

MEETING MINUTES
HAILEY PLANNING AND ZONING COMMISSION
Thursday, June 26, 2008

The meeting was called to order at 5:38 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 Assistant Becky Mead, City Attorney Ned Williamson, Fire Chief Mike Chapman and Director Public Works and City Engineer Tom Hellen.

Old Business

Continuation of 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 within the City of Hailey.

Documents Presented to the Commission

- Email received 6/25/08 from Elizabeth Schwerdtle
- Email received 6/26/08 from Chris Leman
- Letter address to David Hennessy from Mike Chatterton, Blaine County School District Business Manager
- Email received 6/26/08 from Dick Coleman
- Interoffice Memo received 6/26/08 from David Hennessy
- Letter to Hailey P&Z Commission from Mike Chapman, Fire Chief, received 6/25/08
- Memo to Hailey P&Z Commission from Tom Hellen, City Engineer, received 6/26/08

Commission Discussion – Transportation Issues

Commissioner Marvel announced that City Engineer Tom Hellen will address the Transportation Plan. Hellen stated in general the study was really good and that he didn't see any issues with it. He did request that the engineer do an analysis of half the traffic going on Quigley Road and half the traffic going on Fox Acres Road. It showed that more traffic was on Quigley but it didn't rise to a level of concern for capacity issues. He stated he noted in his memo concerns relating to bike safety. He included a sketch of what a roundabout plan would look like along with his memo. He said there is a chance to do a mini roundabout that could be done with mountable curbs. He stated the studies by the applicant were very consistent with previous studies he has seen.

Commissioner Marvel asked what a mountable curb was. Engineer Hellen stated instead of a vertical curb it would be a rolled curb to allow larger vehicles to go over. Director Robrahn stated there is an example of one in Elkhorn Village.

Commissioner Scanlon mentioned the track distribution at each intersection and asked what the assumption was based on. Engineer Hellen replied the assumption was when someone gets to an

intersection how much through, right, and left would remain the same. It does not rise to a level of real concern.

Commissioner Marvel asked for Chief Chapman to give a brief summary of his letter. Chief Chapman stated his initial concerns that could be dealt with now are broken down into 3 basic questions.

1. It was the desire by the applicant not to have a secondary access intended for public use that would allow for alternate ingress egress. Secondary access has been requested by the city staff to be the primary access road up to the area of the pond.
2. There are numerous areas that exceed the number of housing units allowed by the existing, amended fire code even with the proposed fire lane that was added in lieu of secondary access.
3. The Commission and the Fire Department should advise to the City Council of areas of the project that are too hazardous or too sensitive to have homes built on.

He addressed the City and Fire Codes in regards to these issues; public access verses fire lanes. Subdivision Ordinance Section 4.1.2 is a collaboration of fire and planning zoning to codify the interconnection of neighborhoods via public streets. He spoke about the maximum of single homes from the last meeting, the email dated 6/23/08 shows an update of the areas from the mid section there have been fire lanes drawn in to provide an emergency access to those properties. He stated there are still three roads that extend beyond the pond and over to the southern canyon which have a total of 53 units that do not conform to the existing code for dead end streets. Deadman's Gulch and beyond that point are not developable because that area doesn't connect to any other homes. The Wildland Interface Code does not restrict the number of homes at a dead end road. It does require additional construction and protection from wildfires but it would have to be the City Council's decision to say how many homes are enough. Chief Chapman said if the City says five homes are allowed in a dead end street then should it be five in a hazardous area. The Chief said another outstanding question to be answered is at what point is the land is unbuildable. Chief Chapman stated everything else would come later in the project. He said they have a 50 point checklist that has to be conformed to.

Commissioner Marvel stated this discussion is directed towards transportation and the amount of traffic coming in and out of the project and the transportation issues within the development. She spoke about the connectivity within Hailey with Fox Acres Road, Quigley Road, and Antler Drive which is not connected at all. She would like to hear what the Commission thinks of these issues and how they impact the city.

Commissioner Pogue requested to discuss Chief Chapman's letter. Pogue referenced item number one regarding the secondary access verses the fire lane access and read Section 4.1.2 of the Subdivision Ordinance, Cul-de-sacs or dead end streets shall be allowed only if connectivity is not possible due to surrounding topography or existing platted development. He continued to the next paragraph which states more than one access may be required based on the potential for impairment of a single access by vehicle congestion, terrain, climatic conditions or other factors that could limit access. He stated the International Fire Code Section 503.1.2 discusses more than one fire apparatus access road. Commissioner Pogue referenced Hailey Comprehensive Plan Section 10.1.3 that states all new streets should connect, wherever possible, to existing streets, as well as future potential development. Commissioner Pogue asked the Chief, if in his

opinion, the alternate emergency lane access that the applicant is proposing meets any of these secondary access requirements that are set forth in the cited language. Chief Chapman said it would meet the International Fire Code 503.1.2 as additional access because it is an additional fire apparatus access. He said where it falls short is where it reads cul-de-sacs and dead end streets shall be allowed only if the connectivity is not possible. The Chief stated the intent was for the interconnection to be neighborhood to neighborhood. Commissioner Pogue asked Hennessy to draw out the alternate fire access on the street section key map.

Commissioner Pogue asked Chief Chapman about avalanches, Hailey Comprehensive Plan Part II, Section 2.2, asked if it was the Fire Department's position that part of this development is facing a significant avalanche hazard risk. Chief Chapman expressed concern regarding the avalanche paths crossing these roads in fifteen different places without the streets showing on the map. He stated they could build homes in these zones if they wanted to withstand the avalanche threats. He said his biggest concern would be the road becoming inaccessible. Commissioner Pogue asked if additional access would be required. Chapman confirmed yes, stating that where both accesses are adjoining avalanche areas and with fifteen avalanche shoots there will probably be roads shut down several times in those avalanche areas. Commissioner Pogue asked with the alternate fire access roads that are proposed would that address that problem. Chief Chapman said it would be the same as a secondary access. He said the difference there the residences would be using them all the time and would know where they are and would be kept clear.

Commissioner Pogue asked Attorney Williamson if there were any provisions to allow for waiver to the fire code provisions in subdivisions such as this. Attorney Williamson said he did not know. Chapman said the law could be changed but the codes cannot be waived.

Commissioner Scanlon asked Chief Chapman if the title sheet of the International Fire Code says that code is open for interpretation by local administrators. Chief Chapman stated it has similar language. He said what the Council can do is say this code does apply to this property and then there could be an appeals process.

Commissioner Spears spoke about another input from another agency in regards to roads at the north side of the canyon. Commissioner Marvel stated there was a comment from the Fish and Game requesting fewer roads for the wildlife corridor.

Attorney Williamson asked Chief Chapman to elaborate on evaluating the level of risk in certain areas, such as avalanche areas. Chief Chapman stated with the Urban Interface Code there are two methods for determining what is hazardous. What is taken into consideration is the wind, access in, access out, water supplies, the color code on the map, and if the risks are moderate, high, or extreme. He said they take the data from the applicant's fire plan which dictates what measures to take. He said, in general, they do allow construction but it would have to be non combustible construction with large water supply availability. He said once the zones are known then the city can determine the level of risk. The Chief said the level of risk needs to be decided by the elected officials. Attorney Williamson asked what the Fire Department would need to do to come up with recommendations. Chief Chapman said the applicant's fire plan. Attorney Williamson asked how long would that take. Chief Chapman said probably a couple of weeks.

Commissioner Spears asked if that plan has to be requested from the applicant. Chief Chapman said the interface code determines if the applicant wants some assurances where they can build. He said there are two processes happening at the same time. Commissioner Spears asked if it would be safe to assume the applicant could ask the County for the same. Commissioner Marvel said they would make a determination. Attorney Williamson stated he was reluctant to have the Commission involve themselves with the fire codes. Commissioner Spears thought they should request to see the report. Hennessy said they could get the report and that would not be a problem. Attorney Williamson said he would look at the fire code and see how planning and zoning interface with it. Commissioner Marvel stated they did not need to be making any decisions that were not related to them.

Commissioner Spears asked Engineer Hellen if that report took into account the addendum from Tuesday's meeting. Engineer Hellen said he reviewed that addendum that morning with the neighbors and more data may be added. He said that some bike safety and transportation is needed depending on what percent of traffic goes down that road. Commissioner Spears asked if there could be more consideration to Croy and Bullion streets. Engineer Hellen said the study showed that Croy was not overly impacted.

Hennessy stated it was a fifty-fifty split with Croy, Eastridge, and Eighth intersection it showed the traffic from their development disperses going down different roads.

Director Robrahn clarified item number 12 from the Summary of Requests; a traffic analysis was requested for Buckhorn, Croy, Bullion and Eastridge.

Commissioner Moore asked about one of the waiver requested by the applicant suggesting that unique topographic and land use issues exist, including the layout of the Nordic course in a manner that minimizes street crossings. Commissioner Moore then stated from Section 4.1.2 Cul-de-sacs or dead end streets shall be allowed only if connectivity is not possible due to surrounding topography or existing platted development. He said he did not think anything was platted yet and needs to know how the topography dictates these cul-de-sacs, narrow roads, and the remainder being requested in their waiver.

John Gaeddert, consultant for the applicant, stated that on the analysis for the annexation which complies with the Comprehensive Plan and Zoning Ordinance which apply to a straight subdivision. He stated if a PUD were to be done there are lists of benefits that can be waived. He said the Nordic benefit of not having crossings justifies the cul-de-sacs. He said Commissioner Moore was reading from the Subdivision Ordinance. He pointed out in the PUD Ordinance, looking at the purpose and intent it specifically states that there is a flexibility to waive strict compliance with subdivision standards. He stated there is also the same language with sidewalks.

Commissioner Moore wanted to know how wide the alley ways would be.

Commissioner Marvel suggested sticking to the current issues of discussion which are the amount of traffic and the connectivity.

Commissioner Marvel commented on Hennessy's statement that traffic would disperse and she said that would not be the case. She mentioned there is a major impact that will be felt by Croy and Bullion streets, especially at the noon hour. She sees within this proposal separate neighborhoods, which goes back to the connectivity issue.

Commissioner Pogue thinks this proposal will lead to more traffic, more cars and more people. He said if they make the decision that this annexation is appropriate; the traffic study was reasonably and properly done as stated by our City Engineer. He thought with mitigation and traffic calming methods the traffic impact is something that could be dealt with. He stated, in general, the traffic issues are not insurmountable. He wanted to address the issue of density in some of the neighborhoods. He stated in clustered neighborhoods there are benefits such as migration corridors, open spaces, golf courses, places to ski, and Nordic paths. He said this project does allow for recreation opportunities and migration corridors and gives more of a neighborhood feel as opposed to a long, spread out tract.

Hennessy stated they are proposing pedestrian connection at Antler Drive.

Public Hearing Opened

Richard Stopel, 150 Sixth Avenue said he believes in property rights and it seemed like this proposal was designed for 150 houses. He didn't think there should be any annexations until the current traffic issues are resolved that are valley wide. He said the current traffic here is phenomenal. He feels the developer should pay for all the sidewalks, bike paths, and safe passages that will be needed to connect Quigley through Deerfield into Hailey. He sees this as a subdivision at the edge of town with no stores nearby and mentioned that it takes a half an hour to walk from Buckhorn Drive to town. He said very few people in Deerfield walk or ride bikes. He doesn't feel the amenities of this proposal outweigh what the impacts are going to be.

Nathan Welch, Wood River Land Trust said they protect and restore land cooperatively with land owners. They see a great opportunity to maintain Hailey's small town and are concerned with wildlife, water and open space issues. Welch said, generally speaking, land use is a way to connect new with the existing. He was pleased with the lots being located near town however he expressed concern about the lots in the upper canyon around the pond and beyond. He stated that wildlife plans include corridors for wildlife, vegetation, and trails. He said he concurs with Idaho Fish & Game with the impact this development will have further up the canyon. He agreed with the rehabilitation of Quigley Creek because it would benefit the wildlife. He expressed concern with the development along the creek with how people interface with the creek, minimizing creek crossings and runoff, especially from the golf course. They feel the request for an exceptional number of units gives them an opportunity to protect the open space within this development. He stated the Commission does have a copy of the letter from Wood River Land Trust for further information regarding their thoughts of this annexation.

Linn Kincannon, Idaho Conservation League, Ketchum spoke about what they focus on was clean water issues and the quality of life. She said they also work with the Boulder White Clouds and permanent trails up there; they have worked to expand biking opportunities at Galena and also have worked to stop mercury pollutions. Although they don't engage in growth issues, it

was the wildlife issue of this development was why she was attending this meeting. She mentioned how important wildlife was to people here and the public has spoken out on how important wildlife needs to be preserved. She echoed the comments made by the Wood River Land Trust about the riparian areas with wildlife hanging out around the creek and she thought it would be unusual to see the wildlife come down into the subdivisions. They would like to see this property stay within the County where wildlife considerations are part of their planning process.

Daralyne Fannel, 710 Bullion Street East thanked the Commission for being so thorough. She thinks it would change the nature of Hailey to change Quigley Canyon into a subdivision. She mentioned this is a sensitive wildlife area. She also sees this development being in competition with the homes in Hailey already on the market right now. She was concerned about the traffic study adding 332 more cars on Fox Acres Road. Fannel said she heard on a news report that an average family making 25,000 per year has more than one car. She's assuming that the residents in this development will have at least two cars or more, depending if they have teenagers or not. She would like for the traffic study to include all the roads affected by this project. She suggested a possible solution to cut the traffic would be for shuttle buses or other alternatives to single occupancy residences. She agreed with all other comments with concern of developing beyond the Quigley pond and hope that can be avoided in order to protect the wildlife.

Vanessa Crossgrove Fry, Citizens for Smart Growth asked when other comment opportunities might be passed tonight. She said she is planning on submitting something in writing.

Libby Massy, 3 Quigley Road thought the Fire Department issues were important and those issues need to be addressed. She sees Quigley Road being the way to the market for these residents. She also feels that sealing the creek would affect the seepage into the land and doesn't see that as a benefit. She expressed concern with the traffic issues that are already enormous especially at 3:30 when everyone is exiting the schools. She said that she lives out Quigley and in the winter time it would be nice to have sidewalks installed for a path into town. She wanted to know if Hailey is planning to complete their sidewalk plan before the sidewalks are added to this development.

Troy Thayer, 540 Buckhorn Drive was typically antidevelopment and has been since he lost his tree house when he was a kid. Although he knows that this parcel of land will be developed, he is pleased as an adjacent neighbor and feels this was a well thought out plan. He did express concern with the traffic issues. He said he supports traffic calming measures and was in favor for safe routes to school, using the existing easements to allow an additional path to the elementary school. He mentioned the developer's plan for Antler Drive to be a pedestrian rather than a traffic access. He said he supports the recreational and golf proposed but showed concerned with the lack of playing fields in such a large annexation. He feels the proposed densities should be more consistent with the neighboring areas. He feels the density is too large in the near canyon and should conform to the areas of Hailey.

Massy referenced to the wildlife corridors map and asked who determined where they were.

Public Hearing Closed

The Commission addressed the public's comments.

Hennessy stated they hired a consultant who previously worked for Idaho Fish and Game and they worked together in laying out the golf course and that was in conjunction with where the wildlife corridors were.

Commissioner Marvel stated the issues that were mentioned from the public were traffic concerns, the density of too much sprawl in the upper canyon, and a balancing act for the wildlife.

Commissioner Spears was concerned with basic traffic study that showed most of the traffic using Fox Acres Road to go to the Quigley subdivision. He feels that traffic coming from Albertson's heading toward Quigley was not going to use Fox Acres Road.

There was further discussion on the traffic issue and studies.

Engineer Hellen stated a traffic study was not going to tell what exactly is going to be. He said they use current factors on what they think traffic is going to be. He said he could not take everyone's opinion; he had to follow one scenario from a traffic expert.

Director Robrahn commented on vehicle trips and the number of vehicle trips. She stated that there is another field in transportation planning centered on vehicle trip reduction. She stated there are strategies that can be implemented to reduce the number of vehicle trips. She said it challenges the assumed number of vehicle trips per household and sets limits on vehicle trips which can be monitored through traffic counts. She said there could be a traffic counter at a subdivision or somewhere in Hailey and a goal could be set for vehicle trips for the city. She mentioned that this may be something to look at and implement for the future.

Commissioner Marvel said she liked that idea. Director Robrahn said that she could put some information together about this for the Commission.

Hennessy asked if the big issue is pedestrian and safe routes. Commissioner Marvel said that is part of the issue. She said there is still an issue with the wait time and the number of cars. She said she has seen the same cars going back and forth numerous times up and down her street.

Commissioner Pogue said he did not like walking on Bullion Street because he does not feel safe. He thinks this annexation would add more traffic to that street. His big issue was pedestrian safety and improving pedestrian access on Bullion Street. He said as with any annexation there is always going to be more traffic.

Commissioner Scanlon felt that public transportation was the last and the best answer. He felt that major focus with this annexation needed to be on public transportation.

Commissioner Moore agreed with what has been said about increasing the transit system. He referred to the traffic calming plan and said that he enjoys taking a relaxing route to wherever it is he is going. He said that pedestrian safety is essential.

Commissioner Scanlon asked Hennessy about well head protection. Hennessy said they need to get a geology study done first before they could present that.

Overview of the next meeting.

Director Robrahn stated from the list of requests the applicant still needs to present the water use comparison. Hennessy said he could have that next week and confirmed that there needs to be a well head and traffic analysis done and also mentioned the Commission previously said they wanted a golf feasibility study. The Commission did not feel that was necessary.

Director Robrahn said she did some brainstorming with the Attorney regarding discussions and deliberation. She noted major transportation concerns which pointed to specific Comprehensive Plan policies. She felt this type of dialog during meetings worked well to flush the specific issues out.

Commissioner Marvel suggested discussion wildlife and recreation and land use at the next meeting.

Commissioner Pogue moved to continue this annexation application for Quigley Canyon Ranch to a date certain of July 7, 2008 at 6:30 p.m. at Hailey City Hall. Commissioner Scanlon seconded, the motion passed unanimously.

Adjourn

Commissioner Moore moved to adjourn at 7:30 p.m. Commissioner Pogue seconded, the motion passed unanimously.