

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On April 20, 2009 the Hailey Planning and Zoning Commission considered a recommendation by the Administrator to approve an alteration of the exterior of an existing building, Lot 15-17, and north 25 feet of 18, Block 28, Hailey Townsite, North (210 Main Street South) within the Business (B) zoning district and the Townsite Overlay District. Applications determined by the Administrator to have no substantial impact on adjacent properties or on the community at large may be placed on the consent agenda for approval or denial by the Commission based on the Administrator's recommendations. The Administrator recommends approval of the alteration. The Commission, having been presented with all information regarding the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

Notice

Section 6A.3 of the Zoning Ordinance allows for applications, which have no substantial impact on adjacent properties or on the community at large, to be placed on the consent agenda for approval or denial by the Commission based on the Administrator's recommendations. Items placed on the consent agenda do not require public notice or publication unless the Commission determines otherwise.

Application

A request submitted by Hailey Auto Exchange for an alteration of the exterior of an existing building, located at Lot 15-17, and north 25 feet of 18, Block 28, Hailey Townsite, North (210 Main Street South) within the Business (B) zoning district and the Townsite Overlay District. The proposed alterations consist of painting the south and west (front) façade.

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:

6A.3.a. The Administrator has the authority to recommend for approval or denial certain applications for Design Review that the Administrator determines to have no substantial impact on adjacent properties or on the community at large, subject to final approval or denial by the Commission on its consent agenda. Such recommendation for approval or denial shall specify the ordinance and standards used in evaluating the application; the reasons for the approval or denial; and recommended conditions, if any. Any Commissioner may cause any application on the consent agenda to be moved to the regular agenda in order to have a full public hearing of potential impacts of the application. Applications placed on the consent agenda may include, but are not limited to: additions under five-hundred (500) square feet or not prominently visible from a public street, façade changes and alterations to parking or other site elements. Such applications may instead be heard by the Hearing Examiner.

The Administrator determined the alterations to have no substantial impact on adjacent properties or on the community at large because the proposal is for a façade change of the south and west (front) sides of the building only. The Administrator reviewed the Commission's Findings of Fact and Conditions of Approval regarding the original design review approval. The proposed alteration does not conflict with any prior approvals or requirements. The Administrator recommends approval of the Hailey Auto Exchange paint change on the south and west facades.

4.7.5 Bulk requirements within the Business district and Townsite Overlay

No change

6A.7.1.1 Sidewalk, Curb, and Gutter

Already exists at this location.

8B.4.2 Type of Luminaires.

All exterior lighting shall use full cut-off luminaires with the light source downcast and fully shielded, with the following exceptions:

- a. **Luminaires that have a maximum output of four hundred (400) lumens per fixture, regardless of number of lamps (equal to one forty [40] watt incandescent light), may be left unshielded provided the luminaire has an opaque top or is under an opaque structure.**
- b. **Luminaires that have a maximum output of one thousand (1,000) lumens per fixture, regardless of number of lamps (equal to one sixty [60] watt incandescent light) may be partially shielded provided the lamp is not visible, and the luminaire has an opaque top or is under an opaque structure.**

The light on the front of the building (west elevation) does not meet this standard; it is not downcast or fully shielded.

9.2.2 Loading Space Requirements and Dimensions

No change

9.4 Parking Space Requirements

No change.

6A.7.2.4.DESIGN REVIEW GUIDELINES FOR RESIDENTIAL AND NON-RESIDENTIAL BUILDINGS IN THE TOWNSITE OVERLAY DISTRICT (TO).

III. Design Guidelines

C. Specific Guidelines

1. Site Planning

No change.

2. Bulk Requirements (Mass and Scale, Height, Setbacks)

No change.

3. Architectural Character

a. General

Guideline: New buildings should be respectful of the past, but may offer new interpretations of old styles, such that they are seen as reflecting the era in which they are built.

- The Design Guidelines are not intended to dictate a particular style or era for new buildings.
- Exact replication of old buildings is not the intent of these Design Guidelines, so that historic

buildings can be appreciated for their own uniqueness. Designers may draw on the past, without necessarily replicating the design of old buildings. The use of traditional building forms, scale and broad design elements is encouraged.

The proposed façade change is not necessarily consistent with the facades and exterior colors of other commercial buildings found in Old Hailey; however, the proposal does not further decrease the incongruity given the current exterior colors of the building.

b. Building Orientation

No change.

c. Building Form

No change.

d. Roof Form

No change.

e. Wall Planes

No change.

f. Windows

No change.

g. Decks and Balconies

No change.

h. Building Materials and Finishes

Building materials found in Old Hailey were traditionally log, stone, brick, shake and wood siding. All of these materials have a “human” scale, which means the materials are of a recognizable size. Newer materials can also reflect a sense of human scale and may be appropriate, if they can be designed to break up wall planes. In addition to the materials, the use of color adds to the charm and feel of Old Hailey buildings.

Guideline: Materials and colors shall be selected to avoid the look of large, flat walls. The use of texture and detailing to reduce the perceived scale of large walls is encouraged.

- A change of materials should be used appropriately on the building to help “ground” the building and to provide a distinction between foundations and walls. For example, a heavier material such as stone would be appropriate around the base of a building.

The applicant proposes to change the exterior color of the building only. The existing black and white checkers will be painted all red. The green border above the checkers will be black. The front door and two garage doors will be painted red. The remainder of the gold and green will be painted to match the existing cream/white of the building.

Guideline: Large wall planes shall incorporate more than one material or color to break up the mass of the wall plane.

- Building materials that contribute to a human sense of scale are encouraged. Examples of materials that convey a human sense of scale include wood siding, shake siding, brick and stone.
- Scoring joints, changes in surface, and the use of trim are other ways to break up the perceived

scale of large walls.

- A change of building materials may not be necessary if other design elements such as bay windows or pop-outs are used to break up wall planes.

There is no change in building materials proposed, only a change in the building's exterior paint.

i. Ornamentation and Architectural Detailing

The only change proposed is the building's exterior color; no change in ornamentation or detailing is proposed.

4. Circulation and Parking

No change.

5. Alleys

No change.

6. Accessory Structures

No change.

7. Snow Storage

No change.

8. Existing Mature Trees and Landscaping

No change

9. Fences and Walls

No change.

10. Non-residential and Multi-family Uses

Non-residential uses and residential uses of three (3) units or greater will be reviewed by the Hailey Planning and Zoning Commission. The Commission will use the Guidelines below and all of the other Guidelines in this document as applicable for these projects, in conjunction with other applicable Design Review Guidelines as set forth in Article 6A of the Hailey Zoning Ordinance.

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

It is not anticipated that the proposed color change will affect the scale or the building.

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.

No change.

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.

No change.

11. Historic Structures

Not applicable.

CONCLUSIONS OF LAW AND DECISION

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

1. The paint change on the southern and western façade of Hailey Auto Exchange conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Ordinance and City Standards.
2. The proposed alterations have no substantial impact on adjacent properties or on the community at large.
3. The proposed alterations shall receive Design Review approval subject to the following conditions:
 - a) No auxiliary apparatus (e.g. utility meters, fire suppression equipment) may extend into any public right-of-way.
 - b) The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.
 - c) All exterior lighting shall comply with the Outdoor Lighting Ordinance and all existing lighting shall be brought into compliance, including but not limited to, the existing light on the front of the building.
 - d) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney.
 - e) This Design Review approval is for plans dated April 8th, 2009.

Signed this ____ day of _____, 2009.

Owen Scanlon, Commission Chair
Hailey Planning & Zoning Commission

Attest:

Becky Mead, Deputy Clerk

CERTIFICATE OF SERVICE

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

<input type="checkbox"/>	U.S. Mail	Gary Carr
<input checked="" type="checkbox"/>	Via Electronic Mail	carrman@svskylan.com
<input type="checkbox"/>	Via Facsimile	
<input type="checkbox"/>	Hand Delivered	

<input type="checkbox"/>	U.S. Mail	Ken Sangha
<input checked="" type="checkbox"/>	Via Electronic Mail	kensangha@gmail.com
<input type="checkbox"/>	Via Facsimile	
<input type="checkbox"/>	Hand Delivered	

CITY OF HAILEY

By _____
Becky Mead, Deputy Clerk