

**MINUTES OF THE REGULAR MEETING
OF THE HAILEY PLANNING AND ZONING COMMISSION
HELD MONDAY, NOVEMBER 7, 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. Chief Chapman was available for questions related to the application for additional height in the Business district. Staff present included Planning Director Kathy Grotto, City Planner Diane Shay, and Deputy Clerk Tara Hyde.

PUBLIC HEARINGS

AIRPORT BUSINESS AND STORAGE, ETC. DESIGN REVIEW

An application by Hailey Garages, LLC for Design Review of a new building, located at 140 Havilland Lane in Airport West Subdivision in the SCI-I District.

Ned Hamlin, Architect for the project, advised the proposed site sits at the southeast corner of Airport West. He advised the applicant purchased 3 lots and, upon approval of this design review, will submit an application for lot line adjustment. He told the Commission the lots are encumbered by a 30 foot wide landscape easement adjacent to Broadford Highlands homeowners. He advised the lots are also limited to uses of storage, warehouse and accessory uses. The building proposed is planned to be a warehouse.

Hamlin introduced the Landscape Architect, Terry King, of Clemens Associates, Inc. King advised of drainage plans. He said the roof slopes to the back of the building for drainage to drywells located there. He added there are plans for a series of small planter strips, located on Havilland with 3-4 varieties of plant material in each one; the planter strips are curbed.

King said that snow storage was planned in the front of and to the east of the project. He showed parking along Havilland and at the northwest corner of the project.

Hamlin advised the Commission that Havilland is a dead end street with no through traffic. Access to the building is planned off Havilland. He shared plans for the double loaded storage garage planned to house vehicles; plans call for condominiumization. Access to the rear units of the storage garage will be from the back of the project on the southeast corner.

Hamlin said that the main building is a single depth storage building with a shed roof. Thirteen units are currently shown on the plans; shear walls are what will be constructed in the beginning to allow for a person to purchase more than one unit and build what will suit their needs.

Hamlin advised there are 2 roof pitches; a 4/12 pitch over the main building and a one-half/12 pitch over the double loaded garage area. Synthetic stucco with split face block wainscot is planned for the outside of the building. Wall mounted lights are planned between the man doors and above the large doors. Gutter and downspout is planned for the rear of the building to carry

water to the drywell.

Anderson asked about plans that show snow shedding onto the landscaped area. Hamlin advised that was the plan; with landscaping sitting on top of and to one side of a planned berm, snow shed from the 4/12 pitched roof should actually fall to the building side of the berm. Hamlin said there would be no heat presented to the one-half/12 pitch roof and they did not anticipate snow shed; the sun should melt the snow and it should run into the gutter.

There was discussion about the elevation presented to the adjoining Broadford Highlands neighbors.

Jones asked if the lights would be on all night. Hamlin indicated plans for photo cell lights and stated they could be put on motion sensors if the Commission wanted. There will be exterior lighting on the 8 units adjacent to Broadford Highlands, but the applicant did not believe those lights would affect the neighbors due to the angle of the building. He shared the fixture planned for the wall, showing an incandescent wall mount downlight that does meet the Outdoor Lighting Ordinance.

Shay advised of a 2004 agreement holding building heights in this location to 30 feet. She told the applicant and Commission that the Building Official will want an elevation certificate to ensure the building does not exceed 30 feet. Hamlin said the building is actually 28'6" from grade to the tallest point of the building. Grotto told the applicant that the Building Official now requires an elevation certification if a building is within 2 feet of the height maximum.

Shay addressed the exterior lighting presented and suggested the Commission may wish to consider requiring motion sensors with manual override.

Anderson opened the public hearing.

There being no comment, Anderson closed the public hearing.

Zellers had no problem with the plan as presented.

Marvel stated she had driven past the proposed project at night and asked if there was enough landscaping presented to Broadford Highlands to stop light shed. Shay indicated the landscaping was only 2 years old and would fill in.

Anderson asked, with the limitations placed on the lots, if there was any concern of change to the building's use. Grotto said those changes should be caught through licensing of a business that may open there. Hamlin said there is no anticipated change of business for the building and change would be restricted through the Agreement written at time of subdivision.

Linscott referenced the south elevation, expressing concern of a big, blank wall. She wondered if there was sufficient landscaping to camouflage the wall. Hamlin indicated they could add windows but if there was someone in the building at night with the lights on, it would allow additional light shed to those neighbors. King advised of plantings already installed on the berm.

Jones said he does not like storage buildings, but believed the location of this is appropriate and he had no concerns about the elevations presented. He stated the Broadford Highlands neighbors could also advance landscaping on their properties for an additional buffer. He was in support of the project.

Linscott moved to approve the application with the following conditions from the staff report:

- a) **All Fire Department and Building Department requirements shall be met prior to issuance of an Occupancy Permit. Items to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:**
 - **A fire sprinkler system must be provided unless the building is compartmentalized.**
 - **A fire hydrant shall be provided within 250' of any portion of a fire access lane.**
 - **An approved fire lane and curb marking shall be installed.**
- b) **This building has been designed as an S-2 occupancy classification. Any change in use or occupancy type may require additional improvements and/or approvals.**
- c) **Prior to issuance of a Building Permit a Lot Line Adjustment shall be filed to vacate the underlying lot lines.**
- d) **All exterior lighting shall comply with the Outdoor Lighting Ordinance; lights at the rear of the building shall be on motion sensors.**
- e) **The 3 Colorado Spruce trees that will be relocated within the 30 foot wide landscape buffer shall be maintained in good health and replaced if they don't survive.**
- f) **The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.**
- g) **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.**
- h) **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 the following conditions:

- i) **The applicant shall obtain an elevation certificate prior to issuance of a Building Permit.**
- j) **Exterior lighting shall be placed on a motion sensor that includes a manual override.**

Jones seconded for discussion and amended the motion to include the manual override in condition "d" above, instead of listing as condition "j". The amendment and motion carried unanimously.

ERSTAD TEXT AMENDMENT TO ZONING ORDINANCE NO. 532

An application by Erstad Architects for a Zoning Ordinance Text Amendment. The amendment would change the maximum building height in the Business District from 35 feet to 40 feet.

Andy Erstad introduced the application as an amendment to address properties that slope down from the sidewalk in the Business District. He stated that Section 6.0-Economic Development, of the Comprehensive Plan anticipates that additional height should be considered in the Business District. Erstad explained that there is property along the west side of Main Street that slopes away from the sidewalk and if the additional height was allowed, buildings constructed on those lots would be engaged at the street level, giving human scale. Related to life, safety concerns, he supported language limiting a building to 3 stories within the 40 foot height. He stated that, given International Building Code (IBC) requirements, structures are protected and life, safety issues are greatly minimized.

Grotto stated the applicant referenced sections 6.0-Economic Development and 12.0-Growth Management with their submittals to give support to an increase in height. She said several of the Comprehensive Plan references to increased height suggest that such increase be allowed for the provision of some city-identified goal such as underground parking, housing, or mixed use. She asked the Commission their thoughts that if a height increase is granted;

- 1) should it be across the board or only in cases where identified goals are achieved,
- 2) should additional Design Review criteria be required to minimize building bulk,
- 3) the Fire Chief has expressed concerns related to provision of emergency services—these have been noted in Chapman’s memo and the Commission should discuss relativity to the Comprehensive Plan. Grotto referenced Section 9.0—Public Facilities, Utilities, and Services related to infrastructure limitations that may be necessary to maintain acceptable service levels.

She advised the Fire Chief was available for questions.

Chief Chapman stated his comments were not for or against any particular project, but related to increased building height only. He suggested making sure all impacts to the City are thought of prior to allowing a height increase. He advised that the current Fire Code (IFC) allowed for many added impacts after the 30 foot height break.

Chapman explained the relation between the IBC and IFC and how they work together. Fire Code requires a 26 foot fire lane, utilities installed in the alley will need to be installed underground. Power lines will also need to be installed underground; Chapman believed Idaho Power would require continuous under-grounding on the block, versus just at the site location. He advised that Idaho Power charges significant additional fees to underground their power lines.

Chapman stated that fire fighting on buildings higher than 30 feet was very difficult and that with taller buildings proposed, the scope of fire fighting in the city will need to change. He added that if the city expands out or up, the size of the fire fighting force will need to increase. Chapman advised that, for a city the size of Hailey, there should be 15-16 employees; Hailey has 3 full time employees and the rest of the fire fighting force are volunteers. He said that Hailey receives

upwards of 500 calls per year. He asked the Commission to keep all points of his memo in mind when making their decision.

Chapman believed an increase in height gave a density bonus and suggested looking at rolling any height increase into an impact fee ordinance.

Anderson asked if the department had a ladder truck. Chapman explained that the ground ladders spread to 30 feet and will accommodate a 35 foot high building; Hailey Fire Department currently shares an aerial truck with the county fire dept. He expressed concern that the City will lose points with the Insurance Survey and Rating Board (ISO). Chapman advised that if the City loses one point it can cost residents of the City an additional \$1,000,000 year in premium costs.

Marvel asked if the same problem would occur if, instead of increasing building height, the building was measured from the front sidewalk instead of the lower grade at the alley. Chapman advised that both the International Building Code and the International Fire Code reference the lowest accessible level to the building, which is record grade of a property. Marvel suggested more public hearings were needed to increase building height; she did not want the public to find out about an approved height increase when the building was built.

Anderson opened the public hearing.

Denise Jackson-Ford, 421 Eureka, advised she sits on the Historical Preservation Commission (HPC) for the City and her suggestions are given from the HPC point of view.

- Maintain historic sense of place; concerns that a height increase in Business zoning might move into Transitional and Limited Business.
- Concern that increased height buildings would be allowed adjacent to residences.
- She asked the Commission for time to present the proposed change to the HPC at their next meeting.
- She wondered if an option would be to allow increased height only on sloped lots. Look at roof type and pitch to alleviate height .

Jackson suggested the Commission hold additional public hearings about the issue and that the applicant supply conceptual visual images comparable to known landmarks to give a sense of what a height increase would involve.

Taylor Walker, 202-Fourth Avenue South, said that as a developer, an increase of 5 feet would help his projects. He suggested that if the Commission chose to increase building height in the Business district, roof types and other means of scale should be looked at to ensure “canyonizing” of the downtown does not occur.

Aaron Domini- 321 West Elm, expressed his belief that it was important to discuss the topic whether it was moved forward to the Council or not. He was concerned that the additional height would be applied to certain projects only; he believed the amendment should be across the board in the Business district. He said the human scale of the building to the street was important. He explained Floor Area Ratio (FAR) was the relation of building size to a site, and by always stepping buildings back, to accommodate a lot, the historical look of the city would be lost. Historically buildings in the Business district were built right out to the property line.

Domini said historical preservation is important, but he did not think an increase of 5 feet to a building's height would go against that goal. Domini also believed more public input was needed to ensure increased height was the direction the city wanted to go. He stated 5 more feet would only give a better 3 story building, but would not make for a good 4 story building. He did not believe this application increased density.

Keith Pangborn, a realtor from Ketchum, agreed with Domini's remarks. He stated, with regard to the Fire Chief's remarks that the fire department was behind the eight ball; the department should already have the equipment to meet life/safety issues. He believed many ½ story buildings would have to be built to accommodate the unnatural grade as the Ordinance was written.

Anderson closed the public hearing.

Erstad thanked all for the good dialog, stating that he appreciated comments by the Fire Chief and staff. He reminded that the request is for an additional 5 feet to building height to equalize buildings on the west side of Main Street. He suggested there could be language added to limit a building to 3 stories as it would be difficult to accommodate 4 stories in 40 feet of height.

Erstad said public notification had been given as required by law. He did not think additional notice would fill the room. He reminded that, should the Commission choose to recommend the application, additional notice would be required for public hearing at the Council level.

Erstad stated they were not asking for anything extra, just trying to address site variations within the Business district. He supported a 3 story language limit. He expressed reluctance to address aesthetic issues of the buildings, believing that to be a function of design review of the buildings.

Anderson listed the issues heard as downtown aesthetics, functionality of buildings--the Ordinance as written may give "funky" 3 story buildings, look at amenities to the City, and fire concerns.

Zellers asked if a variance could be requested for use of a specific project affected by the lot slope; Grotto believed the Commission would be hard pressed to approve a variance because the applicant would still have good use of the land even with a 2-story building.

Jones asked each Commissioner how they felt about an increase to building height. He believed increased height was addressed in the Comprehensive Plan. He did not believe it should be discussed as it stems from an individual special project. Jones stated the highway situation created the problem; however the applicant bought the property knowing full well the situation.

Anderson stated designing a 3 story building in Hailey was always difficult.

Jones stated he would rather start the dialog when it was not tied to a specific project. He asked the Commissioners to think about the implications of increased building height. He stated that while he was a bit ambivalent about a height increase, he was not sold on the idea. He believed

the issue needed to be addressed across the board versus application specific. He stated he was uncomfortable with using this application to bring the issue forward.

Anderson reminded that it was the applicant who brought forward the opportunity to discuss the issue.

Linscott believed it a complex issue. She asked if there was a point in discussing it if an applicant was not getting an additional floor, although she did agree that buildings generally look better with taller first floors. She stated she was conceptually in favor of an increased building height if it related to increasing the density of the town core to help reduce sprawl as is a goal of the Comprehensive Plan. Linscott stated historically buildings were smaller and taller. She believed the city should get something in return for increased building height.

Marvel believed it important to discuss the reasoning for a height increase stating she was not in favor of a text amendment at this time. She believed any text amendment should be across the board. She did not see the point of an additional 5 feet except from the applicant's perspective.

Anderson stated it would give a better first floor scale to a 3 story building.

Zellers said she was conceptually in favor, but believed more public comment was needed. She said this was putting the cart before the horse because the fire safety issue was out of the Commission's hands; if the city cannot provide service to taller buildings without procuring additional equipment, it would be negligent to raise building height knowing the City would be unable to address firefighting.

Grotto said she heard 4 out of 5 Commissioners in favor of considering additional building height and the city could get involved if that was the consensus of where the city should go. She advised she was thinking about a workshop devoted to the issue of increased building height, taking it piece by piece. She said the first piece was to get additional information from the fire department on what would help them get closer to their goal of new apparatus and staff. If the city moves toward increased height, is the fire department able to serve or is the city negligent if they go there before fire safety needs are addressed. Grotto said there needs to be discussion related to growth issues.

There was further discussion about the need for additional public input and Grotto suggested the Commission table the application and direct staff to schedule a workshop, with no decisions being made, for information gathering. All were in agreement more input was needed regarding the fire issue. There was discussion of the best way to notice, allowing for more public input.

Zellers moved to table the application and directed staff to re-notice the issue to provide more specific information pertinent to fire safety issues and allowing for more public input. Linscott seconded and the motion carried unanimously.

APPROVAL OF MINUTES

October 3, 2005- **Linscott moved to approve as written**, Jones seconded and the motion carried with Marvel abstaining.

October 17, 2005- **Zellers moved to approve a written**, Linscott seconded and the motion carried with Jones abstaining.

COMMISSION REPORTS

Anderson advised she was unsure if she would be able to attend the 5:30 p.m., November 10 joint CC/PZ meeting.

Marvel and Anderson attended the Transpo meeting at City Hall.

PRESENTATION

Kathryn Goldman, Project Coordinator of the Wood River Land Trust, gave an interesting presentation on Big Wood Fisheries.

Marvel moved to adjourn, Zellers seconded and the motion carried.

The meeting adjourned at 9:15 p.m.