

MEETING MINUTES
HAILEY PLANNING AND ZONING COMMISSION
Thursday, June 19, 2008

The meeting was called to order at 5:30 p.m. by Commission Chair Stefanie Marvel. Commissioners present were Owen Scanlon, Geoff Moore, Michael Pogue, and Mark Spears. Staff present included Planning Director Beth Robrahn, City Planner Mariel Platt, Planning Intern Eric Grootveld, City Attorney Ned Williamson, Parks Project Coordinator Becki Keefer, City Engineer Tom Hellen, and Fire Chief Mike Chapman.

Old Business

Public Hearing upon an application by Quigley Green Owners, LLC for annexation of Quigley Canyon Ranch. The parcel contains 1,109 acres and is located to the east of Hailey, within Blaine County, and is zoned R-5 and A-10. The applicant is proposing RGB, NB, LR-1, LR-2 & GR zoning, a total of approximately 379 residential units and an 18 hole public golf course and Nordic facility.

Applicant Presentation of Topics

Wastewater

Noah Nemmers, Denver, CO outlined an on-site treatment system that uses biological treatment of the wastewater at each home. A fan would keep the mix aerated, and the fan would be equipped with an alarm so that if it stops running the homeowners' association would be notified. The systems would be inspected annually, and the water would return to a class A level of cleanliness for re-use. It would flow into a system that would irrigate the golf course during the summer and into a groundwater recharge system. He stated that currently, the storage tank level decreases at times of peak demand but that if the well is put in as proposed, even with the development the tank would be able to be kept full.

Hazardous Areas

Art Mears, Gunnison, CO talked about avalanche safety and risk management. He discussed areas that should not be built on due to avalanche hazards. Frequency was not a significant factor as potential for a severe avalanche. He stated that the developer has complied with all of the recommendations he has made.

Tom Johnson, Fire Protection Solutions discussed the goals of the applicant regarding protection of the development against fire. He talked about the up-canyon units and their sprinkler systems, fire resistive roofs, ignition resistant siding, and other systems to protect against fires starting in the first place (rather than simply providing for fire service to be able to get to the fires that do start).

Wildlife

Mike Atcheson, Boise talked about the current vegetation, consisting of sagebrush and Idaho Fescue primarily, with a few invasive species. He also talked about some of the animal species that inhabit the area. He noted that the beavers may eventually become a problem and should be managed, along with a noxious and invasive plant management plan. Five endangered species

inhabit Idaho, but none currently inhabit this property. He also discussed some species that are currently or have in the past been federally listed. The gray wolf may be on the property occasionally. He listed some recommendations that he had made to the developer and stated that they had complied with all.

Lonn Kuck, Wildlife Biologist talked about big game (elk, mule deer) and their adaptability and resiliency. Mule deer populations are healthy and grew rapidly from the 1950s to the 1970s when much of the development occurred in the valley. The elk population has been very healthy, growing quickly to an all time high currently despite the constant development up and down the valley. He predicted that they would adapt easily and quickly to the proposed development.

Recreation

Keith Perry, Queen of the Hills Dr. said the rail system will be expanded and improved, as well as a series of parks including a town center park in the higher density area. He discussed the golf course, and the success its designer has had with previous municipal golf courses. He also discussed the Nordic center and its current popularity. He stated that the proposed development would vastly improve the already very successful Nordic area. He talked about the clubhouse as a community center. It would serve the golf course, but would be an even greater asset to the Nordic center as the Nordic area currently has no indoor area. It is also located at a major trailhead. These different uses centered on it would generate the traffic needed for the clubhouse to remain financially viable. A feasibility study has been done that shows that the golf course will turn a profit and be affordable at the same time.

Dave Hennessy stated the project will provide 304 full time jobs during construction, 43 full time jobs would be created by the golf course. Net increase in visitor spending would be approximately \$2.75 million per year.

Open Space

Thomas Kopf, 1881 9th St. Boulder, CO discussed the different types of open space.

- Edge open spaces - entry area, golf courses.
- Passive open spaces – Trailhead Park, wetlands.
- Formal open spaces - Center Park, community garden, Streamside Park.

Staff Report

Director Robrahn requested to reserve her time to speak later. Attorney Williamson did so as well.

Becki Keefer, Parks Project Coordinator stated that the applicant proposes very nice recreational amenities. However, the Parks and Lands board's job is to advocate recreational interest of the citizens of Hailey. The golf course is proposed to be given to the BCRD and they will operate it on behalf of all the citizens of Blaine County, not on Hailey's behalf. What would happen to the land if the golf course fails? She proposed giving the land to the city, allowing BCRD to manage. She also discussed diverse recreation opportunities within walking distance for as many Hailey residents as possible. None of the park spaces are big enough for soccer, softball, or other organized field sports. BCRD currently has enough field space for its sports

programs, but there are other organizations that need more field space. Connectivity is an issue. Quigley development should be directly connected to the rest of town via both vehicular and non-vehicular modes of transportation. Hillside lands should be dedicated to the City; some are proposed to be part of private lots. North side trails closed in winter and south side only open to non motorized use in the winter.

City Engineer Hellen commented that a DEQ permit would be required for the proposed waste water plan, and that such a permit may be difficult and time consuming to acquire.

Fire Chief Chapman clarified that Fox Acres Rd. would be the primary fire access. Secondary access can be a less-used public road or a fire lane is not publicly traveled. A “fire apparatus access road” can be any of these. Hailey allows 36 multi-family units on a single-access dead end road no longer than 150 feet. Single family, town homes, and duplexes are limited to five units on any single access road. He stated that as proposed, portions of the development would be in violation of current city fire code, as the City of Hailey has adopted more stringent fire code than the international fire code. Up-canyon development would likely be classified as Wildland-urban interface area, and would be subject to different regulations.

Attorney Williamson asked whether DEQ has been involved in the process at all. Nemmers stated that they had not spoken directly to DEQ regarding this specific application.

Attorney Williamson asked whether there has been a Fish and Game report submitted. **John Gaeddert** stated on behalf of the applicant, that they had two reports, one from Atcheson and one from Lonn Kuck. He stated the letter from Kuck had not gotten into the Commission’s packets. He said they did not have letters from Fish and Game at the time of submittal.

Attorney Williamson asked about the current status of the negotiations between the developer and the Recreation District regarding the golf course. Hennessy responded that they have been talking with the Recreation District for over six months regarding the golf course. The golf course would be built by the developer, given to the recreation district, then leased back to the developer to run and cover the losses until it gets to stabilization (5-7 years), then given back over to the recreation district once it starts turning a profit.

Commissioner Marvel asked who had pre-approved the wastewater systems. Nemmers stated that the two systems were pre-approved by the DEQ, though not for use together.

Agency Comments

Jim Keeting, Executive Director of BCRD discussed the potential of the Nordic center as an asset to the city. Between the Nordic center, the golf course, and the summer trails, he stated this has been a process that the public supports and has been closely involved with. He stated that there is an opportunity to have one of the premier Nordic areas in the country, which would attract users as a destination and greatly benefit Hailey. He talked about the need for an affordable quality golf course in the valley. BCRD’s goal is to serve the community. The golf course has more than one benefit. It provides recreational opportunities to the residents of the community, as well as funding other projects within the community with its profits.

Mike McDonald, Fish and Game, Jerome commented that they had submitted a report largely dealing with wintering mule deer and elk, as well as the migration corridor through the development. He said he would be available for any questions.

Commission Questions on Topics Presented

Commissioner Moore asked:

- Who in Blaine County can service the proposed wastewater systems? Nemmers stated that Alternative Wastewater Systems is a local company that does service the microbe systems.
- What about failsafe measures, power requirements to run the fans and CO2 release by the microbe. Nemmers stated there would be failsafe measures in place, and that he would look into electricity and CO2 impacts.
- About the sprinkler systems that would work to protect the up canyon homes. Johnson stated that the sprinkler systems are to prevent interior fires from spreading to the Wildland, and that fire wise construction techniques like siding and roof material would be used to keep wildfire from damaging the homes.
- Commented that he would like to see further discussion on the issues of ownership of the golf course, the profits and the water related to the city's rights to such. He asked if it would be a walkable course. Hennessy said that it would be walkable.
- Stated that existing parks and field space would be taxed by the additional residents in Quigley. If the city's current active sports fields are struggling to meet demand, how much more will they struggle with all the additional Quigley residents?

Commissioner Scanlon asked:

- About DEQ certification and testing for the wastewater system and the timetable that was expected for DEQ to rate the system. Nemmers responded that testing could start within about a week, but that the duration of the test was unknown.
- How noisy the blowers would be. Nemmers stated that the noise would be minor, and that some of the higher density development would be able to combine multiple units on one larger treatment unit.
- About the live-work units and how those would be designated. Hennessy stated that they would be zoned as such.
- Noted that a letter from the BLM stated an environmental analysis and a land use plan amendment are required prior to acceptance; and anticipates a decision sometime in the fall of 2009. Hennessy commented that this was not a problem, as it is pertinent only to the trails that are on BLM property.
- Commented on the issue of wild animals and damage to property from grazing deer and elk. Hennessy stated the plan for landscaping called for native plants that would not be attractive to the animals. There would be plat notes to note that there is wildlife that may damage plants.
- Said that emergency access is still a concern to him. Kopf stated the emergency access road would be used only by emergency response vehicles, as it serves no houses and would generate excess traffic through the clubhouse parking lot. Hennessy commented that the feeling of connection to open space as well as the wildlife corridors would suffer if the road were paved and carried regular traffic.

Commissioner Pogue asked:

- Why this particular wastewater system was chosen. Nemmers stated that sequential batch reactors and membrane vat bioreactor were considered, but were much larger and more intrusive.
- What role the homeowner's association would play in monitoring the alarm system? Nemmers stated that the HOA would be responsible for monitoring the system, and the systems would be very reliable and not need much in the way of maintenance or repair.
- City Engineer Hellen about his opinion on the feasibility and workability of the proposed wastewater plan. Hellen stated that if the system works as advertised it should be a good system; he needed additional time to review the feasibility and workability.
- Nemmers if tests could be done to verify the projection regarding the well and its ability to keep the storage tank full. Nemmers replied that the issue right now was the uncertainty regarding water rights, and once that was resolved the test should be relatively straightforward.
- What mitigation efforts would be involved with avalanche areas? Mears commented that there would be a plat note requiring specific structural engineering measures to be applied in order to build on those lots in the avalanche run out areas.
- About negative impacts on wildlife and small game. Atcheson responded that he had not been asked to evaluate negative impacts on wildlife, but that he saw few negative impacts. He also clarified that the beaver management program might be needed because the rehabilitation of Quigley Creek might make it more attractive to beavers downstream of where they currently are. They would need to be captured and released elsewhere.
- About large game issues, specifically "expressed concerns" in the Fish and Game report. MacDonald stated that mule deer populations are declining, likely due to large scale impacts, as well as urban development. Elk and deer are adaptable, provided that they have somewhere else to go. Mule deer have less ability than elk to move to higher elevations, and as we keep pushing them up and out, they eventually will run out of space that they can inhabit.
- Asked whether development past the pond makes a large impact on that habitat and migration corridors. MacDonald stated the open space up canyon would reduce density past the pond and could provide the corridors needed if the deer do not use the designed corridor through the golf course. Currently 500 feet is the proposed corridor width, and Fish and Game would prefer to see 600-1000 feet.
- For confirmation of a statement about the golf course, which all the amenities and common areas would be completed with Phase I of the plan. Hennessy said that they would, though the golf course requires a certain period time to build and grow in and they would likely not wait for that before starting Phase II.
- For clarification regarding the recommendations of the Recreation District regarding playing fields. Keeting stated that public feedback indicates the playing fields are a less critical issue in general; and that their needs are currently met. They are open to more discussion.

Commissioner Spears asked:

- Mears about the excavation for emergency access roads and its affect on the avalanche zones. He also expressed concern regarding the driving range for the same reasons. Mears commented that the scale of the cuts for a road would not have a significant effect on the run out of an avalanche, and the driving range was not of concern either.

- Fire Chief Chapman his opinion of the suitability of the secondary access. Chief Chapman commented that he would like to study the situation in greater depth.

Commissioner Marvel asked:

- As a follow up question regarding crossings for the road, both passing under bridges and passing over the road with tunnels. MacDonald stated that he had not done the necessary studies to confirm the usefulness of those measures, though he has observed deer moving under bridges to avoid roadways.
- Commented that the wastewater program could potentially be monitored by the city rather than the HOA; she said she would prefer this.
- Stated the impacts of this development will be felt almost entirely by Hailey, and she feels that the city should then be the primary beneficiary of the economic benefits of the golf course. She commented that certain aspects of the golf course suggest that its designation as a public course may not be entirely appropriate (regarding the suggestion that locals should be discouraged from playing at prime tee times). Hennessy commented that the goal for the course with regard to the most popular tee times was that they would charge higher greens fees for the prime tee times and would like to see outside money coming into the community for those higher rates.
- Commented that higher elk and deer populations do not necessarily equate to not disturbing wildlife.

Commissioner Moore asked:

- For clarification on the avalanche map. Mears commented that the map depicted impact areas for 100-year return period avalanche events.
- About fire station location in the canyon and how it would affect the city's fire rating. Chief Chapman commented that approximately half of the lower development will be within the recommended 1.5 mile radius of a fire station.
- About the snowmaking process and where the water would come from for it. Hennessy responded that the reclaimed gray water would be utilized for the snowmaking process.

Commissioner Marvel opened public comment and stated that public questions should pertain to the issues rather than general statements of support or opposition.

Nathan Welch, Wood River Land Trust addressed the restoration of Quigley Creek and benefits. He asked what happens to the water when it reaches the west end of the canyon. How does the development protect the winter range of big game? Does the applicant intend to make modifications to the plan in light of some of the Fish and Game recommendations? Will there be transfer of development rights to canyon from other areas in order to permit development here and protect other open spaces if it must be developed in the county rather than the city (if annexation is denied). Spoke about the protection of hillsides and pointed out the private lots include hillsides; especially up canyon is of significant concern.

Larry Newton, Bellevue stated that Quigley is the last, best winter range for mule deer. They need this winter range in order to be adaptable. He expressed concern about loss of access with Quigley Rd. that is used for snowmobiles access into the canyon, etc.

Roger Olson, 640 Buckhorn Dr. was concerned about development in Deadman's Gulch area and its effect on migration corridors. Game might use plowed roads and get stuck in the subdivision rather than using the corridors as intended. Also, significant recreation starts at the mouth of the canyon. Will the city provide a turnaround and parking area at the mouth?

Tim Graves, 750 Buckhorn Dr. expressed concern with monitoring of wastewater system, second access for fire, traffic, etc. Commented that there is a need for active field space, but there may not be space for such within this development. Perhaps the developer could provide for them elsewhere. He commented that a study specific to the City of Hailey regarding the golf course might be in order. If Hailey wants the benefit of the golf course, is it willing to assume some of the risk? He commented that the magnitude of the gifts offered by the developer is very generous.

John Delorenzo, 100 Mustang Lane, Bellevue stated this is a rich wildlife wintering area, one of the last. This project will greatly impact the wildlife range. He would prefer to see development kept toward the mouth of the canyon, below the pond.

Bill Hughes, 241 Eureka Dr. asked who will administer the open spaces. Are the studies done regarding the adaptability of the elk and deer valid? We need to be very careful because we cannot take the development back once it happens and there is something very special in this community that is worth protecting.

Darrell Fauth, 970 Foxmoor Dr. asked about the population growth projection. Is it a projection of capacity, or is it a projection of growth that actually will occur? The community campus might be a good place to locate an elementary school? He also asked for clarification on the comment regarding the "passive recreation opportunities." He then asked whether there would be public restrooms at the fishing pond.

Director Robrahn mentioned the following written comments that had been submitted and given to the Commissioners:

- Blaine County School District, letter dated June 10, 2008
- William Hughes, letter received June 19, 2008
- Sarah Benson, email sent June 18, 2008

Public comment closed

Applicant Response

- Creek restoration: There is currently a drainage channel that goes through Woodside Subdivision. They don't know what the impact will be for sure until it happens. Currently, it doesn't make it past the high school due to the porous ground.
- Fish & Game recommendations: Open space stretches from building envelope to building envelope, so it is more than it may seem like from looking at lot lines.
- Hillside lots: building envelopes occur outside hillside overlay zone, and in a few cases the driveways may briefly occur inside, so there will not be building occurring within the hillside overlay.

- Even without the golf course, the proposed development does exceed the amount of public park space required by the city.

Commissioner Marvel asked why they did not wish to tap into current sewer systems. Hennessy responded that they did not want to place undue burden on the city and its residents.

Chief Chapman commented on the avalanche mitigation and the inquired about the possibility of protection by berms and such. Mears responded that structural measures with the buildings themselves would be much more effective. Chapman also asked about the possibility of avalanches blocking both the north and south roads simultaneously. Mears responded that it was highly unlikely, given that the conditions needed tend to produce more risk on one slope or the other but not both. Chapman commented that perhaps future development should note avalanche zones in the plat notes, with disclaimers regarding possible interruption of emergency services.

Summary of additional information needed based on Commission, public and staff questions.

Director Robrahn presented a list of requests for information that had been made over the last two nights.

- Effect of creek on water rights.
- City engineer's assessment of traffic study.
- Third party review of golf course feasibility.
- Story poles for site visit.
- Fire Chief's comments on emergency access.
- Current water use vs. proposed water use.
- Information on location and type of affordable housing.
- Traffic impact on Croy, Buckhorn, Eastridge, Bullion.
- Wellhead protection.
- Traffic calming.
- Electrical and CO2 impact of wastewater treatment system.
- Overlay of county hillside zones with plan.

Commissioner Marvel asked that the next meeting they discuss traffic and transportation in greater depth if City Engineer Hellen is able to provide comments on the transportation study. Director Robrahn suggested discussing land use on Tuesday and giving City Engineer Hellen more time until Thursday to evaluate the study. The Commissioners agreed with this suggestion.

Commissioner Marvel disclosed ex-parte communication with Alma Mills; Alma told Commissioner Marvel that she is about to sell her home because she is afraid of the increased traffic up Quigley Rd. Commissioner Marvel informed Mills that she did not want to discuss the issue outside of public meetings, and the conversation ended.

Commissioner Pogue moved to adjourn. **Commissioner Moore** seconded, the motion passed unanimously.