

DRAFT

Minutes of the Planning and Zoning Commission

July 24, 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 July 24, 2014 at 09:40 a.m.

The Commission reconvened at 9:40 a.m. in the Council Chambers.

1. Call To Order

Chairman Herich called the meeting to order at 9:40 a.m. following a site visit to Lot T3-3, Block 6 of Elkhorn Springs Phase II; 113 Senabi Lane.

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

Absent: none

Also Present: Community Development Director Mark Hofman, Planning Technician and Associate Planner Isabel Lui, City Attorney Adam King, Dave Hennessy, Mike Brunelle, Georgia Davala, Chrissy Gove, Donald Timmons, Scott Thomson, Karen Reinheimer and Stephanie Christie.

2. Public Comment

3. Consent Agenda

4. New Business

- A. [Mike Brunelle for Elkhorn Springs, LLC; Site visit and public hearing for a Design Review application proposing the construction of a new 8,144 square foot paired home \(two townhome units\) with attached garages and associated site improvements on an existing residential block of the Elkhorn Springs development in the Commercial Center \(CC\) Zoning District. Location: Lot T3-3, Block 6 of Elkhorn Springs Phase II; 113 Senabi Lane. Application No: DR 2014-21. \(9am site visit at the project address to begin the Commission's meeting\)](#)

Chairman Herich asked the applicant to present the site design and explain how it affects the neighbors.

Dave Hennessy said the proposed project is the 13th building under the original Elkhorn Springs Master Plan. The buildings were proposed one at a time. The roof design is different from the existing buildings which were built over six to ten years ago. The applicant is updating the design to cater for the current market taste. However, the applicant said the color pallet, material and feel of the proposed building are consistent with the existing buildings.

Chairman Herich thought the stones to be used are a little bit different from those of the existing homes. Mike Brunelle said even in the existing homes, materials used are slightly different which is mainly in the stones. Brunelle described the materials for the proposed project and the Commission asked a few questions.

Commissioner O'Connor asked the applicant to explain the roof design because he is concerned with the impact of snow and ice. Mark Hofman confirmed the design complies with the building code. The Commission had a brief discussion with the applicant on the roof elevation.

Dave Hennessy presented the site and drainage plan. Chairman Herich asked what the requirements are for setback in Commercial Core (CC). Mark Hofman said there are no setbacks in the CC but there are setbacks from uses and structures, not from property lines. One can add a structure right at the property line as long as it is not adjacent to RA, RS-1 or another structure.

Dave Hennessy presented the landscape plan and explained that it is a conjunction to the existing landscaping, with a mixture of spruce, quaking aspen and swedish aspen.

Mike Brunelle said the view of the proposed building from the golf course looks like a two level building. The proposed building has the same configuration of the two existing units in Senabi Lane. Commissioner O'Connor asked the location for the mechanicals. Mike Burnelle said it is located inside. Any extra meters required will be located outside and be built in the enclosure.

Commissioner Walker asked what the total interior space of the proposed building compared to the existing buildings is. Mike Brunelle said there is no difference and made a comparison of the different ceilings created by the different roof design.

Commissioner O'Connor asked the current status of ownership of the property. Dave Hennessy said he and his brother bought out the remainder of the previous partnership.

Chairman Herich said he would like to see screening of the air conditioners and condensers in the landscaping plan. The Commission discussed briefly the gas meter enclosure and chimneys. Mike Brunelle said the items mentioned by the Commission were taken care of as they are also required by the Sun Valley Elkhorn Association.

Mike Brunelle presented the layout of the second level. He said the number of window openings is increased slightly on the street side. He also described briefly the construction materials and their pallets, and mentioned they are no longer proposing solar panels.

Mike Brunelle presented the lighting plan and said it complies with the Dark Sky Ordinance. Chairman Herich commented on the light fixture. He was concerned about the hot spot created by the shield of the down lightings. He also commented as elevation increases, it may be possible the down lightings become noxious which the applicant should pay attention to.

Mike Brunelle presented the true to life image to show the impact of the building as one stands on the street and explained the second level is invisible from the existing neighboring building.

Chairman Herich opened the public hearing for comments.

Donald Timmons, a member of the Elkhorn Springs condominiums Board of Directors, commented on the public notices that home owners received. He said they did not contain any visuals. As a result, he had to contact Dave Hennessy for the additional information. He then informed the home owners by email about the public hearing details a week ago. The board of directors collected five opinions from

home owners at this point, including him, about the project. He did not regard this as full representation of home owners' opinions under the time constraint. The consensus is the building is not in harmony with the other buildings. It does not enhance the neighborhood. One comment said the property owner wants to update the unit for marketing or cost efficient reason and there is uncertainty on what the next one will be like. Home owners want uniformity in the building design. Timmons did not like the roof line design. One owner said if it is an upgrade of design, it does not do anything to the value of existing homes.

Chairman Herich asked Timmons to pass the homeowners' email inputs to Mark Hofman for record purpose.

Stephanie Christie, 111 Senabi, agreed with Timmons's comments. She talked about how the proposed building is different from the existing ones, including the size of windows, roof line design, the use of stones and exterior lighting. She said in the current design, the larger and higher unit is next to the existing building. She thought it would be more beneficial to have the design flipped over so that the lower unit is neighboring the next unit. She said the differences in grade will be minimized if the proposed building is flipped. She said there are different phases of development in Elkhorn but they are of larger homogeneous groupings. She commented the current proposal involved a design change of only two units and it is a one-off project. She also made comment on the drain from which she can hear a lot of runoff from her deck.

Hearing no further comment, Chairman Herich closed the public hearing.

Chairman Herich invited the applicant to respond to any of the public comments.

Dave Hennessy said the drainage comes from Dollar and the golf course and they are not adding any more drainage.

Mike Brunelle clarified the third story unit is 18 feet to the west of where the building edge is and the building is not perceived as a three story building in one plane. The third story actually steps back.

Stephanie Christie asked if the patio and the back of the end unit are elevated, and whether there are 3 balconies at the back of the larger unit. Mike Brunelle said there are two elevated balconies and confirmed to Christie from her unit she would see a patio and two balconies. The Commission looked at the floor plan in detail with focus on the deck and number of balconies. Christie further asked if the proposed project has balconies that are different from the existing ones. Mike Brunelle said there is not a consistent width and the balcony is L-shaped.

Chairman Herich questioned what the City requires in terms of workforce housing for the proposed project, given the continual ownership of the property and the selling off of the parcel across the street to the Ski Academy. Hofman said this is a master plan community. The master plan has not been amended. The attached PZ-D shows how the development meets the 3% commercial requirement and how the development meets the 5% workforce housing. The master plan captures the requirement of workforce housing. Workforce housing is not meant to be implemented in each of the blocks.

The Commission held a brief discussion on how the proposed project and any future development in the other piece of property tie in with the existing homeowners association. Dave Hennessy gave a brief

description on the existing three types of home owners associations in the Elkhorn Springs development, its CC&Rs and the property's relationship with the Sun Valley Elkhorn Association (SVEA).

Chairman Herich asked the applicant to consider the public comments on neighborhood compatibility and brought the applicant's awareness of the expiration of the preliminary plat.

Commissioner O'Connor said he saw the marketing sign of the property on site a few weeks ago and initially felt the proposed project did not fit in the neighborhood. However, he changed his mind after seeing the plans and color scheme today and thought it would blend in the neighborhood. Adam King clarified with Commissioner O'Connor his previous presence at the site is not an independent site visit which the latter affirmed.

Commissioner Walker said she has a problem with the flat roof. She drove up the road today and looked down at the four lots and could not see the new design fit in the neighborhood. Although the applicant emphasized the roof would not be visible, she had reservation on it when the next two lots were developed, unless the design is different. She also commented on the idea of flipping the building and staggering 5-foot height increase of the current lots and the next two lots. Overall, she did not think the proposed project is in harmony with the rest of the existing buildings.

Commissioner Provonsha said the design does not respect adequately the architectural structure of existing units. Commissioner Boeger said he does not expect everything developed in the area looks exactly the same in 10 to 20 years. He commented the roof design and empathized with the reaction of the neighbors. He thought the color and tone of the materials are good. He suggested the applicant make the proposed project a little bit more compatible with its neighbors.

Chairman Herich said developer should be given architectural freedom and he likes things to be a little bit different. He does not agree that the proposed project is detrimentally different. If you look at Lane Ranch, all houses are different but they are in harmony.

Dave Hennessy said they do not know when they would build the next lot to the right of the proposed project, but the plan will be the same design, meaning it is not a one off building.

MOTION

Commissioner Provonsha moved to deny Design Review Application No. DR 2014-21 because the proposed project does not adequately respect the architectural features of the existing neighborhood. Commissioner Walker seconded. Commissioners Provonsha and Walker were in favor, Commissioners Herich, O'Connor and Boeger opposed. The motion failed.

MOTION

Commissioner O'Connor moved to approve Design Review Application No. DR 2014-21 for the building of Elkhorn Springs Paired Homes T3-3, seconded by Commissioner Boeger. Commissioners O'Connor, Boeger and Herich were in favor, Commissioners Walker and Provonsha opposed. The motion carried.

Commissioner Walker clarified her opposing vote to the motion is because the application does not fulfill required findings #5, she thought the proposed design is not compatible with the community character and scale of the neighborhood.

Chairman Herich said there is a 10-day appeal period and anyone who objects may file an action for appealing this decision to the City Council.

Break

A break was taken at 10:47 a.m.

The meeting reconvened at 11:00 a.m.

5. Continued Business

A. [Continued public hearing on the City of Sun Valley 2014 Comprehensive Plan Update: Planning and Zoning Commission recommendations.](#)

The Commission reviewed **Addendum A: Special Sites Description**. Chairman Herich said the description of the three kinds of special sites was moved to the front of the Addendum which he thought flows much better. Chairman Herich commented the numbers on the map of special sites are all over the place and requested the re-arrangement of the numbers so they flow from top to bottom. The legend and the text need to be re-written too. The Commission went through the text on special sites and re-assigned the numbers for the sites.

Chairman Herich pointed out on p.27, under Site #12, "bi-polar" is not a hyphenated word. There being no further comment, Chairman Herich said the Commission completed reviewing the 2014 Comprehensive Plan Update.

Mark Hofman said "Site #20 Beaver Ponds" in Figure 2 was stricken so that it is consistent with the text changes. Chairman Herich asked about the format of the Comprehensive Plan Update that the City Council would receive. Mark Hofman said the City Council will get both versions of the Steering Committee and the Planning & Zoning Commission, plus public comments in strike-out and underline format.

Mark Hofman confirmed that the Planning and Zoning Commission's recommendations on the 2014 Comprehensive Plan Update would be on City website, and the same document would go to the City Council.

Chairman Herich opened the public hearing on the entire draft of 2014 Comp Plan Update.

Karen Reinheimer brought in some maps and said she wanted them to be on the Planning and Zoning Commission's records. She said she also distributed the same maps to the Steering Committee. All of the maps have come from either information requests or record searches from the City of Sun Valley. She hoped these maps may be of assistance to the Planning and Zoning Commission in their current deliberations. The four maps presented are: (1) Sun Valley Master Land Use Plan dated April 17, 1973 on the colored copy on display in the Community Development Director's office; (2) City of Sun Valley Zoning Map dated March 28, 1974 with the Sun Valley City Council Special Meeting minutes of March 25, 29174; (3) City of Sun Valley Zoning and Parcel Map dated January 2004 and (4) City of Sun Valley Zoning Map dated October 2013.

Karen Reinheimer commented on the last two paragraphs on p.3 of 5 of the May 8, 2014 minutes where she commented the balance and trade off of land use in Dollar and Gateway LUPA and her concern over Hofman acting in favor of Sun Valley Company, where both Peter Palmedo and Chairman Herich disagreed. She said her particular comment at the last meeting referred to the discussion of hiring a

consultant who would have an independent and unbiased decision in regards to the Comprehensive Plan process at the Steering Committee level. She said the discussion was captured in the Sept 10, 2013 meeting notes and audio. This is a wider explanation for her particular comment.

Karen Reinheimer commented the third paragraph on p.2 of 4. She said she was concerned about the accuracy in listing of the variety of ways for the public to share its ideas, as some ways the citizens are to be involved have not happened yet. Reinheimer questioned whether there have been workshops in the process. Chairman Herich said there were workshops at the Steering Committee and the Planning and Zoning Commission levels. This happens when the Steering Committee and the Planning and Zoning Commission discussed and made changes on the document. When the document came into shape; it changes from workshop to public hearing. What matters most is throughout the process attempts have been made to engage the public and they have been notified through various channels. Chairman Herich cited about two dozen of the public meetings have taken place since early 2013 when the Steering Committee commenced its work on the Comprehensive Plan review. The opportunities for the public to review the document are more than adequate. There is a general lack of participation except for Karen Reinheimer and some members of the Steering Committee's consistent showing up at the meetings.

Karen Reinheimer commented outreach meetings are the most effective way to engage the public. She thought the third paragraph of p.2 of 4 speaks more than it actually happened. Reinheimer commented there are a lot of differences between the work of the Steering Committee and the Planning and Zoning Commission, such as in regards to special sites. The Planning & Zoning Commission uses the language "recognize and respect". Chairman Herich responded that the Commission is solid in moving the language forward and explained if the language "preserve and protect" were retained, in the most extreme case, the Sun Valley Company would not be able to remodel the Sun Valley Lodge, bringing it up to date to attract more visitors. It would not be for the betterment of the community.

Karen Reinheimer said since the 2014 Comprehensive Plan Update has not been adopted, the Planning & Zoning Commission should adhere to "preserve and protect" in the 2005 Comprehensive Plan Update as guidance in reviewing application. Chairman Herich said the Planning & Zoning Commission is charged to interpret laws and the Comprehensive Plan. The Commission unanimously interpreted the intent of the Comprehensive Plan language to be more "recognize and respect". The Commission also realized if they left that kind of language gap, some unreasonable person in the position of power would enforce an obstructed policy and the Sun Valley Company would not be able to do what they need. Karen Reinheimer said Commissioner Provonsha's previous use of Trail Creek Cabin as an example to show Trail Creek Cabin would not be remodeled if "preserve and protect" was used. Reinheimer said the change of Trail Creek Cabin took place six years ago when "preserve and protect" was valid. She expressed her concern on change from "preserve and protect" to "recognize and respect" and the potential risk of removing historical structures in the course of development when the Sun Valley Company were to change hand.

Chairman Herich clarified with Karen Reinheimer that Lane Ranch North remains as a special site. Karen Reinheimer commented the section on Climate and Air Quality and Chairman Herich recaptured changes made in the section and restated the Commission's continual support on air quality monitoring.

Reinheimer commented on the current strike-out and underline format of the LUPAs and requested the format be removed for ease of reading. Chairman Herich said the strike-out and underline format would be retained and all six LUPAs would stay as the document goes to the City Council. Reinheimer

commented on the Gateway LUPA which is different from what the Steering Committee recommended. She disagreed with the Commission taking out the language in the Gateway LUPA (Chapter III, p.13 of 20. 4th paragraph) and supported the original wording of "deed-restricted permanent" open space.

Hearing no further public comments, Chairman Herich closed the public hearing.

The Commission and staff held a brief discussion on the process of the Comprehensive Plan Update. Mark Hofman said the Planning and Zoning Commission's recommendations will be presented to the public at a town hall meeting scheduled for August.

MOTION

Commissioner Walker moved to recommend to the City Council the Planning and Zoning Commission's amended draft of the City of Sun Valley 2014 Comprehensive Plan Update dated July 24, 2014, including amendments discussed today. Commissioner O'Connor seconded. All were in favor; none opposed. The motion carried.

Karen Reinheimer asked whether the amendments made today by the Commission would need another public hearing. The Commission said no. Adam King explained the public hearing process and said the legislature requires only one public hearing at the Planning and Zoning Commission level, but two or three public hearings have been held. Chairman Herich encouraged Reinheimer and others to grasp their current opportunities for making comments on the 2014 Comprehensive Plan Update.

6. Discussion Items

The next meeting is scheduled for August 21, 2014 at 9:00 a.m. Hofman said the meeting will cover Lot 8A of White Clouds. The project is significantly different from what has been approved previously. The Commission also had a brief discussion on the current status of the Elkhorn Springs paired home design review.

7. Adjourn

MOTION

Commissioner O'Connor moved to adjourn, seconded by Commissioner Boeger.

The meeting was adjourned at 11:54 a.m.

Meeting Schedule:

Regular Meeting at 9:00 a.m. on Thursday, August 21, 2014.

Regular Meeting at 9:00 a.m. on Thursday, September 11, 2014.

Regular Meeting at 9:00 a.m. on Thursday, September 25, 2014. (TBD)

Ken Herich, Chairman

Isabel Lui, Planning Technician / Associate Planner