

**MINUTES OF THE
HAILEY PLANNING & ZONING COMMISSION
MEETING HELD ON APRIL 7, 2008**

The meeting was called to order at 6:30 p.m. by Commission Chair Stefanie Marvel. Commissioners present were Owen Scanlon, Mike Pogue, Mark Spears, and Geoff Moore. Staff present were Planning Director Beth Robrahn, City Planner Mariel Platt, Administrative Assistant Becky Mead, City Engineer Tom Helen, Fire Chief Mike Chapman, and City Attorney Ned Williamson.

Consent Agenda:

Approval of Sun Valley Auto Club Design Review Findings of Fact

Commissioner Spears moved to amend condition (f) revised landscape plan, adding a bullet point stating low shrubbery shall be added along the front, under the large windows.

Commissioner Pogue moved to approve as amended. Commissioner Moore seconded, the motion passed unanimously.

Public Hearing:

Quigley Canyon Ranch Annexation

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, and GR zoning, a total of 379 residential units and an 18 hole public golf course.

Commissioner Marvel asked Director Robrahn to explain the process that will be followed with this application.

Director Robrahn stated tonight is the preliminary review of the application. The applicant will give an overview of the proposal and the studies conducted. This will give the Commission the opportunity to ask questions or request additional information from the applicant. This will also give the public the opportunity to state their comments and ask any questions or ask for information they may think is missing from the application. Open houses are scheduled for the public for April 30th and for May 7, 2008 and stated these will be noticed in the papers. These open houses will be to provide the public with additional opportunities to review the application and have questions answered by City staff and the applicant. Director Robrahn stated an in depth review of the application is scheduled for six meetings to be held in June. These meetings will give the opportunity for review of the application in more detail; give more time for intensive public comments and for the Commission to have their deliberation. These six meetings are an initial estimate of how many meetings it will take to complete review of this application. If there needs to be more than six meetings then additional meeting dates will be scheduled. The tentative dates for these meetings are scheduled from 5:30 to 8:30 p.m. on June 18, 19, 24, 25, 26, & 30, 2008.

Dave Hennesey, local partner of Quigley Green Owners, LLC, presented a Power Point presentation of the planning and an overview of the project overall. He stated they purchased the land two years

ago and in that time frame they went through an extensive Research and Development (R&D) process and selected DTJ Designs out of Boulder, Colorado as well as a group of local engineers and some from the Boulder area as well. Hennessee reviewed five of their core beliefs.

1. **Respecting the context.** They would like to develop an extension of the great community of Hailey and an enhancement of the community of Hailey.
2. **Investing in the future.** They would like to minimize the impact of the development as much as possible on the environment as well as provide positive attributes.
3. **Create a neighborhood heart.** They would like to create a spot for people to gather and interact and a place that fosters the sense of community.
4. **To provide a variety of open spaces.** They are proposing a variety of pocket parks, community gardens, a fishing pond, and an 18 hole public golf course.
5. **Leave a legacy of place.** They want to create a better experience for people who will live there and for the other residents of Hailey.

Tom Kopf, DTJ Designs, 1881 9th Street, Boulder, Colorado, described the project in respect to the context of the five core beliefs. Kopf pointed out the transition from town to country and urban transect to rural. There are three sub neighborhoods that are closest to downtown Hailey. These neighborhoods are referred to as the "Down Canyon", with mixed housing types such as live/work units, townhomes, ranging from small to larger lots. The architecture takes on a cottage feel with garages along the alleys. The next neighborhood is referred to as the "Mid Canyon", providing small parks and open views along the golf course. The architecture is set on bigger lots with garages set back from the house. The next neighborhood is referred to as the "Up Canyon" with much larger lots ranging from ½ acre to 2 or 3 acres. The size of these lots allows views between homes, a wildlife corridor and preserves the rural look and feel of Idaho. Bigger homes will be designed. There will be stronger use of natural materials to present the rural rustic feel of Idaho.

Kopf moved on to present their design principles: celebrate the public realm, public trails, and public access providing three trailheads with parking provided and educational signage; create a "low impact" community, a walkable community, providing lots of trails and bikeways, using wind energy, minimizing exterior lighting with the use of cut-off lighting fixtures, using photovoltaic and green buildings and energy star homes are proposed. Native plant materials, a recycle center located near the golf course maintenance building, center porous pavements to create less run-off allowing moisture to be absorbed into the land are proposed. They are planning to maintain the wildlife corridors and create new habitats in the area. There will be solar orientation of homes. There are plans to handle drainage with bioswales and rain gardens to supplement irrigation systems. They have planned some narrow street sections. They propose the development of an Audubon golf course with water conservation and long term maintenance. There is consideration for habitat sensitivity, natural landscape and recycled materials for the golf course. They proposed to reclaim Quigley Creek.

Lonn Kuck, 10399 Rolling Hills Drive, Star, Idaho, wildlife consultant for the applicant, commented they have designed and incorporated existing wildlife corridors and mule deer migration corridors. There will be no fencing and plant sight barriers will be added and regular snow pack down for the wildlife. They will work with the height of the berm. There will be planting confer barriers, big game area closures and BLM land closures during the winter months which will also be closed to recreational skiers.

Director Robrahn reviewed the department head comments. The major issues identified by staff were:

1. Access – there is one access proposed from Fox Acres Road. From a planning and emergency perspective, and for compliance, especially with the fire code, there needs to be a second access shown from the entrance at Quigley Canyon Road to the upper portion of the canyon, at least to the pond.
2. Road design issues include the various right-of-way widths proposed; the City Engineer commented that the City already had 3 right-of-way widths, and additional widths were not necessary.
3. The main question with the avalanche hazard issues was how the avalanche zones relate to the development proposal; the applicant has provided a map which showed the avalanche overlay on to the development plan. There will still need to be an analysis done on this.
4. There were questions in regards to the feasibility of the golf course.
5. In terms of wastewater, the City Engineer had issues with the system the applicant was proposing which would not be hooked into the City's sewer system but was a Class "A" affluent system and allowed reuse of wastewater. The City's main concern was how the wastewater would be managed and who would pay for it. There were also concerns with water supply, water pressure, and the need for an additional well associated with this project if this were to be annexed. The City Engineer had spoken with the applicant in regards of an additional analysis in terms of what sites would be in need for another well.

Director Robrahn stated a very detailed memo was submitted by The Parks and Lands Board which was included in the packet. This memo is on file for the record.

Fire Chief Chapman commented on his main concern of emergency access. He pointed out there are 400 homes proposed with a single access and there would be no access provided to get people out in case of an emergency blocking the one road. He mentioned he has always had the connectivity of the neighborhoods as a priority and avoiding the creation of gated neighborhoods. He stated addressing this issue could change the entire shape or the viability of the project. He ended by stating they needed to see the details as they progress through this application.

The City Engineer commented on his main concern of water pressure. He stated with this development there would be no water pressure in the upper canyon beyond where the water tank is currently located. He mentioned the need for the applicant and the City to address the issue of water pressure.

Becki Keefer from The Parks and Lands Board was concerned with the golf course being built by a developer, gifted to the Blaine County Recreation District and owned and managed by them. She pointed out the small parks throughout the development and suggested the homeowners provide the maintenance of them. She expressed the Board's concern of there not being a large enough park to provide an active recreational field. She mentioned the trail systems and the Board expressed concern in regards to the safe access to them, from existing trails in Hailey, to the clubhouse on the separated pathways. The Board felt there were enough recreational benefits to the citizens of Hailey to offset the impacts on existing recreational facilities that this development would bring.

Director Robrahn noted public agencies were sent a packet of information regarding this application to comment on and said the Idaho Department of Fish & Game was included. She stated the agencies were asked to submit their comments by April 25, 2008 which would give the planning department enough time to assess the information for presentation to the Commission. Director Robrahn spoke

with Dave Parrish of the Idaho Fish & Game who said that this project is a high priority in terms of his department looking at this application.

Commissioner Marvel proposed to the Commission to state their issues and/or questions in a timely manner to give the public a chance to comment.

Commissioner Moore stated he has had two ex parte conversations. One with his boss Steve Kerns and one with the owner of Lutz Rental who is also on the Board of Blaine County Recreation district. Both conversations were in regards to the proposed golf course with this application.

Commissioner Moore stated his concerns on the following items:

- Fox Acres Road was the only access in or out of the canyon and mentioned it would impact citizens beyond the 300 foot notification area. He suggested that further notification should be given to these neighbors along the Fox Acre Road corridor. Commissioner Moore spoke about the traffic through Quigley and into old Hailey and mentioned the existing residences in Woodside and Fox Acres that would be affected. He thought the traffic study had missed the fact of the existing traffic that currently uses Quigley Road and that shifts over to Fox Acres Road and wasn't shown in the traffic study.
- Avalanche issues that could cut off one side of the canyon.
- He would like to see access for current recreational users to still exist, i.e. snow mobiles. He wanted to make sure that no one was excluded from using the trail heads, i.e. hunters.
- He sees sprawl out to the east end of the canyon.
- He commented on the bay proposed for an engine at the golf course maintenance building. He expressed concern on the efficiency of that engine and didn't want to see Hailey's rating go down at all.
- He agreed with the Parks and Land Board in regards to seeing the golf course deeded to Hailey
- He would like to see water rights deeded also. He was concerned about water rights that were already present on the property (more than the 200 mentioned) and is sure that the water is sufficient for the project. He stated he didn't want to see the City provide water for this annexation.
- Commissioner Moore asked if they would really make snow for the Nordic skiing and asked if they would wait on that. He wondered where the water would come from to support that.
- He asked who would monitor water usages on the larger parcels.
- He referenced to the hybrid septic systems that are in the canyon and was concerned about the septic systems in general.
- He would also like to hear more from the fire department in regards to emergency access.

Commissioner Scanlon stated his concerns on the following items:

- He would like to know from the Fire Chief if another fire engine/station would be needed.
- He questioned if the impact fee would be feasible.
- He mentioned police protection capabilities in the City.
- He asked if the architectural energy concepts would be implemented through the CC&Rs and if they were going to offer incentives for builders to use green building construction techniques.
- He expressed concern in regards to the ½ acre irrigation stipulation.
- Commissioner Scanlon stated that snow storage wasn't mentioned.
- He wanted to know the timeline for these phases of development.

Commissioner Spears stated his concerns on the following items:

- He asked if lot lines and building envelopes were delineated on the Avalanche overlay map.
- He said he appreciated the golf course and asked if a link type of course was ever addressed.
- He agreed that the water rights issues were a concern for everyone and thought it to be a risky proposition for the City.
- He would like to see the reports from the Department of Idaho Fish and Game.
- He would like to see the golf course feasibility study.
- He expressed concern about the location of the clubhouse elevation being visible from the City and outdoor lighting issues.
- Commissioner Spears stated he lived in Deerfield and mentioned there are presently traffic issues coming from Quigley and with the addition of residents in the canyon this issue would multiply.
- Commissioner Spears stated that it would be nice if they could see an alternate route other than the two routes that were mentioned.

Commissioner Pogue thanked the applicant for putting this presentation together and mentioned there was a lot of thought put into this. He mentioned the amount of amenities there are for both the residents and for the citizens of Hailey. Commissioner Pogue stated his concerns on the following items:

- He is curious to see how the Department of Idaho Fish and Game weighs in on the wildlife migration issues.
- He is also curious to see how the department of water resources uses the water availability issues. He asked staff about how they envision the project.
- He asked at what point would the CC&Rs or a development agreement be drafted and asked if that would be at the subdivision application phase or was it part of the annexation. The City Attorney stated the key agreement would be the annexation agreement. Commissioner Pogue asked if they would be at that point later on in the hearing process. The City Attorney stated they could be but mentioned that the Commission couldn't approve any annexation agreement and stated that wasn't their goal.

Commissioner Marvel stated her concerns on the following items:

- She wondered why the golf course was being donated to Blaine County Recreation District rather than the City of Hailey and she felt the City should at least be a partial owner.
- She expressed traffic as a huge issue and said it would be a huge impact on everyone.
- She thought the streets should be consistent throughout Hailey with the sidewalks being on both sides.
- She was concerned with why Quigley had a design review committee and the ability for waivers without a review from the City of Hailey.
- She mentioned a small section on Quigley Road that is not located in the City and asked if this project were to be annexed that this section should be addressed.
- She felt the water pressure issues needed to be explained and clarified before they could go further.
- She asked if there were going to be horses allowed on the larger lots which would involve fencing that is not allowed.
- She wondered if the applicant would allow natural bridges for wildlife corridors allowing the wildlife to pass over the roads.
- Commissioner Marvel stated she was in support of the Quigley connection also and thought it was an important part of the Hailey Comprehensive Plan and should be something they incorporated.

Public Comment Opened

Kathleen Turner, from the Wood River Journal asked about the many water rights in the county that have been aesthetic and recreational water use, and asked if any of those current rights are under any objection.

Richard Stopel, 150 Sixth Avenue expressed concern about the density and didn't feel that more homes should be built. He thought it seemed to be too big of a project in terms of houses. He thought the developer needed to have a smaller amount of units. He mentioned the traffic from Deerfield goes into Bullion and Croy Streets and currently it isn't safe to walk your dog or allow kids to ride their bikes on those streets due to the traffic. He felt there needed to be separated safe paths going in and out of the canyon.

Julie Gallagher, lives in Deerfield and said she appreciated the spirit of the developer extending the neighborhood feeling of Hailey but she questioned the cluster of the lower end neighborhood, then the more expensive homes and the very expensive homes. What she likes about living in Hailey is that everyone lives together and it seemed like this project becomes very exclusive when people are clustered in this way. She mentioned for the developer to look at that scenario.

Bruce Malone, 641 Buckhorn Drive knows people who use Quigley for snowmobiling and motorcycle riding and said it is the gateway to East Fork and Slaughterhouse Gulch and he didn't see any provisions for that.

John Dean, lives in Northridge and referred to the first slide showing the transition from urban to rural. He said it seemed like the density at the western edge appeared to be greater density than the density that is just west of there in Deerfield. It seemed like the transition wasn't being followed.

Steve Crosser, 431 Aspen Drive pointed out lot sizes are 4,000 sq. ft. and he didn't think that there were any City lots that were that small in Hailey. He felt having such small lots were really packing people in. He would like to see the developer spread out the lots a little bit. He felt the lower part of the project was very dense.

Charlene Malone, 641 Buckhorn Drive was concerned about the traffic on Buckhorn mainly because there are no stop signs or speed bumps and mentioned the speed on Buckhorn is impressive. She said she appreciated the amenities and how the developer was trying to pull the citizens of Hailey into the area. She mentioned she has enjoyed the canyon since 1974 and absolutely loves it. She expressed concern about the density and the development from the main pond and out beyond, which is being called the upper canyon development. She mentioned the area beyond the pond is a lot narrower and felt the country was more fragile there. She expressed concern about the quantity of houses proposed for that area. She felt the impact would be much greater on the environment there.

Darlene Panel lives on Bullion Street East and was very concerned about the traffic on her street. She stated presently there is quite a bit of traffic in the morning and afternoon going in that direction.

She said she hasn't heard anything mentioned in regards to mass transportation, like buses going to that neighborhood to provide transportation. She was concerned in general with the developers building all the houses at one time. She mentioned the houses in old Hailey and other places in Hailey have personality and are all individual. She felt this made the community real and authentic. She said mountain towns were never developed with a plank of matching colors and pathways, etc. She appreciated the effort for native landscape and dark skies, which are so important, but was concerned about how many of the homes would be built and remain empty. She felt people could develop what they needed to live in best to suit their needs. She felt that a planned park didn't have a heart as the towns that were developed in the past by individuals.

Susan Woodruff, 850 Buckhorn Drive felt it was already a challenge to walk around the neighborhood with no sidewalks and felt it was dangerous for children and the elderly with the speed of the cars on Buckhorn. She mentioned she was walking down Fox Acres Road at 3:30 p.m. and the traffic was backed from the three-way stop at Woodside Blvd. all the way up around by the high school. She cannot see Fox Acres Road handling more traffic, even with Quigley being opened up. She felt the traffic was going to be a huge impact and felt it would be unsafe for the residents.

Tom Swenson, 731 Bonanza Lane wanted to encourage the Commission to see public access continue up Quigley extension where the dirt road begins. He mentioned for many years there have been a lot of people who walk out that way with their dogs. He pointed out that it is the most well used access in Hailey for recreational opportunity. He said he could care less about the vehicular access needed and wanted there to be an area where people could walk dogs without having to drive anywhere else to start their walk. He felt the property beyond the pond should remain undeveloped.

Christy Beck, 525 Fourth Avenue North thought all the development should stay below the pond, especially if they are asking for annexation rights. She felt the existing zoning should stay intact.

Chris Leman, who lives in Ketchum said he appreciated the developers working with the BLM and developing a trailhead at the end of the development and for providing motorized access and parking.

Nathan Welch, with the Wood River Land Trust was curious if there would be opportunities for open space protection. He mentioned the construction that might occur beyond what it is currently zoned and any construction above that level might occur in exchange for protection of open spaces in those areas. He mentioned this project focused on roughly 1,100 acres and stated there was an additional 400 acres farther up the canyon which is also owned by the applicant; the future of that property is unknown.

John Dean, made a second comment in regard to pedestrian and bike path access, and asked if the Quigley extension was put in would there be some way to route the pedestrian and bike access there. He understood there would be access up Fox Acres Road but asked how would non vehicular traffic be handled up Quigley.

Tony Evans, with Idaho Mountain Express asked if the developers had an alternate plan layout for the project in the event they do not get annexed and what would that look like.

Mary Ellen O'Leary, 150 Sixth Avenue felt before the City of Hailey annexed this property they should look at Bullion and Croy Streets and make a full pedestrian safe pathway into old Hailey before

annexation. She mentioned this has been needed before this annexation has come up. She expressed concern in regards to the empty bed syndrome. She felt that the lots should be sold, not both the home and the lot.

Julie Gallagher expressed concerned about the golf course being deeded to either the recreation district or the City and what if it wasn't viable to them. What would happen then, would the golf course be owned by a separate entity, would it be sold, and what kind of control would the City have over that.

The City Attorney stated the letters submitted from the public do not have to be read allowed. The Commission has encouraged the public to submit letters but there is the risk when summarizing the letters that they wouldn't be summarized correctly and mentioned written comments are for the Commission's benefit and the public has free access to all records.

Director Robrahn stated, for the record, the Commission does have a copy of a letter submitted from William Hughes, as well as a copy of the email received from Kelly Feldman with the Sawtooth United Football Club. She also mentioned that she received a letter from South Central District Health after the packets were prepared and that the letter from South Central District Health would be included in their next packet.

Commissioner Spears asked if these letters would be passed on to the applicant. Commissioner Marvel stated those letters are available to the public. Director Robrahn stated everything submitted to the City is public record and anyone may have a copy at any time.

David Hennesey responded to comments in regard to all the houses being built at once. Hennesey stated their plan was to sell lots for the development and to build a portion of the down community neighborhood. He stated they would have a house plan design for each lot to avoid several lots being built on by the same builder with the same architecture.

Hennesey responded to comments on trail access and the access out the canyon. He stated they are working with the BLM to create a trailhead for snowmobiles in the winter and pedestrians and motorcycles in the summer; this would be located beyond the beaver pond where their property ends.

Hennesey responded to dog walking. He stated as part of the process they went through with the International Mountain Bike Association and their group trails solutions they looked at creating an extension of the Toe of the Hill Trail that runs along the south section of the canyon and wraps around on the north side. He stated that the main use of the canyon right now is probably dog walking, off leash, and they want to maintain that by creating a trail that is 6 to 7 feet wide.

Commissioner Marvel asked if they were donating property for a fire station. Hennesey stated they have proposed a station and possibly 76 community housing units. He mentioned their plan is a lake style golf course even though the graphic doesn't necessarily show that.

Director Robrahn stated she would provide a summary of all the comments made and note whether comments are addressed in the application and if a comment was not addressed, then staff would communicate with the applicant to get the response requested and would include that information in future packets. She also mentioned that she would post a summary table on the website for the public.

Commissioner Scanlon asked the applicant if they were prepared to speak about the timeline of the project. Hennesey replied that each phase would take a year and a half with two to three month overlaps within each phase.

Director Robrahn explained the purpose of the Open House to Commissioner Spears and stated the purpose was to give more opportunity for the public to provide comment or ask questions.

Commissioner Marvel asked Hennesey why Blaine County Recreation District had been given the golf course. Hennesey's response was that the previous owners had discussions with Blaine County Recreation and they spoke with former Mayor Susan McBryant who felt the City wasn't interested in owning it.

Public Comment Closed

Commissioner Marvel asked Director Robrahn if she had the dates for the Open House and for the next series of meetings. Director Robrahn stated April 30th and May 7th have been scheduled and the times would be from 12 to 2 p.m. and from 5 to 7 p.m. on each day. She mentioned these would be published in the papers as display ads prior to these dates. She said the hearing dates are scheduled for June 18, 19, 24, 25, 26, and 30th. She also mentioned they are thinking about having these hearings at a different location to accommodate more people. That information will also be noticed.

Director Robrahn stated she would re-notice this application for future hearings.

Approval of Minutes:

Commissioner Moore pointed out two corrections to be made. One on page 2 the address should be 1930 Electra Lane not 1630. Also on page 3, third paragraph, a grammatical error, and should read, "how the City would know".

Commissioner Spears moved to approve as amended. Commissioner Pogue seconded, the motion passed unanimously.

Commission Reports:

Commissioner Marvel stated she would be absent on April 21 and May 5.

Staff Reports:

The City Attorney noted the Commission would be likely be approached by a lot of people about this application. To comply with rules on ex parte communication, Commissioners must disclose who they spoke to and what was said. He said this was all procedural due process and mentioned there are a lot more challenges to ex parte communications. He said he has always thought it was not wise to partake in ex parte communications for the reason that someone might forget someone's name or what was said. He recommends saying, "it is not appropriate for me to speak about this" to avoid the issue altogether. .

Commissioner Spears said he was handed a petition and he said that he couldn't speak about it and walked away. He asked the Attorney if he should state that at the next meeting. The Attorney said yes.

The Attorney mentioned to Commissioner Moore that he didn't mention what the general discussion was with his ex parte communication. Commissioner Moore stated he did say it was in regards to the golf course. The Attorney said to add if the comments were in favor or opposed.

Director Robrahn told the Commission that if someone wanted any information regarding the application they could call the City and speak to the planning staff.

Commissioner Marvel asked if conversations prior to this application being submitted to the City should be disclosed. The Attorney said if they spoke to anyone to mention it at the next meeting.

Adjourn:

Commissioner Pogue moved to adjourn at 8:55 p.m. Commissioner Moore seconded, the motion passed unanimously.