

**MINUTES OF THE
HAILEY PLANNING & ZONING COMMISSION
Monday, March, 5, 2007**

The meeting of the Hailey Planning and Zoning Commission was called to order at 6:35 p.m. by Commissioner Chair Stephanie Marvel. Commissioners present were Commissioner Vice-Chair Elizabeth Zellers, Commissioners Owen Scanlon, Michael Pogue, and Nancy Linscott. Staff present were Planning Director Kathy Grotto, City Planner Diane Shay, and Staff Assistant Becky Mead.

Public Hearing

Logan's Run

An application by Bill Abide for annexation of Tax Lot 7137, located between Highway 75 and Northridge Subdivision. The applicant is requesting Limited Residential-1 (LR-1) and General Residential (GR) zoning for the project, to be known as Logan's Run. If annexation is approved, the City of Hailey proposes to simultaneously annex Lot 1, Block 2, West Meadows Subdivision, to be zoned General Residential (GR).

Thomas Kopf, a partner with DTK Design in Bolder, Colorado, announced they are the land planners for the project and presented the application for the applicant Bill Abide. Kopf stated they were addressing the three main issues/concerns of the Commission; density, water, and traffic.

Kopf recapped the history of the application. He addressed the density for the project, pointing out what is proposed does comply with the Hailey Comprehensive Plan in regards to providing a mixed type of housing, open spaces with sidewalks and trails. Kopf noted a previous proposal was submitted in 2006 and at that time the community housing plan had not yet been developed. The proposal at that time was to include townhomes and single family residences (64 market rate units). A new proposal was submitted in 2006 lowered to a 55 market rate, to address the concerns of the Commission regarding density.

Kopf stated the proposal they are submitting now is for 40 dwelling units total, including 33 market rate units and 7 community housing units. The number of multi-unit townhouse buildings had been reduced from five (5) to two (2), totaling eight (8) units; four (4) cottage units and twenty-eight (28) family dwelling units are proposed. Kopf stated the Blaine Ketchum Housing Authority has reviewed and preliminary approved their proposal for community housing units within the townhouses and cottages.

Kopf pointed out an illustration showing the angle of the townhomes along the highway and how the garages were turned inward, not facing the street. He continued with showing the park area, and mentioned it would provide a variety of activities and a gathering place not only for residences but the public also. There is also a play field, trails and pathways throughout the neighborhood, a trail leading into Northridge, and a place provided for quiet pondering proposed.

Brian Yeager, of Galena Engineering addressed the issue on water rights and noted the applicant is proposing to provide a separate irrigation system from the canal easement to water the common areas and the park. He mentioned that if there were excess water, they would donate those rights to the City.

Yeager spoke of a Water System Hydraulic Evaluation prepared by AKEL Engineering Group, Inc. that was sent to the Hailey City Engineer who agreed with the scenarios and results. The conclusion of the study was the Quigley storage tank would enhance pressures throughout the City, especially in "higher pad elevations", including Northridge. Pressures in Northridge are expected to increase by at least 5 psi on an average and the lowest experienced pressures may increase by approximately 10 psi. The Quigley tank is scheduled to be operational in spring 2007.

Yeager stated the fire protection was reviewed and approved by the Hailey Fire Chief. He also mentioned Hailey transportation and utilities for sewer/water access was approved by the ITD.

Yeager addressed the speed limit issue and stated the ITD would consider lowering the highway speed, but would conduct a speed study first. Yeager presented a traffic impact study which showed, on an average weekday, traffic between the hours of 4-6 p.m., per dwelling unit, there would be one trip per dwelling unit during peak hours: one car every minute and a half was the estimation.

Yeager stated in conclusion, when the Quigley tank comes online, the water pressure will increase. The model indicated this project would not impact the water pressure of Northridge based on studies from an outside source. Yeager stated the irrigation is proposed within the open space with use of the existing irrigation water rights from an existing canal. The individual residential and multi-family homes would utilize the City's utilities.

Kopf again mentioned how the density had been lowered from 65 units to 40 units, lowering the market rate to 33 units with the remaining 7 units as community housing. Kopf stated the application proposed lots with custom made and affordable housing.

Grotto spoke about the history of this application.

Grotto spoke to the City Engineer about the water concerns and the AKEL study of the project. The City Engineer stated according to the state law there must be at least 40 psi pressure; in the event of a fire there must be at least 20 psi water pressure provided. Water graphs showed that during the peak hour demand, pressure had dropped to 42 psi before the installation of the Quigley tank. After the installation of the Quigley tank, during regular peak hour times, the pressure would go to 55 psi verses 42 psi. The only time that would be lower would be in the event of a fire and then the water pressure would drop to 51 psi.

Grotto announced the Quigley tank would be on line in the spring of this year. She addressed water rights associated with this property and stated the applicant's plan is to use their water rights to irrigate their own open space areas. Grotto asked the applicant how many new trees they are proposing to plant. Kopf stated there hasn't been a landscape plan prepared yet. They are planning to plant new trees adjacent to the highway and along the north and the east boundaries of the property. Grotto confirmed Kopf's statement; along the streets, along the parameters and in the park the trees would be installed by the developers; the trees within the lots will be installed by the homeowners. Kopf replied yes.

Grotto referred to her comments of the land use section; density of the project is 3.1 dwelling units per acre, which is down from 5 dwelling units per acre from the initial application. She stated the distance of this project from the community core is similar to Old Cutters. Old Cutters has some significantly higher density.

Grotto continued with comments of the fire protection; Yeager had stated the Fire Chief was satisfied with the emergency access. She mentioned there is also the issue of the distance beyond the 1.5 miles from a fire station. As a requirement or in addition to the annexation fees, the applicant could make a contribution to a northern fire station.

Linscott was concerned about the future improvements on Highway 75 and stated the funds were no longer available. She asked about the traffic study and asked how would they foresee the lack of the entrance egress factor in the traffic counts provided, turning into and on to the highway safely in the 55 mph zone?

Yeager replied they would request a right hand turn lane be required for exiting the complex.

Pogue questioned the width of the park. Kopf replied at its narrowest it is 80' to 105' and 440' in length. Pogue asked if the Home Owners Association would maintain the park. Kopf stated yes.

Scanlon referred to the site plan and pointed out the public and private streets and asked who would remove the snow on the private streets. Kopf stated the Home Owners Association would provide that. Scanlon pointed out the dead end of one of the subdivisions and was concerned how the City trucks would be able to turn around there. He also mentioned that Kopf is assuming that the street may extend one day, and asked what if it never does. Kopf replied emergency access will be provided and pointed out the driveway is wide enough for a truck to turn around. If the street were to never go through, then there would be room on both sides of the street for additional snow storage.

Scanlon referred to the plat and pointed out the pavement doesn't show from curb to curb. Kopf stated there would be pavement from curb to curb and a tree line would be proposed along the sidewalks. Scanlon asked where the source of water for irrigation was; where is the canal that is mentioned. Yeager stated the canal easement water would be pumped from a pipeline.

Zellers asked where the fire access easements would be located. Kopf pointed out the accesses on Second Street and Highway 75 would be provided with all weather surfaces.

Marvel stated she didn't see a sidewalk proposed along the Highway 75. If the application were to be annexed the highway would become Main Street Hailey. She stressed the importance of a sidewalk showing a connection with downtown Hailey; she stated it is a life safety issue being it's located on Main Street. Marvel also mentioned she didn't like the looped private streets. She didn't think the plan addressed the Comprehensive Plan connectivity with private looped streets and didn't promote public neighborhood connectivity.

Public Hearing Opened

Sue Ahern, 1781 Second Avenue North was concerned about the water issue. She stated there was very little water pressure in her home. It would be important to first see what the Quigley tank would accomplish. She also expressed her concern of the additional traffic; she noted that there are many young children and pets in the surrounding neighborhood.

Van Williams, 121 Aspen Lakes Drive expressed concerned about the traffic. He mentioned the huge amount of traffic that already exists in the a.m. and p.m. The additional traffic would create a major traffic hazard. He has waited up to three minutes to get on to the highway. He didn't think the County would approve this density. Williams stated he is against this annexation.

Don Brandenburger, 170 Aspen Lakes Drive spoke about the density and how the proposal would be more appropriate to the south towards Hailey.

Kevin Lupton, West Meadow Drive recommended not to approve the annexation due to the high density which is surrounded by the low density.

Gini Ballou, 1940 Second Avenue North stated her home will be a target for headlights when leaving the complex. She expressed her concern with the traffic study and the density. She could see adding twelve homes in the County with ½ acre lots. She didn't feel this development would be a being good neighbor to the surrounding larger lots. She would want to wait until the Quigley tank comes operational to see what the water pressure would be. She noted in her yard there are animals that bed down; she was concerned about them and pets going into the road. She didn't see how the density benefited the City. This annexation would bring 40 additional homes into the neighborhood. She didn't want to be looking at a parking lot. She mentioned the reason she bought her home in this area was she wanted to have the rural feel.

Gordon Flade, 1820 Second Avenue North is against the annexation. He stated they moved into this subdivision for the rural feel and does not want sidewalks and more housing. He stated his water pressure gauge on his house, in the summer shows the static pressure is barely at 40 lbs. The dynamic pressure is 17 lbs and he felt it is ludicrous to add something that didn't make sense. He told the Commission "don't think about approving this."

Sandra Caulkins, lives on the corner of Second Avenue and Primrose and stated that most of Northridge is zoned LR-2 with a minimum of 12,000 square foot lots. She mentioned these smaller lots should be closer to the City core.

Rowland Nickerson, 1880 Second Avenue North was concerned about the traffic with no sidewalks and children playing in the area. He didn't like the additional traffic that would be on Second Avenue and stated he was against the density of this project.

Brian Ahern, 1781 Second Avenue North agreed with the consensus. He stated he met with Mr. Abide and asked why there couldn't be just be 12 units. He stated Mr. Abide replied that it would not be marketable. Ahern felt there was a hidden agenda and didn't think it was right for the City to shove the density down his throat.

Bea Espinoza, 340 West Meadow Drive stated that when exiting from West Meadow at 6 a.m., she has sat waiting for ten to fifteen minutes to get on to the highway.

Michelle Schwartz, 1661 Second Avenue North was concerned about the water. She asked what water rights existed, what kind of trees would be proposed and the height of the trees. She was concerned with the traffic and felt the study was inaccurate. She was also concerned about the south egress.

Keith Kein, 1941 Northridge Avenue stated he has an auxiliary pump and cannot use water more than one place at a time in his home. He stated he wanted to see what the Quigley tank would do. He was against the density being put into this area.

Vicki Williams, 121 Aspen Lake Drive wanted to know about canal. She stated she had never seen any water.

Rick Rausch, 360 West Meadow Drive has tested the water and stated the City should be embarrassed about the water pressure. He is against the development of this project especially the additional traffic. He felt the City needed to look at the present speed limit; Rausch stated beyond West Meadow Drive the speed limit should be reduced to 35 mph and enforced by the City. Everyone knows not to speed in Bellevue because they enforce their speed limit.

John Dean, 1510 Heroic Road stated it looked like a new urbanism and mentioned this should be placed elsewhere. His main point was, what the City does today is present tomorrow and believed in keeping the flavor of the community in tact.

Peter Lobb, 413 Carbonate Street East expressed concern about how big does the City want to grow? He felt that it was improper to have this kind of density out of town. He stated it would encourage people to the south to do the same. He agreed with the traffic problem and stated the water study was totally inaccurate and agreed the pressure system is definitely a problem.

Sue Ahern expressed concern about the southern egress.

Public Hearing Closed

Grotto paraphrased four emails that were received:

- Tim Eagan who is opposed to the density;
- Eddy Svidgal who is opposed to the traffic and density;
- Matt Wellner who is opposed to the density, traffic, and water pressure;
- Garth McClure who is opposed to the zoning, the density and traffic.

Grotto stated for the record she received three phone calls: Vicki Shapiro, Patricia Beck, and Louise Gallagher who were all opposed for the same reasons given.

Kopf stated he listened to the neighbors and heard the passion from them and understands that change can be unsettling. He stated the City is appropriate for higher density and the County is appropriate for lower density. Kopf pointed out what the applicant is proposing to develop is a high quality community; transitioning from large lot homes to affordable homes.

Bill Abide, the applicant, stated the Comprehensive Plan was used as their guideline. He stated there are several city ordinances in regards to parks, sidewalks, workforce housing, and for developments to provide services. There needed to be a transition and he felt the transition that he had proposed was appropriate. Abide felt the plan did provide services the City was looking for. He heard the people say they liked the plan but also heard it would severely impact their lives. He stated portions of the development would also be impacted. Abide concluded with saying “the perception by neighbors of this annexation is incorrect.”

Public Hearing Closed

Scanlon commented that he had read and studied a lot about this and agreed with the neighbors; that it is a nice development but it is in the wrong place. It is not compatible with the rural setting of the existing area. Scanlon asked if this was annexed into the City, would it be a forced annexation to the south. Grotto replied no.

Scanlon continued and stated looking at the Comprehensive Plan, *Section 5.4 Land Use District, #5 Policy: Promote land use policies that protect and enhance new and existing neighborhoods in residential zoning districts*. He stated there is an opportunity here to protect the existing neighborhoods. The neighbors have bought their homes in good faith for the rural aspect of the area.

Scanlon referred again to the Comprehensive Plan regarding *Section 9.0 Public Facilities, Utilities, and Services, Goals, Policies and Implementation, Item #1 Goal: Recognize that infrastructure limitations may at certain times necessitate certain controls or restrictions on development in order to maintain acceptable service levels*. Scanlon stated to the applicant that he understands they have to rely on their consultants and what they reply but what he is hearing from the neighbors is that these scientific reports are not correct. He can empathize with the fact of spending the money to buy a home and then not to have the simple service of water pressure, which is taken so much for granted.

Scanlon continued with Growth Management, *Section 12.0 of the Comprehensive Plan and stated that 12.1, Item #1 Policy: Ensure that growth does not out pace infrastructure, services or capacity of resources.* He noted that several people have commented to get Quigley on line and to see what it does to the water pressure.

Zellers wanted to applaud the applicant and stated they had done a good job and complied with all that the Commission has asked. She stated she could not see moving forward until Quigley comes on line and would not want to annex this property at this time.

Pogue thanked the applicant and stated it was a nice looking development that would be appropriate in many other areas of the City but he didn't feel it was appropriate at this location.

Linscott was in agreement with the Commissioners comments.

Pogue stated the application didn't seem in compliance with the Comprehensive Plan; *Section 5.4 encourages density towards the community core with increasing green space and decreasing density towards the edges of the community within the Area of City Impact.* In this case, this cluster increases density too far north and isn't appropriate; it doesn't necessarily apply with the character of the land. Again it is an attractive, well thought out development but isn't appropriate at this location.

Marvel agreed with everyone's comments regarding the water pressure and the density at this location is still an issue.

Zellers suggested a recommendation to deny this annexation.

Grotto stated Scanlon and Pogue both have outlined some specific sections of the Comprehensive Plan. Recommendations have been outlined on page twelve of the Staff Report under the summary, and she suggested making two separate motions. Grotto suggested the first motion to include the specific goals and policies of the applicable components of the Comprehensive Plan; citing the sections that were mentioned. She suggested the second motion to include whether the annexation generally complies with the Comprehensive Plan; are they able to find positive findings on generally all of the individual sections of the Comprehensive Plan; then a general recommendation could be made. Grotto reminded the Commission that this is a recommendation.

Pogue moved the proposed development on behalf of the applicant, Hans Beekwilder and Bill Abide, for the annexation of what is called Logan's Run, is not in compliance and harmonious and in accordance with certain sections of the Hailey Comprehensive Plan: Particular Section 5.4, Land Use District, Item 5 Policy, Section 9.0 Public Utilities, and Services, Item #1 Goal, and Section 12 Growth Management, 12.1, Item #1 Policy.

Scanlon second the motion, the motion passed unanimously.

Scanlon moved to not recommend for annexation based upon these findings, that the land use is not appropriate at this location adjacent to the City of Hailey, and there is no need for annexation to increase density for the applicant's request.

Linscott seconded the motion, the motion passed unanimously.

Approval of Findings of Fact:

Blaine County Public Safety Facility – Design Review

Zellers moved to approve as written.

Scanlon seconded the motion, the motion passed unanimously.

Approval of Minutes:

February 20, 2007

Pogue moved to approve as written.

Linscott seconded the motion, the motion passed unanimously.

Commission Reports:

Scanlon presented an address to mail his packet for the April 2nd meeting or have his packet delivered to his home.

Zellers needs her packet delivered to her home for the April 2nd meeting.

Scanlon spoke about the seminar he attended on Saturday, March 3rd, Subdivisions, Dealing With Change. He mentioned there were 65 people present and the presentation was given by Jerry Mason and it was very interesting.

Staff Reports:

There were none.

Adjourn:

Linscott moved to adjourn the meeting at 8:25 p.m.

Zellers seconded the motion, the motion passed unanimously.