

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On June 15, 2009 the Hailey Planning and Zoning Commission considered an application submitted by Carrie Morgridge for Design Review approval of a new building, located behind the Hailey Coffee Company on Lot 10, Block 29, (219 Main St. So.) within the Business (B), Townsite Overlay (TO) and Central Core (CC) districts. The Commission, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

Notice

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

Application

An application by Carrie Morgridge for Design Review of a new building, located behind the Hailey Coffee Company on Lot 10, Block 29, Hailey Townsite (219 Main St. So.) within the Business (B), Central Core (CC) and Townsite Overlay (TO) districts.

Department Head Comments

Building: Building Code issues found upon initial review will addressed by the applicant for building permit application.

Water/Sewer: none

Engineer: none

Standards of Evaluation

Articles IV and VIA of the Hailey Zoning Ordinance establish the criteria for applications for Zoning and Design Review. For each applicable standard (in bold print), the Commission makes the following Findings of Fact:

4.7.3 Conditional Uses.

Conditional uses for the B District are limited to the following:

e Hybrid Production Facilities.

The building is proposed to house the coffee roasting and bakery for the Hailey Coffee Company. The roasting operation is considered a Hybrid Production Facility. A Conditional Use Permit will be required prior to certificate of occupancy.

4.13.6 Bulk requirements:

a. Minimum Lot Size –

Business district: None

b. Minimum Lot Width –

Business district: None

c. Maximum Building Height –

Business district: The maximum building height in the Business district shall be 35 feet,

except a building containing at least one residential dwelling unit shall have a maximum height of 40 feet. Any building exceeding 30 feet shall comply with relevant sections and appendices of the IFC, including but not limited to fire access lanes, provisions for exterior roof access, and provision of sprinkler systems. No building may exceed three stories from the reference street* frontage.

(*Reference streets: River Street, Main Street, First Avenue, Second Avenue. If a lot does not have frontage on any of these streets, then the street fronting the lot becomes the reference street.)

The proposed height of the building is 28 feet, 7 inches.

Height of Building is defined as: The greatest vertical distance measured from the lowest point of record grade within any portion of the building footprint to the highest point of the roof surface thereof, exclusive of cupolas, chimneys up to ten (10) feet above the highest point of the roof surface, steeples, and spires.

The applicant is hereby advised that height of building is from record (natural) grade, not from finished grade or finished floor.

d. Minimum Setbacks in LR, GR, TN, and LB Districts

NA

e. Minimum Setbacks in the B District – None

NA

f. Accessory dwelling units shall have a minimum gross floor area of 300 square feet and a maximum gross floor area of 900 square feet.

NA

**g. Maximum lot coverage:
Business district: no maximum.**

NA

4.13.7 Non-Conforming Buildings

Where an existing building is non-conforming with respect to setbacks, expansion of said building within the plane of the furthest intrusion shall be permitted, provided that the non-conformity with respect to the distance of the setback is not further increased. Such expansion shall not be considered to be increasing the degree of non-conformity pursuant to Section 13.6 of this Ordinance. The following exceptions apply:

- a. In no case may expansion occur that results in a setback of less than six (6) feet from property lines abutting other private property.
- b. Any wall, as measured from the highest point including any gable or peak in a direct vertical line to record grade, shall have a setback of one (1) foot for every two and a half (2.5) feet of wall height (see Diagram 1 and Table 2), but not less than six feet from property lines abutting other private property, regardless of underlying zoning.

- c. **No roof overhangs, fire escapes, chimneys, bay windows or other features, which are subject to Section 7 of this Ordinance (Supplementary Yard Regulations), shall have a setback less than five (5) feet from property lines abutting other private property.**

NA

4.13.8. Lot Line Vacations

If a parcel in single ownership consists of two (2) or more Original Townsite lots, or a combination of lot(s) and portions of lot(s), the internal Original Townsite lot lines underneath or located within a required setback of proposed and existing buildings shall be vacated prior to the issuance of a Building Permit for any new building.

The parcel consists of one Original Townsite lot.

6A.7.1 Improvements Required.

6A.7.1.1 Sidewalk, Curb, and Gutter.

Sidewalks, curb and gutter shall be required improvements for projects requiring Design Review approval in the B, LB, TI, A and SCI zoning districts. At a minimum, sidewalks and curb and gutter, where required, shall comply with the City Standards. Sidewalks shall be at least six feet (6') wide or as wide as adjacent sidewalks on the same block, whichever is greater. Sidewalks shall be constructed along the entire length of a property adjacent to any public or private street in all zones, as well as in locations that provide safe pedestrian access to and around a building. New sidewalks shall be planned to provide pedestrian connections to any existing sidewalks adjacent to the site. Sites located adjacent to public or private streets that are not currently thru-streets, regardless of whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections. Sidewalks and drainage improvements shall also be required in other districts, except as otherwise provided herein. The requirement for sidewalk may be waived if the cost of the proposed project construction is less than twenty thousand dollars (\$20,000). For Single Family Dwelling and Duplex projects in the Townsite Overlay District, the requirement for sidewalk shall be waived for any remodel or addition; sidewalks shall be required for new primary dwellings.

The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be 110% of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy. In-lieu contributions for sidewalks shall not be accepted in B, LB, TI and SCI districts.

A 14 foot wide sidewalk is proposed along Walnut Street with a 4 foot landscaped area adjacent to the curb. A 10 foot sidewalk exists on Main Street.

6A.7.1.2 Water Line Improvements.

In the Townsite Overlay District, any proposal for new construction or addition of a

garage accessing from the alley, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.

NA

6A.7.2 Area Development Plan. When the owner of Contiguous Parcels is required to obtain Design Review approval for any portion of the Contiguous Parcels, an Area Development Plan shall be submitted and approved. The Commission shall evaluate the following basic site criteria and make appropriate findings of fact:

- a) Streets, whether public or private, provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic.
- b) Non-vehicular circulation routes provide safe pedestrian and bicycle ways and provide an interconnected system to streets, parks and green space, public lands, or other destinations.
- c) Water main lines and sewer main lines are designed in the most effective layout feasible.
- d) Other utilities including power, telephone, cable, and gas are designed in the most effective layout feasible.
- e) Park land is most appropriately located on the Contiguous Parcels.
- f) Grading and drainage are appropriate to the Contiguous Parcels.
- g) Development avoids easements and hazardous or sensitive natural resource areas.

Upon any approval of the Design Review application, the Owner shall be required as a condition of approval to record the Area Development Plan or a development agreement depicting and/or detailing the approved Area Development Plan with a statement that the Area Development Plan shall bind the Owner and Owner's successors.

NA

8.2 Signs.

The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.

9.2.3 Non - residential uses within the Business and Limited Business Districts may improve City right-of-way within 1200 feet of the property on which the use is located and may be credited with the parking spaces created by that improvement, and non-residential uses in the Transitional District may improve City right-of-way directly adjacent to the property on which the use is located and may be credited with the parking spaces created by that improvement, subject to the following requirements.

The applicant proposes to improve the Walnut Street right-of-way with sidewalk, street trees and landscaping.

9.4 Parking Space Requirements.

9.4.2 **Commercial, Professional, Service, Recreation and Entertainment.** All commercial, professional, service, recreation and entertainment uses shall provide improved parking in the amount of one parking space for every 1000 square feet of gross building area; except as follows:

- l. **Offices: 1 space for every 500 square feet of gross building area.**
- m. **Restaurants and Bars: 1 space for every 500 square feet of gross building area.**

The proposed uses include 676 square feet of office and 1,482 square feet of area for coffee roasting and bakery for the coffee shop located in the building at the front of the property. The total area of the proposed building is 2158, the existing building is 1,242 and the total number of parking spaces required is seven (7). Nine (9) angled street parking spaces are proposed.

8B.4. Outdoor Lighting Standards.

8B.4.1 General Standards

- a. **All exterior lighting shall be designed, located and lamped in order to prevent:**
 1. **Overlighting;**
 2. **Energy waste;**
 3. **Glare;**
 4. **Light Trespass;**
 5. **Skyglow.**
- b. **All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.**
- c. **Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.**
- d. **Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires.**
- e. **Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator.**

New lighting and all existing lighting shall comply with Hailey's Outdoor Lighting Ordinance.

6A.7.2.1 DESIGN REVIEW GUIDELINES FOR NON-RESIDENTIAL BUILDINGS

A. Site Planning.

1. **The building shall be oriented to the street. If the building is located on a corner, the building shall address the corner as well as both streets.**

The building should address the street and not "turn its back" to the public. The main façade should be oriented to the street, and provide an entrance (s) on the street side. Buildings at street corners must be designed to address the corner – that is, to engage the interest of drivers, pedestrians and bicyclists at the intersection.

The proposed building is behind the existing Hailey Coffee Company building on the corner

of Main Street and Walnut Street. The main façade of the proposed building is oriented toward Walnut Street.

- 2. Where buildings are separated from the public sidewalk along the primary street frontage, the space should contain public and pedestrian amenities. Buildings downtown should be located directly at the back of the sidewalk.**

Buildings may be separated from the sidewalk by plazas, landscaping, benches, bicycle racks, trash containers, and other pedestrian amenities.

A two foot planting bed is proposed between the building and the sidewalk along Walnut Street.

- 3. The site should be designed to support pedestrian circulation and provide pedestrian amenities.**

Pedestrian circulation should be an integral part of initial site layout and should be considered when planning the building layout and circulation patterns. Organize the site so that buildings frame and reinforce pedestrian circulation. It is preferred that pedestrians walk along building fronts rather than along or across parking lots and drives. Sidewalk design should incorporate pedestrian amenities. Wider sidewalks are encouraged to provide additional amenities such as seating areas and bicycle racks. Street trees are required within the public right-of-way; street tree species shall be approved by the City in accordance with the Tree Guide. Street lights at intersections are also required.

A wide 14 foot sidewalk is proposed with street trees.

- 4. Conflicts between different circulation needs and uses should be minimized.**

Circulation patterns between customers/pedestrians and service/delivery vehicles should be conflict free. Delivery trucks should not interfere with public rights-of-way or obstruct required parking spaces. Where alleys are provided, they should be utilized for loading, deliveries, trash pick-up, etc. Pedestrians should be able to have safe access to the site without being forced to walk within any traffic lane. When developing more than one building on a site, it is important to provide pedestrian paths through the site.

The project is improving the public Walnut Street right-of-way in a manner consistent with street improvements in downtown. The service door off the alley will be designed to accommodate deliveries. Delivery trucks can not block the Walnut Street right-of-way.

- 5. Buildings should be sited in a manner that preserves significant vegetation. Existing trees greater than 6”in caliper are considered a resource and the removal of any such trees are subject to administrative review and approval.**

New construction and landscaping should respect and be compatible with existing vegetation. Proposed site plans shall inventory and delineate to scale all existing plant material to be saved. Removal of trees larger than 6” caliper will require administrative approval and an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, must be replaced with a large specimen of a species found in the Tree Guide.

An existing tree within the Walnut Street right-of-way will remain. An existing lilac bush within the Walnut Street right-of-way is proposed to be removed.

6. The design of the site should consider sun in exterior space to avoid creating cold unpleasant exterior areas.

The objective is to create exterior spaces around buildings that will be used and also that will be easy to keep clear for access to buildings. Buildings, vegetation and land forms cast shadows and block sunlight; the surface of a building can play a big role in reflecting sunlight into adjoining exterior spaces; color and choice of materials are important in this regard.

The wide sidewalk proposed is south facing.

7. Snow storage areas not less than 25% of the improved parking and circulation areas shall be sited in a manner that is accessible and usable. In no case shall a designated snow storage area have any dimension less than 10 feet. Snow storage shall not encumber required parking spaces or encroach into sidewalk or pedestrian pathways.

Snow storage areas for parking areas, driveways and sidewalks shall be provided on-site where practical. These areas should be situated so that they are accessible to all types of snow removal vehicles, of a size that can accommodate moderate areas of snow, and located in areas that will not hinder access to trash collection areas, utility meters, etc. Snow storage sites are encouraged to be landscaped with vegetation that is salt-tolerant and resilient to heavy snow. Heated snow melt systems may also be provided and are especially encouraged on shaded walkways. Hauling of snow from downtown areas is permissible where other options are not practical.

No on-site parking and circulation areas are proposed. Snow storage for snow removed from the public right-of-way is not proposed or required.

8. Off street parking areas should be screened from public streets.

On-site parking areas should be located at the rear of the building. Buildings should be oriented at the street to provide a more pleasant and inviting streetscape.

No on-site parking is proposed.

9. On-site parking areas for more than 3 vehicles must be designed to allow vehicles forward entry and exit from the site into a public street.

On-site parking should be from the alley or from a single approach to the street. This helps confine vehicular/pedestrian conflict to limited locations, allows more buffering of the parking area and preserves the street frontage for pedestrian traffic.

No on-site parking is proposed.

10. Site design must consider the placement and screening of service areas and auxiliary structures.

Utility meters and service functions should not be visible on the primary facades of buildings or in front yard areas. The visual impact of trash storage and pickup areas should be minimized. Trash and service areas should be screened with landscaping, berming or fencing. Three-sided enclosures for trash collection areas visible from any public street should be provided. Snow accumulation should be considered in planning access to trash receptacles and service areas. Vending machines should not be visible

from any point on the property.

No service areas or auxiliary structures are proposed.

11. Where alleys are available, they should be utilized to the greatest extent possible for loading, delivery, trash pickup and utilities.

Service and delivery areas should be located off the alleys so that Main Street or other collector streets are not cluttered or blocked with large delivery trucks.

The service door off the alley will be designed to accommodate deliveries. Delivery trucks can not block the Walnut Street right-of-way.

B. Building Design.

1. New development shall recognize the City's historic architectural heritage.

Building materials and proportions shall be compatible with those design principles inherent in Hailey's historic architecture. Standardized corporate designs are not acceptable.

The design of the building incorporates stucco, large glass doors and windows, wood trim, rusted corrugated metal hipped roof and awnings. The large glass doors with awnings are intended to be reminiscent of traditional storefront windows typically found in historic commercial buildings. The hipped roof is a traditional roof form.

2. Any addition onto or renovation of an existing building shall be appropriately designed to create a cohesive whole.

NA

3. All sides of the building should be designed to be interesting by incorporating the use of varying materials, textures and colors.

All sides of the building, not just the main façade, should be attractive and interesting. Where elevations have no penetrations, incorporate different materials and textures to create shadow and interest. The side and rear elevations will be visible from the parking lot, adjoining properties, and/or secondary streets.

The design of the building incorporates stucco, large glass doors and windows, wood trim, rusted corrugated metal hipped roof and awnings. The large glass doors with awnings are intended to be reminiscent of traditional storefront windows typically found in historic commercial buildings.

4. All buildings are encouraged to minimize energy consumption, utilize alternative energy sources, and consider passive solar techniques.

The use of the following techniques can lead to energy cost savings and provide a more comfortable and healthy workplace:

- a. Solar access*
- b. South facing windows with eave coverage*
- c. Double glazed windows*
- d. Deciduous shade trees*
- e. Earth berming against exterior walls*
- f. Good ventilation*

- g. *Efficient lighting*
- h. *Day lighting*

Large glass doors and solar awnings are proposed on the south elevation.

5. Exterior buildings colors should be integrated appropriately into the architecture of the building, and should be harmonious within the project and with surrounding buildings.

The exterior material and color complements the architecture of the building and adds to the variety of buildings in the area. The design of the building incorporates stucco, large glass doors and windows, wood trim, rusted corrugated metal hipped roof and awnings. The colors are earth tones.

6. Roof design should reduce the mass and scale of buildings and add visual interest and prevent reflective glare. Flat-roofed buildings over two stories in height should incorporate roof elements, or upper decks, balconies or other design elements.

Consideration should be given to prevention of reflective glare and placement/design of mechanical equipment. Flat roofs shall have parapets to conceal the roof and mechanical equipment.

The two story portion of the building has a hipped roof of rusted corrugated metal; the one story portion is a flat roof and serves as a terrace for the second story space.

7. Vehicle canopies associated with gas stations, convenience stores or a drive-through shall function as structures rather than as sign platforms. Canopies shall follow the colors, material and architectural design used on primary building(s). Vehicle canopies should have a minimum roof pitch of 3/12 and display the underside of the roof structure.

The purpose of vehicle canopies is to provide weather protection, not to provide an elevated sign platform. No signs may be erected on top of or on the surface of canopy structures.

NA

8. Entries and pedestrian areas should include consideration with respect to snow shedding and drip lines.

Building entries should provide protection from adverse weather conditions. Entrances into buildings should be designed with the pedestrian in mind in order to prevent snow from falling directly onto adjacent sidewalks. Entries, walkways, decks, or landscaping should be located where they will not be damaged by falling snow.

Elements such as awnings, recessed entrances and marquees should provide protection for pedestrians and bicycle racks. Consideration should be given as to whether the roofing material and pitch will hold or release snow. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts should be provided over all walkways and entries. Downspouts and drains should be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.

The entrances on the east and west elevations do not have awnings, the large doors on the south elevations do have awnings. Snow clips and gutters are required as a condition of

approval.

9. Signage areas should be appropriate to the building's scale and design.

A basic plan for signage, especially for multi-tenanted buildings, should be considered to ensure compatible and uniform signs. A uniform color scheme for all signs in multi-tenanted buildings should be considered.

No signage is proposed at this time.

10. Building designs should minimize the apparent scale of buildings.

The use of the human scale can help to create the small town feeling and enhance the "sense of place". This can be achieved by utilizing voids and masses, as well as details, textures, and colors on building facades. The human area can also be defined by incorporating structural elements such as colonnades and covered walkways, overhangs, canopies, entries, landscaping, berms, and screening walls. Particular attention should be paid to create interest at the street level. Human scale is accomplished by maintaining the interest at a smaller scale and defining those spaces.

Buildings that are not human scale are structures that are typically massive, simple forms with little or no undulation, fenestration and detail. Such buildings are not acceptable in Hailey's business districts. A large building can be human scale with the use of the elements listed above.

Human scale buildings create a comfortable and friendly atmosphere. Doors, windows, roof shapes, siding, lighting, and signs should all be considered carefully in order to create an appropriate scale of development. The natural appeal of Hailey will be enhanced through the addition of buildings which complement rather than dominate the landscape.

The design of the building incorporates stucco, large glass doors and windows, wood trim, rusted corrugated metal hipped roof and awnings. The large glass doors with awnings break up the stucco and are intended to be reminiscent of traditional storefront windows typically found in historic commercial buildings.

11. Buildings shall be designed to ensure that building massing and scale provide sensitive transition to adjoining residential neighborhoods. When abutting the LR, GR or TN zoning districts, the project's landscaping plan must include provisions for vegetative screening between the project and the residential property.

New developments whose bulk and scale may negatively impact adjacent residential areas should mitigate the effect through careful site planning and architectural design. Possible mitigation techniques include, but are not limited to the following:

- a. *Locating open space and preserving existing vegetation on the sites edge to further separate the building from less intensive uses;*
- b. *Stepping down the massing of the building along the site's edge;*
- c. *Limiting the length of or articulating building facades to reflect adjacent residential patterns; and*
- d. *Creative use and ongoing maintenance of landscaping. The landscape plan should include a greenbelt, at least an eight foot wide buffer to create a year-*

round visual screen of at least 6 feet in height. The buffer should be designed to avoid the appearance of a straight line or wall of uniform plant material, and shall be wide enough to accommodate the planted species at maturation.

NA

- 12. Where buildings exceed 30 feet in height, the entire roof surface shall not project to the highest point of the roof. The Commission shall review building height relative to the other dimensions of width and depth combined with detailing of parapets, cornices, roof, and other architectural elements. Fire department staging areas shall be incorporated into the design elements of the building.**

Building design is about proportions relative to width and height combined with detailing of additional architectural elements. Livable outdoor spaces in multi-story buildings that create pleasing elements and reduce the mass of taller buildings are encouraged.

NA

- 13. Multi-unit structures should emphasize the individuality of units or provide visual interest by variations in roof lines or walls or other human scale elements.**

The small scale of the historic residences and shops is an important characteristic of Hailey. Breaking the facades and roofs of buildings softens the institutional image which may often accompany large buildings.

NA

C. Fences and Equipment/Utilities.

- 1. Fences shall be constructed of materials compatible with the site. The use of chain link is prohibited.**

Walls and fencing may be required elements in a site design for privacy, property line delineations, or screening. Fencing should not dominate the buildings or the landscape. Planting may often be integrated with a fencing scheme in order to soften the visual impact. A variety of fencing materials compatible with the site and surrounding properties are encouraged but in no case will chain link be permitted. The tops of fences should generally be maintained horizontal.

NA

- 2. All roof projections including, but not limited to air conditioning units, all mechanical equipment and solar panels should be shielded and architecturally screened from view from on-site parking areas, adjacent public streets and adjacent properties.**

The use of alternative energy sources is encouraged, however, the hardware associated with these features should be incorporated as an integral part of the building's design rather than as an add-on which detracts from the building and its surroundings. Special consideration should be taken for communications facilities to insure that the number and design of them not conflict with each other.

No roof projections are proposed.

- 3. All ground-mounted mechanical equipment, including heating and air conditioning**

units, and trash receptacle areas should be adequately screened from surrounding properties by the use of a wall, fence, or landscaping, or shall be enclosed within a building.

These types of structures, to the greatest extent possible, should be enclosed within a building. Dumpsters should be located off the alleys. If necessary, when located outside, they should be primarily screened from public streets and adjacent properties.

Trash receptacles and mechanical equipment is proposed to be located inside of the building; a condition of approval is included to address screening of any equipment that does have to be located outside or on the roof.

4. Utilities, cables, phone lines and electrical lines must be considered in site design.

Location of above ground utility boxes shall be shown on site plans and should not interfere with other uses such as snow storage, parking and trash collection. All service lines into the subject property shall be installed underground. In no instance should additional appurtenances be located on existing utility poles.

Utility lines to the building will be underground; utility boxes will be located inside or on the east elevation, between the two buildings on the property and screened.

D. Landscaping.

1. At least 50% of the landscaped area shall utilize drought tolerant and/or xeriscape specific plant materials. Drought tolerance and hardiness shall be considered when selecting plant species.

Drought tolerant plant species shall be used wherever possible to reduce water consumption. High water demand plant materials should be kept to a minimum. Elements for the xeriscape plan should include but are not limited to: plant materials proposed to be used, timeline for establishment of the plantings, maintenance of the planting beds and the type of irrigation proposed. All species should be hardy to the Zone 4 environment.

The landscape plan notes that 50% of the species will be drought tolerant; this is included as a condition of approval.

The urban environment should be considered in planning landscaped areas. A combination of trees, shrubs vines, ground covers and ornamental grasses should be selected that enhance and soften the hardscape. For landscape plans having more than 10 trees, a minimum of 10% of the trees shall be at least 4-inch caliper, 20% shall be at least 3-inch caliper, and 20% shall be at least 2½ inch caliper. A maximum of 20% of any single species may be used in any landscape plan having more than 10 trees (excluding street trees).

A landscape plan should provide or create a pleasing site or landscape character for an area. A harmony and balance of all the various elements of a landscape must be retained or developed. Landscaped areas should be planned as an integral part of the site and not simply located in leftover space on site. New planting areas must be designed to accommodate typical trees at maturity.

NA

2. Pedestrian areas should have special plantings.

Plantings for pedestrian areas should be designed with attention to the details of color, texture and form. Use a variety of trees, shrubs, perennials, and ground covers, with different shapes and distinctive foliage, bark and flowers. Seasonal plantings in planters, pots, and beds should be provided to add color, beauty and variation.

Landscaping is proposed on both sides of the sidewalk.

- 3. All landscaped areas shall be watered by an automatic irrigation system and regularly maintained in healthy and thriving condition free of weeds, trash, and debris.**

Irrigation systems are required for all landscaped areas. They are encouraged to include features that will minimize water use, such as moisture sensors. Overhead spraying systems should be avoided to prevent water loss through evaporation

Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials. Even native, drought tolerant plant materials need water to become established. Projects which use all native, drought tolerant plant materials must provide, at a minimum, a temporary irrigation system that must fully operate for at least two complete growing seasons. All native plant materials are not drought tolerant and those that are not will require irrigation on a permanent basis.

A plan for maintenance of the landscaping areas should be in place to ensure that the project appears in a well maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).

An automatic irrigation system and regular maintenance are conditions of approval.

- 4. Retaining walls must be designed to minimize their impact on the site.**

Retaining walls, where visible to the public and/or to residents or employees of the project, should be no higher than four feet or terraced with a three foot horizontal separation of walls. They should be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials, rather than solid or flat surface. Landscaping should be provided within or in front of extensive retaining walls. Retaining walls should add rather than detract to the appearance of the site. Retaining walls over 24" high may require railings or planting buffers for safety. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.

NA

6A.7.2.4. Design Review Guidelines for Residential and Non-Residential Buildings in the Townsite Overlay District:

C. Specific Guidelines

10. Non-residential and Multi-family Uses

Guideline: Non-residential uses in Old Hailey should be designed with a residential, human scale in mind.

The design of the building incorporates stucco, large glass doors and windows, wood trim, rusted corrugated metal hipped roof and awnings. The large glass doors with awnings break up the stucco and are intended to be reminiscent of traditional storefront windows typically found in historic commercial buildings.

Guideline: Parking for non-residential uses shall be carefully planned to avoid pedestrian conflicts, and to be subordinate to other design elements on the site.

- **See also Section 4 for other applicable parking guidelines.**

No on-site parking is proposed.

Guideline: Utilities for non-residential and multifamily structures shall be integrated into the site design. Utilities should, in most cases, be fully screened from view.

- **Exhaust hoods, rooftop vents and air conditioner units should be screened from view, either with a parapet wall or by integrating these items into interior roof elements.**
- **Transformers, gas meters and other site infrastructure should be located in a manner to avoid being seen from entrances, public streets and pedestrian areas. If they cannot be hidden, they should be screened with landscaping, fencing or building walls.**

Mechanical equipment is proposed to be located inside of the building; a condition of approval is included to address screening of any equipment that does have to be located outside or on the roof. Utility lines to the building will be underground; utility boxes will be located inside or on the east elevation, between the two buildings on the property and screened.

CONCLUSIONS OF LAW AND DECISION

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

1. Adequate notice, pursuant to Zoning Ordinance No. 532, Section 6A.5, was given.
2. The project is in general conformance with the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Ordinance and City Standards.
5. This Design Review approval shall expire one (1) year from the approval of these Findings of Fact, unless a building permit application has been submitted to the Building Department.
6. The project shall receive Design Review approval subject to the following conditions:
 - a) All Fire Department and Building Department requirements shall be met. Items to be completed at the applicant's sole expense.
 - b) A Conditional Use Permit for the coffee roasting operation shall be applied for and approved prior to certificate of occupancy.
 - c) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals.
 - d) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:
 - i. Curb, gutter and 14 foot wide sidewalk within the Walnut Street right-of-way
 - e) Mechanical equipment located outside of the building or on the roof shall be screened from view from the ground level of any public right-of-way.
 - f) Utility lines to the annex building shall be underground; utility boxes shall be located inside or on the east elevation, between the two buildings on the property and screened. A conduit for power to the existing building shall be installed for the future undergrounding of power to the existing building.
 - g) No auxiliary apparatus (e.g. utility meters, fire suppression equipment) may extend into any public right-of-way.
 - h) All landscaped areas shall be watered by an automatic irrigation system and regularly maintained in healthy and thriving condition free of weeds, trash, and debris
 - i) The project shall be constructed in accordance with the application or as modified by these

Findings of Fact, Conclusions of Law and Decision.

- j) All exterior lighting shall comply with the Outdoor Lighting Ordinance.
- k) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.
- l) This Design Review approval is for plans dated June 8, 2009. The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.
- m) This project is subject to Development Impact Fees pursuant to Municipal Code Chapter 15.16. Check with Building Department staff for estimated fee amount.
- n) Snow clips shall be installed on the annex building prior to issuance of certificate of occupancy.
- o) Gutters shall be installed on the annex building prior to issuance of certificate of occupancy.
- p) Fifty percent of the landscaping installed shall be drought tolerant.
- q) Delivery trucks shall not block the Walnut Street right-of-way.

Signed this 6th day of JULY, 2009.


Owen Scanlon, Commission Chair

Attest.


Becky Mead, Deputy Clerk

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 8th day of July, 2009, I served a true and correct filed copy of the within and foregoing document upon the parties named below, in the manner noted:

- U.S. Mail
- Via Electronic Mail
- Via Facsimile
- Hand Delivered

JERRY ODEGARD
JERRY@ENGLEMANN-INC.COM
Carrie Morgridge
CARRIE.MORGRIDGE@GMAIL.COM

Andrew Bick
PO Box 3911
Hailey, ID 83333

CITY OF HAILEY

By Becky Mead
Becky Mead, Deputy Clerk