

**MINUTES OF THE REGULAR MEETING
OF THE HAILEY PLANNING & ZONING COMMISSION
HELD MONDAY, November 6, 2006**

The regular meeting of the Hailey Planning and Zoning Commission was called to order at 6:35 p.m. by Commission Chair, Kristin Anderson. Commissioners Stefanie Marvel, Nancy Linscott, and Trent Jones were present. Commissioner Elizabeth Zellers was excused. Staff present included Planning Director, Kathy Grotto, City Planner, Diane Shay, and Planning Assistant, Becky Mead.

PUBLIC HEARINGS:

WATER GULCH (continued from 10/16/06 to be tabled to be 2007 at the request of the applicant)

AN APPLICATION BY WATER GULCH T.I.C./BOB DREYER FOR ANNEXATION OF 138.87 ACRES LOCATED IN BLAINE COUNTY. THE PROPERTY IS LOCATED APPROXIMATELY 1500 FEET EAST OF WOODSIDE BOULEVARD, AT THE END OF WATER GULCH ROAD AND IS ZONED A-10 IN THE COUNTY. THE APPLICANT REQUESTS RGB AND GR ZONING. THE APPLICATION STATES THAT ONE "FAMILY COMPOUND" OR HOME WITH AN ADU IS PROPOSED.

Linscott moved to table the application by Water Gulch until December 4, 2006. Marvel seconded the motion; all were in favor and the motion carried unanimously.

D.L. EVANS BANK

AN APPLICATION BY D.L. EVANS BANK, REPRESENTED BY ERSTAD ARCHITECTS, FOR DESIGN REVIEW OF A NEW BUILDING, LOCATED ON LOTS 1-5; BLOCK 5 AND TWENTY (20) FEET OF VACATED LAND ON CHESTNUT STREET, ADJACENT TO LOT 1, HAILEY TOWNSITE, AT 609 MAIN STREET SOUTH IN THE BUSINESS (B) DISTRICT AND TOWNSITE OVERLAY.

Andy Erstad with Erstad Architects presented the design review for the application. Erstad opened and stated that a new mixed use building is proposed and would be three stories. A bank and other tenant spaces are shown on the ground floor, commercial tenant space and residential are shown on the second floor, and residential is shown on the third floor.

Eleven (11) residential units are proposed with outside space featuring balconies and terraces. A stair tower is proposed on north side of the building. Erstad presented samples to the Commission of reconstituted sand stone, stucco, and metal which would be used for the railings. Trellises and canopies are also proposed for the front of the building. Heated sidewalks are proposed for the winter months. Underground parking and surface parking are proposed to create thirty-three (33) parking spaces.

They proposed to relocate the six Choke Cherry trees to the rear of the building. There are three large, mature Spruce trees on the site, and the applicant has proposed to save the largest, northernmost Spruce tree, and place it within a landscape bed by the parking spaces adjacent to Chestnut Street. The other two Spruce trees are shown to be removed or donated to the City.

Grotto stated to the applicant that they should present a plan for ensuring the health of the tree to be preserved, including fencing around the base of the tree during construction, and any other precautions to be taken. She also mentioned the City of Hailey has carefully planned out a design of trees for Main Street, going in a pattern, and one of the trees for this block are the Choke Cherry tree.

Erstad stated there is an open landscape area on the south side of the building which is intended for outdoor use in the summer, and stated picnic tables and benches could be removed for snow storage. He also stated there would be improved surface parking and circulation areas of 5354 square feet, requiring 1339 square feet of snow storage. A single large snow storage area of 1340 square feet is provided on the south side of the building. The snow will be hauled from the Chestnut Street spaces and rear spaces to this area.

Erstad submitted an updated elevation to staff, showing existing grade. A building height of 39' 6" is proposed. He stated that they will be working with staff with the lighting of the project. In regards to the site design, staff questioned about the power lines. Erstad stated that the power lines are to be relocated underground for the length of the site. He also stated that they are working with Idaho Power with that issue and stated that it is not a life/safety issue.

Anderson stated the drive through should contain the same brick as the rest of the building. She also asked if more detail could be brought into the windows. Anderson asked the Commission for any questions. The Commission replied that they would like to hear from staff first.

Grotto stated that this is the first building in town to be approved under the new ordinance allowing buildings over 35'. It doesn't exceed 3 stories from Main Street and also provides community housing. Grotto noted to the applicants the 75 sq ft for internally illuminated signs and noted that the lighting levels looked good. She also noted that the applicant's snow storage area is at a required amount. The proposed 11 residential units will require 16 parking spaces. The bank floor will require 4 parking spaces, with a total of 33 parking spaces proposed. Grotto stated that the applicant will provide racks for 8 bicycles, four near the main entry and four in the garage. Grotto mentioned that she would like to see a plan for during construction that the tree is protected with fencing around the base of the tree and any other precautions taken. Erstad stated the tree protection would be addressed at the next presentation.

Grotto asked Erstad where the trash would be located. Erstad stated that the trash area is enclosed in the delivery zoned area. Grotto asked if he had contacted Clear Creek Disposal and discussed what is proposed with them. Erstad said that they would do that.

Grotto noted that Hailey has a Master Plan for street trees. The Choke Cherry is one of the street trees and she suggested that they speak with the Street Department regarding the placement of trees.

Anderson asked for date for continuance; Erstad asked to be continued to the December 4th meeting.

Marvel questioned Grotto about the structure on the roof top which goes up 6 feet and asked if that was not included in the height restriction? Grotto stated that is correct and noted that it is a mechanical piece that sits on top of the roof, surround by a “chimney” structure. Marvel asked for the dimensions of the chimney. Erstad stated that it would be approx 11’ x 5’. Erstad stated that he would bring the exact dimensions to the next meeting. Erstad mentioned to the Commission that his engineers could maybe relocate that, if needed.

Jones asked about the rear elevation, south side, one space for mechanicals, recessed part of brick wall; Erstad pointed out the locations for the mechanical parts. Jones questioned the windows that were located inside the drive through. Erstad replied that they are restroom windows. The drive-through has a remote teller which is on the main banking floor.

Marvel supported Anderson’s call for more detail. She asked about the south side parking, the planting area on the corner, and snow storage area in the winter. Erstad stated that in the summer there could be moveable furniture. Marvel stated that it would make the parking too visible from the main street. Erstad stated that there would be plantings around the project. The parking would be below the street, diminishing visual impact.

Linscott agreed with Anderson’s statement regarding detail for residential. She asked for more flowers for color, and fluffier plants to soften the area. Erstad stated that they wanted to show the building and not the plants in the renderings. When they return they will present a landscaping plan. Linscott preferred to see a color variation.

Public Hearing Opened

Owen Scanlon, 110 N. Angela Dr., suggested that sand stone should not be used due to the weather.

Public Hearing Closed

The applicant stated that they will provide racks for 8 bicycles; 4 near the main entry and 4 in the garage.

Marvel stated that she appreciated the mixed use building and Anderson agreed with Marvel. Anderson asked for a motion for continuance. **Linscott made a motion to continue the D.L. Evans Design Review to a date certain of December 4, 2006.** Marvel seconded, all were in favor and the motion passed unanimously.

LIFE SPRINGS ANNEXATION FOR THE LIFE CHURCH

Life Springs Annexation, represented by Janine Bear, an application for annexation of approximately 10.68 acres to be developed as a church. The conceptual plans submitted show a 3 lot subdivision; the church will be located on Lot 3. The property is currently located in the County and is zoned residential. The annexation application requests that the property be zoned as Transitional (TN) upon annexation.

Janine Bear and John Gaeddert presented the annexation of Life Springs for the new location of the Life Church. The church is currently located at 406 North Main and has been there for the last 14 years. She stated that they are proposing a church of approximately 6,000 square feet and the ability to accommodate 180 people. She noted that in the future that there would be a possibility of adding another 6,000 square feet.

Bear stated that they are a good neighbor as far as helping those in need. She stated that an anonymous person donated the land to the church. In 2004 they were denied by the County for an application because the land is within 200 feet of City water/sewer. The South Central District Health recommended that the development be connected to City utilities. She noted that there are neighbors to north and west of the property and they are not opposed to the annexation. At this time there are no plans for Lots 1 and 2. Bear noted that with the church being in that location it would present a gateway into the City of Hailey, which would be an asset. Bear then turned the presentation over to John Gaeddert.

Gaeddert wanted to clarify that there would be a Design Review. He stated they wanted a church in the County with the use of City water and sewer but the County didn't want to do that. Gaeddert showed the land use map location, and noted if zoned transitional how compatible it would be with the neighborhoods with a church in the area. Full comprehensive plan analysis and public services are provided. It would be a compatible use to what exists in the area.

Marvel asked if the church included a school. Bear stated no there is not.

Jones was concerned about the uncertainty of what could happen in the future; despite of their best intentions. Jones commented about the pressure the applicant would be under. He stressed the uncertainty of the future with the possibility of someone offering them a large amount of money for a portion of the land. Despite of their good intentions, an amount that would be tempting to take could be offered for the 2 remaining lots.

Anderson stated that with annexations the Commission is usually told what is going to be on the land. She stated that she remains uncertain to what the remaining property (lots) will be used for. Gaeddert stated that TN uses are limited.

Marvel supported Jones with his uncertainty of the future. She stated she was uncomfortable with this annexation not knowing what else would happen with the remaining lots. She was concerned that the applicant does have plans for the larger parcel but could not speak about it. Bear stated that if they do not build a church within 20 years then they lose the land. They need a church, and cannot sell the land by piece.

She stated that the church will be built whether in the City or the County and also noted that the larger parcel would have the church on it.

Jones stated that he appreciated Bear's rebuttal, but remained concerned about empty promises.

Anderson stated that this is their only opportunity to have a say.

Linscott asked Grotto about the new ordinance. Grotto read the permitted uses in TN zoning, the conditional uses and accessory uses. Linscott felt confident due to the TN zoning. She was concerned how the land slopes toward the slough and creating large parking lots. Water quality is important.

Jones asked Linscott if she could envision a time when pressure is so great that Hailey begins to grow and the zoning changes. Jones is concerned about the TN zoning. Linscott stated that it is important to consider the future, and to maintain TN zoning. Jones asked what's compelling to bring this land into the City.

Grotto stated that she wanted to clarify the name of the annexation is Life Springs and the name of the church is the Life Church. She stated that TN zoning is foreseeable in the future. TN zoning is the only zoning that can extend beyond Mc Kercher Blvd. according to the Hailey Comprehensive Plan. Design review control, the position of buildings and parking lots, and wellhead protection from septic may be reasons to bring this parcel into the City. The applicant may want to get a schematic layout of the church and parking area. She suggested they work on crafting an annexation agreement to have some control over the development.

Bear pointed out where the church would be located and where there would be turn outs into the church. Bear said that Pat Weaver is a neighbor and loves the idea of the church.

Gaeddert spoke about the historic use of Empty Saddle. He noted that $\frac{3}{4}$ acres of parking would be proposed. They would be open to any suggestions from the Commission for parking. He stated that they would be happy to present a schematic to the Commission. Commercial development would stop where the church is proposed. The church could be a landscaping buffer.

Marvel stated that she agreed with Grotto and supported TN zoning and was concerned about the pressure of the future. She would like to see a layout, a conceptual idea. She would also like the applicant to give details to an annexation agreement. She would like to see where the church would be located and the parking area.

Public Hearing Opened

Owen Scanlon said to the Commission that they have all stated what he wanted to say. The ditch was used to water. He hired an attorney to do a quick claim on his property. He stated that his lawn and sprinklers are located on the church's property. The point is that the Commission's ability to control what is to be built.

Peter Lobb, 403 E. Carbonate. If the land stays in the County the density would be less. If the church comes into the City they would be exempt from taxes. He stated that the City should consider this. There are usually specific plans presented from a developer for an annexation and the applicant hasn't any concrete plans to present. Lobb further discussed his views on the church itself.

Alan Romine, 317 N. 7th Street, Bellevue, stated that he is a member of church and wanted to have a tentative plan to present to the Commission. He suggested for the continuance of a later date and present what the Commission would want to see.

Ken Morrell, 1810 Winterhaven Drive, stated that he is a minister of a church in a residential area. The church is not like a developer; they are connected to the community. They have the best interest of the City in mind.

Lobb asked that if this stays in the County, would the City have a say. Grotto stated the City has ability to comment but the County would have the final authority.

Anderson asked for any written comment. Grotto stated that an email was received from John K. Dean. He was concerned about the prospects of urban sprawl continuing to creep northward along Highway 75.

Public Hearing Closed

Anderson stated that it looked like this would be a continuance. She stated that the applicant needed to present more information on future plans. Gaeddert stated that they have signed a contract with the City to pay for the fiscal analysis to make sure that the City's fiscal needs would be met. He stated that they would be glad to make a schematic showing of the landscaping, parking, easements, and design.

Anderson asked the Commission for more comments.

Linscott would like more information. Marvel stated that every annexation states that they are going to help the City. Grotto suggested to table this to 2007, and to be re-noticed, and possibly would be room on the January agendas. The new Commissioners will listen to the tapes. Grotto stated that staff will meet with Bear and Gaeddert.

Marvel made a motion to table the annexation of Life Springs, for the Life Church to a date uncertain. Linscott seconded, all in favor motion passed unanimously.

Anderson called for a five minute recess.

Approval of Findings of Fact:

Quigley View Condominiums, Design Review: **Linscott moved to approve as written**, Marvel seconded and the motion carried unanimously.

Quigley View Condominiums, Preliminary Plat: **Marvel moved to approve as written**, Linscott seconded and the motion carried unanimously.

Approval of Minutes:

Minutes of September 6, 2006: Anderson and Jones recused. **Linscott moved to approve as written**, Marvel seconded, the motion passed.

Minutes of September 20, 2006: Anderson and Jones recused. **Linscott moved to approve as written**, Marvel seconded, the motion passed.

Minutes of September 28, 2006: **Marvel moved to approve as written**, Linscott seconded, and the motion carried unanimously.

Minutes of October 2, 2006: **Linscott moved to approve as written**, Jones seconded, and the motion carried unanimously.

Minutes of October 16, 2006: **Marvel moved to approve as written**, Linscott seconded, and the motion carried unanimously.

Commission Reports:

Staff Reports:

Grotto thanked the Commission for their condolences and she asked about the D.L. Evan's Staff Report. What did the Commission think of the new guidelines and new formatting? She asked for suggestions on how to make the Staff Comment stand out more. Marvel suggested italicizing the un-bolded. Grotto stated that italicizing is hard to read. Linscott suggested maybe a paragraph box around it. Grotto stated that all the guidelines will be listed and a N/A listed to those that would not be applicable. She said that she would forward this information to staff.

Marvel asked about the building height. Asked if there was a definition of a chimney listed anywhere. Grotto stated that there is not. Height is defined to the surface of the roof. There was further discussion on roof equipment.

Mead asked for a motion to adjourn. **Linscott motioned to adjourn the meeting at 8:55 p.m.**, Marvel seconded, motion passed unanimously.