

**MINUTES OF THE REGULAR MEETING
OF THE HAILEY PLANNING AND ZONING COMMISSION
HELD TUESDAY, February 20, 2007
IN THE UPSTAIRS MEETING ROOM WITHIN HAILEY CITY HALL**

The regular meeting of the Hailey Planning and Zoning Commission was called to order at 6:30 p.m. by Commission Vice Chair Elizabeth Zellers. Commissioners Owen Scanlon, Mike Pogue and Nancy Linscott were present. Commissioner Stefanie Marvel was excused. Staff present included Planning Director Kathy Grotto, City Planner Diane Shay, and Planning Technician Tara Hyde.

PUBLIC HEARINGS

BLAINE COUNTY PUBLIC SAFETY FACILITY DESIGN REVIEW

Application by Blaine County for Design Review for a Public Safety Facility to be located on Lot 2, Block 2, Airport West Subdivision, at 1650 Aviation Drive. The property is located in the Service Commercial Industrial-Industrial (SCI-I) district.

Steve Christiansen, of LCA Architects in Boise, gave an overview of this proposal. He advised that the facility had previously received Design Review approval, but it had expired and the County was bringing forth this slightly revised plan to receive Design Review approval. He said that the planned storage building had not gone through the previous Design Review process, but the applicant was requesting that building be included in this Design Review. Christiansen said the building proposed contained 35,670 square feet and included a 64 bed jail, sheriff's office, support function area, and dispatch. Main access is planned off Aviation Drive. There are 71 parking stalls: 21 of those for the public with an additional 50 located in the secure parking area for staff parking.

Christiansen showed the location of the storage building on the southeast corner of the property. He then went on to discuss the following:

- Fencing: Plans call for an 8 foot metal decorative fence, probably black wrought iron. An existing chain link fence is located along the airport side of the property. He stated a solid wood fence was now located along the property line to the south.
- Utility area: Plans call for generator, transformers and trash to be located within.
- Landscaping: a large area of turf is planned for the secure area. The main entry area includes deciduous trees and evergreens.
- Floor plan: Christiansen elaborated on location of the detention area, support area and the public areas. He advised that one of the housing pods was removed from this plan.
- Colors: Three colors of CMU block are being used. Buckskin is planned as the main building color, with Burgundy accents and Sage for the striping and to be located above the windows. The windows contain both sills and shading. Hartford Green is planned for the metal around the skylight area and the roof of the storage building shown on the plans. Green tinted glass is planned for the windows.
- Screening: A masonry wall is planned to screen the generator/transformer area.

A decorative screen is planned to block the view of the kitchen mechanical unit on the roof from the airport.

Christiansen reiterated the storage building had not been approved with the previous Design Review because tie-in to the main building was needed. The applicant has added a second story and is now planning to use the same masonry colors as the Public Safety building. The storage building roof will be a standing seam metal roof in Hartford Green.

Scanlon addressed an access issue related to the turning radius of the emergency access as was a concern listed by the Fire Chief. Christiansen advised that access was off Lear Lane and they plan to address the concern by constructing the fence at a 45° angle and moving the gate more on-site.

Scanlon asked the applicant if they had considered enclosing the generator within the storage building, perhaps alleviating the need for the proposed 10 foot wall to screen that area. Christiansen said the storage building would be used for storage of special purpose vehicles needed by the County, along with storage for the jail and sheriff's office. Scanlon suggested the applicant may wish to consider using the same material as is planned to screen the roof apparatus for screening of the generator area. Scanlon then asked for clarification of staff and public entrances to the building.

Scanlon asked the requirement for the parking canopy, stating his belief that it looked spindly and did not seem to fit with the design. Christiansen indicated the applicant had requested the parking canopy to help enable quick response to a call, as they would not need to waste time cleaning snow off cars.

Scanlon asked about the fence planned for the south side of the property in relation to the wood fence that is currently located there. Christiansen indicated the wood fence was new and the applicant would have to work with that neighbor regarding the fence. He suggested a wrought iron fence may also be located there.

There was discussion related to retention of drainage on the southeast corner of the property adjacent to the storage building.

Linscott asked if more windows could be added to the storage building, particularly the east and south elevations. Christiansen stated they could look into that, but it may not be possible because of shelving needs on the inside of the building.

Grotto stated the original Design Review and CUP applications were approved in May 2005. An extension of the CUP was granted in May 2006; the extension expires May 2008. Grotto advised that chain link fencing is not allowed in Airport West.

Grotto addressed the evergreen trees planned for the Aviation Drive elevation. Plans call out a very small tree size and she suggested the Commission may wish to condition a minimum height of 12 feet for those trees. Grotto also advised that 50% of landscaping is required to be xeriscape or drought tolerant plantings. She suggested the applicant consider using a drought tolerant turf

grass throughout.

Zellers expressed concern that the Fire Chief has not seen the change to the turning radius of the emergency access. Grotto indicated that condition “a” addressed the concern.

Zellers opened the public hearing.

Geoffrey Moore, 406 First Avenue South, expressed concern about the emergency access for fire trucks.

Bryan Evans, 42 Buttercup Road, explained he owns the adjoining property to the south. He advised he has storage on the property and the wood fence was a requirement for screening of that storage.

Christiansen added that Airport West Design Review Board had given their approval to the project on February 9th. He said he would supply Staff with a copy of that approval.

Zellers closed the public hearing.

Scanlon stated his belief that this is a good looking building and an attribute to the area. He wanted to see fencing to the south, the slope behind the storage building, drought tolerant plantings, and the roof/pillars of the covered parking area addressed further.

Pogue suggested the addition of design features on the south elevation of the storage building, and on the north and east elevations of the main building to help break up the uniform appearance. At that point Christiansen showed the Commission the original submittal elevations that incorporated faux windows. The faux windows have been replaced by added articulation to the walls and color has been added for break up of those elevations.

Scanlon moved to approve the application, finding it in conformance with the Comprehensive Plan, that it does not jeopardize the health, safety or welfare of the general public and that the project conforms to the applicable specifications outlined in the City’s Design Review Guidelines, applicable requirements of the Zoning Ordinance and City Standards, with the following conditions:

- a) **All Fire Department and Building Department requirements shall be met. Items to be completed at the applicant’s sole expense include, but will not be limited to, the following requirements and improvements:**
 - **The storage building shall go through third party code review.**
 - **All access road concerns shall be satisfied and approved by the Fire Chief.**
 - **Turning radii of fire access road and locations of fire hydrants shall be approved by the Fire Chief.**
 - **An evacuation plan acceptable to the Fire Chief**
 - **Entry gate and rear access gate meeting required width and operational requirements of the Fire Department**
 - **Compliance with all relevant requirements of National Fire Protection Association (NFPA)**

- b) **Any change in use or occupancy type from the approval at the time of issuance of a Building Permit may require additional improvements and/or approvals.**
Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Zoning Ordinance at the time of the new use.
- c) **All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:**
- **Water meter location and size, and irrigation water source, shall be shown on the building permit plans and be approved by Public Works department heads.**
 - **Traffic control signage on site shall be provided (stop sign at exits).**
 - **Drywells must be to City standards and must have a state permit. Drywells shall have a minimum distance of 25 feet from any water line.**
 - **The existing frost free hydrant located within a snow storage area shall be relocated to the new hydrant location next to the main entrance drive.**
- d) **No chain link fencing shall be erected. The decorative wrought iron fence, or other fence material, shall be installed on the south property line. Fence material other than the decorative wrought iron shall be approved by the Planning & Zoning Administrator.**
- e) **All storage materials and equipment shall be within the storage building. No exterior storage of materials, other than vehicles, is allowed without a screening fence or wall.**
- f) **The evergreen trees proposed along Aviation Drive shall be a minimum of 12 feet in height.**
- g) **A drought tolerant turf grass shall be utilized.**
- h) **Landscaping shall be maintained in good condition on an ongoing basis.**
- i) **All exterior lighting shall comply and shall continue to comply with the Outdoor Lighting Ordinance. (The exception under Section 8B.4.2.g for emergency lighting shall be allowed for illumination during emergencies only.) Each bollard light shall have no greater than a single 50 watt metal halide lamp.**
- j) **The applicant shall receive approval from the Airport West design board for the complete project.**
- k) **The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.**
- l) **Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.**
- m) **The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.**

with the addition of conditions addressing the following:

- n) **Architectural revisions shall be made to the parking canopy and administratively approved prior to issuance of a building permit.**
- o) **The slope and drainage issue in the vicinity of the storage building shall be mitigated and shall be submitted to Staff for approval.**
- p) **Drought resistant plantings shall be utilized.**

and an addition to condition “d” that a sample of the wrought iron fence shall be submitted to the Administrator for approval. Linscott seconded and the motion carried unanimously.

HAILEY CAPITAL IMPROVEMENTS PLAN

Proposed adoption of a Hailey Capital Improvements Plan. The Commission will consider recommendations made by Hailey’s Development Impact Fee Advisory Committee Capital Improvement Plan written by professional consultants TischlerBise & Associates. The Capital Improvement Plan is a proposed addition to the Hailey Comprehensive Plan.

Grotto introduced the City Clerk, Heather Dawson, who presented the information. Grotto advised this would be a new component to the Comprehensive Plan.

Dawson gave an overview of the documents; however, she mainly addressed the impact fee section of the Capital Improvements Plan. She advised that development impact fees cannot improve levels of service but may only be used to keep the current level of service intact. She referenced the recommendations of the Hailey Development Impact Fee Advisory Committee. Scanlon asked if those recommendations were incorporated into the information the Commission is looking at tonight. Dawson indicated they were incorporated.

There was discussion about how the cost of impact fees would affect commercial and residential development.

Commissioners expressed concern with discerning what the plan actually was and they indicated they were unsure how to evaluate it. Linscott suggested she would like to see a further breakdown in dollar amounts. She wondered what the fees would do to the cost of housing in comparison to what the City would receive. Dawson advised the dollar amount was actually a function of the City Council and the Commission was just making a recommendation for the CIP to be adopted and incorporation into the Comprehensive Plan. Linscott indicated she was more comfortable with making a recommendation versus a decision.

Scanlon asked what would happen if the CIP did not become a component of the Comprehensive Plan. Dawson indicated the Council could adopt the CIP by resolution, but it would be hard to accomplish any of the goals if it was not part of the Comprehensive Plan.

Zellers opened the public hearing.

Geoffrey Moore, 406 First Avenue South, asked if a house was lost to fire, would impact fees have to be paid to rebuild. Dawson indicated impact fees covered the cost of new development, not replacement.

Zellers closed the public hearing.

Zellers indicated she felt at a bit of a loss over the document, with Scanlon indicating his belief that the document will be used more as a vehicle for the City to assess impacts and maintain level of services. Commissioners were in agreement and supported that belief.

Pogue moved to recommend that the CIP be included as an element of the Comprehensive Plan, finding that the items appear reasonably related to the advancement of the Comprehensive Plan goals. Scanlon seconded and the motion carried unanimously.

LIFE CHURCH ANNEXATION AND REZONE

Applications by the Life Church for annexation and rezone of “Life Springs”. The current legal description of the property is Tax Lots 7734, 6879 and 6880, located at the northwest corner of the intersection of McKercher Boulevard and Main Street. The parcel is currently zoned Residential in the County. The proposed zoning is Transitional (TN) and the proposed use is for a church. (Continued from February 5, 2007)

Scanlon recused himself because he is an adjacent neighbor to the subject property.

Janine Bear, one of the representatives for the applicant, stated her belief that the key elements of the application included that the property is almost 11 acres in size, that it will become the gateway to the City and that the application is compatible with what is currently in the City. She stated they had tried to make sense of the request for General Residential (GR) zoning and they did not believe that GR, with the ability for multi-family housing and lots of kids, was appropriate to locate by the high use intersection. Bear advised the lot lines have been removed to show one large lot of 10.68 acres with a 30 foot landscape easement proposed along the Main Street elevation that will include a sidewalk. A one-acre greenbelt area is proposed for the west end of the property that the applicant would allow the City to continue to store snow on. She stated the future benefits to the City and neighbors would include a height restriction of 30’ to buildings located on the front (easternmost) 2 acres if the property is zoned Transitional (TN). The City would have the ability to help design the building if the property is annexed. She advised that certain Mountain View Subdivision landscaping is located on the church property and the church is proposing to continue that landscaping, approximately a 22 foot strip, further to the west on their property to further buffer Mountain View Subdivision. Bear indicated the Weaver property located to the north was already bermed on the south side.

At this time John Gaeddert, also representing the applicant, arrived. He ensured that Zellers, who had been excused from the previous meeting, was aware of what had transpired. Zellers indicated she was up-to-date on what had taken place at the February 5th meeting. Gaeddert referenced Section 2.3 of the draft annexation agreement provided which outlines the permitted and conditional uses that would be allowed if the remaining 9.68 acres are zoned TN. He advised the uses are less than what is allowed by the City in TN zoning. He stated that the building program that is envisioned is outlined in Section 2.2 of the draft agreement with additional information related to the building program located in Section 1.5. A 6000 square foot building, with a footprint of 4200 square feet, is proposed for Phase I. Gaeddert then stated

parking, as much as possible, was laid out behind the church.

Gaeddert addressed the bulk regulations as proposed in Section 2.4 of the draft agreement. The applicant is proposing a maximum building height of 30' for the portion of the property considered the entry to the City. Gaeddert indicated the church has no plans for that portion of the property. Access is planned of McKercher Boulevard and River Street only, not Highway 75. Section 2.9 was added addressing a stub out to the property to the north to address any possible future connection of River Street to the north.

Gaeddert indicated one of the reasons it makes sense to bring this property into the City relates to current challenges with putting septic on the borders of the City. District Health does not want to see a private septic system installed within such close proximity to existing services and has denied the application for a private septic system. He apologized for not showing GR on the north side of the property, but stated it was hard for him to envision a residential use as the best use for the property.

Zellers asked if the applicant brought the same schematic and church size through the County when the County heard the application ten years ago. Gaeddert said when the original proposal was submitted a stumbling block was the fact that no light existed at the corner of McKercher and the highway. The application at that time involved a very large, philosophically different application for a Conditional Use Permit by Valley Christian Fellowship. The size of the previously proposed church was hard to justify with a limited number of parishioners. The County had been concerned at that time with ending up with a "white elephant". Clarification was given that Valley Christian Fellowship was the name of the church under the previous pastor, but remains under the same ownership. The pastor has moved on and the name of the church was changed. The current pastor takes a kinder, gentler approach to land use. Gaeddert stated his belief that, from the land use planning aspect this is a good use, an appropriate use and appropriate services for the area.

Bear clarified that District Health had denied the septic application within the last 3-4 years, when a smaller church was proposed. The current proposal has even less square footage associated with it. She stated the previous pastor was not interested in phasing of the project, where the current pastor is interested in phasing to be responsible to the finances of the church. The applicant envisions a second phase and possibly a third phase. The church proposed tonight is adequate to take care of the needs now and allow for growth. Phase I builds the church. Linscott wondered if phases 2 & 3 would be additions to the church. Bear indicated that when they start working with an architect on the church, they hope to be able to show what future phases will be. Zellers clarified that future phases would be church related. Bear indicated that was correct.

Gaeddert said it was prudent from a site planning standpoint to envision growth. Zellers agreed but suggested the phasing should be addressed in the annexation agreement.

Bear stated the applicant has waited to do that to know if they need to address septic and well versus sewer and City water. Funds would then be more directed and the applicant would know what monies are available for other uses. Much money was spent on the design of a huge church

ten years ago and the current pastor is not willing to throw money away. The applicant is waiting on some direction from the City before spending the money.

Pogue disclosed a communication with Pat Weaver, and referenced the letter he provided related to that communication, of Weaver's desire for the property to remain in the County. He clarified what uses were removed from full-on TN zoning with regard to the uses proposed in the annexation agreement. Gaeddert stated the current list would freeze uses on the property in the event of TN zoning changes. The permitted uses have not changed, however conditional uses have dropped public utility facilities and above ground flammable/combustible liquid tanks.

Pogue referenced Section 2.5 of the proposed annexation agreement, suggesting use of the word "prohibit" instead of "limit", related to access onto Highway 75, if the intent is that there shall be no access.

There was further clarification related to landscaping on the south side of the property and along Highway 75.

Pogue asked about the comment made that there would be a church at this location one way or the other, whether in the City or the County, and asked how the applicant envisioned that unfolding if it did take place in the County given the obstacles presented. Gaeddert indicated the first order of business would be to appeal the decision by the District Health related to septic and then apply for a Conditional Use Permit through the County. Pogue asked if the applicant would seek some type of commercial use or some professional offices akin to what the applicant is seeking with the City. Gaeddert stated that was not an option with the zoning currently on the property.

Pogue asked what the benefits to the City would be if this development were approved in the City, other than input into the building design. Gaeddert indicated the following benefits:

- Wellhead protection.
- Control of access to the property.
- Willingness to allow snow storage to a lesser degree than in the past.
- A phasing agreement.
- An annexation agreement.
- Hook up to city services which creates a better environmental scenario.

Gaeddert stated the rest of the benefits were addressed in Sections 2.1 through 2.11 of the proposed annexation agreement.

Pogue stated that commercial use on the parcel was a concern at the last meeting and asked if the applicant was willing to limit commercial use. Gaeddert suggested the applicant may consider it reluctantly and stated that only certain commercial uses are allowed through TN zoning. He believed offices would work very well in the area.

There was further discussion about allowable uses if the parcel remained in the County with Gaeddert reminding everyone that the property is currently zoned R1, allowing 1 residential unit per acre. Through a PUD, with Community Housing, 14 units could be approved.

Linscott expressed concern that the suggestion of no further subdivision of the property on the north side was not incorporated into this proposal. She stated she considered the addition of “whatever might be added” to the property if zoned TN a stumbling block to the application. If the church was planning to retain the property and be the developer and lease out chunks of buildings it might be different, but she is aware that is not the plan and so there must be a plan for further subdivision. She did not believe that erasing property lines off a piece of paper would address the further subdivision aspect. She was looking forward to hearing public comment tonight.

Shay referenced the suggested easement to the north, stating that connectivity is required through the Subdivision Ordinance and is a goal of the Comprehensive Plan. She advised that planning for the connectivity in the future, should this parcel be incorporated into the City, was important even if that connectivity does not happen for 30 years. Shay advised she spoke with Bob Erickson from District Health last week for clarification and background on the denial of the previous septic permit.

The Commission took a three minute break.

Zellers opened the public hearing.

Bob Erickson, South Central District Health, said that the original application looked at by the County and District Health had been much larger. He advised that under the Uniform Plumbing Code, if there are city services within 200 feet, a septic permit cannot be issued. He encouraged the applicant to come to the city for annexation at that time. He asked if annexation was required to connect to city services and encouraged the city to allow the development to tie in to city services. Whether a church or 14 residential units Erickson stated he would still encourage connection to city services as a win-win situation for all. He expressed concern that any future phases may be compromised because they would have to work around a septic system and its components.

Doug Fenn, owner of River Grove Lot #9, advised he was also speaking for his mother-in-law, Starr Weekes, who is currently in Chili but owns Tax Lot 4563 adjacent to the proposed annexation. He expressed concern about the church and parking being located a minimum distance from his lot. He also expressed concern about the church then selling off property along the south to raise money and high density coming in. He had concerns related to the vagueness of the plans presented. Fenn advised that currently there is much trash on the property that then blows to the north onto neighboring properties. He said there are quite often RV's on the property with people living in them, large bonfires and people defecating in the woods. He added he has no problem with a church if the property remains with the current zoning. He believed there was room for both septic and expansion of the church facilities down the road. He stated there is much wildlife that lives in that area. Fenn stated he wants to see the full picture of what is planned for the parcel.

Christina Cole, 202 Empty Saddle Trail, said she was opposed to the annexation and rezone. She believed a TN zoning would create a huge impact on an established county community. She asked who “gave” the property to the church and wondered what that person's agenda was. She

suggested they should not use the church as a guise for development. She expressed concern about previous “revivals” held on the property and previously planned use of the property for broadcasting of Christian radio. She asked the city to keep the density in the core.

Geoffrey Moore, 406 First Avenue South, believed the applicant could get by with residential zoning and liked the idea of the applicant hooking up to city services while remaining in the county. He stated that TN was supposed to be a buffer to residential. He was opposed to the application.

Sandra Kelly, 106 North Angela Drive, stated the neighborhood wanted to know the whole picture. She questioned why the proposed building was positioned so. She had an issue with the proposed access to Empty Saddle Trail and asked what the benefits to the neighbors would be.

Matthew Wells, 202 Empty Saddle Trail, was opposed to the application, believing the property should be left zoned R1 in the County. He stated agreement with comments made by Fenn.

Doug Walton, President of River Grove Ranch Homeowners Assn., believed an analysis of impact to surrounding property was needed before any decisions were made. He stated the changes to zoning would benefit some but could be a real detriment to others. He believed the property owners knew the zoning was R1 when they obtained the property and they have shown no hardship to justify a zone change.

Trina McNeill, 821 River Trail, stated that Trail’s End and Little Indio do not want to annex. She expressed concern that if this annexation is approved, the City will then come in with an application to “square up the boundaries” and force annex both subdivisions. She was opposed to the application.

Suzi Sander, 114 Empty Saddle Trail, stated that the church has a right to build; however, she was opposed to annexing the property. She questioned why the church is planned in the proposed location on the property. The proposed access road off Empty Saddle Trail is of concern to her as the road is within 10 feet of neighboring properties. She thanked the City for the River Street connection.

Zellers closed the public hearing.

Zellers asked if connection to the City’s water and sewer service was possible if the property was not annexed. Grotto advised that City policy is to not allow connection of services to properties that are not within the City limits. She said she was unsure if City policy had changed due to the Peregrine Ranch agreement and advised she would check further with Department Heads and the Administrator to see if the policy was still in place or if the City has softened their stance.

Zellers said she concurred with concerns related to TN zoning and more office space; she believed no more office space was needed in Hailey at this time and when built should be centered in the core. She expressed she was uncomfortable with the application because she did not think there was enough information presented. She stated she only saw the future location of the church and a parking lot and wondered what was planned for the rest of the property with the

request for TN zoning. She believed that the easement for potential proposed access through Mountain View Subdivision was important and if the application is approved and the property comes into the City, that easement would be required for future connectivity.

Gaeddert advised the applicant had made a conscious effort not to stack the room with 180 parishioners; stating there is a degree of support from a sector of the public, as well as other pastors in the area, for this project. He said the applicant is not in the position to provide a master plan for the entire property; but the pastor is trying to do the right thing and tell the story of what they can do and work within the parameters of the City. The applicant does not want to show pretty pictures of something they may have no control over. They know what landscaping buffers they can provide, as well as uses associated with the church. It had not occurred to the applicant that they could possibly receive City services while still being in the County and he thanked staff for checking into that aspect. Gaeddert added that Bear had been volunteering her time for this project for ten years, and he did not think the attacks against her at this meeting were appropriate. He asked the Commission to tell the applicant if they do not think this application is appropriate for Hailey. He advised the applicant's goal is to build a church debt free.

Bear added that in the past there has been a problem with squatters. The current pastor, Mike Hendricks, does not allow squatting and No Trespassing signs have been installed on the property. There was discussion about the proposed size of the church building in the previous application that was before the County and the proposed building size now. Bear advised she has been a member of the church for 14 years, the church has asked her to help present the application and that is why she has been involved in a volunteer capacity.

Bear stated that the land was not donated anonymously; the church knows who donated the land but they wish to remain anonymous to the general public which is not against the law. The people live out of town, but when they are in town they attend the Life Church. Bear said the donor has given the property with no strings attached and they are not obligating the church to anything. The radio station previously mentioned is allowed in the County and received approval through the County before it was erected. Bear advised that whenever they can, the church holds church functions on the property, perhaps once or twice during the summer.

Bear clarified that they are not the Four Square Church as referenced by a member of the public. She stated the Four Square Church is located in South Woodside. She stated the Four Square Church does support the Life Church application and their pastor has spoken to the application. The applicant was previously known as Valley Christian Fellowship, not Four Square Church. Bear added that the church has been in existence since 1979, and the current pastor has been here for approximately ten years.

Bear said that the church is not selling off anything to build the church; the church will be built first. Nothing will be sold until the church is built and a Certificate of Occupancy is issued. She stated that at this time there is no plan to sell any of the land off.

Pogue expressed his overall concern with the plan as it currently exists. He did not believe the application furthered the goals of the Comprehensive Plan, especially as it relates to growth

management and economic development. He believed Central Core development as guided by the Comprehensive Plan was important. Pogue added that there are vacant office buildings that exist in the core. He stated that without further indication from the applicant as to how they are willing to limit themselves within what is allowed in their proposed TN zoning request, he did not see how the annexation request furthered the goals of the Comprehensive Plan. He had concerns about the continuation of the commercial district, which has not been limited at all through the annexation agreement or the revised map, stating that the lot lines have been removed but there is no indication of limitations placed to professional offices, single family residences, daycares, etc. He did not think he could support the application as presented.

Linscott was not opposed to a church on the property; she believed a church was a great use for the property. She did express concern however, with commercial development going beyond Albertsons. The Comprehensive Plan directs commercial development to the core and allowing additional business to the north would only advance the “Main Street strip”, she is not compelled by the argument that annexing the property and zoning it TN would behoove the City now. Likewise, she was not sure that GR residential zoning was appropriate next to the Albertsons intersection. She stated she was leaning towards voting against annexation at this time.

Zellers asked if she was hearing that the Commission was not going to recommend approval of the annexation application unless development could be limited to a church only. Pogue suggested either a church only or with some other stringent limitations. He felt somewhat hesitant to keep telling the applicant to bring something more to look at. He did not think the applicant was interested in limiting commercial use on the property. Pogue was leaning towards not recommending approval.

Gaeddert asked for a moment to speak with the pastor to get his input on a thought which the Commission may wish to hear. Gaeddert and the pastor conferred, returned to the room and requested a continuation of the application to date certain.

Pogue moved to continue the application for Life Church to March 19, 2007. Linscott seconded and the motion carried unanimously.

FINDINGS OF FACT

The Advocates Design Review - **Linscott moved to approve as written,** Pogue seconded and the motion carried unanimously.

The Advocates Conditional Use Permit Amendment - **Linscott moved to approve as written,** Scanlon seconded and the motion carried unanimously.

Pioneer Federal Credit Union Design Review - **Linscott moved to approve as written,** Scanlon seconded and the motion carried unanimously.

Water Gulch Hillside Overlay Boundary Text Amendment - **Linscott moved to approve as written,** Pogue seconded and the motion carried unanimously.

MINUTES

January 29, 2007 - **Linscott moved to approve as written**, Pogue seconded and the motion carried unanimously.

February 5, 2007 - **Scanlon moved to approve as written**, Linscott seconded and the motion carried unanimously.

COMMISSION REPORTS

Scanlon advised he would be gone from March 22-30 and requested his packet for the April 2 Commission meeting be delivered to his house.

Linscott advised she may possibly be gone on March 19th.

STAFF REPORTS

Grotto referenced the subdivision training given by Jerry Mason and Will Herrington planned for March 3rd in Twin Falls. Information was in each packet about the training. Scanlon indicated he would like to attend.

Pogue moved to adjourn the meeting, Scanlon seconded and the motion carried unanimously. The meeting adjourned at 9:35 p.m.