

**MEETING MINUTES OF THE
HAILEY PLANNING AND ZONING COMMISSION
Monday, August 4, 2008**

The meeting was called to order at 6:30 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, Planner Mariel Platt, Planning Assistant Becky Mead, Planning Intern Eric Grootveld, Fire Chief Mike Chapman, City Engineer Tom Hellen, Parks and Lands Project Coordinator Becki Keefer, and City Attorney Ned Williamson.

Consent Agenda

Approval of Decision on Appeal – Lot 16A, Block 25, Hailey Townsite

Approval of Minutes – June 24, July 7 and July 21, 2008

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

Unfinished Business

Continuation of the 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.

Public Comment Opened

Keith Perry, 1340 Queen of the Hills Drive, stated he was surprised that at the last meeting it was mentioned from the Parks and Lands Board that a full soccer field was needed. He did some research with the Recreation District and stated the Recreation District's opinion was there was not a real need for a full soccer field. They thought it would be a good idea to have a summit meeting to get user groups together, see what space is available. Perry stated nothing ever came of that meeting. He said he has observed years ago the needs for soccer fields in the north valley; as soon as fields were provided by the Community School there was not a need anymore. He stated that he has heard that there is plenty of field space now including school fields and upcoming space with Cutters and the new Woodside Park.

Eric Rector, 651 Con Virginia, the proposed Nordic facility is an unbelievable opportunity and he would highly recommend the Commission consider its benefit.

Public Comment Closed

David Hennessy, applicant responded by stating that a U9 soccer field could be added. He said they had not gone to that detail because they were focusing on the annexation.

Director Robrahn stated the applicant's list of conditions in the staff report incorporated the edits that she had done; she added the original applicant language with the edits that she and the City Attorney suggested and gave a copy to each of the Commissioners.

Commission Deliberation

Commissioner Marvel asked Attorney Williamson to review what decisions the city wanted to see from the Commission.

Attorney Williamson stated there is a suggested approach included in the staff report. He suggested referring to the staff report and decides if this is what they wanted to do.

Commissioner Marvel stated after looking at the conditions she came up with her own suggested conditions.

Director Robrahn summarized the strategy for the Commission to go through outlined in the staff report for the benefit of the public in attendance.

Commissioner Marvel stated her position on the annexation was she saw great things but also saw things that are problematic. She went through her list of suggested conditions which she also presented in written form to the Commission, applicant, and staff.

Commissioner Spears said he has issues with building out Deadman Gulch and east of the pond. He stated they spoke about access and asked Chief Chapman if he was comfortable with the access proposed. Chief Chapman said he has not seen anything since the beginning of the proceedings to change his opinion of the need for two roads open for public access; a primary road and a secondary road to be used by the public. He stated the north road as shown is not a secondary access; it is closed in several areas and does not open to the public. He said avalanche danger is still a concern on both the north and south sides. Buildings can be designed to withstand avalanche hazards but the roads are still in avalanche danger and would have to be closed if an avalanche crossed a section of road. He said primarily any single access puts everyone at risk. He said he has not been given the topography plan and he stated that he just received the fire plan tonight.

Commissioner Spears stated he had an issue with building on the hillside. The overlay map shows that the proposed site for the clubhouse is clearly over a 25% slope. He referred to Commissioner Marvel's list of conditions and suggested that the condition read "any building" rather than "any residence". He agreed with the condition that "all lots shall conform to current City standards, i.e. no lot larger than ½ acre" however, he would be willing to allow bigger lots going east. He agreed with the condition that "the developer or homeowners association shall contribute to the operations of a transit system". He agreed in general with roads having sidewalks on both sides, but thought there could be some flexibility considered in the PUD process. He agreed with the condition that the golf course being deeded to the city. He asked the applicant who would own the restaurant. Hennessy stated it would be privately owned and operated. Commissioner Spears wanted a net gain of water go to the city. He stated he did not have a problem with the system but it would have to be monitored and controlled by the city, if the City Engineer was okay with the applicant's wastewater system. He asked Chief Chapman

about Commissioner Marvel's suggestion for those 2 acres to be deeded for a new fire station and whether it was the right amount of land for that purpose. Chief Chapman stated there is no reason to put a station in Quigley Canyon now. He said the master plan is to build a station in north Hailey. Commissioner Spears said what if the applicant deeded 2 acres for a fire station would he build one out there. Chief Chapman said it would still be the wrong place for a station. Commissioner Spears suggested the applicant donate towards dedicated fire housing for volunteers who need to live closer to the city.

Commissioner Scanlon stated he was in favor of the annexation. He believed it was a good way to control growth and add density to the city. He stated he would move some things around. He referenced Exhibit 1 of the June 18 staff report, and stated he would like to see the golf course moved out into the canyon area and condense some of the sizes of homes they are proposing. He agreed with Commissioner Marvel with they did not need to have any lots larger than a 1/2 an acre lot in the city. He would like to see the road connection between Quigley and Fox Acres roads; one road through the golf course area and a road to access the BLM area. He said they need 85' wide collectors for main roads and in the subdivisions some of the roads could be smaller. He felt the sidewalks could be addressed in the PUD phase. He thought the intersection of Fox Acres and Woodside was the wrong location for a round about. He agreed for a contribution to be made to the Fire and School Districts. He commended the applicant trying to comply with the city's standards.

Commissioner Pogue stated he was also in favor of the annexation and thought it was a great opportunity for the city. He stated if they did not annex then the city would not have any say about the property and it would be developed by the county. He agreed with some of Commissioner Marvel's conditions. He thought they should discuss the sidewalks and street widths in the PUD phase. He stated that he did not want to see development after the pond to stop sprawl. He didn't think it was appropriate to put homes up Deadman Gulch. He mentioned a mini park would work but would leave this up to the Parks and Lands Board. He would like to recommend to the City Council an in lieu payment for a school if needed. He did not think the existing Quigley Road needed to be maintained out the canyon. He felt the Emergency Access Roads proposed are adequate. He liked the idea of fewer roads, less traffic, and more opportunities for wildlife to migrate without obstacles.

Commissioner Moore agreed with the lots not being any larger than 1/2 acre and agreed with Antler Drive being connected to the development. He agreed with a library contribution and for the applicant to pay for any improvements. He agreed with no building or buildings (he wanted to strike the word residential) shall be permitted on a slope greater than 15%. He pointed out the Comprehensive Plan stated they should pay for schools and fund fields through the school district. He stated as far as the road is concerned it is mentioned in the Comprehensive Plan and Subdivision Ordinance that there shall be a second access road. He stated he did not see any connectivity. He thought all water rights should be conveyed to the city. He asked if DEQ denied the sewer system whether the applicant would be willing to pay for the gray line to bring the water back to the development. Hennessy replied they would not have to go back all the way to the sewer line. Commissioner Marvel suggested rather than asking the applicant questions to include that as a condition if that is what he wants. Commissioner Moore stated he would like to include that as a condition if the DEQ denies the system. Director Robrahn asked for

Commissioner Moore to clarify the condition. Commissioner Moore stated if the water went all the way to the sewer treatment plant if they would pay for a gray line to be installed in the same trench to get gray water back into the development to be used as part of their irrigation system. Engineer Hellen stated it was a good condition from his point of view. Commissioner Moore suggested two or three of their deed restrictions be moved to another location to serve as housing for firefighters instead of land being given for a fire station. Commissioner Marvel stated annexation fees can be used for a fire station wherever it is needed. Attorney Williamson wanted to understand what was being said and asked Commissioner Moore if he wanted to use funds for community housing for housing for the fire fighters. Commissioner Moore confirmed that is what he meant.

Commissioner Marvel noted the Commissioners do not agree with sidewalks. She stated she was not opposed to the narrower street widths proposed but they should change city standards so the same street widths would be city wide rather than just for this application. She stated she had an issue with the noise (low level noise) of the fans in the proposed waste water treatment system.

Attorney Williamson charted where the Commission stood on various issues including lot sizes, the wastewater system, the up canyon development, the fire station, schools, the golf course, streets and sidewalks, recreational fields, the Antler Street connection; and the duel road concept.

- Lots; Commissioner Marvel said not larger than a ½ acre. Commissioner Spears said some flexibility through the PUD. Commissioners Scanlon and Moore said ½ acre only. Commissioner Pogue is open for flexibility.
- Wastewater; Commissioner Marvel said city only. Commissioners Spears, Scanlon and Moore said an alternative system may work. Commissioner Pogue said he agreed with an alternative system.
- Up Canyon - Deadman Gulch and beyond the pond; Commissioners Marvel, Moore, Scanlon and Pogue said no development beyond the pond. Commissioner Pogue also stated a conservation easement of 400 acres. Commissioner Spears stated he was not too keen on the idea.
- Fire station; Commissioner Marvel said 2 acres. Commissioners Scanlon, Moore, and Pogue said a contribution or have it addressed through development impact or annexation fees. Commissioner Spears supported an in lieu fee.
- School; Commissioner Marvel said no. Commissioner Spears said a fee to offset the amount of children that might be in the development and that asking them to build a school those children from outside their development would attend wouldn't be fair.
- Streets/Sidewalks; Commissioner Marvel said they should go by the city's street standards. Commissioners Spears, Pogue, Moore and Scanlon said some flexibility could be allowed through the PUD process.
- Active playing field; Commissioners Marvel, Moore, Pogue and Scanlon supported requiring. Commissioner Spears said yes but he would also like to hear from the parks department about a smaller field and would not demand from the applicant a full size field. Keefer stated that the size of the fields depended upon the demand of the field. She said it is the Parks and Lands Board's position to ask for enough green space for active play fields whenever possible and a space big enough to run a whole menu of recreational programming is suggested.

- Road issue; Commissioner Marvel suggested Quigley Road connect with the new development. Attorney Williamson asked if she was speaking about dual access to the pond. Commissioner Marvel replied Quigley Road should connect. She proposed the same as Commissioner Scanlon stating the development should be compressed towards the west and the need for the dual road on the north and the south side. Commissioner Scanlon suggested two roads 3/4 out the canyon.
- Antler connection; Commissioners Marvel, Moore, Spears and Scanlon said yes. Commissioner Pogue said he did not think it was necessary to connect Antler Drive. He said he liked the open space between the neighborhoods.
- Golf course city owned or not; Commissioners Marvel, Moore, Spears said yes. Commissioner Pogue suggested having the Recreation District run it so it is satisfactorily maintained. He said he did not want to see a burden put upon the city of owning and operating the golf course. Commissioner Scanlon agreed.
Director Robrahn asked to clarify what was being said.
 1. The city owning the land and not operating the golf course or
 2. The city operating the golf course.
 Commissioner Pogue didn't think the city needed to own the land. Commissioners Moore and Scanlon said they did think the city should own the land.
- Hillside issue; Commissioners Spears, Moore, Marvel, and Scanlon supported no buildings on anything greater than a 15% slope. Commissioner Pogue said based on the site visit he feels the clubhouse is appropriate for that site.
- Water Rights; The Commission agreed that the city should get all rights. Commissioner Spears interjected with his concern with Quigley Creek renovation and putting down plastic and what would happen when the creek gets going. He said a net gain needs to be anticipated.
- Commissioner Moore asked Engineer Hellen would they drill on new or existing water rights. Engineer Hellen said that was a good question and mentioned they would hire a consultant to review the plans. Commissioner Moore asked once the well is in place and pumping water and whatever is going on with the adjudication process, whether they shut that well down or keep pumping for residential use. Engineer Hellen said he did not know how to address this because Quigley is an isolated water source itself up that canyon.
- Off site improvements; Commissioner Marvel would like the sidewalks on both sides of Quigley, Croy and Bullion Streets. The Deerfield traffic improvement plan and the round-about need discussion.
- Round about; The Commissioners decided against this and will leave it to the experts. They are for the traffic calming plan.

Commissioner Spears excused him self from the meeting at 8 p.m.

Commissioner Marvel called for a 5 minute break. She resumed the meeting at 8:05 p.m.

Attorney Williamson spoke to the off-site sidewalk issue. Commissioner Marvel had suggested for sidewalks on both sides of Quigley Road, Bullion Street, and Croy Street from Eighth Avenue to the Wood River Trail. Commissioner Scanlon agreed; Commissioner Pogue stated he was fine with the suggested conditions on pages 11 of the staff report.

Director Robrahn referred to page 11, #7 of the staff report where both roads shall be dedicated to and maintained by the city and wanted to be sure the Commissioner's were comfortable with the city being responsible for maintenance of the roads. She noted it is possible to dedicate something to the city and have it maintained by someone else.

Commissioner Marvel stated she had noted this in her conditions, #18.

Commissioner Pogue mentioned some issues like dedicating all parks and open spaces to the city. He asked if it would be dedicated to the city but maintained by the homeowners association, referring to #27 on Commissioner Marvel's comments.

Keefer said the Subdivision Ordinance requires that parks be built by the developer and maintained by the developer for two years and then the city takes over responsibility for maintenance.

Commissioner Pogue asked staff about the 20% contribution for Community Housing. Director Robrahn stated it is the same as the city's standard.

Public Comment Opened

Kristin Anderson, 530 Buckhorn Dr, has an issue with not seeing Buckhorn Dr in the traffic study. She feels her street will be impacted. She commented on the suggestion of moving the golf course out by the pond. She said that her neighbors do not know what the Commission is thinking about changing in this application. She stated Deerfield residents are not here because they feel that their issues have been addressed already. The buffer created by the Quigley Golf Course is what the Deerfield residences have seen and are not aware of this change of location of the golf course.

Libby Massey, 3 Quigley Road, thought that this was not a city development and agreed with Anderson. She encourages for the density to be less.

James Quien, Buttercup Road, feels this annexation would bring something new into the city. He said he was not opposed to building beyond the pond and he felt it would make access less and may preserve the wildlife. He did feel the city should be in the business of trying to run any part of this development. He said it should be the owner and the county running it; people with deeper pockets.

Public Comment Closed

Applicant Response

Evan Robertson, attorney for the applicant wanted to know what it was the Commission wanted them to respond to. He wanted to know the consensus on the conditions. Commissioner Marvel stated they could respond or not as they chose.

Hennessey responded they are not in favor of the idea of compressing the development. The lot sizes as well as development beyond the pond and Deadman Gulch is part of a balancing act to provide funds to support the amenities. Hennessey said he went to the county to inquire about the base density for the area beyond the pond and Deadman Gulch, if it were to be developed in the county. They told him it would be about 25 units without a bonus for a PUD; and right now they are proposing 28 units. They got the original contracts of what contributions were made to the School District by other developers. He said they will pursue an agreement with the School District as well.

Robertson stated he was confused with the water rights situation. He thinks it is totally appropriate for the city to know the number of water rights they have and if they are sufficient to cover their needs. He said they will be conveyed by them or they will have their own system. He said the point is that they do not make a negative impact on the city's water system. He addressed the condition that they drill a well and asked if this well would be an addition to their water rights and whose water rights would go into the well. Robertson asked if the applicant's ground water rights would go into the well. Attorney Williamson replied yes. Hennessey clarified they proposed providing a site for the well and the city came back to them and proposed for them to provide the site and pay to drill the well.

Attorney Williamson feels the Commission is close to making a decision. He asked them to think about the zoning and whether to recommend annexing for the next meeting.

Hennessey asked if they could get a revised staff report with the proposed conditions.

Commission & Staff Reports and Discussion

Attorney Williamson said he has an appeal with the City Council's special meeting on August 18, 2008 and stated that he needs to be present at both hearings. Commissioner Scanlon stated that he will not be available on August 18th.

Director Robrahn asked the Commission what date would be good for continuing this hearing. **Pogue moved to continue to a special meeting on Tuesday, August 19, 2008.** Commissioner Moore seconded, the motion passed unanimously.

Adjourn

Commissioner Moore moved to adjourn at 8:36 p.m. Commissioner Scanlon seconded, the motion passed unanimously.