

**MINUTES OF THE REGULAR MEETING
OF THE HAILEY PLANNING AND ZONING COMMISSION
HELD MONDAY, JUNE 6, 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, Stefanie Marvel, Elizabeth Zellers and Nancy Linscott were present. Staff present included Planning Director Kathy Grotto, City Planner Diane Shay, and Deputy Clerk Tara Hyde.

PUBLIC HEARINGS

BLAINE COUNTY SCHOOL DISTRICT PRELIMINARY PLAT AND PLANNED UNIT DEVELOPMENT

Applications by Blaine County School District for preliminary plat and Planned Unit Development approval of Woodside Elementary PUD, located on W1/2, SW1/4, NE1/4 of Section 23, T2N, R18E, BM, recently annexed and zoned GR and RGB. The plat would create 11 lots: one for the school building, eight townhome sublots, one lot for potential future residential site(s) and one lot to be deeded to the City of Hailey. All would be accessed by a private street. **(continued from April 18 and May 17, 2005)**

John Gaeddert, representative for the applicant, gave a history and overview of the proposed project. He advised all proposed housing is within the GR zoning. Lot 1 will be the 13.5 acre school proper, with fields and play equipment. Plans call for Lot 2 to be deeded to the City. Gaeddert stated that Lot 3 is mostly hillside with a buildable site for possible future development. Lots 4 & 5 will be deeded to the City for workforce housing and school workforce housing is planned for Lots 6-11. Gaeddert said additional trees were added to the west and south sides of the proposed housing for mitigation to the neighbors.

Steve Pruitt, architect for the housing aspect of the project, advised the applicant chose a lesser density than what the zoning would allow. Plans call for two-story townhouses with garages. The property the planned housing sits on has a floor elevation of 8-9 feet above that of the school.

Pruitt said the emergency access road would be asphalted past the last housing unit, with the road widened on the north and east shoulders to accommodate necessary parking. Pruitt shared drawings of a cross section of the property, to show the Berry Creek lots at approximately 95 feet in depth with 180-190 foot flat area to the toe of the slope. He advised a retainage element would be constructed at the top of the slope to define the yards. He said the closest building to the neighbors is approximately 215 feet.

Pruitt shared conceptual drawings of the proposed townhouses. The 2-bedroom units will be sized at for approximately 1100 square feet; the 3-bedroom units will be sized at approximately 1500 square feet.

Linscott asked how the future wings of the elementary school expansion figured into that cross section. Gaeddert said the core of the building would accommodate approximately 450 students, with expansion planned to the northwest if needed. He shared the rendering which included that expansion. He said BCSD had an open house at the end of May with many questions answered and the construction schedule shared with the neighbors.

Rand Peebles, attorney for BCSD, said that BCSD is working in uncharted waters with the workforce housing. He added that BCSD did not suggest workforce housing in the beginning, but as the idea took hold, it started coming together. Anderson stated there was a waiver for the private street.

Peebles went on to give dates the various documents were signed, and to advise that public access is guaranteed to the fields through those documents, stating that green space and use of the recreational amenities are fully addressed in the Annexation Agreement. He further advised that mitigation for the emergency secondary access was achieved.

Shay referenced the June 2 memo from Peebles addressing the red-lined copy of the PUD Agreement which was sent to him a month ago. She advised that the PUD Agreement was a long way from being agreed upon and she was unsure how far to proceed with either the preliminary plat or PUD applications without that Agreement. She said 6 items of dispute included no further development of Lot 3—BCSD believes it to be an unreasonable request; along with providing additional recreational facilities, additional landscaping, snow storage, and other mechanics of the Agreement. Shay advised the meat of the difference is Lot 3 development.

Jones asked why the Commission was evaluating a PUD application if there is no agreement. Grotto said general topics should be thrown out for Commission discussion. Anderson believed the Commission should address development on Lot 3 and give the applicant the Commission's ideas and concerns. There was further discussion to what limitations the Commission may find appropriate to place on the application. Grotto reminded that the Agreement must be acceptable to the applicant and the City.

Zellers indicated she was uncomfortable making any decisions without seeing the Agreement. Grotto advised there could be discussion without decision.

Anderson opened the public hearing.

Pat Robinson, 3310 Berry Creek, bought her house 2 years ago and was told there would be no building behind them. She said she attended the open house and no new answers were given to questions. She stated she would like phone numbers for people to call with concerns. Robinson also was concerned about development of Lot 3 with regards to fire danger. Base height of the proposed townhouses was a concern. She stated none of the neighbors had been involved in any of the planning. She expressed concern about private sales by a public entity. She stated crews begin work at 7:50 on Saturday mornings.

Kraig Sundberg, 3150 Berry Creek, expressed concerns about light trespass, stating it would be hard to ignore with the units sitting 8-9 feet higher than surrounding houses. He asked if the applicant had thought about a subterranean first floor. He believed BCSD monies should go for classrooms instead of housing for teachers. He asked for names and numbers of people at the BCSD to call with concerns and questions. He suggested proposed City housing be addressed at the same time.

Harold Webb, 3310 Berry Creek, asked who would be responsible for replanting the disturbed areas along the emergency access. He asked for a timetable of construction to allow homeowners in the area to plan. He suggested a second gate be added to the emergency access, where the pavement and the gravel meet, to keep people from trying to drive through on the emergency access from within the property. He advised vibration on neighboring properties was a huge impact during this construction. He asked if there were any plans for park amenities in Echo Hill Park.

Dave Wieand, 3250 Berry Creek, expressed his belief that BCSD had not been up front with anything planned for the site, believing that the housing component should have been discussed at the very beginning. He asked the Commission to leave some open space and place limits on the applicant.

Sundberg suggested careful consideration of placement for the gate. He asked for landscaping to be provided between the emergency access and adjacent homeowners.

Shay shared a letter received from Rosemary Cody, owner of 3360 Berry Creek, with suggestions for creation of buffers to neighboring properties, expressing concerns about the proposed housing component, and reiterating concerns of neighbors.

Anderson closed the public hearing. She listed issues heard as:

- additional gating of the emergency access road
- the status of the emergency access road across the Dreyer (formerly Yamagata) property.
- names and numbers of contacts for BCSD
- replanting of disturbed areas associated along the access road.

Zellers believed it important to have a construction timetable accessible to the neighbors. She asked how the school district was going to facilitate ownership and sale of the proposed homes.

Mike Chatterton, business manager for BCSD, stated that all the money going into the homes would be collected back through the sale of the homes. He envisioned all units (including the City lots) being built at one time. He indicated a point system would most likely be looked at to address awarding the units. He advised that BCSD would not profit from the housing.

There was discussion about possible financing for the project.

Peebles suggested there be guidelines written and adopted by BCSD instead of the district just adopting the Blaine Ketchum Housing Authority guidelines.

Discussion of the use of the road through the property ensued, with Gaeddert stating the applicant would work with the City on placement of all gates required for the emergency access. Residences will access the property from the main access road at the south end of the property. Only emergency crews and snow maintenance personnel will have access to the emergency section of the road.

Anderson asked how the applicant plans to leave the Echo Hill Park site when the emergency access is completed. Gaeddert indicated grading and landscaping the area with hydro seed was planned. Anderson said that hydro seed needed water. Gaeddert added the goal was to get the fields set with water on them; he believed above ground temporary irrigation would be used to address the park area. Anderson then asked if the applicant planned to seed all disturbed areas. Gaeddert said the applicant would have to seed all disturbed areas to avoid a weed patch.

Shay asked the applicant to supply names and numbers at this meeting for citizens to contact with concerns. Names supplied included Bill Resko, 578-5000, and Bob Wheeler, 336-9500.

Bill Resko, BCSD, advised asphaltting was pushed out to the middle of July, with completion hopefully to occur by August 1. He stated it may be necessary to use the emergency access during asphaltting.

There was discussion about the draft PUD Agreement. The City red-lined the Agreement and Peebles advised that the restrictions to Lot 3, as red-lined in the Agreement, were not acceptable to the applicant.

Linscott expressed her concerns about wildfire hazards to Lot 3 and the blatant discrepancies with the Comprehensive Plan related to that hazard. She believed Lot 3 should be restricted from any development, stating the future Hillside Ordinance may affect development on Lot 3. She expressed she is a proponent of community housing and was fine with that part of the proposal.

Linscott addressed the disturbing of Echo Hill Park, stating the school playgrounds are not parks, not available to the full public, and adding her belief that they did not mitigate loss of the park. She believed it important to reseed, fence and sign the property for pedestrian access to the Toe of the Hill trail. She reiterated her belief there should be no development allowed on Lot 3.

Zellers agreed that Lot 3 should not be developed. She wanted to hear more about possible access across the Dreyer property to mitigate moving the emergency access closer to the neighboring properties. She asked for clarification of pathway and sidewalk locations. Gaeddert stated a full sidewalk was planned through the school property along the east side of the roadway, but that sidewalk could be added to the west side also.

Marvel wanted to see limitations to Lot 3 before considering any PUD. She asked what the City planned for Lot 2. She was in favor of affordable housing, but expressed concerns over the height of the proposed housing, stating that even with the Lighting Ordinance there would be light shed because of the height of the buildings. She suggested lowering the height of those proposed buildings.

Marvel agreed with Linscott that the school fields are not accessible to all. She believed it important that Echo Hill Park be restored as an amenity. She suggested using grass pavers instead of gravel road mix where the emergency access goes through Echo Hill Park.

Jones said the onsite visit helped with the feel of the impact to the neighbors. He referenced comments made to him by Dr. Lewis at that site visit, who stated “if the city wants development packed in, we’ll pack them in”. He believed mitigation could be addressed through increased creativity. Proposed residential building height was a concern to him. He advised that buildings coming through would be scrutinized carefully at Design Review. Jones wanted to see a revised plan for development that included plans for Lot 3, as development on Lot 3 was of concern to him.

Jones agreed with others that the fields did not constitute open space. He did not believe BCSD should be let off the hook for additional park amenities. He also wanted to know the plans for the emergency access as it related to the Dreyer property.

Anderson suggested the applicant bring through plans for use of Lot 3 if it was important to their PUD application. She believed if a park was developed, it would be heavily used by residents of Woodside.

There was discussion about the cut on Lot 3 and stabilization of the hillside.

Discussion then ensued about continuing the meeting and the Commission limiting public comment to new issues in the PUD Agreement at that meeting. Gaeddert said they would look hard at plans for Lot 3 to supply them for the meeting. Grotto advised the Commission that the Council would make known plans for Lot 2 at the Council’s hearing of the PUD application.

Zellers moved to continue the meeting to a special meeting set for Thursday, June 30 at 6:30 p.m. Linscott seconded and the motion carried unanimously.

OLD TOWN MERCANTILE DESIGN REVIEW

An application by Old Town Investment Partners, LLC for Design Review of a new building, located at 100 North First Avenue (S ½ of Lot 20, Lots 21 and 22, Block 39, Hailey Townsite), in the Business District and Townsite Overlay District.

Linscott recused herself.

Chris Block stated the property is located across Bullion from Alturas Plaza. He advised his goal was to create a vibrant center of commercial and pedestrian activity in a visually interesting building. He said retail is planned for the 1st floor, with offices planned for the 2nd and 3rd floors. Block advised of plans to install ten foot wide sidewalks that would extend down First Avenue. Landscaped areas are planned as well as street trees.

Mike Doty, Architect for the project, addressed the relatively narrow storefronts proposed as in keeping with the character of Old Hailey. Plans call for using brick with elongated windows, giving the feel of older buildings located in Old Hailey. Doty shared that proposed “storefronts” will pop out 4 feet and allow landscaping in the recessed areas between the “storefronts”. Doty gave an overview of materials planned for use in the project as weathered looking brick, anodized aluminum windows, stucco, and buff colored CMU block; there was discussion about stucco color. The upper floors are stepped back; decks are planned for the 2nd story east elevation and 3rd story offices will have small decks. Trash enclosures are planned and will be screened. Doty advised five covered parking spaces are planned.

Anderson asked what plans showed over the doors on the south elevation; Doty explained expanded snow grates were planned to allow for sun screen but they did not offer weather protection.

Grotto addressed parking, advising that 32 parking spaces are required for the project. The applicant shows 5 covered spaces off the alley, 13 spaces on the street directly adjacent to the property, and credit for 14 spaces for improvements of curb/gutter/sidewalk to the right of way within 1200 feet of the property. The applicant advised those improvements are planned along First Avenue north towards the Nature Conservancy and along Second Avenue by the Courthouse and Judicial building. The applicant will underground the power lines from the alley. One overhead power line will be relocated.

Marvel asked what will happen with regards to the applicant’s parking when the property between the proposed project and the Nature Conservancy developed. Grotto indicated an applicant could install sidewalk improvements elsewhere if parking could not be accommodated on site or directly adjacent to a site.

Anderson opened the public hearing.

Aaron Domini, 531 Aspen Drive, liked the architectural design of the project along with the mixed uses proposed. He believed it important to include a bicycle parking component.

Kathleen Turner, 212 Broadford Road, expressed support for the project.

Anderson closed the public hearing.

Doty added that the building was friendly to the intersection, with a soft building corner of 45°.

Zellers stated her belief that the stucco should be darker in color.

Marvel moved to approve the application, finding it in conformance with the Comprehensive Plan, that it does not jeopardize the health, safety and welfare of the general public, and that it conforms to the required specifications outlined in the City's Design Review Guidelines with the following conditions noted in the staff report:

- 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:**
 - **Restrooms must meet ADA standards.**
 - **Exiting requirements must be met.**
 - **Fire suppression and monitoring system must be installed per Fire Chief's requirements.**
 - **Any unfinished units that are to be finished by the occupant at a later date will require a separate building and fire department permit, after general Certificate of Occupancy.**
- 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:**
 - **Water and sewer services shall be constructed to City standards. Water service shall be from the main line within Bullion Street.**
 - **Encroachment permits and inspections shall be obtained.**
 - **Any required street signage (street names or traffic control signs) shall meet standards.**
 - **Drywells shall be constructed to City standard and a state permit shall be obtained.**
- c) **A trash receptacle shall be placed near the main entrance.**
- d) **All exterior lighting shall comply with the Outdoor Lighting Ordinance.**
- e) **All pedestrian amenities and landscaping within the right-of-way shall be maintained by the property owner.**
- f) **The property owner shall remove snow from the sidewalk within the adjacent right-of-way.**
- g) **If uses within the building change so more parking is required under Hailey's Zoning Ordinance, the applicant shall provide the required parking in conformance with the Zoning Ordinance in effect at the time of the change of use.**
- h) **If the owner of the building condominiumizes the building at a later**

date, the owner agrees to record a development agreement that requires (a) a separate building and fire department permit for any unfinished units, (b) maintenance of the sidewalk and landscaping within the adjacent right-of-way, (c) snow removal from the sidewalks within the adjacent right-of-way, and (d) additional parking in conformance with Hailey's Zoning Ordinance if the use of the building changes thereby requiring more parking.

- i) 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.**
- j) 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.**

with the addition of a condition that any color changes be approved by staff.

Zellers seconded and the motion carried unanimously with Linscott recused.

AMENDMENTS TO ZONING ORDINANCE #532 – PARKING

Amendments to Article IX, Parking and Loading Spaces, of Zoning Ordinance No. 532. Proposed amendments include revisions to number of spaces required, improvement of parking spaces, right-of-way improvements and credit for parking spaces, access, screening, and provisions for reduced parking requirements for shared parking.

Grotto advised of proposed changes to the parking ordinance. Shared parking language was added, as it is recognized different uses have different peak times. Grotto said shared parking agreements would be subject to recordation. She asked the Commission to think about flaws in the shared parking as presented. She advised of a mechanism to reduce the parking requirement if specific traffic studies are provided showing less parking was needed.

Anderson opened the public hearing.

Domini advised he worked with Grotto on the ordinance, with much of the information coming from the Prescott, Arizona parking requirements. He believed that one parking space for 1000 square feet of residential was a good number to allow when figuring parking requirements.

Zellers moved to continue the application to the July 18, 2005, meeting. Jones seconded and the motion carried unanimously.

FINDINGS OF FACT

Blaine County Jail CUP - **Jones moved to approve as written,** Marvel seconded and the motion carried unanimously.

Blaine County Jail DR - **Jones moved to approve as written**, Marvel seconded and the motion carried unanimously.

MINUTES

April 18, 2005 - **Zellers moved to approve as written**, Jones seconded and the motion carried unanimously.

May 17, 2005 - **Zellers moved to approve as written**, Marvel seconded and the motion carried unanimously.

COMMISSION REPORTS

Marvel advised she would be out of town from September 9 thru October 7, 2005, and will be unable to attend the September 19 and October 3 Commission meetings.

STAFF REPORTS

Grotto advised she was working on a draft for the Hillside Ordinance and would email the draft to Commissioners for their input prior to hearing the Ordinance.

Zellers moved to adjourn, Linscott seconded and the motion carried unanimously. The meeting adjourned at 9:40 p.m.