

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY PLANNING & ZONING COMMISSION
HELD ON MONDAY, DECEMBER 4, 2006**

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

Mayor Susan McBryant thanked the Commission for all the hours and time they've dedicated to the City and for giving back to the community. She told Anderson and Jones that it has been an honor to have them serve on the Commission and wanted to thank them on behalf of the City Council and herself.

PUBLIC HEARINGS:

D. L. Evans

An application by D. L. Evans Bank, represented by Erstad Architects for Design Review of a new building, located at 609 Main Street South in the Business (B) District and Townsite Overlay. (Continued from November 6, 2006)

Andy Erstad presented the design review by stating that he had sent new images of the project to the City. He described the project as a three-story building with underground parking, a bank branch on the corner, and eleven condominium units, two of which are affordable housing. Erstad stated there are a total of 31 parking spaces provided. He presented an aerial view of the project pointing out the chokecherry trees and the locations of the remaining proposed landscaping and parking areas. It was noted that there is now more room for the drive-through bank. Erstad stated that he did speak with Clear Creek and it was discussed that they would empty the dumpsters twice a week. They also discussed recycling and Erstad stated that there would be bins provided. He also stated that it would be the responsibility of the building management to put out the trash and recycle bins on trash days.

Anderson asked Erstad if he would focus on the changes that have been made since the last presentation. Erstad presented an elevation photo showing the color change of the stucco around the bank. He noted that it is a much richer color and thanked the Commission for pushing them for the change. Erstad also noted that the brick is carried around the drive through and around the back as requested by the Commission. There was a change made to the color of the corner pieces and also color of the steel.

Marvel asked what the proposed color of the windows was. Erstad showed that they are a champagne color, and would be set back from the stucco. Linscott had a question about the aerial drawing, and asked if the darker area was a paver. Erstad stated yes it is. Linscott asked if there was going to be other plants for spring and summer. Erstad said that they have snow stacking in areas and would have to plant something that would

come back. Linscott stated that she is bothered by the large amount of stucco being used, which gives an unfinished kind of look. She appreciated the brick and suggested to initiate more brick into the building. Erstad stated the brick was used to define between the commercial and the residential areas. The stucco and rusted metal and trellises are used to define the residential.

Grotto pointed out the clarification to the rooftop chimney in the Staff Report. She also concurred with the City Fire Chief that it was not included in part of the building height. Grotto questioned about the trash being set out by management. Erstad stated the dumpsters and recycling bins are in enclosed rooms and it would be the responsibility of the building management to take them out on trash days. Grotto was concerned about how the dumpsters were going to be taken out when there is snow blocking the area. Erstad stated there is a snow melt proposed to provide movement of the bins. Erstad spoke with Clear Creek about their trash being enclosed. Grotto was concerned about the trash dumpster sitting outside on Chestnut Street. Grotto stated that the applicant had addressed everything from the last meeting.

Marvel questioned if the windows opened. Erstad stated the windows would be operational. She too was concerned about the dumpsters and being left outside after trash pick-up. She suggested that the dumpsters be located in the underground parking area for pick-up. Erstad stated that Clear Creek would not want to drive their truck underground.

Jones asked Erstad if he had noted the other commercial buildings in the area and how they handle their trash pick-ups. Erstad hasn't gone around and looked at the other buildings. Anderson was also concerned about the dumpsters being visible from Main Street. Erstad stated they would look at that. Grotto mentioned that the dumpster would also be adjacent to the side walk and pointed out to Erstad that it is also in a delivery area. Grotto suggested that the dumpster could be off the alley. Erstad replied that they would move the location of the dumpster to the alley.

Public Hearing Opened

There was not any verbal or written public comment.

Public Hearing Closed

Anderson stated the changes that were suggested to the detailing of the windows at the last meeting were made. Marvel mentioned that she appreciated the change in the balcony detail, but would like to see more detail around the windows, if it wouldn't look too busy. She stated that the color change of the stucco did make a difference.

Zellers stated she wasn't present for the Nov. 6 design review meeting. She noted that she liked the change in stucco color and also mentioned that the windows in the residential area should open out. She suggested that the dumpster be located in the alley within an enclosed area.

Linscott agreed that the dumpster should be located in the alley. She mentioned that the window detailing, spacing, or the type of windows resembles an institutional or dorm look. She suggested that maybe the same windows should be used in the residential area that is being used in the bank.

Jones was against the previous height increase text amendment and was concerned that the structure on the rooftop that would be visible to the City. He noted that the elevations to the south looked like a steamboat. He stated that he didn't know what it was, but there is something with the design and mass that didn't look like the features that were proposed. Jones had an overall concern about the project.

Anderson commented on the contrast of the bank versus the residential. She approved of the color change to the stucco.

Marvel asked Anderson if the applicant could be asked to make some changes to the design since it is still on paper.

Linscott stated that she agreed with Marvel, since there are enough concerns about the building that she would also like to see some changes made. Linscott stated that she is not ready to approve this as is.

Anderson stated that a design guideline needs to be referenced. She is concerned about the residential windows. She asked Grotto if this could be continued.

Linscott suggested that maybe a brick ledge be put below the residential windows to make more of an old style look. Marvel stated the windows appeared to be regimented. Anderson suggested there be a residential entrance to create some order. She also expressed that one portion of the building doesn't seem to be as detailed as the rest of the building. She agreed with the change of trash enclosure location and the comment made by Linscott about the planting. Grotto was concerned about the boulders in the snow storage areas and stated there should be a condition made regarding the landscaping.

Anderson asked for a motion for continuance. Grotto stated this could be continued to January 16, 2006, which is a Tuesday meeting. Jones recommended continuance to a date uncertain to give the applicant enough time to make necessary revisions. Erstad stated that there would have to be a complete redesign done. He mentioned that he would get with Grotto for a continuance date. Erstad stated that the comments that were made tonight were not brought up at the last meeting. Anderson replied that the comments are the same and are noted in the minutes.

Jones moved to table the design review for the D. L. Evans bank to a date uncertain; Marvel seconded the motion, and the motion passed unanimously.

Amendment to the Zone District Map

An application received by Geoff Moore, Sara Rogers, and Steve Hogan for an amendment to the zone district map for the City of Hailey. The application would change the zoning of Block 15, Lots 13-22, Hailey Townsite, located at 400-418 First Avenue South, from General Residential (GR) to Transitional (TN).

Geoff Moore, 406 First Avenue South, presented the application and stated that everything looked good in the Staff Report. Moore pointed out the different businesses within 300 ft. of his property. He read some of the minutes from the City Council meeting held on October 30. Moore pointed out all the parking in the area. He stated that there is GR zoning on his side of the street TN zoning across the street. He mentioned that he heard the church would be moving in the future and that is why he thought about the rezoning of his property. He mentioned how the rezone would be compatible to the west of his property where there are 5 businesses, and to the south the school. He presented pictures showing the amount of parking in different times of the day. Moore mentioned that no one should feel threatened by the TN zoning.

Grotto suggested that the Commission consider the adjacent zoning which included residences and the elementary school. She noted that all schools are located in a GR zone district. Grotto referenced the email from Jack Northcott, who withdrew his name from the application.

Marvel stated that she is opposed to the rezone.

Public Hearing Opened

Ron Taylor, 419 Second Avenue South stated that Old Hailey is being lost one rezone at a time and he and his wife are against the TN rezone. He mentioned that this rezone is not in conformance with the new ordinances that were passed.

Barb Acker, 114 2nd Avenue South doesn't see any need for this rezoning and she does not consider the school a business. The Sun Valley Center for the Arts doesn't impact the neighborhood, if anything it enhances it.

Jean Jenson, 418 2nd Avenue North agreed with everyone and was also opposed to the TN rezone. She noted that she cannot see encroachments having anything to do with making the parcel transitional and that it was not a good argument. She fears for the rezone change and would like to keep the area residential.

Peter Lobb, 403 Carbonate Street East stated this is like a creep of rezoning. The applicant was affected by the TN zone change across the street from his property. He mentioned to the Commission to beware of rezoning. He stated that this rezone is not a good idea.

Cindy Moore, 406 First Avenue South stated that Grotto has made new Ordinances to protect the City from TN zoning creeping into residential. She pointed out on map where there are businesses near her property.

Kim Johnson, 403 Carbonate Street East stated the traffic in the TN area has affected the GR zoning. She mentioned that the parking is inadequate and is opposed to the rezone.

Anderson asked Grotto if there was any written comment, Grotto replied there was not.

Jones asked the applicant when this was submitted. Moore replied that it was submitted on July 14 and it has taken awhile because of Proposition No. 2 and his application was not a priority during that time.

Public Hearing Closed

Moore responded to the statement of now is not the time for a rezone. He commented if it is not done now it will never be done. The ordinances that were changed were done after his submittal and stated that his application is in compliance with the Comprehensive Plan. He stated that this would be the only time that he could propose this. He stated that this rezone wouldn't create a creep of TN. Moore then read Policy 6.0.

Jones asked why the other applicants weren't present for this application if they are so impacted. Moore didn't have a direct answer to that question but stated that it is a highly intense business area.

Anderson didn't think the application was out of the blue because it is in a business area and commented that she sees the opportunity for business in the core to become more squared up with this rezone. She stated that it would be unfair to stick to the TN zoning on one side of the street and not to allow it across the street. She suggests it could be rezoned to TN at some time.

Jones asked about the criteria. Grotto stated that criteria for the application had not changed. She suggested for the Commission to look at the adjacent uses and the proposed use. Grotto stated the three criteria for the Commission to consider for the application as (1) the relationship of the proposed amendments to the Hailey Comprehensive Plan; (2) the availability of public services to support the full range of proposed uses; and (3) the compatibility of the proposed uses with the surrounding area.

Marvel was in total disagreement. She stated that there would be a creep and suggested this part of the Old Hailey Townsite should remain zoned GR. She noted that people don't live downtown in Ketchum and there is no need for more office space in the area. Allowing businesses to creep in the residential area would create no pressure to fill the business district. She mentioned the TN zoning that is across the street and noted that it turns into a ghost zone at night and loses the sense of community.

Jones stated that there is more traffic in Old Hailey as a whole. The traffic and parking in the area is not a good reason to allow for more business.

Anderson looked at the transition zone that is surrounding the courthouse, the fire station, and the counseling center to the alley. She stated that she has been driving in that area for the past month because she is interested in purchasing a home in the area. The public has a generic idea that TN zoning is bad. She stated that the applicant's property is sandwiched in between the two zones.

Zellers agreed with Marvel as far as pushing TN zoning downtown or to the West. She does not see any benefits to the rezoning of this parcel.

Linscott was concerned about the Comprehensive Plan as far as the TN zoning to be allowed on either side of the street. She also agreed that it is a creep of rezoning and stated the TN zone is appropriate for the other side of the street. She felt that the business pressure for more office space doesn't exist right now and there is plenty of business area available on River Street.

Jones thought the arguments were good on both sides. He stated that he isn't necessarily against TN zoning but it is an odd deal with the different characteristics of the neighborhood. He mentioned that it isn't an intensively developed business area and suggested to the applicant to come back at another time as businesses grows around that vicinity.

Anderson stated that this is an ideal space to be zoned TN. She can see in the future that this could be a vital TN zoned area and felt that this was worth discussing.

Jones agreed with Anderson after listening to her and noted that maybe this rezone should be considered at some time. He stated that the TN zoning wasn't set up just to provide for office space and that there could be other uses at this location.

Marvel moved to deny the application for an amendment to the rezone district map for rezone of Block 15, Lots 13-22; the motion was seconded by Zellers, and the motion passed unanimously.

Carol Brown, City Council member addressed the Commission and stated that they were the best Planning and Zoning Commission she has seen. To say thank you was not enough and she then presented a gift to both Anderson and Jones who were attending their last meeting.

Anderson called a brief recess.

Anderson called the meeting back to order.

Pioneer Federal Credit Union

An application by Bruce Bothwell/Anchor Inc. for Design Review of a new building for Pioneer Federal Credit Union, located on Lot 1, Block 1 of 841 Business Park Subdivision, at 841 Main Street North in the Business (B) District.

Bruce Bothwell presented the application for Pioneer Federal Credit Union. They have proposed to build the structure on Lot 1, south of Albertson's. He stated that it is a difficult lot to work with and noted that the property line is 12 feet from base of trees to the adjoining property and stated that there would be no impact to the existing trees on the adjacent lot. He stated the primary facade faces Albertson's. He addressed the Staff Report which mentioned the question of bicycle parking and stated that an alcove sitting area with bike parking could be available along Main St. Bothwell mentioned that he wanted to provide a mountain look and didn't want it to look like a bank. He stated that the project is presently 422 square feet short on required snow storage and that he has made provisions for that snow to be hauled away.

Anderson commented that there is no plan for a trash enclosure on site. Bothwell replied that there is a small spot between Lots 1 and 2 where that could be placed. Anderson pointed out on the site plan that there is no place for a dumpster to sit. Shay stated the applicant did not originally propose a dumpster or trash enclosure.

Jones was concerned about the back wall having no windows. Bothwell stated there is a block wall proposed for the rear of the building and colored blocks would be used so the wall would not be painted.

Jones suggested reducing the size of the lobby area so there would be room to move the building site north and add windows in the rear. Bothwell replied that there wouldn't be enough room for the teller line if they were to reduce the size of the lobby area and noted that there would be room for only 2 people with that reduction. He stated that there needs to be a separation between the cold entry and the teller line.

Bothwell stated that there cannot be windows in the rear wall because of the fire code. He met with the Building Official and the Fire Chief regarding this.

Jones stated that he sells ranches for a living and is tired of seeing ranch and log style buildings. He asked the applicant if there would be a way to reconfigure the 5 foot push out. He noted that he didn't like the triangle shape windows and that they are not attractive. Bothwell replied that a deep burgundy color window was proposed. Jones stated that this building may not be right for this spot. Bothwell stated that it is very tricky lot to work with. Jones stated this may not be an ideal design and location for this building.

Bothwell stated that a 5-foot cedar fence, which would be stained to match the building, could be put around a trash enclosure.

Marvel commented that the presentation didn't appear accurate. Bothwell stated that the draftsman mislabeled the elevations.

Bothwell stated the bank designed most of the floor plan. Marvel was mainly concerned about the entrance not being on Main Street. She was also concerned about the windows on the south elevation. She stated that the presentation was not accurate as far as lack of color of the elevations.

Zellers liked the north elevation but would like it on Main Street as a presence. Bothwell stated that there is a pop out on Main Street but it cannot be an entrance because there is a mechanical room in that area. Zellers stated she couldn't approve this without a main entrance on Main Street.

Linscott didn't think the building design was too terrible and noted that it seemed pedestrian friendly with the pop out proposed for Main Street. She didn't have a problem with a side street entrance with the sidewalk leading to River Street which could eventually lead into a business core.

Grotto was concerned with no main entrance being located on Main Street and was also concerned about the block wall on the back of the property. She noted that there is a sidewalk on Main Street, and the property is platted to allow one continuous sidewalk from Main to River Streets. She is still concerned about the Main Street frontage. Shay stated that the first guideline states "the building shall be oriented to the street. If the building is located on a corner, the building shall address the corner as well as both streets. The main façade should be oriented to the street, and provide an entrance(s) on the side street."

Anderson stated that since it is a narrow lot with small frontage on Main Street that the north elevation would have a big presence on Main Street. She also noted that it could balance activity at the north elevation with the mountain style building but she liked the bungalow style better. Anderson noted that since there is such a long property line with a long wall, that maybe there could be a compromise made. She stated that it is hard to deny the usage with the lot size the way it is.

Jones pointed out the guideline that states "retaining walls must be designed to minimize their impact on the site. Retaining walls, where visible to the public and/or to residents or employees of the project, should be no higher than four feet or terraced with a three-foot horizontal separation of walls. They should be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials, rather than solid or flat surface."

Shay suggested that new drawings should be submitted. She stated that there is time on the P&Z agenda for January 29's meeting for this application to be reheard.

Public Hearing Opened

Peter Lobb stated that there is a process that should be followed in the meeting and said that is not being done.

Public Hearing Closed

Anderson stated the applicant needs to address the south elevation. Jones was concerned about the style of the windows. Marvel would like a more accurate rendering in general but didn't have a problem with the windows. Marvel's main concern was no main entrance on Main Street.

Marvel moved to continue the application for design review of Pioneer Federal Credit Union to January 29, 2007; Zellers seconded the motion, and the motion passed unanimously.

Approval of findings of fact:

McNae Studio – Design Review

Zellers moved to approve as written; Linscott seconded the motion, and the motion passed unanimously.

Approval of minutes:

November 6, 2006

Zellers moved to approve as written; Linscott seconded the motion, and the motion passed unanimously.

November 20, 2006

Linscott moved to approve as written; Marvel seconded the motion, and the motion passed unanimously.

Commission Reports:

Linscott stated she met Marvel downtown one day and they noticed some businesses downtown are not providing the 6 foot of sidewalk clearance stated in the ordinance. Grotto stated that she would give that business a copy of that section of the code.

Linscott asked about her check for October and stated that she hasn't received it. Marvel stated that she is sorry to see Trent and Kristin leave.

Motion to Adjourn:

Marvel moved to adjourn the meeting at 9:25 p.m.; Zellers seconded the motion, all were in favor and the meeting adjourned.