

**AGENDA**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Tuesday, February 19, 2019**  
**Hailey City Hall**  
**5:30 p.m.**

**Call to Order**

**Public Comment** for items not on the agenda

**Consent Agenda**

**CA 1** Adoption of the Meeting Minutes of January 7, 2019. **ACTION ITEM**

**CA 2** Adoption of the Meeting Minutes of January 22, 2019. **ACTION ITEM**

**CA 3** Adoption of the Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Sweetwater Communities, LLC, represented by Errin Bliss of Bliss Architecture, for construction of Sweetwater Duplexes, to be located at Parcel B2, Block 4 (vacant lot on the corner of Shenandoah Drive and Maple Leaf Drive). **ACTION ITEM**

**Public Hearings**

**PH 1** Consideration of a request by Old Cutters, Inc. to resubdivide Lot 14, Block 5, Old Cutters Subdivision (621 Docs Hickory Drive) into two sublots, to be called the Doc's Hickory Duplex. This lot was previously approved as a duplex lot. **ACTION ITEM**

**Guest Visitor**

Mayor Fritz Haemmerle to come to discuss visionary design review ideas.

**Staff Reports and Discussion**

**SR 1** Administrative Interpretation of Lot 5C, Block 1, Elmwood Subdivision No. 2 - a property with split zone, General Residential Zoning District and Limited Business Zoning District with Downtown Residential Overlay (DRO) District.

**SR 2** Discussion of current building activity, upcoming projects, and zoning code changes.  
*(no documents)*

**SR 3** Discussion of the next Planning and Zoning meeting: **Monday, March 4, 2019.**  
*(no documents)*

**Return to Agenda**

## MEETING MINUTES

### HAILEY PLANNING & ZONING COMMISSION

Monday, January 7, 2019

Hailey City Hall

5:30 p.m.

#### Present

**Commission:** Janet Fugate, Dan Smith, Richard Pogue, Sam Linnet, Owen Scanlon

**Staff:** Lisa Horowitz, Robyn Davis, Chris Simms

**5:29:13 PM** Chair Fugate called to order.

**5:29:40 PM** Smith motioned to amend agenda to include nomination of Chair and Vice Chair.

Pogue seconded. All in Favor.

**5:30:13 PM** Public Comment for items not on the agenda. No Public Comment.

#### Consent Agenda

**CA 1** Adoption of the Meeting Minutes December 17, 2018. **ACTION ITEM**

**CA 2** Adoption of the Findings of Fact, Conclusions of Law and Decision of a text amendment to Title 17, Section 17.04J.20, Flood Hazard Overlay District (FH) and to Title 17, Section 17.05.040, District Use Matrix, to amend the building height to be measured from the Base Flood Elevation (BFE). **ACTION ITEM**

**CA 3** Adoption of the Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Flowing Wells, LLC, represented by Jolyon Sawrey, for an exterior commercial remodel to the existing 2,418 square foot building, known as The Liquor Store. An 1,855 square foot, two-story mixed-use addition is also proposed. **ACTION ITEM**

**CA 4** Adoption of the Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Lightworks, represented by Chase Gouley of BYLA, for a new 2,324 square foot mixed-use development, to be located at 41 Mercure Lane (Lot 2E, Block 3, Airport West Subdivision #2) in the SCI Industrial (SCI-I) Zoning District. **ACTION ITEM**

Smith stated CA 1 needs to be modified, motion incorrect and applicant name misspelled.

**[5:31:46 PM](#) Pogue motioned to approve consent agenda items with those two changes. Scanlon seconded. All in favor.**

## **New Business**

**[NB 1](#) Nomination of Chair and Vice Chair. ACTION ITEM**

**[5:32:12 PM](#) Scanlon nominated Dan Smith as Chair. Smith declined. Chair Fugate stated as always happy to stay or step down.**

**[5:32:36 PM](#) Smith nominated Janet Fugate as Chair. Pogue seconded. All in favor.**

Chair Fugate asked Pogue if he was willing to continue as Vice Chair. Pogue confirmed he was.

**[5:33:16 PM](#) Chair Fugate motioned for Pogue as Vice Chair. Scanlon seconded. All in Favor.**

## **Public Hearings**

**[PH 1](#) [5:33:33 PM](#) Consideration of a Zone Change Application by Travis Jones, for an amendment to the City of Hailey Zoning District Map, Section 17.05.020, and Downtown Residential Overlay (DRO), Section 17.04R. Proposed changes would include Lot 5C, Block 1, Elmwood Subdivision #2 (131 West Pine Street) in to the Downtown Residential Overlay (DRO). The lots to the east are within the requested overlay district. The underlying zoning district(s) will not change.**

**[5:34:08 PM](#) Horowitz opened the discussion by clarifying the two applications tonight are not related or tied together other than they are near each other on River Street. Horowitz provided a summary of how the Downtown Residential Overlay was adopted. Horowitz turned floor over to Robyn Davis. [5:35:35 PM](#) Davis explained the applicant's request, the current zoning of the property and overlays. Davis confirmed required setbacks would not change. In code, section 17.050.090 D, it does note if the lot is divided by a zoning district boundary line the less restrictive zoning requirements may be extended not more than 25ft into the more restrictive zoning districts. Davis explained how this is applicable to this parcel if the existing home were to be demolished but right now the location of the home precludes this standard. If the parcel remains as is and is chosen not to be included in Downtown Residential Overlay, two units can be developed on this lot. If included in Downtown Residential Overlay, could possibly see an increase in density if all requirements met. Chair Fugate requested Davis to discuss further the less restrictive zoning. Horowitz summarized that this means the applicant could extend 25ft into the general residential within the width of the limited business district. [5:40:56 PM](#) Travis Jones, owner of 131 W Pine Street and realtor in Ketchum and Hailey. Jones said he purchased the home in 2013, pointing out existing ADU and has approximately 2800 sq. ft. Jones explained his initial thoughts would be to add 1 or 2 apartments on the parcel, and that parking is more than sufficient. [5:43:25 PM](#) Scanlon asked Jones to trace where**

his property line is at. Linnet asked if apartments would be connected to existing building or part of current footprint. Jones explained would be part of existing footprint. Horowitz said setback on property line would not change whether or not added to DRO. Chair Fugate asked if later down the road, if home was demolished, if it could accommodate 15 units. Davis explained that was an estimate and dependent on meeting parking. Linnet asked Jones if apartments are for long term or short term. Jones said intention is for long term. Pogue confirmed current facility contains a residence and 1 ADU. Jones confirmed and that looking at 1 more ADU. Chair Fugate confirmed this would go through design review.

**5:48:54 PM Chair Fugate opened public hearing.**

5:49:21 PM Tom Crais, in building adjacent numbers 135/137, has been in the building for about 17 years. Really wandering, to increase the density of the population there which in reading the resume seems like it is increasing it potentially substantially. First question is where is the parking going to come from. And his statement is that it seems like a pretty high-density population to go in that corner in the back. That gives him concern as a property owner just adjacent to it right next door. The other point has to do with parking. Between the dentist and himself and that building every day their parking lot from the applicant's property line to across the street is consistently filled. Question is if the public is allowed to encroach, the people renting from the applicant are allowed to use the parking places that are for their children receiving dental care and his patients of every age receiving medical care. Despite fact that have parking on other side from a building that takes up a lot of parking to begin with. Those are his questions. Number 1) Where's the parking coming from and is this going to affect the quality of the living environment and parking in that area. It really concerns him a lot because it's a small area, very condense, in the back, off the street. It worries him a lot.

5:51:16 PM Peter Lobb, 4<sup>th</sup> and Carbonate, disagree a little with Lisa. Went to the meetings as you probably know when did this new overlay. Does not remember the boarders were going to be fungible, that it was something all of sudden could just change them when we feel like it. If in fact we do that, feels like we are opening it up for the building community and the real-estate community for lots that are contiguous to this zone to simply apply and if do this you will set the precedent that they will say hey you did it for him why don't you do it for me. Ned already tried this, and believes Planning and Zoning and Council said no. thinks there is a precedent of saying no to this. If in fact you do do this you are pretty much telling every body that our zoning boarders don't mean much, that they are fungible, we can just change them whenever we want. Thinks this sets a really bad precedent to do this. When we went through those meetings, you guys and staff took a lot of time going around town to see where this was appropriate and the Council agreed with most of it. Now here we are changing it. The ink is hardly dry and we are changing it. Why are we changing it? It's obviously about money of course. All a developer has to do is come in and say look we don't have enough housing and play the

housing card and think we will just give them what they want just because of that. This is about pride, purely, as most things are. As soon as you do this, this property becomes much more valuable. It's a gift. Hopes before start giving gifts away like this, you really think about it. And hold off on this until at least we have some time to deal with the overlay and see what the consequences are.

[5:53:42 PM](#) Michelle Preuss believes it is strange that one parcel is in two different zones. Not a zoning guru, so not sure if it is odd or not but strikes her as odd. Wonder if this is a specific circumstance, a special circumstance where it is not normal. Is this something that is normal in Hailey? Maybe more of a question for P&Z. Is this something that is going to pop up in the future? Where there are these lots in two different zoning areas or is this just a one off.

[5:54:58 PM](#) Chair Fugate closed public comment.

[5:55:17 PM](#) Horowitz stated that any parking that is required under the overlay have to be on private property and if can't fit the parking can't do that number of units. Horowitz confirmed it is fairly unusual to have split zoning.

[5:56:14 PM](#) Bill Smith, 410 Willow St, right in back of Travis. How much parking is required for 15 units? Is it just a single car per unit, or 1 ½ cars per unit? Knows how cramped things are at end of Pine St.

[5:57:09 PM](#) Horowitz stated requirement is 1 space for every unit if under 1000 sq. ft. and if they are more it is either 1.5 or 2 spaces and with 1 guest space for every 6 units.

[5:57:39 PM](#) Pogue asked if we know how many lots are in split zoning. Horowitz said no but can get back to him. Pogue said would be hard to get 15 units on the lot. Horowitz explained did not have an architect look at it, it was an estimate. [5:59:17 PM](#) Smith said shares some of Peter's concern. Smith said when originally considering this he was concerned about the size of downtown residential area that was opening up and how had talked about utilizing the Design Review process to control what actually showed up in effort to try to make it appropriate for various neighborhoods. Smith said to his mind, it is a little pre-mature, prefer to see some activity take place as far as some of the in-fill and some of those other things on the vacant lots etc. So, we get a little better feel on how this is going to impact the look, the feel, the character if you will of Hailey. Smith suggested maybe with some additional information, his concerns could be allayed somewhat. Smith summarized his feelings. [6:00:40 PM](#) Chair Fugate clarified what Smith is saying. Smith further discussed his opinion and feelings regarding this type of development. [6:01:46 PM](#) Linnet said he is more encouraged about this project, that it doesn't sound like the footprint will be increasing but that the applicant will be decreasing his home size to add apartment buildings. Linnet said would be interested to know with more certainty if 25ft buffer would get the applicant where he wants to go without the zone change. Linnet said he favors density and having it downtown is a good idea. Linnet explained he does

not want to set a precedent that our boundary lines for our different zoning districts are not set in long term but believes this is a unique situation and more inclined to be in favor for. [6:03:41 PM](#) Scanlon asked Dr. Crais if has a backdoor on his building. Crais confirmed he does. Scanlon asked why have this island of limited business. Scanlon listed his concerns and why his is not inclined to change the zoning. Scanlon summarized does not feel good about it for multiple reasons. [6:05:03 PM](#) Chair Fugate said in favor of housing and thinks it important to encourage people that want to do things like this, but feels hesitant to change this for something that is not certain. Chair Fugate said thinks Linnets question was very good and wonders what could be done there. [6:06:26 PM](#) Horowitz explained options that can now proceed with. [6:06:47 PM](#) Simms explained the additional procedural option would be to table. [6:07:04 PM](#) Commission and staff discussed project, agreed to table it and have applicant come back with more information.

**[6:09:52 PM](#) Smith moved to table this decision to a future time dependent upon City Staff getting back to Commission after they have had time to study this and converse with the applicant so will have a more complete picture of exactly what options might be available for the applicant. Linnet seconded. All in favor.**

**PH 2** [6:10:46 PM](#) *Consideration of a Zone Change Application by West Crescent Advisors Idaho, LLC, represented by Jay Cone Architecture, for an amendment to the City of Hailey Zoning District Map, Section 17.05.020, and Downtown Residential Overlay (DRO), Section 17.04R. The proposed changes would rezone Lots 1-7, Block 19, Hailey Townsite (301, 303 and 307 S River Street and 104 W Walnut) and Lots 1 and 3, Block 1, Elmwood Subdivision # 2 from Limited Business (LB) and General Residential (GR) to Business (B). 301, 303 and 307 S River Street are currently within the Downtown Residential Overlay (DRO). Lots 1 and 3, Block 1, Elmwood Subdivision # 2 (no address) are requesting to be added to the Downtown Residential Overlay (DRO). Lots to the north and the east are zoned the requested zoning district and are within the requested overlay district.*

[6:11:51 PM](#) Horowitz explained location and request by applicant. Horowitz went through older plats of the project location and old zoning maps. Horowitz turned floor over to applicant. Jay Cone, 65 El Dorado Lane, introduced himself and Dave Patrie. [6:16:33 PM](#) David Patrie, representative for the owner along with Jay Cone, stated disappointed that did not go into the standards in last project and why. Patrie explained what he recalled of the DRO. Patrie said need three things to get housing – demand, proper regulatory environment, and willing property owners. Patrie explained one of the reasons doing this, is from 2007-2017 the City of Hailey has had 2 permits issued for multi-family housing. Patrie said they are doing the right thing but still have ways to go. Patrie said if zoning approved, will see the project in Design Review. Patrie explained what applicant is asking for. [6:21:51 PM](#) Patrie went through the review criteria in his PowerPoint presentation, mentioning land use and infill requirements. Patrie highlighted comments from Staff Report. Patrie went on to discuss the required standards. Scanlon asked what

Patrie meant by more people living in units. [6:27:05 PM](#) Patrie explained it is overcrowding. Using example of four people living in a studio. Patrie continued discussing review criteria and vacancy rates. Patrie explained out of 440 units, 1 unit is vacant. Patrie said 5% is where we should be shooting for but we are practically at zero. Patrie discussed distance of the parcel from core overlay district. [6:30:13 PM](#) Patrie summarized how requested rezone meets the criteria, benefits housing, businesses, and the downtown vitality. [6:31:45 PM](#) Scanlon asked if Cone has anything to add. Cone said he would like to address a comment made during Travis Jones's application. Cone referenced comment about commission hearing request from Ned Williams, summarizing that Planning and Zoning did not hear the request that it was presented to City Council. Cone explained the process of how DRO boundary was determined. Cone summarized project specific applications relating to DRO were avoided during the time the DRO boundaries were being established.

[6:40:24 PM](#) Chair Fugate asked if understanding correctly, if a development agreement for the rezone as a condition of approval, would then the specifics of that be in the Design Review process. Simms explained how this could proceed. Horowitz explained would need to understand exactly what wanted and that not sure if know enough to enter into a development agreement at this time. Chair Fugate asked what the square footage is being asked to be included into DRO. Horowitz and Chair Fugate confirmed square footage. Cone said could respond to Linnets request for massing study. Cone handed out drawing to public and commission to. Cone clarified that the building in the drawing everyone is reviewing, has been designed with assumption of being approved with the zone change. Chair Fugate reiterated what Cone said.

[6:49:10 PM](#) **Chair Fugate opened public comment.**

[6:49:19 PM](#) Peter Caldara, said this is his backyard. It is very interesting, and may just be a coincidence that Mr. Cone was on Planning and Zoning, also one of the voices for this DRO and incidentally the architect applying for West Crescent LLC that now wants to change the zoning and include this unbuildable lots. Which he agrees they are, that was always his solace for the buffer for whatever projects were going to be developed, into the DRO and rezone from Limited Business to Business. Mr. Lobb had eloquently said he thought and he is also concerned with the precedent that this may incur for future people to buy land adjoining downtown residential overlay and request to include it in DRO and change the zoning of those properties which could adversely affect the health, safety and integrity of those neighborhoods as well. Has bad taste in his mouth on how this has all transpired. He hopes Cone was as altruistic as his seems to be with this property. That it was all coincidental, that the properties that were just bought in the past year or two, 303 and 307 River St, are now included in the downtown overlay, but not that they are included but that they are trying to go from Limited Business to Business and to include the 2 Elmwood sub lots into the overlay and change them to business from general residential. It just seems like he has a problem on how all this

seemed to come to play all at the same time. Is it coincidental or is it not, or is it a benefit for one client? Would that precedent be something they want to have affected for other pieces of property that could possibly be put into this downtown residential overlay? Like he said really does not want a 3-story building that is going to look like 4 stories because the property is about 8-10 feet lower than where it is being built on his property line. They want to change the zoning, to put as many units as they possibly can on this property. He understands the need for housing has no problem with that but think it should be done to the letter of zoning that is already established.

[6:52:50 PM](#) Tom Crais, born and reared in New Orleans LA which has preserved a couple significant areas of their city that has thrived throughout 2 - 3 centuries now. What has seen happen to so many beautiful environments is no attention to the preservation and or the development to the beauty and culture of the area. All you have to do is look about 10-15 miles north and you will see what could have been really developed into something that could be would be attractive from a different standpoint as opposed to a development thing. His point of question or his descent is, has lived in a total of nine major cities in the country and in Europe. Has lived in mid-size cities, and has lived in 3 relatively small towns. This is the smallest one. He has never ever seen where increased population density and housing improves the quality of life. It always has led to, to over time 20, 30, 40 years, a decrease because you cannot afford to keep it up in that respect. You can look at any major city and mid-size this is your business not his, just giving his personal experience. The cities happen to be Pensacola, New York, Boston, Berlin, San Antonio, El Paso, New Orleans, Baton Rouge and now beautiful state of Idaho. Maybe you can straighten him out on that, but his impression of increased population density in housing decreases the quality of life. First point, point of descent. The second thing is, he listened to their eloquent presentation. However, you lost him, started talking about turn from Limited Business to Business then quoted figures of vacancies. What vacancies? Are we talking residential rental vacancies, are we talking business vacancies? You kind of switch around. Then took a place like this should have a certain percentage. Does not think talking apples and apples, oranges and oranges. Data really confused him, and lead him down a primrose path that looked like a yellow brick road. So maybe could clarify that a little bit more precisely such that we know you are talking about apples and apples and oranges and oranges and not taking mixed data.

[6:55:54 PM](#) Marti Prentice, 811 Wintergreen, per Limited Business district is intended to be transitional zone between residential and business areas. If look at all of River St, if go anywhere north of this property it is all business, if go anywhere south it is all residential. There is plenty of room for this project if they need business zone to go north. Limited Business is Limited Business, it is a transitional zone. If they want to do it on the p property they own, it is a difference of a 10ft setback vs. building right up to the property line. Going on the west side of the property, running from General Residential to Business is like going from grade school to high school, forgot about that middle school.

Fine with moving that unbuildable property to Limited Business. So, can take advantage of the property. But to move the whole thing to business, it is a transition zone.

[6:57:03 PM](#) James Mitchel, 225 W Walnut, been there since 1996. The applicant's aggressive nature is quite rude and quite disconcerting. He mentioned that it's not affordable. These are not being sold, they are going to be kept in the family they are going to be rented out at market rate for generations to come. How they can say these are not profitable is quite mind boggling. Have a whole area that has been designated for this downtown overlay, none of it is being built in so far. As Mr. Smith has said we don't know what this is going to bring, everyone seems quite happy to dump on their doorstep and see how it works out. That is fine, but we live there have lived there for a long time. It is a lovely neighborhood, just built a nice bridge down by the river. You want to put something in that dwarfs every building around it. Substantially. You want to build 0 lot lines, don't want to put in buffers of landscaping, providing 42 parking spaces for 42 units with 2 bedrooms. Does anyone here believe they are only going to have one car? The applicant already owns the property on corner and struggles to keep it neat and tidy. There's an abandoned car sitting there, left near the dumpster on the corner. Its ridiculous even discussing this in this zoning. Put it where it was originally meant to go or if want to build some other housing take it down where it is already zone. To change the zoning at this point in time, when have no idea what it is going to do is ridiculous. No one else except this architect is applying for this kind of thing. So, they say there's a need out there but no one else seems to be wanting to change their properties. So, think need to think very, very hard about what we are doing here. As Dr. Crais said, population does not lead to better live style. They say that millennials are going to be catching buses and things but then they talk about snow plow drivers and paramedics and things like that. They are going to have cars and rushing off to do things. This is putting a huge concentration of people on a small block of land in a neighborhood that just doesn't have it and doesn't want it.

[6:59:31 PM](#) Joyce Fogg, 125 W Walnut, confirmed provided letter of her concerns and comments. Lived there for 30 years, adjacent northwest of this property. Feel concerned about the size, the size of building seems to be out of context for rest of neighborhood and any other building in that area. Worry about how close the building comes, so no setbacks out to main road as far as she knows, will hear more about it. Just concerned about the parking, in an area where any overflow will be coming on each side of that road. Pedestrians, cars, children, pets will all be in a higher risk with this overflow parking if it's really only 1 car per unit, which is really unreasonable to think is enough. Appreciate all their statements, her letter, note may objectify how she feels. Very emotional about it.

[7:01:14 PM](#) Sarah Dress, 235 Galena Dr, I'm a young person lives right over there in the townhomes. Since talking about people who need these affordable housing units. She is a paid on-call firefighter and E.M.T for Wood River Fire also on ski patrol and maintains your trails during the summer. She loves what she does, but does not make a lot of

money. She was able to buy one of those for under \$200,000.00 which is only reason she has had a good place to live. Places like that are now unattainable, has gotten multiple friends kicked out for Air B n B's, now live to many people to a unit. Extremely frustrating to her to hear everyone talk about affordable housing who isn't affordable to someone like her under 40. Say affordable housing is under \$300 to \$400 unit in Woodside. That is absolutely absurd. That's not affordable. We all know this, we need people to respond to 911 calls and make our community function. But when it comes down to it, no one wants them in their backyard, which is what she is hearing. She would like you to consider, based off developer's presentation that it fits with what they are trying to accomplish. Which is making Hailey a community that has people who can function in it. Right now, we are right at the precipice. If we could just jump in and take care of it before it's an issue. Look at Ketchum, tons of places to live that people use 2 weeks out of year. We don't want that happening here. Very frustrating to her to listen to people who got their own, not want anything more for anyone else. Hope they would consider at least based on codes and regulations what will be the best for this community, that is places people can actually afford to live.

[7:03:04 PM](#) Steve Crosser, 431 Aspen Dr, urges the City not to pass this. If you do, going to have every River Street developer wanting to rezone outside the Business DRO for more density. Is this the test case for outside the DRO? It sure looks like it to him. This is the first. It just seems like if say yes now will be hard to say no to rest of developer. There are a lot of places for sale, lots for sale along River St. If go in past that, there's going to be houses outside of the DRO. Going to buys those and come to them and ask for a rezone.

[7:04:16 PM](#) Megan Schooley, full time employee at local nonprofit, has lived here for about 3 years and is a renter. Has lived in is a renter lived in 4 different houses, has been booted from her houses because of Air B n B's or because homeowner is selling it. She is a good tenant, she struggles hearing that density does not improve the quality of life. Because having someplace to live really does, and sometimes density is the way to do that. She does not have a formulated opinion on whether this specific project should be passed or not. She wanders if there is a middle ground, if someone doesn't want a 3 or 4 story in their backyard. If a feasibility study could pencil out a 2-story building, some sort of middle ground. She does know that housing is a huge issue, that she loves this valley and wants to stay here but wont stay here if can't ever afford to buy a house.

[7:05:27 PM](#) Peter Lobb, 4<sup>th</sup> and Carbonate, thinks presentation by applicant was pretty comprehensive and remarkable, but thinks about 80% of it was facetious. Has heard these arguments over and over again for years, has lived in the valley since the mid 70's. The argument that somehow the valley is going to fall apart. Been through this many times' before and we haven't. We have always survived, always done well. Has never been an easy place to live. When first came here, lived with four people in a house in Ketchum, it's what he had to deal with. Does feel for people who have a hard time finding a place. But every person he has met in the last five years who were having a hard

time finding a place, eventually found a place just wasn't the kind of place they felt they deserved. So, hope when they make their decision to recommend this or not recommend this that they don't do it based on hysterical arguments. Zoning is important, there are reasons for zoning. Urges them to stick with the present zoning and let's see what the new overlay produces. This may sound counter-intuitive but if you rely on the building industry and the real-estate industry to solve our housing problem, it won't happen. They are the reason or at least contribute to the reason why we have this. Least that is his opinion of that situation. He apologizes for one thing, going to go off topic for a second. You guys have been up there for a really long time, know the procedures. So, when staff recommends to you that you can table something, that to him is a bias from staff wanting you to do that. Think that you guys know that, know the procedures, don't needed to be reminded of that. If someone in the audience ask a question that is inappropriate, it is Janet's job to say don't do that or you are out of order not Staff's job. Only say that because think you should run the meetings, not staff.

[7:07:57 PM](#) Mike Firth, Walnut, think phase is about the size. Want to extend these lots, so it can be a bigger building. That is the core of it. So, thinks that is the crux of it, that size is what most people are here for. Extra housing is a great idea, but don't put a giant monstrosity on the back. Can do something in between here. That's his comment. Quality of life, does not know about anyone else, but did not move here to live in a city. It's a small town, this is what he wants. Small town, little houses, white picket fences all that kind of stuff. In terms of affordability, looks at the real-estate quite a bit. There is quite a bit of townhomes that are under \$250-200,000. So, there are things out there. Thinks that is really the piece here. Does not want to get into the giant part of the 42unit part that is coming up next. If you extend it, that allows for the 42 units and that is the crux for most people.

[7:09:23 PM](#) Michelle Preuss, 320 W Walnut, did not come here with an opinion, learning a lot and has couple questions and comment. First question, wanders if without the rezone, how many units could be built? Could there be any units built with the existing zoning? What is possible right now as is? Other comment again, is about the housing crisis. She is a social worker in the valley, works within the Blaine County School District, works with the students and their families. Speaking as a public citizen not on behalf of them. Its real, that there's really not much affordable here. There are a long of single parent families. There really isn't much that is under \$200,000. Its not that families are looking for their white picket fence, beautiful, country rural Idaho house. They are just looking for. Something that is safe for their family and they are not finding it. She can attest to that. There is a lot of doubling up, there is homelessness on the rise with students. That is a major concern of hers. She is personally willing to sacrifice a little bit of her comfort. Not exactly excited with a lot more cars on her street but if that means a safe home and independence for her students and their families, she is ok with that. That is kind of where her values lie. Does not have to be everyone's values, understands that. That is

her comment. Her question is what can be done now. Kind of that middle ground everyone is talking about. Does think it is extremely important that get smaller size houses out there that are more affordable. For some of these families of 3-4 that are doubling up with grand parents and friends and could get kicked out at any moment with no legal recourse.

[7:11:45 PM](#) Leanna Eddy, 506 N 2<sup>nd</sup> Ave, works at a non-profit in the valley as well. Has been looking at purchasing a home. Looking at this neighborhood and the opportunity this represents. She is really excited that we have something on the table to provide more housing for the community. Appreciates Michelle's question, she as well read the newspaper article, did not know enough until the presentation. She is still formulating an opinion about the appearances of this. But just looking at this moment where we are going to interrupt the zoning that has come about, it seems like a great opportunity to come together as a community to meet several needs for housing. She works with people every day that say they call every week to the apartments around town trying to find a place to live. Its so real, does not know who to make it strike home. This is about zoning and building community. Really encourages to consider the opportunity we have right now. To achieve multiple goals.

[7:13:31 PM](#) Tony Evans, IME, lived in city of Hailey for over 20 years reporting on affordable housing for much of that. What sees being a Hailey reporter, that there tends to be not a really consolidated view on what's going on in other parts of the county. He recommends to the commission or anyone who is interested to reach out to out municipalities to find out what is going on in Ketchum for instances. 80% of people looking for place to live and work in the valley are driving North to work every day. What's going on in Ketchum? People look to the south for a solution to housing problem that's driven by economic forces in the north valley. That seems a little out of whack to him. Also, near the hospital, there's big triangle property that has been on and off the table for housing for years. He doesn't cover that particular project in detail, it is not on his beat, but it has as held out a lot of hope for certain people for years. He thinks it is worth looking into and working with other cities, these other planning departments, in consolidated organized fashion. The same would go for City of Bellevue, they are looking at tiny house's developments now. Occasionally all of these groups will get together at a meeting, like what happened recently at The Mint. The Chamber hosted a big meeting there, it was fabulous. Ton of information from the North Valley, the South Valley. He hears Paul Conrad is thinking about requesting, proposing that the county open up some land on Glendale Road for affordable housing. That perhaps the county would be willing to do something like that. There is a chance some public lands could be opened up to affordable housing. He finds sometimes, that the focus on a particular project in a certain city where he happens to live, gets a lot of heat but the discussion is not broadened out to include wider discussion on what might be possible to solve the crucial housing issue.

[7:16:33 PM](#) Joann Vassar, 308 Willow, project is literally in her backyard. Married to gentleman here and lived there for 40 years. Understand need for more housing, the commission

has discussed the need for a progression of housing types. What she does not see is what the progression is. We have the 6-unit building on the corner, which neighbors a neighborhood of all single-family housing with a few attached accessory dwelling units. The project with 42 units is 7 times larger than the adjacent project. 7x larger does not seem to be a progression. Also agrees with how Peter Lobb discussed DRO. Did not participate in that but does not understand why when that was just adopted 4 months ago, we are already entertaining applications to amend that. That doesn't make sense to her. The other question, addressed by Michelle, why aren't we seeing something presented in the existing zoning. How many units could be built in the existing zoning. A few of them received notice prior to Christmas holiday and only first 300 ft of residents were notified. When there was a project on the other end the neighborhood that involved 14 single-family homes, whoever was in charge of that, was kind enough, neighborly enough to notify everyone all the way through China Gardens. Know that 300 ft is all that is required to be notified but that a 3-story building from their lot will look like a 4-story building. Thinks everyone in the neighborhood can see, to her effects more than the people who live just 300 ft away.

[7:19:38 PM](#) Ted Macklin, 245 W Walnut St, understand it is currently a transitional zoning there. He just traveled in Eastern Europe for two and half months, there were just little boxes stacked up. The thing that concerns him the most about this zoning change is that they are asking for a 0 setback. Having a 3-story high wall right up to the property line. What does that do to the guy next door? And how do you access that. there is no buffer zone. Think it was zoned to be a transitional zone, and think that's what they ought to keep. Thinks to rezone this, to accommodate something this large is a mistake.

[7:20:39 PM](#) John Preuss, 320 W Walnut St, He wants to see more apartments going in. Thinks they could go in on this block, but seems like too many apartments for that small of a space with parking. As mentioned before, having one car per apartment, does not seem like people will just have one car. Parking is biggest thing he sees. He does agree with the buffer, there should be a buffer between a building that big.

[7:21:35 PM](#) Peter Caldara, was told originally these were not going to be affordable housing they are going to be market-based housing. Just read in Mountain Express, there are over 7,000 people in this valley according to the Bureau of Labor Statistics, that their average salary is \$600 a week. Just wondering, is this going to be affordable or market baring where they still can't afford it. They are going to have 2-3 people living in each unit, that brings 2-3 vehicles into play. Not 42 for 42 units. Know needs more housing, agrees with that. But think this project is a little to large to be the initial onset project in the downtown overlay. Of course, he is saying that from a personal stand point because he is right there. But also, in the overview of all the other neighbors talking about it, they do not want to see it either. This large at least.

[7:22:48 PM](#) Michael Firth, it is not more housing we need, it is affordable housing. Affordable housing is what we need, that have to have. Think this group needs to prove it is affordable and going to stay affordable. If you want that kind of density in particular going to have to show. It's not the amount, it's the pricing.

[7:23:37 PM](#) Michelle Preuss, 320 W Walnut St, had that question but got nervous. Her question was also about the pricing. Here the word affordable housing everywhere and that means something different to everyone. The number she had in her mind, let's say a single parent with a couple kids, living on a \$60,000 a year salary which is actually kind of high compared to. Going with higher example in mind, thinking of a particular situation in her mind, this family cannot find something under \$300,000 town home. Something that they can rent or buy. That example is in her head because in her mind, that is a pretty high salary in her opinion. And yet this family she is thinking of, still cannot find something. So, her question is, can you tell us is there an idea of what the rent is going to be.

[7:24:57 PM](#) Steve Crosser, 431 Aspen Dr, by saying no to this you're not saying no to the applicant to building this. The applicant can still build on this he can still have units, still make a profit rent stuff out stuff like that. The little lot alongside would make great buffer zone, green space, open space.

[7:25:31 PM](#) Bill Smith, would like to make statement about buffer zone. If you build to the property line, the access along that who wall in case of emergency of fire or anything else is going to come through the property owned by people down in Elmwood Subdivision, down on Walnut St. There's no access for fireman or any safety people to get in there if you take away that setback. We usually have setbacks so fire people, emergency people can get in. You eliminate that, you make the property owners to the west accommodate the lack of setback on that property.

[7:26:36 PM](#) **Chair Fugate closed public comment.**

[7:26:48 PM](#) **Chair Fugate called for a break.**

[7:33:59 PM](#) **Chair Fugate called meeting back order.**

[7:34:16 PM](#) Chair Fugate turned floor over to Staff. Horowitz responded to question of affordability. [7:35:36 PM](#) Chair Fugate turned floor to applicant. [7:35:53 PM](#) Cone responded to question of what could currently be built, summarizing that not able to tell you based off the number of lots involved. Cone stated from what he is hearing from public comment the Elmwood lots seem to be a point of contention. Cone explained the Elmwood lots serve to solve a dimensional problem. Cone feels like the word precedent has been mischaracterized and explained why. Cone said Patrie was clear that the ordinance very clearly spells out how you can grant these changes. Cone referred back to previous comments, explaining this is really how the process should work. Cone

explained not cynical enough to not believe the facts of this valley, clear more housing is needed and that the county has been unable to responded to it. Cone said this is why he has been supportive of the DRO. Cone said has two possibilities for tonight, both are widely divergent, DRO is already working. Cone clarified his comments about feasibility were made in a very specific context to this project and what he was tasked to do by his client and his comments are only related to market rate apartments on these parcels. [7:40:47 PM](#) Patrie said would address themes heard. Patrie added to the precedent comment Cone discussed. Patrie explained what they want from the commission and that if it were meant to be static would not have this process in place. It's a question of whether or not meets the criteria. Patrie said understood there was a question on the data, if it was for apples to apples. Patrie confirmed vacancy rate was for residential housing for Hailey. Patrie explained profit is not under the criteria to evaluate on and not about profit. Patrie stated he heard a lot about buffers, he would say 80% of the Business district borders General Residential, the rest of Hailey exist with Business and General Residential right next to each other. Patrie said other thing, wanted to talk about jobs and where the jobs are. Patrie went on to explain the perception that the North Valley has more jobs and how it is not true. Patrie stated would like to hear the commission deliberate the merits of the rezone in the code. [7:45:27 PM](#)

[7:45:30 PM](#) Linnet asked what the project would like under existing zoning and clarified what the applicant is asking. Linnet asked if an apartment building could exist on those lots with existing zoning district. Cone explained that applicant and he had not reviewed different designs. Linnet clarified that parking would be underneath, Cone confirmed. Linnet questioned space of parking, if Elmwood lots are needed. Cone confirmed lots are needed. Cone clarified not underground parking but under building parking. Cone went on to discuss podium design and parking. [7:50:38 PM](#) Smith referenced comments made of General Residential next to Business, using his home as an example. Smith stated profit is not a criteria but does know it is a balancing act. Smith said seems to him, Cone first opposed DRO and he had referenced a comment Cone made. Cone confirmed. Smith confirmed going to business to get the setback reduced, mentioning other differences that he is assuming not interested in. Smith suspects there should be some middle that would allow for an outcome that would be more agreeable. Smith discussed different zoning. Smith said suspects could modify the footprint and layout to handle the traffic underneath the building. Smith asked about the initial studies done by applicant and Cone, if had designs. Cone explained why the studies were done. Cone responded to Smith comments about it being about the setbacks, referencing quote by him in the paper. Cone stated the vast majority of DRO covers the B zone, this LB is just a strange pocket that his client happens to own land in. Cone explained the DRO was formulated for the B zone, and during the deliberations the council was at ease with the setbacks. All properties adjacent to River St are viable and should be considered for greater density. [7:56:45 PM](#) Cone stated the DRO makes this project possible. Smith clarified the DRO not Business zone. Cone confirmed both. Smith referenced comment of tremendous

opportunity which seems to come with tremendous risk. [7:57:37 PM](#) Chair Fugate asked if would need to do something different, if decided tonight to just add that portion into the DRO. [7:58:13 PM](#) Simms explained has a list of possibilities ahead of them but what would like to see is the deliberation Patrie has requested. [7:58:57 PM](#) Horowitz confirmed if added Elmwood parcels in DRO, the setback would be retained. Chair Fugate and staff discussed options. [7:59:42 PM](#) Chair Fugate told applicant appreciated hand out and that would like to see what it would look like from standing in front of it and the adjacent neighbors. Smith clarified looking East from the West side. [8:01:40 PM](#) Cone said certainly has those, if get to the pre-app agenda item tonight. Cone said on that point, if the commission feels like it wants to grant pieces or parts of this application, respectfully ask that they continue application and why. [8:02:53 PM](#) Chair Fugate confirmed that she understands. Smith said he would follow up on applicant's request, that he would move to continue this then and why. Chair Fugate agreed. [8:04:23 PM](#) Scanlon said, as Cone knows not continuing this because it is late at night, but that they need more time to think about it more, need to investigate more. Cone responded that not about profit, that it is about feasibility. Chair Fugate confirmed they all are very aware of that and that specifically everyone should make their comments but is there any other information that may assist when address this again. Chair Fugate referenced Mr. Crais's comments and appreciates how Hailey has conserved the character of our town. Cone request handouts returned back. Simms said would need to keep one for record. [8:08:35 PM](#) Horowitz and Chair Fugate discussed when massing study done, points of view would like to see. [8:09:40 PM](#) Scanlon asked how fire protection works along property line. Smith asked if building would be sprinklered. Cone confirmed yes. Scanlon confirmed would like to see massing study as well. Pogue said would be remiss if didn't thank Cone for his input on the DRO when going through that process. Pogue explained if he were to vote tonight, he would not be for changing the zoning and why. Pogue stated he is absolutely convinced community needs housing and more housing but cannot do it without serious forethought on how it impacts existing housing. [8:14:12 PM](#) Smith thanked applicant and public. [8:14:54 PM](#) Linnet stated his opinion on this project and affordable housing. Linnet summarized it will have consequences but benefits as well. [8:19:25 PM](#) Chair Fugate added to Linnet's comment, referenced Smith comments and thanked public for their comments. Cone requested the Commission to reiterate items needed for next hearing. Chair Fugate listed massing study from neighborhood perspective and street level, fire access study, with setbacks thinks anything they can address in that area will be helpful, and what could be done with the existing zoning. Staff, commission and applicant discussed possible options within existing zoning. Cone explained that he feels the commission is trying to make a decision on the zoning based on a presumptive building and he does not feel that is appropriate. Cone stated he believes all are clear on what is required and that the ordinance is very clear what criteria is required for a zone change. [8:23:43 PM](#) Chair Fugate said that is true but counters with fact that zoning change will affect welfare of immediate neighbors. Cone said does still have the power of design review process, believes there's a provision in DRO that gives

additional authority. Simms said does not disagree with what Cone has said, but commission is within their rights to require the information and why. Simms summarized that it is perfectly appropriate. Staff and applicant clarified project will not be re-noticed as it is being continued.

**8:26:30 PM** Linnet motioned to continue the public hearing upon the request by West Crescent Advisors Idaho, LLC, represented by Jay Cone Architecture to February 4<sup>th</sup>, 2019. Smith seconded. All in Favor.

**PH 3** *Consideration of a Design Review Pre-Application by West Crescent Advisors Idaho, LLC, represented by Jay Cone Architecture, for a 42-unit residential project proposed three (3) story building, to be located at SW 45' of Lots 1,2, 3 and Lots 4-7, Block 19, Hailey Townsite (303 and 307 S River Street and 104 W Walnut) and Lots 1 and 3, Block 1, Elmwood Subdivision # 2 (no address). The subject property is requesting a zone change and to be included in the Downtown Residential Overlay (DRO). The proposal includes tuck-under parking, fourteen (14) studios, fourteen (14) one (1) bedroom units, fourteen (14) two (2) bedroom units, and 2,971 sq. ft. of open space. **ACTION ITEM***

Chair Fugate asked if continuing Design Review to same date or different date as rezone. Staff and applicant discussed options and decided to keep same date as rezone.

**8:28:39 PM** Scanlon motioned to continue the public hearing for the design review application by West Crescent Advisors Idaho, LLC, represented by Jay Cone Architecture to February 4<sup>th</sup>, 2019. Pogue seconded. All in Favor.

**8:29:15 PM** Linnet motioned to adjourn. Smith seconded. All in favor.

**Return to Agenda**

**Meeting Minutes**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Tuesday, January 22, 2019**  
**Hailey City Hall**  
**5:30 p.m.**

**Present**

**Commission:** Owen Scanlon, Sam Linnet, Janet Fugate, Richard Pogue, Dan Smith

**Staff:** Lisa Horowitz, Robyn Davis, Chris Simms, Rebecca Bundy

**5:30:07 PM** Chair Fugate called to Order.

**5:30:16 PM** Public Comment for items not on the agenda.

**5:30:31 PM** Tony Evans noted that River Street has various sections that are hazardous for walking. Evans questioned whether the City could scrap the ice, get some of the big chunks out to make it safer. Evans believes it is a public safety issue.

**No consent agenda.**

**Public Hearings**

**5:31:46 PM** Consideration of an application submitted by Hailey Investors, LLC for an extension to a variance from the riparian setback and building site area regulations of the Flood Hazard Overlay District, section 17.04J. The variance was granted on August 20, 2004 and approved for a ten (10) year extension on June 7, 2010. The variance was granted for the purpose of constructing a residence encroaching approximately thirty-three (33) feet into the one hundred (100) foot riparian setback. The property is located on Lot 1, Block 8, Della View Subdivision (921 War Eagle Dr). The applicant is requesting an additional ten (10) years.

**5:32:28 PM** Horowitz introduced the project and explained background of variance. Horowitz referenced 17.12.040, Standard A. explained error in current staff report and provided the current standard. Horowitz pointed out new standards since applicant first requested variance request within the Flood Hazard Overlay. Chair Fugate clarified that the variance was for the riparian and asked if there was any discussion at that time regarding the flood hazard. Horowitz said not that she found. Horowitz went on to discuss the avalanche zone boundary. Horowitz stated a) this is below the mean highwater mark and b) the city does not have avalanche requirements per say. Bundy added that this particular map and the setbacks shown may not be current and the mean high-water mark may not be in the same location, suggesting a new study be done. **5:38:28 PM** Richard Nelson, owner of the property, explained bought the property fourteen years ago and how the variance was a condition of their purchase. Nelson provided a

background of himself and his family. Nelson explained the property was purchased with idea to build but due to financial restrictions does not have the ability at this time. Nelson stated has had the property for sale but no buyer at this time. [5:41:30 PM](#) Nelson explained here to extend current variance for another 10 years. [5:42:04 PM](#) Nelson read the history of background of the variance, describing reason behind it and reasoning why city granted the variance. [5:50:42 PM](#) Nelson stated their request today is to just extend the same right as before. [5:51:28 PM](#) Simms clarified we do not have a process for an extension of a variance, this is a request for a variance. Simms explained that there really is no precedential value at all from the past variances that have been issued. There has been a change of conditions on the ground and change in the legal requirements. Simms advised commission to analyze based off current laws and current effects. Chair Fugate confirmed they are being asked to grant variance into the riparian setback. Simms confirmed. [5:52:21 PM](#) Chair Fugate asked when it comes to actually building that, flood mitigation damage and whatever that involves will be dealt with in that process. [5:52:38 PM](#) Simms said does not completely agree with that and explained why. [5:52:59 PM](#) Horowitz said that is the reason why suggested additional study. Chair Fugate confirmed do not have that information tonight or the high-water mark information. Horowitz confirmed we do not. [5:53:37 PM](#). Horowitz explained want to be very carefully something is buildable. Simms agrees. Pogue asked if this property was totally flooded in 2017/2018. Bundy said the entire property was about 1 ft. to 1 ½ ft under water during the 2017 flood. Bundy confirmed flooded in 2018 as well but not to that depth. [5:54:42 PM](#) Pogue asked if they had ever had an architect review the development on this site. Simms said does not know the answer to that. Chair Fugate said applicant could answer. Nelson said yes and explained when was done. [5:55:36 PM](#) Bundy confirmed requirements changed with the adoption of the 2017 Flood Plain Ordinance. Bundy explained if applicant chooses to build on property will be subject to current requirements.

**[5:56:21 PM](#) Chair Fugate opened public comment.**

[5:56:46 PM](#) Amy Trujillo, Wood River Land Trust, as the staff report points out, under Idaho law variance should not be considered a right or special privilege but may be granted to an applicant only by showing undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. The City of Hailey is well aware of the flooding that occurred in the Della View neighborhood, including the applicant's property. Adding another home to the floodplain would add yet another family to be impacted by the flooding and to allow a structure to be built within the setbacks seems like would be going backward given what they know is occurring in that neighborhood. Since the flooding in 2017, the Wood River Land Trust has been working with the City to incorporate flood mitigation efforts into the planning for the Hailey Greenway. The City Engineer has been very careful to remind partners and residents the Della View neighborhood was built in the floodplain and because of that cannot eliminate all flooding. Especially massive events like the 2017 flood. We can try to address some of the flooding that happens at the levels like they saw in 2018. The projects they have been working on with the City and County are attempts at alleviating the duration of flooding at low levels. So that low flow events cause less stress to the residents, can access their homes more quickly and sustain less

damage to their property. Currently, the City Engineer is working on a design for a potential drainage swell, intended to intercept water flowing across war eagle during local events. This drainage swell would intercept the water at the road and drain into a ditch along side the road and potentially cut across a corner of the Land Trust's property and the applicant's property to drain the water back to the river. This drainage swell, again, will not eliminate flooding at high flow events but could alleviate the low flow flooding like we saw last year. The drainage swell would likely help with flooding at the applicant's property as well as the rest of the neighborhood. They support the suggested conditions staff has laid out in their report as well as prior to the approval of the variance request, the applicant shall provide documentation explaining how he intends to address the floodplain overlay standards and also strongly suggest a drainage easement to accommodate the potential drainage swell be considered either through the applicants site planning process or if possible as a condition of approval of the variance. As mentioned previously granting a variance to disregard the floodplain setback seems to be going backward given what they know to be true of this river. But if the commission does grant the ext. would encourage a shorter time frame.

[5:59:13 PM](#) Nancy Linscott, 320 Apache Dr., really appreciate the emotion, frustration, dreams and desires of the land owner for developing the property. But feels that it would be going backwards with our understanding of the impacts of the development and encroachment right up to the river's edge. Riparian setback is not only one that is subject to flooding from the stream itself but ground water rising in response to seasonal changes. She can't help think that the hillside right there, has gone to the bottom of that hillside many times on the west side to try to observe some of the inputs from above that will always filling in that channels over there thus pushing the river forever eastward. The river will never go westward because there is a giant mountain in the way. It will always default eastward. So, there will always be problems where ever this is encroachment and compacted soils that come with development that will have very negative impacts to the surrounding landowners and the overall health to of the riparian system down there. She thinks as we learn more as a society, a town, as a valley of people about all of all the pass transgression of the river and what those consequences have been. That allowing them to continue is going backward, it is ignoring the knowledge that we are gaining about the significance of maintaining the riparian areas in its natural state as possible. Not only does it help the function of the river but it is a life health safety issue. When you go in there and encroach on those places and remove the vegetation and pact the soil you further exacerbate the flooding the duration the length. Then you have to go in there with expensive engineering mitigation to undo them for life health safety ricks. Hillside on other side is prone to avalanche, which also pushes the river into that neighborhood at unpredictable times. It is not just the seasonal flooding, it could just be a big snow storm in an otherwise dry winter. A forest fire on a hillside could undermine the root structures that hold much of the unconsolidated soil up and that is definitely a contributor of filling that channel up on the west side. Feels from a life health safety standard it is contrary to that and it will just exacerbate the existing issues if allow that encroachment into the riparian areas.

[6:02:02 PM](#) Tony Evans, IME, reporting on the movements of the river from last few years.

Discovered from looking at historic photographs that the historic meander in the Big Wood River once wandered quite some distance into the existing Della View neighborhood. Historically it was actually further east. Channelization of the river seemed to straighten it out, cause more erosion on the hillside. He took a picture from the top of Carbonate to compare from a 100 years ago to today; photo confirmed idea. A lot of homes were allowed to be built by the work that went on, to change the shape of the river. He understands that they are going to dig out a historic channel closer to the mountain that will presumably lessen the risk along War Eagle dry. This is in addition to the swells mentioned. He is just curious if the commission understands the expected impact of that whole channel being dug out once more. Again, channelization the river he supposes can say from the meander, seems to have caused a lot of issues with flooding.

[6:04:00 PM](#) Chair Fugate closed public comment.

[6:04:18 PM](#) Chair Fugate asked if want other information first before making any decision and explained reason why would need. Chair Fugate asked Bundy what she sees as the potential for a home to be built to flood code. [6:05:21 PM](#) Bundy said she thinks it may be possible but the code is very specific that the burden of proving the variance request will not adversely impact the structures or the city, that burden is on the applicant. Bundy explained there was a number of criteria they did not feel was addressed and that was why asked for more information. Bundy stated need to have the applicant perform the duties required by the code to show his variance request meets all of the criteria in the new flood plain code. Bundy explained requirements of applicant if he were to be granted the variance. [6:07:20 PM](#) Chair Fugate confirmed all of that was listed in conditions of approval but do not have the current information. Bundy confirmed that is correct and also missing the information from applicant addressing how he is going to satisfy all of the criteria. [6:08:18 PM](#) Pogue believes need to look at new high-water mark. [6:08:47 PM](#) Smith stated does not feel he has enough information to grant the variance. [6:09:21 PM](#) Linnet agrees, summarizing the need more information. [6:10:41 PM](#) Scanlon stated in unique position as was on board when other variances were granted. Scanlon agrees with what has been said and need to have all the information we can. Chair Fugate agrees. [6:11:59 PM](#) Commission reviewed standards and discussed information would like to see. [6:15:26 PM](#) Horowitz asked applicant about timing. [6:15:42 PM](#) Nelson said they are asking for answers before the permit that are usually addressed during permit process. Bundy explained these are the variance standards. Nelson clarified that he could build today, as current variance is in place until 2020. Bundy explained two different processes. [6:17:29 PM](#) Nelson asked if the extra 1400 sq. ft. would cause more issues. Staff and Commission explained an engineer would be able to answer that. [6:19:04 PM](#) Chair Fugate explained the Commission is in agreement need more information before decide to grant the variance or not. [6:19:51 PM](#) Chair Fugate said need to know where the high-water mark is based off the changes of recent years. Chair Fugate asked if would like to continue to a date certain or to table it. Nelson said it is important to him, he is willing to do the studies, if he knows there is chance of it being approved the way it would be reasonable to expect him to build afterwards. Nelson asked if the city is going to honor the 2500-foot envelope.

Chair Fugate explained does not know as need to see the other variance requirements before could go further. [6:22:04 PM](#) Nelson said he supposes to table it so have time to do the right study.

**[6:22:38 PM](#) Linnet motioned to table the public hearing for the request and extension of the variance for the riparian setback granted on the property located at Lot 1, Block 8, Della View Subdivision to a date to be determined between the applicant and the city. Smith seconded. All in favor.**

*[6:23:25 PM](#) Consideration of a Design Review Application by Sweetwater Communities, LLC, represented by Errin Bliss of Bliss Architecture, for construction of Sweetwater Duplexes, to be located at Parcel B2, Block 4 (vacant lot on the corner of Shenandoah Drive and Maple Leaf Drive). This project consists of thirteen (13), three-story duplex units, each unit comprising of approximately 2,796 square feet. This property is subject to a PUD Development Agreement dated January 10, 2005 and Amendments to the Development Agreement dated December 12, 2009, December 20, 2010 and November 6, 2012.*

[6:24:02 PM](#) Davis clarified the project equates to 26 units. Davis explained this property was earmarked for future development, specific to Sweetwater, during the original Design Review.

[6:24:49 PM](#) Errin Bliss, Bliss Architecture representing Sweetwater Communities turned over to owner, Mike Bradshaw. [6:25:13 PM](#) Bradshaw provided background. [6:26:41 PM](#) Bradshaw said general intent is to deliver and finish what was started here. Bradshaw explained changes made from master plan. [6:28:20 PM](#) Bliss pointed out location of project, 13 duplex units, new private alley with new utility easements and access. Bliss discussed the floor plan for each floor, matching what is there. Bliss discussed the elevations and matching the existing colors out there.

[6:31:54 PM](#) Scanlon asked what the density difference is between the original plat and their tweak. Bliss said not exceeding, they are under the requirements. Horowitz confirmed putting duplexes in instead of townhomes is not increasing the density of the project. Bradshaw explained why. [6:32:41 PM](#) Scanlon asked what new alley way connects to. Bliss pointed out where it connects into Heartland Way. Linnet asked about the parking layout. Bliss explained each individual unit will have a 2-car garage and 2 driveway spaces. Linnet asked about street parking. Bliss explained not part of this project. [6:35:06 PM](#) Chair Fugate asked if expect curb cuts causing Shenandoah to be repaved. Bliss explained looking at different options. Bradshaw provided update after discussion had with Brian Yeager, stating the concern was the sewer line. Bradshaw explained possible options discussed with Brian to avoid cutting. Staff and Commission discussed possibly changing conditions. Horowitz asked if there is a curb line on Shenandoah Dr. right now. Bliss said no curb or gutter now, in the next phase will be finished with curb and gutter and sidewalk. [6:37:26 PM](#) Scanlon clarified total onsite parking is 52. Bliss confirmed with parking in the garages. [6:38:05 PM](#) Linnet asked about plans to change Crab Apple. Bradshaw and Bliss confirmed fine going with Maple. Linnet asked if there are any plans or requirements for a bicycle lane in or around the development. Bradshaw and Bliss explained current pathways.

**[6:40:01 PM](#) Chair Fugate opened to public comment.**

[6:40:24 PM](#) Don, 821, what are the hours of construction going to be for this project. This is going to be right outside his window. Concerned if they are going to start at six in the morning till nine at night, seven days a week, five days a week. It is slated for 13 units, seems odd to him, over 10yrs have passed, 2 new owners have taken over and it is still considered part of the PUD and the Sweetwater Community. And as such is going to join into the existing properties. The only concession he can see, because he takes up all of the land on that lot which is his of course, that there should be may should be maybe 11 or 12 units. Leave that first corner by the parking section because they are going to have a snow removal issue and so will the new owner if all the land is used. Has been fortunate in the past that it has been undeveloped and the previous owners have allowed them to use it, but if does fill in with units not only are the new units going to have to truck their snow away but the existing units will have to truck their snow away.

[6:42:33 PM](#) Matt Scoggins, questioned how the developer intends to incorporate the 13 units or the 26 units into the existing association. How that will function with the CC&R's? What those kinds of contributions will be into the community. IF there is on the anticipated price point that they have in mind for the sale of those homes.

[6:43:25 PM](#) **Chair Fugate Closed public comment.**

[6:43:46 PM](#) Davis explained hours of construction, snow storage and snow removal. Horowitz stated she does not have the answer to how the developer intends to incorporate the CCR's but pulled up on the screen is the entirety of the Sweetwater PUD as approved by the city. Horowitz went on to discuss the PUD Agreement and how there is not an amendment to it. Bradshaw explained how the CC&R's handle it and how it is addressed in the HOA documents. Bradshaw confirmed overall the plan will have less units than originally planned. [6:46:37 PM](#) Bradshaw discussed the estimated pricing for the duplexes. [6:47:08 PM](#) Scanlon confirmed exceeding parking requirements. Horowitz explained reason for layout. Chair Fugate asked if addressed in PUD Agreement. [6:48:55 PM](#) Horowitz confirmed parking was considered in the PUD agreement. Simms said it is a discretionary decision. [6:51:56 PM](#) Smith likes the idea of excess parking, appreciate fact utilizing uniform larger trees. Smith agrees staying away from road cuts as much as able too is good. [6:53:14 PM](#) Pogue applauds the parking, think will be a great addition to the community. [6:53:58 PM](#) Chair Fugate asked about an ADU ramp. Bradshaw pointed out where ADU ramps could go, but not in this phase. [6:55:08 PM](#) Smith asked about a street light for the corner of Maple Leaf and Shenandoah. Bradshaw said will double check it. Bliss noted there is not one at Countryside and Shenandoah and why did not put one at other side. Bradshaw said will review it. [6:56:22 PM](#) Chair Fugate mentioned she thinks it is really critical to follow the tree guidelines, thinks the larger caliper will add to how the new phasing looks. [6:56:53 PM](#) Scanlon asked how the lights meet the dark sky ordinance. Bradshaw explained lighting. [6:58:20 PM](#) Davis discussed the suggested conditions of approval.

[7:00:18 PM](#) **Smith motioned to approve the Design Review Application by Sweetwater Communities, LLC, represented by Errin Bliss of Bliss Architecture, for construction of thirteen (13), three-story duplex buildings (26 units in total), to be located at Parcel B2,**

**Block 4 (vacant lot on the corner of Shenandoah Drive and Maple Leaf Drive), finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, Title 18, and City Standards, provided conditions (a) through (s) are met. Pogue seconded. All in favor.**

[7:02:09 PM](#) Commission, staff and Linda Ries, Chair of the Tree Committee, discussed ideas to better incorporate the Tree Committee recommendations within applicable projects.

#### **Staff Reports and Discussion**

- SR 1** Discussion of current building activity, upcoming projects, and zoning code changes.  
*(no documents)*
- SR 2** Discussion of the next Planning and Zoning meeting: **Monday, February 4, 2019.**  
*(no documents)*

Staff and commission discussed upcoming meeting, hoping to start at 4:30 PM with DIF than continue to PZ with West Crescent.

[7:17:19 PM](#) Scanlon motioned to adjoin. Linnet seconded. All in favor.

**Return to Agenda**

## **FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION**

On January 22, 2019, the Hailey Planning and Zoning Commission considered a Design Review Application by Sweetwater Communities, LLC, represented by Errin Bliss of Bliss Architecture, for new construction of Sweetwater Duplexes, to be located at Parcel B2, Block 4 (vacant lot on the corner of Shenandoah Drive and Maple Leaf Drive), located in the Limited Business (LB) Zoning District. This project consists of thirteen (13), three-story duplex buildings (26 units in total), each unit comprising of approximately 2,796 square feet. This property is subject to a PUD Development Agreement dated August 14, 2006 and Amendments to the Development Agreement dated December 18, 2009, December 27, 2010 and November 6, 2012.

### **FINDINGS OF FACT**

#### **Notice:**

Notice for the public hearing was published in the Idaho Mountain Express on January 2, 2019 and mailed to property owners within 300 feet on January 2, 2019.

#### **Application:**

Sweetwater Communities, LLC, represented by Errin Bliss of Bliss Architecture, submitted a Design Review Application for thirteen (13), three-story duplex units (26 units in total), to be located on the corner of Shenandoah Drive and Maple Leaf Drive (Lot B2, Block 4, Sweetwater PUD Townhouses). The project will be similar to the existing Sweetwater Development. The lot area of B2 is 1.84 acres or 79,279 square feet. The 72,696 square foot project will consist of:

- 104 Onsite Parking Spaces (located below grade or at basement levels)
- Thirteen (13), three-story duplex units, each comprising of:
  - A two-car garage
  - Storage space
  - Three (3) bedrooms
  - Two and one-half (2 ½) bathrooms
- PUD Amenities include:
  - 1.6-acre (69,696 square feet) Park
  - 5,200 square foot Amenity Building, which includes exercise rooms and fitness equipment, hobby and craft rooms, lounge and kitchen
  - Tot Lot
  - Bike Path Connection and Public Transit Facilities

As noted, this property is subject to a PUD Development Agreement dated August 14, 2006 and Amendments to the Development Agreement dated December 18, 2009, December 27, 2010 and November 6, 2012. The following report further describes any and all relevant amendments made to the original PUD Development Agreement, as well as subsequent amendments thereafter.

#### **Procedural History:**

The Application was submitted on December 20, 2018 and certified complete on January 9, 2019. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on January 22, 2019, in the Hailey City Council Chambers.

<b>General Requirements for all Design Review Applications</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.050	<b>Complete Application</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Department Comments</b>	<b>Engineering:</b>
				<b>Life/Safety: No comments</b>
				<b>Water and Sewer: The Public Works Department recommends that the following items be resolved prior to Building Permit submittal:</b>
				<ol style="list-style-type: none"> <li>1. Any new or relocated drywells shall be 25' from water mains and services. Catch basins and piping shall be 10'. This has been made a Condition of Approval.</li> <li>2. Meter vaults should already be installed, but shall be located and exposed. This has been made a Condition of Approval.</li> <li>3. Any unused water services shall be abandoned at the water main. This has been made a Condition of Approval.</li> <li>4. Any meter vaults or water infrastructure that is damped or cannot be located shall be repaired or replaced per City Standards. This has been made a Condition of Approval.</li> <li>5. Any meter vaults located in driveways or in asphalt shall have a heavy traffic rated lid over the vault. This has been made a Condition of Approval.</li> <li>6. Any water services that are moved shall be inspected by the City and shall be installed per City Standards. This has been made a Condition of Approval.</li> <li>7. In the event that Shenandoah Drive needs to be repaved, all sewer and water services shall be installed prior to said repave. This has been made a Condition of Approval.</li> <li>8. The project will require an 8" main line from the manhole in front of D-6B to the intersection of Mapleleaf and Shenandoah Drive with a new manhole at the intersection to City standards.</li> <li>9. Sewer services should run perpendicular to the main line to the center of each individual unit, with no sewer services connected at manholes.</li> </ol>
				<p>Together, the Public Works Department and the Applicant plan to explore the concept of constructing a new sewer main within the private drive, Windmill Way, rather than utilize the existing sewer main on Shenandoah Drive. Final approval is subject to the details and Conditions of Approval noted above. The Commission found that this standard will be met.</p>
				<b>Building: No comments</b>
				<b>Streets: The Streets Department recommends the following items to be resolved prior to Building Permit submittal:</b>

				<ol style="list-style-type: none"> <li>1. <i>The ADA ramp, located on the southwest side of Maple Leaf Drive, seems to go nowhere. Will an ADA ramp be installed on the northwest side of Maple Leaf Drive?</i></li> <li>2. <i>The existing fire hydrant located on Shenandoah Drive, mid-block, shall be relocated to the outside of the sidewalk. This has been made a Condition of Approval.</i></li> <li>3. <i>There are nine (9) roadcuts on Shenandoah Drive. The area of each roadcut shall be determined. More than 25% of the road in cuts will trigger a repave of Shenandoah Drive. This has been made a Condition of Approval.</i></li> <li>4. <i>A more detailed set of Civil Drawings shall be submitted to better understand drainage. This has been made a Condition of Approval.</i></li> <li>5. <i>What will parking off of Shenandoah Drive look like? Will it be similar to offsite parking on Countryside Boulevard?</i></li> <li>6. <i>All signage, including 'No Parking' signs, shall be located outside of the project sidewalks. This has been made a Condition of Approval.</i></li> <li>7. <i>Additional 'No Parking' signs shall be installed along the sidewalk of Shenandoah Drive. This has been made a Condition of Approval.</i></li> <li>8. <i>Street lights on Shenandoah Drive shall be located outside of the curb line. This has been made a Condition of Approval.</i></li> <li>9. <i>The proposed snow storage area at the north end of Windmill Way may block emergency access.</i></li> <li>10. <i>Construction parking shall be on private property and not within the City Right-of-Way or edge of the road. This has been made a Condition of Approval.</i></li> <li>11. <i>A Traffic Control Plan shall be submitted prior to issuance of a Building Permit. This has been made a Condition of Approval.</i></li> </ol> <p><i>Together, the Public Works Department and the Applicant plan to resolve any concerns or questions, as noted. Final approval is subject to details and Conditions of Approval noted above. The Commission found that this standard will be met.</i></p> <p><b>City Arborist:</b> <i>The City Arborist recommended and the Commission agreed that the Applicant shall incorporate additional street trees, Maple trees are preferred, along Shenandoah Drive and Maple Leaf Drive. If the Applicant chooses to add something other than Maple trees, the new specie type, size and space between trees will be subject review by the City Arborist.</i></p> <p><i>Specifically, the City Arborist would like to see a more robust line of trees, similar to those street trees along Woodside Boulevard, and as depicted along Shenandoah Drive, in the original submittal below.</i></p>
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				 <p>The City Arborist suggests that particular species, such as Mountain Ash and Crabapple, be avoided.</p> <p>The Commission found the City Arborist's suggestions to be reasonable and made said requests a Condition of Approval.</p>
☒	☐	☐	<p>17.08A Signs</p> <p><i>Staff Comments</i></p>	<p><b>17.08A Signs: The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.</b></p> <p><i>No signage is proposed at this time; however, any signage exceeding four square feet will need to be accompanied by a Sign Permit Application and be approved prior to installation.</i></p>
☒	☐	☐	<p>17.09.040 On-site Parking Req.</p> <p><i>Staff Comments</i></p>	<p><b>See Section 17.09.040 for applicable code.</b></p> <p><i>Per the Hailey Municipal Code, Multi-Family Dwellings are required to provide at least 1.5 onsite parking spaces. Thirteen (13) Duplex Buildings (26 units in total) are proposed; therefore, 39 onsite parking spaces are required. The site plan shows a total of 104 onsite parking spaces: a two (2) car garage per unit and two (2) driveway spaces per unit. <b>The project exceeds the number of parking spaces required by City Code.</b></i></p> <p><i>That said and as agreed upon in the original PUD Agreement dated August 14, 2006, below grade parking and/or parking stalls at basement levels are required. Over 70% of all parking stalls are located within the structure (two-car garage) and all driveways are oriented toward internal alleys or private drives, so as not to negatively affect the quality of the pedestrian environment.</i></p> <p><i>Due to the nature of all proposed onsite parking being below grade parking and/or parking stalls at basement level, which was determined in and comply with the original PUD Agreement, the Commission found the excess parking compliant with the standards set forth herein, as well as with the provisions outlined in the original PUD Agreement dated August 14, 2006.</i></p>
☒	☐	☐	<p>17.09.040.06: Excess of Permitted Parking</p>	<p><b>A. Approval Required: No use shall provide on-site parking for more than two hundred percent (200%) of the number of spaces required by this chapter unless permitted by specific action of the commission. Applications for parking in excess of that normally permitted will be heard by the commission as part of other applications, or, where no other application is pertinent, under the notice and hearing procedures set forth for design review.</b></p>

			<b>Staff Comments</b>	<p>The parking requested above City Requirements is in excess of 200%. 104 spaces are proposed; 39 spaces are required. That said, the layout of the parking is not excessive: a two-car garage with two (2) spaces behind the garage is a common layout. No other parking exists onsite.</p> <p>Due to the nature of all proposed onsite parking being below grade parking and/or parking stalls at basement level, which was determined in and comply with the original PUD Agreement, the Commission found the excess parking compliant with the standards set forth herein, as well as with the provisions outlined in the original PUD Agreement dated August 14, 2006.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.08C.040 Outdoor Lighting Standards</b>	<b>17.08C.040 General Standards</b> <ol style="list-style-type: none"> <li>a. All exterior lighting shall be designed, located and lamped in order to prevent: <ol style="list-style-type: none"> <li>1. Overlighting;</li> <li>2. Energy waste;</li> <li>3. Glare;</li> <li>4. Light Trespass;</li> <li>5. Skyglow.</li> </ol> </li> <li>b. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.</li> <li>c. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.</li> <li>d. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires.</li> <li>e. Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator.</li> </ol>
			<b>Staff Comments</b>	<p>The Applicant will install Dark Sky compliant, downcast and low wattage fixtures. A fixture sample has been submitted. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Bulk Requirements</b>	<b>Limited Business (LB) Zoning District:</b> <ul style="list-style-type: none"> <li>- Building Height: <ul style="list-style-type: none"> <li>o Required Building Height: 37' (see PUD below)</li> <li>o Proposed Building Height: <ul style="list-style-type: none"> <li>▪ 37' from finished grade at alley (Windmill Way)</li> <li>▪ 28' from first floor</li> </ul> </li> <li>o Required Setbacks (see PUD below):</li> <li>o Front Yard (West): 8'</li> <li>o Side Yard (North): 5'</li> <li>o Side Yard (South): 5'</li> <li>o Rear Yard (East): 3'</li> </ul> </li> <li>- Proposed Setbacks: <ul style="list-style-type: none"> <li>o Front Yard (along Shenandoah Drive – Units D1-D7): 17'</li> <li>o Side Yards: 10'</li> <li>o Rear Yard (Units D8-D13): 20'</li> <li>o Typical Setback between each Unit: 14'-9"</li> </ul> </li> <li>- Proposed Density: 14 units (sublots) per acre</li> </ul>
			<b>Staff Comments</b>	

			<p><i>The original PUD Agreement addresses the following waivers, which were granted in August 14, 2006:</i></p> <ul style="list-style-type: none"> <li>- <i>Building Height:</i> <ul style="list-style-type: none"> <li>o <i>The maximum building height shall see an increase to 37 feet from 35 feet</i></li> </ul> </li> <li>- <i>Setbacks:</i> <ul style="list-style-type: none"> <li>o <i>The minimum front yard setback shall be reduced from 20 feet to eight (8) feet for residential units</i></li> <li>o <i>The minimum side yard setbacks shall be reduced from ten (10) feet to five (5) feet</i></li> <li>o <i>The minimum rear yard setback shall be reduced from ten (10) feet to three (3) feet</i></li> </ul> </li> <li>- <i>Maximum Density:</i> <ul style="list-style-type: none"> <li>o <i>Townhouse subplot density shall increase from 12 sublots per acre to 24 sublots per acre</i></li> </ul> </li> </ul> <p><i>All setback, building height and density requirements have been met. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.070(A)1 Street Improvements Required</b></p> <p><b>Staff Comments</b></p> <p><i>A new 5'-wide sidewalk is shown along the western and northern property lines of the proposed project. This sidewalk will run parallel to Shenandoah Drive, approximately 440' in length, before curving to the east, running parallel to Maple Leaf Drive. At approximately 177' in length, this proposed sidewalk will connect to the existing sidewalk, which is northwest of the park space and amenity building.</i></p> <p><i>To safely access each unit, new 4'-wide sidewalks are also proposed.</i></p> <p><i>Regarding the Grading and Drainage Plan, the Streets Department suggested that the following:</i></p> <ol style="list-style-type: none"> <li><i>a) The existing fire hydrant located on Shenandoah Drive, mid-block, shall be relocated to the outside of the sidewalk.</i></li> <li><i>b) There are nine (9) roadcuts on Shenandoah Drive. The area of each roadcut shall be determined prior to issuance of a Building Permit.</i></li> <li><i>c) A more detailed set of Civil Drawings shall be submitted prior to issuance of a Building Permit.</i></li> <li><i>d) All signage, including 'No Parking' signs, shall be located outside of the project sidewalks.</i></li> <li><i>e) Additional 'No Parking' signs shall be installed along the sidewalk of Shenandoah Drive.</i></li> <li><i>f) Street lights on Shenandoah Drive shall be located outside of the curb line.</i></li> <li><i>g) Construction parking shall be on private property and not within the City Right-of-Way nor the edge of the road.</i></li> <li><i>h) A Traffic Control Plan shall be submitted prior to issuance of a Building Permit.</i></li> </ol>

				<i>Together, the Public Works Department and the Applicant plan to resolve any concerns or questions, as noted. Final approval is subject to details and Conditions of Approval noted above. The Commission found that this standard will be met..</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.070(B) Required Water System Improvements	In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.
			Staff Comments	N/A, as this project is not within the Townsite Overlay (TO) Zone District.

### Design Review Requirements for Non-Residential, Multifamily, and/or Mixed-Use Buildings within the City of Hailey

#### 1. Site Planning: 17.06.080(A)1, items (a) thru (n)

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1a	<p>a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the residents and allow for safe access to buildings</p> <p><i>Staff Comments</i>                      The proposed units are oriented north/south. The units closest to Shenandoah Drive will see morning sun in the front of the building; the units closest to the existing park space and amenity building will see evening sun in the front of the building. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1b	<p>b. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated or removed. Removal of trees larger than 6-inch caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, shall be replaced with a species of tree found in the Tree Guide and shall be a minimum of 4-inch caliper.</p> <p><i>Staff Comments</i>                      A Landscape Plan has been prepared (Sheets L-100 and L-101), which show trees to be relocated to proposed tree locations, as well as a Plant Material List for proposed landscaping. The Plant Material List includes:</p> <ul style="list-style-type: none"> <li>- 15 Crabapple 'Prairie Fire' trees at a 4" caliper</li> <li>- 14 Red Maple trees at a 4" caliper</li> <li>- 60 Wintercreeper shrubs at 5 gallons each</li> <li>- 57 Redtwig Dogwood shrubs at</li> <li>- 88 Nest Spruce shrubs at</li> <li>- 42 Pink Princess Cinquefoil at</li> <li>- 76 Mugo Pin shrubs at 1 gallon each</li> <li>- 18 Creeping Mahonia at 1 gallon each</li> </ul> <p>The project is proposing a total of 29 trees, all of at least a 4" caliper. Per Section 17.06.080(4)d, all newly landscaped areas having more than ten (10) trees, a minimum of ten percent (10%) of the trees shall be at least four-inch (4") caliper, twenty percent (20%) of the trees shall be at least three-inch (3") caliper, and twenty percent (20%) of the trees shall be at least two and one-half inch (2 ½")</p>

			<p><i>caliper. The Applicant is proposing that all 29 trees be a minimum of four-inch (4") caliper, which exceeds the minimum requirement of ten percent (10%) of the trees shall be at least four-inch (4") caliper.</i></p> <p><i>With regard to street trees, the City Arborist recommended and the Commission agreed that the Applicant shall incorporate additional street trees, Maple trees are preferred, along Shenandoah Drive and Maple Leaf Drive. If the Applicant chooses to add something other than Maple trees, the new specie type, size and space between trees will be subject review by the City Arborist.</i></p> <p><i>Specifically, the City Arborist would like to see a more robust line of trees, similar to those street trees along Woodside Boulevard, and as depicted along Shenandoah Drive, in the original submittal below.</i></p>  <p><i>The City Arborist suggests that particular species, such as Mountain Ash and Crabapple, be avoided.</i></p> <p><i>The Commission found the City Arborist's suggestions to be reasonable and made said requests a Condition of Approval.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.080(A)1c</b></p> <p><b>c. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.</b></p> <p><i>Staff Comments</i> Site circulation has been designed to keep vehicular access and parking to the private road, Windmill Way, and public streets. A 5'-wide sidewalk is shown along the perimeter of the project, where pedestrian traffic can safely navigate the site, visit neighbors and utilize development amenities. To safely access each unit, 4'-wide sidewalks are also shown. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.080(A)1d</b></p> <p><b>d. Building services including loading areas, trash storage/pickup areas and utility boxes shall be located at the rear of a building; the side of the building adjacent to an internal lot line may be considered as an alternate location. These areas shall be designed in a manner to minimize conflict among uses and shall not interfere with other uses, such as snow storage. These areas shall be screened with landscaping, enclosures, fencing or by the principal building.</b></p> <p><i>Staff Comments</i> Trash receptacles and recycling bins will be in each units' garage and shall not interfere with snow storage. The Commission found that this standard has been met.</p>
			<p><b>17.06.080(A)1e</b></p> <p><b>e. Where alleys exist, or are planned, they shall be utilized for building services.</b></p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Staff Comments</i>	<i>The private drive, Windmill Way, shall be utilized for building services. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)1f	<b>f. Vending machines located on the exterior of a building shall not be visible from any street.</b>
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1g	<b>g. On-site parking areas shall be located at the rear of the building and screened from the street. Parking and access shall not be obstructed by snow accumulation. (NOTE: If project is located in Airport West Subdivision, certain standards may apply that are not listed here. See code for details.)</b> <b>i. Parking areas located within the SCI zoning district may be located at the side or rear of the building.</b> <b>ii. Parking areas may be considered at the side of buildings within the B, LB, TI and LI zoning districts provided a useable prominent entrance is located on the front of the building and the parking area is buffered from the sidewalk adjacent to the street.</b>
			<i>Staff Comments</i>	<i>Onsite parking is located off of the private drive, Windmill Way. Access to Windmill Way can be achieved from Maple Leaf Drive or Heartland Way (private drive). This parking is screened from the street, buffered by buildings, landscaping and/or sidewalks. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1h	<b>h. Access to on-site parking shall be from the alley or, if the site is not serviced by an alley, from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.</b>
			<i>Staff Comments</i>	<i>The site is serviced by a private drive, Windmill Way, and two public streets, Shenandoah Drive and Maple Leaf Drive. Onsite parking can be accessed from Windmill Way or Heartland Way. Primary pedestrian access can be achieved from the two public streets. The Commission discussed and were in favor of the proposed design of onsite parking: oriented toward internal alleys or private drives rather than public streets. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1i	<b>i. Snow storage areas shall be provided on-site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow.</b>
			<i>Staff Comments</i>	<i>The site plan proposes 20,110 square feet of parking, hardscape and pedestrian circulation. 25% of 20,110 square feet is approximately 5,028 square feet. 5,130 square feet for snow storage is provided. This is shown on the plans. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1j	<b>j. Snow storage areas shall not be less than 25% of the improved parking and vehicle and pedestrian circulation areas.</b>
			<i>Staff Comments</i>	<i>Refer to Standard (i) above.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1k	<b>k. A designated snow storage area shall not have any dimension less than 10 feet.</b>
			<i>Staff Comments</i>	<i>The proposed snow storage area is greater than 10'-wide. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1l	<b>l. Hauling of snow from downtown areas is permissible where other options are not practical.</b>
			<i>Staff Comments</i>	<i>Snow may need to be hauled from the proposed private street, Windmill Way; however, at this time, the site and proposed snow storage areas appear to be adequate for the storing of snow. The Commission found that this standard has been met.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1m	<b>m. Snow storage areas shall not impede parking spaces, vehicular and pedestrian circulation or line of sight, loading areas, trash storage/pickup areas, service areas or utilities.</b>
			<i>Staff Comments</i>	<i>Snow storage areas do not impede parking or pedestrian areas. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1n	<b>n. Snow storage areas shall be landscaped with vegetation that is salt-tolerant and resilient to heavy snow.</b>
			<i>Staff Comments</i>	<i>Snow storage areas are shown in grass landscape areas. The Commission found that this standard has been met.</i>

**2. Building Design: 17.06.080(A)2, items (a) thru (m)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)2a	<b>a. The proportion, size, shape and rooflines of new buildings shall be compatible with surrounding buildings.</b>
			<i>Staff Comments</i>	<i>The proposal is for a multi-family building in the Limited Business (LB) Zone District, where a variety of homes, single-family and multi-family, exist. The proposed building design incorporates a variety of features, such as porches, pop-outs, varied exterior materials, and pitched roofs, which will complement the design and layout of the buildings in the surrounding area. The proportion, size, shape, colors and rooflines of the proposed units will match that of the existing Sweetwater Development. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)2b	<b>b. Standardized corporate building designs are prohibited.</b>
			<i>Staff Comments</i>	<i>N/A, as the project is not a corporate design.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)2c	<b>c. At ground level, building design shall emphasize human scale, be pedestrian oriented and encourage human activity and interaction.</b>
			<i>Staff Comments</i>	<i>The building features street-level material changes. The proposed duplex units are designed with individual entryways, accompanied by a front porch, windows and fiberglass doors, which help to break up the mass of the buildings and encourage human interaction. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)2d	<b>d. The front façade of buildings shall face the street and may include design features such as windows, pedestrian entrances, building off-sets, projections, architectural detailing, courtyards and change in materials or similar features to create human scale and break up large building surfaces and volumes.</b>
			<i>Staff Comments</i>	<i>The front façade of each unit either faces Shenandoah Drive or the existing park space and amenity building. Porches, pop-outs and a variety of windows and exterior materials emphasize human scale and break up the large building surface. The scale and design components complement the surrounding area nicely. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)2e	<b>e. Any addition onto or renovation of an existing building shall be designed to create a cohesive whole.</b>
			<i>Staff Comments</i>	<i>N/A, as no plans for future additions or renovations are planned.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)2f	<b>f. All exterior walls of a building shall incorporate the use of varying materials, textures and colors.</b>
			<i>Staff Comments</i>	<i>A variety of materials will be used on the exterior of the buildings and will match that of the existing Sweetwater Development. The new units will see wood trim and fascia, lap, batten and shake siding, asphalt shingle roofs, fiberglass doors,</i>

				<i>vinyl windows and steel guardrails. A Materials Sample Board has been submitted. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)2g	<p><b>g. Exterior buildings colors and materials shall be integrated appropriately into the architecture of the building and be harmonious within the project and with surrounding buildings.</b></p> <p><i>Staff Comments</i> Building colors have been categorized into four (4) color schemes, which include: Nature’s Reflection, Spiced Pumpkin, Morgan Hill Gold and Bedford Blue. These colors match those of the existing Sweetwater Development. Colors and materials are broken on various elements to minimize mass and create a cohesive whole.</p> 
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)2h	<p><b>h. Flat-roofed buildings over two stories in height shall incorporate roof elements such as parapets, upper decks, balconies or other design elements.</b></p> <p><i>Staff Comments</i> N/A, as no flat-roofed buildings are proposed.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)2i	<p><b>i. All buildings shall minimize energy consumption by utilizing alternative energy sources and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:</b></p> <ul style="list-style-type: none"> <li><b>i) Solar Orientation.</b> If there is a longer wall plane, it shall be placed on an east-west axis. A building’s wall plane shall be oriented within 30 degrees of true south.</li> <li><b>ii) South facing windows with eave coverage.</b> At least 40% of the building’s total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south.</li> <li><b>iii) Double glazed windows.</b></li> <li><b>iv) Windows with Low Emissivity glazing.</b></li> <li><b>v) Earth berming against exterior walls</b></li> <li><b>vi) Alternative energy.</b> Solar energy for electricity or water heating, wind energy or another approved alternative shall be installed on-site.</li> <li><b>vii) Exterior light shelves.</b> All windows on the southernmost facing side of the building shall have external light shelves installed.</li> </ul> <p><i>Staff Comments</i> The Applicant has stated that they plan to minimize energy consumption by incorporating/utilizing the following:</p>

				<ul style="list-style-type: none"> <li>- Solar Orientation: the long wall planes of each unit are placed on an east/west axis (within 30 degrees of true south)</li> <li>- Double Glazed Windows</li> <li>- Low Emissivity Glazing</li> </ul> <p>The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)2j	<p>j. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts shall be provided over all walkways and entries to prevent snow from falling directly onto adjacent sidewalks.</p> <p><i>Staff Comments</i> Snow clips are proposed over all entries and pedestrian walkways. Downspouts and gutters, as stated by the Applicant, will be provided on each unit. The submitted plans to do not show downspouts and gutters at this time. The Applicant will show these items on the Building Permit set.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)2k	<p>k. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.</p> <p><i>Staff Comments</i> Downspouts and drains will be located within landscaped areas and shall not create any pedestrian hazards. The Commission found that this standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)2l	<p>l. Vehicle canopies associated with gas stations, convenience stores or drive-through facilities shall have a minimum roof pitch of 3/12 and be consistent with the colors, material and architectural design used on the principal building(s).</p> <p><i>Staff Comments</i> N/A</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)2m	<p>m. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with Article 8.</p> <p><i>Staff Comments</i> N/A, as no signage is proposed at this time; therefore, a Master Sign Plan is not required at this time.</p>

**3. Accessory Structures, Fences and Equipment/Utilities: 17.06.080(A)3, items (a) thru (i)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)3a	<p>a. Accessory structures shall be designed to be compatible with the principal building(s).</p> <p><i>Staff Comments</i> N/A, as no accessory structures are planned.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)3b	<p>b. Accessory structures shall be located at the rear of the property.</p> <p><i>Staff Comments</i> N/A, as no accessory structures are planned. Trash receptacles and recycling bins will be stored in each units' garage and will not interfere with snow storage.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)3c	<p>c. Walls and fences shall be constructed of materials compatible with other materials used on the site.</p> <p><i>Staff Comments</i> An existing fence will be removed. No walls or additional fences are shown.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)3d	<p>d. Walls and fencing shall not dominate the buildings or the landscape. Planting should be integrated with fencing in order to soften the visual impact.</p> <p><i>Staff Comments</i> N/A, as walls and fencing are not proposed.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)3e	<p>e. All roof projections including, roof-mounted mechanical equipment, such as heating and air conditioning units, but excluding solar panels and Wind Energy Systems that have received a Conditional Use Permit, shall be shielded and screened from view from the ground level of on-site parking areas, adjacent public streets and adjacent properties.</p> <p><i>Staff Comments</i> No roof projects are proposed at this time. All furnaces will be installed in the garage of each unit.</p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)3f	<b>f. The hardware associated with alternative energy sources shall be incorporated into the building’s design and not detract from the building and its surroundings.</b>
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)3g	<b>g. All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.</b>
			<i>Staff Comments</i>	<i>Heating and trash/recycling will be interior. Unless separately purchased by the individual owner, AC units are not provided. If purchased by an individual owner, AC units will be ground-mounted near the garage doors. All AC units shall be screened from view of the surrounding properties. The Commission discussed and agreed to list as a Condition of Approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)3h	<b>i. All service lines into the subject property shall be installed underground.</b>
			<i>Staff Comments</i>	<i>All services lines will be underground.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)3i	<b>j. Additional appurtenances shall not be located on existing utility poles.</b>
			<i>Staff Comments</i>	<i>No appurtenances will be permitted on poles.</i>

**4. Landscaping: 17.06.080(A)4, items (a) thru (n)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4a	<b>a. Only drought tolerant plant species and/or xeriscape specific plant materials shall be used, as specified by the Hailey Landscaping Manual or an approved alternative.</b>
			<i>Staff Comments</i>	<i>It appears that plant materials will be appropriate for the environment.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4b	<b>b. All plant species shall be hardy to the Zone 4 environment.</b>
			<i>Staff Comments</i>	<i>The Applicant shall confirm that all proposed plant materials be hardy to Zone 4.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4c	<b>c. At a minimum, a temporary irrigation system that fully operates for at least two complete growing seasons is required in order to establish drought tolerant plant species and/or xeriscape specific plant materials. Features that minimize water use, such as moisture sensors, are encouraged.</b>
			<i>Staff Comments</i>	<i>An Irrigation Plan has not been submitted. The Irrigation Plan to be reviewed at final design.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4d	<b>d. Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees shrubs, vines, ground covers and ornamental grasses shall be used. New landscaped areas having more than 10 trees, a minimum of 10% of the trees shall be at least 4-inch caliper, 20% shall be at least 3-inch caliper, and 20% shall be at least 2½ inch caliper and a maximum of 20% of any single tree species may be used in any landscape plan (excluding street trees). New planting areas shall be designed to accommodate typical trees at maturity. Buildings within the LI and SCI-I zoning district are excluded from this standard.</b>
			<i>Staff Comments</i>	<i>The proposed Landscaping Plan incorporates a combination of trees, shrubs and grasses. Crabapple and Red Maple trees are proposed, as well as a variety of shrub species: Wintercreeper, Redtwig Dogwood, Nest Spruce, Prink Princess Cinquefoil, Mugo Pin and Creeping Mahonia.</i>
				<i>Refer to Section 17.06.080(A)1b for details and recommendations by the City Arborist. The Commission found that this standard has been met.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4e	e. Seasonal plantings in planter boxes, pots, and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.
			<i>Staff Comments</i>	<i>N/A, as the proposed project is located within the Limited Business (LB) Zone District.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4f	f. Plantings for pedestrian areas within the B, LB, TN and SCI-O zoning districts shall be designed with attention to the details of color, texture and form. A variety of trees, shrubs, perennials, ground covers and seasonal plantings, with different shapes and distinctive foliage, bark and flowers shall be used in beds, planter boxes, pots, and/or hanging baskets.
			<i>Staff Comments</i>	<i>Proposed landscaping is varied, as shown in the Landscape Plans (L-100 and L-101). Refer to Section 17.06.080(A)1b for details and recommendations by the City Arborist. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4g	g. Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.
			<i>Staff Comments</i>	<i>A Drainage Plan has been submitted and storm water will be retained onsite. Runoff is within the landscaped/parking areas and is directed to drywells, as noted on the Drainage Plan.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4h	h. A plan for maintenance of the landscaping areas is required to ensure that the project appears in a well-maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).
			<i>Staff Comments</i>	<i>The Sweetwater HOA will be responsible for maintaining plant material in a healthy condition.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4i	i. Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.
			<i>Staff Comments</i>	<i>N/A, as no retaining walls are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4j	j. Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.
			<i>Staff Comments</i>	<i>N/A, as no retaining walls are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4k	k. Retaining walls, where visible to the public and/or to residents or employees of the project, shall be no higher than four feet or terraced with a three-foot horizontal separation of walls.
			<i>Staff Comments</i>	<i>N/A, as no retaining walls are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4l	l. Landscaping should be provided within or in front of extensive retaining walls.
			<i>Staff Comments</i>	<i>N/A, as no retaining walls are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4m	m. Retaining walls over 24" high may require railings or planting buffers for safety.
			<i>Staff Comments</i>	<i>N/A, as no retaining walls are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4n	n. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.
			<i>Staff Comments</i>	<i>N/A, as no retaining walls are proposed.</i>

**Additional Design Review Requirements for  
 Non-Residential Buildings Located within B, LB, or TN**

**1. Site Planning: 17.06.080(B)1, items (a) thru (b)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(B)1a</b>	<b>a. The site shall support pedestrian circulation and provide pedestrian amenities. Sidewalks shall be provided along building fronts.</b>
			<i>Staff Comments</i>	<i>A new 5'-wide sidewalk is shown along the western and northern property lines of the proposed project. This sidewalk will run parallel to Shenandoah Drive, approximately 440' in length, before curving to the east, running parallel to Maple Leaf Drive. At approximately 177' in length, this proposed sidewalk will connect to the existing sidewalk, which is northwest of the park space and amenity building. Pedestrian connections are also shown within the development, encouraging safe and easy access to and from other residential units, park space and the amenity building. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(B)1b</b>	<b>b. Wider sidewalks are encouraged to provide additional amenities such as seating areas and bicycle racks.</b>
			<i>Staff Comments</i>	<i>Wider sidewalks are not currently proposed along the length of Maple Leaf Drive or Shenandoah Drive, nor was a wider sidewalk required by the PUD Agreement in this area.</i>  <i>Per the original PUD Agreement, sidewalks were required to be installed prior to the completion of each Phasing Plan and were to be located:</i> <ul style="list-style-type: none"> <li>- Along Maple Leaf Drive (both sides of the road)</li> <li>- On the east side of the road between Heartland Way and Maple Leaf Drive (abutting the park space and amenity building)</li> <li>- On the west side of the road between Heartland Way and Maple Leaf Drive (running parallel with Shenandoah Drive)</li> </ul> <i>Per the Second Amendment to the PUD Agreement, dated December 27, 2010:</i> <ul style="list-style-type: none"> <li>- All roads, alleys and infrastructure necessary to serve a given building within the project, shall be installed prior to completion of the building, without regard to phasing or time restrictions associated with any prior Phasing Plan</li> </ul> <i>No other revisions to the sidewalks, specific to this project, were made in the subsequent amendments to the original PUD Agreement.</i>  <i>The Commission found that this standard has been met.</i>

**2. Building Design: 17.06.080(B)2, items (a) thru (c)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(B)2a</b>	<b>a. The main facade shall be oriented to the street. The main entrance(s) to the building shall be located on the street side of the building. If the building is located on a corner, entrances shall be provided on both street frontages. If the design includes a courtyard, the main entrance may be located through the courtyard. Buildings with more than one retail space on the ground floor are encouraged to have separate entrances for each unit.</b>
			<i>Staff Comments</i>	<i>Seven (7) of the thirteen (13), three-story duplex units have front facades that are oriented to the public street, Shenandoah Drive. The remaining six (6), three-story duplex units have front facades that face the existing park space and amenity building. To better accommodate for parking and vehicular access, and to keep parking screened from view of the surrounding public streets, the private drive,</i>

				<i>Windmill Way, bisects the lot. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(B)2b	<p><b>b. Multi-unit structures shall emphasize the individuality of units or provide visual interest by variations in roof lines or walls or other human scale elements. Breaking the facades and roofs of buildings softens the institutional image which may often accompany large buildings.</b></p> <p><i>Staff Comments</i> N/A</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(B)2c	<p><b>c. Building designs shall maximize the human scale of buildings and enhance the small town “sense of place”. This can be achieved by utilizing voids and masses, as well as details, textures, and colors on building facades. Human scale can also be achieved by incorporating structural elements such as colonnades and covered walkways, overhangs, canopies, entries, and landscaping. Particular attention should be paid to creating interest at the street level.</b></p> <p><i>Staff Comments</i> <i>The proposed duplex units are designed with individual entryways, accompanied by a front porch, a variety of windows and fiberglass doors, which help to break up the mass of the buildings and encourage human interaction. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(B)2d	<p><b>d. Buildings that exceed 30 feet in height, the entire roof surface shall not project to the highest point of the roof. The Commission shall review building height relative to the other dimensions of width and depth combined with detailing of parapets, cornices, roof, and other architectural elements.</b></p> <p><i>Staff Comments</i> <i>From finished grade at the alley, the proposed building exceeds 30 feet in height. From the first floor, the proposed building is approximately 28 feet in height. Various elements, such as front porches, back patios, pop-outs and a variety of windows, and exterior materials and colors break up the large building surface. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(B)2e	<p><b>e. Livable outdoor spaces in multi-story buildings that create pleasing elements and reduce the mass of taller buildings are encouraged.</b></p> <p><i>Staff Comments</i> <i>Front porches and upper patios are shown to create livable outdoor spaces.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(B)2f	<p><b>f. Fire department staging areas shall be incorporated into the design elements of the building.</b></p> <p><i>Staff Comments</i> <i>The proposed buildings are within 150’ of the surrounding streets.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(B)2g	<p><b>g. New buildings adjacent to residential areas shall be designed to ensure that building massing and scale provide a transition to adjoining residential neighborhoods. Possible mitigation techniques include, but are not limited to the following:</b></p> <ul style="list-style-type: none"> <li><b>i. Locating open space and preserving existing vegetation on the edge of the site to further separate the building from less intensive uses;</b></li> <li><b>ii. Stepping down the massing of the building along the site’s edge; and</b></li> <li><b>iii. Limiting the length of or articulating building facades to reflect adjacent residential patterns</b></li> </ul> <p><i>Staff Comments</i> <i>N/A, as the proposed building is located within and surrounded by the Limited Business (LB) Zone District.</i></p>

**3. Landscaping: 17.06.080(B)3**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(B)3	<p>a. When abutting the LR, GR or TN zoning districts, a landscape buffer between the project and the residential property shall be provided. The buffer shall be at least eight-foot-wide to create a year-round visual screen of at least 6 feet in height. The buffer shall be designed to avoid the appearance of a straight line or wall of uniform plant material and shall be wide enough to accommodate the planted species when mature.</p>
			<i>Staff Comments</i>	<i>N/A, as the lot and proposed project abuts another Limited Business (LB) Zone District.</i>

### Additional Design Review Requirements for Multi-Family within the City of Hailey

**1. Site Planning: 17.06.080(D)1, items (a) thru (c)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(D)1a	<p>a. The location of the buildings shall respond to the specific site conditions, such as topography, street corners, open space and existing and planned adjacent uses.</p> <p><i>Staff Comments</i> The proposed buildings complement the surrounding area, open space and adjacent uses nicely. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(D)1b	<p>b. Site plans shall include a convenient, attractive and interconnected pedestrian system of sidewalks and shared pathways to reinforce pedestrian circulation within a site.</p> <p><i>Staff Comments</i> Interior and perimeter sidewalks are existing and/or are proposed to connect and reinforce pedestrian circulation within the site. The Commission discussed and complimented the efficient design and use of pedestrian pathways. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(D)1c	<p>c. Buildings shall be organized to maximize efficient pedestrian circulation and create gathering places.</p> <p><i>Staff Comments</i> Buildings have been organized to maximize efficient site circulation. Site circulation has been designed to keep vehicular access and parking to the private road, Windmill Way, and public streets. A 5'-wide sidewalk is shown along the perimeter or the project, where pedestrian traffic can safely navigate the site, visit neighbors and utilize development amenities. To safely access each unit, 4'-wide sidewalks are also shown. The Commission found that this standard has been met.</p>

**2. Building Design: 17.06.080(D)2, items (a) thru (b)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(D)2a	<p>a. Buildings shall incorporate massing, group lines and character that responds to single-family homes. Buildings may also include the use of varying materials, textures and colors to break up the bulk and mass of large multi-family buildings. Windows should be residential in scale and thoughtfully placed to provide for privacy and solar gain.</p> <p><i>Staff Comments</i> Refer to Section 17.06.080(A)2, items (a) thru (m) for further details.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(D)2b	<b>b. At ground level, buildings shall present a setting that is visually pleasing to the pedestrian and that encourages human activity and interaction.</b>
			<i>Staff Comments</i>	<i>Refer to Section 17.06.080(A)2, items (a) thru (m) for further details.</i>

**17.06.060 Criteria.**

- A. The Commission or Hearing Examiner shall determine the following before approval is given:**
  - 1. The project does not jeopardize the health, safety or welfare of the public.**
  - 2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.**
  
- B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:**
  - 1. Ensure compliance with applicable standards and guidelines.**
  - 2. Require conformity to approved plans and specifications.**
  - 3. Require security for compliance with the terms of the approval.**
  - 4. Minimize adverse impact on other development.**
  - 5. Control the sequence, timing and duration of development.**
  - 6. Assure that development and landscaping are maintained properly.**
  - 7. Require more restrictive standards than those generally found in the Zoning Title.**
  
- C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.**
  - 1. If any extension of the one-year period is granted by the City, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided.**
  - 2. In the event the improvements are not completely installed within one (1) year, or upon the expiration of any approved extension, the City may, but is not obligated, to apply the security to the completion of the improvements and complete construction of the improvements.**

## CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law:

1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
2. The project is in general conformance with the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Chapter 17.06, Design Review, other Chapters of the Zoning Ordinance and City Standards.

## DECISION

The Design Review Application by Sweetwater Communities, LLC, represented by Errin Bliss of Bliss Architecture, for approval of a new construction of Sweetwater Duplexes, to be located at Parcel B2, Block 4 (vacant lot on the corner of Shenandoah Drive and Maple Leaf Drive), located in the Limited Business (LB) Zoning District, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Hailey Municipal Code Section 17.06, Design Review, additional applicable requirements of Title 17, Title 18, and City Standards, provided conditions (a) through (s) are met:

- a) All conditions of the Planned Unit Development approval shall be met.
- b) All applicable Fire Department and Building Department requirements shall be met.
- c) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Zoning Ordinance at the time of the new use.
- d) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the Applicant's sole expense include, but will not be limited to, the following requirements and improvements:
  - Right-of-way, road, sidewalk and parking improvements as required in the PUD approval.
  - Any new or relocated drywells shall be 25' from water mains and services. Catch basins and piping shall be 10'.
  - Meter vaults should already be installed, but shall be located and exposed.
  - Any unused water services shall be abandoned at the water main.
  - Any meter vaults or water infrastructure that is damped or cannot be located shall be repaired or replaced per City Standards.
  - Any meter vaults located in driveways or in asphalt shall have a heavy traffic rated lid over the vault.
  - Any water services that are moved shall be inspected by the City and shall be installed per City Standards.
  - In the event that Shenandoah Drive needs to be repaved, all sewer and water services shall be installed prior to said repave.

- The project will require an 8” main line from the manhole in front of D-6B to the intersection of Mapleleaf and Shenandoah Drive with a new manhole at the intersection to City standards.
  - Sewer services should run perpendicular to the main line to the center of each individual unit, with no sewer services connected at manholes.
- e) The street, Windmill Way, shall be a private street maintained by the HOA. Alternately, the street should be designed to meet City Right-of-Way Standards.
- f) The existing fire hydrant located on Shenandoah Drive, mid-block, shall be relocated to the outside of the sidewalk.
- g) There are nine (9) roadcuts on Shenandoah Drive. The area of each roadcut shall be determined prior to issuance of a Building Permit. More than 25% of the road in cuts will trigger a repave of Shenandoah Drive.
- h) A more detailed set of Civil Drawings shall be submitted prior to issuance of a Building Permit.
- i) All signage, including ‘No Parking’ signs, shall be located outside of the project sidewalks.
- j) Additional ‘No Parking’ signs shall be installed along the sidewalk of Shenandoah Drive.
- k) Street lights on Shenandoah Drive shall be located outside of the curb line.
- l) Construction parking shall be on private property and not within the City Right-of-Way nor the edge of the road.
- m) A Traffic Control Plan shall be submitted prior to issuance of a Building Permit.
- n) All sidewalks, interior and perimeter, shall be maintained year-round by the HOA.
- o) Any and all ground-mounted equipment shall be screened from view of surrounding properties.
- p) All new and existing exterior lighting shall comply with the Outdoor Lighting Ordinance.
- q) 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.
- r) This Design Review approval is for the date the Findings of Fact are signed. 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.
- s) The recommended landscape/street tree changes from the City Arborist shall be incorporated into the Building Permit submittal.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Janet Fugate, Planning & Zoning Commission Chair

Attest:

\_\_\_\_\_  
Jessie Parker, Community Development Assistant

**Return to Agenda**



**STAFF REPORT**  
**Hailey Planning and Zoning Commission**  
**Regular Meeting of February 19, 2019**

**TO:** Hailey Planning and Zoning Commission  
**FROM:** Robyn Davis, Community Development City Planner  
**OVERVIEW:** Preliminary Short Plat -- Doc's Hickory Duplex  
**HEARING:** February 19, 2019

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**Applicant:** Old Cutters, Inc.  
**Project:** Doc's Hickory Duplex  
**Request:** Old Cutters, Inc., is requesting Preliminary Short Plat approval to subdivide Lot 14, Block 5, Old Cutters Subdivision, into two (2) sublots, each comprising of 5,000 square feet  
**Location:** 621 Doc's Hickory (Lot 14, Block 5, Old Cutters Subdivision)  
**Zoning:** General Residential (GR) Zoning District

**Notice:**  
Notice for the public hearing was published in the Idaho Mountain Express on January 30, 2019, and mailed to property owners within 300 feet on February 1, 2019.

**Application:**  
Old Cutters, Inc. has submitted an Application for Preliminary Short Plat approval to subdivide Lot 14, Block 5, Old Cutters Subdivision into two (2) sublots, each comprising of 5,000 square feet. This parcel is zoned General Residential (GR). This lot was identified as a duplex lot as part of the Old Cutters Subdivision. The overall density of the subdivision meets the requirements of the General Residential (GR) Zone District.

**Standards of Evaluation:**  
**CHAPTER 16.04: DEVELOPMENT STANDARDS**

**16.04.010: GENERAL STANDARDS:**  
**Applicability:** The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Ordinance, the Zoning Ordinance and any

**other applicable Ordinance or policy of the City of Hailey, and shall be in accordance with general provisions of the Comprehensive Plan.**

**16.04.020: STREETS: Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.**

Streets are existing and have been provided.

**L. Private Streets:**

**5. Private streets shall have adequate and unencumbered 10-foot wide snow storage easements on both sides of the street, or an accessible dedicated snow storage easement representing not less than twenty-five (25%) of the improved area of the private street. Private street snow storage easements shall not be combined with, or encumber, required on-site snow storage areas.**

Not applicable, as Doc's Hickory is a public street.

**M. Driveways:**

Driveways are not shown at this time. Driveways in Old Cutters are required to access off of the alley.

**N. Parking Access Lane: A parking access lane shall not be considered a street, but shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.**

Not applicable. All standards to be met in Final Plat approval.

**O. Required fire lanes, whether in private streets, driveways or parking access lanes, shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.**

Not applicable. The subject parcel sees frontage off of Doc's Hickory Drive, which previously met IFC and other applicable codes and ordinances. Driveways and parking access lanes will meet standards in Final Plat approval.

**16.04.030: SIDEWALKS AND DRAINAGE IMPROVEMENTS:**

**A. Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.**

Existing sidewalks, curb, and gutter are provided within the street right-of-way. Any and all drainage improvements to be addressed at Final Plat approval.

**B. The length of sidewalks and drainage improvements constructed shall be equal to the length of the subject property line(s) adjacent to any Public Street or Private Street.**

Existing sidewalks, curb, and gutter are provided within the street right-of-way.

**C. New Sidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.**

Not applicable for Preliminary Short Plat Applications.

**D. Sites located adjacent to a Public Street or Private Street that are not currently thru-streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.**

Not applicable for Preliminary Short Plat Applications.

**E. The requirement for sidewalk and drainage improvements are not required for any lot line adjustment. (Ord. 1191, 2015).**

Not applicable.

**16.04.040: ALLEYS AND EASEMENTS:**

**A. Alleys:**

**1. Alleys shall be provided in all Business District and Limited Business District developments where feasible.**

Not applicable, as this parcel is zoned General Residential (GR).

**2. The minimum width of an alley shall be twenty-six feet (26').**

The alley is existing and is twenty-six feet (26') wide.

**3. All alleys shall be dedicated to the public or provide for public access.**

Alleys in the Old Cutters Subdivision are private alleys and are maintained by the HOA.

**4. All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.**

Not applicable, as this request is a replat. It does appear that utilities, such as: water, sewer, gas and power, are located in the front and sides of the parcel, not in the alley.

**5. Alleys in commercial areas shall be improved with drainage as appropriate and which the design meets the approval of the city engineer. The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision upon the property in conformance with the latest applicable federal, state and local regulations. The developer shall provide copies of state permits for shallow injections wells (dry wells). Drainage plans shall be reviewed by city staff and shall meet the approval of the city engineer.**

Not applicable, as this request is for a replat.

**6. Dead end alleys shall not be included.**

Not applicable.

**7. Where alleys are not provided, easements of not less than ten feet (10') in width may be required on each side of all rear and/or side lot lines (total width – 20 feet) where necessary for wires, conduits, storm or sanitary sewers, gas and water lines. Easements of greater width may be required along lines, across lots, or along boundaries, where necessary for surface drainage or for the extension of utilities.**

Not applicable, as alleys are established.

**B. Easements: "Easements", defined as the use of land not having all the rights of ownership and limited to the purposes designated on the plat, shall be placed on the plat as appropriate. Plats shall show the entity to which the easement has been granted. Easements shall be provided for the following purposes:**

Public Utility and Snow Storage Easements are shown on the Preliminary Plat submittal.

- It is noted on Preliminary Plat: "Easements, reservations, restrictions, and dedications as shown on the official plat of Drexler Ranch Subdivision and a Replat of Drexler Subdivision".
- It is noted on the Preliminary Plat: "Easements, restrictions, reservations, and dedications as shown on the official plat of Old Cutters Subdivision."

**1. To provide access through or to any property for the purpose of providing utilities, emergency services, public access, private access, recreation, deliveries or such other purpose. Any subdivision that borders on the Big Wood River shall dedicate a 20-foot wide fisherman's access easement, measured from the Mean High-Water Mark, which shall provide for non-motorized public access. Additionally, in appropriate areas, an easement providing non-motorized public access through the subdivision to the river shall be required as a sportsman's access.**

Not applicable.

**2. To provide protection from or buffering for any natural resource, riparian area, hazardous area, or other limitation or amenity on, under, or over the land. Any subdivision that borders on the Big Wood River shall dedicate a one hundred (100) foot wide riparian setback easement, measured from the Mean High-Water Mark, upon which no permanent structure shall be built, in order to protect the natural vegetation and wildlife along the river bank and to protect structures from damage or loss due to river bank erosion. A twenty-five (25) foot wide riparian setback easement shall be dedicated adjacent to tributaries of the Big Wood River. Removal and maintenance of live or dead vegetation within the riparian setback easement is controlled by the applicable bulk requirement of the Flood Hazard Overlay District. The riparian setback easement shall be fenced off during any construction on the property.**

Not applicable.

**3. To provide for the storage of snow, drainage areas or the conduct of irrigation waters. Snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas. No dimension of any snow storage area may be less than 10 feet. All snow storage areas shall be accessible and shall not be located over any above ground utilities, such as transformers.**

Snow Storage along the alley and Doc's Hickory Drive are depicted on the Preliminary Plat. The twenty-five percent (25%) requirement shall be depicted on the Final Plat.

**16.04.050: BLOCKS: The length, width and shape of blocks shall be determined with due regard to adequate building sites suitable to the special needs of the type of use contemplated, the zoning requirements as to lot size and dimensions, the need for convenient access and safe circulations and the limitations and opportunities of topography. (Ord. 1191, 2015).**

Not applicable.

- 16.04.060: LOTS: All lots shown on the subdivision plat must conform to the minimum standards for lots in the district in which the subdivision is planned. The city will generally not approve single-family residential lots larger than one-half (1/2) acre (21,780 square feet). In the event a single-family residential lot greater than one-half (1/2) acre is platted, irrigation shall be restricted to not more than one-half (1/2) acre, pursuant to Idaho Code section 42-111, and such restriction shall be included as a plat note. District regulations are found in the zoning ordinance.**  
The Preliminary Short Plat depicts two sublots, each comprising of 5,000 square feet. The density of the overall subdivision complies with General Residential (GR) zoning.
- 16.04.070: ORDERLY DEVELOPMENT:**  
Not applicable.
- 16.04.080: PERIMETER WALLS, GATES AND BERMS: The city of Hailey shall not approve any residential subdivision application that includes any type of perimeter wall or gate that restricts access to the subdivision. This regulation does not prohibit fences on or around individual lots. The city shall also not allow any perimeter landscape berm more than three feet (3') higher than the previously existing (original) grade. (Ord. 1191, 2015).**  
No perimeter walls, gates or berms are shown.
- 16.04.090: CUTS, FILLS, GRADING AND DRAINAGE:**  
To be determined at Final Plat approval.
- 16.04.100: OVERLAY DISTRICTS:**  
Not applicable.
- 16.04.110: PARKS, PATHWAYS AND OTHER GREEN SPACES:**  
Not applicable, as no new parks, pathways or alternatives are proposed at this time.

**Summary and Suggested Conditions:**

The Commission shall review the proposed Preliminary Plat and continue the public hearing, approve, conditionally approve, or deny the Preliminary Plat. If approved, the Plat Application will be forwarded to the City Council. If the Short Plat process is used, only the Final Plat is required for Council review (short plats are four or fewer residential parcels, two nonresidential parcels, townhouse or condominium units in existing or approved structures, or lot-line adjustments creating more than one lot in the Townsite Overlay District).

The following Conditions are suggested to be placed on approval of this Application:

- 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: None.
- b) All City infrastructure requirements shall be met as outlined in Title 16, 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department approval and shall meet City Standards where required.
- c) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Title 16, Section 16.02.080 of the Hailey Municipal Code.
- d) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to subsections 16.03.030(I) and 16.05.090(B) of the Hailey Municipal Code prior to recordation of the Final Plat.
- e) 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.
- f) Any subdivision inspection fees due shall be paid prior to recording the Final Plat.
- g) Any Application Development Impact Fees shall be paid prior to recording the Final Plat.

**Motion Language:**

**Approval:**

Motion to recommend approval to the Hailey City Council, the Preliminary Plat for Doc's Hickory Duplex by Old Cutters, Inc., to be subdivided into two (2) 5,000 square foot sublots, Sublot 1 and Sublot 2, finding that the application meets all City Standards and conditions (a) through (g) are met.

**Denial:**

Motion to recommend denial to the Hailey City Council, the Preliminary Plat for Doc's Hickory Duplex by Old Cutters, Inc. to be subdivided into two (2) 5,000 square foot sublots, Sublot 1 and Sublot 2, finding that \_\_\_\_\_ [the Commission should cite which standards are not met and provide the reason why each identified standard is not met].

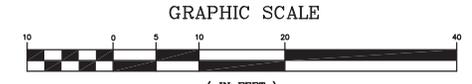
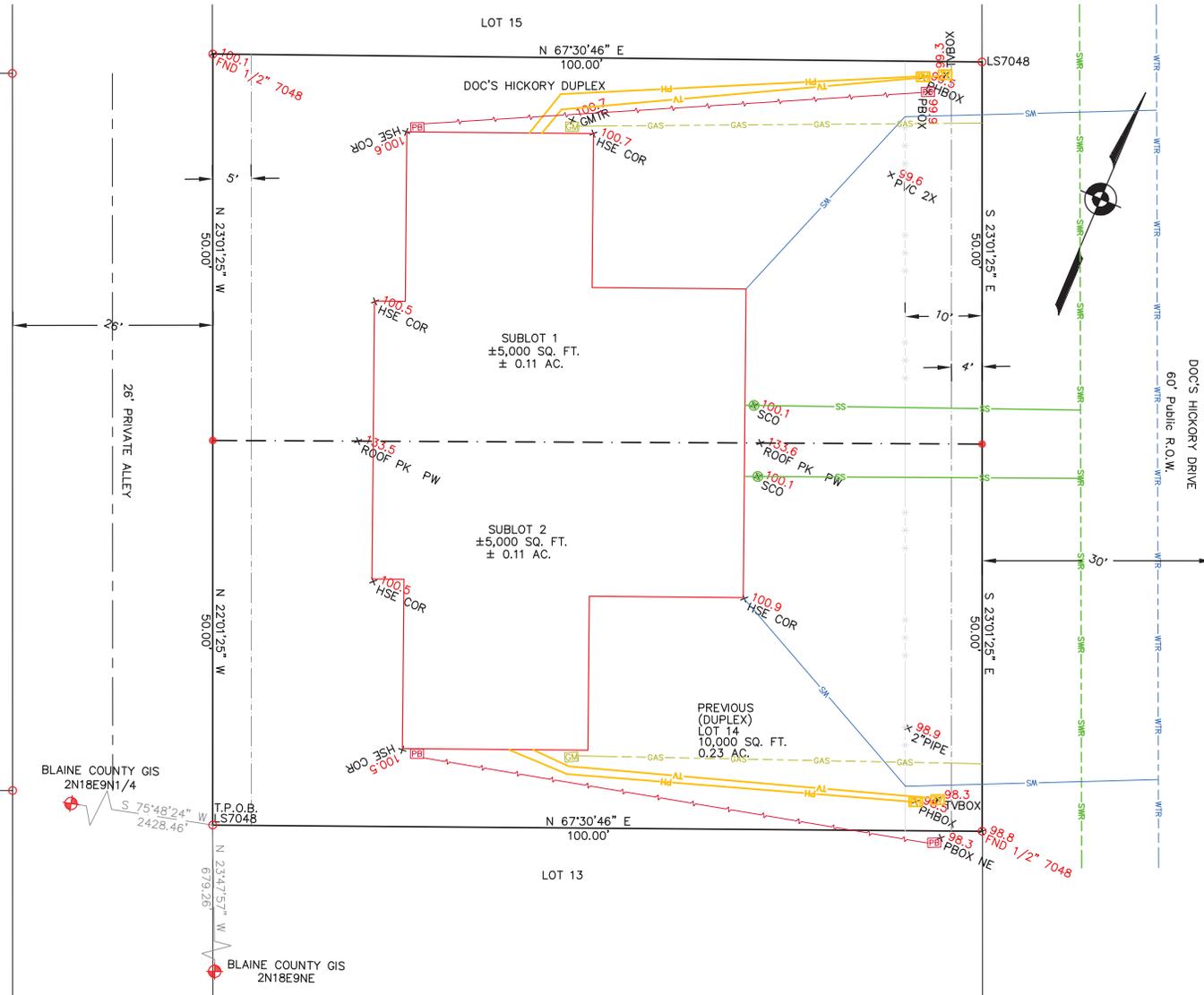
**Continuation:**

Motion to continue the public hearing to \_\_\_\_\_ [the Commission should specify a date].

# A PRELIMINARY PLAT SHOWING DOCS HICKORY DUPLEX

WHEREIN LOT 14, BLOCK 5, OLD CUTTERS SUBDIVISION, IS DIVIDED INTO TOWNHOUSE SUBLOTS 1 & 2 AS SHOWN  
LOCATED WITHIN SECTION 3, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO

JANUARY 2019



### LEGEND

- Boundary Line
- Sublot Line
- Centerline Drive
- Adjoiner's Lot Line
- Public Utility Easement
- Snow Storage Easement
- Building/Structure Line
- Ties to Blaine County GIS
- Sewer Main
- Sewer Service
- Gas Service
- Phone Service
- TV Service
- Underground Power
- Water Main
- Water Service

### NOTES

1. Basis of Bearings is Idaho State Plane Coordinate System, NAD83, Central Zone, in US Survey Feet.
2. Boundary Information is from the Plat of Old Cutters Subdivision filed as Instrument Number 553634, Blaine County Records.
3. All Applicable Notes from Old Cutters Subdivision shall apply.
4. Documents that may affect this property include:
  - Easements, reservations, restrictions, and dedications as shown on the official plat of Drexler Ranch Subdivision and a Replat of Drexler Ranch Subdivision.
  - Easements, reservations, restrictions, and dedications as shown on the official plat of Old Cutters Subdivision.
  - Reservations as contained in a Warranty Deed, Instrument Number 532405.
  - Hailey Ordinance No. 939, Annex Property into the City of Hailey, Instrument No. 534732.
  - Terms, conditions, easements and, obligations, if any, contained in an Annexation, Services and Development Agreement for Old Cutters Planned Unit Development, Instrument No. 534733.
  - First Amendment to Annexation, Services and Development Agreement for Old Cutters Planned Unit Development, Instrument No. 557818.
  - Amendment to Annexation, Services and Development Agreement for Old Cutters Planned Unit Development, Instrument No. 567326, 622285, 623363.
  - Terms, conditions, easements and, obligations, if any, contained in an Easement Agreement, Instrument No. 546901.
  - Terms, conditions, easements and, obligations, if any, contained in a Phasing Agreement Old Cutters Subdivision, Instrument No. 546902.
  - Terms, conditions, easements and, obligations, if any, contained in a Hiawatha High Ditch/Old Cutters Maintenance Agreement, Instrument No. 548869.
  - Terms, conditions, easements and, obligations, if any, contained in a Hiawatha High Ditch/Old Cutters Maintenance Agreement, Instrument No. 548870.
  - Terms, conditions, easements and, obligations, if any, contained in an Agreement (Old Cutters Subdivision North Entrance), Instrument No. 549327
  - Convenants, Conditions, and Restrictions, and Easements, Instrument No. 553633
  - Amendments, Supplements, Annexations or Modifications of Covenants, Conditions, and Restrictions, Instrument No. 607932.
  - Amendments, Supplements, Annexations or Modifications of Covenants, Conditions, and Restrictions, Instrument No. 608314.
  - Amendments, Supplements, Annexations or Modifications of Covenants, Conditions, and Restrictions, Instrument No. 623217.
  - Amendments, Supplements, Annexations or Modifications of Covenants, Conditions, and Restrictions, Instrument No. 629902.
  - Water Delivery System Maintenance and Cost Sharing Agreement, including the terms and provision thereof, Instrument No. 556970, 630142.
5. Party Wall Declaration for Doc's Hickory Duplex is recorded in Blaine County as Instrument Number \_\_\_\_\_
6. Current City Zoning appears to be GR.

**HEALTH CERTIFICATE:** Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date \_\_\_\_\_ South Central Public Health District, EHS

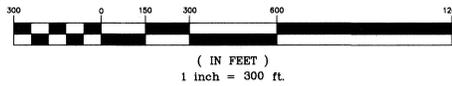


DOC'S HICKORY DUPLEX  
ALPINE ENTERPRISES INC.  
KETCHUM, IDAHO  
SHEET 1 OF 2

# A PLAT SHOWING OLD CUTTERS SUBDIVISION

A REPLAT OF LOTS 1A, 2A, 3 & 4, A REPLAT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION  
LOCATED WITHIN SECTIONS 3 & 4, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO

OCTOBER 2007  
GRAPHIC SCALE



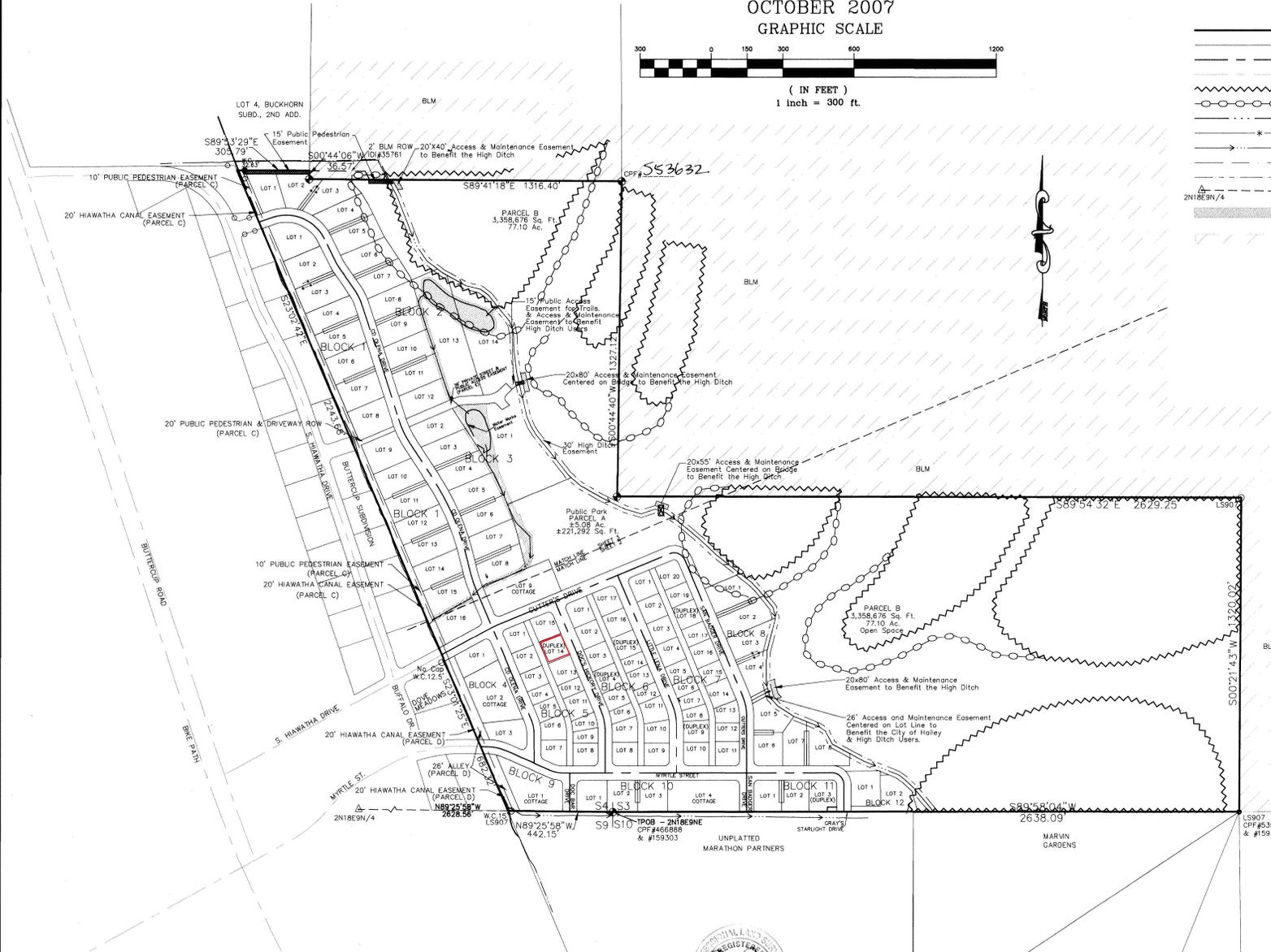
### LEGEND

- SUBDIVISION BOUNDARY
- LOT LINES
- INTERIOR ROAD CENTERLINES
- EXTERIOR ROAD CENTERLINES
- RED AVALANCHE ZONE BY ALPINE
- BLUE AVALANCHE ZONE BY ALPINE
- PONDS/CANALS
- SHARED ACCESS EASEMENT AS SHOWN
- CENTERLINE EXISTING CANALS
- 20' CANAL MAINTENANCE EASEMENT
- 30' HIGH DITCH MAINTENANCE EASEMENT
- BLAINE COUNTY GIS CONTROL AND TIES
- WATER WORKS & POND ACCESS AND MAINTENANCE EASEMENT
- BLM LAND
- FOUND SURVEY MONUMENT
- SET 5/8" REBAR
- PROPOSED BRIDGE

PARCEL TABLE		
PARCEL	DESCRIPTION	AREA
A	PUBLIC PARK	5.08 Ac.
B	OPEN SPACE	77.10 Ac.
C	10' PUBLIC PEDESTRIAN ESMT., 20' HIAWATHA CANAL ESMT. & 20' PED. & DRIVEWAY R.O.W. = COMMON AREA	1.53 Ac.
D	26' PUBLIC ALLEY & 20' HIAWATHA CANAL ESMT. = COMMON AREA	.66 Ac.
E	36' PRIVATE STREET & PUBLIC ACCESS EASEMENT = COMMON AREA	.42 Ac.

### NOTES

- 1) BASIS OF BEARINGS IS IDAHO STATE PLANE COORDINATE SYSTEM, NAD83(1992) AT GRID IN US SURVEY FEET. COMBINED PROJECT SCALE FACTOR IS 0.999701, GROUND DISTANCES WILL BE SLIGHTLY LONGER.
- 2) SEE PAGE 4 FOR ADDITIONAL NOTES.



HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

**11-27-2007**  
Date

*R. W. ...*  
South Central District Health Dept., EHS



**Return to Agenda**



## Memorandum

### Hailey Planning and Zoning Commission

### Regular Meeting of February 19, 2019

**TO:** Hailey Planning and Zoning Commission

**FROM:** Robyn Davis, Community Development City Planner

**Date:** February 19, 2019

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#### **Overview:**

On January 7, 2019, the Planning and Zoning Commission considered a Zone Change Application by Travis Jones, for an amendment to the City of Hailey Zoning District Map, Section 17.05.010, and Downtown Residential Overlay (DRO), Section 17.04R. The Applicant requested that Lot 5C, Block 1, Elmwood Subdivision No. 2 (131 West Pine Street) be included in the Downtown Residential Overlay (DRO). The underlying zoning districts, General Residential (GR) and Limited Business (LB), would remain unchanged.

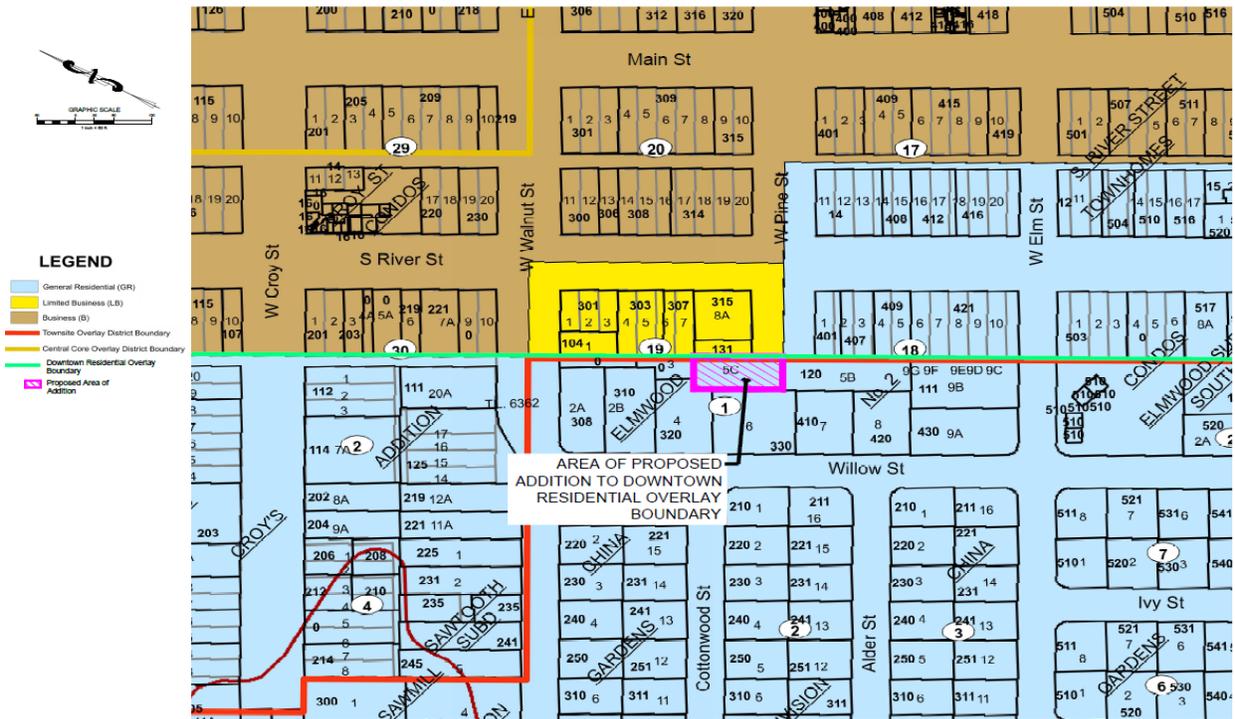
Since the meeting, Staff has prepared an administrative interpretation of what is permitted on the property pursuant to Section 17.05.020(B) of the Hailey Municipal Code:

- B. If a lot is divided by a zoning district boundary line at the line of enactment hereof, or by subsequent amendments, the less restrictive zoning requirements may be extended not more than twenty five feet (25') into the more restricting zoning district adjacent to the zoning district boundary line. (Ord. 1191, 2015)**

#### **Background:**

The subject property is on the edge of downtown, off of River Street, located on West Pine Street. The lot is surrounded by both single-family homes and a multi-family building. Commercial spaces and vacant lots can also be found in the vicinity. The subject parcel is located between properties zoned Limited Business (LB) and General Residential (GR), and is within walking distance of the Business (B) Zoning District.

The lot, approximately 11,108 square feet in size, contains split zoning. The east side of the lot, approximately 2,600 square feet, is zoned Limited Business (LB), and has been included in the Downtown Residential Overlay (DRO). The remaining portion of the parcel, approximately 8,508 square feet, is zoned General Residential (GR), and has not been included in the DRO. The Applicant requested that the remaining portion of said lot, approximately 8,508 square feet and zoned GR, be included in the DRO (see map below):



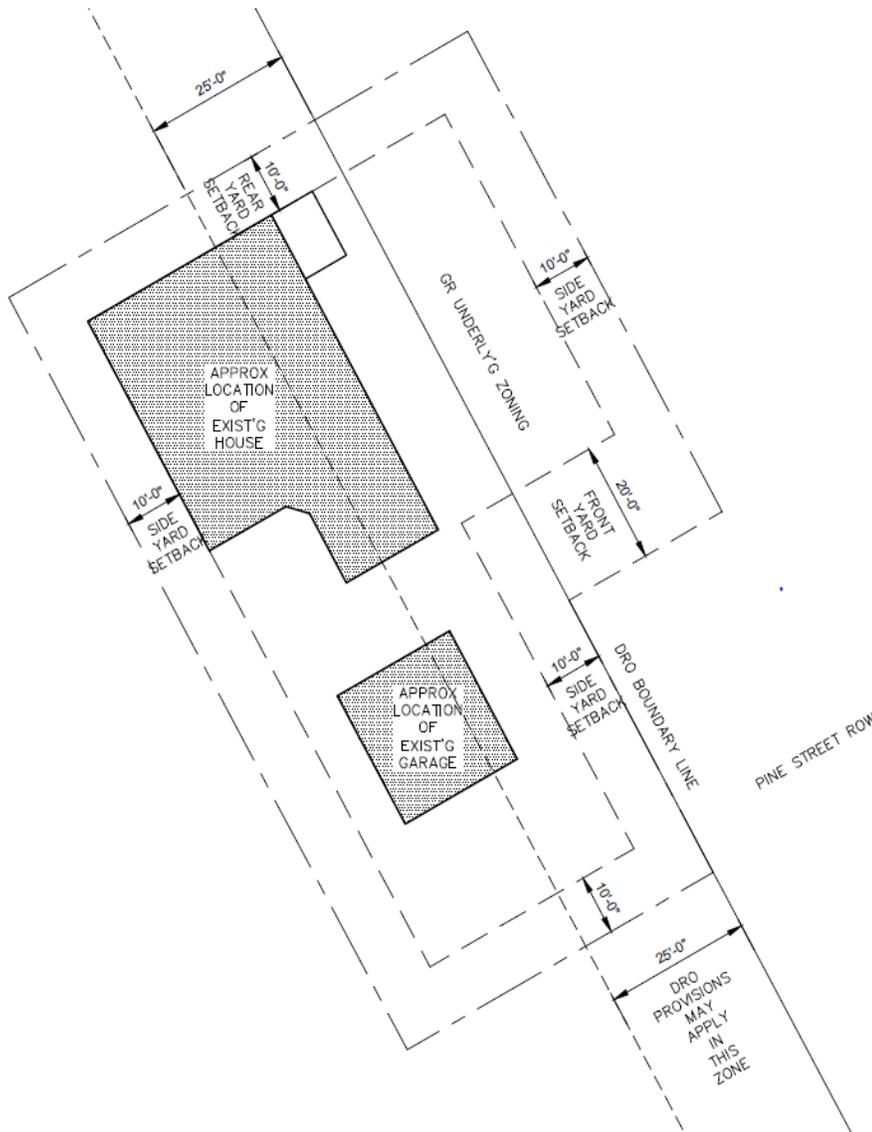
**Decision:**

At the January 7, 2019 public hearing, the Planning and Zoning Commission decided to table the Applicant’s request, as the Commission felt more information (total possible number of units on said lot, if parcel were to be included within the DRO, onsite parking, the Applicant’s vision for future development, etc.) was needed.

As noted, the parcel sees split zoning within one lot, which is governed by Section 17.05.020(B) of the Hailey Municipal Code:

- B. If a lot is divided by a zoning district boundary line at the line of enactment hereof, or by subsequent amendments, the less restrictive zoning requirements may be extended not more than twenty five feet (25') into the more restricting zoning district adjacent to the zoning district boundary line. (Ord. 1191, 2015)**

In other words, where the lot sees split zoning from Limited Business (LB) and Downtown Residential Overlay (DRO), to General Residential (GR), the Applicant could measure twenty-five feet (25') into the more restrictive zone (GR) and have the benefit of the less restrictive zone and overlay (LB and DRO) within the 25-foot area. Drawing a line to the west of the LB/DRO-zoned portion of the parcel into the GR portion of the parcel places the boundary for LB/DRO zoning and overlay rules approximately eleven feet (11') into the main house footprint (see image below). The total area of the LB/DRO zoning is ~4,100 square feet, which could allow for an additional 1.8 units per LB zoning (20 units/acre), or multiple additional units based on parking (DRO).



With this, the Applicant has chosen to withdraw his request for a zone change and will consider the aforementioned zoning code interpretation outlined herein prior to the construction of additional units and/or renovations to the existing home. Note that new construction or substantial additions would require the Applicant to submit a Design Review Application.

No further action is needed of the Commission at this time. The zoning interpretation is administrative, pursuant to Section 17.03.020.H and J:

**17.03.020: ADMINISTRATOR:**

The Council shall designate an Administrator to administer this title. The Administrator may be provided with the assistance of such other persons as the council may direct. The duties of the Administrator shall include, but not be limited to:

- a) Advise interested citizens of this title provisions.
- b) Inform the news media regarding land use and zoning matters of public interest.
- c) Aid applicants in the preparation of required forms and permit applications. Where practical, related permits may be combined for the convenience of the applicant.
- d) Recommend enforcement of this title in accordance with [Chapter 17.15](#) of this title.
- e) Receive, file and transmit to the hearing examiner, Commission and Council all applications, past history, transcripts and other communications on which they must act. Advise the hearing examiner, Commission and the Council of pertinent provisions of this title regarding proposals.
- f) Maintain permanent and current records of applications, zoning changes, variances, conditional use permits, planned unit developments, and of the hearings and action thereon.
- g) Inspect all filed plats pursuant to the Hailey City Subdivision Ordinance.
- h) Maintain a current official zoning map and interpret boundaries of zoning districts.
- i) Provide a liaison between the Commission and Council.
- j) Make interpretations of this title. (Ord. 1191, 2015)

**Return to Agenda**