

**MINUTES OF THE REGULAR MEETING OF THE
HAILEY PLANNING AND ZONING COMMISSION
HELD MONDAY, AUGUST 01, 2005
IN THE HAILEY CITY HALL, SECOND FLOOR MEETING ROOM**

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. Robin Stellers was present to take minutes.

PUBLIC HEARINGS

CHRISTENSEN WAREHOUSE DESIGN REVIEW APPLICATION

An application by Steven E. Christensen for Design Review of a new building at 20 Electra Lane (Lot 6L, Block 4, Airport West Subdivision) in the Service Commercial Industrial (SCI-I) district.

Christensen presented the warehouse plan and discussed the recent changes to the southern exposure that were added to the design. He explained that the warehouse will be used basically to store sheetrock and to house small offices. He discussed the recent concerns of Planning and Zoning in regard to the southern elevation. He stated that windows were added to the top of the southern and eastern exposures to add natural light. He stated that snow clips will also be added to the west elevation over the doors.

Anderson asked the applicant to go over the plan for the color rendering. He explained that the stone work will be along the bottom and the rest of the steel building will be textured on the outside with stucco. He also showed an example of the green color of the steel roof.

Anderson asked about the type of windows he would be using. Steve stated that they would be vinyl windows, and was not sure if they would be single or double hung or stationary windows. Stefanie asked the color of the garage door. He stated that he assumed it would be painted to match the color of the stucco.

Shay gave her staff report. She talked about the changes to the snow storage location. The original platted snow storage was in an awkward place so the storage area was moved to a more acceptable location. She stated that she had also addressed the snow clips with the applicant.

Marvel expressed her concerns related to the windows on the south side of the building. She asked that they be made to be larger or that the applicant add more for energy purposes, i.e. lighting and warmth. She also addressed the color selection of the building. She asked that the stone be raised higher on the building. She also commented that the

stucco should be of a different color; either lighter or darker in relation to the stone so that the colors are not so monotonous. She also asked that the trim color be different.

Anderson opened the public hearing. There being no comment, Anderson closed the public hearing.

Christensen stated that the color change would not be a problem. He stated that the roof could be one of ten different selections. Marvel thought that a dark brown on the roof would serve the building better and would match the brown and grey color of the stone and stucco. She thought the Design Committee could review the new choices. Christensen asked what size the windows need to be. Marvel was unsure but felt that they could possibly be doubled in size. Christensen stated that he felt the berm created more of a problem for energy because of tree shade than the lack of windows.

Jones stated that he agreed that the south elevation could use larger windows and that it would be consistent with the direction of the Comprehensive Plan. He did not note any problems with the color scheme but was willing to support making adjustments based on the dialog of the Commissioners.

Linscott agreed with the need for larger windows but understood that the use may not need as much lighting. She suggested that the windows be raised higher so as to not be blocked by the sheetrock. She said that she would like to see more contrast between stucco color and the rock. She stated that the garage door could also be a contrasting color that could match the roof. She did not mind the green roof color. She asked about the trim work and wondered if the trim would have more depth than what the design shows. She stated that more landscaping could also add more interest to the building. She noted that most of the landscaping is on the north side and that the berm is on the south side. She suggested maybe more landscaping on the west or the east side of the building. Linscott confirmed with the applicant that the roof clips would be addressed.

Zellers noted the snow clips were her main concern. She also agreed with Marvel's assessment of the windows, stucco color contrast, and the roof color.

Marvel agreed with Linscott that the trim needed to have more substance and that the garage door should be a different color than the stucco.

Anderson asked staff about landscaping guidance. Grotto stated that if the area is going to be used for snow storage that hardy trees or shrubbery would probably be the most adequate.

Shay stated that the applicant is proposing a Ponderosa Pine and three Aspen trees and in her opinion the landscaping seemed minimal. She stated that Grotto could administratively approve a revised landscape plan if necessary.

Shay also noted that the address of 20 Electra Lane was incorrect and that the correct address is 1911 Electra Lane.

Anderson stated that she agreed that the stucco color would look better contrasting with the stone, and that the roof and the doors should match. The color of the windows should be submitted and reviewed. She said some additional landscaping would be nice. She believed that the trim was fine.

Marvel moved to approve the requested Design Review application submitted by Steven E. Christensen for a warehouse project at 1911 Electra Lane (Lot 6L, Block 4, Airport West Subdivision) in the Service Commercial Industrial (SCI-I) zone after determining that the project is in compliance with the Comprehensive Plan and that the project will not negatively affect the health, safety or welfare of the general public and that it conforms with the specifications of the City of Hailey's Design Review Guidelines; with the following conditions as noted in the staff report:

- a) **All Fire Department and Building Department requirements shall be met. Items shall be completed at the applicant's sole expense.**
- b) **This building has been designed as a combination "B" and "S2" occupancy classification. Any change in use or occupancy type may require additional improvements and/or approvals.**
- c) **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:**
 - **The location of the water connection from the ¾ inch line to the building shall be verified prior to issuance of a building permit.**
- d) **Fencing to screen exterior storage materials shall be provided pursuant to requirements set forth in Section 4.12.3.4. Fence materials shall be approved by the Planning & Zoning Administrator.**
- e) **Snow clips and/or rain gutters shall be installed at appropriate locations on the west elevation to prevent snow slide and drip over the door areas.**
- f) **The south elevation shall have additional detail provided to be approved by the Design Review Committee.**
- g) **Landscaped areas shall be maintained in good condition.**
- h) **No outdoor storage of any materials shall be allowed.**
- i) **All exterior lighting shall comply with the Outdoor Lighting Ordinance.**
- j) **The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.**
- k) **Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can**

be issued.

- l) 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 addition of the following conditions:

- m) The stucco color shall be changed to increase the contrast.**
- n) The size of the south facing windows shall be increased.**
- o) The roof, trim and garage door color shall be adjusted to add contrast, with details to be submitted to, and reviewed by, the Design Review Committee.**
- p) A revised landscape plan shall be submitted for approval by staff.**

Zellers seconded and the motion carried unanimously.

EHRENBERG ANNEXATION OF TAX LOT 7273

An application by Tony Ehrenberg for annexation of Tax Lot 7273, located on West Bullion Street just beyond the City Limits. The property is currently located in Blaine County and is zoned R-4 with Floodplain Overlay. The applicant is requesting General Residential (GR) zoning with Flood Hazard Overlay. Four single-family lots and one open space parcel are proposed.

Brian Yeager, Galena Engineering presented the application on behalf of Tony Ehrenberg. He discussed the issues addressed in the staff report. He stated that the proposed annexation would be consistent with the geographical boundaries that the City has explored with areas such as Little Indio and other properties in the area. He stated that the property is already served by the city of Hailey Water and Sewer Departments and so will not add more impact to those departments. He explained that the property is centrally located and is in walking distance of the downtown core of the City and that there are no real natural hazards on the property with the exception of a small portion of the southern corner within the flood plain. Yeager explained that an environmental impact assessment had been done with no hazards found. He stated that after reviewing the staff report suggested conditions, that only one condition posed a particular concern to the applicant, which is the Parks and Lands Board's request for an access easement through the property. He stated that it is the applicant's desire to not have the access easement on the property and that the adjoining property's existing access easement could be used instead.

Grotto presented the staff report. She stated that most of the property is out of the flood plain. Currently there are a several buildings on the property of different ages, sizes and types, three of which are currently served by the City. Grotto addressed the concerns of the applicant regarding the Parks and Lands Boards' request. She stated that the western boundary is full of vegetation and shouldn't be touched, but that along the river and adjacent to Ehrenberg's property there is a well defined pathway. She sent the information regarding the current pathway to the Parks Board. She stated that Parks Chair Becki Keefer agreed with her assessment that the easement should be on the

adjoining property but the Parks Board felt that the applicant should still contribute in some way to Hailey's Parks. Grotto stated that most likely this would be done in the form of annexation fees.

Grotto talked about the Commission's role of making recommendations on the annexation and zoning. She also felt that Commission might want to closely review any proposed agreement and be very clear regarding what is allowed within the riparian zone. She stated that the applicant's plan shows a six foot non-motorized pathway for the residents to access the river. She stated that the Army Corps confirmed that there are no wetlands in the area. She stated that all of the building envelopes are outside of the flood plain area. The environmental assessment report recommends actions to be taken if the applicant plans to demolish the existing buildings, as well as research the existing manhole structure on the property. Grotto said that if the property is annexed those recommendations should be addressed in the annexation agreement.

Grotto explained that the area is within walking distance to the down town core and that the 8000 to 10,000 sq. ft. lots are compatible with the surrounding area. She noted that there are already three connections to the water and sewer system, so the applicant would be looking at the need for only one more connection for the fourth lot. She stated that the development's vehicular traffic would collect onto Bullion St.

She explained that the application does not represent a lot of growth but would suggest as a condition of approval that the Council make a finding that the plan will not negatively affect the City fiscally. Grotto stated that the applicant has requested that the property be zoned GR which is what the majority of that area is zoned.

Grotto discussed the staff report summary and suggested conditions, and stated that condition "c" should be deleted related to the pedestrian pathway.

She asked that the Commission note that, if annexation is recommended, the Commission also recommend that the Bullion St. right-of-way adjacent to the property be annexed as well.

Jones asked about the location of the right-of-way. Grotto pointed out the right-of-way and the actual asphalted street.

Zellers asked if city services would have to be extended if the right-of-way was annexed. Grotto stated that the roadway annexation is required by State Code and believed that the City already maintains the area to the Lyons Park and Little Indio.

Linscott asked about the annexation application review process in relation to the applicant's desire to subdivide. Grotto said that the application includes a schematic plan and that the Commission should address the subdividing if they have concerns. Linscott asked about the neighboring property with regards to the C shaped easement. Grotto explained that the neighbor owns that property and another tax lot, which is where the roadway would go if the neighboring applicant received annexation. Linscott asked why

there would be a need for a private road in this proposal if there will be another development with roadway. The Commission discussed private roadways as opposed to public roadways. Grotto explained that if a public street was put into that area there wouldn't be enough room for the lots because of the required 60' right-of-way.

Grotto and the Commission discussed schematic plans in relation to annexations. Grotto said that once the schematic plan is recommended, it shouldn't be changed.

Marvel stated that because of the recent history related to private roads she would be against private roads and would rather connect the neighboring property's road to this applicant's road. She also stated that there could be more density and that this area could be great for town homes which would be closer to what the Comprehensive Plan recommends. She stated that she would have a problem with two potentially private streets accessing onto Bullion St. Grotto confirmed that she was asking for the two properties to share a road. Marvel said that she agrees with the annexation of the property but wants sidewalks, road connectivity and pedestrian access.

Linscott believed if reviewed separately the two different projects would become a piecemeal situation. She stated that she would rather see the two applications together. Grotto asked the applicant's representative for comments.

Yeager stated that it was his clients desire not to have the timeline for Caplow's application hold up his client's application. He discussed density and stated that town homes would not be consistent with current properties along the river. Yeager discussed the roadway layout and explained that this was what they believed to be the most efficient roadway for the area.

Zellers asked if the road on the east side could be a city street. Grotto stated that the latest plan submitted with the Caplow's annexation application (still incomplete) showed it as a public street connecting with Sawmill Drive. She stated that Sawmill was specifically platted to provide access to Caplow's property.

Anderson opened the public hearing.

Steve Crosser, 431 Aspen Drive, stated that his main concern was the roadway. He wondered how far the private road would go. He agreed with the applicant's choice of lot sizes and felt that they were appropriate for the area. He stated that the building envelope was right next to the riparian zone and wondered about the construction vehicles impacts on the area. He thought the open space was great and asked if it would be permanent. Kristen said that riparian zone would remain open space.

Aaron Domini, 321 Elm Street stated that he did not think that the Commission should be looking at an annexation application without a concurrent subdivision application and that it shouldn't even be considered during a moratorium. He stated that the Caplow property will have many different issues that will affect this property. He wondered about emergency access. He also stated that Parcel A is unique with a lot of vegetation

and that there should be a plat note related to it. He also wondered how the annexation would work with the current White Water Park. He felt that there should be a reassurance of green space as well. He stated that he would be in favor of higher density but felt that the Commission should be looking at the footprint. He stated that this plan essentially creates a private neighborhood that will conflict with a very public area. He recommended that the Commission hold off and wait and consider what the Caplow property may do.

Terry Davis, 410 Bullion, wondered what would happen if the property was annexed and it was sold to Caplow and a large development was created. She stated that the area is beautiful and that the homes there currently are beautiful. She felt that a large development would ruin the area.

Bridgett Sears, 310 Croy St., said that she felt that it would be very difficult for the Commission to make any sort of decision without enough information related to the area.

Crosser asked how a person could build right next to the riparian zone without it being destroyed.

Shay addressed the riparian zone and how similar areas have been handled during construction.

Anderson wondered if people would be willing to not have a backyard as proposed, because of the riparian zone. She did not see any way of protecting the riparian zone because of the close proximity. Grotto stated that the building envelope would definitely need to be considered during a subdivision application.

Grotto answered to Aaron Domini's comment regarding the combination of subdivision and annexation applications. She stated that the City has no authority to review a subdivision application for land that is not within its boundaries. She explained that the schematic plan is used to help the City determine if the annexation is appropriate.

Anderson also added that the current application was submitted prior to the moratorium and the Commission has an obligation to the applicant to hear its application.

Yeager stated that City's obligation should be to the applicant being heard and independent of what is hypothetical or unknown. He stated that this application should be considered under the rules and guidelines that were in place at the time that the application was submitted. In response to the public comments, he stated that the road would most likely be trimmed back ten feet to add more snow storage. He stated that the riparian area should be identified in the annexation agreement to explain the allowed uses to protect the riparian area. He also stated that the buildings shown on the plan are purely conceptual and that the houses would have to be designed and built to fit the area. The zone could be moved back to allow for construction work. Yeager stated that the roadway is not deep enough to require an emergency turnaround. He stated that plans call for green space between this development and the river. He also discussed higher

density but was not sure if it would be best to have high density along the river. He stated that the real issue is not the riparian area, because it will already be protected, but that the real issue is the roadway. He advised that this street would not be a major street. He stated that there are three residences out there now, they are asking for one more to be used as much as the current ones are now.

Grotto explained that she wanted to be really clear regarding the question on why the Commission is hearing the application; it was submitted prior to the moratorium. She stated that the City has a lot of discretion on whether it wants to hear an annexation application. She stated that she believes as a member of City staff, she does not have the right to refuse an application. She stated that the Commission does have the right to decide as a recommending body to the Council what they want to see, when they want to see it and could also request that the applicant work with the neighbor, but she won't personally recommend whether the Commission should or shouldn't request that.

Anderson asked if the Commission would be recommending the schematic plan at the same time if they were to recommend this application for approval. Grotto said yes and to be specific about what the Commission wants to see on the schematic plan, but if there is not enough information or if they want to see a new plan, the application should be tabled until a new plan is presented to Commission.

Yeager asked that if the Commission did have concerns about the schematic plan, they not deny the application but table it assuming that they can receive future information from the applicant. Anderson did not think that denying the application was appropriate. She believed that it should be tabled with recommendations given for the applicant to come back with. Anderson stated that she believed the major issues were the platting of the building envelopes, creating something that doesn't have to be bisected with a private street, and also the relationship of the building envelopes to the riparian setback. She stated that master planning needs to be considered and both property owners need to be considered.

Zellers stated that prior to the meeting she had issues. She does not like the private road. She believes that the density should be higher. She stated that it will not make a difference whether there are 4 or 8 houses. She believed that the property should be annexed but does not feel comfortable with the current schematic plan.

Marvel agreed with Zellers. She also has issues with the private street. She did not want to approve anything that makes a private community. She would like to see a public streetscape. She agreed that the property should be annexed, but wants the schematic plan worked on. She stated that the applicant could come up with a different plan to include frontage and sidewalks on Bullion St. She stated her belief that this would be a good place to encourage density, all vegetation should be preserved and that there should be a contribution by the applicant to the City parks. She also talked about the Hailey Library needing contributions when property is annexed.

Linscott agreed with both. She stated that it is appropriate land to annex but there is not enough information on the surrounding land use. She respects the rights of private land owners but when these properties fall into riparian areas they have a responsibility to the community as well. She stated that though they can't force the two owners to work together, she believed it best for everyone to work together to create their own version of the master plan that takes into account the recreational uses of the area including contributions. She is not willing to be rushed into annexing the property. She felt that her responsibility is to the community, not one owner. She stated that the historic uses there should also be considered. She would hate for there to not be some creativity in relation to the historic attributes of the area. Linscott stated that she does not want to deny the application but would like to table it.

Jones stated that after thinking about it and hearing the discussion he does not want to hear about applications being "held hostage" by the Commission because it is not the case. He stated that the applicant still has many uses for the property whether it is annexed or not. He stated that the reality is that the applicant just wants more density. He believed that it does make sense to annex the property but that the Commission needs to see something that is compelling, and that the plan overall benefits the community. He stated that he would like to build on the recommendations of the discussed items such as conventional design, doing away with the private street, addressing the building envelopes, maintaining the existing vegetation, and squaring up boundaries. He also felt that the application should be tabled until a future date.

Anderson agreed.

Zellers moved to table the application by Tony Ehrenberg represented by Yeager Yeager of Galena Engineering for annexation of Tax Lot 7273, located on 110 West Bullion Street to a date uncertain. Marvel seconded and the motion carried unanimously.

PROPOSED AMENDMENTS TO ARTICLE IX, PARKING AND LOADING SPACES, OF ZONING ORDINANCE NO. 532, AND TO SECTIONS 4.1.10.2, 7.3 AND 8.3 OF SUBDIVISION ORDINANCE NO. 821.

Proposed amendments include revisions to number of spaces required, improvement of parking spaces, right-of-way improvements, credit for parking spaces, access screening and provisions for reduced parking requirements for shared parking. (Continued from June 6, 2005)

Grotto presented the proposed amendments for this Ordinance and thanked Domini for his assistance with drafting the Ordinance amendments.

Article 9.2.3 limits the number of spaces that you can get credits for. She explained that commercial businesses should be credited for parking spaces on streets directly adjacent to their property; but that there should be some limit to receiving credit for what is beyond their property. Grotto explained the new subsections "f" and "g" in relation to

parking credits. Grotto suggested that an exception be in place for commercial uses such as a movie theatre that may have low parking impact during the day.

The addition to Article 9.2.8 was taken from 9.6 for housekeeping purposes.

Article 9.2.9 was rewritten it to say parking for any use containing more than 4 surface parking spaces needs to have screening around it except where spaces have direct access to a right-of-way.

Article 9.2.12 was deleted because it is covered by a new shared parking section.

A calculation section was created for Article 9.4. to provide a parking requirement catch all. Also added was a section regarding handicap parking.

Article 9.4.1 covers how many parking spaces are required for different uses. Residential parking requirements were left the same, except the 6 per residence maximum requirement was removed. Section “b” was created to help encourage mixed use in the downtown core. Section “c” covers parking for multiple family dwellings.

Linscott asked how a half of space is created. Grotto explained that it is rounded up.

The Commission discussed parking in relation to the removal of the 6 per residence maximum and wondered why it could not be left in there. Grotto explained the reasoning and the ineffectiveness of being able to enforce the 6 per residence maximum.

Article 9.4.2.1 removes parking requirements for outdoor area used for display or storage.

Article 9.4.2.2 removes text related to miscellaneous parking requirements that were based on unknowns. Regarding Section “b”, Grotto explained that Bigwood Cinema has empty spaces in the lot even during peak times. She stated that she is open to decreasing movie theatre parking from 1 space per 4 persons to 1 per 3.5. Linscott stated that “b” should be corrected to be 4.5, not 3.5, to achieve a decrease in parking requirements.

Section “n” was added on the recommendation of the Parks and Lands Board. They recommended that parks to be assessed on a case by case basis, using public right-of-ways for parking when possible, so as to not use green space for parking. Grotto stated that the City Attorney has not had a chance to review this particular section but believed that he may want to include some sort of calculation.

Linscott also thought that hotels/motels could be under the same parking requirements as theatres. Grotto mentioned staff parking could be an issue. Linscott believed that there would not be enough staff at any time to create a concern. The Commission agreed that hotels could possibly be included.

The Commission further discussed the amendments to the parking requirements.

Linscott commented that, related to Section “g”, 75% may be too high still and could maybe be a little lower.

Linscott also wondered why parking spaces are not rounded down instead of rounded up. She would prefer there be less parking to encourage walking.

Domini commented that maybe a parking space threshold should be created before you start rounding up. The Commission thought that maybe after more than 10 you could round down. Grotto noted the Commissioners comments in Article 9.4.a.

Zellers agreed that that last sentence in 9.4.1.d should be taken out, but believed that the 6 per residence maximum parking should remain in section 9.4.1.a. Linscott wanted it left in 9.4.1.a also.

Zellers believed that Section 9.4.2.2.n, related to parking requirements within Parks, was a bit too vague and that there should be more substance to it. She believed it would be better to have a calculation. Anderson suggested that the Parks and Lands Board come up with some sort of calculation.

The Commission discussed hotel parking and the possibility of shared parking programs with adjacent office buildings.

Grotto presented the new shared parking section, 9.4.3 and presented a table of hours of use that the shared parking would be calculated at. She also mentioned that there could also be a more specific study done to prove that the table is still yielding too many parking spaces, if the applicant wanted to present such a study.

Marvel stated that Section 9.4.4 (b) should include Limited Business and Transitional zones.

Zellers stated that legal description of buildings should be included in the application that the parking lot serves so that accurate calculations can be made.

Grotto also noted that the asterisk in Table 3 needed to be corrected in relation to Bigwood Cinema and Marketron parking to mark 182 spaces, not 88 spaces.

Commissioners discussed scenarios such as Marketron and Bigwood Cinema related to the shared parking table.

Zellers moved to continue the application to a date certain of August 29th.

Linscott seconded and the motion carried unanimously.

FINDINGS OF FACT

Woodside Elementary PUD- **Linscott moved to approve the Findings for Woodside Elementary PUD as written.** Zellers seconded and the motion carried with Marvel opposed.

Woodside Elementary Preliminary Plat- **Zellers moved to approve the Findings for Woodside Elementary Preliminary Plat as written.** Linscott seconded and the motion carried with Marvel opposed.

COMMISSION REPORTS

Anderson thanked the Commission for their work on the current applications.

STAFF REPORTS

Airport Authority meetings are held the first Tuesday of every month at 6:00 p.m. in the Old County Courthouse. The next Airport Authority meetings will be held on August 2, 2005, and September 6, 2005, with a special meeting to be held September 28, 2005.

The City picnic will be held Thursday, August 18th at 3:00 p.m.

Blaine County Rec. District has terminated their agreement with Quigley. Their feasibility study on fund raising showed that they would not be able to raise the funds needed for the project.

There will be a Town Hall Meeting Thursday, August 11, 2005, from 6:00-7:30 p.m. at Wood River Middle School.

Jones moved to adjourn the meeting. Linscott seconded and the motion carried unanimously. The meeting was adjourned at 9:20 pm.