MINUTES OF THE MEETING OF THE
HAILEY PLANNING AND ZONING
Monday, September 12, 2016
5:30pm

Present: Richard Pogue, Janet Fugate, Dan Smith, Jeff Engelhardt, Owen Scanlon
Staff: Lisa Horowitz, Robyn Davis, Brian Yeager

Call to Order
5:28:04 PM Chair Fugate called meeting to order.

Public Comment
No public comments

Consent Agenda
CA 1 Motion to approve minutes of August 22, 2016
CA 2 Motion to approve FF for D.L. Evans Bank
CA 3 Motion to approve FF for UPS.
5:28:49 PM Horowitz informed the Commissioners that the Conditional Use Permit for UPS regarding its
temporary structure must have a time limit and therefore, cannot be ‘in perpetuity’. Horowitz noted
that the language was removed from the Findings of Fact and will be presented again to the
Commissioners in 12 months, assuming UPS wishes to reapply.

5:30:40 PM Dan Smith noted a few changes from the August 22, 2016 meeting. Smith informed the
Commission that the current trees on the D.L. Evans lot are not compliant with the new topography of
the lot, as elevations will rise.
5:31:51 PM Smith also clarified that Jessica Aguilar, from D.L. Evans Bank, was not aware that the
banner pole and street light were not city expenses and that the Applicant would be responsible for
purchasing the new pole.
5:32:28 PM Jeff Engelhardt motioned to approve the August 22, 2016 Meeting Minutes as amended.
Dan Smith seconded and all were in favor.

New Business and Public Hearings
NB 1 Consideration of a Request for Reconsideration pursuant to Hailey Municipal Code
17.03.050(D) by Wise Guy Pizza, located at 411 Main Street (S. ½ of Lot 3, Lots, 4, 5, Block
56 Hailey Townsite). The applicant is requesting reconsideration of a condition imposed
by the Commission. That condition states that a City street tree located in the City right-
of-way should remain.
5:33:05 PM Horowitz explained that the City of Hailey hasn’t had an appeal since 2009 and informed
the Commissioners that when an appeal is filed, a Request for Reconsideration is discussed first. Horowitz
informed the Commissioners that when an appeal is filed, only the information on the record is
considered. However, Horowitz also explained that if the Commissioners choose to review the new
information, then no information shall be discussed during this meeting and the appeal would be
noticed as a public hearing for the September 26, 2016 meeting.
5:35:09 PM Owen Scanlon believed the information to be relevant and would like to consider the appeal
by Wise Guy regarding the removal of one City street tree. Richard Pogue agreed.

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Richard Pogue moved to consider a Request for Reconsideration pursuant to Hailey Municipal Code 17.03.050(D) by Wise Guy Pizza, located at 411 Main Street (S. ½ of Lot 3, Lots, 4, 5, Block 56 Hailey Townsite) to the September 26, 2016 Planning and Zoning meeting to consider the new information prepared by the applicant. Owen Scanlon seconded and all were in favor.

Consideration of the Design Review Application submitted by Bennyz Rod Shop, represented by Susan Scovell, for a new 3,685 square foot addition to an existing 4,352 square foot building located at 1131 Airport Way (Lot 2A, Block 1, Friedman Park Subdivision) in the Light Industrial (LI) Zoning District.

Rebecca Bundy, representing Susan Scovell, introduced the project, informing the Commissioners that the proposed addition to Bennyz Rod Shop is approximately 3,700 square feet and would wrap around the existing building on the north and the west sides. Bundy noted that all required setbacks would be met as well as lighting standards, per City Ordinance. Bundy explained that details will be added to the addition to create warmth to the building. These included: a gabled roof, horizontal wood siding and hanging baskets. Hanging baskets will be the only addition to the landscape plan and all existing trees will remain. Bundy also noted that the applicant is proposing to pay a fee in lieu of installing sidewalks.

Dan Smith inquired about the space and the areas that would be heated. Bundy noted that only the restroom and office would be heated, as the rest of the space would be utilized for storing vehicles not actively being worked on.

Chair Fugate opened the item for public hearing.

Chair Fugate closed the item for public hearing. Owen Scanlon believes proposed addition is a continuation of what is already there. Pogue agreed.

Dan Smith motioned to approve Design Review Application submitted by Bennyz Rod Shop, represented by Susan Scovell, for a new 3,685 square foot addition to an existing 4,352 square foot building located at 1131 Airport Way (Lot 2A, Block 1, Friedman Park Subdivision) in the Light Industrial (LI) Zoning District, finding that the project does not jeopardize the health, safety and welfare of the public, and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, Title 18, and City Standards, provided conditions (a) through (g) are met. Richard Pogue seconded and all were in favor.

Consideration of an application for a Subdivision of Lot 2, Block 4, Old Cutters, by creating seven (7) sublots, to be known as Sonitalena Cottages. Sublot 1 consists of 0.06 acre, Sublot 2 consists of 0.04 acre, Sublot 3 consists of 0.04 acre, Sublot 4 consists of 0.03 acre, Sublot 5 consists of 0.04 acre, Sublot 6 consists of 0.04 acre and Sublot 7 consists of 0.07 acre. The total development comprises of 0.89 acre. Current zoning is General Residential (GR). Design review was approved for this project on July 11, 2016.

Horowitz presented the proposed subdivision and informed the Commissioners that a few issues were noted in the Staff Report: 1) snow storage locations are different than what was presented in Design Review. Horowitz has asked the applicant to modify the plat to match the Design Review, and 2) there is a ¾” water main on adjacent lot that will service property (three units) and a second ¼” main that will service the rest of the property (four units). The applicant is requesting that an easement be placed over one lot for the benefit of Sonitalena Cottages.

Horowitz also informed the Commissioners that a sewer main was put in place years ago and as part of the Sonitalena Cottages, a garage will be built over it. The options at this time are to cap the sewer main off in the common area and have a man hole elsewhere, or to have an agreement between the City of Hailey and the applicant about said line and that the applicant Hailey Planning and Zoning

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Dan Smith questioned whether or not sewer line would service all buildings in subdivision. Horowitz confirmed that the sewer line would service all buildings in subdivision and have already been tapped off farther back.

Bruce Smith, from Alpine Enterprises, questioned whether or not it is necessary to complete another easement on top of an existing one. Horowitz confirmed the necessity and explained that this particular water meter was developed to serve adjacent lot.

Chair Fugate opened the item for public hearing.

Chair Fugate closed the item for public hearing. Chair Fugate inquired about the modified condition and how it should read. Horowitz read the revised condition: An easement, of a minimum of ten feet (10’) in width, shall be placed over the water meter and line, located on the duplex sublots to the south.

Owen Scanlon believes the sewer line is fine where it is and agreed that the applicant will maintain it.

Owen motioned to approve application for a Subdivision of Lot 2, Block 4, Old Cutters, by creating seven (7) sublots, to be known as Sonitalena Cottages, finding that the project does not jeopardize the health, safety and welfare of the public, and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, Title 18, and City Standards, provided conditions (a) through (h) are met. Dan Smith seconded and all were in favor.

Continuation of a Planned Unit Development (PUD) and Subdivision Preliminary Plat, the Quigley Farm PUD. This is an application to Blaine County by Quigley Farm & Conservation Community, LLC, represented by Hennessy Company and SERA Architects for a 51-unit mixed use project consisting of:

- 7 Large Lot Dwellings
- 9 Medium Lot Dwellings
- 10 Cottage Unit Dwellings (4 of which are identified for community housing)
- 6 Town House Sublot Dwellings (2 of which are identified for community housing)
- 9 Live/Work Mixed Use Dwellings
- 10 Multi-Family Dwellings (2 of which are identified for community housing)
- Future hospitality site of 1.38 acres
- Future Sage School site of 6.17 acres
- Open Space and common area
- Bike/pedestrian pathways and trails
- Working Agriculture

Lisa Horowitz and Brian Yeager reviewed the most salient points of the Staff Report. First, because Quigley Canyon is a neighborhood service center, any commercial uses shall be subordinate to residential uses, as well as to the downtown or larger activity areas of Hailey.
Brian Yeager presented the primary concerns regarding sewer and water. Yeager noted that projects located within the Area of City Impact are required to connect to municipal water and sewer. Yeager also noted the exception to the ordinance: the alternative method must be clearly superior in design and effectiveness.

Yeager presented three components to sewer systems: 1) the collection system, 2) the treatment system, and 3) the disposal system, and explained how each fit under the City Development or Subdivision Ordinance Standards.

Yeager explained the proposed Collection System and noted its viability; however, informed the Commissioners that it does not meet City Standard. Yeager also noted that the proposed system may require increased operating resources, effort and costs over a conventional gravity system.

Yeager went on to explain the proposed Treatment System and noted that the Subdivision Ordinance Standards do not address treatment; therefore, by default, the City would be required to provide treatment. Yeager summarized staff comments and noted that staff does not believe the system to be superior to what is currently in place.

Yeager explained the final component to the sewer system: the Disposal System. Yeager compared proposed project to City Subdivision Ordinance and noted that there is still much to be explored in this area utilizing the proposed system. Yeager suggested that all three components of the sewer system would need to be considered to best determine whether or not the proposed system is a superior system.

Yeager went on to explain the water system. The Applicant has proposed on site potable wells and irrigation system, and fire system (which would be coming off of irrigation system). Yeager noted that there is no objection from Staff regarding water system; however, Staff would like to see fire hydrants operate from potable water. More information can be found in the attached PowerPoint.

Lisa Horowitz went on to review the summary of the Staff Report:

Orderly Development: Horowitz noted that project would impact City services, as City streets would be utilized. Future phases would also be anticipated and square footages have been provided by Applicant. In terms of off-site improvements, Staff has suggested bike lanes connecting to Wood River Trail (striped lanes on asphalt), as well as organization of the parking and drive lanes on Fox Acres Road, and completing the Toe-of-the-Hill Trail.

Streets, Sidewalks, Drainage, Alleys: Horowitz noted that Staff suggested connecting to Quigley Road, an all-season, all-weather road, as well as connecting further down near Sage School (when school has been built). Staff also agreed that they would like the Applicant to either a) meet the alley standards or b) meet the private street standards. Currently, roads are functioning as private streets; however, are not currently meeting private street standards.

Blocks, Lots, Perimeter Walls, Berms, Cuts and Fills: Staff suggested that the berm between sports fields should be removed when sports fields are developed. Berm behind Buckhorn properties would remain. Staff also believes the cut along Huckleberry Road is unnecessary and suggested relocating the road and reconfiguring the parcel to avoid cut.

Parks, Pathways and other Green Spaces: Staff suggested full development of open spaces, which include: landscaping, irrigation, restrooms, additional parking, and non-motorized connection through Antler.

Owen Scanlon inquired about dedicating one of the potable wells for the fire system and whether or not it would connect to the City system or if it would complement pressure of City system. Yeager noted that it would complement the supply of the City system. Dan Smith questioned whether or not it would be preferable to have the Applicant provide wells, specifically dedicated to the City to augment City water supply. Yeager agreed and noted that it would be ideal to have fire hydrants connect to potable water supply.
6:30:47 PM Dan Smith also commented on the existing treatment system and its capability of handling additional loads without modifications or updating. Brian Yeager agreed and noted that further exploration would be needed with the collection system. More information can be found in the attached PowerPoint.

6:34:00 PM Jeff Engelhardt questioned how the wastewater treatment system would be managed. David Hennessy informed the Commission that the system would be managed by an HOA. Engelhardt disagreed with concept. Engelhardt also questioned whether or not overhead lines would be removed or buried. Hennessy noted that all power in that area is underground (to the barn; well will be serviced from the same side). Engelhardt also inquired about the Quigley Road and controlling public use. Hennessy noted that siren-operated gates or alarms would be put in place to keep vehicular traffic from utilizing it.

6:38:42 PM Jeff Roberts spoke to the treatment system and believes a gravity system is not necessarily superior, but equivalent. Roberts noted his objective: getting communities in greater touch with whole living systems, in food and in waste. Roberts believes system to be cheaper and simpler. Roberts also noted that treatment system is at a superior level, as it keeps it on site, and utilizes native plant material from ecosystem – connecting people back to place. Finally, Roberts noted that the disposal system is running back in to the building and would be utilized to flush toilets, etc.

6:41:54 PM Chair Fugate opened the item for public hearing. Frank Andrews noted his concerns and worries that having a sewer disposal system located in his backyard will be a detriment to his family when, and if, they try to sell their home. Andrews was also concerned with current wildlife patterns and lights on the playing fields.

6:44:07 PM John Wieze doesn’t believe proposed project will affect the wildlife. Wiese doesn't completely agree with wastewater treatment system, as he believes some infiltration will occur. Wiese also believes safety should outrank educational benefits of project.

6:49:04 PM Peter Lobb believes that the odds of the City annexing project are slim. Lobb noted that expanding sewer plants is expensive and believes the proposed system is the future, and would like to see the City of Hailey embrace proposal. Lobb reminded the Commission that current sewer system is not a perfectly clean system and supports the proposed sewer system.

6:51:41 PM Chair Fugate closed item for public hearing. David Hennessy clarified that the systems proposed are infiltration fields for treated wastewater, which will be used for irrigation. Hennessy noted that solids would be treated in a septic tank. Jeff Roberts also noted that no lights will be placed on ball field.

6:56:16 PM Owen Scanlon inquired about the pressurized collection system and noted his concerns with regard to putting a disposal system right next to a neighborhood. Scanlon questioned whether or not it could be moved somewhere else that would be more compatible. Jeff Roberts noted that gravity is used as much as possible with proposed system, as they would prefer not to use more energy than what is needed.

6:57:32 PM Chair Fugate inquired about the exact distance from drain fields to neighborhood. Roberts noted that it would approximately be 60 to 80 feet.

7:09:17 PM Chair Fugate called the meeting back to order. Chair Fugate questioned whether or not a recommendation could be made that the Applicant annex and as a result, have financial advantages for doing so. Chair Fugate also inquired about formulating a process that would ensure the City would be protected if issues were to arise. Richard Pogue noted that the ordinance doesn’t agree with project proposal and as a PZ Commissioner, is responsible for upholding standards. Scanlon agreed.

7:15:46 PM Chair Fugate questioned whether or not there is a way to make this work. Dan Smith noted that he would like to see a win-win for the developer and the City. Chair Fugate agreed. Scanlon inquired about annexation and the main issue when converting treatment center over to the City. Yeager noted that the City is not configured to maintain pressurized lines, pumps or septic tanks. Yeager noted the
Yeager reiterated that City Staff has no interest in maintaining or operating system.

7:19:47 PM Yeager explained why he separated the treatment system into three components. Chair Fugate inquired about the ideal separation distance be. Yeager believes something greater than zero and currently, it’s immediately adjacent.

7:23:54 PM David Hennessy noted that the LSAS System is a system that has a similar concept of irrigation water. Engelhardt expressed his uncomfortability with having an HOA oversee and operate the system. Sam Stahlnecker, from Benchmark Associates, noted that DEQ will conduct site visits and evaluate the success of the system. Stahlnecker believes this to be twice annually and a yearly permit would be issued. Chair Fugate inquired about how issues would be addressed. Stahlnecker noted that the operator would work with DEQ to ensure accuracy and correct any issues. Chair Fugate inquired about whether or not a dedicated person would be assigned to manage and maintain system.

7:28:07 PM Yeager noted that there will be a person that will specifically maintain system; however, there will be periods of time where system will not be monitored by a person; remotely at all times. Owen Scanlon would like to see the developer responsible for the sewer system until an agreed upon occupancy of the subdivision. Scanlon would like to have some assurance that money is available if something were to go wrong with the proposed system. Hennessy believes this can be accomplished; however, tying it to a certain level of occupancy would be difficult.

7:30:02 PM Yeager noted that, in his discussion with City staff, this type of system would become an obstacle for future city annexation, if ever a consideration. Scanlon agreed and noted that all applicants may propose varying systems and it would be difficult to integrate within the City. Pogue questioned whether or not all three portions of development would be tied to the same system. Jeff Roberts confirmed this and clarified that there will be additional constructed wetlands for the remaining phases.

7:33:18 PM Dan Smith believes system is constrained by the ordinance. Smith noted that system is equivalent; however, doesn’t feel it meets the standard of being superior. Chair Fugate believes current treatment plant is sufficient. Yeager agreed and questioned the capacity and efficiency of the collection system.

In terms of water, Brian Yeager noted that there is value to connecting to City supply (certain and adequate) for fire protection and would meet the fire department criteria. Yeager believes the issue is whether or not the infrastructure is compatible with future growth to the City, should annexation ever happen. Yeager doesn’t believe City would want to take over or maintain system.

7:38:18 PM Brian Yeager presented staff concerns regarding the Quigley tank. Staff is concerned with having several people near and around tank and would like to see some security measures put in place. Staff would also like to have access to maintain tank during any time of day. Staff is also concerned with drain from overflow. If tank ever needs to be drained, it currently overflows into ravine and gradually infiltrates into ground. Staff would like to see a modified easement for infiltration area. More information can be found in the attached PowerPoint.

7:43:55 PM Yeager presented information on re-vegetation and roads. Yeager noted that any and all construction would disturb current vegetation and staff recommended that there be some type of post construction re-vegetation and establishment plan in place.

7:44:54 PM Yeager went on to explain the secondary emergency access. Staff suggested that the road from the roundabout be connected back to Quigley Road, to provide an all-season, all-weather travel surface for emergency services to circulate to site in an emergency. More information can be found in the attached PowerPoint.

7:48:49 PM Horowitz noted that along with an all-season, all-weather road, staff would like to see a bike path connect back through existing neighborhoods, down Quigley Road to the Wood River Trail.

7:50:35 PM Yeager commented on the private alley and noted that per the City Subdivision Ordinance, all lots shall front on a city public street. In the proposed project, lots open toward an alley, rather than

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a street. This private alley does not meet the city private or city public street criteria. Lisa Horowitz and Brian Yeager included all information in the attached PowerPoint. Please reference for more information.

8:00:30 PM David Hennessy noted that the emergency access connection and other conditions from the Staff Report would be completed by Applicant.

8:01:07 PM Owen Scanlon questioned the state of the wildlife corridors. David Hennessy reminded the Commission that a Wildlife Report and a letter from Fish and Game was submitted for the first meeting. Horowitz noted that because county regulations apply to this particular matter, the County staff will analyze matter. Scanlon also believes the sewer system proposed by the Applicant is superior, in that it returns gray water; however, doesn’t like where the drain field is nor that an HOA will manage and be responsible for system.

8:03:46 PM David Hennessy offered a possible modification in that it would be a hybrid system where it’s a constructed wetland system – the water is reused on site for irrigation, and instead of drain fields, it would be tied in to the City system when not being reused on site; a secondary system. The drain field would be removed.

8:07:35 PM Jeff Engelhardt noted his uncertainty with the system and would prefer to not have project located right next to the City.

8:09:02 PM Richard Pogue noted that the roads, and sewer and water area all major issues and that he would like to see them addressed prior to project approval. Pogue also noted that fire and police would likely provide services without being paid for their time. Pogue would also like to see this addressed.

8:10:06 PM Dan Smith noted that the City Subdivision Ordinance Standards brought up pertinent issues and believes that, even if the capability is equivalent or potentially superior, the operational issues need to be hooked up to the City to provide the confidence and robustness that a system, like the proposed, should have.

8:11:12 PM Chair Fugate believes the proposed project is superior and would like to see a duplication system put in place. Chair Fugate would also like to see that fire and police be compensated for their time, as well as the City Subdivision Standards upheld.

8:14:48 PM Dan Smith noted that a recommendation could be made to the City Council with a request to specifically address larger issues discussed by Planning and Zoning.

8:17:08 PM Chair Fugate suggested that the financial burden on the Applicant be reduced by waiving or reducing annexation fees, especially if project were to be annexed and/or become part of the City. Chair Fugate believes that if project becomes part of the City, the fees generated from lots will benefit City and reducing the financial burden on Applicant could be advantageous.

8:18:08 PM Dan Smith noted that if the development is profitable at this density, a negotiated understanding could be developed to provide benefit to the developer and the City long term.

8:18:32 PM Owen Scanlon believes he doesn’t have enough information to make an approval and noted that loose ends need to be tied up before making a recommendation to City Council. Pogue agreed.

8:23:10 PM David Hennessy noted that this is a recommendation for a recommendation, not an approval. Hennessy would like to see a recommendation to City Council to continue to keep the process moving forward. Lisa Horowitz suggested that a recommendation be made unless the Commissioners believe it would be advantageous to continue this project in another meeting. Yeager agreed noted the motion language could be altered to better reflect what the Commissioners like and don’t like. Scanlon would like the language to be changed and read: the motion to approve the concept... Pogue agreed and would like to see a list concerns written in letter to the City Council. Jeff Roberts added that he would also like the Commissioners to note the positive elements of project in letter to City Council. Chair Fugate agreed.

8:28:38 PM John Wieze inquired about the setback from the athletic fields to the drainage site. Chair Fugate reiterated that project will no longer utilize drainage site
Horowitz and Brian Yeager read the additions to the conditions and noted that consideration of an alternative disposal area and wetlands would remain intact. Dan Smith understood that rather than utilizing a drain field, a tank system would be used, which would then feed through the City. Yeager’s understanding was that the wetlands would remain intact, as well as the reuse and environmental component of the project.

Horowitz inquired about a consensus regarding annexation fees. Richard Pogue doesn’t believe we can force the developer to annex into the City; however believes the applicant should consider doing so. Dan Smith would like to see a win-win for Applicant and City, and would like to recommend that City Council look for one. Pogue noted that if the Applicant expends the money to annex and attach to City water and sewer, credit should be given. Chair Fugate agreed.

Owen Scanlon motioned to approve a concept of a Planned Unit Development (PUD) and Subdivision Preliminary Plat, the Quigley Farm PUD. This is an application to Blaine County by Quigley Farm & Conservation Community, LLC, represented by Hennessy Company and SERA Architects for a 51-unit, mixed use project, because it works in many ways, but we have a list of concerns that accompany this motion, finding that the project does not jeopardize the health, safety and welfare of the public, and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, Title 18, and City Standards, provided that the concerns of the Planning and Zoning Commission are addressed. Richard Pogue seconded and Chair Fugate, Dan Smith, Owen Scanlon and Richard Pogue were in favor. Jeff Engelhardt opposed.

Old Business
Commission Reports and Discussion

Staff Reports and Discussion

SR1 Discussion of current building activity, upcoming projects, and zoning code changes.
(No documents)
• Design Review Exemption: On August 18, 2016, a Design Review Exemption Application was submitted by Thomas and Ann Helms, represented by Errin Bliss of Bliss Architecture, for a 96 square foot addition, to be located at 213 North 4th Avenue (Hailey Townsite, Lots 6, 7, 8, Block 48), within the Limited Residential 1 (LR-1) and Townsite Overlay (TO) Zoning Districts. The Chair and Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby determine that the project is minor, will not conflict with the design review standards, will not adversely impact adjacent properties, will not alter any structural or architectural elements of the building, and is not an addition of floor area equal to or greater than 50% of the original structure.

SR2 Discussion of the next Planning and Zoning Meeting: Monday, September 26, 2016.
(No documents)

Adjourn
Jeff Engelhardt motioned to adjourn. Owen Scanlon seconded and all were in favor.