

MEETING MINUTES

HAILEY PLANNING & ZONING COMMISSION

Tuesday, October 2, 2018

Hailey City Hall

5:30 p.m.

Present

Board: Chair Janet Fugate, Richard Pogue, Jeff Engelhardt, Owen Scanlon

Staff: Lisa Horowitz, Robyn Davis, Chris Simms, Brian Yeager, Mike Baledge

[5:28:26 PM](#) Call to Order

[5:29:05 PM](#) Public Comment for items not on the agenda - No Comment

Consent Agenda

[CA 1](#) Adoption of the Meeting Minutes of September 4, 2018. **ACTION ITEM**

[CA 2](#) Adoption of the Meeting Minutes of September 24, 2018. **ACTION ITEM** Chair Fugate request to abstain.

[CA 3](#) Adoption of the Findings of Fact, Conclusions of Law and Decision for Design Review Application by 10 North Main Street, LLC, represented by Mark Gasenica, for a new 384 square foot detached Accessory Dwelling Unit, which consists of a 256 square foot main floor and 128 square foot second floor. This project is located at 410 North Main Street, Hailey (Lots 13 and N. 20' of 14, Block 57, Hailey Townsite) within the Business (B) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

[5:29:41 PM](#) Scanlon motioned to approve CA1 and CA3, Pogue seconded. All in Favor.

[5:29:55 PM](#) Engelhardt motioned to approve CA 2, Pogue seconded. Chair Fugate abstained, Remaining in Favor.

Public Hearings

PH 1 [5:30:20 PM](#) Consideration of a Preliminary Plat Application for Carbonate View Subdivision, represented by Galena Engineering on behalf of W Squared, LLC, where Tax Lot 8364 S. 9 & 16, T2N, R18E, Hailey is resubdivided into fourteen (14) single family lots, ranging in size from 7,053 square feet to 9,500 square feet. All of the lots will have frontage on W. Chestnut Street. A 28,646 square feet open space parcel is proposed as open space. A 35 foot wide public utility and public access easement is proposed between Lots 11 and 10 connecting Chestnut Street to Parcel A, Sherwood Forest Subdivision. The project is located in the General Residential (GR) Zoning and Floodplain Overlay Districts.

[5:31:28 PM](#) Horowitz provided the procedural history. Horowitz discussed the revised plat provided by applicant and changes suggested. [5:35:56 PM](#) Brian Yeager discussed connectivity concerns, stating two questions ahead of us: Should there be a connection? What the connection should be? Yeager discussed the planning concepts and components for this connection if where laying out these developments today. Yeager confirmed that that is not the case, that there is an established neighborhoods, established goals with people within the neighborhood, and developer's goals. Yeager stated ultimately we are asking the P&Z to do is to balance the planning components with the complicating factors of the fact that it is built out at this point of time. [5:38:13 PM](#) Yeager stated it is reasonable to consider connection from a planning stand point and a fire staff standpoint. Yeager stated from engineer standpoint the road can be built, from public works standpoint would need to be able to be utilized. [5:40:26 PM](#) Baledge discussed Appendix D from the Fire code and type of accesses. Baledge stated would like to see a road and that is easily maintained by the city. [5:42:06 PM](#) Simms does not have additional information to add. [5:42:40 PM](#) Chair Fugate asked commissioners if they have questions for staff. Engelhardt asked for clarification on size staff is recommending for the road. Yeager discussed components that effect the size of the road, including adequate right of way for snow storage. [5:44:45 PM](#) [5:45:38 PM](#) Gordan Flade, Applicant, discussed changes to the revises plat. [5:48:55 PM](#) Sean Flynn, discussed the traffic study. Flynn summarized that during the morning and afternoon peak hours there are 16 trips per hour. Flynn stated based off traffic study, conclusion based off the report is really not going to change traffic patterns. [5:56:07 PM](#) [5:56:17 PM](#) Ed Lawson, discussed proposal for Parcel C/Parcel A, providing public access and utility services connecting Sherwood and Robin Hood neighborhoods. Lawson summarized history of road request and the compromise of current proposal.

[6:03:28 PM](#) Chair Fugate opened public hearing.

[6:04:06 PM](#) Marsha Rowe, China Gardens, asked if will be able to have copies of the written materials on the screen. Chair Fugate answered and clarified that answers will not be responded to until end of public hearing.

[6:05:09 PM](#) Martin Flannes, Robin Hood Dr., stated he had submitted public comment last week so just has a summary tonight. Flannes does support the revisions that the developer has proposed, and urges commission to recommend and approve. That it is a compromise, he supports the emergency access road not a connection street for several reasons. Without a connecting street, the proposed project complies both Hailey subdivision ordinance and the fire code. The traffic study concluded there was no traffic reason for a connecting street and that a connecting street would not reduce traffic. Flannes referenced last hearing, heard from commissioners concern about life safety and that the developer has addressed that a 20ft drivable emergency road connecting to parcel A would address life safety concerns. The Code is 20ft drivable surface for fire access, easily fit within 36ft easement. The easement could also provide pedestrian and cycling connection to Sherwood Forest. Which would be consistent with Staff Recommendations in 2014. It would also avoid too many problems building the flood plain and traffic issues. On the Park, the developer seems to have accepted all of staff recommendations. Flannes believes apparently resolved many if not all of Land Trust concerns. Flannes urges commission to place use restrictions that have already been mentioned on the mini parcels, the non-buildable parcels to include, in addition to non-buildable and no storage, wild life fencing all along the way. So it could approximate the wild life corridor that was recommended by the Parks Board. The developer has been responses, fewer lots that could be built, offered increase rear drive setbacks of 20ft rather than 10ft, and has voluntarily agreed to a height restriction of 28ft rather than 35ft. In conclusion, Flannes supports the application as revised. As Mr. Lawson commented it would avoid possible future expense of litigation of developer and neighborhood claims, urges to recommend approval of the application with the revised parts with the emergency only access.

[6:07:55 PM](#) Laura Bernard, 420 Robin Hood Dr, Wants to go on record that she supports the developer and the compromise, the emergency access, obviously would prefer not to have anything there. Bernard did her own survey over the weekend asking people because this is a unique situation around Robin Hood loop where it's an amenity for Hailey, its unique that there is a lot of pedestrian traffic and she stopped people to ask where they were from. 1/3 was from China Gardens, 1/3 Robin Hood residents, and another 1/3 were people from Air B&B and other areas using it many different ways all weekend long. Instead of alienating the China Gardens neighborhood, would like to invite them to try to preserves this with them to share it since the traffic study indicates that there's enough access that the routes they will be using and the traffic numbers in and out will remain the same and the same goes for Sherwood Forest. Bernard finds it curious that when the Syringa School was proposed the emergency access because there is access and egress wasn't an issue but it is an issue now and do need to find a compromise. Bernard is in camp of the developer and this gentleman and Flannes and anyone else who stands up in this camp.

[6:09:43 PM](#) Joel Graff, Robin Hood, Parcel A is 60ft wide, asked who will pay for the building of the road or whatever takes place in Parcel A? Asked if the City will plow just

half of it or is it a contractor and who will pay for that? Otherwise the project sounds pretty good but is all hung up on the road.

[6:10:37 PM](#) Steve Crosser, 431 Aspen Dr, asked if the ADU's were included in the traffic study? Asked if the 36ft easement would be paved? Stating would need to be paved to be plowed. Crosser stated once again on the traffic it is not about the ease or how fast or how slow or how you get to one place to another it is about emergency access. That is what this road is about. Crosser referenced code saying 30 houses in a subdivision need two ways and two ways out. Asked how many houses were in Robin Hood subdivision now, stating there should be an easement left in the subdivision for a road eventually, 60ft easement for a real road.

[6:12:11 PM](#) Pam Gammon, 411 Robin Hood Dr., going on record as supporting the developer. Gammon borders property going to be developed, and has a little take in this too. That this is a compromise and believes they have bent over backwards for them. They are trying to come up with a compromise, does not want to be a we vs. them, as far as China Gardens and Robin Hood Dr. goes. Wants everyone to be happy, but as Bernard said a lot of people use Robin Hood Dr. because it is so quiet and has been for past 40years. Asked why need to change their subdivision because of this development, believes the emergency access is a great compromise. Gammon stated there was a beautiful Elk in the greenspace being offered to Wood River Land Trust. Gammon commends them for that and wants to go on record that she supports this.

[6:13:33 PM](#) Rick Spaulding, Sherwood Forest, stated submitted written comment and supports the developer as well. Agrees with what Martin Flannes said. Any road at all does not make him happy but this is a good compromise and he can live with it.

[6:14:06 PM](#) Jesse Burk, 531 Almond St, stated his concern lies with the density of the proposed project. Burk stated his property borders the park and four of the proposed lots. Burk thinks it is a little bit dense, thinks with the 9 lots on the north end of the subdivision of china gardens that looks somewhat dense in hindsight. Burk experienced troubles with snow removal on nearby properties and that he takes some of the brunt of the snow removal because they do have open space. Burk stated that if the project is done right, all the utilities should be brought in at the same time and done right. Burk stated they do not have gas in that corner of the subdivision. Burk thinks it is too dense, that it is tight down there already.

[6:15:45 PM](#) Jena Vagias, 410 Robin Hood Dr, stated moved here three years ago and that quiet is important to them, that is a primary reason purchased home there is for safety, quiet, serene environment for their daughter, it is the most important thing. Vagias stated here tonight instead of at home doing family things is because the safety of what is proposed is unacceptable, there's been 18 to 2 by her note of public opposition to a connecting road. Vagias understands that if there is a life safety issue than it makes sense from a compromised place to put in that emergency connector, but does not see when say a public good community planning and public connection of community neighborhoods, to Vagias that those community neighborhoods are already connected just happen to be connected by a footpath and she is good friends with everybody on the other side of the footpath, see them every day and their kids play. It's just not a public

road connecting those communities but in her opinion those communities are very much connected on a daily basis for her and her family. Vagias supports the compromise for the life safety, but does not see why need to connect those communities with a 60ft wide path.

[6:17:51 PM](#) Scott Boettger, Executive Director of Wood River Land Trust, for last 20 years Land trust has been putting together combination of different projects and properties to facilitate the now 350 acres Hailey Greenway which also includes the Draper Preserve. In that time frame, the use of this structure that is proposed now to be dedicated to the Land Trust has been unofficially used by the Land Trust for storage. They support the change of language that allows to include this open space as part of the long term management of the Draper Preserve and also the long term management of the Hailey Greenway.

[6:18:41 PM](#) Barb Spallino, 630 Robin Hood, wants to go on record in supports the developer, feels the revision are reasonable and support the emergency access. Does not believe a 60ft road is necessary for the safety of the people in the neighborhood or visiting. Spallino stated there is fast traffic as there is and at least 2 to 3 blind spots, things this is a good compromise.

[6:19:37 PM](#) Mark Levin, Robin Hood, echos Flannes comments and supports the compromise.

[6:19:56 PM](#) Brooke Vagias, 410 Robin Hood Dr., does not like a road idea would prefer a bike path. Does not like the road because her cat was almost ran over by a car.

[6:20:33 PM](#) Public Speaker (name unintelligible), stated submitted a letter and does supports developer.

[6:20:42 PM](#) Sally Metclaf, 310 Robin Hood, across the street from the proposed development and she also supports developer. Does not want the road at all, believes this is a good compromise.

[6:21:11 PM](#) Ragna Caron, 231 Robin Hood Dr, Believes it is a very good compromise and is grateful for all the developers work.

[6:21:48 PM](#) Herb Newton, supports the compromise as he understands them which he believes is as an emergency access if that is what is being proposed he supports that. Asked staff to show number of lots in Robin Hood Dr, Horowitz pulled up slide requested. Asked if all lots built out there are 30, staff and commission corrected 35 if all built. Comment is if should this become a 36ft easement, a maintained road, would be fascinated to see which HOA will step up to pay for the road maintenance.

[6:23:28 PM](#) **Chair Fugate closed public comment.**

[6:23:40 PM](#) Chair Fugate asked Staff if they have any answers to public comments. Horowitz stated yes, can contact staff for copies. Horowitz responded to the question of

who would pay for Parcel A, if there is an alley or a small road or whatever kind of idea that meets the fire code and allows for emergency access for this compromise idea, the city would commit to paying for that within two fiscal years after the approval of the project. The city feels that now that they really understand how many houses are built in Robin Hood and how many are remaining and couple for sale and three not on the market, it would be remiss for us not to follow through and honor our part of the commitment. That would require a whole process under Title 18 of design and thought with the neighborhood, but the city would commit to that portion of it if this ends up being approved. Horowitz confirmed that HOA's could be part of the conversation on either side of the road if that were to be discussed. Chair Fugate stated she thought that was part of the proposal. Horowitz confirmed yes, that the developer is proposing their HOA would maintain the portion of this alley or emergency access way on their portion of the road. At this point the city would be looking at the other side. Horowitz confirmed this would be kind of complicated, but if this project makes it to the council, they would develop some kind of maintenance agreement that would spell out how the parties would accomplish that. [6:26:12 PM](#) Chair Fugate asked if applicant would like to respond to public comment. [6:26:26 PM](#) Gordon Flade, thanked everyone who came out. Flade stated feels that they have worked very hard with the city staff, applauding them for their willingness to figure out how to make this work. Flade stated his hat goes off to the commission for requiring the traffic study. Flade stated what he thinks is really important and wants to stress publically to both city staff and all those who have been supportive, that they hope and certainly believes can make this happen, that the access easement truly does stay as small as possible in terms of drivable service because the fire chief knows the code says all you need is 20ft and they want to see it be kept as small as possible. So that the ascetics of the neighborhood really remain the way they are, stating they have met all of the concerns and big letters starting with Scanlon all the way through – Life Safety and believes they have met that. Believes this is going to work well for everyone and hopes they can get this through and move it along. To meet with the city in the future to resolve how the connection works. Flade stated they are willing to maintain their portion of it, whether it remains a gravel road they plow in the winter and water in the edges in the summer. Flade would like to see a lot of natural growth on the side and at the same time allow for snow storage space. Flade summarized this is not rocket science that just need to work together. [6:28:51 PM](#) Chair Fugate asked Boettger if the wild life fence is something they see going in fairly soon should this go through or if it is a future thing. Boettger stated fence would not be necessary until development of the last lot, stating fewer obstructions the better. Chair Fugate stated at that time the Land Trust is proposing to fall into that. Boettger stated the idea is to keep boundaries, not creating another entrance for possible attractive nuisance fire related issues back there and allow for the free movement of the elk and moose and everything else back there. [6:30:13 PM](#) Engelhardt asked if Flade has a section of the road way, of the proposed connectivity. Flade clarified in terms of what they are going to do on it. Engelhardt clarified drawings. Flade stated has not put together yet, but is aware needs to meet the requirements and that the goal is to stay at 20ft as far as improved service. Commission brought up question of ADU's from public comment. [6:31:13 PM](#) Flynn responded to question of if the ADUs included in the traffic study. Stating he called the traffic engineer, they discussed how this was handled in their manuals. That this would be looked at as a multi-family units, that there are three stages. That this project would fall under the smallest stage. That if were to look at 20 multi structures, max daily does

not change and the pm max hour would change from 16 trip up to 20 trips, the am peak hour would stay at the 16 trips. Flynn summarized it's a change but a small change, does not believe if added to analysis would not change any of their observations. [6:33:42 PM](#) Pogue asked who will be developing the property, Flade explained the goal is for them to develop each lot relatively slow, two homes per year. Flade also mentioned not all lots may be ADU's, it's per design situation.

[6:34:36 PM](#) Chair Fugate called five (5) minute break.

[6:43:03 PM](#) Chair Fugate called meeting back to order. Chair Fugate stated that understands the amount of work gone into this discussion and the compromises made. Chair Fugate is happy to see reconfiguration of park, where it is more available and more accessible. Chair Fugate asked the applicant if the road needs to be drivable and maintainable will the road be paved. Flade stated trying not to pave and working on alternate options. Flade stated has not hammered out what it will be with Brian yet. Flade listed possible options would prefer to us, goal is to keep it as natural looking as much as possible. Flade said the question is if the city will follow suit on Parcel A or if they will want to see it as an asphalt surface. Chair Fugate stated City Attorney mentioned wants to hear a discussion on this road for access as it ends up. Chair Fugate asked commissioners if they see any other issues that need to discuss besides the road. Pogue said no, thinks the development team has done a great job with compromise, it boils down to the road. Scanlon agrees with Pogue, stating he is proud of everyone and this is historical setting a precedent for in fill projects where everyone comes to together including the city to make it happen. Scanlon has always been pro in fill and Hailey is geographically big enough and have a lot of in fill we can do. Engelhardt agrees with the other parts, thinks sidewalks curbs and gutters would be a great asset but good with everything else besides the road. Pogue asked Yeager if something else besides concrete/asphalt is appropriate for a 36, 20 ft wide paved portion. Yeager stated it is complicated, on the private street section they would solely be responsible for doing all the maintenance and operation on, we could be more flexible because any surface challenges they would encounter would be on them. On the southern portion the city would be responsible for is highly likely we would be looking for a more conventional surface. There is a lot of those details and memorandums of understanding and assigning those responsibilities yet to be worked out. Yeager believes their current goal he was asked to focus on tonight is could a travel way of some type work, and he believes the answer to that is yes. Pogue stated his concerns are the emergency concerns, other question would be, with Robin Hood being at the 30 developed lots and five more lots to be developed, can those lots be developed without a second access. Horowitz stated yes they can, the neighborhood would become a non-conforming. Pogue asked if this has any impact on insurance. Horowitz stated she did not know the answer to that. Chair Fugate clarified this would be the only non-conforming neighborhood, Horowitz stated we do not know of any other neighborhood that would be approaching that kind of non-conformity with respects to Appendix D in the fire code. Pogue asked if the smaller road proposed by the developer would enable that to be seen as a conforming neighborhood. Pogue stated the other issue is the development in Parcel A, if its 60ft wide, is it going to impact flood waters shifting it on to some one else's property. Horowitz stated would be doing a full analysis of road way design, work with the neighborhood and the Flood Plain Administrator would do a flow analysis to make sure not importing any fill or adding any

additional material that wasn't offset somewhere within Parcel A. Yeager stated the response back would be that yes they are looking at, that it complicates the road design. Yeager provided example to prevent the road from creating any obstruction in the flood plain that could excavate the road into the ground somewhat so that the bottom surface of the road is at the same elevation as the existing grade, the borrow pits would provide conveyance outside of that. Yeager stated it gets a little challenging but it can be done. Chair Fugate asked if it would be done during the same conversation as the surface, etc. Horowitz confirmed yes, that Title 18 requires a full public process for any new kind of alleys, roads, or facilities like this. They would expect to involve the neighborhood in that conversation. Pogue stated in allowing a private road, also depending on the HOA to provide service to that road during the winter months and maintain it year round. Pogue asked what provisions if find HOA found not maintaining it appropriately for the fire department safety or the city's. Simms stated they developed a maintenance agreement with the new Quigley project as an example, that he found satisfactory to protect our interest. Engelhardt does like the compromise but wondering if it's hitting on the spots it needs to hit. Engelhardt stated he knows are comprehensive plan calls for connectivity in the neighborhoods, does not feel the emergency road only does not comply with that issue. Engelhardt understands has a neighborhood with people living in close proximity and know each other, but there's visitors from other neighborhoods. Thinks it's a road way that was platted but now shaved down to the bare minimum defeats that connectivity. Engelhardt would like to see a compromise that would include a road surface to be maintained year round. Engelhardt does not believe it should be limited to emergency vehicles. [6:55:11 PM](#) Horowitz read plat note number 7 incorrectly stating it was plat note number 4 from revised plat submitted by the applicant reads as: Parcel C is proposed for public utilities and public access. No additional comments from Engelhardt at this point. Scanlon stated based off what has been said tonight the two neighborhoods already have the connectivity that they want, and does not see how putting emergency access road changes any of that. Scanlon offered his opinion is that City Council will want to have some say in the decision process, that City Council will decide what they are willing to do with Parcel A and will translate to the Contractor what they are willing to do. Scanlon does not believe 60ft easement is necessary, thinks the requirement for emergency vehicle is adequate, City Council can decide what the surface will be and how far they are what to take the connectivity. Scanlon stated people will continue to go through there, whether they are walking on gravel, pavement, concrete or whatever. Chair Fugate agrees with all that, adding that this speaks highly of all that spent hours trying to figure out the compromise. That a room full of people who were against it are now understanding that there is a safety need and there's a way to make it work. Chair Fugate believes safety is one of the primary considerations of this mission, and that there does need to be emergency access for those vehicles. Chair Fugate stated Traffic Study was interesting, as it showed doesn't need a road and how the road would not increase traffic much at all. Chair Fugate believes compromise is workable and still a connection to the neighborhoods. Chair Fugate started another part of their charge is to protect the character of the neighborhood and believes this is a good compromise that does both. Chair Fugate feels good with the proposal and understands there is more work to be done regarding the surface, that Chief and Brian and developer can hammer that out. Chair Fugate referenced Horowitz comment of the City possibly be willing to assist over a couple of fiscal years with the connection. Horowitz confirmed that was what was discussed as the most responsible approach. Chair Fugate confirmed City Council will

determine that decision with the surface and other stuff. Pogue believes infill is really important to the City of Hailey and thinks work by staff and developer in meeting the demands of the two housing is to be applauded. Pogue believes have a potential for a very good development. Chair Fugate brought up question of conditions making those parcels non buildable and non-storage able. [7:00:19 PM](#) Horowitz stated does have notes for possible conditions of approvals, asked if should go over standards first. Chair Fugate clarified Engelhardt is still willing to go with 36ft. Engelhardt stated believes it is an opportunity lost and throwing out our comprehensive plan. Engelhardt does like the spirit of the compromise and thinks it is what is going to carry and is ok with going forward. Simms asked that Commissioners have a discussion and deliberation on the standards on addressing their attention on the standard 16.04.020 and also asked that they have a discussion and deliberation around the parks offer. Horowitz pulled required information up on screen. Horowitz confirmed yes and Simms provided where information is in the Staff Report. Horowitz pulled up standard: Streets shall be provided in all subdivision where necessary to provide access and shall meet all standards below. Horowitz stated first one discusses alignment, safety, and vehicular, pedestrian traffic, safe and efficient access and so on. Horowitz confirmed on page 4 of the Staff Report. Horowitz suggested commission talk about how they think the compromise proposed by the applicant would meet the Standard number A and staff would work that into their findings. Chair Fugate read Standard A. Scanlon asked with the drivable width of Almond St is. Scanlon pointed out the Almond St and proposed connection will not align as Almond St has been misplaced. Horowitz confirmed this is a good comment, could add findings there should be some general alignment with Almond St. Commission and staff discussed alignment. Yeager said thinks would be compliant by aligning the center lines of the road. Horowitz stated under this standard we summarize the traffic study and its conclusions and talk about what's going on with Sherwood Forest Plat and how Parcel A was created and Appendix D of the fire code. Horowitz stated whatever comments they would want to add relative to your deliberation about how the proposed compromise will still achieve the rest of this standard about integration of proposed streets and safe and efficient access. Engelhardt asked the 36ft easement has been shifted and if there's enough room to dig the waterline. Yeager confirmed should be fine. [7:06:29 PM](#) Ed Lawson asked if applicant is allowed to participate in the deliberation process. Chair Fugate stated at times they will ask if the applicant is willing to do something. Chair Fugate asked if Lawson wanted to say something now. Lawson pointed out this particular standard only deals with the situation of where access is needed. Chair Fugate responded reading that more than one access may be required based on the potential for impairment of a single access. Lawson suggested Commission to make a determination of if the access is needed than make a determination what it is needed for, than determine if what it was proposed meets those needs. Lawson stated in doing that the comp plan does not have any bearing on the discussion, it is just a guide. Not something that can be relied upon as a basis for permitting or denying this application. Engelhardt disagreed, believes has to include it in his consideration. [7:08:08 PM](#) Simms discourages Commission and Lawson from having any detailed legal argument. Simms disagrees with Lawson's finer point, stating to all that the satisfaction of our comprehensive plan is one of the findings that they might make in their findings that they might make in their recommendations. It is not a sole criteria for approval for any application. [7:08:36 PM](#) Chair Fugate stated to continue on with the standards. First item discussed was is A) alignment of road. Chair Fugate asked if Horowitz came up with some specific working.

Horowitz confirmed but needs to hear from each commissioner that the proposal is allowing for proper alignment, safe and efficient access, and integration of proposed streets within the existing pattern. Scanlon stated the sentence says that shall be aligned in such a manner as to provide through safe and efficient access. Scanlon discussed this, referencing Yeager's comment that it is a solvable solution. 7:09:40 PM Pogue stated this would not be just emergency, it will ultimately be used by other people. Pogue believes just aligning it with center line is fine. Chair Fugate agrees. Horowitz read Standard B, Cul De Sac and dead in street. Chair Fugate thinks this is not applicable at this time. Horowitz stated reason for question mark, if the connectivity is proposed there is no dead end street. Horowitz read Standard C. Chair Fugate confirmed making a connection but states can say a 60ft right of way is not required as traffic study shows it will no cause congestion. Scanlon discussed flooding, fires and other natural catastrophes that are a typical, who knows what is going to happen in the future. Scanlon stated always felt an extra escape route is the main reason to go through this exercise. Chair Fugate agreed. Horowitz explained standards D-J, asking if commissioners have any comments on any of these. Chair Fugate brought up standard F. Engelhardt asked if would be wise to keep a 60ft access, and in spirit of compromise just go with a single lane. Horowitz stated it would change the plat lay out. Commissioners discussed this referencing if have 36ft easement with a road in the middle of you have accommodated it. Chair Fugate went on to drainage patterns, and confirmed with Horowitz that has been provided for in one of the conditions. Chair Fugate moved on to signage, asking since it is a private street would it be Almond since it will ultimately be connected. AS private streets have to have a blue sign and be connected to a street that already has a name. Horowitz stated would need to work out the details, as not clear if it is a private street. Horowitz confirmed with applicant. Flade stated if requires a name could use S Almond. Horowitz stated in terms of item K, we will clarify that the proposal is called an access partial access but not be dedicated to the city. Chair Fugate clarified it could not be dedicated to the City unless it is 60ft right of way. Simms stated not necessarily correct as it could become an alley under our code, which could be a public way publicly maintained with minimum dimension of 26ft. Chair Fugate stated not sure if approached that. Horowitz stated there are a whole set of standards on the alley can go through. Horowitz explained our subdivision code really anticipates alleys mainly in commercial subdivisions so it is a little convoluted. Horowitz said this is sort of falling between a private street and an alley. Engelhardt said it confuses him that the south side have a dedicated street that hasn't been built and north side would be a private street. Simms confirmed all are recognizing the complication. Chair Fugate asked how it is being addressed in the findings. Horowitz stated if goes with the compromise at this time it is not a private street it is a parcel a for dedication purposes that will meet the fire code. Chair Fugate clarified it would be maintained by the HOA. Horowitz explained next standards deal with private streets, driveways will deal with each individual lots. Engelhardt asked about cut and fill issues. Yeager stated believes ok, thinks the far eastern lot may need some. Engelhardt confirmed Yeager is satisfied. Horowitz said down to sidewalks and drainage improvements. Chair Fugate stated believes sidewalk in lieu fee was addressed in one of the first meetings and was agreed to be appropriate. Simms confirmed that is his recollection. Chair Fugate asked if all still in agreement, all confirmed. Horowitz discussed alley and easements, providing alleys in Cutters as an example. Horowitz said would clarify easement comments. In Standard B1, will be talking about how this proposal by applicant does meet emergency access. Horowitz stated will correct typ of 35ft to 36ft.

Horowitz stated standards regarding Big Wood River are not applicable as it is not near the river. Chair Fugate confirmed that the snow storage has been noted to be maintained and dealt with by the Home Owners Association. Horowitz confirmed will modify B3 to reflect fact that since not having 10ft on either side of 20ft the snow storage in Parcel C will be maintained by HOA. Chair Fugate confirmed blocks were met. Horowitz confirmed lots were straight forward. Chair Fugate noted that the developer has done a 28ft maximum height that was another compromise on their part. Chair Fugate confirmed no double frontage lots. Chair Fugate stated non unbuildable lots shall be platted. Horowitz confirmed they are called out as parcels not lots. Horowitz said in conditions of approval will call out no storage and the wild life fencing. Chair Fugate stated developer stated those sections could be purchased by person purchasing the lot, would this section still be under the requirement as it is still laid out here. Horowitz said she believes it meets it. Chair Fugate confirmed they would still know could not store their stuff there. Horowitz said under Standard D, Lot 1, and does not believe it is a flag lot. Lot 14 would be a flag lot, so one standard for one flag lot for the subdivision. Horowitz stated down to orderly development, number C mitigation of negative effects. Horowitz said this where they could revise these comments to reflect commissions deliberations over the last hour and any other comments they would make now. Chair Fugate read C1 through C7 confirming have all been addressed or provided for. Horowitz said number D is about contiguous parcels. Horowitz confirmed no wall, gates or berms. Chair Fugate asked about grading, Horowitz confirmed directional grading has been shown and final drainage plan part of the construction drawings for the plat. Horowitz noted the Flood Plain Manager did review the amended plat and she found the changes non material of converting what used to be HOA open space to the unbuildable parcels. Horowitz confirmed she has made a change, Chair Fugate confirmed it would be provided to the. Horowitz said yes and is available to public once reach that agenda item. Horowitz confirmed areas not suited for development are called out as parcels not buildable, no comments from staff on the cuts and fills standards. Horowitz said now at the overlay district. Horowitz said now on page 23, Parks Pathways and Other Green Spaces. Scanlon asked if there are specific items that felt were not in compliance that have been rectified in the discussion or deliberation tonight. Horowitz stated staff did feel that the original compliance was not in compliance and reasons why. Horowitz said they feel it has been remedied with the change of open space. Scanlon confirmed all items have been addressed, Chair Fugate stated it is a great improvement and more benefit to the city. Horowitz stated in terms of A1 regarding acreage, would redo the calculations but does exceed required amount. Scanlon asked if saw something of part of the park in the flood plain and its problematic. Horowitz stated would modify that reflected that the steward should find the land trust of the parcel and the access be maintained as a suitable way to manage flood plain property, would change that under A1a. Simms added new proposed apple orchard is not in the flood plain. Chair Fugate summarized that the location, availability, visibility are all benefits. Horowitz stated on to improvements required. Horowitz summarized what applicant is planning to do and this is where the city staff would make their commitment to the portion in Sherwood Forest. Horowitz stated no street lights proposed nor recommended by staff, sidewalks recommended to be paid in lieu. As mentioned by developer under A about street cuts, developer and staff team are hopeful Chestnut Street will fall under for 25% for cuts but not fully known at this time. Scanlon asked about closeness of sewer lines. Yeager clarified question, Scanlon stated wandering if they could angle so two sewer lines go into one cut of the road. Yeager

stated typically the city standard is the sewer service would go to the middle of the lot and explained requirements if do an angle lot. Scanlon summarized not saving any material, Yeager confirmed. Horowitz stated down to 16.050.030 Sewer Connections. Horowitz confirmed sewer main on Chestnut Street, no comments from waste water and believes same true for water. Project not in Townsite Overlay, drainage has been discussed, utilities will be underground, park space – Horowitz stated would clarify some kind of passive amenities would be proposed such as a table. Scanlon questioned if all infrastructure would go in at once even though two homes built per year, Flade confirmed. Chair Fugate stated would say picnic tables and perhaps trash cans for park amenities. Horowitz stated last items are standard things that happen with inspection and acceptance. These are not townhouses do not need to review those standards. Horowitz pointed out conditions of approval. Horowitz stated based off discussion tonight would delete H, Scanlon suggested to change to working. Simms suggested condition be as proposed on plat note that has been put forward. Simms also suggested that if turns into a private way, should have maintenance agreement. Horowitz stated it could as “The maintenance agreement acceptable to the city shall be developed for the maintenance of Parcel C, access parcel.” Chair Fugate asked if needed to add something about fire code requirements, drivable surface. Simms stated believes achieved it with findings of other criteria. Horowitz stated staff suggest condition K be modified, since already reconfigured the plat can delete the first sentence and could say plat note #8 shall be modified stating 11A, 12A,13A and 14A are non-buildable parcels with no storage. Horowitz said could add something about wild life fencing here if commission wanted too. Horowitz stated on condition L, the little park has been shown, and would just say that the pocket park adjacent to lot 14 may be dedicated to the city subject to the approval of the configuration and design. [7:40:48 PM](#) Amy Trujillo, Wood River Land Trust, asked to have condition M modified by changing the language. Horowitz stated lot line amendments do not constitute as subdivisions, but if need to add something that clarifies that there could be additional building that is keeping with the intent of the parcel as part of the management of the preserve. Scanlon questioned condition P, asked if should put a minimum distance how far the garage door is setback. Horowitz agreed to clarify but does not recall the distance decided. Staff, Commission and applicant potential setback distance and decided on minimum of two feet to the front wall plane. Lawson, Trujillo, Staff and Commission discussed condition M wording. Horowitz stated would put in parenthesis (City, Wood River Land Trust, and HOA) under M. Trujillo asked if Land Trust would be owning the parcel and still need to consult with the HOA. Horowitz stated not sure if need last sentence anymore. Flade stated reality is as long as wild life fence is kept there will still be a stipulation for the wild life fence. Horowitz asked if all are good with deleting sentence entirely. Scanlon asked if know if someone would buy the parcel and fence in entirely. Discussion of fence ensued, all agreed its still technically part of the HOA and the plats would be addressed in their CC&Rs.

[7:55:44 PM](#) Scanlon motioned to approve the Preliminary Plat Application for Carbonate View Subdivision by Galena Engineering on behalf of W Squared, LLC located at West Chestnut Street, address TBD, Hailey (Tax Lot 8364 S. 9 & 16, T2N, R18E, Hailey Townsite), finding that the Application meets all City Standards, and that Conditions (a) through (r) as amended are met. Pogue seconded. Engelhardt opposed. Pogue, Fugate and Scanlon in Favor.

PH 2 **7:57:31 PM** Consideration of a Flood Hazard Development Permit Application pursuant to Title 17, Section 17.04J, for Carbonate View Subdivision represented by Galena Engineering on behalf of W Squared, LLC located at West Chestnut Street, address TBD, Hailey (Tax Lot 8364 S. 9 & 16, T2N, R18E, Hailey Townsite. Portions of this property are located in the Flood Hazard Overlay District. ACTION ITEM

7:58:04 PM Horowitz introduced project, discussed amendments from report in packet. Horowitz stated amendment had to do with area behind lots 11-14, and now considered non-buildable parcels. Horowitz stated Rebecca Bundy found this to be a non-material change. Chair Fugate pointed out typo, of 38 when it should read 36. Horowitz confirmed will be corrected. Chair Fugate confirmed has been adjusted according the plat adjustments.

8:01:08 PM Chair Fugate opened to public hearing.

No Public Comment.

8:01:23 PM Chair Fugate closed public hearing.

8:01:42 PM Commissioners discussed project. Horowitz read the one condition. Chair Fugate asked why not called condition a)? Horowitz confirmed will change condition from 1) to a). Staff and Commissioners discussed condition a. Scanlon asked if condition is specific to commercial properties, Horowitz stated it's specific to any property in the flood plain. Pogue clarified only thing he can build there is a wild life fence. Horowitz stated that is a separate issue, this condition is stating anything being built in the flood plain needs a permit.

8:04:03 PM Pogue moved to approve the Flood Hazard Development Permit Application for Carbonate View Subdivision by Galena Engineering on behalf of W Squared, LLC located at West Chestnut Street, address TBD, Hailey (Tax Lot 8364 S. 9 & 16, T2N, R18E, Hailey Townsite), finding that the Application meets all City Standards (Title 17, Section 17.04J), and that Condition (a) is met. Engelhardt seconded. All in favor.

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.

SR 2 Discussion of the next Planning and Zoning meeting: **Monday, October 15, 2018.**

Horowitz discussed upcoming projects, in order of CUP for Four Paws, Thomas Hangar and Appeal of Mens Sober House. Staff and Commissioners discussed appeal process.

8:10:41 PM Scanlon motioned to adjourn. Engelhardt seconded. All in Favor.