

**Minutes of the  
Hailey Planning & Zoning Commission  
April 20, 2009**

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

**Consent Agenda**

**Tab 1** a. Approval of Minutes – **April 6, 2009**

**Tab 2** b. Approval of Findings of Fact – **Lily & Fern Design Review**

**Tab 3** c. Approval of Findings of Fact – **Hailey Auto Exchange design Review with no substantial impact.**

**Commissioner Johnstone moved to remove tab 1. a. from the Consent Agenda.** Commissioner Moore seconded, the motion passed unanimously.

**Commissioner Moore moved to approve the Consent Agenda tabs 2 and 3.** Commissioner Johnstone seconded, the motion passed unanimously.

Commissioner Johnstone said he was not present at the April 6th meeting and to remove his name from those present. Commissioner Scanlon corrected a misspelled word to read "statute" on page 3, paragraph 4 of the minutes.

**Commissioner Moore moved to approve amended tab 1.a. of the Consent Agenda.** Commissioner Pogue seconded, the motion passed unanimously.

**New Business**

**R. Davis Business Center Bldg. #2 Design Review**

A public hearing upon an application by Bruce Allen for design review of a new commercial building, to be known as R. Davis Business Center, Bldg. #2, located on Lot 2, R. Davis Business Center Subdivision (940 Fourth Ave. So.), within the Limited Business (LB) district.

Director Robrahn stated the issues with the proposal are highlighted in the staff report and most relate the Main Street elevation.

**Tobin Dougherty**, architect for the project, presented the application for Bruce Allen. He said the configuration of this property made designing the Main Street elevation difficult. He said they tried to create a [vehicular] entrance off of Main St. during the subdivision process and that was not approved by the City at that time. There is a elevation change of 4-5 ft. The building is set at the lower level and is proposed be a pharmacy with a drive-through. Dougherty asked Director Robrahn to read the definition of a front lot line; Director Robrahn read: *the property line dividing a lot from a street. On a Corner Lot, only one (1) street line shall be considered the front lot line and the main or front entrance to the principal building on the lot shall face such*

*lot line. For buildings located on a corner with more than one business with the building, the front lot line is the side where the businesses' street address is listed.* Dougherty stated the highway is higher than the lot. He stated that he addressed the building internally. The parking would be in the rear. He asked how changes the entrance to the building would effect ADA requirements. He stated they could make the entry face Fourth Avenue but would have to eliminate the underground parking. He suggested he would like to hear the Commission's discussion.

**Bruce Allen**, owner of the property and Bruce Allen Construction, stated the Cemetery road previously ran through the property and that the property was previously owned by a concrete company which left tons of concrete there. The pharmacist who wants to occupy the building also wants a drive-through. He said they would abandon the idea of underground parking and address the front of the building to Fourth Avenue. He said the highway view is a nice elevation. He explained the landscaping that he has chose for the property. He said everything is ready to go with this project and they are ready to construct the building.

Dougherty discussed some of the building department requirements in regards to the frontage to the building.

Commissioner Moore discussed the west elevation and asked the applicant if they were comfortable with condition e. Dougherty stated yes. Commissioner Moore asked about the driveway.

Commissioner Johnstone asked Dougherty to speak about the snow storage. Dougherty stated they have increased snow storage a little. He said he agreed with Allen in regards to doing away with the underground parking area.

Commissioner Pogue asked about the doors on the highway side of the building. Dougherty stated they would be for emergency access, loading and unloading entrances. Commissioner Pogue asked where the access would be for lot 1. Dougherty stated there would be offices and explained where the entrance would be. Commissioner Pogue asked where it would face. Dougherty replied west.

Commissioner Scanlon asked where the utility boxes were located. Allen showed where they are located and said everything that is needed for this property is already installed underground. Commissioner Scanlon asked about the screening of the trash dumpster. Dougherty said they can screen it with a fence. Commissioner Scanlon asked about the corrugated metal; Dougherty replied it will be treated with zinc to dull the appearance. Commissioner Scanlon said as long as it is not reflective. Scanlon also asked where the check out would be for the pharmacy.

### **Public Hearing Opened**

**Steve Crosser**, 431 Aspen Drive asked about the elevation facing the highway and thought it would look good driving into Hailey. He asked where the underground parking would be. Dougherty stated it would be from Fourth Avenue.

### **Public Hearing Closed**

Commissioner Pogue thought it was a nice building. He said the requirements of the ordinances and standards need to be met. He spoke about the entrance and said putting some kind of entrance facing the highway and also orienting the building towards Fourth Avenue.

Commissioner Johnstone expressed concern about the lot being icy during the winter months. He said he thought the building had an industrial feel. He thought about separating the buildings on Lot 2 and reorient or invite the public to front entrances in the space between the buildings.

Commissioner Moore was also concerned with the orientation, an inviting feeling, which is mentioned in the design review guidelines. He also thought that the elimination of the underground parking garage would solve some of their problems. He suggested doing something with the west corner.

Commissioner Scanlon agreed with much of what was said by the previous Commissioners. He did not like the parking in the back of the building and suggested there could be a way for the pharmacy to be on the east side to maintain the handicapped accessibility from the back. He envisions a lot of people walking there. He does not like the ramp and wondered if there was a way to address accessibility without having the ramp.

Allen said eliminating the underground parking would solve a lot of problems. He suggested store front windows on the Main St side but he would like to leave the layout of the drug store the way it is. He elaborated further on the drive-through.

Commissioner Scanlon asked if they left the pharmacy the same would anything be done with the street scape. Dougherty asked how they would get the pedestrians off the bike path down into the area.

Director Robrahn clarified that there are two different ways to enter the building. She said the issues relate to accessibility and convenience and directed the Commission's attention to three standards; A1. *The building shall be oriented to the street*; A3. *The side should be designed to support pedestrian circulation and provide pedestrian amenities*; and A4. *Conflicts between different circulation needs and uses should be minimized*. She said she heard direction from the Commission to provide an entrance on Main St. and the applicant suggested facilitating pedestrian movement from Main St. to the building implying there would not necessarily be an entrance on Main St. She asked the applicant if she understood this correctly. Dougherty said that is a problem that will require some study. Director Robrahn continued stating that accommodating pedestrian flow from Main St. could be addresses by an entrance on Main St. or there may be some other design solution. She said the Commission should be clear in its direction to the applicant and state exactly where they wanted an entrance to be located. She suggested continuing this application to the next regular meeting.

The Commission clarified they wanted an entrance to the building from Main Street. Commissioner Scanlon said the guidelines state an entrance not necessarily a main entrance; like the entrance that Albertson's has on the corner.

Allen asked if half the building could be oriented towards Fourth Avenue.

**Commissioner Moore moved to continue the public hearing upon the design review application for R. David Business Center, Building 2, located on Lot 2, R. Davis Business Center Subdivision (940 Fourth Avenue S. or 911 Main St. S.) to a date certain of May 4, 2009 to allow for the applicant to resolve the compliance issues discussed by the Commission.** Commissioner Pogue seconded, the motion passed unanimously.

**City Initiated Text Amendment to Article 2, Definitions of the Hailey Zoning Ord. No. 532**

A public hearing upon a City initiated application for a text amendment to Article 2, Definitions Section and Article 4.13, Townsite Overlay, of the Hailey Zoning Ord. No. 532.

Planner Platt stated the amendments would define the term "new building" and capitalize the newly defined term to indicate that the term is defined in Section 2.2. The purpose of the new definition was to eliminate some inconsistencies in the way Section 4.13.8 has been interpreted in the past.

Commissioner Pogue recused himself because he has discussions with staff concerning issues with his own lot. He asked staff why lot lines needed to be removed.

Planner Platt stated it is a way to clean up lot lines underneath existing homes, as well as near homes, which creates set-back compliance issues. Director Robrahn thought the requirement tied to the Building Code which does not allow for buildings to be constructed over lot lines.

Commissioner Pogue asked if the City platted the original lots in Hailey. Director Robrahn stated yes. He said he would like to see this continued to another meeting before a decision is made.

Director Robrahn said more research would be conducted.

**Public Hearing Opened**

**Peter Lobb**, 403 Carbonate St. East said he would like to see this go to another meeting because he doesn't understand it.

Steve Crosser said if a certain size house is built if the setbacks have to be met. He is confused.

**Public Hearing Closed**

**Commissioner Johnstone moved to continue this City Initiated Text Amendment to Article 2 to a date certain of May 4, 2009.** Commissioner Pogue seconded, the motion passed unanimously.

**Adjourn**

**Commissioner Moore moved to adjourn at 8 p.m.** Commissioner Johnstone seconded, the motion passed unanimously.