

STAFF REPORT

TO: Hailey City Council
FROM: Mariel Platt, Planner
RE: Final Condominium Plat Subdivision – 21 Comet Condominiums

HEARING DATE: February 25, 2008

Applicant: Real Estate of Sun Valley, L.L.C.
Project: 21 Comet Condominiums
Approval Requested: Final Condominium Plat Subdivision
Location: 21 Comet Lane, Airport West Subdivision
Legal Description: Lot 2I, Block 5, Airport West Subdivision Phase II
Zoning: Service Commercial Industrial/Sales Office(SCI-SO)

Note: Staff analysis is in lighter type.

Notice

Notice for the public hearing was published in the Wood River Journal and mailed to property owners within 300 feet on February 6, 2008.

Application

Real Estate of Sun Valley, L.L.C., represented by Bruce Smith of Alpine Enterprises, has submitted an application for final plat approval of a 4-unit commercial condominium project located at 21 Comet Lane. The building's gross square footage measures 7,454. As the application submitted is for a condominium project, the ground under and around the units would be owned and maintained by the condominium association.

Section 3.4.1 of the Subdivision Ordinance allows for applications for platting condominium units in existing or approved structures to be reviewed through the short plat procedure. In this procedure, the Hearing Examiner or Commission reviews the preliminary plat only. Upon approval, the applicant submits a final plat for Council approval.

The application was heard by the Hailey Hearing Examiner on April 20, 2007 and approved with the following conditions:

- a) **The association shall be responsible for payment of utilities. Billing and utility payment information shall be addressed and added to the Condominium Declaration.**

This condition has been met.

- b) **The final plat shall include a note stating that the subdivision is subject to the recorded CC&R's, along with the instrument numbers thereof.**

This condition has been met.

- c) **All provisions of the Zoning Ordinance #532, including but not limited to use regulations and parking requirements shall continue to be met. 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.**

This condition should be carried over.

- d) **All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.**

This condition should be carried over.

- 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.**

This condition has been met.

Department Head Comments:

None

Standards of Evaluation:

Bulk requirements: Bulk requirements were addressed at the time of design review and preliminary plat application. All bulk requirements have been met.

Maximum Multi-Family Density – 1 unit per 1/10 acre.

SECTION 3 – PROCEDURE

3.3 Final Plat Approval.

The final plat, prepared by a Professional Land Surveyor, 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 or as otherwise provided herein. Plats not submitted for final approval within one (1) year or according to the phasing agreement, shall be considered expired and preliminary plat approval shall become null and void. The Council may extend the deadline for submitting the final plat upon holding a public hearing.

The Hearing Examiner's approval of the preliminary plat was on April 20, 2007.

3.3.2 The administrator shall review the Final Plat application to ensure that the application submitted is consistent with the approved preliminary plat. The conditions imposed on the preliminary plat approval must be either completed or shown on plans or the plat prior to any public notice for final plat approval.

The final plat is consistent with the preliminary plat approved by the Hearing Examiner. Conditions of preliminary plat approval have been met or are carried over.

SECTION 4 – DEVELOPMENT STANDARDS

Development standards were reviewed in detail during the preliminary plat approval process. Please refer to the preliminary plat Findings of Fact and Decision. No changes have been made to the plat since preliminary plat approval.

CONDOMINIUMS (Section 7 of the Subdivision Ordinance)

7.1 Plat Procedure. The Developer of a condominium project shall submit with the preliminary plat application as required by this Ordinance a copy of the proposed by-laws and condominium declarations of the proposed condominium development. The documents shall adequately provide for the control (including billing where applicable) and maintenance of all common utilities, common area, recreational facilities, and Green Space. The Developer may submit a final plat application following inspection and approval by the Building Inspector of the footings and setbacks of the condominium building. Prior to final plat approval, the Developer shall submit to the City a copy of the final by-laws and condominium declarations to be recorded with the County Recorder, including the instruments number(s) under which each document was recorded.

Draft of the CC&Rs have been submitted and address utility billing and payment information. The City has not and will not in the future determine the enforceability or validity of the Declaration of Covenants, Conditions, and Restrictions or other private agreements.

7.2 Garages. All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular condominium units.

Detached garages may be platted on separate sub-lots, provided that the ownership of detached garages is appurtenant to specific condominium units on the condominium plat and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the condominium project.

Unit number 1 and unit number 2 each have two parking spaces located inside the building, which are designated on the final plat.

7.3 Storage/Parking Areas. Condominium projects shall provide parking spaces according to the requirements of Article IX of the Zoning Ordinance.

The building's gross square footage measures 7,454 square feet, requiring 8 parking spaces for most light industrial uses; 9 parking spaces are provided. 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.

7.4 Construction Standards. All condominium project construction shall be in accordance with the IBC, IRC and IFC.

Compliance with all applicable construction standards is required by prior to issuance of a certificate of occupancy.

7.5 General Applicability. All other provisions of this Ordinance and all applicable ordinances, rules and regulations of the City and all other governmental entities having jurisdiction shall be complied with by Condominium developments.

Upon meeting proposed conditions of approval, the proposed application does not appear to conflict with other provisions.

7.6 Conversion. The conversion by subdivision of existing units into Condominiums shall not be subject to Section 4.10 of this Ordinance.

As previously stated, the units already exist and therefore, are not subject to Section 4.10.

Summary and Suggested Conditions

The City Council shall hold a public hearing and approve, conditionally approve, or deny the final plat application. The following conditions are suggested to be placed on any approval of this application:

- a) The final plat shall include a note stating that the subdivision is subject to the recorded CC&R's, along with the instrument numbers thereof.
- b) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.
- c) All provisions of the Zoning Ordinance #532, including but not limited to use

regulations and parking requirements shall continue to be met. 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) The final plat shall be recorded within one year of the date of final plat approval (unless otherwise provided for within a phasing agreement.) The final plat submitted for signature shall conform to the requirements found in Article 50-1301 (et. seq.) of the Idaho Code (as amended) and to the requirements set forth by Blaine County for digital plat submittals. The applicant shall provide the City with a letter-size or ledger-size photocopy of the recorded plat showing the instrument number and date of recordation.
- e) Any subdivision inspection fees due shall be paid prior to recording the final plat.

STAFF REPORT

TO: Hailey City Council
FROM: Mariel Platt, Planner
RE: Final Condominium Plat Subdivision – Sky King Condominiums

HEARING DATE: February 25, 2008

Applicant: Sky King LLC

Project: Sky King Condominiums

Approval Requested: Final Condominium Plat Subdivision

Location: 1999 Electra Way

Legal Description: Lot 7M, Block 4, Airport West Subdivision, Phase II

Zoning: Service Commercial Industrial-Industrial (SCI-I)

Note: Staff analysis is in lighter type.

Notice

Notice for the public hearing was published in the Wood River Journal and mailed to property owners within 300 feet on February 6, 2008.

Application

Sky King LLC, represented by Brian Yeager with Galena Engineering, has submitted an application for final plat approval of a 3-unit commercial condominium project located at 1999 Electra Way. The total land area of the project is 0.41. As the application submitted is for a condominium project, the ground under and around the units would be owned and maintained by the condominium association.

Section 3.4.1 of the Subdivision Ordinance allows for applications for platting condominium units in existing or approved structures to be reviewed through the short plat procedure. In this procedure, the Hearing Examiner or Commission reviews the preliminary plat only. Upon approval, the applicant submits a final plat for Council approval.

The application was heard by the Hailey Hearing Examiner on November 30, 2007 and approved with the following conditions:

- a) **A copy of the proposed by-laws and condominium declaration of the proposed condominium development must be submitted at the time of final plat application. The final plat shall include a note stating that the subdivision is subject to the recorded CC&R's, along with the instrument numbers thereof.**
This condition has been met.
- b) **The association shall be responsible for payment of utilities. Billing and utility payment information shall be addressed in the Condominium Declarations.**
This condition has been met.
- c) **All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.**
This condition should be carried over.
- d) **All provisions of the Zoning Ordinance #532, including but not limited to use regulations and parking requirements shall continue to be met. 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.**
This condition should be carried over.
- 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.**
This condition has been met.
- f) **Any subdivision inspection fees due shall be paid prior to recording the final plat.**
This condition should be carried over.

Department Head Comments:

Life/safety issues: No comment was provided.

Water and Sewer issues: No comment was provided.

Engineering issues: No comment was provided.

Standards of Evaluation:

Bulk requirements:

4.12.3.4 Bulk Requirements within the SCI-I sub-district.

Not applicable because the building is existing.

Maximum Multi-Family Density – 1 unit per 1/10 acre.

SECTION 3 – PROCEDURE

3.3 Final Plat Approval.

The final plat, prepared by a Professional Land Surveyor, 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 or as otherwise provided herein. Plats not submitted for final approval within one (1) year or according to the phasing agreement, shall be considered expired and preliminary plat approval shall become null and void. The Council may extend the deadline for submitting the final plat upon holding a public hearing.

The Hearing Examiner's approval of the preliminary plat was on November 30, 2007.

3.3.2 The administrator shall review the Final Plat application to ensure that the application submitted is consistent with the approved preliminary plat. The conditions imposed on the preliminary plat approval must be either completed or shown on plans or the plat prior to any public notice for final plat approval.

The final plat is consistent with the preliminary plat approved by the Hearing Examiner. Conditions of preliminary plat approval have been met or are carried over.

SECTION 4 – DEVELOPMENT STANDARDS

Development standards were reviewed in detail during the preliminary plat approval process. Please refer to the preliminary plat Findings of Fact and Decision. No changes have been made to the plat since preliminary plat approval.

CONDOMINIUMS (Section 7 of the Subdivision Ordinance)

7.1 Plat Procedure. The Developer of a condominium project shall submit with the preliminary plat application as required by this Ordinance a copy of the proposed by-laws and condominium declarations of the proposed condominium development. The documents shall adequately provide for the control (including billing where applicable) and maintenance of all common utilities, common area, recreational facilities, and Green Space. The Developer may submit a final plat application following inspection and approval by the Building Inspector of the footings and setbacks of the condominium building. Prior to final plat approval, the Developer shall submit to the City a copy of the final by-laws and condominium declarations to be recorded with the County Recorder, including the instruments number(s) under which each document was recorded.

Draft CC&R's have been submitted and address utility billing and payment information. The City has not and will not in the future determine the enforceability or validity of the Declaration of Covenants, Conditions, and Restrictions or other private agreements.

7.2 Garages. All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular condominium units. Detached garages may be platted on separate sub-lots, provided that the ownership of detached garages is appurtenant to specific condominium units on the condominium plat and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the condominium project.

Each of the three units includes a garage within a unit. As a recommended condition of approval the garages shall be designated on the final plat within each particular condominium unit.

7.3 Storage/Parking Areas. Condominium projects shall provide parking spaces according to the requirements of Article IX of the Zoning Ordinance.

Pursuant to Section 9.4.5(b), one space for every 1,000 square feet of warehouse and storage is required. The subject property measures 6,885 square feet, requiring 7 parking stalls. There are currently nine parking spaces, two of which are handicap spaces.

7.4 Construction Standards. All condominium project construction shall be in accordance with the IBC, IRC and IFC.

Compliance with all applicable construction standards is required prior to issuance of a certificate of occupancy.

7.5 General Applicability. All other provisions of this Ordinance and all applicable ordinances, rules and regulations of the City and all other governmental entities having jurisdiction shall be complied with by Condominium developments.

Upon meeting proposed conditions of approval, the proposed application does not appear to conflict with other provisions.

7.6 Conversion. The conversion by subdivision of existing units into Condominiums shall not be subject to Section 4.10 of this Ordinance.

As previously stated, the subdivision is of existing condominiums and is therefore, not subject to Section 4.10

Summary and Suggested Conditions


The City Council shall hold a public hearing and approve, conditionally approve, or deny the final plat application. The following conditions are suggested to be placed on any approval of this application:

- a) All improvements and other requirements shall be completed and accepted, or

surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.

- b) All provisions of the Zoning Ordinance #532, including but not limited to use regulations and parking requirements shall continue to be met. 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.
- c) The final plat shall be recorded within one year of the date of final plat approval (unless otherwise provided for within a phasing agreement.) The final plat submitted for signature shall conform to the requirements found in Article 50-1301 (et. seq.) of the Idaho Code (as amended) and to the requirements set forth by Blaine County for digital plat submittals. The applicant shall provide the City with a letter-size or ledger-size photocopy of the recorded plat showing the instrument number and date of recordation.
- d) Any subdivision inspection fees due shall be paid prior to recording the final plat.
- e) The garages for each unit shall be designated on the final plat within each particular condominium unit.

STAFF REPORT

TO: Hailey City Council
FROM: Beth Robrahn, Planning Director 
RE: Subdivision Ordinance Amendment – Bike Rack Standards

HEARING DATE: February 25, 2008

Note

Staff comments are in lighter type, except under related Comp Plan components.

Notice

Notice for the public hearing was published in the Wood River Journal and mailed to public agencies and area media on February 6, 2008.

Proposal

Attached are proposed amendments by the City to the Subdivision Ordinance adding bicycle rack standards to City Standards, Exhibit A, Section 5, Improvements Required.

Staff brought the proposal to the City Council on November 26, 2007 as a suggested means to ensure bicycle racks that are installed as part of developments within Hailey are functional, accessible and convenient to use. The Council generally supported the proposal and directed staff to proceed with bringing standards to the Commission for review and recommendation. The Planning and Zoning Commission had a public hearing on the amendments on January 22, 2008 and recommended approval to the City Council.

The proposed Hailey Bicycle Rack Standards are adapted from the Association of Bicycle and Pedestrian Professionals Bicycle Parking Guidelines.

Standards of Evaluation

The Council shall, at a minimum, consider the following three criteria in making its decision:

1. The relationship of the proposed amendments to the Hailey Comprehensive Plan.

The Council may wish to consider how the proposed amendments relate to the various policies and implementation items of the following components of the Plan.

5.0 LAND USE

5.6 Efficient Use of Resources

Goal: To emphasize efficient use of resources, including all infrastructure, and the land itself.

4. Policy: Encourage energy efficient design in the use of land through sound land use planning policies.

Implementation:

c. Promote land use development that lessens dependency on the automobile.

e. Where appropriate, require development to provide adequate transportation infrastructure that may include transit shelters and/or pedestrian/bicycle connectors.

All multi-family residential and commercial development, including new construction and additions in the Business, Limited Business and Transitional Districts, are required to provide bicycle parking and bicycle parking is often proposed in new developments as a public amenity. However, the type of bicycle rack typically installed is not functional and the location of bicycle racks is not convenient. Adopting standards for bicycle racks will help to ensure that the bicycle racks required and installed are serving their intended purpose as a means of encouraging the use of bicycles as a transportation mode.

10.0 TRANSPORTATION & CIRCULATION

10.1 Engineering

Goal: Create and maintain a pedestrian and bicycle-friendly community that provides safe, convenient and efficient multi-modal transportation for all Hailey residents, that moves people and not just cars, and that preserves and enhances our quality of life.

The function and convenience of bicycle racks are factors that influence an individual's decision whether to make trips by bicycle. The inability to safely and conveniently park a bicycle is a deterrent to using a bicycle to run errands and other trips. Adopting standards for bicycle parking will facilitate developers and business owners in the selection and placement of appropriate bicycle racks for short term parking to ensure better function and convenience for Hailey residents and customers.

2. Will not create excessive additional requirements at public cost for public facilities and services.

The proposed amendments will not create excessive additional requirements at public cost for public facilities and services.

3. Will be in accordance with the welfare of the general public.

The proposed amendments will enable more efficient, consistent and predictable application of bicycle parking requirements.

Summary

The Council shall hold a public hearing and determine whether the proposed amendments are in accordance with the applicable standards of evaluation.

Motion Options

Motion to **approve** amendments to the Subdivision Ordinance adding bicycle rack standards to City Standards [as written or as modified], **finding that the three standards of evaluation** have been met as follows:

OR

Motion to **deny** amendments to the Subdivision Ordinance adding bicycle rack standards to City Standards, **finding that the three standards of evaluation** have not been met as for the following reasons:

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S SUBDIVISION ORDINANCE, ORDINANCE NO. 821, BY AMENDING THE HAILEY CITY STANDARDS TO ADD BICYCLE RACK STANDARDS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the proposed amendments are generally in accordance with the Comprehensive Plan;

WHEREAS, the proposed amendments will not create excessive additional requirements at public cost for public facilities and services; and

WHEREAS, the proposed amendments will be in accordance with the welfare of the general public.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1.

Hailey City Standards, Exhibit "A" of the Hailey Subdivision Ordinance No. 821 is hereby amended by the addition of the following language:

1. A single bicycle rack shall meet the following criteria:
 - Support the bicycle upright by its frame in two places.
 - Prevent the wheels of the bicycle from tilting or twisting.
 - A U-lock should be able to lock the front wheel and the down tube of an upright bicycle or lock the rear wheel and seat tube of the bicycle.

2. Two or more single racks may be mounted in a row on a common base or attached in a row to a frame.

3. Inverted "U" racks mounted in a row should be placed 30 inches apart on center, allowing enough room for two bicycles to be secured to each rack and providing easy, access to each bicycle.

4. Racks should be made of material that resists being cut or detached using common hand tools. The rack should be anchored so that it cannot be stolen with the bikes attached. Racks that are large and heavy enough such that the rack cannot be easily moved or lifted with the bicycles attached do not have to be anchored.

5. Racks shall be placed so that they do not block the entrance or inhibit pedestrian flow in or out of the building. If placed on a sidewalk or pedestrian walkway, racks should be placed so that at least 5 feet of sidewalk width is maintained.

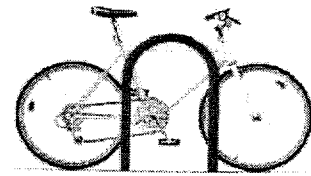
6. Where multiple racks are installed in rows with aisles separating the rows the following dimensions shall apply:
 - Minimum aisles width shall be 48 inches. The aisle is measured from tip to tip of bike tires across the space between racks.
 - Minimum depth shall be 72 inches for each row of parked bicycles.
 - Areas with a high turnover rate should have a minimum aisle width of 72 in and should have more than one entrance.

7. Racks shall be mounted within 50 feet of the entrance it serves, or as close as the nearest car parking space, whichever is closer and shall be clearly visible from the entrance it serves.

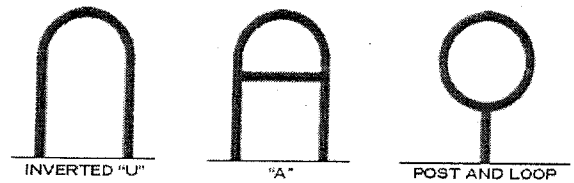
9. Creative, three-dimensional bicycle-parking racks are allowed provided the criteria of the rack design are met.

10. When possible, bicycle parking areas should be protected from the elements (rain, snow, etc.).

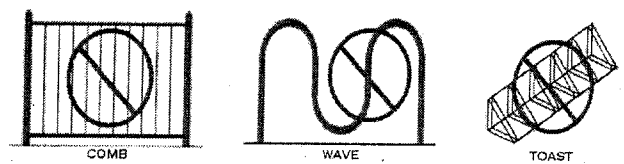
Supports frame in two places:



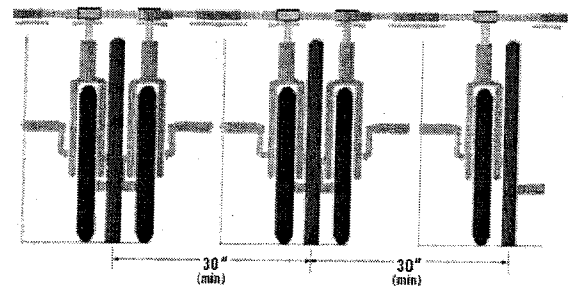
Appropriate designs:



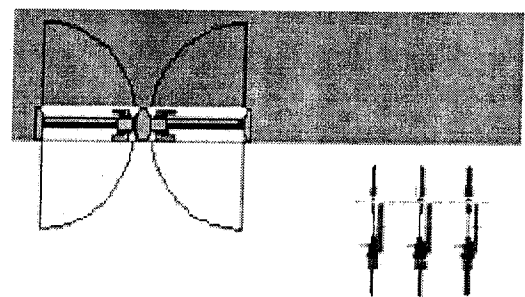
Inappropriate designs:



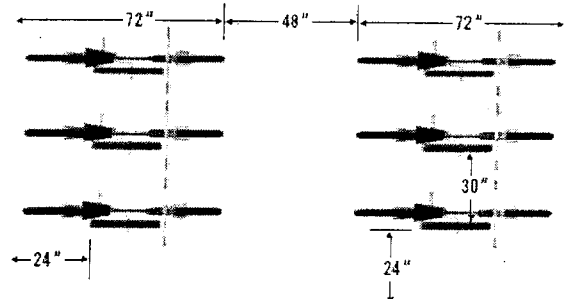
Adequate spacing between racks:



Bicycle racks at building entrances:



Adequate spacing between rows of racks:



Section 2.

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3.

All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4.

This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2008.

Richard L. Davis, Mayor, City of Hailey

Attest:

Heather Dawson, City Clerk

Publish: Wood River Journal _____, 2008

