

**Minutes of the
Hailey Planning & Zoning Commission
February 2, 2009**

The meeting was called to order at 6:30 p.m. by Commission Chair Owen Scanlon. Commissioners present were Geoff Moore, Mike Pogue, Mark Spears and Mark Johnstone. Staff present included Planning Director Beth Robrahn, Planner Mariel Platt, and Planning Assistant Becky Mead.

Consent Agenda

Approval of Minutes – **January 20, 2009**

Approval of Findings of Fact, Conclusions of Law & Decision for **Valley Car Wash**, Design Review Exemption.

Approval of Findings of Fact, Conclusions of Law & Decision for **Airport Tech Condos, Unit F**, Design Review Exemption.

Commissioner Pogue moved to approve the consent agenda. Commissioner Spears seconded, the motion passed unanimously.

Proclamations and Presentations

Director Robrahn presented Mark Spears with a certificate of appreciation for his time of service as a Commissioner.

New Business

D.L. Evans Design Review

An application by D.L. Evans Bank for Design Review of a new 13,108 square foot building, to be known as D.L. Evans Bank, located on Lots 1-5, Block 5, and 20 feet of Chestnut Street, adjacent to Lot 1, Townsite Overlay (609 Main Street South), within the Business (B) and Townsite Overlay Districts.

- A letter dated February 2, 2009 was received and submitted to the Commission from Erstad Architects responding to the Staff Report for D.L. Evans.
- Public comment was received January 28, 2009, a letter from J. Evan Robertson, PB Investments and was included in the Commissioner's packets.

Planner Platt commented on the 2nd floor tenant spaces that are proposed for professional offices which change the parking requirements.

Andy Erstad of Erstad Architects presented the application for DL Evans Bank. He described the design of the building to the Commission, reviewed the site plan and replied to some of the comments made in the Staff Report. He described the materials that would be used and pointed out on the site plan where these would be on the building. He said the second level is proposed

for professional offices. He referred to his letter that was submitted today, which addressed some of the issues in the Staff Report. Erstad stated the site design issues were grade changing, parking and snow storage and he went into detail addressing the recommended conditions listed in his submitted letter, for clarification.

Chad Hamilton, of DL Evans Bank, resized the building from the previous design review in 2006 because of the loss in market. He explained the main floor would be for retail banking and second floor for private banking in the future or leased out for professional office space. There was discussion between Erstad and staff in regards to Chestnut Street being deeded back to the city.

Erstad would like any adjustments to be brought back to staff to avoid continuing to another meeting.

Commissioner Spears asked staff how many parking spaces were provided. Planner Platt stated 25. Commissioner Spears asked the applicant about the snow storage. Erstad pointed out the proposed snow storage areas. Commissioner Spears asked about the change to the ramp. Erstad stated there was a concern about a car exiting on Chestnut Street so they extended the ramp length for safety. Commissioner Spears asked about the parking spaces that are being requested to be employee parking spaces and mentioned that it appears pretty tight at the northernmost parking space. Commissioner Spears agreed with staff with making the first couple of parking spaces employee parking. Erstad stated the drive through lane would push outside of the building.

Commissioner Pogue commented on condition h) regarding the arborist's report and asked the applicant if this was done. Hamilton stated there was not a spade big enough to use and that was not noted in the arborist report. Commissioner Pogue asked if this recommendation was in writing anywhere. Hamilton stated no. Commissioner Pogue asked if a larger spade could be made available. Erstad stated the report was saving the two larger spruce trees and speaks to the health of the trees. Commissioner Pogue asked staff in regards to the lighting if it complied with the Dark Sky Ordinance. Planner Platt replied there are two different specs that are shown; the WM1, the lower model with a transparent window, would not be compliant but the top model shown on the spec sheet would be. She mentioned the fixtures should be mounted so it would only allow for downlighting. She asked about the Armet fixture, which may be an indoor fixture, and asked the applicant to address that. Hamilton stated that was an exterior fixture for the front of the building on Main Street. Planner Platt said they are not compliant unless they produce 400 lumens or less, equivalent to a 40 watt incandescent or 7 watt fluorescent,. Planner Platt did not think that this type of fixture accommodated such a low level of lumens. She said the other two fixtures that were submitted are in compliance. Erstad stated the light in question as well as all lighting fixtures will meet the dark sky ordinance and suggested making this a condition of approval.

Commissioner Johnstone mentioned the labeling of the elevations seemed to be incorrect. **Jason Smith** said a lot of times in their drawings they will indicate north for the drawings to be separate from true north for more of a reference plate, as a northwest corner. Commissioner Johnstone asked if the drive through was going to be below grade. Erstad showed a grade slope of 4 feet below the floor level and said the tellers would be looking down into the drive through.

He said it does not go down below the adjacent alley grade.

Commissioner Moore was also confused with the labeling of the elevations. He mentioned the grading plan seemed to have an excess of 12" of grade. He asked staff if there was a standard for alleyways. He mentioned the adjacent property to the west has a substantial grade. Erstad said the civil engineer is working with them to make sure there will not be a significant slope.

Commissioner Scanlon asked Erstad if the metal window shades would be self supporting. Erstad answered yes, self supporting without bringing a rod back at this point. Commissioner Scanlon asked why they did not want to limit the parking spaces to employee parking. Hamilton stated he did not think there was a real issue there to make it employee parking. Commissioner Scanlon referred to the second floor plan and mentioned the two doors on the second floor seemed too close together for a non sprinklered building. Erstad noted that. Commissioner Scanlon asked if the power pole was going to be moved. Erstad stated they would work with Idaho Power to move the pole, but they did not want to bury the power lines because that would require them to bury the lines along the entire length of the block. He said they would bury the utility lines if it was a requirement. Commissioner Scanlon asked Planner Platt about that. Planner Platt stated it was a standard condition, but it would be up to the City Engineer who would approve that and if so, then that could be accommodated. Commissioner Scanlon asked Erstad where on the site plan the pole would be moved to. Erstad asked Smith to point this out. Smith stated Idaho Power would determine where the pole would be moved. Commissioner Scanlon asked if the lights were going to be on a timer. Smith replied with the being a bank security is important and they would like to have the exterior lights on until after business hours, stating there would be a light at the ATM, and there would also be one light in the parking lot which could be put on a timer. Commissioner Scanlon asked what the color of the glass would be. Erstad stated it is regular, a non reflective glass. Commissioner Scanlon asked staff if they were keeping in the current sidewalk. Planner Platt stated that there was not an existing sidewalk adjacent to Chestnut Street, but that it is important to have one straight uninterrupted sidewalk, which would comply with the sidewalk ordinance.

Commissioner Moore asked about the property to the west, which is currently not developed, and if that part of Chestnut Street has vacated also. Hamilton stated he did not know for sure. He said as part of the process that was to be done.

Public Hearing Opened

Jason Miller, Executive Director of Mountain Rides Transportation, asked if the applicant noticed that there was an existing bus stop on Main Street adjacent to the property. He said there needed to be ability for a bus to turn in and out and suggested for perhaps the applicant to include a bus turn out and a bus shelter there. He said that stop has been in that location since 2001 and is used on a daily basis. He also mentioned that they have had discussions with the city for a circulator bus to be used in the city.

Kim Anderson, said he is an adjacent neighbor on River Street and mentioned this was a nice addition to the neighborhood. He sees this project opening up River Street potentially for a rezone to Limited Business or Transitional. He thought it was a great project and as a neighbor he could walk to the bank. He asked Hamilton about the sidewalks and also about the drive

through for clarification.

Public Hearing Closed

Commissioner Moore was concerned with the parking on Chestnut Street and mentioned that an ADA parking space backing out onto Chestnut Street is not permissible, as he sees it. He asked Planner Platt if they would receive credit for the parking spaces on Main Street. Planner Platt explained the 5 spaces on Main Street have already been improved. She explained whatever parking spaces that cannot be provided for on-site, can be provided by improving the City right-of-way within 1200 feet of the property. She explained along Chestnut Street there are five spaces and if the applicant were to deed that portion to the city then that would actually allow them to improve those spaces for parking credits, allowing for rear entry or exit because the spaces would be in the City right-of-way. She said there are 12 spaces proposed along the alley but staff has recommended only 11 spaces to accommodate the straightening of the sidewalk. She said there are 5 spaces on-site, south of the building, and there are a remaining 3 spaces to be provided for, which could be provided for through improving the city right-of-way within 1200 feet of the property, such as improvements for a bus stop. Commissioner Moore commented on the alignment of the ramp walkway and mentioned that would be dependent on the adjacent parcel which does not have a vacated section of the street and felt that should carry straight through also. He was concerned about the steps on Chestnut Street, which does not give a pedestrian safe access or accommodate a handicapped person. He said the steps are increased near the drive through by creating the ramp down below. He commented on circulation and vehicular parking guidelines. Commissioner Moore referenced to the 5 spaces on the south side and said the dimensions are deeper than the width of the opening and sees a 4-5 point turn to turn around. The spaces that are further looked even more difficult to back out of. He asked what the slope was coming down out of those 5 parking spaces. He asked if they dropped their entire drive through. He said he was confused how they will actually get out of those 5 spaces.

Commissioner Johnstone was concerned about the snow storage at the alleyway entrance adjacent to Chestnut Street. He said the snow storage there is typically 6 to 9 feet high. He was concerned about it being a visual barrier. He also expressed concern about the 5 parking spaces. Commissioner Johnstone urged the Commission to have power lines buried. He felt the arborist report needed to be revisited and thought that a lot of the trees are likely to be stressed out.

Commissioner Pogue complimented on the design. He was also concerned about the 5 parking spaces and if they would require a point turn to get out. He stated they are the southern most parking spaces and thought it was appropriate to have them designated as employee parking. He also agreed for some of the lighting to be put on a timer.

Commissioner Spears suggested motion detectors on some of the lights verses timers.

Commissioner Scanlon complimented on the design as well. He was concerned about 2 parking spaces to the west of the 5 parking spaces and he suggested making it a condition of approval that they be employee parking spaces. Commissioner Pogue stated those were the two he was concerned about as well. Commissioner Scanlon stated that he would also like a hammerhead installed by the two parking spaces on the right so they are not backing into the drive through. He asked Erstad how many cars would initially be in the drive through. Erstad stated four could

be in the drive through lanes and two more against the building. Commissioner Scanlon asked if they could move the ATM to the east. Hamilton asked if that would be for safety reasons and asked staff what the code read. Director Robrahn stated there are not standards regarding a drive-thru. Commissioner Scanlon suggested bus stop improvements be made for parking credits in-lieu of some employee parking. He said he would like to see the parking lot light be put on timer as a condition of approval.

Erstad replied to comments made by Commissioner Moore:

Erstad said the new elevation reflects a slope eliminating the steps, with the ramp pushing the sidewalk out, which would be a safer route for the pedestrian. He said they will show the elimination of the steps on the west elevation. He said they will sign the parking spaces as employee spaces. He said they would like the opportunity to work with staff on this.

Erstad replied to comments made by Commissioner Johnstone:

Erstad spoke to Idaho Power about dropping the lines underground and financial feasibility is in question. He said he would like to work with staff regarding the snow storage areas. He said they will speak to the arborist and have them update the report.

Erstad replied to comments made by Commissioner Pogue:

Commissioner Pogue thought they should sign the 5 parking spaces as employee only spaces. He agreed for some of the lights to be put on a timer.

Erstad replied to comments made by Commissioner Spears:

Commissioner Spears commented on having motion sensors for the lights in certain areas. Erstad said they would consider that.

Erstad replied to comments made by Commissioner Scanlon:

Commissioner Scanlon commented in regards to the location of the island having tight parameters and Erstad said they would work with staff on that. They were concerned of crossing a property line.

Director Robrahn reviewed the changes made to the conditions:

- Condition c-7; change to read "water service shall meet city standards".
- For the issue of the sidewalk, whether it jogged or is straight; the Commission should state its preference continued to be straight, unless otherwise determined by the City Engineer due to grading issues. Director Robrahn asked the applicant if that sounded reasonable. Erstad stated it is reasonable with the flexibility, but by stating it is straight they would lose a parking space. He stated he did not think they would get the slope that Commissioner Moore was concerned about without stairs. Director Robrahn stated that is why the option is being left open for the City Engineer.
- Combine Condition c-9 and c-18 and add language "to be determined by the City Engineer".
- Condition h; covers an updated report from an arborist.
- Condition k-4; either eliminate three of the parking spaces or deed the portion of vacated Chestnut Street back to the city. She thought it was okay with the applicant to deed it back to the city. Hamilton stated yes. Director Robrahn stated they will change the language to read "the applicant will deed that portion of Chestnut Street back to the city." Commissioner Spears asked

if the portion deeded back to the city would take away calculated snow storage areas for the applicant. Planner Platt stated this change will remove more than 2500 feet of paved area, which will significantly reduce the required snow storage.

- Condition k-2 relates to c-16; Director Robrahn stated when defining the findings of fact they will find a way to address k-2 with the sidewalk under c-16 so they do not conflict.
- Condition m; regarding the five parking spaces that are conflicting with the drive-thru. The Commission needs to decide how many spaces, if any, they want designated as "Employee Parking Only". Commissioner Scanlon stated the two spaces closest to the building. Commissioners Pogue, Spears, Johnstone, and Moore concurred.
- Commissioner Scanlon wanted to amend Condition l, to make the parking lot lights to be on a timer. Commissioner Spears suggested for a motion sensor for the exterior lighting around the building. Hamilton stated they would like the front lit at night and a motion sensor in the back. Commissioner Moore stated that might be disturbing to the neighbors. Commissioner Pogue stated he would be fine with a light to be on under the ATM canopy but did not feel it was necessary for the exterior lighting to be on in the back of the building. Director Robrahn stated to add language to read "the parking lot lights and the exterior building lights at the rear of the building to be on a timer to turn off after business hours except for the light under the ATM canopy".
- Planner Platt stated to add another condition for the remaining parking spaces left over, depending upon whether the space at the alley parking area nearest to Chestnut is to be removed, will depend upon how many spaces will need to be provided for with city right-of-way improvements. She said to use language to that read "the remaining 3 to 4 spaces shall be provided depending upon the sidewalk configuration, as determined by the City Engineer".
- Director Robrahn stated the Commission needed to state their preference if they want the payment for the parking credit to go towards bus stop improvements. The Commission all concurred that they wished the credits to go towards bus stop improvements.

Director Robrahn mentioned for the Commission to pay special attention to the findings of fact at the next meeting to ensure that all of these conditions have been covered and are accurately stated.

Commission Pogue moved to approve the design review application as amended for D.L. Evans Bank, located on Lots 1, 2, 3, 4, 5 and 20 feet of Chestnut Street, adjacent to Lot 1, Block 5, Hailey Townsite, at 609 Main Street South, finding that the project is in conformance with the Comprehensive Plan; the project does not jeopardize the health, safety, or welfare of the general public; and 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. Commissioner Moore seconded, the motion passed unanimously.

Commissioner Johnstone had a problem with loading up Main Street with banks and churches. He would like to see these located on side streets whenever possible. He would like for a vibrant downtown business area to be a goal for later on down the road.

Unfinished Business

Items continued from January 20, 2009; staff requested items to be continued to Tuesday, February 17, 2009.

Various Zoning Districts Relating to the Sustainability of the Hailey Zoning Ord. No. 532

A city initiated text amendment to various zoning district articles of the Hailey Zoning Ordinance No. 532, including but not limited to, establishing standards for solar panels and small wind energy systems, allowing a maximum of three chickens per lot within certain districts, and allowing accessory dwelling units within the Limited Residential (LR) district.

Article 6A Sustainability of Hailey Zoning Ord. No. 532

A city initiated text amendment to Article 6A, Design Review of the Hailey Zoning Ordinance No. 532, including but not limited to, requiring landscape plantings used in multi-family and non-residential developments to be drought tolerant species, exempting small scale wind energy systems from screening standards, and clarifying the standard for increasing energy efficiency in buildings.

Article 9 Compact Parking and Dimensions of Hailey Zoning Ord. No. 532

A city initiated text amendment to Article 9, Parking and Loading Spaces of the Hailey Zoning Ordinance No. 532, including but not limited to, reducing on-site parking space dimensions.

Article 11 Wind Energy Systems of Hailey Zoning Ord. No. 532

A city initiated text amendment to Article 11, Conditional Use Permits of the Hailey Zoning Ordinance No. 532, including but not limited to, establishing standards for small scale wind energy system.

Commissioner Pogue moved to continue the sustainability amendments to a date certain of February 17, 2009. Commissioner Spears seconded, the motion passed unanimously.

Staff Reports and Discussion

Director Robrahn said there is a possibility that she might not be at the next meeting, depending upon if she has her baby or not.

Director Robrahn introduced David Lloyd to the Commission who will be replacing Mark Spears.

Adjourn

Commissioner Spears moved to adjourn at 8:25 p.m. Commissioner Johnstone seconded, the motion passed unanimously.