

**DRAFT**

**Minutes of the Planning and Zoning Commission  
April 3, 2014**

The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on April 3, 2014 at 09:00 a.m.

**1. Call To Order**

Chairman Ken Herich called the meeting to order at 9:07 a.m.

**Present:** Commissioners Ken Herich, Bill Boeger, Jake Provonsha, John O'Connor, and Margaret Walker.

**Absent:** None.

**Also present:** Community Development Director Mark Hofman, Community Development Planning Technician and Associate Planner Isabel Lui, City Attorney Adam King, City Clerk Hannah Stauts, Peter Hendricks, James Coons, Geoff Tickner, Chase Gouley, Clint Lightner, Ben Young, Ashley Board, John Gaeddert, Neil Henderson, Scott Thompson, Josh Gilder, Tim Hogan, John Hunter, Laura Gvozdaz, Micki Chapin, Garth McClure, and Chrissy Gove.

**2. Public Comment**

None.

**3. Consent Agenda**

None.

**4. Continued Business**

- A. [Scott Thompson for Evergreen Ventures, LLC; Public hearing for the revised Lane Meadows development applications, including: Annexation request to incorporate into the City of Sun Valley from unincorporated Blaine County; Comprehensive Plan/Future Land Use Map Amendment \(CPA 2013-02\) for a Low Density Residential land use designation; Zoning Map Amendment \(REZ 2013-03\) to zone the property to the Single-Family Residential \(RS-1\) Zoning District; Master Plan/Planned Unit Development \(CUP 2013-01\) for single family residential development, including a private street and an open park parcel; Preliminary Plat \(No. SUBPP 2013-11\) for a ten \(10\) lot single family subdivision with associated improvements; and, Development Agreement for a single phase residential development. Location: 12671 and 12673 Highway 75; Tax Lots 5994 and 6790, Blaine County.](#)

Chairman Herich asked questions of the Idaho Transportation Department representatives present regarding the application. He asked the difference between a right-of-way versus an easement. He then asked how a sidewalk would be approved in a right-of-way. The explanation was that the applicant would have to have an application approved by the City, and then ITD would be able to take action.

Chairman Herich polled the Commissioners for any ex-parte communications. No other Commissioners had any disclosures. Chairman Herich disclosed his participation in an Idaho Transportation Department meeting regarding the Highway 75 improvement project that ends near the proposed application site.

He stated that the discussion at the meeting was to clarify what would be needed from the applicant for ITD to consider the request, as the plat note states "easement" from ITD, not "right-of-way". He also noted that ITD said they did not have any intention of changing the speed limit in that area to 35 miles per hour. Chairman Herich asked that those items be explored today with the applicant.

Community Development Director Mark Hofman reviewed the history of the application and described the new materials in the Commissioners' packets. He said there are new comment letters that have been received, however the City still lacked a letter from ITD.

Chairman Herich gave the floor to the applicant for their presentation. Scott Thompson, applicant, stated that the traffic study was conducted assuming a 45 mile per hour speed limit. Thompson requested that Commission consider the applications individually and not together, particularly in regards to the annexation request and subdivision application. Thompson expressed his feeling that they had brought a proposal to the City that complied with every aspect of the City Code. He reviewed his calculations of the proposal in regards to how they met or exceeded the requirements of the Code and how it compared to adjacent Lane Ranch properties.

Next, Thompson described how the application applied to elements of the Comprehensive Plan, the zoning area requirements and the comparison between the lots in the application and adjacent lots in Lane Ranch. Thompson reviewed the changes that have been made to the application since the last meeting. He then reviewed the negative comment letters that the City had received and concluded by reading a summary of the key comparisons between Lane Meadows and Lane Ranch zoning

John Gaeddert, for the applicant, responded to the earlier questions regarding ITD permitting and reviewed the conversations he had with ITD staff. He stated he would not be in front of the Commission unless he felt the proposal was a safe project. There are two encroachment permits needed from ITD- one for the 10-foot turning area and the other for the sidewalk. ITD had told him that they will not issue the encroachment permit until the City has blessed it. Jim Laski, applicant attorney, suggested that the concerns regarding the ITD permits could be addressed as a condition of approval.

Commissioner Bill Boeger asked that Gaeddert to walk the Commission through the proposed sidewalk and to address the neighbors' concerns about the berms along ITD's easement. Gaeddert reviewed the location of the proposed sidewalk and its location to the highway and the berm along the Lane Ranch properties. Ben Young, for the applicant, discussed the potential to improve the bike lane and safety along Elkhorn Road. Commissioner Boeger asked what the width of the trail system is. Hofman replied that it is currently eight feet. The Lane Meadows proposal is to have the sidewalk 6 feet wide.

Commissioner Provonsha asked about the ITD easement and the ability of a private property owner to weigh in on an easement request. City Attorney Adam King responded by saying that the City would need to look at what the scope of the easement was for ITD. Gaeddert said that Laski can look into the scope of the easement, but that ITD will own the sidewalk. Laski stated that according to the traffic analyst Laurie Labrum, ITD has said the proposed placement of the sidewalk works for them.

The Commission began to discuss the drainage plan. Hofman said that the City has not had the City Engineer weigh in on the plan as it is currently a draft and intended to serve as information for the Commission and to allow for discussion.

Gaeddert implored the Commission to keep the applications separate as they continue through their deliberations. He explained that he had encouraged Thompson to present the project as a complete project. Commissioner O'Connor expressed confusion about this approach and said that he felt the Comprehensive Plan amendment and annexation request could be discussed separately today. Hofman discussed why he felt it was necessary to present all of the applications together. He said that without a full understanding of the intended project, the City would be unable to develop findings for the annexation request. Chairman Herich said the last annexation, which was for Lane Ranch, had also been presented as a package. This allowed the Commission to understand the value and intent of the project. Chairman Herich stated his feelings as to why it was important for the City to consider all of the applications collectively.

Chairman Herich said that in regards to the drainage plan, staff had said the Commission needed to be able to answer the following three questions: what is the water, where does it go and what happens to it. Gaeddert said that in summary, all of the water that originates on the property will be handled on-site.

Regarding the ITD permits, Gaeddert said that ITD will not issue an encroachment permit until the applicant can demonstrate that they will deal with the drainage. Garth McClure, for the applicant, said that the applicant will issue a final report after the review and input from the City's Engineer. Hofman rebutted that because that would be a special review, the City would not have assurances that they will be repaid for reviewing something that is still preliminary.

#### **BREAK**

A recess was taken at 11:12 a.m.

The meeting resumed at 11:25 a.m.

Chairman Herich opened the public hearing for comments.

Tim Hogan, 11 Meadow Road, made comments. Hogan reviewed the analysis he provided at previous meetings depicting the lot densities of the proposed application in comparison to the neighboring lots.

Jim Koonz, 48 Lane Ranch Road, made comments regarding the proposed pathway, traffic issues on Highway 75, and compatibility with adjacent properties. He discussed the history of development efforts on the property that led up to the current applications. He said the six foot sidewalk is a positive improvement in safety, but he remained concerned about maintaining the sidewalk- such as snow plowing and liability assignment.

Jeff Tickner, 9 Willow Road, made comments. He recommended integrating the property with Lane Ranch and that he would like to see the development designed in conjunction with Lane Ranch. A discussion was held regarding access to Lane Meadows from Lane Ranch through an easement.

Neil Harrison, nearby property owner, said he feels the same way as Tickner, and that the proposed application would be essentially allowing a separate development to occur within Lane Ranch. He expressed concerns regarding access safety and trespassing issues for recreation.

Jim Koonz, 14 Lane Ranch Road, made another comment regarding access to Lane Meadows through Lane Ranch.

Chairman Herich closed the public hearing.

Thompson began his rebuttal to the public comments shared. He explained why integration into Lane Ranch is difficult, and reviewed the proposed density, building envelopes, and front yard setbacks. Laski discussed the applicant's historical discussions with the Lane Ranch Board and why those efforts had not worked out.

Chairman Herich asked the Commission to state their thoughts on the application. Commissioner Walker stated it was clear to her there are a lot of emotions on either side of the issue. She feels it is a beautiful project, but remains uncomfortable with the density. Commission O'Connor said he would like to see fewer homes however he recognized the Commission could not tell the applicant how to design his project. He would approve the preliminary plat based on a few less homes. Commissioner Provonsha said the City has nothing to say about what is developed on the property unless the City annexes it. He stated he felt the review of the elements of the Comprehensive Plan was valuable to the discussion and he thought the applicant has done a wonderful job in presenting the application. He said he thinks that annexation is inappropriate. Commissioner O'Connor asked Commissioner Provonsha how he would feel if the development request went to the County. Commissioner Provonsha said that if he were a Lane Ranch property owner he would not want the County to be the decision maker.

Commissioner Boeger complimented the applicant for his efforts to respond to the complaints that have been shared. He does not feel reducing the number of homes would have any impact on the traffic for the development. He feels that light, space and views are more affected in Lane Ranch right now due to landscaping and that development of Lane Meadows would not be the predominant issue. He does not see the project being incompatible with Lane Ranch and feels it is a good project. Chairman Herich made comments regarding the traffic analysis and the proposed turn lane. He questions whether a 10-foot turn lane would be the safest option. He said the sidewalk could possibly be worked through. He thinks the concession to have single story homes is great, as are the setbacks. The issue is still in considering the annexation. He feels it is too dense, and that the proposed reduction in lots did not really change the character of the subdivision and that the current format has some problems.

Chairman Herich said the Commission needed to take action. His position is that if the subdivision does not work than the annexation does not work. City Attorney Adam King suggested that the Commission review each application and discuss the aspects of each that the Commission either agrees upon or does not. Gaeddert requested the Commission state their reasons in their findings as it would be helpful for the applicant.

Hofman presented the Commission with their options for developing the findings and how they could be presented. The Commission held a discussion with Hofman regarding the possible paths forward with the application requests. Gaeddert said he supported the position of hearing the reasons behind denial of each separate application. The Commission developed a list of the positives and negatives associated with the annexation application. The positive elements were: the property is in the Area of City Impact, the addition of a sidewalk, that service is already provided there by police and fire. The negative elements were: too dense as currently proposed; potential safety issues with the highway turn lane; and unknown resolution of drainage issues.

The Commission then discussed the reasons behind the Comprehensive Plan amendment request. The issue of concentration or overcrowding of the land was the predominant concern. King suggested that since the concerns seemed to be the same throughout each application, such as density, safety,

drainage, etc., that the Commission entertain a motion that includes them all for each application. The Commission decided to direct staff to prepare the findings for a date certain.

Hofman reviewed his notes from their discussions in order to capture the issues for the findings. Zoning Regarding the ITD permits, Gaeddert asked if the issue was that they had not demonstrated to them that ITD would approve them. Chairman Herich stated that their concern was that ITD and the City Engineer approve them.

**5. New Business**

None.

**6. Discussion Items**

Hofman described the next steps in the process for the Lane Meadows application and reviewed the calendar for dates to continue the item. A discussion was held clarifying the process with ITD and the City regarding approvals for the turn lane, encroachment permits and maintenance plans. Hofman discussed the other applications that would be coming to the Commission and the relative scheduled meeting dates.

**7. Adjourn**

**MOTION**

Commissioner O'Connor moved to adjourn, seconded by Commissioner Boeger. All were in favor, none opposed. The motion carried.

The meeting was adjourned at 12:30 p.m.

**MEETING SCHEDULE**

Special Planning & Zoning meeting, April 17, 2014 at 9:00 a.m.  
Regular Planning & Zoning meeting, April 23, 2014 at 9:00 a.m.

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Ken Herich, Chairman

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Hannah L. Stauts, City Clerk