

**MINUTES OF THE REGULAR MEETING  
OF THE HAILEY PLANNING AND ZONING COMMISSION  
HELD MONDAY, JUNE 20, 2005  
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 Trent Jones. Commissioners Stefanie Marvel and Nancy Linscott were present. Commissioners Kristin Anderson and Elizabeth Zellers were excused. Staff present included Planning Director Kathy Grotto, City Planner Diane Shay, and Deputy Clerk Tara Hyde.

**PUBLIC HEARINGS**

**315 MAIN BUILDING DESIGN REVIEW**

An application by Bruce Bothwell/Anchor, Inc for Design Review of a new building, located at 315 Main Street North (Lot 3, Block 53, Hailey Townsite) in the Business District.

Bruce Bothwell advised the property is located south of Hailey Paint and north of the old Head Start building. He said he plans to construct a 20 foot wide turn of the century building along the north property line. Landscaping and snow storage are planned adjacent to the building on the south side. He advised the porch of the proposed building will sit back 8 feet from the front property line to allow for additional landscaping. Plans call for a standing seam copper porch roof with cedar siding set inside brick for the front façade over the porch. Sides of the building will include CMU block for fire rating. Dark green is planned for the window frames and trim. Three parking spaces are provided off the alley.

Marvel asked about location of the CMU block, with Bothwell indicating both the north and south elevations would be constructed of CMU block with belly bands. Marvel asked why there were no windows shown on the south elevation; she believed with the building 10 feet from the property line firewalls were not needed. Bothwell indicated his understanding that the Building Official required a 4 hour firewall with no penetrations. He added the property to the south was currently under contract.

Shay advised mitigation would be needed to protect the mature landscaping on the Hailey Paint Store property line to the north. She advised snow storage has been met on the south side of the building. She suggested the Commission may wish to look at some type of snow mitigation for the copper front porch roof. She clarified with Bothwell that the landscaping would be automatically irrigated.

Jones opened the public hearing.

There being no comment, Jones closed the public hearing.

Marvel agreed mitigation of the impact to the landscaping on the north property line was needed. She believed windows should be added to the south elevation to help bring light into the building. She said the vertical wood gives a western false front image and she preferred to see all brick.

Linscott agreed that windows were needed on the south elevation. She asked when the property sale to the south would be completed. Bothwell believed the sale would be complete by July 29, 2005.

Jones agreed additional relief was needed on the south elevation, stating the burden was on the applicant to provide the design; he did not believe the Commission should recommend any particular quantity of windows needed.

Shay suggested a revised south elevation could be addressed by the Design Review Committee (DRC). Marvel asked who was on the DRC and expressed comfort with the DRC addressing the new south elevation. She did suggest the windows should be in proportion with the front windows. Jones indicated perhaps a door could be included on that elevation.

Linscott added that gutter and snow clips were needed on the front elevation, as well as over any door added to the south elevation.

Jones suggested the vertical wood area could be used for signage. Bothwell said the area is not for signage, he liked the vertical wood. Marvel said the vertical wood accentuated the look of a false front on the building.

Jones asked about mitigation of the vegetation on the north side. Shay clarified mitigation would be needed to protect the root systems on the mature vegetation to the north. There was further discussion about mitigation for the landscaping, with the applicant asking if a damaged tree would have to be replaced with a tree the same size. He said some of those trees are at least 30 feet in height and a 30 foot tree could cost upwards of \$15,000 each. Grotto suggested at least 4 inch caliper deciduous trees of a similar type for replacement if necessary. Linscott asked a member of the audience, Denise Jackson Ford—a landscaper who also sits on the Parks and Lands Board, to weigh in with ideas that may help the applicant with mitigation. Ford suggested the applicant contact an arborist to help with the setup before excavation. Bothwell asked if there was something he could do to help strengthen the trees prior to excavation. Grotto suggested the Commission may wish to require a report be furnished to staff from an arborist to see what steps are needed for mitigation, and that staff could go onsite to monitor.

**Marvel moved to approve the application, finding it in conformance with the Comprehensive Plan, that it does not jeopardize the health, safety and welfare of the general public and that it conforms to the required specifications outlined in the City's Design Review Guidelines with following conditions:**

- a) **All Fire Department and Building Department requirements shall be met.**

- b) **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.**
- c) **All exterior lighting shall comply with the Outdoor Lighting Ordinance.**
- d) **The developer shall mitigate, to the greatest extent possible, the impact excavation and construction will have on adjacent existing and mature vegetation; by report from an arborist presented to staff, outlining actions for preserving trees and shrubs along north property line, prior to issuance of a building permit.**
- e) **Snow clips and rain gutters shall be installed on the shed roof to protect pedestrians from falling snow and rain.**
- f) **Automatic irrigation to all landscaped areas shall be installed and maintained.**
- g) **Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided, before a Certificate of Occupancy can be issued.**
- h) **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.**
- i) **Windows, proportionate to those in the front wall, shall be added to the south elevation and plans for the revised elevation shall be presented to the Design Review Committee for approval.**

Linscott seconded and the motion carried unanimously.

### **PARKVIEW BUSINESS CENTER PRELIMINARY PLAT**

An application by Bruce Allen for preliminary plat approval of Parkview Business Center. The current legal description of the property is Lot 2, BDB Subdivision, located at the intersection of 4<sup>th</sup> Avenue South and Highway 75. The revised plat would create 3 lots. The parcel is within the Limited Business (LB) district.

Linscott recused herself.

Tobin Dougherty, architect for the project, explained that this was the second time the applicant was bringing a proposal forward. Plans have been revamped to create 3 lots. The entrance was altered after work with the neighboring property owner. A fire turnaround was added after discussion with the Fire Chief. Dougherty parking may actually be adjusted based on how the buildings are constructed.

Grotto explained that the thru access to Highway 75, as shown on the previous plans, had been removed from this design. Pedestrian access has been added off Main Street. Lot 1 is located in the Runway Protection Zone; due to its proximity to the runway, a “notice of proposed construction or alteration”, FAA Form 7460-1, is required for any development

within the subdivision. Rick Baird from Friedman Memorial Airport requested to see the runway protection zone line and the requirement for the FAA form denoted on the plat. Grotto further advised that during the Airport Way to Fox Acre improvements, a bike path was added to the area. She suggested the Commission might wish to require landscaping of the right-of-way strips adjacent to the property and the bike path.

Grotto added that the parking requirements would be addressed with design review of the buildings. Parking, as laid out on the preliminary plat, may hold the buildings to a certain size. Any major parking change would require a plat amendment.

Jones asked if the right-of-way improvements would be held to the right-of-way that is contiguous to the subject property. Grotto confirmed, and indicated right-of-way improvements could be required along the adjacent length of Main Street and also along about 20 feet of 4<sup>th</sup> Avenue, from 4<sup>th</sup> Avenue to the property line. Grotto added those landscape improvements could be approved by Planning staff, the City Engineer, or by the Design Review Committee.

Jones opened the public hearing.

Denise Jackson Ford, 421 Eureka Drive, advised she is a Master Gardener and caretaker of the adjacent arboretum. She listed issues of concern for the arboretum:

- While she liked the parking along the property line facing the arboretum, allowing people to see it and perhaps access it, she expressed concern about snow from the parking lots damaging vegetation.

- She asked that, during construction, an orange fence be strung to keep construction materials out of the arboretum and keep construction workers from using the area for storage.

- The caretakers would like the opportunity to transplant certain species that are growing along the property line.

- She hoped low maintenance gravel path connections would be required from the property into the arboretum, to allow use of the arboretum for lunch, etc.

- She asked the dumpsters be located and screened for blowing trash and to block view from the bike path and arboretum.

Aaron Domini, 531 Aspen Drive, advised this property is the southern gateway into the City. He asked how the lots would be integrated for use keeping the gateway issue in mind. He was interested how the site as a whole would function to create a gateway.

Jones closed the public hearing.

Grotto indicated snow storage was met on-site. Dougherty showed snow storage areas and explained the applicant tried to balance them to where the parking is located. Grotto suggested the Commission could condition a construction fence and notice to the arboretum of work commencing. She suggested a connecting pathway was a good idea and that the Commission could ask the applicant to address the gateway issue.

Jones believed it appropriate to address concerns of the arboretum. He asked the applicant to speak to the gateway issue.

Dougherty advised the applicant was aware this property was a gateway property. Designs of the buildings were thought out to address the issue, with 3 smaller separate buildings being considered to scale down mass. He added that Lot 1 was in the Runway Protection Zone and any building would have to be smaller in height and perspective. Lot 2 would allow a larger building and Lot 3 may accommodate the tallest building. Actual buildings on the property would go thru design review and the exact specifics are not yet known. He expressed concern that landscaping in the right-of-way may get damaged and he did not think plantings would do well in that location. He believed landscaping would work well between the building and the bike path.

Dougherty stated the applicant's concern that parking would be used by people just visiting the arboretum if there is access from Lot 1. He suggested a fence be constructed on the property line to keep snow from being pushed onto neighboring properties. Allen stated he was more than willing to work with the arboretum.

Marvel had concerns over the gateway issue. She did not believe that parking on Parcel A at the corner of Main and 4<sup>th</sup>, as denoted on the plans, was appropriate for a gateway. She believed buildings should be located along the street instead of parking.

Allen stated his belief that extending the building to the property line on 4<sup>th</sup> Avenue would be dangerous because the site line was not good and access to the property is through an easement granted by the neighbor and is located off 4<sup>th</sup>.

Dougherty added there were drainage issues with a building on the corner, as well as sewer and other utilities at the location and the only entrance to the property is located in close proximity. Visibility was also a concern listed.

Allen stated that parking locations as shown were important for access to the buildings. He believed mitigation of that parking area could be achieved through landscaping.

Jones addressed the hatched area shown on the 20 foot strip between the property line and 4<sup>th</sup> Avenue, shown as a snow storage easement on the plans, stating landscaping at that location would need to be kept low. He agreed with Marvel's concern with parking at 4<sup>th</sup> and Main; but believed mitigation could be achieved through really good landscaping.

Allen advised the site sits about 4 feet lower than the highway.

Marvel suggested constructing a wall with plantings against that wall. If the property was kept 4 feet lower and a wall was built, she suggested the addition of a walkway and railing to access and adding plenty of landscaping. She did not want to be able to see parking at the corner.

Grotto suggested the applicant do a mock-up wall on-site to allow for a visual, to ensure sight lines will not be blocked by the wall.

**Marvel moved to approve the application with the following conditions as listed in the staff report:**

- 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:**
  - **Appropriate signage at entrance/exit.**
  - **Fire lane signage at locations acceptable to the Fire Chief.**
- b) **All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. 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:**
  - **All water and sewer improvements shall be to City Standards.**
  - **The lift station shall be constructed to City Standards and include a SCADA system.**
  - **Any public water or sewer infrastructure within the subject property shall be contained within a public utility easement.**
  - **Right-of-way improvements including (xeriscaped?) landscaping shall be installed within the 4<sup>th</sup> Avenue and Main Street rights-of-way.**
  - **State permit shall be obtained for drywells.**
  - **All necessary street identification and/or traffic control signage shall be provided.**
- c) **Easement lines shall be depicted on the final plat, rather than the reference to "proposed asphalt and sidewalks shown hereon". Easements shall be shown for water meter vaults and lines. Plat 2 shall be revised accordingly.**
- d) **The second sentence of plat note 2 shall be restated as a separate note, stating "Parcel A is an unbuildable parcel to be utilized for snow storage, parking, access to Lots 1 and 3, and a public utility easement." The amended access easement referenced in note 5 shall be recorded prior to recordation of the final plat.**
- e) **The applicant shall provide a maintenance agreement and/or maintenance funds for the proposed lift station prior to recordation of the final plat.**
- f) **Plat note 6 shall be eliminated on the final plat.**
- g) **The title of the plat shall reference that it is a replat of Lot 2, BDB Subdivision.**
- h) **Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 3.1 of the Subdivision Ordinance.**
- i) **All improvements shall be completed and accepted, or surety provided pursuant to Sections 2.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.**
- j) **The final plat must be submitted within 1 calendar year from the date of approval of the preliminary plat, unless otherwise allowed for within a**

**phasing agreement.**

**with the addition of the following:**

- i) Parcel A is to shielded from view by a retaining wall and landscaping, the plan of which is to be reviewed by the Design Review Committee**
- j) A fence shall be constructed along the lot line adjacent to the arboretum during construction.**
- k) The applicant shall provide connectivity for pedestrian access to the arboretum.**

Jones seconded and the motion carried unanimously.

## **AMENDMENTS TO SUBDIVISION ORDINANCE NO. 821**

Proposed amendments to Subdivision Ordinance No. 821, amending Section 2 to require plats to be prepared by a licensed engineering firm; amending Section 4 to clarify conformance with other ordinances and Comprehensive Plan, and to add “safe” to street standards; and amending Section 12 to establish a procedure for appeals.

Shay gave an overview of the changes to the Ordinance. Sections 2.1 and 2.3 add language requiring plats to be prepared by a licensed engineering firm. Grotto added that the change to Section 4.0 generally clarifies that an application must be in accordance with the provisions of the Comprehensive Plan.

Shay said that changes to Section 4.1 add safety as a standard for streets; streets must be platted looking at safety as an issue. She said Section 12.1 clarifies the process for appeals and is identical to language in the Zoning Ordinance and is being carried over for consistency.

There was discussion about the use of licensed engineering firms, with comments submitted that instead of a licensed engineering firm, the City might consider requiring a professional land surveyor as is required by the state of Idaho.

Jones opened the public hearing.

There being no comments, Jones closed the public hearing.

**Linscott moved to recommend approval to the Council of the amendments, changing verbiage in 2.1 and 2.3 from “licensed engineering firms” to “professional land surveyors”.** Marvel seconded and the motion carried unanimously.

## **AMENDMENTS TO THE HAILEY COMPREHENSIVE PLAN**

Proposed amendments to the Hailey Comprehensive Plan, to delete the “Energy” Component (no longer required by Idaho Code), and Part III, Amendment Procedure.

Grotto said that LLUPA no longer requires an energy component be part of the plan. While there was a memo from Hjelm, the former City Planner, that the section was no longer required, no formal recommendation had ever been done and no formal action had been taken by the Council. The current Comprehensive Plan addresses energy conservation and/or use of alternative energy sources in 6 different sections. Grotto advised that LLUPA always governs amendments to the Comprehensive Plan. She advised the Commission that if they chose to recommend the amendments to the Council, the Council would then pass a resolution adopting the new Plan and doing away with the old Plan in its entirety.

Linscott believed there were aspects of the energy policy that were valuable to the Comprehensive Plan.

Jones opened the public hearing.

The letter from the Wood River Land Trust, which was included in the packet, was referenced.

Jones closed the public hearing.

Marvel believed that the energy section standing alone was important to keep in the minds of the Commission and staff; she was not ready to just “housekeep” it out.

Grotto indicated, from comments made, that she was hearing 2 people interested in volunteering to write the section. Jones asked if the Energy Section was relevant to today’s situation, wondering if the substance was what the City wanted to see today. He suggested reinstating the Energy Section as a placeholder.

Marvel indicated she was willing to re-work the energy draft to be revisited at a date uncertain.

**Linscott moved to table the application to a date uncertain.** Marvel seconded and the motion carried unanimously.

### **FINDINGS OF FACT**

Old Town Mercantile Design Review- **Marvel moved to approve the Findings as written,** Jones seconded and the motion carried with Linscott abstaining.

### **MINUTES**

May 2, 2005 - **Linscott moved to approve as written,** Marvel seconded and the motion carried unanimously.

May 16, 2005-**Linscott moved to approve as written,** Marvel seconded and the motion carried unanimously.

## **STAFF REPORTS**

There was discussion about Commissioner's pay status.

Shay gave an update on the Woodside Elementary application, advising of the lowering of the Lot 3 site.

Grotto gave an update of expected upcoming BCSD applications.

**Marvel moved to adjourn**, Linscott seconded and the motion carried unanimously. The meeting adjourned at 8:40 p.m.