

**MEETING MINUTES**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Monday, November 7, 2011**  
**Hailey City Hall**  
**6:30 p.m.**

**Present:** Mike Pogue, Mark Johnstone, Geoffrey Moore, Janet Fugate, and Owen Scanlon.

**Staff:** Beth Robrahn and Ned Williamson.

**Call to Order**

[6:33:09 PM](#) Commission Chair Moore called the meeting to order.

**Public Comment** for items not on the agenda

[6:34:21 PM](#) None offered.

**Consent Agenda**

*Tab 1 Motion to approve minutes of October 17, 2011.*

*Tab 2 Motion to approve Findings of Fact, Conclusions of Law and Decision – Approval of Design Review exemption of new exterior paint color at Albertson’s located on Lot 3, Block 1, North.*

[6:34:39 PM](#) **Mike Pogue moved to approve the Consent Agenda. Mark Johnstone seconded, and the motion carried unanimously.**

**New Business**

*Tab 4 Continuation of Public Hearing upon a city initiated text amendment to Article 8B, Outdoor Lighting, of Hailey Zoning Ordinance No. 532 to add an exemption to the type of luminaries. The amendment would exempt luminaries that emit up to 15% of total lumens above 90 degrees, if installed by a Public Use and necessary for pedestrian safety, from the requirement of being full cut-off with the light source downcast and fully shielded. **TO BE TABLED.***

[6:35:05 PM](#) Beth Robrahn explained this item was noticed in anticipation amendments might be needed for the city street light retrofit project, but amendments will not be necessary.

*Tab 5 Continuation of Public Hearing upon changes to the application by Quigley Green Owners, LLC for Annexation of Quigley Canyon. The proposed development has changed from 1,109 acres with 379 residential units, 18 hole public golf course, Nordic facility and trails to 912 acres with 444 units, 93 acres of open space, Nordic facility and trails. The property is currently located in the County and is zoned R-5 and A-10. The annexation application requests that the property be zoned as RGB, NB, LR-1, LR-2 and GR upon annexation. The Commission previously recommended approval with 54 conditions. The Council has asked the Commission to review and provide input on the changes relative to the Comprehensive Plan and the relevance of the conditions previously recommended.*

[6:35:44 PM](#) Chair Moore asked for disclosure of any ex parte communication. All Commissioners noted receipt of emails, phone calls, and direct questions. They all further detailed their responsive actions. Ned Williamson and Beth Robrahn clarified how ex parte communication must be handled and asked that any email not also sent to Ms. Robrahn be forwarded to her immediately for the record.

[6:39:21 PM](#) Ms. Robrahn then noted receipt of email from Karen Jacobsen in opposition, Galen Hanselman in opposition, Gloria Carlton in opposition, Lorna Emdy and Reg Solomon in opposition, Bill Hughes in opposition, Nate Galpin in opposition, Cathie Royston in opposition, Janet and Charlie Meyer in opposition, Scott Phillips in opposition, and Lili Simpson in opposition.

[6:40:54 PM](#) Ms. Robrahn reviewed the staff report and procedure for moving forward. She further asked the Commission to read carefully for accuracy of issues and whether the conditions address the Commission's concerns or if anything needs to be added. [6:43:27 PM](#) Ms. Robrahn provided a summary of the application's background, and asked if the Commissioners had any further questions. [6:45:31 PM](#) She noted that she had forwarded the revised master plan to the Idaho Department of Fish and Game for their review. A responsive letter was received from IDFG on November 1, 2011. Ms. Robrahn summarized the letter and pointed out that a copy was in the Commission's meeting packets.

[6:47:53 PM](#) Chairman Moore asked for questions from the Commissioners. With none offered, he then opened the meeting to public comment.

[6:48:11 PM](#) Daphne Muehle, 541 Deertrail and Director of Development for Wood River Land Trust, noted that the Land Trust hopes for sustained development on a pedestrian scale with respect for wildlife corridors.

[6:49:07 PM](#) Linda Haavik read a letter of opposition on behalf of Jim and Evelyn Phillips, 20 Quigley Road.

[6:53:31 PM](#) Daralene Finnell, 710 E. Bullion, spoke in opposition, referring to the proposed development as "the very definition of sprawl." She further asked the Commission to support infill first, and to deny this application.

[6:55:25 PM](#) Andy Harding, 460 Motherlode Loop, noted that the number of issues and conditions made the application "obviously not a clear case for recommendation to City Council." He believed that public opinion is clearly in opposition.

[6:57:06 PM](#) Lili Simpson, 70 Quigley Lane, expressed concern about wildlife issues and protecting the migration corridor. She pointed out that many citizens do not have enough time and/or access to information on this matter, and therefore, she felt the public process falls short.

She commended the Commission on their good work, and asked that they recommend denial of annexation.

[7:04:02 PM](#) Josephine Lowe, 110 Lime Kiln Lane, addressed the amount of time between the first application and the current one, and inquired if it is legal to continue with this one or if the developer must reapply. Ned Williamson said he believed it is legal to proceed forward with this current application. Beth Robrahn explained the timeline. Ms. Lowe then noted studies which support the costs and values of open space and asked the Commission to move slowly on their decision as Quigley is of interest to the entire valley.

[7:11:51 PM](#) Scott Phillips, Croy and Eastridge Drive, noted the City has received many letters in opposition from “knowledgeable and caring citizens.” He expressed his opposition to the development saying the “water is simply not there.” He further emphasized that the citizens in opposition to this project “intend to persevere against this ill-advised annexation.” Mr. Phillips also expressed hope that a community effort to purchase the land might best serve all parties.

[7:21:16 PM](#) Mike Brunelle, 190 Cranbrook, spoke in favor of annexation, expressing his concern that Quigley may “end up like Greenhorn where you have to drive to the end of the canyon to get trail access.” He asked the Commissioners to avoid letting Quigley go to the County.

[7:22:39 PM](#) Robert Blake, North 3<sup>rd</sup>, spoke in support, noting that “options in the future will not be this good.”

[7:23:12 PM](#) Tony Evans, Idaho Mountain Express, asked what the project would look like if the developer goes to the County. He noted comments made off the record indicated details Mr. Evans felt were unavailable to the public. He encouraged the Commission to settle rumors, get solid information to the public, and to directly ask the County what they would do with the project should it come to them.

[7:27:04 PM](#) Andy Harding 460 Motherlode Loop, shared his thoughts regarding the scale of the development and that he “would be okay” with the County’s density and fencing allowances.

[7:27:52 PM](#) Lili Simpson, 70 Quigley Lane, encouraged the Commission not to consider “idle threats” but rather only the matters before it.

[7:30:13 PM](#) John Finnell, 710 E. Bullion, stated “we don’t have the need to grow the town now, so why consider it now.”

[7:31:17 PM](#) Denise Jackson Ford, 421 Eureka Drive, felt “we don’t have the need and I don’t think we can handle this in the current economy. We don’t fully agree on the impact, so let’s stay with infill rather than growth. We must reach a consensus on the water issue—legal value versus actual sustainable use of the water...if this doesn’t fit city needs now and here, we should not do it.”

[7:35:34 PM](#) Scott Phillips, Croy and Eastridge, noted that the world has changed and he felt the economic picture alone is not acceptable for this project now.

[7:36:50 PM](#) Daralene Finnell, 710 E. Bullion, inquired why the amenities previously in the application did not remain.

[7:39:23 PM](#) With no further comment offered, Chair Moore closed the meeting to public comment.

[7:39:38 PM](#) No comment was offered from Dave Hennessy or Beth Robrahn.

[7:39:50 PM](#) Commission discussion included: Owen Scanlon on whether the fire rating and hence fire insurance rates for all city residents might increase. He noted the Woodside Fire Station bond failure. Janet Fugate expressed concern that all new development should pay for itself, and that making a recommendation to City Council was difficult if the Commission was

not able to fully analyze all issues. She further noted she would like to include in the conditions a specific agreement between Blaine County Recreation District and the developer for details of amenities, street standards without exceptions, and also felt the Commission should have an opportunity to review any final annexation agreement should there be one.

[7:46:26 PM](#) Mike Pogue asked for clarification on use of Quigley Road on its northern end. Dave Hennessy noted they tried to make use of Fox Acres Road, but were told they also had to have a secondary road—hence, Quigley Road. Mr. Pogue asked Ned Williamson if he had any word from the County regarding what they would allow there. Mr. Williamson noted a whole new application may be presented to the County, perhaps not the one now before the City. Beth Robrahn noted she spoke to County Planning and they would not speculate without having an application before them.

[7:49:14 PM](#) Mike Pogue asks Ms. Robrahn what the worst case scenario might be. Ms. Robrahn compared the density numbers. Mr. Pogue then asked Dave Hennessy to explain what he would present to the County. Dave Hennessy said he did not know because he would have to fully analyze the possibilities. Mr. Pogue thanked the public for their attendance and diligence, noted the limited function of P&Z, and clarified the immediate question before the Commission.

[7:52:45 PM](#) Mark Johnstone, noted a missing element was the reuse of Class A water onsite. He further requested a condition allowing unpaved roads and septic on lots over one acre. He also pointed out his belief that the City should not incur costs in this project, and that the wildlife corridor is an unanswered and very important issue.

[7:54:27 PM](#) Geoffrey Moore expressed his encouragement by the public response to this application. He further suggested they continue participating by going to City Council meetings to be heard. He cautioned against amending ordinances to satisfy a single application, and asked if the wildlife migration issue had been satisfied by the IDFG's letter.

[7:57:04 PM](#) Beth Robrahn asked that discussion consider one issue at a time for better analysis. Janet Fugate noted that migration patterns and road locations needed to be clearly defined for analysis, and further asked how community housing would be addressed. Ned Williamson stated it could still be required as part of an annexation agreement.

[8:04:14 PM](#) After further discussion regarding wildlife corridors and road placement, Owen Scanlon suggested that the idea search should go back to the developer to say if he can meet these conditions.

[8:05:21 PM](#) Dave Hennessy noted they already provided to the City the information being discussed and referred the Commissioners to that map.

[8:07:04 PM](#) Further discussion included wildlife movement, stream bed patterns, and the possibility of obtaining more information from IDFG for the City Council's consideration.

[8:09:13 PM](#) Dialogue continued on community housing, septic systems, street standards, and clearly defined recreational access and amenities.

[8:18:49 PM](#) Discussion covered ideas about phasing amenities into the development phasing, and the amount of contributions for a fire station and school.

[8:26:28 PM](#) Dave Hennessy asked if other developments had to contribute to the school district. The Commission and staff were unclear about that question. Janet Fugate asked if a contribution commitment would stand should ownership of the property change. Ned Williamson noted that successors in interest is addressed in application.

**8:28:22 PM Mike Pogue moved to forward the application to City Council with the P&Z Commission's input and additional comments included.** Chair Moore explained to the public in attendance what the motion meant. **Janet Fugate seconded. Mark Johnstone and Owen Scanlon voted AGAINST the motion. Mike Pogue and Janet Fugate voted FOR it. Chair Moore broke the tie vote by voting AGAINST.**

**8:30:38 PM** Chair Moore brought the matter back for discussion.

**8:35:49 PM** Peter Lobb, 4<sup>th</sup> and Carbonate, asked to make a point of order believing there was already a motion on the floor. Ned Williamson recommended a new motion.

**8:36:31 PM Mark Johnstone moved to recommend denial finding that the application does not comply with the Comprehensive Plan. Owen Scanlon seconded. Janet Fugate and Mike Pogue voted AGAINST the motion. Mark Johnstone and Owen Scanlon voted FOR. Chair Moore voted FOR to break the tie. Motion carried.**

**8:38:02 PM** Ned Williamson noted he will prepare documents for City Council.

#### **Commission Reports and Discussion**

**8:39:01 PM** Beth Robrahn noted the date of the next meeting is November 21, 2011.

#### **Staff Reports and Discussion**

**8:41:20 PM** Beth Robrahn advised she will be out of town for the December 19, 2011 meeting.

**8:43:40 PM Mark Johnstone moved to adjourn. Owen Scanlon seconded, and the motion carried unanimously.**