

**Meeting Minutes of the
Hailey Planning & Zoning Commission
September 8, 2009**

The meeting was opened at 6:30 p.m. by Commission Vice Chair Michael Pogue. Commissioners present were Mark Johnstone and Geoff Moore. Staff present was Planning Director Beth Robrahn, Planner Mariel Platt, and Planning Assistant Becky Mead.

Consent Agenda

Tab 1 Meeting Minutes – August 17, 2009

Tab 2 Approval of Findings of Fact – Ritzau Garage Design Review (no substantial impact)

Commissioner Johnstone pulled Tab 1 of the Consent Agenda in order to abstain from the vote due to his absence on August 17, 2009.

Commissioner Moore moved to approve Tab 2 of the Consent Agenda. Commissioner Johnstone seconded, the motion passed unanimously.

Commissioner Pogue moved to approve Tab 1 of the Consent Agenda. Commissioner Johnstone abstained, Commissioner Moore seconded, the motion passed.

New Business

City Initiated Text Amendment to Hailey Zoning Ord. No. 532, Design Review Sections

A public hearing upon a city initiated text amendment to the Hailey Zoning Ordinance No. 532, Design Review Sections 6A.7.2.1, 7.2.2 and 7.2.3, removing redundancy and clarifying design review standards and guidelines.

Director Robrahn requested the Commission continue this to October 5, 2009.

Commissioner Johnstone move to continue the public hearing upon the city initiated text amendment to the Hailey Zoning Ordinance No. 532, Design Review Sections 61.7.2.1, 7.2.2, and 7.2.3 to October 5, 2009. Commissioner Moore seconded, the motion passed unanimously.

Blaine County Recreation District Shared Parking Plan for the Bike Pump Track

Review and action on a shared parking program, pursuant to Zoning Code, Section 9.4.8, allowing the Blaine County Recreation District's Bike Pump Track to use parking spaces provided by the Blaine County School District at the Wood River High School Campus (1060 Fox Acres Road).

Planner Platt stated the Conditional Use Permit for the Bike Pump Track was approved on August 24th by the Hearing Examiner. She said the applicant has to provide three (3) parking spaces on site or propose a shared parking plan with Blaine County School District. She stated the Commission has been provided with the shared parking plan in their packet.

Eric Rector with Blaine County Recreation District stated they would prefer to have the shared parking

with the Blaine County School District rather than the 3 on site parking spaces; those spaces would have to either be by the bus barn or by the pool.

Commissioner Moore asked about the pump track #2 that was on the site plan. Rector replied the BCRD decided to start with pump track 1. He said maybe there may not be a pump track #2.

Commissioner Moore moved to approve the shared parking plan for the Blaine County Recreation District's Bike Pump Track with the Blaine County School District. Commissioner Johnstone seconded, the motion passed.

Unfinished Business

Colorado Gulch Preserve Annexation

Continuation of the public hearing upon an application by Hartland Development Company LLC for annexation of 21.81 acres of the Colorado Gulch Preserve located within Lot 1, Block 1, Stevens Family Ranch, LLC Subdivision (70 Broadford Road). The parcel is located west of Airport West Subdivision and south of Della View/Broadford Estates Subdivision. The applicant is requesting General Residential (GR) zoning of the property should annexation be approved.

Commissioner Pogue recused himself from any deliberation of this application as his firm represents the applicant and sat in the audience.

Director Robrahn stated the Commission requested updated information from the applicant, which is included in the staff report. She asked the Commissioners if they had any questions on the information provided.

Commissioner Moore asked Commissioner Johnstone if he had any comments or questions for the applicant. Commissioner Johnstone stated he did not; everything they requested has been provided.

Commissioner Moore asked about the city's well head protection or wells downstream and asked if there are existing wells downstream, in the county, and he asked if this should be a concern and asked if any test has been done. He said the reason he asks is because the City Engineer was concerned with the possible dry wells and if this could affect downstream wells.

Brian Yeager, Galena Engineering stated there are drywells downstream from the property but mentioned that the well head protection for the city is only for public water supply. He said almost every private well in the county is downstream. He said the county has adopted the South Central Health District and/or DEQ to review any wells or drywells to insure there is adequate spacing available between all of those features. He stated the drywell water running off of lawns and streets, the concentrated pollutants are significantly less than a drain field. He said the worst case scenario of impact of a drywell downstream would become negligible. Yeager explained the reason it is different for the City of Hailey's well head protection is solely because it is public water supply serving several units.

Yeager addressed the traffic update; he said there have been current traffic counts done which were adjusted and projected into the future. He said the overall result was basically the same and the trip generation was more from the single family mix which generates less traffic. Yeager said the City

Engineer would like them to project future traffic based on the 2004 count. Yeager expects for this study to be pretty similar.

Commissioner Johnstone asked how the studies were adjusted seasonally. Yeager said the traffic counter is north of Hailey and he takes the average monthly daily count, multiplies times 5 for the peak and in addition identifies the worst of the worst of the worst scenario. Yeager said he figures 94 lots at 1 car per lot.

Yeager addressed the wildlife study and said he has discussed the bench property with a wildlife specialist and they said there is no significant wildlife conflict and said they will be submitting an updated report.

Yeager said Jim Koonce, the current county engineer has a degree in mining engineering and has an in depth knowledge of the area. Yeager said Koonce's response was there is no mining activity or any evidence of that on the property east of the river.

Yeager said they have requested an updated letter from Steve Fisher who did a wetland study in 2004. He said there is a question of a potential trail along the wetlands; he pointed out the wetlands on the map compared to the existing trails and said they do not plan to make any changes. He said there will be a 20 or 30 foot section crossing the wetlands.

Yeager explained the sewer lift station saying a gravity sewer line cannot go downhill into an existing sewer system; they have to grab it sideways or uphill. He explained because of the slope a lift station is required. He said they would pump up to a gravity system which is a conventional situation and not uncommon.

Yeager said they have submitted the current lot number to Director Robrahn and that it is included in the Commission's packet.

Jeff Pfaeffle, the applicant wanted to go over the density and explain what density affords them to provide as benefits for the city. He said they started out with 4 units per acre which totals 78 units. He took into consideration what affordable housing would add to that with creating triplex units, bringing the total to 94 units. He spoke about the property that was left in the county. He spoke about his property in comparison to the city core, the light industrial area, and said in the future the airport property will no longer be an airport, his proposal offers a subdivision near recreation. Yeager said this is a very simple project and he understands there will be negotiations at the Council level as far as impact fees, etc.

Commissioner Moore asked Commission Johnstone if he had any questions. Commissioner Johnstone stated he did not at this point.

Commissioner Moore's questioned the liftstation and asked if there will be some kind of spur used. Yeager said a pipe for a future connection would be installed or perhaps an easement for access.

Commissioner Moore said there were concerns from the building and fire departments about lots going into the riparian area. Yeager pointed out the lots and the building envelopes and said any building taking place must be on the top part of the bench, up above the floodplain. Commissioner Moore asked if there will be fences. Yeager said there could be fences potentially.

Pfaeffle made comments with regards to the building envelopes and said there could be discussion about building for energy; a what if situation. Yeager said the floodplain runs from the toe of the bench. He said they have the opportunity to utilize the entire lot and still stay above the floodplain.

Commissioner Moore commented on the existing berm and asked if they planned on changing that and how high or how low would it be. Pfaeffle said he is open to the city's desires. He said the property does sit below Broadford Road. He said they originally set berms with landscaping but have not gotten in to those details yet. He explained there are benefits to the subdivision to have a little buffer from the light industrial area.

Commissioner Moore had concerns with the park in lieu fees. Pfaeffle said the proposal is a "what if layout". He said they have ability to provide park requirements on or off the property. He wants to establish the trails and paths to Colorado Gulch first. If he knows that he will be annexed, then they will continue discussions regarding the east side, the bridge, and conservation easements. He said he would continue along that path sooner than later. They need to get the bench annexed first before they can go forward.

Yeager said that they have to go through a lot of steps and want to offer to the public connectivity from Hop Porter Park to Land Trust. Yeager said there is a tremendous desire expressed by the people who cross the property to access Colorado Gulch Road.

Commissioner Moore asked staff about Section 14.01.05 the submittal requirements and asked if they were all received. He did not see any contributions or dedications, and then asked if that was being discussed. Director Robrahn said that contributions would be discussed by the Council.

Commissioner Moore pointed out there were no sidewalks within the development. Yeager said that was correct. He said they do not have a full blown subdivision submittal yet; there will be potential pathways and said they are open to a discussion of sidewalks. Pfaeffle said he is envisioning the roads would be taken care of by the Home Owners Association and there would be no expense to the city.

Commissioner Moore asked about School District buses or Mountain Rides' services in that area. Pfaeffle said he really did not get that far with the planning. Yeager said they could incorporate a bus stop.

Public Hearing Opened

William Miles, 71 Broadford Road wanted to clarify that the Commission does not have jurisdiction over the forced annexation issue, which would be the City Council. Commissioner Moore stated that is correct, that the Commission is just an advisory body. Miles stated that forced annexation is not really very harmonious. Miles said he reviewed the traffic report and said it was pretty good but it did not go into much detail with Broadford's problems and the implications of increased traffic. He asked if that was pertinent to the jurisdiction of this Commission. Miles submitted more written comments to address the traffic studies.

Commissioner Moore asked Director Robrahn if the traffic studies were the Commission's concern and the impacts on the road. Director Robrahn stated yes relative to the Comprehensive Plan compliance, the

Comp Plan has several policies that deal with traffic and impact on the city's infrastructure. She said it is appropriate to have these discussions at the Commission level and the city engineer would also be involved in these discussions.

Miles said he has traveled Broadford Road frequently and said the worst traffic was northbound on Broadford Road and what happens when you get to Cedar Street. He said the traffic study shows an increase more than 100% in the am and 50% in pm hours. He said the biggest problem, which the traffic study mentioned, is most of northbound traffic turns left on Cedar Street and then goes right on River because it is so difficult to turn on to Main Street. He said the problem that arises is creating more traffic in the residential area on Cedar and River. He said because of the configuration of that intersection, trying to turn left on Cedar; traffic turning left off of Main Street cannot be seen very well which could cause potential accidents which would double the traffic at certain times of day. Miles commented the portion of Broadford north from the annexation, that curves and goes around the hill, is subject to white out conditions in the winter. He also said there are no bike paths, no sidewalks, and no shoulders on Broadford. Miles was confused where the water and sewer mains would go. He said he heard first Airport West, and then he heard the Riverside Station. He said once the forced annexation issue develops more that could have a big impact on costs. Miles said he heard at the meeting there would be no wildlife impact on the bench. He said he bikes frequently and sees wildlife in his yard he lives higher up above the bench and sees wildlife and doesn't believe the increased traffic and units won't have an impact on the wildlife.

Peter Lobb, 403 Carbonate Street East, said there would have to be a significant benefit for the city and said so far he has not seen any benefit for the city. If this is not annexed into the city the county will have to do a PUD. The county is tough and will have them do more than they are offering the city. He told the Commission not to be afraid that the city will loose anything if this is not annexed. There are liabilities that he will not go into at this time. He sees this as a long process with plenty of time to talk about things

Larry Young, 421 Third Avenue South, disagrees with Lobb and said he would not pretend to know how to balance the density and unlike Lobb is not abreast of a lot of the nuances of this project. He said he is one of the trespassers that goes along the trail and said it would be crucial to him to have that connection between Hop Porter and Colorado Gulch. He said the 98 houses would not be built for 20 years.

Pam Ritzau, 211 Second Avenue North, she said one of her sorrows of living in Hailey is that she has to drive to Ketchum to walk her dogs and thinks this would be a huge amenity to the city. Why not have Hailey have some authority over what goes on here since the property is so close to the city limits.

Steve Crosser, 431 Aspen Drive, said Pfaeffle brought up that there should be a bike path running along the property and sidewalks shown along the road to provide for somewhere to walk. He said to add a bike path and sidewalk along the road, even if it leads to no where.

Public Hearing Closed

Pfaeffle addressed public comments:

- In regards to sidewalks he explained this is a hypothetical layout; they really were not submitting a plan like a preliminary plat would be presented to the Commission.

- They did not show a trail because most likely they would go along the canal; this was merely a show case of what could be along the bench as far as density.
- The comment on the county, he explained the separate piece of property compared to another parcel. They would only be addressing the one parcel. He said when he spoke to Jeff Adams, these types of locations in the city limits is where the county would like to see more density with 5 units per acre. He said if that were to occur then the county could be creating density on city limits with no financial compensation for the city.

Yeager said the points brought up about Broadford Road are correct and could stand some improvement. The intent of this project is to offer a potential to discuss and improve the area down there. They do not want to eliminate that concept. He said he would not dispute there have been wildlife seen, the specialist said there is not elk on the bench and people they have spoke to have said there is not a huge amount of wildlife on the bench. Yeager said they are trying to offer the use of the route and the experience of traveling through that floodplain area.

Commissioner Moore asked Commissioner Johnstone if he had any comments. Commissioner Johnstone said no.

Director Robrahn said she had some suggestions for the Commission to consider.

- As far as the existing trail in the wetlands and the applicant stating there is no proposal to change that trail, therefore there is no change in impact; because the trail is being proposed as one of the benefits of this annexation, would it be worth asking for the existing trail to be improved to minimize any impact that the existing trail may have. Does the existing trail have any impact on the wetlands; could there be any mitigation to minimize that impact.

Commissioner Moore understood and agreed. He said he understood that the Fish and Game had no problem with the canal but once it does get into the wetland riparian area what would happen to the area? He said we know that it is already being used.

Yeager said the canal that is being referenced diverts from the river and the trail location is proposed on the easterly side to respect the wildlife on the other side. He said there is a trail that crosses the canal and he was not sure of the existing trail. Pfaeffle pointed out exactly where the trail would run.

Commissioner Moore asked if they could abort those paths and prevent people from going there. Pfaeffle said if they establish a public path that creates connectivity then people should not have any reason to trespass on anyone else's property. He also pointed out the area that Fish and Game would not like to see for people and dogs.

Director Robrahn suggested having a discussion with the applicant on this issue. She commented on the wildlife issue and said it made sense that the bench may not have a lot of wildlife habitat or a migration corridor but potential indirect impacts could result in the area below the bench after development. She said it could be specified that the indirect impacts be considered in the wildlife assessment.

Pfaeffle said that would cut off the connectivity they are trying to offer and then said they could move the trail.

Commissioner Moore said just because you do not see wildlife there does not mean that they are not there. Pfaeffle said he is aware there are animals around.

Pfaeffle asked Director Robrahn if she received the letter from Kaz and it outlines what she is going to do.

Director Robrahn wanted to clarify that Yeager will be addressing all of the engineer's concerns and comments. Yeager said he will update the traffic studies and water studies. Director Robrahn stated there are several points on page 3 of the staff report and asked them to respond in written form for the engineer to review. Yeager said they would.

Commissioner Moore asked Director Robrahn the date to continue this to; Director Robrahn suggested October 5th.

Commissioner Johnstone moved to continue this application for annexation to a date certain of October 5, 2009. Commissioner Moore seconded, the motion passed.

Commissioner Pogue rejoined the Commission.

Workshop

Continued discussion of Comprehensive Plan update process.

Director Robrahn stated there are workshop dates scheduled and she asked if people could spread the word that the workshops are coming up. She has cancelled the September 10th meeting that was scheduled for the people who were to make phone calls. She asked Lobb, one of the neighborhood leaders, if he had any comments. Lobb said he has 7 or 8 people that are willing to make calls for the old Hailey area. He said he thinks a lot of people are interested in coming from his neighborhood they just do not want to make the phone calls and said possibly 10 or 15 people would probably come and hopefully they would get some kind of input.

Director Robrahn said the joint meeting with the Commission and City Council is scheduled for September 28, 2009 at 7 p.m. She said she is preparing information that she will pass along, an overview of the Comprehensive Plan update and their goals for 2009 to touch base with council on, which will be the material for that meeting.

Adjourn

Commissioner Moore moved to adjourn at 7:50 p.m. Commissioner Johnstone seconded, the motion passed unanimously.