

**MINUTES OF THE REGULAR MEETING
OF THE HAILEY PLANNING AND ZONING COMMISSION
HELD MONDAY, AUGUST 15, 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 Vice Chair Trent Jones. Commissioners Stefanie Marvel, Elizabeth Zellers and Nancy Linscott were present. Commissioner Kristin Anderson was excused. Staff present included Planning Director Kathy Grotto, City Planner Diane Shay, and Deputy Clerk Tara Hyde.

PUBLIC HEARINGS

LOGAN’S RUN ANNEXATION AND REZONE

An application by Bill Abide for annexation of Tax Lot 7137, approximately 12.92 acres, located between Highway 75 and Northridge Subdivision, just south of West Meadow Drive. The applicant is requesting Limited Residential-1 (LR-1) and General Residential (GR) zoning for the project, to be known as Logan’s Run.

Brian Yeager, of Galena Engineers and representing the applicant, gave an overview of the proposed project stating that the applicant is requesting annexation of just under 13 acres, with plans for multi-family and single family residential mix. The property is currently zoned R-1 in the County. The applicant has a land planner from Colorado working on the project; however the planner was unable to attend this meeting. Should annexation be approved, the applicant plans approximately 65 dwelling units, with multi-family dwellings located along Highway 75, transitioning to patio homes in the interior and single family homes on the lots that abut Northridge.

Yeager indicated access to the property would be off Highway 75, governed by a stop sign, with additional access on Second Avenue.

Yeager explained the development was laid out around open space with ponds. He advised the property has irrigation rights, and said the common areas would be irrigated off the ponds.

Multi-family housing has been set back from the highway to allow widening of the highway in the future. There is a small parcel of land located to the north of this property, and adjacent to Highway 75, that would require annexation so as not to leave an island of County property. Yeager indicated the property owner had indicated he was fine with that.

Yeager advised of pathways around the ponds for connectivity. Plans call for a concrete sidewalk on one side of the road. Yeager referenced water pressure problems experienced in Northridge and explained that the Public Works department indicated that the Riverside lift station maintenance and repair will need to be addressed.

He added that the Fire department had expressed concerns about additional residences located farther than 1.5 miles from the fire station which, due to the ISO fire rating, may cause a significant increase in fire insurance premiums to residents of the City. Yeager indicated the homes are consistent in location with Northridge homes.

Bill Abide introduced himself as a licensed architect and developer. He explained his view of the opportunity to offer a good neighborhood project. His vision is that a space be created where people will interact with one another. He believed his project would make an architectural statement at the north end of town. He advised there are no berms planned. Abide said the townhouses planned along Highway 75 would contain interesting architecture, pulling in characteristics of Hailey, instead of just looking like converted apartment buildings. He advised circulation and parking issues were addressed and changed from the first plan presented for review. Extensive landscaping is planned. Abide referenced several meetings with the City which addressed design changes that are included in the draft. He believed the ponds as presented would help preserve view corridors for Northridge residents.

Yeager advised that a portion of the housing was set aside for community housing. He said the concept of the road accessing off the highway, with the bend in it as presented, allowed people turning off the highway to recognize they were in a residential neighborhood.

Abide said he originally laid streets for the proposed project in a more traditional design. With rework of the plan, the loops included in this draft would be private streets, allowing for less plowing and less maintenance by the City. Yeager would like comments from the Commission if they believe the property is annex-able. He asked for ideas and input.

Grotto said the application was received in May 2005, and certified complete on June 2. She advised the Commission was to determine compliance with the Comprehensive Plan and then make a zoning recommendation.

Grotto advised the plan does not incorporate the large area of trees currently on the property. She is waiting for IDWR comments regarding the ponds and surface versus ground water rights. Evaporation of water is a concern with the ponds. Grotto advised no hazardous areas have been identified on the property.

Grotto said the project would require 1.8 acres of park space. She advised that no dedicated park area was shown on the plan. Green space is shown around the ponds with public access proposed; plans call for that green space to be privately maintained. She expressed concern that the grassy areas would be construed as back yards for the adjacent homes. She advised the Parks and Land Board recommended not accepting the current configuration of park space. There was discussion of park space being located at the south end of the project for connectivity to future projects on the property to the south.

Grotto said the application states that a certain portion of the multi-family housing would

be set aside for community housing. She suggested the Commission may wish to consider requiring some of the single family units also be deed restricted, to better integrate the community housing units. Grotto added the patio housing was single family homes on small lots; more like detached townhouses. She advised that could be achieved through a PUD if the Commission liked the idea.

There was further discussion, relative to Section 9.0, Public Facilities, Utilities and Services, about a possible increase in the fire rating for the City with additional houses being built out of the 1 ½ mile range. It was suggested that the Commission may wish to add some requirement for provision of, or contribution to, a fire station at the north end of town. There was also further discussion about the private street “loops” proposed within the subdivision. Further analysis of access, relative to Fire Department policy, and maintenance of the proposed public streets, relative to maintenance (eg: efficiency of snow plowing) may be required. Water and sewer capacity is available, however some sewer lift station improvements may be needed to accommodate the subdivision.

Grotto said that Idaho Transportation Dept. stated that access to the property off of Highway 75 was acceptable in the location proposed.. She suggested the Commission may wish to discuss the internal paths and sidewalks. Offsite improvements could include a bike path along West Meadow Drive to connect to the BCRD bike path.

Grotto understood the owner of Lot 1, Block 2, West Meadows Subdivision, the property to the north that would also need to be annexed so as not to create an island of County property, was not adverse to the annexation, but did not want infrastructure to be installed to negatively impact his property.

Grotto said that no water rights are being offered to the City. The applicant is proposing that the surface water be used for creation of the ponds and irrigation of the common space. She added that a fiscal impact study will need to be provided for Council review. She suggested the Commission may wish to consider how the current schematic plan, with moderately high density proposed overall for the site and gradual transition to larger lots adjacent to Northridge properties, meets policies addressing pedestrians and automobiles while keeping in mind that the project is beyond walking distance from town.

Grotto suggested deferring the zoning discussion for the application to a later date.

Zellers clarified that community housing would be addressed in the annexation agreement. She asked if a landscaping requirement could also be addressed in an annexation agreement. Grotto indicated it would be appropriate to include both in the agreement.

Linscott asked for further explanation regarding the benefit versus the disadvantage of mixing private and public streets within the subdivision. Grotto advised private streets are allowed and make for less street maintenance for the City. The question is how the streets within the subdivision allow for emergency access and interconnectivity. Linscott

clarified the applicant would go through the PUD process for the proposed private streets. Grotto indicated that was correct.

Marvel expressed the following concerns:

-Private streets—she does not like them, stating they give a sense of a gated community. She believed more connectivity was needed. She hopes to see streets with sidewalks on both sides and the inclusion of street trees.

-Park—She believed the ponds presented did not give the feel of being open and accessible to the public. She did not like the enclave piece-mealing of park space it afforded.

-Sidewalks—Marvel suggested a sidewalk with street trees should also be constructed along Highway 75 through to West Meadow Drive, in addition to the inclusion of sidewalks within the subdivision

-Access—She believed more than one access was needed from the highway. She hoped to see blocks and alleys and future connection to the property located to the south.

Jones asked, for clarification, where the applicant was in the water rights process; is the water able to be used year round? Abide indicated there are currently 13 miner's inches of water rights. Jones asked if water would be in the ponds 365 days/yr, 24/7. Abide answered he was checking further if the ponds are workable. He advised they could be removed if they were not.

Jones asked about the access to Second Avenue. Abide indicated there was a 70' strip of land at the access point shown that is included in this property. The proposed subdivision property actually touches the City right-of-way property at Second Avenue.

Jones opened the public hearing.

Richard Nelson, owner of Lot 1, Block 2, West Meadow Subdivision, explained he was seeing the proposal on paper for the first time. He expressed concern with the density related to highway traffic, snow storage, water and the proposed cul-de-sacs. He thought the 4-plexes along the highway were too much. He stated he has 3 miner's inches of water from the same source as the applicant's and asked how the subdivision would affect his water rights.

Roland Nickerson, 1880 Second Avenue N, owns the property adjacent to where this property meets Second Ave. His concerns addressed vehicular traffic, believing cars within the subdivision are not going to wait at the highway during peak times, but will instead access Second Avenue to go to the light. Water was also a concern, as was density in relation to the adjacent Northridge neighborhood with ½ acre to 1 acre properties.

Kurt _____, 1661 Second Avenue N, expressed concern with bottlenecking traffic at the highway.

Beverly _____, who has POA for her mother Dorothy Lee Hay of 1940 Second

Ave N, asked where people would park as no garages are shown on the schematic. She believed the multi-family units would be appealing to families with children and expressed concern that there were no yards. Water pressure and water rights were also listed as concerns.

Brian Ahern, 1781 Second Avenue N, stated the plan looked like a condo complex in Florida. He stated traffic will access Second Avenue to route to the light to access the highway. He stated concerns with the water pressure currently experienced in Northridge and how this subdivision may exacerbate the problem. He stated he did not like it and did not want to see this type of development out his window.

Dr. Ron Mendelsohn, 1741 Second Ave N. believed the only bright spot of what was presented was the view corridors over the ponds, and now the applicant stated the ponds may be removed. He expressed concern about no garages and snow removal. He stated the bottom line was that the character of the Wood River Valley is what makes people come here, not the streets and houses. He suggested requiring fiscal responsibility from the applicant. He asked if taxes for the project would come anywhere near the cost of providing services.

Rick Rausch, 360 West Meadow Drive, expressed concerns related to water pressure and traffic.

Aaron Domini, 321 Elm Street, stated he appreciated the applicant's vision. He said he had come in and accessed the file and the traffic impact study was in; the fiscal impact study was still required. His concerns addressed the following:

- Taxes—Residential units are a drain on the community, with every \$1 brought in, the City loses \$.10 - \$.35.

- Parks—He stated the needs of Hailey demand City parks. He advised the ponds shown on the schematic covered over 2 acres of the property, allowing plenty of room for a park to be created on the property.

- Water—He believed the ponds did not address best water management practices, as water evaporation through those ponds would be great. While the ponds would add to the land value of the surrounding property owners, they give nothing to the City.

- Gateway—He expressed concern of only seeing the backs of the multi-family housing. He believed the open space should be along the highway.

Other items of concern expressed by Domini include work force living, a bike path connector, sidewalks on both sides of the streets, and proposed density. Domini suggested if the applicant applied for a PUD, that the City ask for land for a Fire Station, which would be of help to all in the north end of Hailey. He concluded by stating he believed the property was appropriate for annexation, but not in the current configuration.

Grotto referenced a letter received after the packets were distributed from Lynn and Janet Askew who expressed concerns related to the annexation not being harmonious with the Comprehensive Plan for the following reasons: inadequate circulation and connectivity, low water pressure, no park land inclusion, not compatible with adjacent zoning and

neighborhoods (she believed LR-2 zoning should be adjacent to the existing Northridge properties), traffic, and use of the narrow streets by school buses.

Jones closed the public hearing.

Abide advised that all of the units will have garages and parking will meet the parking requirements of the City. He advised he was not to the point of actually having the house designs drawn up, but that the City requires plans to show what is tentatively proposed for the property when annexation is requested. He believed that the multi-family housing located along the highway would act as a noise buffer to the entire property. He advised the fiscal impact study would be supplied at the Council level. He advised there would not be additional housing built if the ponds were removed, but instead additional landscaping would probably be installed. He stated his belief that parks do not need to be a 600 x 600 foot patch of grass; he believed there was much green space within the project.

Yeager advised that the traffic study recognized that traffic during peak hours would access Second Avenue, but that none of the traffic would put the street over capacity. He explained the increased traffic would be a perception issue to those only used to seeing 4-5 cars a day when 20 cars a day start using the street. He asked that the Commission help the applicant understand what they want to see for the annexation, density, open space and lot size.

Linscott referenced the water pressure issue; Yeager said a lot of the perception of low water pressure comes from how sprinkler systems are set up. Incorrect head sizing contributes to that perception. He believed the proposed Quigley water storage tank would help alleviate those problems. A water modeling study would yield more information on water pressure.

Jones referenced Abide's comment related to accessibility to the public of the park space, trails and ponds. He asked for the applicant's vision as to how those would be considered accessible to the public. Abide suggested there were parking areas located along the street with points of land containing pathways that follow along the ponds. Abide also referenced a proposed auto connection at the southwest corner of the property, for connection to the property to the south when it develops, along with a pedestrian access located at the southeast corner of the property.

Jones added an editorial comment that, while Yeager had asked for Commission feedback, Jones believed the Commission's time was valuable and he did not think the Commission should be the ones to draft a suitable proposal. He added that annexations are a big issue for the community; he suggested addressing the following:

- Is the property one the City wants to consider for annexation.
- Is the proposal acceptable vis-à-vis to surrounding neighbors and the community core.
- What are the benefits to the community at large and are they suitable in exchange for annexation.

--Additional information needed regarding parks, infrastructure issues and traffic.

Marvel believed the main benefit of the proposed ponds as parks was to the surrounding residents. She believed there should be broad access from the street, with picnic tables and other park amenities. She believed there needed to be more space to perceive the areas as open to the public. Marvel stated the property probably should be annexed, but not in the configuration presented. She believed it important to provide connectivity, such as sidewalks on both sides of the streets as well as along Highway 75 adjacent to the property. She stated annexation adds greatly to use of the parks and the library and funds would be required for maintenance of both. She referenced the need for additional fire protection on the north end of Hailey.

Zellers agreed with comments made by Marvel. She also stated she appreciated the try at density. She did not believe the cul-de-sacs would work, wanted connectivity to the bike path and sidewalks on the streets. She agreed the ponds were only a benefit to those living in the subdivision. She agreed traffic on Highway 75 would only get worse and expressed concern about the one access off the highway.

Linscott also appreciated the attempt at density, believing that cluster density helps to avoid sprawl, but agreed with comments made by the other Commissioners. She stated the ponds gave an air of exclusivity to the development, which could create a conflict with users and surrounding property owners. She also believed those ponds would attract dogs and wildlife and thought they should be revisited. She agreed the townhouses would attract families with children. She suggested the promotion of dialog between the owners of large land plots to address connectivity issues. Linscott referenced the moratorium, adding that perhaps work done towards the moratorium would allow upward growth to help alleviate sprawl.

Jones stated his belief that community housing should be spread throughout the development using all housing types found within the development. He believed change was needed adjacent to the highway to address the gateway issue. He questioned the viability of the ponds and wanted a clear status of those ponds with regard to water rights. He suggested the applicant look at how the extra water could be utilized, believing that any leftover water should be used for the benefit of the City.

Zellers agreed the property was a good property to look at annexation of, but not with the current schematic presented.

Jones stated the photos were helpful, but having the Boulder land planner here as project coordinator would have been more helpful with answering Commissioner's questions. There was discussion about denying the application, with Jones suggesting tabling the application to a date uncertain. Grotto said the Commission should only deny the application if they do not want to see the property annexed. It would be fine to table the application if the Commission wanted to see a different schematic with regards to annexation.

Linscott moved to table the application to a date uncertain. Zellers seconded and the motion carried unanimously.

TEXT AMENDMENTS TO HAILEY ZONING ORDINANCE #532 ADDRESSING AVALANCHE AND HILLSIDE OVERLAY DISTRICTS

Proposed city-initiated text amendments to Zoning Ordinance No. 532, by adding a new section, 4.14, Hillside Overlay District, setting forth definitions, establishment of district, uses, bulk requirements, requirement for permits, criteria and development standards for development on hillside areas; and adding a new section, 4.15, Avalanche Overlay District, setting forth definitions, establishment of district, restrictions, requirement for permits, notice requirements, and warnings regarding avalanche hazard areas.

Bruce Smith, surveyor, gave a presentation regarding avalanches. He stated it was important to include avalanche information in our ordinance. He gave information relative to different types of avalanches: loose snow/sluff, slab, ice (which is not a problem in this area), wet/dry, and airborne/ground/mixed. He explained the various conditions and triggers needed to start an avalanche. Smith shared the Local Avalanche Forecast number of 622-8027, along with the Observation Hotline number of 622-0099. He explained that the red avalanche zone is high hazard, with one avalanche occurring every 30 years. Avalanches in the blue avalanche zone typically occur every 30-300 years.

Grotto advised the avalanche zoning map will generically denote the avalanche hazard of an area, without getting into specifics if the property is located in blue or red avalanche areas. A site specific study will be required for a property located in an avalanche area. If the property lies in a red avalanche area, no building will be allowed on the portion that is covered by the red zone. It is proposed that buildings located in blue avalanche areas must be engineered. Most of the requirements of the avalanche ordinance will be addressed by the Building Department during their plan reviews.

There was discussion about realtors advising prospective clients and seller disclosure of avalanche zoning on a property.

Grotto added the Fire Chief wants to include debris flow studies for those properties also. Smith advised an avalanche will usually always go farther than a debris flow.

Jones opened the public hearing.

Len Harlig, a Blaine County resident and contributor to the Blaine County Hillside Ordinance, addressed the Hillside Ordinance portion of the application, stating he appreciated the opportunity to comment and likes what the City has put together. He stated avalanches, fire problems and soil erosion are all good reasons to limit or eliminate hillside development.

Aaron Domini, 321 Elm Street, believed that a Hillside Ordinance is needed due to many

developers currently looking at development ideas.

Alison Kennedy, of the Wood River Land Trust, said she is happy the City is looking at development with a moratorium. She asked all to remember the goal of this application was to protect the hillsides for environmental, wildlife, avalanche and aesthetic reasons. She suggested removing “recreation” from the ordinance, but leave references to “public access” in.

Grotto said that Harlig’s and Kennedy’s comments steered towards a more strict hillside ordinance, she clarified the Commission was in agreement with a more strict ordinance. Jones, Zellers, and Linscott were all in agreement and believed the ordinance could be made significantly stricter.

Marvel moved to table the application to a date uncertain, Zellers seconded and the motion carried unanimously.

TEXT AMENDMENTS TO SUBDIVISION ORDINANCE #821

Proposed city-initiated text amendments to Subdivision Ordinance No. 821, adding a requirement for zoning and overlay district boundaries to be shown on preliminary plats, and amending section 4.9 to include all overlay districts, including avalanche and hillside.

Zellers moved to table the application to a date uncertain, Linscott seconded and the motion carried unanimously.

FINDINGS OF FACT

Christenson Warehouse Design Review- **Zellers moved to approve as written,** Marvel seconded and the motion carried unanimously.

MINUTES

June 6, 2005 - **Linscott moved to approve as written,** Marvel seconded and the motion carried unanimously.

STAFF REPORTS

Council updates:

Grotto advised there would be no more voice control allowed for dogs on public property. Dogs must now be on a leash when on public property.

A change to the moratorium has been addressed. Condominiumization and townhousing of applications previously approved will be heard by the Hearing Examiner.

Grotto gave an overview of the town hall meeting that took place at the Middle School on August 11, 2005.

Linscott moved to adjourn, Zellers seconded and the motion carried unanimously. The meeting adjourned at 9:35 p.m.