

**MINUTES OF THE REGULAR MEETING
OF THE HAILEY PLANNING AND ZONING COMMISSION
HELD MONDAY, MARCH 21, 2005
IN THE UPSTAIRS MEETING ROOM WITHIN HAILEY CITY HALL**

The regular meeting of the Hailey Planning and Zoning Commission was called to order at 6:30 p.m. by Commission Chair Kristin Anderson. Commissioners Trent Jones, Elizabeth Zellers and Nancy Linscott were present. Commissioner Stefanie Marvel was excused. Staff present included Planning Director Kathy Grotto, City Attorney Ned Williamson, and Deputy Clerk Tara Hyde.

PUBLIC HEARINGS

HAILEY BUSINESS PARK SOUTH

An application by Dave and Mark Dawson for design review of new buildings, to be known as Hailey Business Park South, located at 25 Broadford Road (Tax Lots 1807 and 6942), in the Technological Industry district. **(continued from 2/22/05)**

Fritz Hammerle, representative for the applicant, shared the history of the project with regards to access through Airport West. The Commission had requested the applicant try to procure access to the project through Airport West, to alleviate access onto Broadford Road. Hammerle advised that the Airport West Owner's Association denied main access through their property.

Grotto advised that the application had been opened at the December 20, 2004, Commission meeting. The application was continued to January 18, 2005, where the applicant introduced Dick Meyer, the new architect for the project. The Commission requested exploration of alternate access to the property and the meeting was continued to February 22, 2005. The applicant then requested postponement to March 21 to allow the owners of Airport West properties to meet for a decision on access. Grotto said that Airport West would allow the emergency access only through Airport West to the applicant's property.

Williamson advised that if the Commission approved the application a lot line adjustment or condominium plat would be needed. He suggested attaching a plat note that only the owners, tenants, guests and invitees of the property would be allowed access via Broadford Road, to alleviate any of the Airport West businesses accessing onto Broadford through the subject property, and that it is enforceable by the City of Hailey.

Hammerle indicated agreement with conditions listed in the easement agreement. He said a physical barrier would be placed between the Airport West property and this project, to be breached only in the case of emergency. Jones asked when the physical barrier would be installed. Hammerle clarified there would be a physical barrier installed during construction, and upon completion plans call for a chain barrier.

Anderson opened the public hearing.

Robert Lowe, 1111 Broadford Road, expressed concern about the 75 or so vehicles from Hailey Nursery that have crossed the property and accessed Broadford Road in the last ten days.

Gigi Lowe, 1111 Broadford Road, added that access to Broadford Road was against the original plan. She stated many notes related to Broadford Road access have not been carried forward. She stated the former owner of the property, Bob McCroskey, had advised them that if the property sold there would be no access to Broadford Road. Anderson asked if the Lowe's had any of the information in writing. Lowe indicated nothing was in writing.

Anderson closed the public hearing.

Jones did not want to see an increased use of the intersection at Broadford Road and Cedar/Main Street, stating safety concerns. He stated his respect of the applicant's right to use the property, and that the use presented was consistent with the underlying zoning. He appreciated the applicant's diligence in trying to work with Airport West, and expressed disappointment with the choices made by Airport West, believing those choices to be short sighted.

Grotto advised of two other residential properties located on Broadford Road and adjacent to Airport West that have easement access through Airport West for when those properties become commercial.

Jones believed a temporary physical barrier should be constructed immediately, with a permanent barrier required to be in place subsequent to the applicant obtaining a Certificate of Occupancy. Linscott was in agreement with Jones about the access issue. Grotto suggested a barrier could be installed immediately upon approval of this application to prevent use of vehicles short cutting through the property, with Hammerle in agreement. Grotto suggested adding the verbiage as a condition. She further suggested the plat note also restrict access to users as discussed above.

Hammerle mentioned the emergency use could go both ways. Anderson believed the conditions should address that the access always be chained off, with the barrier subject to approval by the Fire Chief. There was discussion of recourse if the chain was removed.

Jones moved to approve the application, finding it in conformance with the Comprehensive Plan, that it does not affect the health, safety and welfare of the citizens, and that it conforms to the Design Review Guidelines specified in the staff report with the following conditions:

- a) **All Fire Department and Building Department requirements shall be met. Items to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and**

improvements:

- **Any rails, gates, etc. at the emergency access entrance as approved by the Fire Department**
 - **Fire sprinkler systems if necessary to meet all department requirements**
 - **Fire hydrants meeting distance requirements**
 - **Accessibility to buildings, unobstructed by snow storage, landscaping or structures**
 - **ADA parking as required**
 - **Building permit plans must be designed under the 2003 International Building Code.**
- b) **All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:**
- **Pathway adjacent to the Broadford Road right-of-way, connecting with Parcel A within Airport West**
 - **Water and sewer lines to City standards, including looped water line**
 - **Floor drains and oil/water separators in all vehicle bays**
 - **Water meters for individual units shall be installed unless an owners' association is responsible for the water billing**
 - **A pre-construction meeting shall be held prior to commencing work on the project.**
- c) **Any existing private well(s) and/or septic system(s) on the property shall be properly abandoned prior to issuance of a building permit.**
- d) **All provisions of the Zoning Ordinance #532, including but not limited to use regulations and parking requirements shall continue to be met. All uses within the project shall comply with parking requirements in effect at the time of the use.**
- e) **Lot Line Adjustment or Condominium Subdivision application is required prior to issuance of a building permit. The plat shall show the 30-foot landscape easement adjacent to Broadford Highlands, and snow storage easements. The plat shall include a note that states, "All uses within the project shall comply with parking requirements in effect at the time of the use." The plat shall be approved and recorded prior to issuance of any Certificate of Occupancy.**
- f) **Snow storage shall be provided on site by designating 7 parking spaces as snow storage when needed. The total permanent number of parking spaces for the project shall be 39 spaces.**
- g) **Two evergreen trees at least 14 feet in height shall be planted in the area between the parking and Broadford Road, to replace the two existing mature spruce trees to be removed for the parking access lane.**

- h) **A plan for protecting during construction the existing spruce trees which are to remain in the 30-foot landscape easement shall be provided and approved by the Administrator prior to issuance of a building permit.**
- i) **All landscaping on the site shall be maintained on an ongoing basis.**
- j) **All exterior lighting shall comply with the Outdoor Lighting Ordinance.**
- k) **Any damage to asphalt or other improvements on adjacent property or rights-of-way shall be repaired at the applicant's sole cost.**
- l) **No exterior storage is allowed on the site.**
- m) **All utilities shall be underground.**
- n) **A signed easement for perpetual emergency access as presented shall be obtained from Airport West lot owners and/or representatives prior to issuance of a building permit.**
- o) **The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.**
- p) **Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided, before a Certificate of Occupancy can be issued.**
- q) **The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.**
- r) **The Condominium or Lot Line Adjustment plat shall include a plat note stating there is no through access across the property between Airport West and Broadford Road except for emergency access and advising that the City has the right to enforce the limitation of use.**
- s) **A continuous physical barrier shall be erected upon acceptance or approval of the application, limiting use as approved by the Fire Chief.**

Linscott seconded and the motion carried unanimously.

BLAINE COUNTY SCHOOL DISTRICT--6 MONTH REVIEW OF BUS FACILITY CONDITIONAL USE PERMIT

A 6-month review of Blaine County School District's (BCSD) Conditional Use Permit (CUP) for the school bus parking and maintenance facility at the Wood River High School Campus.

John Gaeddert, representative for the applicant, stated general agreement with the staff report.

Grotto noted the procedural history and conditions placed on the original CUP. She advised that BCSD was requesting a modification to the condition that the doors of the maintenance facility shall be closed while buses are not being moved in or out. The

applicant would like to leave the doors open during the summer months, to allow for air circulation. Grotto advised that neighbors noted lights have been left on all night. She said those lights should be put on a timer to go off at 10:00 p.m.

Grotto addressed previous condition "p" with regards to bio-diesel fuel. She asked the Commission if they might wish to consider whether they would be in favor of striking condition "d", prohibiting fuel storage on the site, from the previous conditions for use by school buses only, if a biodiesel tank location could be found on site that was acceptable to the Fire Chief. She advised the applicant would come for a revision hearing of the Findings of Fact if a change was approved by the Fire Chief.

Grotto addressed other concerns:

The toe of the hill trail still needs to be restored.

The gravel pathway approved by the Council brings concerns of being used by regular vehicles. She added that the northernmost practice field is currently overflow parking and the north part of the pathway will need to be used to access the overflow parking. She suggested a sign could be installed at an appropriate point along the pathway, which states, "Emergency Vehicles Only Beyond This Point."

The soil under the noise barrier has settled leaving gaps that need to be filled in for better noise buffering.

Warning signs for the speed bump and striping of the parking area between the Community Campus and the Aquatic Center are still needed.

Gaeddert addressed items that should be completed not later than June 1, 2005. He stated all lights on the bus facilities are auto set to turn off at 11:30 p.m., when the janitors leave at the end of the night. He thinks the lights may be being turned on by manual over-ride which the employees then forget to shut off again. Gaeddert addressed item #7 regarding warning signs for the speed bump in front of the Aquatic Center, stating they would probably have to stripe for warning of the speed bump because there is no location to install the signage. He advised there will possibly be additional speed bumps installed at the egress to Green Valley Drive and at the south west corner of the parking lot. He addressed item 12, stating BCSD is looking at re-orienting the direction of the flue for the boiler in the Science Wing.

Rex Squires addressed item #15, regarding update of the bio-diesel conversion. He advised bio-diesel is a mix of regular diesel and vegetable oil, the percentage of mix being important, and does not affect vehicle performance. He advised the fleet is ready for the fuel, the problem lies with finding a distribution point here in the Wood River Valley. Squires said the suppliers were ready to bring the fuel in, but no tanks are available.

Zellers asked about gas mileage with the use of bio-diesel and how the percentages of the mix might affect gas mileage. Squires indicated there was very little difference in mileage; the biggest problem related to mix is the temperature in the area. They cannot use 100% bio-diesel due to the cold temperatures.

Linscott asked what size tank might be needed. Squires indicated a minimum size of 1500-2000 gallon tank was needed. He asked Grotto if an above ground tank or a below ground tank was preferred by the Fire Chief. Grotto indicated an above ground tank was preferred. Linscott stated her concerns of underground tanks--if those tanks leak, the leak is not caught right away and damage can be done to the environment. She suggested the applicant should contact others in the valley who might be interested in using bio-diesel also.

Anderson opened the public hearing.

Robert Goff, 1180 Green Valley Drive, expressed concern over the noise coming from the old Science Wing pop-out, stating a very loud fan runs continuously. He advised the stop sign located at Green Valley Drive is missing again and needs to be resupplied.

Sheila Goff, 1180 Green Valley Drive, advised she spoke with Brico, who advised her they would put in a tank if there were enough customers to use the product. She stated the lights on all night were a problem. She advised that the roof of the bus facility hums loudly when there is wind. She hoped the overhead garage doors would not be allowed to remain open, adding that those doors face south and would only exacerbate the heat during the summer months. The Goffs provided pictures of their concerns.

Written comment received included a memo from the Parks and Lands Board addressing two areas of concern: completion of the toe of the hill trail, and the proliferation of weeds on the hillside slopes directly south and east of the parking facility. Written comment was received from Becki Keefer, 1221 Green Valley Drive, stating concerns regarding the lights being left on all night long, the lack of use of bio-diesel, traffic impacts, weeds, parking of buses in the shelter during high avalanche risk times and vehicular use of the emergency pathway to the south of the bus facility. Written comment was received from Linnea Polichetti, 650 Whitetail Drive, regarding the lights in the parking lot and enforcement of noise reduction.

Anderson closed the public hearing.

Gaeddert stated there were over a million gallons of fuel currently stored on-site at the airport. He stated that fuel on-site would not bring less vehicle trips, because the buses currently re-fuel when they are out on a run. He believed a tank in Airport West would work for their needs also. He thanked the Commission for their consideration of a tank.

Anderson asked about use of the emergency access. Gaeddert indicated additional signage could be added. Gating was also an option. There was discussion about adding a sidewalk adjacent to the south side of the CSI portion of the Community Campus, for additional safety. Anderson suggested the addition of a striped crosswalk at the Green Valley Drive access to the property. Gaeddert indicated that was in the plan, but had not been accomplished yet. The Commission also asked the applicant to consider installation of a pedestrian walkway through the landscaped area located adjacent to the sound barrier wall south of the Community Campus.

Squires gave an overview of the lights that were on timers. Grotto indicated there were 2 pole lights and lights on the south side of the maintenance facility that need to be turned off by 10:00 p.m., as was an original condition of approval of the CUP. Squires indicated he would work to re-adjust the lights and timers.

Anderson asked for clarification if a decision was expected by the Commission tonight about placement of a bio-diesel tank. Grotto indicated discussion if the Commission is willing to consider striking the condition was needed tonight. Anderson did not believe she was willing to consider placement of a tank in an avalanche zone, as the location would be dangerous for students and neighbors. Zellers and Jones agreed that location of the tank on-site was not a good idea. Linscott indicated she may be willing to consider an on-site tank, however, she was not sure she liked location of the tank on school property either. She said the largest spills typically occur during re-fueling. She suggested conditioning that BCSD should talk with other entities about use of bio-diesel fuel for their fleets. She touched base on Federal regulations associated with tanks larger than 1320 gallons.

Linscott clarified the uses behind the overhead doors. Squires indicated that annual inspections are done during the summer and each bus would be brought in for maintenance which would take 2-3 days each. Linscott asked about cooling in the maintenance building. Squires indicated cooling was achieved through use of a chiller only. Linscott asked if heat was the issue. Squires indicated it was more an issue of airflow. Jones said the applicant had not gone through a summer yet and suggested they should try one summer with the doors closed as per conditions placed.

There was discussion about condition "L" dealing with avalanche danger.

Linscott believed weed mitigation should be done now. Grotto said one of the conditions to be met by June 1, 2005, was revegetation and weed control around the facility. Grotto advised she would be following up on the condition.

There was discussion about the next review, with Grotto indicating a six-month review was not mandated and a review could be done upon receipt of a legitimate complaint by neighbor or staff, or if the Commission saw a need for a review.

Jones addressed the conditions to be completed by June 1, suggesting combining item "7" into item "6" and allowing for striping versus signage for the speed bump.

There was further discussion about the noisy fan, with a suggestion that item "12" be changed to read, "...noise reduction options for the combustion heater *and fan* shall be provided to the Administrator."

Gaeddert suggested moving item "14", addressing unauthorized vehicular use, to the items to be completed by June 1.

Williamson suggested an amendment may be needed to the existing Annexation

Agreement for changes addressing any avalanche language.

Zellers moved to allow continuance of the CUP approval for the BCSD bus facility contingent on conditions 1-16 as listed in the staff report and below:

1. The condition related to city services during avalanche danger shall be expanded to read, “The City of Hailey does not accept responsibility for or guarantee that city services, rescue efforts or emergency services will be provided during periods of avalanche danger or following an avalanche.”

The following shall be completed not later than June 1, 2005:

2. All lights on the bus facilities shall be placed on timers so as to turn off not later than 10:00 pm. A manual override may allow for lights as needed beyond that time.

3. The Toe of the Hill Trail shall be restored at a location as recommended by the Parks and Lands Board.

4. A sign shall be installed at an appropriate location along the pathway to Founders Field which states, “Emergency Vehicles Only Beyond This Point”.

5. The gaps under the noise barrier adjacent to 1180 Green Valley Drive shall be filled in with soil.

6. The parking area between the Community Campus and the Aquatic Center shall be striped, including appropriate markings for bus travel lanes, and for two handicap spaces at the Aquatic Center.

7. Warning signs for the speed hump in front of the Aquatic Center shall be installed.

8. Revegetation and weed control shall be initiated in all disturbed areas around the bus parking facility.

9. A permanent stop sign at the top of Green Valley Drive shall be installed.

10. Any broken or missing “No Parking” signs shall be replaced.

11. Screening as approved by the Administrator shall be provided for the chiller.

12. An update on noise reduction options for the combustion heater shall be provided to the Administrator.

The following shall be reviewed by the Administrator not later than October 1, 2005, and if necessary, Commission review shall be scheduled:

13. The original condition of approval (g), “The doors of the maintenance facility shall be closed while buses are not being moved in or out,” shall be revised to state, “The doors of the maintenance facility shall be closed while buses are not being moved in or out; except during summer months during activities that do not emit noise noticeable beyond the property line.”

14. If unauthorized vehicular use of the pathway continues, some type of gate may be required.

15. Next 6-month update regarding bio-diesel conversion is due.

16. Revegetation of disturbed areas around the facility shall be complete. Weed control is ongoing.

All conditions of the original Conditional Use Permit shall continue to be valid.

with the following changes:

Item "7" shall be deleted and the speed bumps shall be addressed through striping versus signage.

Item "14" shall be moved up so as to be completed by June 1, 2005.

Additional CUP review shall take place in twelve months.

Verbiage shall be added to item "12" addressing noise abatement for the chiller and fan.

Verbiage shall be added to item "2" that all lights on the south side of the building shall be turned off by 10 p.m.

Item "13" shall be deleted.

Jones seconded for discussion and amended the motion to include a condition that the applicant will agree to amend the annexation agreement to the extent needed to comply with any changes to the CUP. Zellers seconded the amendment; a vote was taken and all were in favor of the amendment. The vote was then taken of inclusion of the amendment into the main motion; all were in favor.

Linscott suggested again that the applicant meet with various agencies who might have need of using bio-diesel also.

The Commission took a 5-minute recess.

WOOD RIVER HIGH SCHOOL PUD PRELIMINARY PLAT

An application by Blaine County School District for preliminary plat approval of Wood River High School PUD Subdivision. The plat would create 4 lots and includes the extension of Fox Acres Road through the property. The application does not add additional lots, buildings, or uses on the property at this time. The parcel is zoned General Residential (GR).

Gaeddert, representative for the applicant, advised this application was to follow through with conditions to dedicate Fox Acres Road right-of-way, the bike path and the canal to the City. He explained the 4th lot at the south end of the plat contained property that was BLM deed restricted. He advised of easements, road configurations and field restrictions addressed through plat notes. He advised that all improvements are in, but the road may need chip sealing.

Grotto advised the City Attorney wanted to review all instruments noted on the plat and would do so prior to Council review. Grotto said improvements are generally installed, although the City Engineer noted that chip sealing and striping of Fox Acres Road would need to happen prior to acceptance by the City. The actual location of the Toe of the Hill Trail will need to be noted on the plat and an easement granted for it.

Gaeddert asked the easement width for the Toe of the Hill Trail, Grotto believed the width needed to be ten feet, but indicated she would verify that.

Anderson opened the public hearing.

There being no comment, Anderson closed the public hearing.

Linscott moved to approve the application with the following conditions:

- a) **All Fire Department and Building Department requirements shall be met. Items to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:**
 - **Any additional fire lane signage as may be required by the Fire Chief.**
- b) **All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:**
 - **"No parking this side of street" signs on Fox Acres Road.**
 - **The applicant shall chip seal and repaint Fox Acres Road prior to the City accepting the right-of-way.**
- c) **The plat shall note the amended PUD Agreement in addition to the original PUD agreement.**
- d) **Reconstruction of the Toe of the Hill Trail shall be completed prior to recordation of the plat. The location of the trail from the maintenance facility south shall be shown on the final plat and an easement shall be granted for public non-vehicular access upon it.**
- e) **Vegetation shall be planted on all disturbed hillside areas prior to recordation of the plat.**
- f) **Written verification from Idaho Power regarding vacation and relocation of easements shall be received prior to recordation of the plat.**
- g) **All improvements shall be completed and accepted, or surety provided pursuant to Sections 2.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.**
- h) **The final plat must be submitted within one (1) calendar year from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement.**

Zellers seconded and the motion carried unanimously.

AMENDMENTS TO HAILEY ZONING ORDINANCE #532

Proposed amendments to Zoning Ordinance No. 532, adding to duties of Administrator the interpretation of the provisions of the Zoning Ordinance, and clarifying maximum building height of 30 feet in Limited Residential and Flood Hazard Overlay Districts.

Grotto explained the amendments clarified by this application as:

Addition of interpretation of the Zoning Ordinance to Administrator's duties.

Deletion of language regarding possible increase of building height to 35 feet with Design Review. This amendment was approved last fall at a Council hearing, but the final document that was published inadvertently excluded this amendment.

Deletion of language in the floodplain bulk requirements—"except as provided herein". There are no exceptions provided for in the floodplain bulk requirements regarding the 30-foot height limit.

Anderson opened the public hearing.

There being no comment, Anderson closed the public hearing.

Jones moved to recommend approval of the amendments to the Council, finding the amendments consistent with Section 13.0 and 14.0 of the Comprehensive Plan.

Zellers seconded and the motion carried unanimously.

FINDINGS OF FACT

Friedman Memorial Airport Expansion DR--**Jones moved to approve as written**, Zellers seconded and the motion carried unanimously.

Commons/McNae DR—**Zellers moved to approve as written**, Jones seconded and the motion carried unanimously.

Parkview Business Center PP—**Jones moved to approve as written**, Zellers seconded and the motion carried with Linscott abstaining.

MINUTES

February 7, 2005—**Jones moved to approve as written**, Zellers seconded and the motion carried unanimously.

February 22, 2005— **Jones moved to approve as written**, Zellers seconded and the motion carried unanimously.

STAFF REPORTS

Grotto updated on Council proceedings regarding River Street standards. Staff has been directed to move forward with ten-foot sidewalks, bulb-outs and a center median.

Staff will look at creating a working packet for new commissioners.

Jones moved to adjourn, Linscott seconded and the motion carried unanimously.

The meeting adjourned at 9:15 p.m.