

**MINUTES OF THE REGULAR MEETING  
OF THE HAILEY PLANNING AND ZONING COMMISSION  
HELD MONDAY, AUGUST 29, 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 Chair Kristin Anderson. Commissioners Trent Jones, Stefanie Marvel, Elizabeth Zellers and Nancy Linscott were present. Staff present included Planning Director Kathy Grotto, City Planner Diane Shay, and Deputy Clerk Tara Hyde.

**PUBLIC HEARINGS**

**ELECTRICAL WHOLESALE SUPPLY DESIGN REVIEW**

An application by Soris, LLC for Design Review of a new building (Electrical Wholesale Supply), located at 1910 Electra Lane, on Lot 6A, Block 4, Airport West Subdivision Phase II, in the SCI-I District.

James Wyatt of Nielson, Bodily & Associates, PA, and representative for the applicant, gave an overview of the project. Planned building size is 4920 square feet; lot size is 15,993 square feet with approximately 31% lot coverage. The building is located on the northeast part of the property with 5 parking stalls tucked onto the property adjacent to Electra Lane. He advised that 5 parking spaces are required, but the applicant is proposing 6 spaces; the additional space is located at the rear of the building. Drainage will run to a center dry well; Electra Lane has a concrete trough that runs down the center of it to collect water and carry it to dry wells. Plans show a 6 foot sidewalk located between the parking area and the building. Wyatt advised that circulation requires 656 square feet of snow storage. The applicant is proposing 1047 square feet. Wyatt advised that a flat roof with internal drains is planned. A “pop up” roof is shown over the main entrance.

Wyatt addressed the building, stating construction will be of light and dark gray concrete split face block. The dark gray concrete will be located low on the building; the light gray at the top of the building to help reduce the bulk. Blue trim is planned for the windows and fascia, with a gray canopy. He advised of structures in the area made with similar materials and stated that use of those materials makes for a building requiring very low maintenance.

Wyatt said the main door of the building will open into a retail area and that that front entry is well defined. A glass door is planned for entry into the wholesale area of the building. He said the rest of the doors are not for public use.

Wyatt stated there were 9 wall mounted lights planned, all downcast, along with recessed canned lights under the canopy.

Wyatt addressed landscaping, advising that shrubs and trees are planned for the Merlin

Loop side of the building, with grass proposed for the front and side of the building. There is a “peninsula” of land, off the front of the building between the wholesale and retail areas that will have additional trees installed. All landscaping will be sprinkler-ed.

Utilities were addressed with Wyatt stating utilities in the area are currently underground and in place to the stub. The applicant plans to underground utilities to the building.

Wyatt advised that the applicant had no problem with adding bollards and hydrant flags around the fire hydrant, as was a request of the Fire Chief.

Anderson asked what the plans for trash pickup involved and if a dumpster was planned. Shay advised that an applicant can choose to keep a dumpster inside and push it out for trash collection. She suggested the Commission may wish to add a condition addressing a trash enclosure.

There was discussion about snow storage on the property with Shay advising some snow storage had been moved to address staff concerns. Grotto added that if any of the snow storage was Airport West platted snow storage, it would need to be moved through a plat amendment. She suggested the Commission may wish to add a condition about relocated snow storage being subject to a Lot Line Adjustment.

Wyatt asked staff why the Fire Chief required the building be moved 3’ off the property line. Grotto explained that originally buildings were built up to the property line; in the 26’ wide platted streets, that line was often to the edge of, or within the asphalted area. Those older buildings do not have any site lines for corners. Grotto said more recent Airport West plats require a 5’ building setback easement from the edge of the asphalt, or the platting of 36’ wide streets. Kreg Davis, of Soris, LLC, expressed concern with the additional setback, believing he is losing use of a portion of his property.

Anderson opened the public hearing.

There being no comment, Anderson closed the public hearing.

Anderson addressed the 3’ setback, understanding the problems for pedestrians in the area if the buildings are built to the property line. She leaned towards incorporating the Fire Chief’s comments. Jones asked for more clarification of those comments. Shay advised that the original staff report showed the building sited at the edge of the road. Concerns of the Fire Chief were brought to Wyatt’s attention and revised plans were submitted and are included in the Commission’s packets.

Jones asked how many buildings were impacted by the setback problem. Grotto indicated any buildings in Lot 4 may be impacted. Jones asked if this was consistent with the way the issue has been dealt with in the past. Grotto said this is the first time the moving of the buildings has been imposed. She believed more buildings with this issue would be proposed and advised that staff would try to catch it when an applicant submits an application.

Zellers asked the applicant what would be installed in the area if the building was pushed back out to the setback line. Wyatt indicated more asphalt would be installed. Zellers said that while she agreed with the Fire Chief's comments, she thought it unfair to an applicant because there is a recorded plat. Because of that recorded plat, she indicated her belief that the building should be moved back out.

Marvel asked about other buildings with this problem, Grotto said she just found out about the problem and had not had time yet to do research. Marvel said with the narrow private streets, safety was an issue for concern.

Jones indicated he felt put "on the spot" as he had not seen any plans other than what was in his packet. He said the property rights aspect gave him concern. He stated he would vote on the application before the Commission tonight.

Shay read the Fire Chief's comments verbatim. She said she advised him today that a new plan had been submitted showing the building moved back 3'; he was fine with that.

There was discussion about the applicant withdrawing the application and/or the Commission voting on what was presented. Linscott believed mailings should be sent to affected Airport West property owners advising of an additional setback requirement. She then went on to state that the applicant should be glad for the Fire Chief's comments, as they may help to remove certain liabilities from the property owner. She stated she would be disinclined to approve the application if the building was against the property line due to the safety aspect.

Anderson suggested the Commission address the design of the building. Marvel suggested the south elevation needed more (or larger) windows. She did not like the large blank wall. She suggested the same for the east elevation. She indicated she liked the colors, but additional windows were needed for light and energy efficiency.

Zellers agreed with Marvel's comments.

Linscott saw no problems with the windows because the building is a warehouse, the nature of the area is industrial and warehouses are permitted uses. She suggested variation could possibly be achieved through mixing colors of brick, or building undulation. She believed more trees were needed in the area proposed for bushes and that the landscaping in general could be "beefed up".

Anderson suggested adding screening for the trash enclosure as a condition.

Grotto gave clarification to earlier discussion about the applicant re-applying with plans showing the building at the property line versus withdrawing the application. She advised the Commission could choose to give approval to what is presented and the applicant could choose not to proceed with the building as approved.

Marvel stated her belief that enlarged windows on the south elevation would add interest

to the flat wall.

**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 Design Review Guidelines with conditions as listed in the staff report:**

- a) **All Fire Department and Building Department requirements shall be met. Items shall be completed at the applicant's sole expense.**
- b) **This building has been designed as a combination "B" and "S2" occupancy classification. Any change in use or occupancy type may require additional improvements and/or approvals.**
- c) **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:**
  - **The location of the water connection from the ¾ inch line to the building shall be verified prior to issuance of a building permit.**
- d) **Fencing to screen exterior storage materials shall be provided pursuant to requirements set forth in Section 4.12.3.4. Fence materials shall be approved by the Planning & Zoning Administrator.**
- e) **All irrigation and landscaped areas shall be maintained in good condition.**
- f) **No outdoor storage of any materials shall be allowed.**
- g) **All exterior lighting shall comply with the Outdoor Lighting Ordinance.**
- h) **The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.**
- i) **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.**
- j) **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 the following conditions:**

- k) **Snow storage for the subdivision shall be relocated through a plat amendment.**
- l) **Plans for additional/larger windows and architectural definition to the south elevation shall be submitted for review by the Design Review Committee.**

Linscott seconded for discussion. **Zellers amended the motion to include adding an enclosure for a trash receptacle**, Linscott seconded the amendment and it carried

unanimously. **Linscott amended the motion to require additional landscaping at the northeast shrub area shown.** Zellers seconded the amendment and it carried unanimously. The vote was taken on inclusion of the amendments into the main motion and the motion carried unanimously.

#### **AMENDMENTS TO COMPREHENSIVE PLAN --HOUSING COMPONENT** Proposed amendments to the Housing component of the Hailey Comprehensive Plan.

Shay said that four years ago the Housing component of the Comprehensive Plan worked for the City. Trends and cost of housing has caused a need for a section rewrite. She said the amendments are straight forward, with most of the change done in the narrative and Section 8.2, with language addressing inclusionary housing added.

Grotto advised the Commission that, for the City to meet the moratorium deadline, a recommendation needs to be forwarded to the Council tonight. She added that the Housing component will give support to future inclusionary zoning ordinances.

Linscott believed language included in this draft was much more encompassing and well written.

Marvel asked why the proportional building envelope language was being removed from the end of 8.0. Grotto indicated the language was more appropriately located in the Community Design component of the Comprehensive Plan and is addressed there and in other areas of the Plan.

Marvel suggested removing the word “replacement” from Section 8.2.2.d, believing use of the word seemed to favor demolition of existing older homes.

Zellers suggested adding a word to 8.0, paragraph 2, to read ... “Since then, the number of houses built *and* new annexed areas...” for clarity. She referenced 8.2.2.b, asking where the density information is located. Grotto said the density information is located in the PUD Ordinance. Zellers did not believe impact fees for workforce housing should be exempt as referenced in 8.2.3.b.

Jones expressed concern about the switching back and forth with terminology; using affordable housing, community housing, workforce housing and subsidized housing. He believed consistency and clarity was important and suggested emphasizing what the Commission is trying to achieve related to the importance of affordable and community housing. He said he had some word-smithing ideas he would email to staff. He stated he prefers to see harder language requiring impact fees for new development.

Zellers wondered if there was any regional Comprehensive Plan coordination and planning going on.

Anderson opened the public hearing.

Aaron Domini, 321 Elm St. W, agreed with Jones regarding consistency of terminology. He suggested using the term “workforce housing”, steering away from comments related to diversity, and clarifying who regional management is, as is referenced in 8.2.2.a. He suggested 8.2.2.e should read...”Cooperate with Blaine County on planning for location and scale of community housing in developments due to potential impacts on City infrastructure and services. Domini further suggested 8.2.3.b should read...”Adopt impact fees to offset the cost of services for all new residential development.” He said regional planning is important and suggested the City work with Sun Valley and Blaine County for consistency of planning in the valley.

Michael David, Director of Blaine Ketchum Housing Authority (BKHA), agreed with all said by Domini except for the choice of terminology for housing. He was not a huge fan of using “workforce housing” terminology in this setting. He advised BKHA uses the term “community housing”, due to the fact that retired and disabled citizens may also qualify for affordable housing and they are not in the workforce. He said BKHA prefers on-site community housing. He advised that BKHA uses HUD’s percentage for 30% of monthly gross income when running the numbers.

Domini recognized this process is a huge step forward in getting housing to people in need, but reminded all it is an ongoing problem. He asked who would be writing the ordinance. Grotto advised the ordinance would be written in house. She advised of a workshop at the 9/19 P&Z meeting that will address the issue.

There was discussion about the verbiage in paragraph 2 of 8.0. Section 8.2.2.d verbiage was discussed with Linscott suggesting a separate implementation to include possible replacement of old buildings. Grotto asked if that would be better included as an implementation in 8.1.1. She added that the City is already addressing the issue through more flexible bulk regulations in the Hailey Townsite. It was decided to remove the verbiage from 8.2.2.d.

There was further discussion about housing terminology with the Commission deciding on the verbiage “community housing” with inclusion of a definition with tie in to commuting, lack of affordable housing and emergency services.

Discussion led to clarification of impact fees with relation to community housing. Grotto explained that community and residential housing is a financial loss for the City and impact fees will help to offset that loss.

Verbiage of 8.2.2.a will read, “...Cooperate and coordinate with the local housing authority to set restrictions on market value appreciation in any type of subsidized housing.”

Paragraph 5 of the narrative 8.0 shall include language addressing that no more than 30% of a person’s gross monthly income should go to housing, to match the standard used by BKHA.

There was discussion related to values, and affordable housing versus historical preservation.

Discussion ensued about 8.2.2.b, with verbiage added to "...Allow density bonuses *or other incentives* in order to encourage the creation of affordable housing..."

Anderson closed the public hearing.

Staff advised they would make the changes discussed at this meeting and email an updated copy to the Commission.

**Zellers moved to recommend approval to the Council of the amendments to the Housing component of the Comprehensive Plan, to include items discussed at this meeting.** Linscott seconded and the motion carried unanimously.

### **AMENDMENTS TO HAILEY ZONING ORDINANCE #532 AND SUBDIVISION ORDINANCE #821 – PARKING**

Proposed amendments to Article IX, Parking and Loading Spaces, of Zoning Ordinance No. 532, and to Subdivision Ordinance No. 821. Proposed amendments include revisions to number of spaces required, improvement of parking spaces, right-of-way improvements and credit for parking spaces, access, screening, and provisions for reduced parking requirements for shared parking. **(Continued from August 1, 2005)**

Grotto advised of the revisions listed in the staff report that address the Commission's suggestions/concerns of the August 1 meeting. She stated that 9.4.8.c was added to allow for sharing of handicap accessible spaces after discussion with the Building Official.

Zellers suggested an addition to 9.4.8.h to read "Requires legal description for buildings *which are appurtenant to the parking areas*, as well as the parking areas.

Anderson opened the public hearing.

Michael Kraynick, 318 Spruce Street E., encouraged reduced parking requirements throughout the community in all zone districts. He believed reduced parking would force people to use other modes of transportation. He believed less parking restrictions would be beneficial to those choosing to open a business in the City. He cited the Liberty Theater as an example; the Liberty would not be able to open today with parking requirements as they are. He suggested getting rid of in-lieu fees. Kraynick stated that "contrived parking designs" can cause unanticipated problems related to plowing. He added his belief that shared parking helped all involved and was important.

Anderson closed the public hearing.

**Linscott moved to recommend approval to the Council with the changes as discussed by Commissioners tonight,** Jones seconded and the motion carried

unanimously.

### **MINUTES**

June 20, 2005 - **Linscott moved to approve as written**, Marvel seconded and the motion carried unanimously.

July 18, 2005 - Hyde advised the minutes were written as the meeting transpired, which is different than the findings approved at the 8/1/05 meeting. The debris flow condition showing in the PUD motion was moved over to the Preliminary Plat (PP) findings, as the City Attorney believed it more pertinent to the PP. **Jones moved to approve as written**, Zellers seconded and the motion carried unanimously.

August 1, 2005 - Hyde advised of a correction needed to the applicant's first name in paragraph one of the Christensen Warehouse Design Review. The minutes also did not reflect that the public hearing was opened and closed. After discussion with the Commission, it was agreed that the public hearing was opened and closed again after page 2, paragraph 1. **Jones moved to approve with the changes indicated**, Linscott seconded and the motion carried unanimously.

August 15, 2005 - **Jones moved to approve as written**, Linscott seconded and the motion carried unanimously.

### **COMMISSION REPORTS**

Marvel reminded the Commission she would be gone for both September 19 and October 3 meetings.

Jones advised he would be absent from the September 19 meeting.

Linscott advised that she and Anderson attended the Town Hall Meeting hosted by the City Council. She believed the paper covered all the issues very well. The Mayor suggested an ad-hoc committee to address Hailey Townsite issues. Linscott asked if Grotto knew what the plan for lot size will be. Grotto said the committee is scheduled to meet on September 8 at 6:00 p.m. She said staff would consider whatever the committee chooses to bring forward. She advised she hopes for suggestions for change, versus just complaints from those involved on the committee. Grotto added that Councilperson Martha Burke will chair the committee. Linscott asked if it would be alright for Commissioners to attend that committee meeting. Grotto thought it would be fine for a couple of members to attend; especially if they live in the Townsite.

Linscott brought up an issue heard at that Town Hall Meeting, that the public is not noticed on amendment type applications, and asked why we only publish notice in the paid version of the Wood River Journal. Grotto advised that the City is required to publish in the legal section of the newspaper that is physically located in the town. Hyde added that agendas are put up in both the front and back windows of City Hall on the

same day that the notice publishes in the newspaper, as well as those agendas also being emailed and faxed at the same time to people who choose to have the agendas sent to them prior to a meeting. Anyone can contact the City to be included on one of those lists.

### **STAFF REPORTS**

Grotto shared that the Council is looking at the local option tax and impact fees.

**Linscott moved to adjourn**, Zellers seconded and the motion carried unanimously. The meeting adjourned at 9:05 p.m.