

**MINUTES OF THE REGULAR MEETING
OF THE HAILEY PLANNING AND ZONING COMMISSION
HELD MONDAY, JULY 18, 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, City Attorney Ned Williamson, City Engineer Tom Hellen, and Deputy Clerk Tara Hyde.

PUBLIC HEARINGS

WOODSIDE ELEMENTARY PRELIMINARY PLAT AND PLANNED UNIT DEVELOPMENT

Applications by Blaine County School District (BCSD) for preliminary plat and Planned Unit Development approval of Woodside Elementary PUD, located on a portion of Section 23, recently annexed and zoned GR and RGB. The plat would create 12 lots: one for the school building, ten townhome sublots, and one lot to be deeded to the City of Hailey. All would be accessed by a private street. **(continued from June 6, 2005)**

John Gaeddert, representative for BCSD, advised that he, Butler and Associates, and the City Engineer had met on site regarding the geo-technical analysis on Lot 3A and 3B soils. He stated that the building site proposed for Lot 3 would be moved to the southwest, allowing for lower floor elevation. He said he talked with the Fire Chief and is aware that construction adjacent to the hillsides may require additional mitigation to meet the Urban Interface Fire Code.

Gaeddert said snow storage calculations are now shown on the plans. He advised the initial proposal included a waiver for a 36' wide private road. A 2nd waiver is now being requested to allow for 4 parking spaces per unit instead of 5 parking spaces per unit.

Gaeddert advised there was enough property to construct the improvements for a mini park on-site that would serve the development. An alternative would be a 3rd waiver to allow for there to be no park on site, but with the applicant contributing to improvements at another park site specified by the City.

Ron Adams, landscape architect for the project, agreed that 5 parking spaces per unit would create a sea of asphalt. He stated the applicant believes by eliminating 1 space per unit, street tree plantings can be added, contributing to the "neighborhood feeling". Planting has been held away from the slope for fire reasons. Nothing over 18 inches in height will be installed; grasses are planned instead for that area. Adams believed the area would "naturalize out" after installation of irrigation and additional top soil.

Adams advised no trees would be behind units 3A and 3B as the fire code requires 18 feet of clear space. Adams hopes to hold that to 30 feet of clear space. Plans call for the units to be connected by a neighborhood path, which will connect to the main path to the school. Adams advised grading has been dropped 2-3 feet for the townhouse units. A 4 inch irrigation line will be installed at the base of the slope to help establish plantings. When established, and the water is turned off, the system will be left intact; the valves will be replaced with gate valves with one main valve to allow access to the Fire Department in the event water is needed. It could be turned on and the entire slope around the area would be irrigated.

Adams advised of the addition of 5 foot high landscape screening and additional shade trees around the patio areas to provide for privacy. Three different species of evergreen trees are planned for between the townhouse units and the surrounding neighborhood and school to cut down on the visual impact to all.

Adams touched base on the following: a second gate is planned for the north end of the gravel road, snow storage has been met and locations shared, irrigation systems will be installed to the townhouse units with flowering crabapple trees and shrubs planned for the entry areas of the townhouse units; the applicant believes additional flowering landscaping should be added by those purchasing the units.

Rand Peebles, attorney for BCSD, addressed the PUD Agreement and advised that BCSD had no problem with recital #5 being removed and expressing agreement with the City Attorney's letter of July 18, 2005.

Linscott asked how many feet the site plan shifted to the southwest. Gaeddert indicated the site previously sat 78 feet from the school and now sits approximately 53 feet from the school. The site sits approximately 214 feet from the neighboring homes.

Shay advised of dialog with the District, with BCSD requesting an additional waiver for Echo Hill Park. Discussion also took place about whether the playing fields being developed for the school really met the parks requirement. Shay confirmed the PUD Agreement was in the packet; she advised that findings made should be in broad terms relative to the PUD Agreement. She advised the Commission could ask for things important to them that are missing from that Agreement before sending the PUD application forward should they choose to forward it.

Shay advised of discussions with the Fire Chief regarding a debris flow study versus an avalanche study. BCSD thought this had been taken care of through the soil study, but the Fire Chief has larger concerns about farther up the draw east of the subject property. The Chief understands that the avalanche study supplied with the application addressed snow movement, his concern is that snow acts differently than mud and that type of debris flow. The Chief is asking for more information related to debris flows. Staff believes this is language that could be addressed through the PUD Agreement.

Williamson advised of discussions with the District and staff, which prompted the July 18, 2005, letter. He clarified his belief that the active recreational facilities and community housing would qualify under 10.3.8 of the Zoning Ordinance as amenities for the PUD application. He did not believe that proposed “common usable green space” or employee housing qualified as amenities for the proposed PUD for the reasons stated in the July 18th letter.

Williamson addressed the subdivision of Lot 3 into Lots 3A and 3B. He finds no prohibition in the Annexation Agreement or the City’s Ordinances for that subdivision. The lot in question has about .6 acre below the 25% slope, zoned General Residential, which would allow for development of 6 units according to our Ordinance. The applicant is seeking development of 2 units.

Williamson advised parks dedication was the 3rd issue. Under our Ordinance, a developer or applicant must dedicate .0277 acres parkland per lot, resulting in the dedication requirement of .277 acres of park land for this application. He outlined the 3 options available to the District and the City: the District could create a mini park of at least .277 acres on site, the District could pay voluntary in lieu fees as per Section 4.10.7 of the Subdivision Ordinance, or the District could ask for a waiver of the park requirement under Section 10.4.6 of the PUD Ordinance, allowing a modification of the subdivision requirement for a park. The applicant has asked for a modification of that requirement; Williamson believed in exchange for that modification there be consideration. BCSD has offered to put improvements on Echo Hill Park, which is .42 acre in size and could be expanded up towards the hillside about $\frac{3}{4}$ acre creating an area that would fall nicely into the definition of a mini park, instead of improving on site. The Subdivision Ordinance addresses the park definitions in a detailed fashion with improvements and percentages. Should the Commission choose to favorably pass the application on to the Council, he advised the Commission could state that BCSD must have a plan submitted to the Council prior to final PUD approval that is mutually acceptable by all parties. That would allow all to see what the plan looks like and allow input from the Parks and Lands Board. Williamson said that if the Commission recommends approval of the PUD application, some small changes will need to be made to the PUD Agreement. He reiterated Shay’s comments that the Commission should look at the Agreement very broadly, as the Council will address it more thoroughly and be the deciding body.

Anderson asked the Parks and Lands Board to explain their view and recommendations for the property. Becki Keefer, Parks and Lands Board Chair, gave an overview of the Echo Hill Park site and the Toe of the Hill Trail. She advised the Trail currently is approximately 2 miles long, with pieces of it missing. She added the City received a grant to complete the Toe of the Hill Trail. She shared that while the property behind the Echo Hill Park site is steep, the alluvial fan that comes off the hill widens and flattens the property out. She reminded that while the lot is .42 acre, 30 feet (x) the depth of the lot was just lost to the 30’ emergency access easement. She said there is additional space right behind the lot for expansion. She advised that the Parks and Lands Board requested there be no gated fence, but instead the gate be pulled out to the west edge of Echo Hill

Park, with landscape elements added to the park that would discourage motorized vehicle access to the park and emergency access road. The Board also looked at a “dogs off leash” area in the park.

Keefer said originally Lot 1 was proposed for dedication to the City for a mini park however that would put 2 mini parks fairly close together. She said that mini parks are not preferred by the City due to their high maintenance costs and it would not be in the City’s best interest to have 2 small parks in close proximity to each other.. She also advised the difficulty of getting maintenance equipment back to the location behind residences. The Board believes parks should be visible and accessible to the general public, not just adjacent residents. Improvements to Echo Hill Park as part of this subdivision meet the nexus of the Boards requirements; generally improvements should be located within walking distance of the development installing those improvements.

Keefer addressed school parks, stating BCSD has been very generous to the citizens of Hailey, offering many acres of active play fields. However, those fields are not available to the general public all of the time. Generally they are scheduled through Blaine County Rec District in the summer. This summer some events have been cancelled due to the need for maintenance on those fields, as maintenance cannot be accomplished during the school year when the children are accessing the play fields. The Commission should understand that active play fields on school property may not remain accessible to the public.

Keefer addressed in lieu fees, stating an applicant can choose to voluntarily give a donation to alleviate having to develop a park on a property. In lieu fees include the value of the land, so if the Commission decides BCSD should contribute to the improvements at Echo Hill Park, the District will save money.

There was further discussion of moving the gate to the west side of the lot, with Keefer suggesting the use of creative landscaping which would still invite people into the park, but would prohibit motorized vehicle access. Anderson asked where the development of the park would stop, as the lot seems quite small for a park. Keefer indicated BCSD was only responsible for improvements as related to a 10 unit development and the City would have to look for funding to expand the park beyond the mini park. Anderson asked if the Board would design the park. Keefer suggested the Board would look at hiring a landscape architect to work with them and the adjacent neighbors.

Jones asked Keefer to address restoration of the disturbed areas. Keefer indicated the Board was concerned about BCSD installing dry land grasses and temporary irrigation. The Board believes that it is a waste to have to rip the grasses and temporary irrigation out to develop the site as a park. She explained the use of dry land grasses would be good for the area to the south, but not for park space.

Zellers asked Gaeddert for further information on the Dreyer easement. She asked how far the road was now located from the adjacent neighbors. Gaeddert indicated a group, including Shay and Hellen, who met on site to discuss 2 easements; the Dreyer easement

and the Toe of the Hill Trail easement. Gaeddert indicated Roger Crist and Bob Dreyer have agreed to give an easement for the Toe of the Hill Trail and an easement for the emergency access, pulling that road back about 65 feet from neighboring properties.

Grotto asked if Lots 3A and 3B were still planned as a future phase. Gaeddert suggested there is a challenge to the phasing and said that Phase I included construction of the school building, irrigation on site, and all infrastructure to be installed to the units. Interface with the City property has never been noted. Gaeddert indicated the goal was to have the townhouses constructed after approvals have been received, buyers lined up, agreements worked out with Michael David of the Blaine Ketchum Housing Authority, and funding in line. He then asked Dr. Lewis, BCSD Superintendent to comment. Dr. Lewis advised that money spent at the housing location was not coming from taxpayers, but from those buying the affordable homes. Lewis stated BCSD has a goal of bringing 5 affordable housing units on line each year. He stated that BCSD should develop a park and they want to do that to meet the parks requirement. Lewis offered that Ron Adams could work with the Parks and Lands Board on landscaping to help come up with a plan. While BCSD wants to do a park correctly, they want to do it as efficiently and cost effective as possible, as the cost will be divided into the cost of the affordable housing. Lewis said the District puts in over \$200,000 each summer in landscape fees to keep their parks and fields open for use by the public and upon completion of the high school, BCSD has provided 72% of the park space in Hailey. Prior to 10 years ago, none of those fields were irrigated and they were brown. He said if the District or School Board ever decided to close those park spaces, the City would become aware of just how public those spaces are.

Grotto said her previous question was really going towards a debris flow study as requested by the Fire Chief and could be addressed in the PUD Agreement. She suggested conditioning for the PUD application, that as part of Design Review for Lots 3A and 3B a very specific debris flow study shall be submitted. She advised it would need to be added as an additional point in the PUD Agreement.

There was discussion about the event drainage diversion ditch system for runoff from the housing units with Brian Yeager, of Galena Engineers, explaining the engineering solution would be easy to do, but the project is not yet at that level of design.

Jones asked about the strategy for addressing the slope behind Lots 3A and 3B. Gaeddert said he anticipates a 2/1 cut slope with 6"-8" of topsoil, weed cloth, irrigation system and wildflowers.

Shay suggested the Commission may wish to hear the Preliminary Plat application and open both up to public hearing at the same time, as the applications are intertwined.

Anderson asked Gaeddert to address the Preliminary Plat. Gaeddert gave an overview of the easements for the road and sidewalk, finished floor elevations and drainage mechanics.

Anderson asked Hellen for his observations on the Preliminary Plat and issues that may be outstanding. Hellen advised he has seen plans for sewer and water, and is requiring a looped water line to allow for 2 sources of water to the elementary school and details of slopes and manhole location. He did not foresee any problems with coming up with a design to address the drainage issue.

Anderson opened the public hearing.

Dave Wieand, 3250 Berrycreek, thanked the applicant for the work done to secure an easement to move the emergency access away from the residences. He stated the elevation of the townhouses was a concern to him. He suggested either lowering the area or constructing one-story buildings.

Pat Robinson, 3310 Berrycreek, asked about lighting on the backs of the townhouses, parking with regards to headlights shining in her windows, the status of Lot 2 that was deeded to the City and building height. She expressed concern about public school property being sold to private citizens.

Kraig Sundberg, 3150 Berrycreek, asked about the plan for re-vegetation of the area. He asked how far the emergency road would be from each neighbor and advised that the emergency access road was being used during construction.

Anderson closed the public hearing. She asked the applicant about the schedule for re-vegetation. Gaeddert indicated the well had been drilled, but they are unable to use the water on this site until water rights from the high school have been transferred to irrigation, expecting that to happen sometime in August. He advised the Annexation Agreement says the home sites and Lot 2 and Echo Hill Park would be irrigated with City water. He advised a plan should be to staff and the Parks and Lands Board within a week or so. He advised it might be possible to complete the Echo Hill Park work this year if agreements are approved.

Anderson asked about the use of the access through Echo Hill Park. Hellen advised plans called for asphaltting of the school property in the following week. He stated when the paving was done Echo Hill Park would be closed to all access. He said he would look at dust mitigation in the meantime. He suggested the applicant get gravel in to denote the emergency access road and to narrow the travel area.

Anderson clarified that the townhouse units would go through design review, stating lighting would be addressed at that time. She said Gaeddert indicated the emergency access road would be pulled back approximately 65' from the neighboring properties.

Dr. Lewis addressed selling of the property, saying plans were to put it in community trust for use by the school district--deed restricted, to ensure BCSD could do upkeep. He said Lot 2 goes to the City and was offered up front; it would be up to the City Council to decide use of the property.

Zellers clarified Lot 2 was actually City property, with Williamson explaining Lot 2 would be deeded to the City at recordation of the plat. Lewis suggested City housing on Lots 3 and 4 could be built at the same time as BCSD housing.

Jones asked when the property was purchased and the zoning at that time. Lewis indicated the property was purchased in 1991 or 1992 and was zoned A-10 in the County.

Marvel asked what the City planned for Lot 2. Williamson said the City had no plans for the development of Lot 2 at the current time.

Jones asked if the disturbed vegetation on Lot 2 would be restored by the developer. He also was interested in what the City would receive for a concession to the required parking for the townhouses. Williamson advised active recreation fields and employee housing would be received for the private street and parking waivers. Jones believed this was a different situation with regards to parking because there was no through access and the street would be used by the townhouse residents only, which allowed less chance of regular parking difficulties.

Zellers believed 5 spaces per townhouse was excessive and stated she was comfortable with 4 parking spaces.

Linscott was in agreement, adding she would rather see landscaping versus pavement; she stated parking restrictions could be dealt with through CCRs.

Marvel agreed that 5 spaces seemed excessive; however she did not like the private road and did not want to see any parking in the emergency access road. Marvel did not think she could support the application with the height of the townhouse floor elevations being where it is planned.

Ron Adams explained there is an undulating elevation at the townhouses, with softer landscaping than it looked on the plans.

Yeager explained that if the pad is lowered any more for the townhouses, it is forced onto the school site to the south. He advised that the building height is well below the 35' building height allowed in General Residential.

Linscott disagreed with the elevation issue, stating she lives in Old Hailey where there are benches and many different elevations. She stated the homes located adjacent to the proposed neighborhood are over 200 feet away from the townhouses and she did not believe the elevation change would be that noticeable, especially with the installation of trees.

Jones believed the structures were significant due to the size; he thought the issue might not be with the site, but the buildings instead.

Marvel believed locating the buildings farther away made for more of a visual impact.

Zellers did not believe the housing should be moved.

Anderson suggested the applicant look at a more compact design.

Marvel stated her desire to see sidewalks all through the property along the emergency access to allow for safe pedestrian access. Gaeddert said they had reviewed the pathways through the property to ensure children would drop onto the west side of the property instead of the loading area behind the school. Marvel indicated she liked sidewalks along all streets. She believed it would give less of a private road feeling. She reiterated her belief that a sidewalk should run along the length of the private street.

Linscott agreed with Marvel's sidewalk philosophy as a guide for sidewalk connection throughout the community, but wondered if it was appropriate to this particular project because of the connections planned for within the project. She asked if there was a connection from Echo Hill Park to the Toe of the Hill Trail. Ron Adams said there had been discussion of additional connection from the northwest corner to the Toe of the Hill Trail. Gaeddert said that signage could be added to ensure the public knows the connection is for public use.

Zellers said she was a huge sidewalk proponent and agreed a sidewalk should run the length of the road from the townhouses to the south end of the property.

Jones agreed with Linscott and stated he had no problem with the site as proposed.

Anderson asked if the Commission believed an extra gate should be installed along the emergency access road. Zellers believed another gate should be installed. Linscott wanted clarification on the type of gate.

Anderson said that the height impact would increase to the neighbors; it is a factor of the topography of the land. She reminded that the applicant had lowered the area some and that the proposed buildings were within the height limit.

Jones said building design was still a concern, but mitigation would be addressed through design review. He expressed concern that any approval tonight might take away creativity for the buildings that will be constructed.

Linscott asked if neighbors would prefer the townhouses be located closer to them, or farther away at a slightly higher elevation. Both would bring impacts to the neighbors. She agreed that topography of the land figured into the height factor. She believed the Commission should accept the location and move on or tell the applicant to scrap the application. She acknowledged that BCSD is having a legitimate problem retaining employees and that needs to be addressed somehow.

Zellers said the location should be accepted.

Anderson addressed conditions listed in the staff reports and the additions the Commission would like to see added with regard to how the Parks and Lands Board will be involved. She believed conditions on both the PUD and PP applications should be as follows: on the PUD that a waiver will be allowed in place of providing an on site park and on the PP that the park site should be accomplished prior to final plat review. Addition of the extra gate and any additional signage may be looked at also.

Jones asked, with relation to the PUD, if the amenities of the playing fields and housing component were favorable to the City in exchange for the request of a private street and reduction in parking. Shay reminded of the 2 lots also offered to the City.

Zellers believed all the townhouses should be constructed at the same time, including the City units. If that couldn't be accomplished infrastructure should be installed to all units. Williamson advised grading and infrastructure will be installed during Phase I.

Gaeddert added that the pathway between units 7 & 8 would be removed if a sidewalk is required along the private road. There was additional discussion about installation of sidewalks within the project.

PUD

Jones moved to recommend the application for approval to the Council with the conditions listed 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:**
 - **Construction of pullouts and installation of hydrants shall meet all IFC requirements and shall be installed as part of Phase I.**
- 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:**
 - **Construction of Toe-of-Hill Trail and playfields as represented shall be constructed by the School District.**
 - **BCSD Way shall be constructed and maintained by the School District.**
- c) **An acceptable PUD agreement shall be executed between the School District and the City.**
- d) **A detailed plan shall be submitted and approved by the Fire Chief describing steps to be taken for the construction and maintenance of the townhouse units in order to comply with the 2003 Urban Wildland Fire Code.**
- e) **Additional buffering from the baseball field and backstop shall be**

installed by the District prior to Certificate of Occupancy.

with the addition of the following conditions:

- f) A specific debris flow study addressing the employee housing component shall be submitted with Design Review
- g) An acceptable plan for the development of Echo Hill Park must be approved by the City and Parks and Lands Board prior to finalization of the PUD Agreement.
- h) An additional gate should be located at the northeast end of the emergency access road in addition to the gate at Echo Hill Park.
- i) All signing relative to the location and access of pathway and connections to the Toe of the Hill Trail shall be finalized and approved by the Parks and Lands Board and City Engineer.

Zellers seconded and the motion carried with Marvel opposed.

Preliminary Plat

Discussion then ensued about requiring easements for sidewalks. Williamson advised the Commission could require easements for all public places. Peebles suggested a blanket easement, contained in a plat note that would address all public places, pathways and roads. That would allow, at a future time if a pedestrian access was not working, that it could be moved to a better location and the easement could be moved with it. Zellers clarified that the Dreyer easement was not yet finalized. The applicant indicated that was correct. Hellen suggested adding a condition for an easement allowing access to the water meter vaults; he suggested adding it as a bullet point to condition "b".

Zellers moved to recommend approval of the application to the Council with the conditions listed 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:
 - Fire lane routes shall be identified on the plat including turnouts every 500 linear feet and turnarounds as required by the Fire Chief.
 - Signage shall be in place, specifying that the private street is a fire lane.
- 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:
 - Water services need to be moved approximately 8 feet from the corner of the sub-lots to meet City Standards.
 - A water main easement shall be shown surrounding the school building.
 - Additional detail shall be submitted to determine that adequate drainage will be on site.
 - All signage shall be installed at the expense of the District.
 - A snow storage easement along the private street on Lot 1 shall be shown.

- c) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 3.1 of the Subdivision Ordinance.
- d) All construction should take place and be maintained in accordance with the 2003 Urban Wildland Fire Code as adopted by the City of Hailey and approved by the Fire Chief.
- e) Any approval of the preliminary plat shall be subject to the PUD approval.
- f) The plat shall identify the location of the Toe of the Hill Trail and a note shall be included on the plat that the trail shall be open for public benefit and non-motorized.
- 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.

With the addition of the following conditions:

- i) An event drainage system design shall be submitted prior to the Council approval of the Preliminary Plat.
- j) A plan shall be submitted for the design of Echo Hill Park prior to the Council approval of the Preliminary Plat.
- k) An easement for access across the Dreyer property for a portion of the emergency access road shall be finalized prior to final plat approval.
- l) A blanket easement shall be provided covering all public rights-of-way.

Linscott seconded and the motion carried with Marvel opposed.

CONSENT AGENDA

ADMINISTRATIVE FINDINGS FOR VERIZON WIRELESS PERMIT

Grotto gave an overview of the application and noticing of the application, and advised the application would reduce the total height of the tower by 20 feet.

Jones moved to approve the Findings for the Verizon Wireless Permit. Zellers seconded and the motion carried unanimously.

FINDINGS OF FACT

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

315 Main Building -- **Jones moved to approve the minutes as written,** Marvel seconded and the motion carried with Zellers abstaining.

COMMISSION REPORTS

Anderson advised she would be absent from the August 15, 2005, meeting. Jones advised he would be absent from the September 19, 2005, meeting.

Staff Reports:

Council update:

Bulotti appeal – Grotto shared that the Council upheld the Commission’s decision on the Birdwood application at their July 11, 2005, meeting.

Moratorium – A moratorium on any application that would increase residential density was enacted July 1, 2005. Applications for lot line adjustments that would remove lot lines and create only one lot will still be accepted. The stated purpose addresses inclusionary zoning for community housing. An unstated purpose will address development impact fees.

Jones moved to adjourn, Linscott seconded and the motion carried unanimously. The meeting adjourned at 9:30 p.m.