

**MINUTES OF THE HAILEY
PLANNING AND ZONING COMMISSION
Monday, May 19, 2008**

The meeting was called to order at 6:30 p.m. by Commission Chair Stefanie Marvel. Commissioners present were Owen Scanlon, Mark Spears, Mike Pogue, and Geoff Moore. Staff present was Planning Director Beth Robrahn, Planner Mariel Platt, and Administrative Assistant Becky Mead.

Consent Agenda

Approval of Findings of Fact - there are no findings to approve

Approval of Minutes

April 21, 2008

Commissioner Moore pointed out two corrections. On page 4, 6th paragraph, last sentence to change irritated to reiterate. On page 5, at the bottom of the page, the motion is missing the Commissioner's name. The name should be Commissioner Pogue.

Public Hearings

Pioneer Federal Credit Union Design Review of a Drive-thru Teller

An application by Pioneer Federal Credit Union for design review approval of drive-thru Teller and ATM, located on Block 1, Lots 1 & 2, 841 Business Park Subdivision, located at 841 Main Street North. The parcel is within the Business (B) zone district.

Larry Knopp, 355 3rd St Boise, applicant representative, stated the existing building was completed in January 2008. The applicant has an option to put a drive thru teller on the lot adjacent to the existing building. They have drawn up a two lane facility and they will leave the ATM where it is now out at the entry. There will be additional parking off of Granite Lane. Knopp mentioned he originally had two entry lanes, but has since narrowed it down to a one lane entry, which turns into two drive-thru lanes and exits back onto Granite Lane with two exit lanes. They are proposing a landscaped area around the existing enclosed trash area. He stated he received a letter from Clear Creek Disposal approving the location of the enclosure. He addressed landscaping modifications requested by staff. He stated a new snow storage area and a new sidewalk for pedestrian access, connecting to Lot 3 and the existing bank is provided. The new drive-thru facility will match the materials of the existing bank building. He stated there is a service door on the west side of the bank building and snow protection will be provided there.

Knopp asked for clarification on Item (e) under Suggested Conditions of the staff report, which states, "The underside of the structure shall be displayed." Planner Platt stated that Item (e) is a standard and referred to page 8, guideline 7 of the Staff Report, in the last sentence in bold. She stated that she and the Director had some confusion regarding this standard and suggested this standard could be clarified when revising standards. Director Robrahn clarified the standard reads as should not shall and said Item (e) probably didn't need to be listed as a condition of approval. Commissioner Marvel asked Knopp if they were planning to have an enclosed roof structure. Knopp replied yes under the soffit to protect the lockable access door for security purposes.

Planner Platt verified that the applicant did receive an approval letter from Clear Creek Disposal. She mentioned there was also an issue listed in the staff report regarding the snow storage area at northeast corner of the lot. She said Chief Chapman mentioned the location of that snow storage area may block the line of sight for those exiting the drive-thru. She stated relocation of that snow storage area is listed as a condition of approval. Knopp said that they recalculated their snow storage and submitted a letter to Planner Platt. He mentioned Planner Platt said if they met the snow storage requirements then they could eliminate the area in question. Planner Platt stated the letter that she received didn't state which snow storage areas were included in their snow storage calculations. She asked the applicant to explain which snow storage areas were included in their calculations. Knopp said the snow storage area in the southwest corner and off the roof line area are included in the calculations, not the area in question. Planner Platt said based on that information they would meet their snow storage requirement.

Commissioner Spears confirmed that they have a single curb cut coming in and a double going out and asked if snow storage would obstruct one of those lanes in the winter. Knopp stated they have one egress lane coming in, merging into two lanes for the drive-thru. He said he has spoken to the Credit Union and to the developer and if they have problems with snow on Granite Lane they will plan to haul the snow off-site.

Commissioner Spears asked if the applicant considered a single curb cut for exiting.

Commissioner Spears asked Knopp if he addressed the tree issues with staff.

Commissioner Pogue mentioned the staff report proposed drought tolerant landscape plantings but this has not been listed as a condition of approval. He asked if the applicant had any objections to the proposed species and plantings. Knopp stated no and mentioned they will be using the same vegetation that is currently planted for the bank.

Commissioner Scanlon referred to the proposed snow storage on the northeast corner of Lot 3. Knopp stated that is future snow storage for Lot 3 and is not part of the current snow storage.

Commissioner Scanlon had concerns about the compact parking space proposed and said he would prefer to see that area used for landscaping.

Commissioner Marvel stated having more drive-thru space and cars idling didn't seem like a good goal for the city. She asked if one drive-thru lane would be sufficient. The bank manager stated they presently have 3,000 members and they are pretty busy. It would be hard to say. Knopp stated people could be served faster with two lanes rather than one.

Public Comment Opened

Brian Bothwell, Bothwell Construction stated he built the existing bank building and suggested it would be easier to designate the entrance and exit with a wider entrance. In terms of the compact parking spot he didn't think that landscaping in that place would be a good idea due to snow plowing. He suggested motorcycle parking or a bike rack in that area.

Public Comment Closed

Commissioner Scanlon suggested putting a bike rack in the area designated for compact parking and deleting condition (e). Commissioner Scanlon continued saying condition (i) was addressed with the approval letter from Clear Creek Disposal.

Commissioner Marvel asked Commissioner Scanlon what he thought about the double curb cut. Commissioner Scanlon replied that he would rather see two lanes, then one. Director Robrahn said one of the main issues with curb cuts is that they disrupt the sidewalk for the pedestrian. She said the sidewalk is dedicated to pedestrian circulation and the curb cut is for vehicles to cross the sidewalk and in general, a drive-thru is problematic. She referenced page 5, item 4 of the staff report, which states conflicts between different circulation needs and uses should be minimized. She said by minimizing curb cuts this standard would be met.

Commissioner Marvel asked the Commission what they thought about the compact parking space. Commissioner Scanlon suggested diagonal striping as a condition of approval in the compact parking area.

There was further discussion about curb cuts and sidewalks.

Commissioner Scanlon moved to approve the design review application for the addition of a drive-thru teller to be attached to the existing Pioneer Federal Credit Union building, located on Block 1, Lots 1 & 2, 841 Business Park Subdivision, located at 841 Main Street North, finding that the project is in conformance with the Comprehensive Plan; the project does not jeopardize the health, safety, or welfare of the general public; and the project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Ordinance, and City Standards; with conditions (a) through (d); condition (e) to be changed to read delete snow storage and compact space and stripe for bicycle parking that meet the required standards, conditions (f) through (h), and condition (i) shall be changed to read a 12 foot single entrance, centered in curb cut, eliminate center parking space and add 2 feet to adjacent parking spots, and conditions (j) through (n).

Commissioner Moore seconded, the motion passed unanimously.

B.C. Application for Text Amendment to the Hailey Zoning Ordinance No. 532, Article 8A, Wireless Facilities

An application by Blaine County for a text amendment to the Hailey Zoning Ordinance No. 532, Article 8A, Wireless Facilities. The amendments would establish standards for a public safety radio communication infrastructure.

Director Robrahn stated the main purpose for this text amendment was to enable a radio tower that is required for the Public Safety Communications System to move to a 700 MHz trunk system. The County has done engineering studies to assess the systems' needs. The engineer study found a 120 ft. lattice structure to be optimal for the system. They have revised the design to a 75 ft. tower, which was the maximum height FAA would allow an unlighted tower. The amendments to Zoning Ordinance, Article 8A Wireless Facilities that have been drafted defines and creates very specific requirements for public safety communication systems.

Deborah Vignes of Pioneer Land Use Consulting, applicant representative, stated she was asked by Blaine County to assist them in obtaining the necessary permits to construct a public safety radio tower to be located at the new public safety facility which is under construction in the Airport West Subdivision. Vignes stated the public safety radio tower is an integral part of the communications center that will be located in the new public safety facility. The changes they are proposing are designed to address the needs of public safety two way radio communications which differs from cellular communication. She stated the public safety radio tower has been designed to serve both the current needs of Blaine County which is the UHF and VHF two way radio systems as well as migration to a 700MHz in the future. This radio tower will serve all public safety agencies within Blaine County and some public safety facilities will be able to migrate to a 700MHz sooner than others.

Vignes referred to the line drawing done by Idaho Tower Continuity of what the antenna layout will look like. She mentioned to the Commission that the height of the tower was not driven by the microwave dish which is part of the 700MHz system. She said the height of the tower is driven by a number of factors including the number of antennas placed on the tower which would be based upon the number of public safety facilities that would be served by the tower. There is a vertical separation that is required between the antennas to maintain radio frequency.

Vignes introduced **Bob Greenlaw**, 750 River St. South, Hailey, Director of Blaine County Emergency Communications, **Captain Ed Fuller**, 112 South 3rd St., Bellevue, Blaine County Sheriff's Office and **Chuck Robertson**, 164 North Turtle Dove Way, Nampa, Radio Frequency Engineer.

Vignes stated that this application is a matter of public health, safety and welfare and the provision of adequate public safety communications is in accordance with the Comprehensive Plan. She said what they have submitted are some very minor revisions to the amendments received by the Commission.

Vignes referred to the definition of Licensed Carrier. They would like to modify this definition and she mentioned that this definition was not inserted in to the ordinance that was presented to the Commission at this meeting. Vignes stated Licensed Carrier currently reads, "A company authorized by the FCC to construct and operate a wireless service. In addition, any carrier operating under the Federal Communications Commission Regulations, Part 15 (Unlicensed Carriers) is, for purposes of this Article, a "licensed carrier." A licensed carrier must be either the applicant or the co-applicant for every PWSF or WCF application." They are proposing a modification for the definition of Licensed Carrier to read: "A company authorized by the FCC to construct and operate a wireless service or government agency operating a public safety communication center. She also mentioned this line added here needs to be brought in to conformance with the definition of Applicant.

Greenlaw stated he was hired last June to (1) to consolidate all the emergency communications in to a single agency and operate out of a single place; (2) build and equip the new consolidated communications facility which will be located in the new Blaine County Jail currently under construction on Airport Way; and (3) to bring in to compliance with national standards, commonly called accreditation. On December 15, 2007 all the emergency communications were consolidated. He stated the Ketchum office closed and the entire staff is currently working out of the Sheriff's office in Hailey. Greenlaw stated he reports to the County's Administrator, not the Sheriff. He stated the Sheriff is the landlord of the facility and Captain Fuller is the construction manager for the landlord.

Greenlaw stated they need a 75 foot, unlighted tower on the property of the new Blaine County Jail. Greenlaw stated the monopole tower and antenna support structure cannot exceed 75' in height, which is the maximum height the FAA will allow.

Commissioner Moore asked about the location of repeaters. Greenlaw stated they would have a repeater on Picabo which would connect to the lower part of the state through Sercom which is the communications center in Lincoln County; the other repeater will go up on Bald Mountain which connects to the state microwave link. So the connections will be from the Sheriff's office, to Picabo, to Baldy. A repeater on Dollar Mountain may also be installed.

Greenlaw stated it remains to be seen on how the 700MHz will integrate with all the various agencies.

Commissioner Moore asked Greenlaw if they had thought about sharing the tower that exists near the Sun Valley Transfer and Storage. Greenlaw stated there are two issues with using the existing tower; space and security. He said the public safety communication tower needs to be in a place where it is well secured with video security. He stated he would be concerned if someone got to the tower.

Commissioner Scanlon asked if the tower was a free standing tower and where on the lot the tower would be located. Commissioner Scanlon referred to page 2 of the ordinance, Section 6. Item d. Freestanding Tower; distances and setbacks are given. He stated if the tower is 75' tall then it would have to be 75' from the property line. Greenlaw stated if it ever did come down, which it is not suppose to do, it has to hit the generator or the wall, which would break it and prevent it from reaching the property line. Commissioner Scanlon referred to the last part of that paragraph which was stricken through, talking about no buildings are permitted in the fall zone. Greenlaw thought it was a concern for ice or a piece of the tower coming down. Commissioner Scanlon asked staff if this was being stricken just for this tower or would this be stricken permanently from the ordinance. He mentioned if someone else wanted to put up a tower they could build a building next to it if they wanted to. He asked Director Robrahn if she thought it was logical to take that portion out for everyone, not just because this particular case didn't meet the qualifications. Director Robrahn stated the proposed amendments to the ordinance would apply to all properties. Set back requirements from buildings are proposed to be stricken; set back requirements from the property line would still be required. The tower still has to be constructed to withstand engineering requirements. If an applicant wants to build a tower and take the risk of putting a building next to it, that would be up to the property owner. Set back requirements from the property line are meant to protect buildings on other properties.

Commissioner Scanlon asked Robertson if he would talk about the radio tower study. He said he did not see any document in his packet that was called the radio tower study. He asked Robertson to explain the study. Director Robrahn stated she did not provide full copies of that study. The staff report included a summary of the report's findings and recommendations.

Robertson, 903 Caldwell Blvd, Nampa said it was a study that he completed earlier in the year. He stated that the total number of antennas has been greatly reduced in the design due to use of radio system combiners. He referenced to the Blaine County Emergency Radio Communications Tower study from 180 Connect Network Services dated January 2008.

Commissioner Scanlon asked Vignes about the amendments that she made to the ordinance, on page 3, b. Landscaping or Screening Standards, Item 3, *No PWSF or WCF shall be at a height greater than ten*

(10) feet above the average height of the existing, mature trees located on site or within the landscape screening buffer and deleting “described above”. He asked why she thought that needed to be deleted. Vignes stated this was language that Director Robrahn put together and does differ from what they presented to the City. She said that she supports the amendments recommended by staff. She suggested that Commissioner Scanlon look at number 4, *where mature trees or landscaping does not exist, the appropriateness of sitting support structures and equipment enclosures shall be determined by considering the context of the surrounding topography, buildings or other vertical structures*. She stated they are going to do a landscape buffer around the public parking lot, which was called out in the design review.

Commissioner Pogue asked for a description of what Greenlaw meant by the need for the tower to be in a defensible space. Greenlaw stated in order to meet national accreditation standards the tower would have to be located in a defensible space; he gave an example of the tower on Della as an unsecured area which is not defensible.

Commissioner Pogue suggested taking in account public safety and if this site is a very visible site as people drive in to town. He thought that an ordinance like this needed to be passed to allow the technology to go in, however he was hesitant with this draft because it seemed like the language was predetermining where the tower will be. He said they are stating the tower will be at the site of a public safety communications center. He stated he was not saying that was not the right spot; he said he was hesitated to make that decision right now without a full evaluation of potential sites. He thought there could be different scenarios where there could be a defensible space. He suggested amending the ordinance by taking away this requirement that the tower be located at the public communications center. He referred to Section 5, Item (e) *Public Safety Communication Equipment located on the same property as a Public Safety Communication Center the height of the support structure may be allowed a maximum of seventy-five (75) feet AGL*. He suggested leaving out Public Safety Communication Center. Commissioner Pogue was also concerned about changing the language in the way he just suggested private parties would come in offering public safety cell services or radio transmission. He suggested one way to discourage that would be to insert the phrase public radio transmitters or something to that effect in the definition of Public Safety Communication Equipment. Greenlaw was also concerned about opening up the gates for people putting up towers all over the place and he said they were being very conservative to avoid just anyone wanting to put up a tower. Greenlaw stated the public safety communication tower will have 6 combiners to limit the number of antennas on the tower. Commissioner Marvel referred to Commissioner Pogue’s comment and suggested leaving the specific language, because another location would be in Hailey, and this tower would stand out wherever it was.

Commissioner Marvel asked whether this tower would make it possible for all the public safety facilities to communicate with each other and asked what would be the backup facility. Greenlaw stated the 700 MHz is a starting point and will replace every portable radio that is in every police car and fire truck. He stated the present Sheriff’s station would be used as the backup facility

Public Comment Opened

Jeff Gunter, Police Chief, City of Hailey said this service is his life safety and the county’s life safety and urges the Commission to pass this application.

Public Comment Closed

Commissioner Scanlon asked what would happen if the tower was not permitted. Greenlaw stated they would be operating out of the current building and mentioned that millions of dollars would be spent to construct a facility that would not be used.

Robertson stated the operation will be adequate with a 75 foot structure. The lower the tower the harder it will be for the signal to reach some sites. The higher the tower the better the communication quality will be. Robertson stated the tower needs to be in close proximity to the radio equipment.

Vignes responded to the comment of location and stated it was a preferred location in the light industrial district and the ordinance favors location of this type of facility in light industrial areas. The Verizon tower is much more visible than this proposed radio tower would be. The distance of the Verizon tower is much closer to the residential areas and the highway.

Commissioner Moore moved to recommend to the Council that the proposed amendments to the Zoning Ordinance, Article 8A, Wireless Facilities as proposed be approved, finding that the four standards of evaluation have been met; essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services; finding that the proposed amendment is in accordance with the Comprehensive Plan; finding the proposed uses are compatible with the surrounding area; and the proposed amendment will promote the health, safety and general welfare of the public.

Commissioner Scanlon seconded; the motion passed unanimously.

Commission Reports

Commissioner Pogue will be absent on June 2, 2008.

Staff Reports

Director Robrahn said Tom Helen and Ned Williamson will give presentations on June 2. On June 16, 2008 Mike Chapman will give a presentation. She asked if the Commission would like a site visit at Quigley on the 25th of June.

Commissioner Marvel said a site visit would be useful.

Director Robrahn introduced Eric Grootveld from Iowa State University who is doing his internship within the Planning Department through the middle of August.

Adjourn

Commissioner Spears moved to adjourn the meeting at 9:05 p.m.

Commissioner Pogue seconded, the motion passed unanimously.