payments when due. Please take notice that the Successor Trustee will sell at

public auction to the highest bidder for certified funds or equivalent the property described above. The property address is identified to comply with IC 60-113 but is not warranted to be correct. The property's legal description is: Lot 16, Block 2 of HIAWATHA ESTATES NO. 2, BLAINE COUNTY, IDAHO, according to the official plat thereof, on file in the office of the County Recorder, recorded May 30, 1979, as Instrument No. 193772, records of Blaine County, Idaho. The sale is subject to conditions, rules and procedures as described at the sale and which can be reviewed at www.northwesttrustee.com or USA-Foreclosure.com. The sale is made without representation, warranty or covenant of any kind. (TS# 7021.17929) 1002.262251-File No.

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 15, 22, 29 & Feb. 5, 2014

NOTICE OF TRUSTEE'S SALE

T.S. No. 003710-ID Parcel No. RPH0000061005B On 5/15/2014, at 10:30 AM (recognized local time). On the front steps of the west side of the Old Courthouse Building, 206 1st Avenue South, Hailey, ID 83333, in the County of Blaine, ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, as trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Blaine, State of Idaho, and described as follows, to wit: SOUTH 1/2 OF LOT 5, ALL OF LOTS 6 AND 7, NORTH 1/2 OF LOT 8 IN BLOCK 61 OF THE CITY OF HAILEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE COUNTY RECORDER, RECORDS OF BLAINE COUNTY, IDAHO. The Trustee has no knowledge of a more particular description of the above referenced real property, but for purposes of compliance with Idaho Code Section 60-113, the Trustee has been informed that the address of: 525 N 4th Avenue, Hailey, ID 83333, is commonly associated with said real property. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by CRISTIANN BECK, A SINGLE WOMAN as Grantor, to AMERITITLE, AN OREGON CORPORATION as Trustee, for the benefit and security of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS") AS NOMINEE FOR FIRST BANK OF IDAHO, FSB, ITS SUCCESSORS AND ASSIGNS as Beneficiary, dated 4/22/2005, recorded 4/27/2005, as Instrument No. 519293, official records of Blaine County, Idaho. Please note: The above named Grantors are named to comply with Idaho Code Section 45-1506(4) (a); no representation is made that they are, or are not, presently responsible for the obligation. The default for which this sale is to be made is the failure to make monthly payments when due from 3/1/2010 and all subsequent monthly payments thereafter, including installments of principal, interest, impounds, advances, plus any charges lawfully due under the note secured by the aforementioned Deed of Trust, Deed of Trust and as allowed under Idaho Law. The sum owing on the obligation secured by said Deed of Trust is \$261,887.30, including interest, costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the Note, Deed of Trust or as allowed under Idaho Law. All delinquent amounts are now due, together with accruing late charges, interest, unpaid and accruing taxes, assessments, trustee's fees, attorney fees and any amounts advanced to protect the security associated with the Deed of Trust described herein as provided under the Note, Deed of Trust and as allowed under Idaho Law. ELISA MAGNUSON, ESQ., a member of the State Bar of Idaho, of PITE DUNCAN, LLP, DATED: 1/7/14 Signature/By: Elisa Magnuson, Esq., A-4437525

PUBLISH:
IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5 & 12, 2014

NOTICE OF TRUSTEE'S SALE

Loan No. xxxxxx7852 T.S. No. 1379239-20 Parcel No. rpk086000600d0 **NOTICE OF TRUSTEE'S SALE ON May 21, 2014**, at the hour of 10:30am, of said day, at On the front steps of the west side of the old courthouse, Bldg, 206 1st Avenue South, Hailey, Idaho, Pioneer Title Company of Ada County, as trustee, will sell at public auction, to the highest bidder, for cash, cashier's check drawn on a State or National Bank, a check drawn by a State or Federal Credit Union, or a check drawn by a State or Federal Savings and Loan Association, Savings Association, or Savings Bank, all payable at the time of sale, the following described real property, situated in the County of Blaine, state of Idaho, and described as follows, to wit: **Condominium unit d in building 6 as shown on the condominium map for parkside village, recorded as instrument no. 194672, and as defined and described in the condominium declaration for parkside village recorded as instrument no. 194673 and first amendment recorded as instrument no. 362833 and second amendment recorded as instrument nos. 387046 and 411563 and third amendment recorded as instrument no. 565641, records of Blaine county, idaho.** Commonly known as 218 Pinewood Lane #d6 Ketchum Id 83340. Said sale will be made without covenant or warranty, express or implied, regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the Deed of Trust executed by Jay Richard Emmer, An Unmarried Man as Grantor, to Sun Valley Title, as Trustee, for the benefit and security of Mortgage Electronic Registration Systems, Inc., As Nominee For Taylor, Bean & Whitaker Mortgage Corp, Its Successors and Assigns as Beneficiary, recorded January 11, 2008, as Instrument No. 554756, Mortgage records of Blaine County, Idaho. THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(a), IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION. The default for which this sale is to be made is: Failure to pay the monthly payment due August 1, 2012 of principal, interest and impounds and subsequent installments due thereafter; plus late charges; together with all subsequent sums advanced by beneficiary pursuant to the terms and conditions of said deed of trust. The estimated balance owing as of this date on the obligation secured by said deed of trust is \$271,944.06, including interest, costs and expenses actually incurred in enforcing the obligation thereunder or in this sale, and trustee's fees and/or reasonable attorney's fees as authorized in the promissory note secured by the aforementioned Deed of Trust. Pioneer Title Company of Ada County 8151 W. Rifleman Street Boise Id 83704 (888)342-2510 Dated: January 14, 2014 Signature/By Pioneer Title Company of Ada County Dba Pioneer Lender Trustee Services. DLPP-435914

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IDAHO MOUNTAIN EXPRESS
Jan. 22, 29 & Feb. 5 & 12, 2014



Owner 1	Owner 2	Mail Address Line 1	Mail Address Line 2	Mail Address Line 3	Mail Address Line 4	Mail Address Line 5
1030 AIRPORT WAY LLC		PO BOX 4108	HAILEY ID 83333-0000			
AIRPORT LLC		PO BOX 9200	KETCHUM ID 83340-0000			
AMERICAN ACCEPTANCE CORP		921 AIRPORT WAY	HAILEY ID 83333-0000			
BINE RENE		BOX 4148	HAILEY ID 83333-0000			
FRIEDMAN MEMORIAL AIRPORT AUTHORITY	BLAINE COUNTY	PO BOX 929	HAILEY ID 83333-0000			
IDAHO TRANSPORTATION DEPT		216 S DATE ST	SHOSHONE ID 83352-0000			
NELSON BRENT C	NELSON JERRY H	PO BOX 1480	HAILEY ID 83333-0000			
SILVER CREEK PROPERTY HOLDINGS LLC		PO BOX 1108	BURLEY ID 83318-0000			
SPRING MEADOW L L C		BOX 1565	HAILEY ID 83333-0000			
THOMAS DANIEL P		BOX 6727	KETCHUM ID 83340-0000			
UNITED STATES POSTAL SERVICE		7500 E 53RD PARK RM 1108	DEVER CO 80266-9918			

Property Address	Legal Desc 1	Legal Desc 2	Legal Desc 3	Legal Desc 4	Legal Desc 5
1030 AIRPORT WAY	FRIEDMAN PARK SUB	LOT 8 BLK 2			
960 S MAIN ST	FRIEDMAN PARK SUB	AM LOT 11A BLK 2			
921 AIRPORT WAY	FRIEDMAN PARK SUB	LOT 7 BLK 1			
817 S 3RD AVE	HAILEY	LOTS 9,10,11,12 BLK 135			
1610 AIRPORT CIR	HAILEY	FR SEC 10,15 & 22 TL 8151		AIRPORT LAND	*SEE NOTES*
	HAILEY-PORTION OF NENE	ACCESS TO HAILEY BUS PARK	2N 18E SEC 16		
	HAILEY	AM LOT 18 BLK 135			
920 AIRPORT WAY	FRIEDMAN PARK SUB	LOT 10 BLK 2			
1020 AIRPORT WAY	FRIEDMAN PARK SUB	LOT 9 BLK 2			
809 S 3RD AVE	HAILEY	LOTS 4,5,6,7,8 BLK 135	15,000 SF		
	FRIEDMAN PARK SUB	LOT 8 BLK 1			