AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, October 18, 2021
In-Person and Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#

Call to Order

Public Comment for items not on the agenda

Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Kilgore Properties, LLC, represented by Matt Watson, located at Block 2, Sweetwater P.U.D. Subdivision, where Phase I of Block 2 is subdivided into 12 sublots consisting of seven (7) live-work units, four (4), ten-unit condominium buildings, and a clubhouse, for a total of 57 residential units. This project is located along Shenandoah Drive, in Section 15, T.2 N., R.18 E., B.M., City of Hailey, Blaine County, Idaho, within the Limited Business (LB) Zoning District. ACTION ITEM.

CA 2 Adoption of Meeting Minutes dated August 16, 2021. ACTION ITEM.

CA 3 Adoption of Meeting Minutes dated September 7, 2021. ACTION ITEM.

CA 4 Adoption of Meeting Minutes dated September 20, 2021. ACTION ITEM.

CA 5 Adoption of Meeting Minutes dated October 4, 2021. ACTION ITEM.

Public Hearing

PH 1 Consideration of a Preliminary Plat Subdivision Application by Lena Cottages, LLC, represented by Alpine Enterprises, where Lot 9, Block 3, Old Cutters Subdivision is subdivided into seven (7) sublots. This project is located within the General Residential (GR) Zoning District. The preliminary plat on this property has expired; this plat is identical to the previously approved plat. ACTION ITEM.

PH 2 Consideration of a Design Review Preapplication by Leonard H. McIntosh Family Trust, for construction of four (4) residential units located in two (2) three-story duplex buildings, on 7,194 square feet lot. Each unit is 2,143 square feet with garage. The proposed project is located at 109 West Spruce Street (Lots 9 and 10, Block 66, Hailey Townsite) within the Business (B), Downtown Residential Overlay (DRO) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.

SR 2 Discussion of the next Planning and Zoning meeting: November 1, 2021.

- PP Amendment from 1 to 2 years
- Allred Annexation
Return to Agenda
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On October 4, 2021, the Planning and Zoning Commission considered and approved Preliminary Plat Application by Kilgore Properties, LLC, represented by Matt Watson, located at Block 2, Sweetwater P.U.D. Subdivision, where Phase I of Block 2 is subdivided into 12 sublots consisting of seven (7) live-work units, five (5), ten-unit condominium buildings, and a clubhouse, for a total of 57 residential units. This project is located along Shenandoah Drive, in Section 15, T.2 N., R.18 E., B.M., City of Hailey, Blaine County, Idaho, within the Limited Business (LB) Zoning District.

The Planning and Zoning Commission enters these Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

Notice: Notice for the public hearing was published in the Idaho Mountain Express on September 15, 2021, and mailed to property owners on September 14, 2021.

Background: Consideration of a Preliminary Plat Application by Sweetwater Communities, LLC, represented by Matt Watson, located at Block 2, Sweetwater P.U.D. Subdivision, where Phase I of Block 2 is subdivided into 12 sublots consisting of seven (7) live-work units, four (4), ten-unit condominium buildings, and a clubhouse, for a total of 57 residential units.

A slightly reconfigured Preliminary Plat Application was reviewed and approved on March 30, 2020. The subdivision of Block 2 (Phase I) included 14 sublots consisting of consisting of seven (7) live-work units, one (1), ten-unit condominium and two (2), three-plex townhomes for a total of 23 residential units.

Due to a housing shortage, the Applicant Team has chosen to reconfigure the parcel to include various housing options - ten-plex buildings rather than the traditional three-plex townhouse units, as well as the three (3) and four (4) unit live/work buildings. This reconfiguration also encouraged the Development Team to add a new club house and pool to the Sweetwater Development. This addition aims to better serve all residents within the Sweetwater Development, but especially residents of Block 2.

A 69,696 square foot park is existing and meets the park requirements of the Hailey Municipal Code; however, additional green space in Block 2 is also proposed. The project is located in the Limited Business (LB) Zone District.

Procedural History: The Application was submitted on August 30, 2021 and certified complete on August 31, 2021. A public hearing before the Planning and Zoning Commission was held on October 4, 2021, virtually via GoTo Meeting and in-person in the Council Chambers at Hailey City Hall.

This property is subject to a P.U.D. Development Agreement dated January 10, 2005 and Amendments to the Development Agreement dated December 12, 2009, December 20, 2010 and November 6, 2012. Design Review for the project (Phase I through IV) was approved December 16, 2019.

<table>
<thead>
<tr>
<th>Standards of Evaluation for a Subdivision</th>
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<tbody>
<tr>
<td>Compliant</td>
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</table>

**Standards and Staff Comments**

- [Compliant] Standards and comments as per the requirements of the Hailey Municipal Code.
- [Non-Compliant] Additional comments or necessary improvements for the project to meet the standards.
- [Pending] Pending review or approval from the Planning and Zoning Commission or other relevant authorities.
<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>City Code</th>
<th>City Standards and Staff Comments</th>
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<tbody>
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<td>☒</td>
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<td>17.06.050</td>
<td>Complete Application</td>
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<td>Department Comments</td>
<td>Engineering: No comments</td>
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<td>Life/Safety: No comments</td>
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<td>Water and Sewer: No comments</td>
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<td>Building: No comments</td>
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<td>Streets: No comments</td>
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<td>Landscaping/Parks: No comments</td>
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<td>16.04.010 Development Standards</td>
<td>Applicability: The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Title, the Zoning Title and any other applicable Ordinance or policy of the City of Hailey and shall be in accordance with general provisions of the Comprehensive Plan.</td>
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<td>Staff Comments</td>
<td>Please refer to the specific standards as noted herein.</td>
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### 16.04.20: Streets:

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<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>City Code</th>
<th>City Standards and Staff Comments</th>
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<tbody>
<tr>
<td>☒</td>
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<td>16.04.020</td>
<td>Streets: Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.</td>
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<td>Development Standards: All streets in the subdivision must be platted and developed with a width, alignment, and improvements such that the street is adequate to safely accommodate existing and anticipated vehicular and pedestrian traffic and meets City standards. Streets shall be aligned in such a manner as to provide through, safe and efficient access from and to adjacent developments and properties and shall provide for the integration of the proposed streets with the existing pattern.</td>
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<td>Staff Comments</td>
<td>The subject parcel is located along Shenandoah Drive and north of Countryside Boulevard, both existing streets. Three (3) private roads, Heartland Way (an extension of the existing alley), Hopper Way and Hayloft Way, are proposed to service the condominium units, live/work units, and clubhouse and pool. Hopper Way will extend into future phases of the proposed development. All driveways are oriented toward these private drives; all onsite parking is located below grade or within the proposed structures. Street alignments for Shenandoah Drive, Heartland Way, Hopper Way and Hayloft Way are adequate to safely accommodate existing and anticipated vehicular traffic. The Commission found this standard has been met.</td>
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<td>Cul-De-Sacs; Dead-End Streets: Cul-de-sacs or dead-end streets shall be allowed only if connectivity is not possible due to surrounding topography or existing platted development. Where allowed, such cul-de-sacs or dead-end streets shall comply with all regulations set forth in the IFC and other applicable codes and ordinances. Street rights-of-way extended into un-platted areas shall not be considered dead end streets.</td>
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<td>Staff Comments</td>
<td>N/A, as no cul-de-sacs or dead-end streets and alleys are proposed. The Commission found this standard has been met.</td>
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</tbody>
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### C. Access

**Staff Comments**

Access to the site can be achieved from Shenandoah Drive. Vehicle congestion, terrain and other factors that could limit access are not anticipated.

*The Commission found this standard has been met.*

### D. Design

Design: Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than eighty (80) degrees. Where possible, four-way intersections shall be used. A recommended distance of 500 feet, with a maximum of 750 feet, measured from the center line, shall separate any intersection. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer. Three-way intersections shall only be permitted where most appropriate or where no other configuration is possible. A minimum distance of 150 feet, measured from the center line, shall separate any 2 three-way intersections.

**Staff Comments**

The subject parcel is located along Shenandoah Drive and north of Countryside Boulevard, both existing streets. Three (3) private roads, Heartland Way (an extension of the existing alley), Hopper Way and Hayloft Way, are proposed to service the condominium units, live/work units, and clubhouse and pool. Hopper Way will extend into future phases of the proposed development.

*No three-way intersections are proposed at this time and it appears that all streets are intersecting at 90-degree angles.*

*The Commission found this standard has been met.*

### E. Centerlines

Centerlines: Street centerlines which deflect more than five (5) degrees shall be connected by a curve. The radius of the curve for the center line shall not be more than 500 feet for an arterial street, 166 feet for a collector street and 89 feet for a residential street. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer.

**Staff Comments**

N/A, as Shenandoah Drive and Countryside Boulevard are existing. Heartland Way, Hopper Way and Hayloft Way are proposed to be 26'-wide and private drives. No traffic calming measures are proposed at this time.

### F. Width

Width: Street width is to be measured from property line to property line. The minimum street width, unless specifically approved otherwise by the Council, shall be as specified in City Standards for the type of street.

**Staff Comments**

The private drives, Heartland Way, Hopper Way and Hayloft Way, meet the minimum City Standard of 24’ in width. The private drives are proposed to be 26’-wide.

*The Commission found this standard has been met.*

### G. Roadways

Roadways: Roadway, for the purpose of this section, shall be defined as the area of asphalt from curb face to curb face or edge to edge. Roadway includes areas for vehicle travel and may include parallel or angle in parking areas. The width of roadways shall be in accordance with the adopted City Standards for road construction.
<p>| Staff Comments | Heartland Way, Hopper Way and Hayloft Way are proposed as private drives. Shenandoah Drive and Countryside Boulevard are existing. Roadway travel surfaces and widths meet City Standards. | The Commission found this standard has been met. |
| ☒ ☐ ☐ | H. Road Grades: Road Grades shall be at least two percent (2%) and shall not generally exceed six percent (6%). Grade may exceed 6%, where necessary, by 1% (total 7%) for no more than 300 feet or 2% (total 8%) for no more than 150 feet. No excess grade shall be located within 200 feet of any other excess grade nor there any horizontal deflection in the roadway greater than 30 degrees within 300 feet of where the excess grade decreases to a 2% slope. | ☒ ☐ ☐ |
| Staff Comments | The site is generally flat. Road grades appear to be at least two (2%) percent or greater, but not more than six (6%) percent. | The Commission found this standard has been met. |
| ☒ ☐ ☐ | I. Runoff: 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 in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA’s “NPDES General Permit for Storm water Discharge from Construction Activity” for all construction activity affecting more than one acre. | ☒ ☐ ☐ |
| Staff Comments | The City Engineer will review all proposed storm sewers, drywells and other drainage facilities. Permits shall be obtained for installation of all drywells. This has been made a Condition of Approval. | The Commission found this standard has been met. |
| ☒ ☐ ☐ | J. Signage: The developer shall provide and install all street and traffic control signs in accordance with City Standards. | ☒ ☐ ☐ |
| Staff Comments | Stop signs will be required and are shown to be installed and/or relocated at the corner of Countryside Boulevard and Shenandoah Drive. Any new signage shall be installed per City Standards, which a final review and approval of will be conducted prior to issuance of a Building Permit. | The Commission found this standard has been met. |
| ☒ ☐ ☐ | K. Dedication; Names: All streets and alleys within any subdivision shall be dedicated for public use, except as provided herein. New street names (public and private) shall not be the same or similar to any other street names used in Blaine County. | ☒ ☐ ☐ |
| Staff Comments | The streets within the proposed project are existing platted streets, including: Shenandoah Drive and Countryside Boulevard. The internal drives, Heartland Way, Hopper Way and Hayloft Way, are private drives, which will be privately maintained. The proposed alley names have been confirmed with the Blaine County Assessor as being new alley names, not similar to other streets within Blaine County. | The Commission found this standard has been met. |
| ☒ ☐ ☐ | L. Private Streets: | ☒ ☐ ☐ |</p>
<table>
<thead>
<tr>
<th>L. 1.</th>
<th>Private streets may be allowed (a) to serve a maximum of five (5) residential dwelling units, (b) within Planned Unit Developments, or (c) within commercial developments in the Business, Limited Business, Neighborhood Business, Light Industrial, Technological Industry, and Service Commercial Industrial districts. Private streets are allowed at the sole discretion of the Council, except that no Arterial or Major Street, or Collector or Secondary Street may be private. Private streets shall have a minimum total width of 36 feet, shall be constructed to all other applicable City Standards including paving, and shall be maintained by an owner’s association.</th>
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</thead>
<tbody>
<tr>
<td>Staff Comments</td>
<td>N/A, as Heartland Way, Hopper Way and Hayloft Way are private drives and will be maintained by the homeowner’s association. The private drives meet the minimum total width of 26’-wide and shall be constructed to meet City Standards. The Commission found this standard has been met.</td>
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<tr>
<td>L. 2.</td>
<td>Private streets, wherever possible, shall provide interconnection with other public streets and private streets.</td>
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<tr>
<td>Staff Comments</td>
<td>The proposed drives, Heartland Way and Hayloft Way, connect to Shenandoah Drive, Hopper Way connects to Shenandoah Drive via Heartland Way and Hayloft Way. Shenandoah Drive is a public street. The Commission found this standard has been met.</td>
</tr>
<tr>
<td>L. 3.</td>
<td>The area designated for private streets shall be platted as a separate parcel according to subsection 16.04.060C below. The plat shall clearly indicate that the parcel is unbuildable except for public vehicular and public pedestrian access and ingress/egress, utilities or as otherwise specified on the plat.</td>
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<tr>
<td>Staff Comments</td>
<td>The private alleys, Heartland Way, Hopper Way and Hayloft Way, have been platted as private drives; however, no indication has been made on the plat that said parcel is an unbuildable parcel. Previous platting processes of the Sweetwater Subdivision imply that all private, internal drives of the development are to be unbuildable, without requiring a plat note designating it as such; however, the Commission recommended that a plat note be added that notes the private drives (Heartland Way, Hopper Way and Hayloft Way) be unbuildable. This has been made a Condition of Approval.</td>
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<td>L. 4.</td>
<td>Private street names shall not end with the word “Road”, “Boulevard”, “Avenue”, “Drive” or “Street”. Private streets serving five (5) or fewer dwelling units shall not be named.</td>
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<tr>
<td>Staff Comments</td>
<td>This standard has been met. The private drives proposed are Heartland Way, Hopper Way and Hayloft Way. The Commission found this standard has been met.</td>
</tr>
<tr>
<td>L. 5.</td>
<td>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 percent (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.</td>
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<tr>
<td>Staff Comments</td>
<td>Private drives, Heartland Way, Hopper Way and Hayloft Way, are proposed. The site plan for Phase I proposes 46,594 square feet of parking, hardscape and pedestrian circulation. 25% of 46,594 square feet is 11,649 square feet. 13,690 square feet for snow storage has been provided. The Commission found this standard has been met.</td>
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Subdivisions with private streets shall provide two (2) additional parking spaces per dwelling unit for guest and/or overflow parking. These spaces may be located (a) within the residential lot (e.g., between the garage and the roadway), (b) as parallel spaces within the street parcel or easement adjacent to the travel lanes, (c) in a designated guest parking area, or (d) as a combination thereof. Guest/overflow parking spaces are in addition to the minimum number of parking spaces required pursuant to chapter 17.09 of this code. The dimension of guest/overflow parking spaces shall be no less than ten feet by twenty feet (10'x20') if angle parking, or ten feet by twenty-four feet (10'x24') if parallel. Guest overflow parking spaces shall be improved with asphalt, gravel, pavers, grass block, or another all-weather dustless surface. No part of any required guest/overflow parking spaces shall be utilized for snow storage.

Staff Comments

Per the Hailey Municipal Code, Multi-Family Dwellings are required to provide at least 1.5 onsite parking spaces. Phase I of the project contains five (5), ten-plex, three-story condominiums (50 units in total), one (1) three-plex live/work building and one (1) four-plex live/work building (seven units in total) are proposed; therefore, 85.5 onsite parking spaces are required. The site plan shows a total of 126 onsite parking spaces: a two (2) car garage per live/work unit, a one (1) car garage per condo unit + a one (1) car driveway spot per condo unit, which totals 113 parking spaces. 22 on-street parking spaces and 12 off-street parking spaces are also proposed. The total parking spaces for Phase I is 147.

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 (one and two-car garages) and all driveways are oriented toward internal alleys, so as not to negatively affect the quality of the pedestrian environment.

Due to the nature of all proposed onsite parking being below grade parking and/or parking stalls at basement level, which was determined to comply with the original PUD Agreement, the excess parking complies with the standards set forth herein, as well as with the provisions outlined in the original PUD Agreement dated August 14, 2006.

The Commission found this standard has been met.

M. Driveways:

Driveways may provide access to not more than two (2) residential dwelling units. Where a parcel to be subdivided will have one lot fronting on a street, not more than one additional single-family lot accessed by a driveway may be created in the rear of the parcel. In such a subdivision, where feasible (e.g., no driveway already exists), both lots shall share access via a single driveway. Driveways shall not be named.

Staff Comments

The proposed condominium units, live/work units, and clubhouse and pool can be accessed via Heartland Way, Hopper Way and Hayloft Way (via Shenandoah Drive). All driveways are oriented toward the private drives and all onsite parking is located below grade or within the proposed structures.

The Commission found this standard has been met.

Driveways shall be constructed with an all-weather surface and shall have the following minimum roadway widths:

a) Accessing one residential unit: twelve feet (12')

b) Accessing two residential units: sixteen feet (16')
| M. 3. | Driveways longer than 150 feet must have a turnaround area approved by the Fire Department. Fire lane signage must be provided as approved by the Fire Department. |
| Staff Comments | N/A, as no driveways exceed 150’. |
| M. 4. | Driveways accessing more than one residential dwelling unit shall be maintained by an owner’s association, or in accordance with a plat note. |
| Staff Comments | All driveways and the proposed private drives, Heartland Way, Hopper Way and Hayloft Way, will be maintained by the homeowner’s association. |
| M. 5. | The area designated for a driveway serving more than one dwelling unit shall be platted as a separate unbuildable parcel, or as a dedicated driveway easement. Easements and parcels shall clearly indicate the beneficiary of the easement or parcel and that the property is unbuildable except for ingress/egress, utilities or as otherwise specified on the plat. A building envelope may be required in order to provide for adequate building setback. |
| Staff Comments | This standard has been met. |
| M. 6. | No driveway shall interfere with maintenance of existing infrastructure and shall be located to have the least adverse impact on residential dwelling units, existing or to be constructed, on the lot the easement encumbers and on adjacent lots. |
| Staff Comments | All driveways are oriented toward Heartland Way, Hopper Way and Hayloft Way. Said driveways do not appear to impact existing infrastructure and appear to be compatible with existing and planned residential units. |
| 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. |
| Staff Comments | The internal drives, Heartland Way, Hopper Way and Hayloft Way, have been reviewed by the Fire Chief as to its functioning as an access lane. It has been found acceptable and complies with the IFC Requirements, as well as other applicable codes and ordinances. |
| O. | Fire Lanes: 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. |
### Staff Comments

Please refer to Section 16.04.020(N), comments noted above, for further information.

The Commission found this standard has been met.

### 16.04.030: Sidewalks and Drainage Improvements

<table>
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<tr>
<th>Compliant</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>City Code</th>
<th>City Standards and Staff Comments</th>
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<tbody>
<tr>
<td>A.</td>
<td>☒</td>
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<td>Sidewalks and drainage improvements are required in all zoning districts and shall be located and constructed according to applicable City standards, except as otherwise provided herein.</td>
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<td>Staff Comments</td>
<td>A new 5’-wide sidewalk is shown along the perimeter of the proposed project. This perimeter sidewalk will connect to interior sidewalks, providing safe access and sufficient circulation around and through the site. To safely access each unit, 4’-wide sidewalks are also shown. The proposed sidewalks shall be constructed according to applicable City Standards.</td>
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<td>In Phase I, a continental crosswalk, utilizing thermoplastic materials, will also be installed across Shenandoah Drive, at the intersection of Shenandoah Drive and Countryside Boulevard, and at the intersection of Maple Leaf Drive across Shenandoah Drive to Block 2.</td>
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<td>Drainage appears to be adequate for the site, but will be reviewed by City Staff and shall meet the approval of the City Engineer, prior to issuance of a Building Permit.</td>
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<td>The Commission found this standard has been met.</td>
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<td>B.</td>
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<td>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.</td>
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<tr>
<td>Staff Comments</td>
<td>Please refer to Section 16.04.030(A), comments noted above, for further information.</td>
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<td>The Commission found this standard has been met.</td>
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<td>C.</td>
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<td>New sidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.</td>
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<tr>
<td>Staff Comments</td>
<td>A new five (5) foot-wide sidewalk is proposed along the perimeter of the proposed project. This sidewalk will run parallel to Countryside before curving to the north and running parallel with Shenandoah Drive. An interior sidewalk, also five feet (5’) in width, will run perpendicular to the north of Parcel A, where the proposed clubhouse and pool will be located. This sidewalk will connect to existing pathways found near and around the park space and amenity building.</td>
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<td>Pedestrian connections are also shown along the western property line and around the amenity building.</td>
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<td>The Commission found this standard has been met.</td>
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<td>D.</td>
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<td>Sites located adjacent to a public street or private street that are not currently through streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.</td>
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</table>
### Staff Comments

Please refer to Section 16.04.030 for further information. This standard will be met.

The Commission found this standard has been met.

<table>
<thead>
<tr>
<th>E.</th>
<th>The requirement for sidewalk and drainage improvements are not required for any lot line adjustment.</th>
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<td>Staff Comments</td>
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## 16.04.040: Alleys and Easements

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<th>Compliant</th>
<th>Standards and Staff Comments</th>
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### A.

**Alleys:**

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

  Staff Comments
  
  The private drives, Heartland Way, Hopper Way and Hayloft Way, are proposed and shall serve the proposed condominium units, live/work units, and clubhouse and pool. Said drives are proposed to function as access, as well as a public utility easement for the site.

  The Commission found this standard has been met.

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

  Staff Comments
  
  Heartland Way, Hopper Way and Hayloft Way are proposed to be twenty-six (26') feet wide.

  The Commission found this standard has been met.

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

  Staff Comments
  
  The private drives, Heartland Way, Hopper Way and Hayloft Way, are proposed and shall serve the proposed condominium units, live/work units, and clubhouse and pool. Said drives are proposed to function as access, as well as a public utility easement for the site.

  The Commission found this standard has been met.

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

  Staff Comments
  
  The private drives, Heartland Way, Hopper Way and Hayloft Way, are proposed and shall serve the proposed condominium units, live/work units, and clubhouse and pool. Said drives are proposed to function as access, as well as a public utility easement for the site.

  The Commission found this standard has been met.

- **A. 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 injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer.

  Staff Comments
  
  The private drives, Heartland Way, Hopper Way and Hayloft Way, are proposed and shall serve the proposed condominium units, live/work units, and clubhouse and pool. Said drives are proposed to function as access, as well as a
A. 6. Dead-end alleys shall not be allowed.

**Staff Comments**
N/A, as no dead-end alleys are proposed. The Commission has found this standard to be met.

A. 7. Where alleys are not provided, easements of not less than ten (10) feet 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.

**Staff Comments**
Easements are currently shown for utilities in the twenty-six (26') foot wide private alleys, Heartland Way, Hopper Way and Hayloft Way.

B. 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.

**Staff Comments**
N/A, as this site does not border the Big Wood River. The Commission found this standard has been met.

B. 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.

**Staff Comments**
No natural resource, riparian area, hazardous area or other limitation requires an easement, as specified above, for the proposed subdivision. The Commission found this standard has been met.

B. 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.

**Staff Comments**

Private drives, Heartland Way, Hopper Way and Hayloft Way, are proposed. The site plan for Phase I proposes 46,594 square feet of parking, hardscape and pedestrian circulation. 25% of 46,594 square feet is 11,649 square feet. 13,690 square feet for snow storage has been provided.

*The Commission found this standard has been met.*

### 16.04.050: Blocks

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>City Code</th>
<th>City Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
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<td>16.04.050</td>
<td>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 circulation and the limitations and opportunities of topography.</td>
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<td><em>Staff Comments</em> N/A, as no blocks are proposed. The Commission found this standard has been met.</td>
</tr>
</tbody>
</table>

### 16.04.060: Lots

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>City Code</th>
<th>City Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
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<td>16.04.060</td>
<td>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 §42-111, and such restriction shall be included as a plat note. District regulations are found in the Zoning Chapter.</td>
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<td><em>Staff Comments</em> All proposed lots are sublots, ranging in size from 2,046 square feet to 17,633 square feet. There is a total of twelve (12) sublots proposed in Phase I of the development, which is approximately 1.25 acres in size. Phase I, thereby allows for the construction of approximately 30 sublots. The Applicant is proposing to construct a total of 12 sublots in Phase I.</td>
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<td><em>The original P.U.D. Development Agreement addresses the above standard, which was granted August 14, 2006:</em></td>
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<td>- Maximum Density:</td>
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<td>- Townhouse sublot density shall increase from 12 sublots per acre to 24 sublots per acre.</td>
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<td></td>
<td><em>The Commission found this standard has been met.</em></td>
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<td>☒</td>
<td>A.</td>
<td>If lots are more than double the minimum size required for the zoning district, the Developer may be required to arrange lots in anticipation of future re-subdivision and provide for future streets where necessary to serve potential lots, unless the plat restricts further subdivision.</td>
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<td><em>Staff Comments</em> N/A. The Commission found this standard has been met.</td>
</tr>
<tr>
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<td>☒</td>
<td>B.</td>
<td>Double frontage lots shall be prohibited except where unusual topography, a more integrated street plan, or other conditions make it undesirable to meet this requirement. Double frontage lots are those created by either public or private streets, but not by driveways or alleys. Subdivisions providing a platted parcel of 25 feet or more between any street right-of-way and any single row of lots shall not be</td>
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</table>
considered to have platted double frontage lots. The 25-foot-wide parcel provided must be landscaped to provide a buffer between the street and the lot(s).

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A, as no double frontage lots are proposed. The Commission found this standard has been met.</th>
</tr>
</thead>
</table>

C. No unbuildable lots shall be platted. Platted areas that are not buildable shall be noted as such and designated as “parcels” on the plat. Green Space shall be clearly designated as such on the plat.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>Parcel A is shown on the Preliminary Plat as Future Clubhouse and Pool. The Commission recommended that the private drives be platted as unbuildable parcels. Please refer to Section 16.04.020 L.3 for further details.</th>
</tr>
</thead>
</table>

D. A single flag lot may be permitted at the sole discretion of the Hearing Examiner or Commission and Council, in which the “flagpole” projection is serving as a driveway as provided herein, providing connection to and frontage on a public or a private street. Once established, a flag lot may not be further subdivided, but a lot line adjustment of a flag lot is not considered a further subdivision. The “flagpole” portion of the lot shall be included in lot area but shall not be considered in determining minimum lot width. The “flagpole” shall be of adequate width to accommodate a driveway as required by this ordinance, fire and other applicable codes. Flag lots within the Townsite Overlay District are not allowed, except where parcels do not have street access, such as parcels adjacent to the ITD right-of-way.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A, as no flag lots are proposed. The Commission found this standard has been met.</th>
</tr>
</thead>
</table>

E. All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Sections 4.1.11.1 and 4.5.4 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>Ten (10) of the sublots will have frontage on either Countryside Boulevard or Shenandoah Drive. The remaining four (4) sublots will have frontage on the existing bike path/western property line. The Commission found this standard has been met.</th>
</tr>
</thead>
</table>

F. In the Townsite Overlay District, original Townsite lots shall be subdivided such that the new platted lots are oriented the same as the original lots, i.e., lots shall be subdivided in such a way as to maintain frontage on both the street and alley. Exceptions may be made for corner properties with historic structures.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A, as this project is not located within the Townsite Overlay (TO) Zone District. The Commission found this standard has been met.</th>
</tr>
</thead>
</table>

### 16.04.070: Orderly Development

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<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tr>
<td>☒</td>
<td>Phasing Required: Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.</td>
</tr>
</tbody>
</table>

| Staff Comments | A Phasing Plan and Agreement were developed during the P.U.D. process. Per the Second Amendment to the P.U.D. Agreement, dated December 27, 2010:  
- 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.  

No other revisions, specific to this project, were made in the subsequent amendments to the original P.U.D. Agreement. |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
The Commission found this standard has been met.

B. Agreement: Developers requesting phased subdivisions shall enter into a phasing agreement with the City. Any phasing agreement shall be approved and executed by the Council and the Developer on or before the preliminary plat approval by the Council.

<table>
<thead>
<tr>
<th>Staff Comments</th>
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<tr>
<td>A Phasing Plan and Agreement were developed during the P.U.D. process. Per the Second Amendment to the P.U.D. Agreement, dated December 27, 2010:</td>
</tr>
<tr>
<td>- 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.</td>
</tr>
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</table>

No other revisions, specific to this project, were made in the subsequent amendments to the original P.U.D. Agreement.

C. Mitigation of Negative Effects: No subdivision shall be approved which affects the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional public costs upon current residents, unless the Developer provides for the mitigation of the effects of subdivision. Such mitigation may include, but is not limited to the following:

| a) Provision of on-site or off-site street or intersection improvements. |
| b) Provision of other off-site improvements. |
| c) Dedication and/or public improvements on property frontages. |
| d) Dedication or provision of parks or green space. |
| e) Provision of public service facilities. |
| f) Construction of flood control canals or devices. |
| g) Provisions for ongoing maintenance. |

D. When the developer of contiguous parcels proposes to subdivide any portion of the contiguous parcels, an area development plan shall be submitted and approved. The Commission and Council shall evaluate the following basic site criteria and make appropriate findings of fact:

1. Streets, whether public or private, shall provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic.
2. Non-vehicular circulation routes shall provide safe pedestrian and bicycle ways and provide an interconnected system to streets, parks and green space, public lands, or other destinations.
3. Water main lines and sewer main lines shall be designed in the most effective layout feasible.
4. Other utilities including power, telephone, cable, and gas shall be designed in the most effective layout feasible.
5. Park land shall be most appropriately located on the Contiguous Parcels.
6. Grading and drainage shall be appropriate to the Contiguous Parcels.
7. Development shall avoid easements and hazardous or sensitive natural resource areas.

The commission and council may require that any or all contiguous parcels be included in the subdivision.

<table>
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<th>Staff Comments</th>
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<td>N/A</td>
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## 16.04.080: Perimeter Walls, Gates and Berms

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<tr>
<th>Compliant</th>
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| ☒ ☐ ☒ | 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 3' higher than the previously existing (original) grade.  

**Staff Comments** N/A, as no perimeter walls, gates, landscape berms or retaining walls are proposed. The Commission found this standard has been met. |

## 16.04.090: Cuts, Fills, Grading and Drainage

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<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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| ☒ ☐ ☐ | Plans Required: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts; fills, alterations of topography, streams, drainage channels; and disruption of soils or vegetation. Fill within the floodplain shall comply with the requirements of the Flood Hazard Overlay District of the Zoning Ordinance.  

**Staff Comments** The site is relatively flat and free of vegetation. A Flood Hazard Development Permit for Phase I of Block 2 was approved on February 26, 2020. The Commission found this standard has been met. |

| ☒ ☐ ☒ | A preliminary soil report prepared by a qualified engineer may be required by the Hearing Examiner or Commission and/or Council as part of the preliminary plat application.  

**Staff Comments** N/A, as the City Engineer has not required a Soils Report from the Applicant. A Soils Report, prepared by Butler and Associates, was submitted in 2006, and is available for review, if so desired. The Commission found this standard has been met. |

| ☒ ☐ ☐ | A preliminary grading plan prepared by a civil engineer may be required by the Hearing Examiner or Commission and/or the Council as part of the preliminary plat application, to contain the following information:  
- Proposed contours at a maximum of two (2) foot contour intervals;  
- Cut and fill banks in pad elevations;  
- Drainage patterns;  
- Areas where trees and/or natural vegetation will be preserved;  
- Location of all street and utility improvements including driveways to building envelopes; and  
- Any other information which may reasonably be required by the Administrator, Hearing Examiner, Commission and/or Council.  

**Staff Comments** A Grading Plan has been submitted and is under review by the City Engineer. The Commission found this standard has been met. |

| ☒ ☐ ☐ | Design Standards: The proposed subdivision shall conform to the following design standards:  
- Grading shall be designed to blend with natural land forms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.  

**Staff Comments** Very little grading will be necessary as the site is relatively flat. That said, a Grading Plan has been submitted and will be reviewed and approved by the City Engineer prior to issuance of a Building Permit. |
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<td><strong>B. 2.</strong></td>
<td>Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for Green Space for the benefit of future property owners within the subdivision.</td>
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<tr>
<td><strong>Staff Comments</strong></td>
<td>N/A</td>
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<td><strong>B. 3.</strong></td>
<td>Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the Developer for Revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction, including temporary irrigation for a sufficient period to establish perennial vegetation. Until such time as the vegetation has been installed and established, the Developer shall maintain and protect all disturbed surfaces from erosion.</td>
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<td><strong>Staff Comments</strong></td>
<td>Erosion control and re-vegetation shall be included in final design.</td>
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| **B. 4.** | Where cuts, fills or other excavation are necessary, the following development standards shall apply:  
  a) Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability.  
  b) Fill for structures or roads shall be compacted to at least 95 percent of maximum density as determined by American Association State Highway Transportation Officials (AASHTO) and American Society of Testing & Materials (ASTM).  
  c) Cut slopes shall be no steeper than two horizontals to one vertical. Subsurface drainage shall be provided as necessary for stability.  
  d) Fill slopes shall be no steeper than three horizontals to one vertical. Neither cut nor fill slopes shall be located on natural slopes of three to one or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of existing or planned cut slope.  
  e) Tops and toes of cut and fill slopes shall be set back from structures and property lines as necessary to accommodate drainage features and drainage structures. |   |   |   |
| **Staff Comments** | Proposed grading and drainage appear to be adequate for the site, but shall meet the approval of the City Engineer.  
  A Flood Hazard Development Permit Application has been submitted and was approved by the City’s Floodplain Manager on February 26, 2020. |   |   |   |
|   |   |   |   |   |
| ☒ | ☐ | ☐ |   |   |
| **B. 5.** | The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain the runoff upon the property in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by planning staff and shall meet the approval of the City engineer. Developer shall provide a copy of EPA’s “NPDES General Permit for Storm-water Discharge from Construction Activity” for all construction activity affecting more than one acre. |   |   |   |
| **Staff Comments** | 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. These items were discussed during Design Review (Findings of Fact dated December 16, 2019 and September 7, 2021) and were made Conditions of Approval of the Design Review approvals. The Drainage |   |   |   |
Plan will be further reviewed and approved by the City Engineer prior to issuance of a Building Permit.

Permits shall be obtained for installation of all drywells. This has been made a Condition of Approval.

The Commission found this standard has been met.

### 16.04.100: Overlay Districts

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<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tbody>
<tr>
<td>City Code</td>
<td>City Standards and Staff Comments</td>
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</tbody>
</table>

#### A. Flood Hazard Overlay District:

1. Subdivisions or portions of subdivision located within the Flood Hazard Overlay District shall comply with all provisions of Section 4.10 of the Zoning Ordinance.

   **Staff Comments:** A standard plat note has been added notifying future buyers that portions of the property are within the Flood Hazard Overlay District.

   Pursuant to Section 16.04.100 of the Hailey Municipal Code, a Flood Hazard Development Permit Application shall accompany the Preliminary Plat Application for Commissioner review. The Flood Hazard Development Permit Application has been submitted and approved by the City’s Floodplain Manager on February 26, 2020, and approved by the Commission in 2020.

   The Commission found this standard has been met.

2. Subdivisions located partially in the Flood Hazard Overlay District shall have designated building envelopes outside the Flood Hazard Overlay District to the extent possible.

   **Staff Comments:** To the extent possible, most of the proposed building envelopes are located outside of the Floodplain and Flood Hazard Overlay District.

   A Flood Hazard Development Permit Application has been submitted and was approved by the City’s Floodplain Manager on February 26, 2020.

   The Commission found this standard has been met.

3. Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.

   **Staff Comments:** N/A, as the proposed subdivision is not located adjacent to the Big Wood River or its tributaries. The Commission found this standard has been met.

#### B. Hillside Overlay District:

1. Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 4.14 of the Zoning Ordinance.

   **Staff Comments:** N/A, as the proposed subdivision is not located within the Hillside Overlay District. The Commission found this standard has been met.

2. Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.

   **Staff Comments:** N/A, as the proposed subdivision is not located within the Hillside Overlay District. The Commission found this standard has been met.

3. All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.

   **Staff Comments:** The Developer shall obtain a Site Alteration Permit prior to any development occurring. This has been made a Condition of Approval.
<table>
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<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>16.04.110: Parks, Pathways and Other Green Spaces</td>
</tr>
<tr>
<td></td>
<td>The Commission found this standard has been met.</td>
</tr>
<tr>
<td>A.</td>
<td>Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.</td>
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<tr>
<td></td>
<td>A 1.6-acre (69,696 square feet) park/open space is existing. Said space is open to the public and is maintained by the Sweetwater Homeowner’s Association.</td>
</tr>
<tr>
<td></td>
<td>The Commission found this standard has been met.</td>
</tr>
<tr>
<td>A. 1.</td>
<td>Parks:</td>
</tr>
<tr>
<td></td>
<td>The developer of any subdivision, or any part thereof, consisting of three (3) or more residential lots, including residential townhouse sub-lots and residential condominium units, without regard to the number of phases within the subdivision, shall set aside or acquire land area within, adjacent to or in the general vicinity of the subdivision for Parks. Parks shall be developed within the City of Hailey and set aside in accordance with the following formula:</td>
</tr>
<tr>
<td></td>
<td>P = x multiplied by .0277</td>
</tr>
<tr>
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<td>“P” is the Parks contribution in acres</td>
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<tr>
<td></td>
<td>“x” is the number of single-family lots, residential townhouse sub-lots or residential condominium units contained within the plat. Where multi-family lots are being platted with no fixed number of units, “x” is maximum number of residential lots, sub-lots, and units possible within the subdivision based on current zoning regulations.</td>
</tr>
<tr>
<td></td>
<td>N/A, as Park/Open Space is existing and was developed accordingly:</td>
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<tr>
<td></td>
<td>The prior rezone of the subject property, effective May 5, 2005, was pursuant to a Development Agreement that identified the park contribution the owner, or any subsequent owners, would be required to make upon development of the parcel. The required contribution was [a] creation of park space four-tenths (.4) of an acre in size, to be provided for the residents residing in the development, which “shall be developed as undedicated park space in conformity with Section 4.10 or 16.04.110 of the Hailey Subdivision Ordinance pertaining to park standards”, and [b] a payment to the City of $390,000 as an in-lieu parks contribution for 1.2 acres.</td>
</tr>
<tr>
<td></td>
<td>A 1.6-acre Park/Open Space was constructed to benefit the residents of the development. Per the Development Agreement dated April 25, 2005, any foregoing payments and designated improvements shall be deemed final and conclusive as to the park land improvements for the development of the property. No additional park land improvements will be required by the City, other than as set forth in the Development Agreement, or agreed to, in writing.</td>
</tr>
<tr>
<td></td>
<td>No revisions to this provision were made in subsequent amendments. That said, the Applicant Team is proposing to add additional open space to Block 2, as shown in the image below.</td>
</tr>
</tbody>
</table>
### A.1.b

In the event the subdivision is located in the Business (B), Limited Business (LB), Neighborhood Business (NB), or Transitional (TN) zoning districts, the area required for a park shall be reduced by 75%, but in no event shall the area required for a Park/Cultural Space exceed 17.5% of the area of the lot(s) being developed.

**Staff Comments**

The subdivision is located in the Limited Business (LB) Zoning District. Please see Section 16.04.110 for further details.

The Commission found this standard has been met.

### A.2.

Pathways: The developer of any subdivision, or any part thereof, shall provide pathways for all trails and paths identified in the master plan that are located on the property to be subdivided or on City property adjacent to the property to be subdivided, and sidewalks required by this ordinance.

**Staff Comments**

A new five (5') foot-wide sidewalk is proposed along the perimeter of the proposed project. This sidewalk will run parallel to Countryside before curving to the north and running parallel with Shenandoah Drive. An interior sidewalk, also five feet (5') in width, will run perpendicular and to the north of Parcel A, where the proposed clubhouse and pool will be located. This sidewalk will connect to existing pathways found near and around the park space and amenity building.

Pedestrian connections are also shown along the western property line and around the amenity building.

The Commission found this standard has been met.

### B.

Multiple Ownership: Where a parcel of land is owned or otherwise controlled, in any manner, directly or indirectly:

- a) By the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or
- b) By different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where:
  - such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies), or
  - the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies),
  - multiple subdivisions of the parcel that cumulatively result in three (3) or more residential lots, townhouse sub-lots or condominium units, are subject to the provisions of this ordinance, and shall provide the required improvements subject to the required standards at or before the platting or development of the lots, sub-lots or units.
- d) Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of Section 4.10 of this ordinance.
<table>
<thead>
<tr>
<th>C.</th>
<th>Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of Section 4.10 of this ordinance. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff Comments</strong></td>
<td>N/A, as this application is part of an earlier P.U.D. Development Agreement. Park/Open Space was addressed at that time and is existing. No additional Park/Open Space is required at this time; however, the Applicant Team is proposing to add additional open space to Block 2, as shown in the image in Section 16.04.110 A. The Commission found this standard has been met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>D.</th>
<th>Minimum Requirements:</th>
</tr>
</thead>
<tbody>
<tr>
<td>D. 1.</td>
<td>Private Green Space: Use and maintenance of any privately-owned green space shall be controlled by recorded covenants or restrictions which run with the land in favor of the future owners of the property within the tract and which cannot be modified without the consent of the council.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>Please refer to Section 16.04.110(A.1.a) for further information.</td>
</tr>
<tr>
<td>The Commission found this standard has been met.</td>
<td></td>
</tr>
</tbody>
</table>

| D. 2. | Neighborhood Park: A neighborhood park shall include finished grading and ground cover, large grassy areas, trees and shrubs, sheltered picnic table(s), trash container(s), dog station(s), bike racks, park bench(es), parking as required by ordinance, and two or more of the following: play structure, restrooms, an athletic field, trails, hard surface multiple use court (tennis or basketball courts), or gardens that demonstrate conservation principles. Neighborhood Parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used. Landscaping and irrigation shall integrate water conservation. A neighborhood park shall be deeded to the City upon completion, unless otherwise agreed upon by the developer and City. |
| **Staff Comments** | N/A |

| D. 3. | Mini Park: A mini park shall include finished grading and ground cover, trees and shrubs, picnic table(s), trash container(s), dog station(s), bike racks and park bench(es). All mini parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used. Landscaping and irrigation shall integrate water conservation. |
| **Staff Comments** | N/A |

| D. 4. | Park/Cultural Space: A park/cultural space shall include benches, planters, trees, public art, water features and other elements that would create a gathering place. Connective elements, such as parkways or enhanced sidewalks may also qualify where such elements connect two or more parks or park/cultural spaces. |
| **Staff Comments** | N/A |

| D. 5. | Pathway: Pathways shall have a minimum twenty-foot (20') right-of-way width and shall be paved or improved as recommended by the Parks and Lands Board. Construction of Pathways shall be undertaken at the same time as other public improvements are installed within the development, unless the Council otherwise allows when deemed beneficial for the project. The Developer shall be entitled to receive a Park dedication credit only if the Developer completes and constructs a |
Pathway identified in the Master Plan or completes and constructs a Pathway not identified in the Master Plan where the Pathway connects to existing or proposed trails identified in the Master Plan. The city may permit easements to be granted by Developers for Pathways identified in the Master Plan, thereby allowing the Developer to include the land area in the determination of setbacks and building density on the site, but in such cases, a Park dedication credit will not be given. A Developer is entitled to receive a credit against any area required for a park for every square foot of qualified dedicated Pathway right-of-way.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>Please refer to Section 16.04.110(A)1 for further details.</th>
</tr>
</thead>
</table>

The Commission found this standard has been met.

E. Specific Park Standards: All Parks shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>Please refer to Section 16.04.110(A.1.a) for further information.</th>
</tr>
</thead>
</table>

The Commission found this standard has been met.

- E. 1. Shall meet the minimum applicable requirements required by Subsection D of this section.
- E. 2. Shall provide safe and convenient access, including ADA standards.
- E. 3. Shall not be gated so as to restrict access and shall not be configured in such a manner that will create a perception of intruding on private space. If a Park is privately owned and maintained, the use of the park shall not be exclusive to the homeowners, residents or employees of the development.
- E. 4. Shall be configured in size, shape, topography and improvements to be functional for the intended users. To be eligible for Park dedication, the land must, at a minimum, be located on slopes less than 25 degrees, and outside of drain ways, floodways and wetland areas. Mini Parks shall not be occupied by non-recreational buildings and shall be available for the use of all the residents or employees of the proposed subdivision.
- E. 5. Shall not create undue negative impact on adjacent properties and shall be buffered from conflicting land uses.
- E. 6. Shall require low maintenance or provide for maintenance or maintenance endowment.

F. Specific Pathway Standards: All Pathways shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>Please refer to Section 16.04.110(A.1.a) for further information.</th>
</tr>
</thead>
</table>

The Commission found this standard has been met.

- F. 1. Shall meet the minimum applicable requirements required by Subsection D of this section.
<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>F. 2.</th>
<th>Shall be connected in a useful manner to other Parks, Pathways, Green Space and recreation and community assets.</th>
<th>Please refer to Section 16.04.110(A.1.a) for further information.</th>
<th>The Commission found this standard has been met.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Comments</td>
<td>G. 1.</td>
<td>Shall meet the minimum applicable requirements required by section 4.10.04 of this section.</td>
<td>Please refer to Section 16.04.110 for further detail.</td>
<td>The Commission found this standard has been met.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>G. 2.</td>
<td>Public and private green spaces on the same property or adjacent properties shall be complementary to one another. Green space within proposed developments shall be designed to be contiguous and interconnecting with any adjacent Green Space (both existing and potential future space).</td>
<td>N/A, as public and private green spaces on the same property or adjacent properties are not proposed and/or existing.</td>
<td></td>
</tr>
<tr>
<td>Staff Comments</td>
<td>G. 3.</td>
<td>The use of the private green space shall be restricted to Parks, Pathways, trails or other recreational purposes, unless otherwise allowed by the City.</td>
<td>The standard has been met as part of the original and subsequent amendments to the P.U.D. Development Agreement dated January 10, 2005.</td>
<td>The Commission found this standard has been met.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>G. 4.</td>
<td>The private ownership and maintenance of green space shall be adequately provided for by written agreement.</td>
<td>Maintenance of the Park/Open Space is currently managed and funded by the Sweetwater Homeowner’s Association. This standard has been met.</td>
<td>The Commission found this standard has been met.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>H. 1.</td>
<td>After receiving a recommendation by the Parks and Lands Board, the Council may at their discretion approve and accept voluntary cash contributions in lieu of Park land dedication and Park improvements.</td>
<td>N/A, as Park/Open Space is existing and was developed accordingly: The prior rezone of the subject property, effective May 5, 2005, was pursuant to a Development Agreement that identified the park contribution the owner, or any subsequent owners, would be required to make upon development of the parcel. The required contribution was [a] creation of park space four-tenths (.4) of an acre in size, to be provided for the residents residing in the development, which “shall be developed as undedicated park space in conformity with Section 4.10 or 16.04.110 of the Hailey Subdivision Ordinance pertaining to park standards”, and [b] a payment to the City of $390,000 as an in-lieu parks contribution for 1.2 acres.</td>
<td></td>
</tr>
</tbody>
</table>

---

### In-Lieu Contributions:

- **H. 1.** After receiving a recommendation by the Parks and Lands Board, the Council may at their discretion approve and accept voluntary cash contributions in lieu of Park land dedication and Park improvements.

**Staff Comments:**

- N/A, as Park/Open Space is existing and was developed accordingly: The prior rezone of the subject property, effective May 5, 2005, was pursuant to a Development Agreement that identified the park contribution the owner, or any subsequent owners, would be required to make upon development of the parcel. The required contribution was [a] creation of park space four-tenths (.4) of an acre in size, to be provided for the residents residing in the development, which “shall be developed as undedicated park space in conformity with Section 4.10 or 16.04.110 of the Hailey Subdivision Ordinance pertaining to park standards”, and [b] a payment to the City of $390,000 as an in-lieu parks contribution for 1.2 acres.
A 1.6-acre Park/Open Space was constructed to benefit the residents of the development. Per the Development Agreement dated April 25, 2005, any foregoing payments and designated improvements shall be deemed final and conclusive as to the park land improvements for the development of the property. No additional park land improvements will be required by the City, other than as set forth in the Development Agreement, or agreed to, in writing.

No revisions to this provision were made in subsequent amendments. That said, the Applicant Team is proposing to add additional open space to Block 2, as shown in the image in Section 16.04.110 A.

The Commission found this standard has been met.

H. 2. The voluntary cash contributions in lieu of Park land shall be equivalent to the area of land (e.g., square footage) required to be dedicated under this ordinance multiplied by the fair market value of the land (e.g., $/square foot) in the development at the time of preliminary plat approval by the Council. The City shall identify the location of the property to be appraised, using the standards in Sections 4.10.5.4 and 4.10.5.5 of these ordinances. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant.

Staff Comments

Please reference Section 16.04.110 for further detail.

The Commission found this standard has been met.

H. 3. Except as otherwise provided, the voluntary cash contribution in lieu of Park land shall also include the cost for Park improvements, including all costs of acquisition, construction and all related costs. The cost for such improvements shall be based upon the estimated costs provided by a qualified contractor and/or vendor. In the Business (B), Limited Business (LB), Neighborhood Business (NB) and Transitional (TN) zoning districts, in-lieu contributions will not include the cost for Park improvements.

Staff Comments

Please reference Section 16.04.110 for further detail.

The Commission found this standard has been met.

H. 4. In-lieu contributions must be segregated by the city and not used for any other purpose other than the acquisition of Park land and/or Park improvements, which may include upgrades and replacement of Park improvements. Such funds should be used, whenever feasible or practicable, on improvements within walking distance of the residents of the subdivision.

Staff Comments

Please reference Section 16.04.110 for further detail.

The Commission found this standard has been met.

16.05: Improvements Required:

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Minimum Improvements Required: It shall be a requirement of the Developer to construct the minimum infrastructure improvements set forth herein and any required infrastructure improvements for the subdivision, all to City Standards and procedures, set forth in Title 18 of the Hailey Municipal Code and adopted by ordinance in accordance with the notice and hearing procedures provided in Idaho Code §67-6509. Alternatives to the minimum improvement standards may be recommended for approval by the City Engineer and approved by the City Council at its sole discretion only upon showing that the alternative is clearly superior in design and effectiveness and will promote the public health, safety and general welfare.</td>
</tr>
</tbody>
</table>
| Staff Comments | The Applicant intends to construct all necessary infrastructure, if the project is approved.  
| The Commission found this standard has been met. |

- **A.** Plans Filed, maintained: Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer’s written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.

| Staff Comments | This standard will be met.  
| The Commission found this standard has been met. |

- **B.** Preconstruction Meeting: Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.

| Staff Comments | This standard will be met.  
| The Commission found this standard has been met. |

- **C.** Term of Guarantee of Improvements: The developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the City engineer, except that park shall be guaranteed and maintained by the developer for a period of two years.

| Staff Comments | This standard will be met.  
| The Commission found this standard has been met. |

### 16.05.020: Streets, Sidewalks, Lighting, Landscaping

- **16.05.020** Streets, Sidewalks, Lighting, Landscaping: The developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the City engineer as shown upon approved plans and profiles. The developer shall pave all streets and alleys with an asphalt plant-mix and shall chip-seal streets and alleys within one year of construction.

| Staff Comments | Staff has no concerns or issues with the proposed streets, sidewalks, lighting and landscaping at this time. These items were discussed at great length during the Design Review hearings (Findings of Fact dated December 16, 2019 and September 7, 2021) and were made Conditions of Approval of the Design Review Applications. A final review and approval will be conducted prior to issuance of a Building Permit.  
| The Commission found this standard has been met. |

- **A.** Street Cuts: Street cuts made for the installation of services under any existing improved public street shall be repaired in a manner which shall satisfy the Street Superintendent, shall have been approved by the Hailey City Engineer or his authorized representative, and shall meet City Standards. Repair may include patching, skim coats of asphalt or, if the total area of asphalt removed exceeds 25% of the street area, the complete removal and replacement of all paving adjacent to the development. Street cut repairs shall also be guaranteed for no less than one year. (Ord. 1191, 2015)
### Staff Comments

Any and all street cuts for the installation of the water and sewer mains shall be per this standard.

Connection details to the existing water system shall be approved by the Wastewater Division prior to construction. Street cuts shall be approved by the Streets Division prior to construction. All infrastructure will be approved by the city prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures.

The Commission found this standard has been met.

| ☒ | ☐ | ☐ | B. Signage: Street name signs and traffic control signs shall be erected by the Developer in accordance with City Standard, and the street name signs and traffic control signs shall thereafter be maintained by the City. |
| ☒ | ☐ | ☐ | Staff Comments A Street Signage and Stripping Plan has been submitted. Any new signage shall be installed per City Standards, which a final review and approval of will be conducted prior to issuance of a Building Permit. |
| ☒ | ☐ | ☐ | C. Streetlights: Street lights in the Recreational Green Belt, Limited Residential, General Residential, and Transitional zoning districts are not required improvements. Where proposed, street lighting in all zoning districts shall meet all requirements of Chapter VIIIB of the Hailey Zoning Ordinance. |
| ☒ | ☐ | ☐ | Staff Comments There are three (3) street lights proposed within the public right-of-way for Block 2 (Phase I). This street lights will be maintained by the Sweetwater Homeowner’s Association and all infrastructure will be approved by the city prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures. |

### 16.05.030: Sewer Connections

| ☒ | ☐ | ☐ | 16.05.030 | Sewer Connections: The developer shall construct a municipal sanitary sewer connection for each and every developable lot within the development. The developer shall provide sewer mains of adequate size and configuration in accordance with City standards, and all federal, state, and local regulations. Such mains shall provide wastewater flow throughout the development. All sewer plans shall be submitted to the City engineer for review and approval. At the City engineer’s discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments. |
| ☒ | ☐ | ☐ | Staff Comments Staff has no concerns or issues with the proposed sewer connections at this time. Wastewater connections were reviewed during Design Review (Findings of Fact dated December 16, 2019 and September 7, 2021) and any concerns were addressed or were added as Conditions of Approval. A final review and approval will be conducted prior to issuance of a Building Permit. |

### 16.05.040: Water Connections

| ☒ | ☐ | ☐ | A. Requirements: The developer shall construct a municipal potable water connection, water meter and water meter vault in accordance with City Standards or other equipment as may be approved by the City engineer, for each and every developable lot within the development. The developer shall provide water mains and services of adequate size and configuration in accordance with City Standards, and all federal, |
state, and local regulations. Such water connection shall provide all necessary appurtenances for fire protection, including fire hydrants, which shall be located in accordance with the IFC and under the approval of the Hailey Fire Chief. All water plans shall be submitted to the City engineer for review and approval. At the City Engineer’s discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff has no concerns or issues with the proposed water connections at this time. Water connections were reviewed during Design Review (Findings of Fact dated December 16, 2019 and September 7, 2021) and any concerns were addressed or were added as Conditions of Approval. A final review and approval will be conducted prior to issuance of a Building Permit.</td>
<td></td>
</tr>
<tr>
<td>The Commission found this standard has been met.</td>
<td></td>
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</tbody>
</table>

B. Townsite Overlay: Within the Townsite Overlay District, 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.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A, as this project is not within the Townsite Overlay (TO) District. The Commission found this standard has been met.</td>
<td></td>
</tr>
</tbody>
</table>

### 16.05.050: Drainage

- **16.05.050** Drainage: The developer shall provide drainage areas of adequate size and number to meet the approval of the street superintendent and the City engineer or his authorized representative. (Ord. 1191, 2015)

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage appears to be adequate for the site, but will be reviewed by City Staff and shall meet the approval of the City Engineer, prior to issuance of a Building Permit.</td>
<td></td>
</tr>
<tr>
<td>The Commission found this standard has been met.</td>
<td></td>
</tr>
</tbody>
</table>

### 16.05.060: Utilities

- **16.05.060** Utilities: The developer shall construct each and every individual service connection and all necessary trunk lines, and/or conduits for those improvements, for natural gas, electricity, telephone, and cable television to the property line before placing base gravel for the street or alley.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>All utilities are shown to be installed underground. A 26’-wide Public Utility Easement beneath the private alleys, Heartland Way, Hopper Way and Hayloft Way, have been dedicated for this purpose.</td>
<td></td>
</tr>
<tr>
<td>The Commission found this standard has been met.</td>
<td></td>
</tr>
</tbody>
</table>

### 16.05.070: Parks, Green Space

- **16.05.070** Parks, Green Space: The developer shall improve all parks and green space areas as presented to and approved by the hearing examiner or commission and council.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>See Section 16.04.110 for further detail.</td>
<td></td>
</tr>
<tr>
<td>The Commission found this standard has been met.</td>
<td></td>
</tr>
</tbody>
</table>

### 16.05.080: Installation to Specifications; Inspections

- **16.05.080** Installation to Specifications; Inspections: All improvements are to be installed under the specifications and inspection of the city engineer or his authorized representative. The minimum construction requirements shall meet City Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent.
An inspection schedule will be established for any/all components at final design. All infrastructure must meet City of Hailey specifications and will be further evaluated in greater detail at final design. The inspection process of the proposed public improvements shall include materials testing to ensure the compliance with City of Hailey code.

The city will need to select an inspector, to be paid for by the Applicant, for all water, sewer, and roadway infrastructure during construction.

The Commission found this standard has been met.

16.05.090: Completion; Inspections; Acceptance

A. Installation of all infrastructure improvements must be completed by the developer and inspected and accepted by the City prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the developer and/or contractor and conducted with the developer and/or contractor, the City engineer, and appropriate City departments to determine a punch list of items for final acceptance.

Staff Comments

This standard shall be met.

The Commission found this standard has been met.

B. The developer may, in lieu of actual construction, provide to the City security pursuant to Section 3.3.7, for all infrastructure improvements to be completed by developer after the final plat has been signed by City representatives. (Ord. 1191, 2015)

Staff Comments

N/A, as the completion of all major infrastructure by the Developer is preferred over bonding.

16.05.100: As Built Plans and Specifications

16.05.100 As Built Plans and Specifications: Prior to the acceptance by the City of any improvements installed by the developer, three (3) sets of “as-built plans and specifications” certified by the developer’s engineer shall be filed with the City engineer. (Ord. 1191, 2015)

Staff Comments

As built drawings will be required. This standard will be met.

The Commission found this standard has been met.

16.08: Townhouses:

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>City Standards and Staff Comments</td>
</tr>
<tr>
<td>No</td>
<td>16.08.010 Plat Procedure: The developer of the townhouse development shall submit with the preliminary plat application and all other information required herein a copy of the proposed party wall agreement and the proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control (including billing, where applicable) and maintenance of all common utilities, commonly held facilities, garages, parking and/or green spaces. Prior to final plat approval, the developer shall submit to the city a final copy of the party wall agreement and any other such documents and shall record the documents prior to or at the same time of the recordation of the plat, which plat shall reflect the recording instrument numbers thereupon. (Ord. 1191, 2015)</td>
</tr>
<tr>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Staff Comments</td>
<td>This standard shall be met.</td>
</tr>
<tr>
<td>Section Number</td>
<td>Description</td>
</tr>
<tr>
<td>----------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>16.08.020</td>
<td>Garages: All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is appurtenant to specific townhouse units on the townhouse plat and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development. (Ord. 1191, 2015)</td>
</tr>
<tr>
<td>16.08.030</td>
<td>Storage, Parking Areas: Residential townhouse developments shall provide parking spaces according to the requirements of title 17, chapter 17.09 of this code. (Ord. 1191, 2015)</td>
</tr>
<tr>
<td>16.08.040</td>
<td>Construction Standards: All townhouse development construction shall be in accordance with the IBC, IRC and IFC. Each townhouse unit must have separate water, sewer and utility services, which do not pass through another building or unit. (Ord. 1191, 2015)</td>
</tr>
<tr>
<td>16.08.050</td>
<td>General Applicability: All other provisions of this title and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse developments. (Ord. 1191, 2015)</td>
</tr>
</tbody>
</table>
### 16.08.060 Expiration

Expiration: Townhouse developments which have received final plat approval shall have a period of three (3) calendar years from the date of final plat approval by the council to obtain a building permit. Developments which have not received a building permit shall be null and void and the plats associated therewith shall be vacated by the council. If a development is to be phased, construction of the second and succeeding phases shall be contingent upon completion of the preceding phase unless the requirement is waived by the council. Further, if construction on any townhouse development or phase of any development ceases or is not diligently pursued for a period of three (3) years without the prior consent of the council, that portion of the plat pertinent to the undeveloped portion of the development shall be vacated. (Ord. 1191, 2015)

**Staff Comments**

This standard will be met.

### 16.08.070 Conversion

Conversion: The conversion by subdivision of existing units into townhouses shall not be subject to section 16.04.110 of this title. (Ord. 1191, 2015)

**Staff Comments**

N/A

### 16.08.080 Density

Density: The maximum number of cottage townhouse units on any parcel shall be twelve (12), and not more than two (2) cottage townhouse developments shall be constructed adjacent to each other. (Ord. 1191, 2015)

**Staff Comments**

The proposed parcel is zoned Limited Business (LB), which allows for twenty (20) units per one (1) acre. Overall, the proposed parcel is 6.50 acres in size. The original P.U.D Development Agreement, dated August 14, 2006, granted a waiver, which allowed the townhouse sublot density to increase from 12 sublots per acre, to 24 sublots per acre. The Applicant is proposing a total of twelve (12) sublots in Phase I of the development, which is approximately 1.25 acres in size. This provision allows the Applicant to construct a total of approximately 30 sublots in Phase I; however, the Applicant has chosen to construct a total of 12 sublots, or 18 sublots less than what is currently allowed, pursuant the Planned Unit Development Agreement.

The Commission found this standard has been met.

### 16.11.010 Exceptions

Exceptions: Whenever the tract to be subdivided is, in the shape or size, or is surrounded by such development or unusual conditions that the strict application of the requirements contained herein would result in real difficulties and substantial hardships or injustices, the council may vary or modify such requirements by making findings for their decision so that the developer is allowed to develop his property in a reasonable manner, while ensuring that the public welfare and interests of the city and surrounding area are protected and the general intent and spirit of this title are preserved. As used in this section, the phrase “real difficulties and substantial hardships or injustices” shall apply only to situations where strict application of the requirements of this title will deny to the developer the reasonable and beneficial use of the property in question, and not in situations where the developer establishes only those exceptions will allow more financially feasible or profitable subdivision. (Ord. 1191, 2015).

**Staff Comments**

N/A

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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 recommendations:
1. Adequate notice, pursuant to Title 16, Section 16.03.010, of the Hailey Municipal Code, was given for the public hearing.
2. Upon compliance with the conditions noted below, the Application substantially meets the standards of approval set forth in the Hailey Municipal Code.
The Preliminary Plat Application for Kilgore Properties, LLC, represented by Matt Watson, to be located at Block 2, Sweetwater P.U.D. Subdivision, City of Hailey, Blaine County, Idaho, meets the standards of approval set forth in the Hailey Municipal Code, and is recommended for approval by the Hailey Planning and Zoning Commission, subject to the following conditions, (a) through (i), and noted below:

a) All conditions of the Planned Unit Development approval shall be met.
b) All Fire Department and Building Department requirements shall be met.
c) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 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 City of Hailey 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:
   i. Permits shall be obtained for installation of all drywells.
   ii. The Applicant shall install metal collars for the meter vault lids on any and all meter vaults located in asphalt or concrete.
   iii. The Applicant shall submit an Erosion Control Plan.
   iv. Additional infrastructure improvements were addressed in Design Review (Findings of Fact dated December 16, 2019 and September 7, 2021) and have been made Conditions of Approval under the Design Review approvals.
d) Preliminary Plat approval is subject to the Flood Hazard Development Permit, approved on February 26, 2020. Any modifications to the approved permit may require additional floodplain review.
e) All improvements and all improvements within the public right-of-way 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.
f) 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.
g) Any subdivision inspection fees due shall be paid prior to recording the Final Plat.
h) The Applicant shall submit an Erosion Control Plan prior to Final Plat.
i) The private drives shall be noted as unbuildable on the plat.

Signed this _____ day of ________________, 2021.

__________________________________________
Janet Fugate, Planning & Zoning Commission Chair

Attest:

__________________________________________
Jessie Parker, Community Development Assistant
Return to Agenda
Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, August 16, 2021
In-Person and Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#

Present
Commission: Owen Scanlon, Janet Fugate, Dan Smith, Richard Pogue
Staff: Lisa Horowitz, Robyn Davis, Jessica Parker
Absent: Dustin Stone

5:30:01 PM Chair Fugate called to order.

5:30:12 PM Public Comment for items not on the agenda.

5:32:30 PM Mike Bradshaw, resident of Sweetwater, heard about how bad traffic was going to be due to traffic. Thought would tell City of Hailey appreciate being able to get through town so quickly.

5:33:24 PM Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Larry Green, represented by Errin Bliss of Bliss Architecture, for a new 16,535 square foot commercial building, to be located at 21 East McKercher Boulevard (Lot 1, Block 2, Northridge X Subdivision). The project will include retail and warehouse space, an outdoor space and storage space. The proposed project is located within the Business (B) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Zone Change Application by Joan A. Williams revocable Trust, represented by Galena Engineering for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed change includes amending 910 North Main Street (Hailey FR SESW TL 7589 SEC 4 2N 18E) from General Residential (GR) to Business (B). ACTION ITEM.

CA 3 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Kevin and Stefanie McMinn, represented by Owen Scanlon, for a 5,457 square foot orthodontist office (1,512 square foot unfinished basement, 2,312 square foot main floor office and 1,633 square foot second floor residence), located at Lot 2, Block 1, Taylor Subdivision (801 N 1st Avenue) within the Business (B) Zoning District. ACTION ITEM.

Previous Motion for McMinn, this needs to be motioned again as the last hearing did not have this listed as an Action Item.
5:33:25 PM Pogue motioned amend Condition N, to remain as originally proposed at satisfaction of Staff and 1 commissioner or total elimination of Condition N. Stone seconded. Stone, Smith, Pogue, Fugate in Favor. Scanlon recused.

5:33:29 PM Scanlon recused himself from consent agenda.

5:33:55 PM Pogue motioned to approve CA 1, 2 and 3. Smith seconded, with comment CA 3 is still under review. All in Favor.

Public Hearing
PH 1  5:34:41 PM Consideration of a Preliminary Plat Application by Emerald City, LLC, represented by Galena Engineering, where the existing building located on Lot4HA, Block 4, Airport West Subdivision Phase II (110 Gulf Stream Lane) is converted into a total of three (3) commercial condominiums. This project is located within the SCI Industrial (SCI-I) Zoning District. ACTION ITEM.

5:35:05 PM Davis turned floor to applicant team.

5:35:20 PM Sean Flynn, Galena Engineering, fairly straight forward condominium application. Flynn explained it is a 3-unit condominium for live work situation. Flynn explained property owner is wanting to convert to live work units. Flynn stated applicant team is ok with abandoning unused service.

5:38:13 PM Scanlon asked what the downside is in not designating commercial bays as garages. Davis explained staff felt did not need to designate as garage as they were not being used as a traditional garage. Staff felt leaving the space as a work space is appropriate. Scanlon asked if units are to be sold or rented. Robert Del Signore stated could be either. Staff and commission discussed benefits of leaving as a work space. Del Signore asked if designated as garage, would it prohibit future use as a shop space.

5:41:27 PM Smith asked if units currently have bathroom and kitchen facilities. Del Signore stated no, he is the only tenant currently. Smith confirmed it is his intent to develop these. Del Signore confirmed. Smith asked if there is AC installed upstairs. Del Signore confirmed and stated building is fully sprinklered.

5:42:25 PM Pogue asked if units would be for sale or lease. Del Signore confirmed. Pogue complimented project. Del Signore stated if successful will eventually do seven more units.

5:43:25 PM Chair Fugate asked what the minimum is for a residential unit. Davis confirmed would need to have a bathroom and kitchen area with a stove.

5:44:14 PM Pogue asked if has to go through PZ again. Staff confirmed if no exterior changes, would not need to come back to staff.

5:44:45 PM Chair Fugate opened public comment.

5:45:11 PM Chair Fugate closed public comment.
5:45:19 PM Scanlon thinks it makes sense, likes when someone comes in and says going to establish a building and provide the housing with it.

5:46:01 PM Smith thinks will be a good benefit of the community, thinks there is a fair demand for this.

5:46:32 PM Pogue thinks it is a definite benefit.

5:46:42 PM Chair Fugate agrees with comments said.

5:46:59 PM Scanlon motioned to approve the Preliminary Plat Application by Emerald City, LLC, represented by Galena Engineering, where an existing building on Lot 4HA, Block 4, Airport West Subdivision Phase II, (110 Gulf Stream Lane) is converted into a condominium plat/subdivision. The existing building would be converted into three (3) units, finding that the application meets all City Standards, and that Conditions (a) through (k) are met. Smith seconded. All in Favor.

5:47:52 PM Chair Fugate asked if going to have an HOA. Del Signore confirmed there will be an HOA and has submitted the CC&Rs.

PH 2  5:48:21 PM Consideration of a Design Review Application by Kilgore Properties, LLC, for construction of Sweetwater Condominiums (Phase I) to be located at Block 2, Sweetwater PUD Subdivision. Phase I includes five (5), ten-plex, three-story condominium buildings and one (1) amenity building, which includes a clubhouse and pool. The live/work units in Phase I will remain as approved. The total number of units proposed for Phase I is 57 units (50 residential units and seven live-work units). ACTION ITEM.

5:49:14 PM Davis provided a summary of project, stating discussing Block 2 Phase 1. Davis turned floor to Mike Bradshaw.

5:50:34 PM Bradshaw explained location change of amenity building, bringing it in more central along the trail way. Bradshaw stated in comparison to 2019 plan, this proposal has 14 more units. Bradshaw discussed improvements from 2006 & 2019 plan with the new proposed plan. Bradshaw stated attempted to mute the colors slightly, that open for suggestions but not opposed to make more muted earthy tone.

5:54:15 PM Chair Fugate asked about snow storage. Bradshaw confirmed meeting snow storage requirements, and that have tried to provide additional storage in additional parking.

5:56:30 PM Scanlon asked how they would access snow storage along bike path. Bradshaw explained access point and some areas could not use large equipment. Scanlon confirmed not using the bike path. Bradshaw confirmed.

5:57:43 PM Chair Fugate asked about existing working going on now. Bradshaw that is the Live Work units, and no changes have been proposed to those units.
5:58:49 PM Davis provided a table comparing numbers from 2006 approved project to tonight’s proposal. Davis provided the plan that was approved in 2006, describing the various units approved then.

6:02:01 PM Horowitz stated the entire Sweetwater project was approved in 2006 with 421 units, and that the Council believes it is important to not under build during a housing crisis. Horowitz stated working with applicant to address this concern. Horowitz explained Council concern of these homes being second home owners.

6:03:48 PM Davis went on to provide elevation plans comparing today’s proposal to the 2006 proposal. Horowitz explained Davis and her went through the previous approvals and feel the plans do not differ dramatically.

6:04:57 PM Scanlon complimented the development team for responding to recommendations. Scanlon asked about the rendering not showing the trellis showing in the elevations along the long side windows. Bradshaw confirmed trellis is still proposed. Scanlon likes the proposed colors, thinks they are muted enough. 6:07:10 PM Scanlon asked if not providing AC to all units. Bradshaw stated AC has been included in all units to this point and will most likely continue. Scanlon encouraged to keep providing ACs.

6:08:19 PM Bradshaw show confirmed they are committed in trying to find ways to target market of those living hear.

6:08:55 PM Scanlon asked if understood correctly, that 55% of owners of Sweetwater are second home units. Horowitz stated that was determined by going through assessor’s office. Bradshaw confirmed that is a staggering number.

6:09:47 PM Smith asked if still putting out over 16,000 feet of turf, that suggested artificial turf at the last meeting. Smith noticed the club house is shown for a project out of Utah, asking if this is a standard design being proposed. Bradshaw confirmed it is modeled after one built in Utah. Bradshaw confirmed not a corporate or propriety design. Bradshaw confirmed materials and colors will be different. Smith agrees with Scanlon regarding colors. Smith requested an accurate clubhouse drawing for this package. Bradshaw confirmed will provide the detailed architectural plans once ready.

6:14:36 PM Pogue asked if HOA will be separate from existing HOA. Bradshaw stated working with the current HOA. Pogue asked if had looked at solar panels for the units. Bradshaw has not, but can go back and look if they would like. Pogue stated that is at their discretion. Pogue appreciates them taking homeowners and commissioners comments.

6:16:23 PM Chair Fugate likes the colors as well, and that it is great the way they shifted the building orientation. Chair Fugate is pleased with the club house being included.

6:16:59 PM Chair Fugate opened public comment.
6:17:10 PM Wes Ares, Chairman of Sweetwater HOA, at last HOA meeting had a large attendance and Bradshaw shared his vision, that the home owners found this plan to be much improved. Ares appreciates concern for density but part of reason why it was endorsed was because of having another clubhouse. Ares thinks these are much better numbers.  

6:18:34 PM Ares does want to address snow removal, number of dogs, lives at edge of park and has not seen more than 6-8 dogs at a time. 6:19:29 PM Ares stated the addition of the second club house and pool helps with the concern with overcrowding the current pool. HOA and Homeowners approve of this plan.

6:20:14 PM Mike McQue, full time Sweetwater resident, thinks the changes made, and agreement for more amenities is a huge step forward. Fully in support of plan as see it.

6:21:07 PM Kelly Gnat, primary resident of Sweetwater, love the colors of her units and also approve the proposed colors. Very pleased with some of the changes from last meeting, thinks have come along way. Also, in agreement that need to focus of housing for 1st time homeowners and primary residents. Gnat stated just moved from a community that went from primary to secondary, that it changes the community. Gnat stated needs to find some way to try to control this. Gnat said anything they can do would be appreciated, and that she would like to see young couples in there so they can start those investments.

6:23:44 PM Chair Fugate closed public comment.

6:23:57 PM Chair Fugate appreciates the developer’s willingness to respond to homeowners and commission.

6:24:39 PM Scanlon compliments team, that certainly cannot get a higher approval than the HOA.

6:25:20 PM Smith agrees, responsiveness and willingness to take comments and apply to design is appreciated. Smith is looking forward to see this project, likes how the flipped the buildings around.

6:26:09 PM Pogue has no further comments.

6:26:39 PM Chair Fugate asked if should include the revised clubhouse plan as a condition. Staff confirmed.

6:28:19 PM Scanlon complimented HOA and neighbors for being proactive and coming to the meetings.

6:29:09 PM Smith motioned to approve the Design Review Application by Kilgore Properties, LLC, for construction of Sweetwater Condominiums (Phase I) to be located at Block 2, Sweetwater PUD Subdivision. Phase I includes five (5), ten-plex, three-story condominium buildings and one (1)
amenity building, which includes a clubhouse and pool. The live/work units in Phase I will be 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 (q) are met. Pogue seconded.

6:30:33 PM Scanlon asked if need to discuss the pool. Watson stated the pool is 45’ long and 25’ wide. Chair Fugate asked the current pool size. Watson stated existing pool is 32’ x 18’. Bradshaw explained this pool has a kid section. Commission and staff discussed condition for pool plans. All agreed condition on condition q.

Staff Reports and Discussion
SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
SR 2 Discussion of the next Planning and Zoning meeting: September 7, 2021.
   • Tommy’s Holiday Cabin

Horowitz summarized upcoming projects, Tommy’s Holiday Cabin, Farmhouse Garage and Bungalow Garage.

6:36:38 PM Pogue motioned to adjourn. Smith seconded. All in favor.
Return to Agenda
Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Tuesday, September 7, 2021
In-Person and Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#
Dial in by phone: United States: +1 (571) 317-3122
Access Code: 506-287-589

Present
Commission: Janet Fugate, Dustin Stone, Dan Smith
Staff: Lisa Horowitz, Robyn Davis, Jessica Parker
Absent: Richard Pogue, Owen Scanlon

5:30:15 PM Chair Fugate called to order.

5:30:47 PM Public Comment for items not on the agenda. No comment.

5:31:02 PM Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of Preliminary Plat Application by Emerald City, LLC, represented by Galena Engineering, where the existing building located on Lot 4HA, Block 4, Airport West Subdivision Phase II (110 Gulf Stream Lane) is converted into a total of three (3) commercial condominiums. This project is located within the SCI Industrial (SCI-I) Zoning District. ACTION ITEM.

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Kilgore Properties, LLC, for construction of Sweetwater Condominiums (Phase I) to be located at Block 2, Sweetwater PUD Subdivision. Phase I includes five (5), ten-plex, three-story condominium buildings and one (1) amenity building, which includes a clubhouse and pool. The live/work units in Phase I will remain as approved. The total number of units proposed for Phase I is 57 units (50 residential units and seven live-work units). ACTION ITEM.

5:31:51 PM Smith motioned to approve CA 1 and CA 2. Chair Fugate seconded. Smith and Chair Fugate in favor, Stone abstained.

Public Hearing

PH 1 5:32:18 PM Consideration of a Design Review Application by Jason Szabo and Christian Wrede represented by Mountain Wood Construction, for a detached garaged to be located at 303 North 4th Avenue (Lot 911, Block 49, Hailey Townsite) within the Limited Residential 1 (LR 1) and Hailey Townsite Zoning Districts. ACTION ITEM.

5:32:43 PM Davis stated single family home was approved in November of 2019, and applicant is now returning requesting a garage. Davis turned floor over to applicant to team. 5:33:30 PM Jason Szabo provided brief description of proposed garage, noting will be using
existing material as the approved house. Szabo confirmed will be preserving the existing
tree and that it seems to be doing well. Szabo asked if there are any questions.

5:35:35 PM Chair Fugate asked if resolved concern about issue of gutters and shedding snow.
Szabo not aware of that issue with this garage, but there was a concern on the Bungalow
garage and that has been resolved.

5:36:27 PM Chair Fugate opened public comment.

5:36:50 PM Chair Fugate closed public comment.

5:36:57 PM Smith asked if two windows on garage are on the south facing side. Szabo confirmed.

5:37:19 PM Stone has no comments, thinks this is the next rational step and plan goes along with
what is expected of this lot.

5:37:46 PM Smith has no issues, thinks it will be a nice addition to this home.

5:38:11 PM Stone motion to approve the Design Review Application by Jason Szabo and Chris
Wrede, for a new, 529 square foot garage addition, to be located on Lot 11A, Block 49, Hailey
Townsite (303 North 4th Avenue), 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 Title, and City Standards,
provided conditions (a) through (k) are met. Smith seconded. All in Favor.

PH 2 5:39:02 PM Consideration of a Design Review Application by Jason Szabo and Christian
Wrede represented by Mountain Wood Construction, for a detached garaged to be
located at 305 North 4th Avenue (Lot 9A, Block 49, Hailey Townsite) within the Limited
Residential 1 (LR 1) and Hailey Townsite Zoning Districts. ACTION ITEM.

5:39:45 PM Davis stated this is the same as the last project and turned floor over to applicant.
5:40:06 PM Jason Szabo stated this is the house next door, referred to as the bungalow and is
similar design. Szabo confirmed did adjust roof to correct shedding concern, and that will be
using same material as existing home.

5:41:09 PM Stone asked if homes are right next to each other. Szabo confirmed. Stone asked if
both garages are on the alley side. Szabo confirmed, that the intention is to have both along alley
and that there will be some space between them.

5:41:55 PM Chair Fugate opened public comment.

5:42:03 PM Chair Fugate closed public comment.

5:42:22 PM Smith stated this will be complimentary to the house.

5:42:35 PM Stone feels the same way and looks forward to see how they look.
Smith motion to approve the Design Review Application by Jason Szabo and Chris Wrede, for a new, 529 square foot garage addition, to be located on Lot 9A, Block 49, Hailey Townsite (305 North 4th Avenue), 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 Title, and City Standards, provided conditions (a) through (k) are met. Stone seconded. All in Favor.

Consideration of a Preapplication Design Review by Scott Miley (Leargulf LLC), represented by Gardenspace Design, for a project titled Tommy's Holiday Camp consisting of a commercial recreational facility with eight (8) short-term rental cabins, one (1) 912 square foot community building, one (1) 912 square foot managers unit and five (5) van-camp parking spaces. The project includes landscaping, patio and outdoor play area. This project is located at Lots S 18’ of 6, all of 7, Block 19, Townsite, (307 South River Street), Lots 4 and 5, N 12’ of 6, Block 19, Townsite (303 South River Street), Lots SW 45’ of 1,2,3, Block 19, Townsite, within the Limited Business (LB), Downtown Residential Overlay (DRO) and Hailey Townsite Zoning Districts and Lots 1 and 3, Block 1, Elmwood Subdivision (no address) within the General Residential (GR) and Hailey Townsite Zoning Districts, and the W 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).

ACTION ITEM.

Horowitz stated this is a pre application design review, explaining the process of the pre-application design review. Horowitz introduced applicant team – Scott Miley, Denise Ford, Dean Hernandez.

Hernandez explained some inspiration came from van live movement taking place over the country. Hernandez explained location of proposed project near corner of Walnut and South River Street, next abutting existing 6-plex Scott Miley owns. Hernandez explained proposed site plan of where parking, communal spaces, cabins and camping would be located. Hernandez noted no generators, max 25’ van- roughly size of small sprinter, and that offering approximately 400 sq ft cabins for rent that would use on street parking.

Chair Fugate asked location of van area. Hernandez pointed out landscape plan 7 proposed van spaces. Hernandez went on to discuss the buffering and snow storage. Hernandez explained the 900 sq ft building would be communal area on the first floor and manager quarters on the second floor. Hernandez explained why feel like this is a great location – laundry shop across the street, can walk to the various amenities, can ride to trails.

Chair Fugate asked what amenities are included in the cabin. Hernandez noted bathroom, small fridge, microwave, and sink.

Hernandez provided photos of inspiration ideas for cabins.

Chair Fugate asked the maximum occupancy per unit. Hernandez stated they see it as two people for the cabins, and for the vans not going for tent camping or RV camping but could potential allow if space allows for it and under max size.
Smith asked what kind of hookups providing. Hernandez stated 30 amp for power and water but no sewer. Smith asked about parking surface expecting to put vans on. Hernandez stated would end up with gravel stalls. Hernandez confirmed will have environmental limitations.

Chair Fugate asked about moving snow off gravel. Hernandez stated best way for that would be to snow blow it.

Stone asked if trees showing are existing. Hernandez stated only two existing, and had them assessed by Alpine who stated they were struggling. Hernandez stated would probably remove them and replant them. Hernandez stated the landscape plan is calculated. Stone does support not paving it, and less turf the better. Hernandez stated any turf used will be drought tolerant. Stone agrees designated spots would be nice to keep a little bit of semblance to keep neighborly. Stone asked about the smaller vans presented in the drawings. Hernandez explained various types of vans allowed. Stone reiterated type of camping allowed. Stone asked if the cabin designs have been determined. Hernandez stated plans are conceptual at this time. Miley added they will be stick built. Stone asked type of material to be used outside of the communal building. Hernandez stated it will be pavers, noting areas that will be concrete. Stone asked if anticipate any long-term rentals, curious why targeting short term. Miley stated only long term resident will be the manager.

Chair Fugate asked if there is a stay limit. Applicant team summarized that has not been decided at this time. Chair Fugate asked about outdoor cooking. Hernandez noted common grills and a communal fire pit that is gas.

Smith disclosed Scott Miley and himself are both members of the Hailey Rotary, but does not have any financial ties with him.

Chair Fugate has worked with Denise Ford and Dean Hernandez on the Parks Board but does not have any fiduciary interest.

No disclosures from Stone.

Horowitz offered to walk through the zoning of the properties. Horowitz explained parcels zoning and referenced various types of business uses permitted within the limited business. Horowitz stated applicant would be looking to change GR parcels to Limited Business. Horowitz summarized what a previous application zone change had requested. Horowitz explained uses that the project can be defined as and that staff suggested as a conditional use that will give commission ample time to review projects. Horowitz provided rough numbers on building size that could be built on parcel already zoned as limited business, explaining at some point the parcel will be developed.

Chair Fugate asked if would need to do lot line adjustments. Horowitz confirmed.

Stone asked if camping is not defined by City. Horowitz confirmed camping is not defined, that RV is defined. Horowitz summarized her research on RV park definitions of other cities and that this would not fall within those delimitations either.
Horowitz stated also have ability within the code, that sends them to NAICS that gives them a list of criteria that compares uses nationally. Horowitz stated in case of land use lawsuit matters, the courts generally give great difference to the city to interpret their own code.

Stone thinks things are changing, expects to see stuff like this whether it be a van or mini house, but that it may be time to start defining the term camp.

Horowitz added that motels are permitted uses within limited business, and they could have a pool/hot tub that staff and commission would have no control regarding hours of operation. Horowitz recommended the commission look at what is already permitted in the area.

Chair Fugate opened public comment.

Peter Caldera, 308 Willow Street, property that boarders the western area. Scott Miley has reached out to him and thanks him for that, and feels better for that. Caldera has talked to some of his neighbors and it’s the better of two evils. His concerns are that a) fence boarders all properties abutting the project and b) concerned about the on-street parking. Caldera has spoken to Scott regarding the large tree and is taking Scott at his word. The legality of the word camping is not his concern. He does not want anything there, but this seems like a good alternative. Believes his wife agrees. He hopes going forward concerns of his neighbors are addressed regarding street parking, snow removal, etc.

Patty Linberg, concerned about the inherent danger involved of having children in this area, that a tiny house are made for two people. If someone does come in with children, where do they tent and where do they play? As a grandparent concerned about being there with her grandchildren. The Vans are not always plumbed, some of the sprinters vans do not always have full bathrooms and does not know what the facility offers, and does not know what the code is for that. Do we really need more on street parking? Think reason moved here is because it was a better community. Would hate to see core change, thinks this is an interesting project very creative but maybe not so close to the core area.

Joel Loveday, definition of recreation facility commercial does not think is applied correctly in this situation. Loveday read definition of recreation facility commercial aloud, summarized is an implied activity and this activity is sleeping. Loveday stated leads to other concern – land use. Loveday stated current proposal with camping is not in accordance with the Hailey Comprehensive Plan. His question for commission is the proposed use in consistent with the Hailey Comprehensive Plan and land use map. 2) Can the City approve a land use that does not fit within the permitted uses within the Adoptive zoning districts. He does have questions on additional studies – traffic. His concern is does this generate additional traffic such that would move that intersection to a 4-way spot as well as parking and other is lighting and snow removal.

Dr. Kray, thanked applicant for taking his time to ask his input and opinion. His gut feeling is he is still not in favor of this, this is very innovative but what he finds innovate is detracting from the city future development. Kray looks at this as a short-term financial business. He looks at it that in 10 years, is going to be something else. He believes that the commissioners and public need to express themselves for what they want for their core zone. The city has just
spent a million bucks a block and half away for a core zone, and this is not what he envisions for a core zone. Kray stated this appears to him as another trailer park. Kray expressed concern of parking, of someone showing up with oversized van and parking in front of his business. Kray stated parking is an issue. 6:37:14 PM What do you do with garbage? What are the activities going to be? Issue for children safety? Only other thing would ask for, is to provide to the public a list of hard rules. He would really like to know who is going to be in there? How long are they going to be allowed to stay?

6:39:37 PM Chair Fugate closed public comment.

6:39:51 PM Chair Fugate asked about LLUPA. Horowitz confirmed there would be the LLUPA process followed if the applicant decides to proceed.

6:40:54 PM Denise Ford, 421 Eureka Drive, thanked everyone for coming and providing feedback. Ford reiterated that this is a preapplication, that the applicant has not even purchased the property but testing the waters. Ford explained that because this is a preapplication, they do not have everything designed. Ford stated definitely understands would need to have rules, regulations, rental agreements, that there are a lot of specific rules need to get too but applicant needs to know if this is a viable idea for Hailey. Ford stated lots of details happen when go into full design review.

6:43:45 PM Scott Miley, 510 E Elm St, stated want to do this as a business, something for the community. Miley stated there will be rules and regulations and limitations in place.

6:45:05 PM Horowitz suggested commission look at the cabins as a hotel room. Horowitz heard reference to on street parking, stating the city in any case will want the on-street parking built out.

6:46:33 PM Stone asked about this being part of the LOT, what about this business causing that requirement. Horowitz explained any short term rental of any 30 days or less. Stone does not have issue with mini houses, that has seen some really nice ones. Stone does not think tents should be allowed on site, believes that is a slippery slope and is concerning to him. Stone feels ok about the vans being parked there, that sprinter vans tend to take a certain type of person. Stone does not see a way or spot for trailer. Stone believes this is camping, but can see this being designed in way that would look good.

6:51:33 PM Smith agrees with Stone, as far as he is concerned hotel/motel is allowed use whether you show up with your own bed or rent one and sees this as a permitted use. Smith is glad to see someone willing to take this up, after City Campground was denied. Smith stated when it comes to the zoning, the two GR lots are configured in such a way that does not foresee them being used as GR and believes would be logical to incorporate them into the LB. Smith noted that in the City Campground debate, the economic development estimated somewhere around 6 million over next 10 years a possible benefit for the businesses and this is about half that size but in his mind even 3 million is not something to sneeze at. Smith thinks with proper fencing and screening planning neighbors should be able to have continued use of their property in a favorable way. Smith thinks this would be a positive step. Smith stated typically the people he has seen in sprinters are very self-sufficient, independent and typically have their own plumbing option. Smith believes the curb and gutter for on street parking could help make the
area nicer. 6:56:46 PM Smith referenced Dr. Kray comment about detracting from the city – Smith thinks the green space of this type is preferrable to some other things could see showing up in this area and could have potentially more impact to the parking situation. Smith does not see this as a big negative going forward, does not look at this as a RV park. Smith thinks with some well-defined rules and expectations, this would not be a detriment to the core area. Smith stated it will take some management and he expects that. 6:58:34 PM Smith stated because it is close to downtown core, believe it could provide additional income to the local businesses. Smith has no further comments.

6:59:45 PM Chair Fugate complimented applicant team. Chair Fugate really likes the idea of this project, while she agrees with some concerns. Chair Fugate confirmed as mentioned by Smith, will want to see rules. Chair Fugate feels comfortable that the proposed cabins would look nice. Chair Fugate agrees with Smith regarding the GR parcels being rezoned to LB. Chair Fugate likes idea of CUP. 7:02:33 PM Chair Fugate stated it seems to her, this project is going to add to on street parking vs. taking away from it as most occupants of this project will want to park by their space. Chair Fugate stated to have people staying within walking distance to local businesses. Chair Fugate thinks this represents what the city is, and is delighted by this proposal. 7:04:49 PM Chair Fugate does not see a need for a traffic study or additional stop signs with the limited parking. 7:05:34 PM Chair Fugate noted that she has worked with Dean and Denise for many years on the parks board, and she knows they care for the environment. Chair Fugate thanked public for their comments.

7:06:58 PM Smith thanked the public for their participation.

7:07:45 PM Chair Fugate suggested would need to either designated and/or require small tent if allowed.

7:08:22 PM Stone asked if there is significance to the name. Miley stated to watch the play.

7:09:43 PM Chair Fugate suggested to have a more specific plan for snow removal.

7:11:28 PM Hernandez stated this was intended to not look like an RV park. Ford asked for commission to keep an open mind regarding tents.

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.

SR 2 Discussion of the next Planning and Zoning meeting: September 20, 2021.

- River Street Townhomes – PUD & DR PreApp
- CUP: Broadford Beverages LLC

7:15:21 PM Horowitz summarized upcoming projects to be heard.

7:16:51 PM Smith motioned to adjourn. Stone seconded. All in Favor.
Return to Agenda
Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, September 20, 2021
In-Person and Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#

Present
Commission: Janet Fugate, Owen Scanlon, Dan Smith, Richard Pogue
Staff: Lisa Horowitz, Robyn Davis, Chris Simms, Jessica Parker
Absent: Dustin Stone

5:30:13 PM Chair Fugate called to order.

5:30:25 PM Horowitz stated need to speak very clearly and close to the microphones to ensure those in attendance virtually can hear.

5:31:12 PM Public Comment for items not on the agenda. No Comment.

5:32:02 PM Chair Fugate requested a motion to add action item to PH 1 and PH 2.

5:32:16 PM Scanlon motioned to add action item to PH 1 and PH 2. Smith seconded. All in Favor.

Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Jason Szabo and Christian Wrede represented by Mountain Wood Construction, for a detached garaged to be located at 303 North 4th Avenue (Lot 911, Block 49, Hailey Townsite) within the Limited Residential 1 (LR 1) and Hailey Townsite Zoning Districts. ACTION ITEM.

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Jason Szabo and Christian Wrede represented by Mountain Wood Construction, for a detached garaged to be located at 305 North 4th Avenue (Lot 9A, Block 49, Hailey Townsite) within the Limited Residential 1 (LR 1) and Hailey Townsite Zoning Districts. ACTION ITEM.

5:32:36 PM Scanlon and Pogue recused themselves.

5:32:48 PM Smith motioned to approve CA 1 and CA 2. Chair Fugate seconded. All in Favor.

Public Hearing

PH 1 5:33:01 PM Consideration of a Conditional Use Permit Application submitted by Broadford Beverage LLC, represented by Lawson and Laski, for a brewery (Hybrid Production Facility) to be located next to Powerhouse, an existing restaurant. This project is located at Lots 17-20, Block 64, Townsite (502 N. Main Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts. Action Item.

5:33:22 PM Davis turned floor to applicant team. 5:34:01 PM Jim Laski, representing Broadford Beverage and here with Billy Olson owner of Powerhouse. Laski explained Olson is wanting to start brewing of various craft beers and ciders, it will be a really small operation that will fit within the garage area. Laski confirmed applicant will clean refuse area, and dumpsters will be dumped twice a week now.
Scanlon asked what anticipates for additional traffic. Billy Olson stated there will be little or no traffic. Laski stated the most they could make would 2 kegs a day and will not make that much based off the length of aging needed. Scanlon asked where will be store raw materials. Laski confirmed all will be self-contained within the building. Scanlon asked if will have delivery trucks bucking up to garage door. Olson and Laski explained this will be very minimal setup, with bags that can be walked to the garage. Scanlon asked about the amount of dumpsters. Olson stated one dumpster is for garbage other for cardboard. Scanlon believes there should be a dumpster enclosure should become part of this project.

Horowitz stated staff did look back at that when application was submitted, and under plan that was approved that there is not space to include a dumpster enclosure on private property and public works does not want those in the right of way. Scanlon suggested possibly relocation dumpsters to the north.

Laski explained if relocate would block garage door access, and referred to staff condition about staff approval of area looking cleaner.

Pogue asked if really successful project and start needing 10 barrels a day if they would need to come back for a revised CUP. Laski explained if became successful would have to redesign building or move to different location as current design does not have enough space to expand. Pogue stated does need to clean up dumpster area.

Olson offered to build enclosure for dumpsters with where they are at now. Davis confirmed Public Works Director stated would be in favor of enclosure as long as ROW Application was submitted and approved. Davis stated enclosure would need to face the alley. Davis explained has not collaborated with Clear Creek at this time.

No further comments from Smith.

Chair Fugate confirmed exclusively to sell at Powerhouse. Olson confirmed. Chair Fugate confirmed could not expand in this space. Commission and staff continued to discuss dumpster enclosures.

Chair Fugate asked if odors come from brewery. Laski stated would be very minimal. No further comments from Chair Fugate.

Chair Fugate opened public comment.

Chair Fugate closed public comment.

Chair Fugate stated seems to her issue is the dumpster enclosures. Commission confirmed no other issues.

Scanlon asked how long Olson has been brewing beer, expressing concerns about bottles and beers exploding. Olson stated will only in kegs.

Davis modified condition e to cover the trash enclosure and encroachment application and added additional condition requiring letter from Clear Creek.

Commission suggested modification to condition e that would allow for decision to be made between applicant and staff. Davis read the revised condition allowed. Applicant is in agreement with revised conditions.
Smith motioned to approve the Conditional Use Permit Application request by Broadford Beverage, LLC, represented by Lawson and Laski, for a brewery (Hybrid Production Facility) to be located next to the Powerhouse, an existing restaurant. This project is located at Lots 17A, Block 64, Townsite (502 North Main Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts, finding that the application meets each of the Criteria for Review, (a) through (h) cited in the Hailey Municipal Code, that the Conditional Use Permit complies with the Comprehensive Plan, and that conditions (a) through (g) are met.

Chair Fugate noted discrepancy of legal description, Davis confirmed correct legal description is Lot 17A, Block 64.

Consideration of a Planned Unit Development Application by 410 North River Street, LLC, represented by CK Property Group, LLC, for twelve (12), three-story single-family townhomes with a request for waivers and proposed benefits. This project is located at Lots 14-17, Block 56, Townsite, (410 North River Street), within the Business (B), Downtown Residential Overlay (DRO) and Townsite Overlay (TO) Zoning Districts. The following waivers are requested:

- Waiver to minimum lots size for PUDs of 18,0000 gross square feet to 14,404 square feet
- Waiver of DRO 10% useable open space requirements
- Waiver of subdivision park dedication
- In exchange for these waivers, the applicant is proposing two (2) deed-restricted townhouse unis to be restricted at 100% of Area Median Income.

This hearing will also include a discussion of a Preapplication Design Review Application.

Horowitz turned floor over to applicant team after noting previous approval of 12 indieDwell units on this site. Horowitz stated has been working closely with applicant team on much needed deed restricted housing.

John King, Architect, here with Kevin Cablik – developer, Sam Stahlnecker and Ben Semple. King stated this is a challenging site and has been working very closely with staff. King will be using DRO as guidelines. King explained proposing to offer deed restricted housing in place of open place, continuing on to summarize proposed design of the project. King provided a presentation discussing design and how trying to meet all design criteria. King noted popular feature is the roof proposed roof deck and provides each unit some privacy. King continued to discuss project design and materials to be used. King explained benefits of flat roof with snow and each unit will have their own drain.

Smith stated drain spots will freeze up if not heated. Smith suggested providing scuffer. King confirmed will have scuffers and will provide heating, though will consider bringing drains interior.

Scanlon asked if will have internal roof drains. King stated does not at moment but has not taken this project all the way while they determine how many units permitted. King stated recognizes need for these. Scanlon asked about drains stopping at 2nd floor. King stated that would not happen. Horowitz summarized options staff had reviewed regarding deed restricted units. Horowitz stated developer has also offered City of Hailey rights to units.

Chair Fugate recommended discussing the waivers. Horowitz stated project next door is an apartment complex for rent, that this project is different and staff felt each unit had outdoor space with the roof decks.

Sam Stahlnecker clarified waivers requesting. Horowitz explained she was grouping together, and went on to discuss the in-lieu fees and tradeoff for deed restricted housing. Kevin Cablik, thanked Horowitz for her help and guiding them through the affordable housing process.
Chair Fugate asked if there will be an HOA. Cablik confirmed there will be an HOA, and how that is covered with the deed restricted properties. Cablik stated HOA will maintain all exterior maintenance. Chair Fugate confirmed there is a restriction on the deed restricted homes that restrict HOA fee increases. Cablik confirmed. Horowitz explained that he wants to guard against a large jump but he does want to allow for maintenance that will be needed such as a roof. Staff and applicant confirmed that lawyers are working on this.

Scanlon stated this is a well-designed project. Scanlon suggested that staff do a text amendment changing maximum density per square feet. That Cablik has shown them can have a nice project with all needs such as parking. Horowitz agrees with Scanlon on lot size but confirmed that staff can review his request. Cablik agrees with Scanlon’s comments on removal of minimal lot size, that getting out of subdivision development allowed for them to have further conversations which lead to the proposed design. Scanlon is agreeable to all waivers.

Pogue asked what the safety elements are on the roof deck. Cablik confirmed that there is standard railing per code and no gates. Pogue asked how they will determine the deed restricted units - which of the 12. Cablik stated that has not determined that yet. Pogue is comfortable with the waivers and complimented the design.

Smith stated that they should help support the parks they intend to use and should pay the in-lieu fees. Smith expressed concern of housing crisis being used to circumvent ordinances and codes that have been put in place. Smith stated that they support affordable housing idea and thinks some of these units should be more affordable. Smith discussed how community housing reads 50% and he is at 100%. Smith thinks in order to provide opportunity to various demographics - should look at paying in lieu payment for parks as applicant intends to have residents use city parks. Smith has no issues with 18,000 square feet.

Cablik understands Smith's concern, explaining that he did not start on this path to redesign the definition of community housing. Staff, applicant and commission continued to discuss concerns expressed by Smith about waivers. Cablik stated that they have discussed having 2 deed restricted units at 100% and 1 at 120%. Horowitz stated that they had not, providing summary of what they had discussed. Smith suggested expanding conversation before making a decision. Chair Fugate suggested waiting and hearing from Housing Authority. Chair Fugate is comfortable with the waivers but thinks it would be helpful if they could hear from housing authority.

Simms stated that use of the term precedent is bothersome to him, he does not believe recommendation made by this board is a precedent setting. Simms stated understands Smith's concern but believes it is a fully discretionary decision to be made under the code before the Commission.

Chair Fugate asked Pogue and Scanlon if they need to hear from housing authority prior to making a decision. Cablik stated he has learned that time kills deal, and explained that he can meet outdoor space requirement but would reduce number of homes to 11. Cablik explained looking at discussing park in lieu. Cablik explained that he has a price point of 375,000 for the two units, and expressed concern of project lingering. Cablik explained that this was not a number they created but was guided to.

Commission continued to discuss whether to approve or continue the project.

Chair Fugate stated that she would like to see more color in the building.

Chair Fugate opened public comment.
Alexis Palmer, neighbor to the property, really impressed with the project. She is in the age group of about 30-year-olds, she was lucky enough to have purchased years ago but many she knows cannot afford to buy her. She worked for a developer in Utah for a long time, and this is the exact project they developed there. That project did very well. Her only concern is parking, she does worry about only a 1 car garage and not enough guest parking. She thinks with a town with snow removal in winter can cause issue. She is curious where people currently parking on this vacant site will be parking later one. She has seen enough places and homes where people store their junk on the porch. Otherwise she really likes the project.

Elizabeth Jeffery, just paid almost 3000 to upgrade her electricity in her house, would like to ask that there is 220 in the garage that would allow homeowner to plug in electric vehicle in their garage.

Chair Fugate closed public comment.

Horowitz noted correction to condition 3, second line, not to include as modified. Chair Fugate asked where it says City has 1st. Staff confirmed condition 4. Horowitz noted that with Parcel O project, many city employees were not able to qualify for those homes.

Cablik confirmed car chargers will be included and CC&Rs will regulate exterior storage.

Scanlon asked King about unit sizing. King confirmed will address that, and construction documents will make more sense.

Scanlon motioned to approve the Planned Unit Development (PUD) Application for the River Street Townhomes, represented by CK Property Group, LLC, for twelve (12), three-story single-family townhomes, located at Lots 14-17, Block 56, Townsite, (410 North River Street), within the Business (B), Downtown Residential Overlay (DRO), and Townsite Overlay (TO) Zoning Districts, finding that the project meets the standards under Section 17.10 of the Hailey Municipal Code, subject to Conditions 1-8 as amended above. Pogue seconded. Scanlon – Yes, Pogue – Yes, Smith – abstained (Please see Roberts Rule regarding Abstention votes below), Chair Fugate- Yes.

Do abstention votes count?
The phrase “abstention votes” is an oxymoron, an abstention being a refusal to vote. To abstain means to refrain from voting, and, as a consequence, there can be no such thing as an “abstention vote.” In the usual situation, where the rules require either a “majority vote” or a “two-thirds vote,” abstentions have absolutely no effect on the outcome of the vote since what is required is either a majority or two thirds of the votes cast. On the other hand, if the rules explicitly require a majority or two thirds of the members present, or a majority or two thirds of the entire membership, an abstention will have the same effect as a “no” vote. Even in such a case, however, an abstention is not a vote and is not counted as a vote. [RONR (12th ed.) 44:1, 44:3, 44:9(a); see also p. 66 of RONR In Brief.]

Staff Reports and Discussion
SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
SR 2 Discussion of the next Planning and Zoning meeting: October 4, 2021.
  • PP: Sweetwater Block 2 Phase 1
  • DR Pre App: Copper Ranch North
  • New URA District: Airport Way Plan conformity with Comp Plan

Horowitz summarized upcoming project for next hearing.

Smith motioned to adjourn. Scanlon seconded. All in Favor.
Return to Agenda
Meeting Minutes

HAILEY PLANNING & ZONING COMMISSION
Monday, October 4, 2021
In-Person and Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#

Present
Commission: Richard Pogue, Dan Smith, Owen Scanlon
Staff: Lisa Horowitz, Jessica Parker
Absent: Janet Fugate, Dustin Stone

5:31:20 PM Vice Chair Pogue called to order.

5:31:30 PM Public Comment for items not on the agenda. No Comment.

5:32:07 PM Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Conditional Use Permit Application submitted by Broadford Beverage LLC, represented by Lawson and Laski, for a brewery (Hybrid Production Facility) to be located next to Powerhouse, an existing restaurant. This project is located at Lots 17-20, Block 64, Townsite (502 N. Main Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Planned Unit Development Application by 410 North River Street, LLC, represented by CK Property Group, LLC, for twelve (12), three-story single-family townhomes with a request for waivers and proposed benefits. This project is located at Lots 14-17, Block 56, Townsite, (410 North River Street), within the Business (B), Downtown Residential Overlay (DRO) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

5:32:16 PM Smith motioned to approve CA 1 and 2. Scanlon seconded. All in Favor.

Public Hearing

PH 1 5:32:47 PM Consideration of a Preliminary Plat Application by Kilgore Properties, LLC, represented by Matt Watson, located at Block 2, Sweetwater P.U.D. Subdivision, where Phase I of Block 2 is subdivided into 12 sublots consisting of seven (7) live-work units, four (4), ten-unit condominium buildings, and a clubhouse, for a total of 57 residential units. This project is located along Shenandoah Drive, in Section 15, T.2 N., R.18 E., B.M., City of Hailey, Blaine County, Idaho, within the Limited Business (LB) Zoning District. ACTION ITEM.

5:33:37 PM Horowitz summarized previous application and how applicant has slightly reconfigured the layout. Horowitz turned floor to Matt Watson.

5:34:28 PM Watson noted typo in description, should be 5 ten-unit condominium buildings. Watson summarized recently went through design review for proposed changes and now submitting for revised plat. Watson asked for questions. Horowitz stated no comments from staff, majority of issues were addressed at last meeting. No questions from Smith.
Scanlon asked about the driveway easements, Horowitz confirmed typically done and could require applicant to make the modification. Scanlon asked what the driveway width is for the 10plexes. Watson stated condos are single car garages and driveway goes across the building, it is not broken up. Scanlon asked if would back in to garages. Watson confirmed and that residents could also park in front of the garage. Scanlon asked how much of the property is located within the flood zone. Watson explained block 2 was excluded in last FEMA map. Scanlon asked if Shenandoah Drive and Countryside were in the flood zone. Watson confirmed.

Vice Chair Pogue asked for clarification of comment of all onsite parking located below grade. Horowitz clarified it is at grade, confirmed will clarify in report.

Vice Chair Pogue opened public comment.

No Comment.

Vice Chair Pogue closed public comment.

Smith stated as mentioned have seen before, in reference to Scanlon’s question Davis referred to PUD regarding plat note stating unbuildable and that applicant did not have an issue including it. Smith suggested may be beneficial. Smith complimented live work units. Smith would like to see in future to get deed restrictions on upcoming project to make more affordable. Smith does think this will be a good project and provide much needed housing.

Scanlon agrees with Smith on affordable units. Scanlon asked if will build entire phase at once. Watson confirmed, just pulled live work units last week and condo units are under review. Watson stated will start second phase next year. Scanlon asked when plan to build clubhouse. Watson confirmed with this phase, working on pool design which will finalize clubhouse design. Scanlon echoes Smith, applicant has always been commendable in listening to recommendations and should be applauded.

Pogue would like to see an agreement in having streets non buildable. Watson confirmed no issue, will be sure addressed. Pogue applauded the development and team.

Horowitz suggested new condition i, the private drive shall be noted as unbuildable on the plat. Commissioners agreed.

Smith motioned to approve Phase I of the Preliminary Plat Application by Kilgore Properties, LLC, represented by Matt Watson, to be located at Block 2, Sweetwater P.U.D. Subdivision (vacant lot along Shenandoah Drive), finding that the application meets all City Standards, and that Conditions (a) through (i) are met. Scanlon seconded. All in favor.
5:48:19 PM Horowitz introduced applicant team, and noted this project has been part of the development agreement since 2007.

5:49:12 PM Jeffery Smith, owner developer of the 80 units. J. Smith summarized his experience and his history with the Copper Ranch Development. J. Smith explained this project is a separate development from Copper Ranch.

5:50:41 PM Michael McHugh, architect, provided a summary of the proposed plans walking through the drawings within the packet. McHugh noted staff concerns on landscape and will be working with landscape architect. McHugh provided a general overview of the floor plans and how design integrates into surrounding home designs. McHugh noted BBQ space and green space proposed. McHugh discussed exterior elevations and color variations proposed.

5:59:04 PM Smith has question, but would prefer to hear public comment first.

5:59:24 PM Scanlon asked about snow storage area, some appear thin. McHugh confirmed do meet criteria of minimum of 10’. Scanlon asked why all exterior doors open out instead of into the vestibule. McHugh stated will need to review, but typically in multifamily doors go out and single-family units’ doors go in. Scanlon noted weather concern with door swinging out. Scanlon asked width of stairs, recommending they be at least 42 inches wide. McHugh confirmed, stairs are at least 48 inches wide.

6:02:52 PM Vice Chair Pogue will wait until after public comment.

6:02:54 PM Vice Chair Pogue opened public comment.

6:03:21 PM Cynthia Sheastone, owner in Copper Ranch, lives back to what is going on. Has few questions and concerns. From what she understands there was sheet flooding several years ago and her unit had to be sandbagged. Wanted to be sure developer knows that is an area for sheet flooding and needs mitigation. Sheastone asked if these are the same floor plans? If they have garages? Will not be on the same HOA as Copper Ranch.

6:05:49 PM Bill Dyer, resident directly north at Silverstone Townhomes, concern is traffic patterns onto Winterhaven Drive asking if any opportunity to have them come onto Woodside Blvd. He is familiar with fire access points, and wondering, if possible, for a cul-de-sac.

6:07:54 PM Vice Chair Pogue closed public comment.

J. Smith was not aware of sheet flooding and this is the first he has heard of that and he has been involved with the project since 2003 and he is the President of the Copper Ranch HOA. Stahlnecker noted there was significant sheet flooding across the valley in 2017. Stahlnecker went on to explain drainage will be improved as the site is developed and will work with staff. Stahlnecker explained staff was not supportive of access off Woodside and that Winterhaven access was preferred by staff and Developer. J. Smith confirmed this will not be part of the Copper Ranch HOA. J. Smith explained this project was designed with sensitively to the Copper Ranch project. J. Smith noted per agreement able to build 85 units and reduced to 80 units, heights are lower than what is permitted and setbacks meet code. J. Smith believes this will be a very nice-looking project. J. Smith confirmed there will be surface parking, no garages. J. Smith explained parking design. J. Smith noted that maybe 20% of Copper Ranch residents use garage for parking, the majority use it for storage.
Horowitz stated per code, there is more than enough parking. Horowitz stated the rain/snow event was a 100 year or more event.

Vice Chair Pogue asked about Woodside access, Horowitz does not believe Public Works will allow for more Woodside Blvd access points.

Smith asked how large are the storage units. McHugh believes the smallest is 5’x6’x8’. Applicant team confirmed one storage unit per apartment. Smith suggested reviewing artificial turf in high traffic areas, possibly break up shingles with lap siding. McHugh noted current proposed materials, Smith suggested differentiating between 1st and 2nd floor. Smith suggested maybe little more color. Smith suggested small bump outs to help break up the building sides. J. Smith stated these units are for rent, not for sale.

Scanlon agrees with Smith. Scanlon is concerned with how dark the buildings are, almost wonders if the highlight colors could be switched around. Scanlon thinks the first floor was done fair, but the 2nd floor is just straight walls. Scanlon agrees with Smith, more articulation on 2nd story would be helpful. Scanlon believes minimum should go with a lighter color. Scanlon believes will be functional.

Vice Chair Pogue believes will have a lot of children and recommends applicant look at areas for children to mix and play. Vice Chair Pogue recommends landscape architect and city arborist connect. Vice Chair Pogue suggested trees between existing Copper Ranch units and parking areas. Vice Chair Pogue agrees with dark colors shown, and thinks adding some more color. McHugh stated does have 3 body colors, and that the darker color is on 2 buildings and are very beautiful against landscaping. McHugh discussed idea behind coloring. McHugh confirmed will work on commissioners’ suggestions.

Horowitz asked if should reopen public comment as some have arrived late.

Vice Chair Pogue opened public comment second time.

No comment.

Vice Chair Pogue closed public comment second time.

Smith suggested similar park design as what is being built at Sunbeam Subdivision. Applicant team agrees and likes the idea. Smith asked what the construction style is. J. Smith is hoping to have foundations in spring and build out in a year, going on to explain phased approach.

Horowitz added that staff is in discussion with applicant team for deed restricted units.

Vice Chair Pogue asked if late attendant would like to make comment.

Oliver Whitcomb, hear on behalf of J. Smith, runs Gravity Fitness. He is in full support of development; it is part of the housing community and part of their survival. Whitcomb appreciates the applicant team hanging in there and now has a chance to finish the original vision. He hopes that can find a way to have opportunity to have some of the local residents be able to have some of that housing and not 2nd home owners.
New Business

NB 1 6:32:42 PM Consideration of Resolution 2021-001, a resolution of the Planning and Zoning commission for the City of Hailey, Idaho, validating conformity of the urban renewal plan for the Airport Way district urban renewal project with the City of Hailey’s comprehensive plan. ACTION ITEM.


6:34:54 PM Meghan Conrad explained there is a resolution within the packet that confirms the validation of conformity of the new plan with the Hailey Comprehensive Plan. 6:35:40 PM Conrad provided a high level summary of process the URA Agency has undergone to adopt the new district and the role of PZ in this process. 6:42:45 PM Horowitz added that majority of URA agencies have multiple districts, and our Agency has been looking at Hailey to determine where we would develop a second district. Horowitz explained reasons why decided to proceed. Horowitz also noted that when Airport West was developed Aviation was supposed to extend to Broadford, and could possibly be included with the URA district.

6:45:18 PM Smith suspects some may take offense with the area being determined deteriorating. Smith asked if about half of the area is vacant. Conrad confirmed there are significant amount of vacant land and believes it is close to 50%. Smith asked what kind of personal property a URA may acquire. Conrad explained it is uncommon but is included for the rare scenario needed. Conrad provided examples of when could apply, noting again it is rare. 6:47:59 PM Horowitz stated one item HURA has discussed is parking, and that possibly HURA may purchase property for parking lot. 6:48:58 PM Smith asked about workforce housing, and how that would work in URA situation. Conrad explained an agency itself is unlikely to build workforce housing, but to an extent there could be an opportunity to work with a developer that may provide an opportunity for restricted rent. 6:50:37 PM Horowitz stated all numbers are rough estimates. Smith wants to understand before votes to City Council. 6:51:17 PM Smith confirmed just potential leverage. Horowitz confirmed. Conrad stated line items are best estimates for types of improvements that were identified as needed done for that area. Conrad stated it does take time for district to provide revenue. Conrad explained there are some opportunities to prioritize projects as they occur, the agency is required to adopt an annual budget. 6:53:10 PM Conrad provided example of if something was not identified, may need to do a plan amendment. Conrad stated perhaps categories are broad, does believe it is specific to where will fund improvements in area. Smith understands.

6:54:10 PM Scanlon asked if those who complained about infrastructure asked for a URA district. Horowitz stated they had not, but guess they did not know this was a tool. Scanlon asked what the difference is between URA and LIDUs. Conrad explained Local Improvement Districts are covered by separate statutes, that actual properties are assessed a value that have to pay a certain amount of a time period. Conrad summarized it’s really an allocation for the area, not a specific assessment to each parcel.

6:57:36 PM Vice Chair Pogue stated housing is an important part of opportunities in this area and want to be sure zoning allows for it. Vice Chair Pogue believes property and usage of property may change in 10-15 years from now and wants to be sure this project can be used for this. Vice Chair Pogue wants to ensure those coming from the Airport feel like Hailey is a special place. Vice Chair Pogue referred to summary of projects, asking about tax increment not being used on all projects. Horowitz confirmed.
Vice Chair Pogue asked staff if they have any concerns. **7:00:22 PM** Horowitz stated she does not and is very excited about this opportunity. Horowitz explained reason she felt the urgency to get something going.

**7:01:10 PM** Smith agrees with Vice Chair Pogue regarding usage and housing opportunities. No further comments from Scanlon and Vice Chair Pogue.

**7:01:52 PM** Vice Chair Pogue opened public comment.

No Comment.

**7:01:52 PM** Vice Chair Pogue closed public comment.

**7:02:38 PM** Smith motioned to adopt Findings of Conformity and Resolution 2021-001, a resolution of the Planning and Zoning commission for the City of Hailey, Idaho, validating conformity of the urban renewal plan for the Airport Way district urban renewal project with the City of Hailey’s comprehensive plan. Scanlon seconded. All in Favor.

**Staff Reports and Discussion**

**SR 1**   Discussion of current building activity, upcoming projects, and zoning code changes.

**SR 2**   Discussion of the next Planning and Zoning meeting: **October 18, 2021.**

- PP: Lena Cottages *The preliminary plat on this expired and is identical to the previous approval.*
- DR PreApp: Spruces Duplexes

Horowitz summarized upcoming projects. Horowitz noted next City Council hearing at 5:30 on October 12th, ARCH Community Housing will be presenting.

Smith will not be attendance for 10/18/21 hearing.

**7:06:26 PM** Smith motioned to adjourn. Scanlon seconded. All in Favor.
Return to Agenda
To: Hailey Planning & Zoning Commission

From: Robyn Davis, Community Development City Planner

Overview: Preliminary Plat for Lena Cottages

Hearing: October 18, 2021

Applicant: Lena Cottages, LLC

Project: Preliminary Plat for Lena Cottages

Location: Lot 9, Block 3, Old Cutters Subdivision

Property Address: TBD

Zoning & Size: General Residential (GR) and 0.97 acres (42,313 square feet)

Background: On January 21, 2020, Lena Cottages, LLC, submitted an Application for Preliminary Plat of approximately 0.97 acres to be subdivided and utilized for residential “cottage” development. The proposed subdivision consists of two (2) phases: Phase I contains seven (7) cottage sublots, and Phase II will contain two (2) townhouse sublots. The site is accessed via a parking lot connecting to a City Street. Adjacent use is residential, zoned General Residential (GR).

The Planning and Zoning Commission approved the Preliminary Plat Application on April 20, 2020 and the Hailey City Council approved the Preliminary Plat Application on June 8, 2020. The Preliminary Plat expired on June 8, 2021. A Preliminary Plat Application approval is valid for one (1) calendar year. Since the Preliminary Plat has expired, the project is subject to another hearing and approval:

Pursuant Section 16.03.020: Council Preliminary Plat Approval,

D. Records Maintained; Time Limit of Approval: One copy of the approved preliminary plat will be kept on file for public examination at the office of the city engineer and one copy at the office of the administrator. The approval of the preliminary plat shall be valid for a period of one calendar year unless an extension of time is applied for and granted by the council, or unless otherwise allowed for within a phasing agreement.

No changes have been made or are proposed from the Preliminary Plat Application approved on June 8, 2020. This application is identical to the previously approved plat.

Procedural History: The Application was submitted on January 21, 2020 and certified complete on January 29, 2020. The Planning and Zoning Commission approved the Preliminary Plat Application on April 20,
2020 and the Hailey City Council approved the Preliminary Plat Application on June 8, 2020. Notice for the October 18, 2021 public hearing was published in the Idaho Mountain Express on September 29, 2021. The notice was mailed to property owners within 300 feet on September 29, 2021. A public hearing before the Planning and Zoning Commission will be held on October 18, 2021, in the Hailey City Council Chambers and virtually via GoTo Meeting.

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traffic calming measures may be approved with a recommendation by the City Engineer. Three-way intersections shall only be permitted where most appropriate or where no other configuration is possible. A minimum distance of 150 feet, measured from the center line, shall separate any 2 three-way intersections.

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E. Centerlines: Street centerlines which deflect more than five (5) degrees shall be connected by a curve. The radius of the curve for the center line shall not be more than 500 feet for an arterial street, 166 feet for a collector street and 89 feet for a residential street. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer.

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<th>Staff Comments</th>
<th>All public streets are in place and complete. No deflections in horizontal alignment are proposed.</th>
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F. Width: Street width is to be measured from property line to property line. The minimum street width, unless specifically approved otherwise by the Council, shall be as specified in City Standards for the type of street.

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H. Road Grades: Road Grades shall be at least two percent (2%) and shall not generally exceed six percent (6%). Grade may exceed 6%, where necessary, by 1% (total 7%) for no more than 300 feet or 2% (total 8%) for no more than 150 feet. No excess grade shall be located within 200 feet of any other excess grade nor there any horizontal deflection in the roadway greater than 30 degrees within 300 feet of where the excess grade decreases to a 2% slope.

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I. Runoff: 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 in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA’s “NPDES General Permit for Storm Water Discharge from Construction Activity” for all construction activity affecting more than one acre.

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J. Signage: The developer shall provide and install all street and traffic control signs in accordance with City Standards.

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K. Dedication; Names: All streets and alleys within any subdivision shall be dedicated for public use, except as provided herein. New street names (public and private) shall not be the same or similar to any other street names used in Blaine County.

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L. Private Streets:

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<th>Staff Comments</th>
<th>N/A</th>
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M. Driveways:

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<tr>
<th>Staff Comments</th>
<th>No specific driveways are proposed.</th>
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</table>
**M. 1.** Driveways may provide access to not more than two (2) residential dwelling units. Where a parcel to be subdivided will have one lot fronting on a street, not more than one additional single-family lot accessed by a driveway may be created in the rear of the parcel. In such a subdivision, where feasible (e.g., no driveway already exists), both lots shall share access via a single driveway. Driveways shall not be named.

**Staff Comments**
No driveways are proposed at this time. The site is accessed via a common entrance and parking drive aisle. Residents would walk from the common garage building to the units.

**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.

**Staff Comments**
The project contains a parking access lane. It has been reviewed by the Fire Chief, and the project is compliant with the IFC.

**O.** Fire Lanes: 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.

**Staff Comments**
N/A; however, the city engineer has requested that a plat note be added to ensure that all future owners are aware that no on-street parking is permitted to ensure adequate access for emergency services. This has been made a Condition of Approval.

### 16.04.060: Sidewalks and Drainage Improvements

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<td>City Code</td>
<td>City Standards and Staff Comments</td>
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#### A.
Sidewalks and drainage improvements are required in all zoning districts and shall be located and constructed according to applicable city standards, except as otherwise provided herein.

**Staff Comments**
Sidewalks are in place and were installed during the construction of the Old Cutters Subdivision. A walkway between sublots is shown as common area.

#### 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.

**Staff Comments**
Sidewalks are in place.

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

**Staff Comments**
Sidewalks are in place.

#### D.
Sites located adjacent to a public street or private street that are not currently through streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.

**Staff Comments**
Sidewalks are in place. A walkway between sublots is shown as common area. This walkway also connects to Cutters Park, which is adjacent.

#### E.
The requirement for sidewalk and drainage improvements are not required for any lot line adjustment.

**Staff Comments**
N/A

### 16.04.040: Alleys and Easements

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#### A.
Alleys:
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<th>Staff Comments</th>
<th>N/A</th>
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<tr>
<td>A. 4.</td>
<td>All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.</td>
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<td>Staff Comments</td>
<td>Proposed water and sewer mains have been identified on the submitted plans. All utilities shall be installed underground.</td>
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<tr>
<td>A. 7.</td>
<td>Where alleys are not provided, easements of not less than ten (10) feet 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.</td>
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<tr>
<td>Staff Comments</td>
<td>Easements are required for power and gas service, which are not currently included in the proposed plan. Water lines are currently proposed across private, non-shared property as well. Resolution of these issues have been added as Conditions of Approval.</td>
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| 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:  
- Access for utilities, emergency services, public access, private access, recreation, deliveries or other such purpose.  
- Protection from or buffering for any natural resource, riparian area, hazardous area, or other limitation or amenity on, under or over the land.  
- Storage of snow, drainage areas, or the conduct of irrigation waters. |
| Staff Comments | See comments above. Additional easements are required for utilities beyond those included in the proposed plat. This has been added as a Condition of Approval. |
| B. 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. |
| Staff Comments | N/A, as the property does not border the Big Wood River. |
| B. 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. |
| Staff Comments | N/A, as the property does not border the Big Wood River. |
| B. 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 |
Staff Comments: Snow storage calculations are provided on the Design Review drawings and the plat, and meet this standard.

### 16.04.050: Blocks

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<td>Yes</td>
<td>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 circulation and the limitations and opportunities of topography.</td>
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<tr>
<td>N/A</td>
<td>Staff Comments: All blocks in the underlying Old Cutters plat are existing.</td>
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<td>No</td>
<td>A. Staff Comments: No lots are more than double the minimum size.</td>
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<td>B. Staff Comments: No double frontage lots proposed.</td>
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<td>C. Staff Comments: No unbuildable lots are shown.</td>
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<td>D. Staff Comments: No unbuildable lots are shown.</td>
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### 16.04.060: Lots

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<td>Yes</td>
<td>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 §42-111, and such restriction shall be included as a plat note. District regulations are found in the Zoning Chapter.</td>
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<tr>
<td>N/A</td>
<td>Staff Comments: The submitted Preliminary Plat shows that all proposed lots are less than ½ acre.</td>
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<tr>
<td>No</td>
<td>A. Staff Comments: No lots are more than double the minimum size.</td>
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<td>B. Double frontage lots shall be prohibited except where unusual topography, a more integrated street plan, or other conditions make it undesirable to meet this requirement. Double frontage lots are those created by either public or private streets, but not by driveways or alleys. Subdivisions providing a platted parcel of 25 feet or more between any street right-of-way and any single row of lots shall not be considered to have platted double frontage lots. The 25-foot-wide parcel provided must be landscaped to provide a buffer between the street and the lot(s).</td>
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<td>C. No unbuildable lots shall be platted. Platted areas that are not buildable shall be noted as such and designated as “parcels” on the plat. Green Space shall be clearly designated as such on the plat.</td>
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|           | D. A single flag lot may be permitted at the sole discretion of the Hearing Examiner or Commission and Council, in which the “flagpole” projection is serving as a driveway as provided herein, providing connection to and frontage on a public or a private street. Once established, a flag lot may not be further subdivided, but a lot line adjustment of a flag lot is not considered a further subdivision. The “flagpole” portion of the lot shall be included in lot area, but shall not be considered in determining minimum lot width. The “flagpole” shall be of adequate width to accommodate a driveway as required by
this ordinance, fire and other applicable codes. Flag lots within the Townsite Overlay District are not allowed, except where parcels do not have street access, such as parcels adjacent to the ITD right-of-way.

**Staff Comments**

N/A, as no flag lots are proposed.

| ☒ ☐ ☐ | E. All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Sections 4.1.11.1 and 4.5.4 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street. |

**Staff Comments**

N/A, as all the lots are townhouse sublots and are exempt from this requirement.

| ☐ ☐ ☒ | F. In the Townsite Overlay District, original Townsite lots shall be subdivided such that the new platted lots are oriented the same as the original lots, i.e., lots shall be subdivided in such a way as to maintain frontage on both the street and alley. Exceptions may be made for corner properties with historic structures. |

**Staff Comments**

N/A, as this parcel is not located within the Townsite Overlay (TO) District.

### 16.04.070: Orderly Development

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**A. Phasing Required:**

Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.

**Staff Comments**

N/A

**B. Agreement:**

Developers requesting phased subdivisions shall enter into a phasing agreement with the City. Any phasing agreement shall be approved and executed by the Council and the Developer on or before the preliminary plat approval by the Council.

**Staff Comments**

A Phasing Agreement will be required, and will be reviewed by the City Council.

**C. Mitigation of Negative Effects:**

No subdivision shall be approved which affects the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional public costs upon current residents, unless the Developer provides for the mitigation of the effects of subdivision. Such mitigation may include, but is not limited to the following:

1. Provision of on-site or off-site street or intersection improvements.
2. Provision of other off-site improvements.
3. Dedications and/or public improvements on property frontages.
4. Dedication or provision of parks or green space.
5. Provision of public service facilities.
6. Construction of flood control canals or devices.

**Staff Comments**

No impacts to off-site streets or intersections are anticipated. There are no on-site public streets or intersections.

*Park requirements have previously been met for this subdivision.*
The proposed development meets the density requirements for GR. The water distribution system, wastewater conveyance system, and treatment facility all have capacity for the proposed seven (7) units.

When the developer of contiguous parcels proposes to subdivide any portion of the contiguous parcels, an area development plan shall be submitted and approved. The Commission and Council shall evaluate the following basic site criteria and make appropriate findings of fact:

1. Streets, whether public or private, shall provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic.
2. Non-vehicular circulation routes shall provide safe pedestrian and bicycle ways and provide an interconnected system to streets, parks and green space, public lands, or other destinations.
3. Water main lines and sewer main lines shall be designed in the most effective layout feasible.
4. Other utilities including power, telephone, cable, and gas shall be designed in the most effective layout feasible.
5. Park land shall be most appropriately located on the Contiguous Parcels.
6. Grading and drainage shall be appropriate to the Contiguous Parcels.
7. Development shall avoid easements and hazardous or sensitive natural resource areas.

The commission and council may require that any or all contiguous parcels be included in the subdivision.

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**16.04.080: Perimeter Walls, Gates and Berms**

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**City Code**

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 3' higher than the previously existing (original) grade.

**Staff Comments**

No perimeter gates, walls or berms are proposed.

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**16.04.090: Cuts, Fills, Grading and Drainage**

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**A.**

Plans Required: Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts; fills, alterations of topography, streams, drainage channels; and disruption of soils or vegetation. Fill within the floodplain shall comply with the requirements of the Flood Hazard Overlay District of the Zoning Ordinance.

**Staff Comments**

Directional grading has been identified on the plat. Site appears to be fairly flat with no hydrologic issues.

| Yes | No | N/A |
| ☒ | ☐ | ☐ |

**A. 1.**

A preliminary soil report prepared by a qualified engineer may be required by the Hearing Examiner or Commission and/or Council as part of the preliminary plat application.

**Staff Comments**

A geotechnical report has not been submitted. Staff does not anticipate the need for a geotechnical report.
A preliminary grading plan prepared by a civil engineer may be required by the Hearing Examiner or Commission and/or Council as part of the preliminary plat application, to contain the following information:

- Proposed contours at a maximum of two (2) foot contour intervals;
- Cut and fill banks in pad elevations;
- Drainage patterns;
- Areas where trees and/or natural vegetation will be preserved;
- Location of all street and utility improvements including driveways to building envelopes; and
- Any other information which may reasonably be required by the Administrator, Hearing Examiner, Commission and/or Council.

**Staff Comments**

A directional grading and road grading plan have been submitted. It appears that adequate drainage can be accomplished.

**B. Design Standards:** The proposed subdivision shall conform to the following design standards:

**B. 1.** Grading shall be designed to blend with natural land forms and to minimize the necessity of paddling or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.

**Staff Comments**

A directional grading plan submitted. Site appears to be fairly flat, and no terracing or paddling has been identified on the Preliminary Plat.

**B. 2.** Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for Green Space for the benefit of future property owners within the subdivision.

**Staff Comments**

The site appears to be fairly flat and does not identify any questionable existing soil conditions, areas of steep slopes, geological or hydrological areas of concern.

**B. 3.** Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the Developer for Revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction, including temporary irrigation for a sufficient period to establish perennial vegetation. Until such time as the vegetation has been installed and established, the Developer shall maintain and protect all disturbed surfaces from erosion.

**Staff Comments**

Erosion control and re-vegetation shall be included in final design. The Developer shall re-vegetate disturbed areas per this standard.
Where cuts, fills or other excavation are necessary, the following development standards shall apply:

- a. Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability.
- b. Fill for structures or roads shall be compacted to at least 95 percent of maximum density as determined by American Association State Highway Transportation Officials (AASHTO) and American Society of Testing & Materials (ASTM).
- c. Cut slopes shall be no steeper than two horizontals to one vertical. Subsurface drainage shall be provided as necessary for stability.
- d. Fill slopes shall be no steeper than three horizontals to one vertical. Neither cut nor fill slopes shall be located on natural slopes of three to one or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of existing or planned cut slope.
- e. Tops and toes of cut and fill slopes shall be set back from structures and property lines as necessary to accommodate drainage features and drainage structures.

**Staff Comments**

A directional grading plan has been submitted. Site appears to be fairly flat with minimal site grading.

The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain the runoff upon the property in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by planning staff and shall meet the approval of the city engineer. Developer shall provide a copy of EPA’s “NPDES General Permit for Storm-water Discharge from Construction Activity” for all construction activity affecting more than one acre.

**Staff Comments**

No drainage calculations have been provided for drywell capacities. Calculations shall be submitted at final design.

A Storm Water Pollution Prevention Plan (SWPPP) will be necessary for any disturbances greater than 1 acre, and should be provided at final design.

### 16.04.100: Overlay Districts

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Flood Hazard Overlay District:</td>
</tr>
<tr>
<td></td>
<td><strong>Staff Comments</strong></td>
</tr>
<tr>
<td>No</td>
<td><strong>A. 1.</strong> Subdivisions or portions of subdivision located within the Flood Hazard Overlay District shall comply with all provisions of Section 4.10 of the Zoning Ordinance.</td>
</tr>
<tr>
<td>N/A</td>
<td><strong>A. 2.</strong> Subdivisions located partially in the Flood Hazard Overlay District shall have designated building envelopes outside the Flood Hazard Overlay District to the extent possible.</td>
</tr>
<tr>
<td>N/A</td>
<td><strong>A. 3.</strong> Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.</td>
</tr>
<tr>
<td>B.</td>
<td>Hillside Overlay District:</td>
</tr>
</tbody>
</table>
### Preliminary Plat: Lena Cottages
Lot 9, Block 3, Old Cutters Subdivision (Cutters Drive, TBD)
Hailey Planning and Zoning Commission – October 18, 2021

<table>
<thead>
<tr>
<th>Line</th>
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<th>City Code</th>
<th>Standards and Staff Comments</th>
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</thead>
<tbody>
<tr>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>N/A</td>
<td>B. 1. Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 4.14, of the Zoning Ordinance.</td>
</tr>
<tr>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>N/A</td>
<td>B. 2. Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.</td>
</tr>
<tr>
<td>☑️</td>
<td>☑️</td>
<td>☑️</td>
<td>N/A</td>
<td>B. 3. All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.</td>
</tr>
</tbody>
</table>

#### 16.04.110: Parks, Pathways and Other Green Spaces

<table>
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<tr>
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<th>Standards and Staff Comments</th>
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</thead>
<tbody>
<tr>
<td>☑️</td>
<td>Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.</td>
</tr>
<tr>
<td>☑️</td>
<td>The Park Dedication was part of the Old Cutters Subdivision. No further park dedication is required; therefore, none of the Park Standards herein are applicable.</td>
</tr>
</tbody>
</table>

#### 16.05: Improvements Required:

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑️</td>
<td>Minimum Improvements Required: It shall be a requirement of the Developer to construct the minimum infrastructure improvements set forth herein and any required infrastructure improvements for the subdivision, all to City Standards and procedures, set forth in Title 18 of the Hailey Municipal Code and adopted by ordinance in accordance with the notice and hearing procedures provided in Idaho Code §67-6509. Alternatives to the minimum improvement standards may be recommended for approval by the City Engineer and approved by the City Council at its sole discretion only upon showing that the alternative is clearly superior in design and effectiveness and will promote the public health, safety and general welfare.</td>
</tr>
<tr>
<td>☑️</td>
<td>The Applicant intends to construct all necessary infrastructure if the project is approved.</td>
</tr>
<tr>
<td>☑️</td>
<td>Plans Filed, maintained: Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer’s written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.</td>
</tr>
<tr>
<td>☑️</td>
<td>The Applicant shall meet this standard.</td>
</tr>
<tr>
<td>☑️</td>
<td>Preconstruction Meeting: Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.</td>
</tr>
<tr>
<td>☑️</td>
<td>The Applicant shall meet this standard.</td>
</tr>
</tbody>
</table>
### Term Of Guarantee

The developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the city engineer, except that park shall be guaranteed and maintained by the developer for a period of two years.

**Staff Comments**
The Applicant shall meet this standard.

### 16.05.020: Streets, Sidewalks, Lighting, Landscaping

#### 16.05.020 Streets, Sidewalks, Lighting, Landscaping

The developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the city engineer as shown upon approved plans and profiles. The developer shall pave all streets and alleys with an asphalt plant-mix, and shall chip-seal streets and alleys within one year of construction.

**Staff Comments**
All streets, alleys, sidewalks and street trees are in place as part of the Old Cutters Subdivision.

#### A. Street Cuts

Street cuts made for the installation of services under any existing improved public street shall be repaired in a manner which shall satisfy the Street Superintendent, shall have been approved by the Hailey City Engineer or his authorized representative, and shall meet City Standards. Repair may include patching, skim coats of asphalt or, if the total area of asphalt removed exceeds 25% of the street area, the complete removal and replacement of all paving adjacent to the development. Street cut repairs shall also be guaranteed for no less than one year. (Ord. 1191, 2015)

**Staff Comments**
N/A, as no street cuts will be needed.

### 16.05.030: Sewer Connections

#### 16.05.030 Sewer Connections

The developer shall construct a municipal sanitary sewer connection for each and every developable lot within the development. The developer shall provide sewer mains of adequate size and configuration in accordance with City Standards, and all federal, state, and local regulations. Such mains shall provide wastewater flow throughout the development. All sewer plans shall be submitted to the city engineer for review and approval. At the city engineer’s discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

**Staff Comments**
An engineered sewer plan was submitted to the city on April 10, 2020. The plan appears to be sufficient and City Staff has no further comments at this time.

### 16.05.040: Water Connections

#### A. Requirements

The developer shall construct a municipal potable water connection, water meter and water meter vault in accordance with City Standards or other equipment as may be approved by the city engineer, for each and every developable lot within the development. The developer shall provide water mains and services of adequate size and configuration in accordance with City Standards, and all federal, state, and local regulations. Such water connection shall provide all necessary appurtenances for fire protection, including fire hydrants, which shall be located in accordance with the IFC and under the approval of the Hailey Fire Chief. All water plans shall be submitted to the city engineer for review and approval. At the City Engineer’s discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.
<table>
<thead>
<tr>
<th><strong>Staff Comments</strong></th>
<th>Easements for proposed water lines are insufficient in the current proposal. Staff requests that easements be added for shared water lines. It is encouraged that water lines have a minimum setback of ten feet (10') and that they are not near buildings. Adding easements has been made a Condition of Approval.</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ ☐ ☒</td>
<td>B. Townsite Overlay: Within the Townsite Overlay District, 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.</td>
</tr>
<tr>
<td><strong>16.05.050: Drainage</strong></td>
<td></td>
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<tr>
<td>☒ ☐ ☐</td>
<td>16.05.050 Drainage: The developer shall provide drainage areas of adequate size and number to meet the approval of the street superintendent and the city engineer or his authorized representative. (Ord. 1191, 2015)</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>No drainage calculations have been submitted. Review of drainage calculations will take place during final design. Design appears to be sufficient for anticipated runoff.</td>
</tr>
<tr>
<td><strong>16.05.060: Utilities</strong></td>
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<tr>
<td>☒ ☐ ☐</td>
<td>16.05.060 Utilities: The developer shall construct each and every individual service connection and all necessary trunk lines, and/or conduits for those improvements, for natural gas, electricity, telephone, and cable television to the property line before placing base gravel for the street or alley.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>Utilities have been included on the plat and it appears that all utilities will be installed underground.</td>
</tr>
<tr>
<td><strong>16.05.070: Parks, Green Space</strong></td>
<td></td>
</tr>
<tr>
<td>☐ ☐ ☒</td>
<td>16.05.070 Parks, Green Space: The developer shall improve all parks and green space areas as presented to and approved by the hearing examiner or commission and council.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>See Section 16.04.110 for further details. All required Parks and Green Space is complete as part of the Old Cutters Subdivision.</td>
</tr>
<tr>
<td><strong>16.05.080: Installation to Specifications; Inspections</strong></td>
<td></td>
</tr>
<tr>
<td>☒ ☐ ☐</td>
<td>16.05.080 Installation to Specifications; Inspections: All improvements are to be installed under the specifications and inspection of the city engineer or his authorized representative. The minimum construction requirements shall meet City Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent.</td>
</tr>
</tbody>
</table>
| **Staff Comments** | An inspection schedule will be established for any/all components at final design. All infrastructure must meet City of Hailey Specifications and will be further evaluated in greater detail at final design. The inspection process of the proposed public improvements shall include materials testing to ensure the compliance with City of Hailey code.  

The city will need to select an inspector, to be paid for by the applicant, for all water, sewer, and roadway infrastructure during construction. |
16.05.090: Completion; Inspections; Acceptance

| ☒ | ☐ | ☐ | A. | Installation of all infrastructure improvements must be completed by the developer, and inspected and accepted by the city prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the developer and/or contractor and conducted with the developer and/or contractor, the city engineer, and appropriate City departments to determine a punch list of items for final acceptance.

Staff Comments | All infrastructure must meet City of Hailey Specifications and will be further evaluated in greater detail at final design. The inspection process of the proposed public improvements shall include materials testing to ensure the compliance with City of Hailey code.

The city will need to select an inspector, to be paid for by the Applicant, for all water, sewer, and roadway infrastructure during construction.

| ☐ | ☐ | ☒ | B. | The developer may, in lieu of actual construction, provide to the city security pursuant to Section 3.3.7, for all infrastructure improvements to be completed by developer after the final plat has been signed by City representatives. (Ord. 1191, 2015)

Staff Comments | Completion of all major infrastructure by the Developer is preferred over bonding.

16.05.100: As Built Plans and Specifications

| ☒ | ☐ | ☐ | 16.05.100 | As Built Plans and Specifications: Prior to the acceptance by the City of any improvements installed by the developer, three (3) sets of “as-built plans and specifications” certified by the developer’s engineer shall be filed with the city engineer. (Ord. 1191, 2015)

Staff Comments | As-built drawings will be required.

16.08: Townhouses:

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
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</tbody>
</table>

| ☐ | ☐ | ☒ | 16.08.010 | Plat Procedure: The developer of the townhouse development shall submit with the preliminary plat application and all other information required herein a copy of the proposed party wall agreement and the proposed document(s) creating an association of owners of the proposed townhouse sublots, which shall adequately provide for the control (including billing, where applicable) and maintenance of all common utilities, commonly held facilities, garages, parking and/or green spaces. Prior to final plat approval, the developer shall submit to the city a final copy of the party wall agreement and any other such documents and shall record the documents prior to or at the same time of the recordation of the plat, which plat shall reflect the recording instrument numbers thereupon. (Ord. 1191, 2015)

Staff Comments | N/A

| ☐ | ☐ | ☒ | 16.08.020 | Garages: All garages shall be designated on the preliminary and final plats and on all deeds as part of the particular townhouse units. Detached garages may be platted on separate sublots; provided, that the ownership of detached garages is appurtenant to specific townhouse units on the townhouse plat and that the detached garage(s) may not be sold and/or owned separate from any dwelling unit(s) within the townhouse development. (Ord. 1191, 2015)
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>16.08.030</td>
<td>Storage, Parking Areas: Residential townhouse developments shall provide parking spaces according to the requirements of title 17, chapter 17.09 of this code. (Ord. 1191, 2015)</td>
<td>Per the Hailey Municipal Code, residential units of less than 1,000 square feet are required to have one (1) parking space per residential dwelling unit, and single-family dwellings greater than 1,000 square feet are required a minimum of two (2) parking spaces per unit. The project is comprised of seven (7) single-family dwellings, five (5) of which are less than 1,000 square feet in area, and two (2) of which are greater than 1,000 square feet, thus requiring nine (9) total onsite parking spaces. The site plan shows a total of eleven (11) onsite parking spaces, including seven (7) private garages, and four (4) guest parking spaces, of which one (1) is an accessible parking space. Parking requirements have been met.</td>
</tr>
<tr>
<td>16.08.040</td>
<td>Construction Standards: All townhouse development construction shall be in accordance with the IBC, IRC and IFC. Each townhouse unit must have separate water, sewer and utility services, which do not pass through another building or unit. (Ord. 1191, 2015)</td>
<td>This standard will be met.</td>
</tr>
<tr>
<td>16.08.050</td>
<td>General Applicability: All other provisions of this title and all applicable ordinances, rules and regulations of the city and all other governmental entities having jurisdiction shall be complied with by townhouse developments. (Ord. 1191, 2015)</td>
<td>This standard will be met.</td>
</tr>
<tr>
<td>16.08.060</td>
<td>Expiration: Townhouse developments which have received final plat approval shall have a period of three (3) calendar years from the date of final plat approval by the council to obtain a building permit. Developments which have not received a building permit shall be null and void and the plats associated therewith shall be vacated by the council. If a development is to be phased, construction of the second and succeeding phases shall be contingent upon completion of the preceding phase unless the requirement is waived by the council. Further, if construction on any townhouse development or phase of any development ceases or is not diligently pursued for a period of three (3) years without the prior consent of the council, that portion of the plat pertinent to the undeveloped portion of the development shall be vacated. (Ord. 1191, 2015)</td>
<td>This standard will be met.</td>
</tr>
<tr>
<td>16.08.070</td>
<td>Conversion: The conversion by subdivision of existing units into townhouses shall not be subject to section 16.04.110 of this title. (Ord. 1191, 2015)</td>
<td>N/A</td>
</tr>
<tr>
<td>16.08.080</td>
<td>Density: The maximum number of cottage townhouse units on any parcel shall be twelve (12), and not more than two (2) cottage townhouse developments shall be constructed adjacent to each other. (Ord. 1191, 2015)</td>
<td>A total of nine (9) cottage units are planned in Phases I and II.</td>
</tr>
<tr>
<td>16.11.010</td>
<td>Exceptions: Whenever the tract to be subdivided is, in the shape or size, or is surrounded by such development or unusual conditions that the strict application of the requirements contained herein would result in real difficulties and substantial hardships or injustices, the council may vary or modify such requirements by making findings for their decision so that the developer is allowed to develop his property in a</td>
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</table>
reasonable manner, while ensuring that the public welfare and interests of the city and surrounding area are protected and the general intent and spirit of this title are preserved. As used in this section, the phrase “real difficulties and substantial hardships or injustices” shall apply only to situations where strict application of the requirements of this title will deny to the developer the reasonable and beneficial use of the property in question, and not in situations where the developer establishes only those exceptions will allow more financially feasible or profitable subdivision. (Ord. 1191, 2015).

**Staff Comments**: N/A, as this standard is not needed.

**Summary**: The Commission shall review the proposed plat and continue the public hearing, approve, conditionally approve, or deny the Preliminary Plat. If approved, the Plat Application will be forwarded to the Council. If the Short Plat process is used, only the Final Plat is required for Council review.

**Suggested Conditions of Approval**: The following conditions are suggested to be placed on any approval of this application:

a) All Fire Department and Building Department requirements shall be met.

b) All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department approval and shall meet City Standards where required.
   i. The Applicant shall submit engineered plans for water delivery suitable to the City Engineer and Water Division Manager.
   ii. The applicant shall abandon any unused water services at the water main.

c) An encroachment permit should be applied for prior to any work in the public right of way.

d) Best management practices shall be utilized, particularly adjacent to the canal easement, to prevent water pollution.

e) The final plat shall include plat notes #1 through #9 as stated on the approved preliminary plat with the following amendments and additions:
   i. The Applicant shall include an additional plat note #10 indicating that no guest on-street parking is permitted.

f) The preliminary plat shall include easements for the following utilities:
   i. Shared water lines – easement shall include a minimum setback of ten feet (10’)
   ii. Power/Cable/Television
   iii. Gas
   iv. Any other utilities where they extend beyond designated common space.

g) All improvements and all improvements within the public right-of-way shall be completed and accepted, or surety provided pursuant to Sections 16.04 and 16.05 of the Hailey Municipal Code, prior to recordation of the final plat.

h) 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.

i) Any subdivision inspection fees due shall be paid prior to recording the final plat.
Motion Language:

Approval: Motion to approve the Preliminary Plat Application for Lena Cottages Subdivision (Lot 9, Block 3, Old Cutters Subdivision), finding that the application meets all City standards, and that Conditions (a) through (i) are met.

Denial: Motion to deny the Preliminary Plat Application for Lena Cottages Subdivision (Lot 9, Block 3, Old Cutters Subdivision) finding that _______________ (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].
The USDA-FSA Aerial Photography Field office asks to be credited in derived products.

A Vicinity Map Showing
The Proposed Lena Cottages
Lot 9, Block 3 Old Cutters Subdivision
Hailey, Idaho

1 inch = 200 feet

ALPINE ENTERPRISES INC.
PO Box 2037
660 Bell Drive, Unit1
Ketchum, Idaho
208-727-1988
January 2020
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

SEE PAGE 4 FOR NOTES
## OLD CUTTERS SUBDIVISION

**A REPLIT OF LOTS 1A, 2A, 3 & 4, A REPLIT OF DREXLER RANCH SUBDIVISION, AND A PORTION OF LOT 4, BUCKHORN SUBD. 2ND ADDITION**

**LOCATED WITHIN SECTIONS 3 & 4, T2S N., R18E, B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO**

**OCTOBER 2007**

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### NOTES

1. A HOT WIRE PUBLIC UTILITY EASEMENT EXTENDS ON BOTH SIDES OF ALL PUBLIC STREETS WITHIN THE LOTS. THE OVEN SALTAB STYLE OF HIGH TENSION WIRE IS TO BE USED FOR ALL PUBLIC WIRE INSTALLATIONS. THE USE OF 2X4 EASEMENT SPACE IS TO BE USED AT THE END OF THE LOTS WHERE PUBLIC UTILITIES MEET THE ROAD. PUBLIC UTILITIES EASEMENT MUST BE USED AT THE END OF THE LOTS WHERE PUBLIC UTILITIES MEET THE ROAD. PUBLIC UTILITIES EASEMENT MUST BE USED.

2. A HOT WIRE PUBLIC UTILITY EASEMENT EXTENDS ON BOTH SIDES OF ALL PUBLIC STREETS WITHIN THE LOTS. THE OVEN SALTAB STYLE OF HIGH TENSION WIRE IS TO BE USED FOR ALL PUBLIC WIRE INSTALLATIONS. THE USE OF 2X4 EASEMENT SPACE IS TO BE USED AT THE END OF THE LOTS WHERE PUBLIC UTILITIES MEET THE ROAD. PUBLIC UTILITIES EASEMENT MUST BE USED AT THE END OF THE LOTS WHERE PUBLIC UTILITIES MEET THE ROAD. PUBLIC UTILITIES EASEMENT MUST BE USED.

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### A PLAT SHOWING

**OLD CUTTERS SUBDIVISION**

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**END OF DOCUMENT**
Return to Agenda
To: Planning and Zoning Commission

From: Robyn Davis, Community Development City Planner

Proposal: Consideration of a Design Review Preapplication by Leonard H. McIntosh Family Trust, for construction of four (4) residential units located in two (2) three-story duplex buildings. Each unit is 2,143 square feet in size with garage. The proposed project is located at 109 West Spruce Street (Lots 9 and 10, Block 66, Hailey Townsite) within the Business (B), Downtown Residential Overlay (DRO), Small Residential Overlay (SRO), and Townsite Overlay (TO) Zoning Districts.

Hearing: October 18, 2021

Applicant: Leonard H. McIntosh Family Trust

Location: 109 West Spruce Street (Lots 9 and 10, Block 66, Hailey Townsite)

Zoning: Business (B), Downtown Residential Overlay (DRO), Small Residential Overlay (SRO), and Townsite Overlay (TO) Zoning Districts

Notice: Notice for the public hearing was published in the Idaho Mountain Express on September 29, 2021 and mailed to property owners on September 29, 2021.

Background and Project Overview. The Applicant is proposing to build two (2) three story duplexes consisting of a total of four (4) residential units. Each unit will be 2,143 square feet in size and include a two-car garage on the main level, living on the second floor, and three bedrooms on the third floor. The Applicant is also proposing an outdoor space to include seating and a fire pit.

The project site is located on 7,194 square feet and the Applicant has chosen to meet the Downtown Residential Overlay (DRO) Standards outlined in the Hailey Municipal Code. As such, maximum residential units per acre do not apply; rather density is limited by open space, parking, landscaping and standards of review from Chapter 17.06: Design Review. Further details are described herein.

The Applicant has submitted a Site Plan, Floor Plans and Renderings, as required by the Preapplication Design Review submittal requirements. Additionally, the Applicant has submitted a preliminary Landscape Plan and Topographic Map of the parcel.
Chapter 17.06: Design Review. Section 17.06.050: Application:

C. Design Review Pre-Application:

1. Required: An application for PreApplication Design Review shall follow the procedures and be subject to the requirements established by section 17.03.070 of this title, and shall be made by at least one holder of any interest in the real property for which the PreApplication Design Review is proposed.

2. Information Required: The following information is required with an Application for PreApplication Design Review:
   
a. The Design Review Application form, including project name and location, and Applicant and representative names and contact information.

b. One (1) eleven inch by seventeen inch (11" x 17") and one electronic copy showing at a minimum the following:
   
   i. Vicinity map, to scale, showing the project location in relationship to neighboring buildings and the surrounding area. Note: A vicinity map must show location of adjacent buildings and structures.

   ii. Site plan, to scale, showing proposed parking, loading and general circulation.

   iii. One color rendering of at least one side of the proposed building(s).


The proposed Site Plan shows two (2) new buildings with eight (8) onsite parking spaces. The Landscape Plan includes various trees and landscaping. The Site Plan also incorporates public right-of-way improvements, interior and perimeter sidewalk additions and/or pathways, and the addition of common outdoor amenities, such as seating areas.

Items for Discussion and/or Other Items of Note:

1. Building Design, Materials and Colors: The building design and materials are varied: standing seam metal in Slate Grey, Hardie Plank Horizontal Lap Siding in Rembrant Ruby, Hardie Plank Horizontal Lap Siding in Peacock Plume, and vertical siding in Natural timber. Undulation is created by varied roof features, pop outs, balconies and a combination of exterior materials.
2. **Water, Sewer and Fire:** This is a Pre-Application Design Review. Final drawings that show connection details will be required for Design Review (to be determined). The following preliminary recommendations from the Public Works Department have been made:
   i. A water service will need to be installed from the water main to the property. A meter vault will also need to be installed at the Owner’s expense.

3. **Streets, Right-of-Ways, Sidewalks, Parking:** Planning Staff suggests that the Applicant provide irrigation to all landscaping, including street trees, and new vegetation onsite and within the public right-of-way. Electrical shall also be installed (for street tree lights and any streetlights) during construction. Streetlight placement will be determined by the Public Works Department.

   The Applicant is proposing eight (8) onsite parking spaces and improvements to the public right-of-way. Under the Downtown Residential Overlay (DRO), a minimum of one (1) space is required per residential unit. There are four (4) residential units proposed and each unit will see a two-car garage. Onsite parking totals eight (8) parking spaces where only four (4) parking spaces are required. Improvements to the public right-of-way will yield four (4) off-site parking spaces, which includes one (1) handicap-accessible parking space.

   The Public Works Department further recommends the following:
   - Drainage details of the new sidewalk shall be included at final design.
   - Interior and perimeter sidewalks or pathways shall also be maintained (i.e., snow removal, repairs, etc.) by the Applicant.
   - A better transition from the old curb cut to the new cross section is desirable (see image below for more detail).

Lastly, the River Street Typical Section is proposed along the property frontage (River Street) and along Spruce Street; however, there have been ongoing internal discussions with regard
to hardscape and how to better ‘soften’ the right-of-way with the utilization of drought tolerant grasses and/or plantings. The Applicant has proposed landscaping areas within the bulbout, which Staff finds complementary to the project and overall street redesign.

4. **Landscaping and Street Trees:** A preliminary Landscape Plan has been submitted and shows a variety of plantings. The City Arborist recommends that the Applicant utilize the Hailey Approved Tree List when choosing a street tree species. [https://www.haileycityhall.org/TreeCommittee/documents/HaileyStreetTreeListupdated021221.pdf](https://www.haileycityhall.org/TreeCommittee/documents/HaileyStreetTreeListupdated021221.pdf)

Columnar trees are also proposed within the public right-of-way, which are of concern as they require a greater degree of maintenance than other tree species. Staff anticipates developing a Maintenance Agreement with the Applicant that covers all landscaping and tree care, irrigation, electrical, and snow removal within the public right-of-way. This will be reviewed by all parties and approved by the Hailey City Council at a subsequent hearing.

The Hailey Tree Committee will review the proposed street tree locations, species and sizes at the next available hearing, tentatively scheduled for November 4, 2021.

5. **Useable Open/Park Space.** The Applicant is proposing to incorporate dedicated outdoor common areas with a shade structure for seating and tables onsite. Benches will also be included within the public right-of-way along Spruce Street and adjacent to the sidewalk.

Under the DRO, Useable Open Space of not less than ten percent (10%) of the total lot area shall be included in the project design. It appears the project meets this standard.

A landscape buffer between parking areas and residential zoning districts is also required. The buffer may consist of an acceptably designed fence or wall incorporating drought tolerant plantings. The Applicant is proposing a fence and various tree species along it: a columnar landscape buffer along the north property line and evergreen/deciduous trees along the western property line.

6. **Recycling for Residents.** If not already proposed, Planning Staff suggests that the Applicant consider adding onsite recycling to all units.

7. **Other Considerations:** The attached plans are preliminary and at this time, no subdivision is proposed. If the parcel is subdivided, the Applicant will be subject to all improvements and/or fees required of Title 16: Subdivision Regulations.

Additionally, Planning Staff does not believe the proposed lot line amendment meets Section 16.04.060: Lots, F. of the Hailey Municipal Code:

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F. In the townsite overlay district, original townsite lots shall be subdivided such that the new platted lots are oriented the same as the original lots, i.e., lots shall be subdivided in such a way as to maintain frontage on both the street and alley. Exceptions may be made for corner properties with historic structures.  
(Ord. 1191, 2015)
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Planning Staff suggests that the Applicant proceed with a Lot Line Adjustment Application to eliminate the interior lot lines and/or create sublots for the proposed project.

**Action:** No formal action is required at this time as this is a Preapplication Design Review. The Commission should give feedback on the above items, and any others that may arise, so that the Applicant can incorporate said feedback into their Design Review submittal.
Return to Agenda