

1 July 2009

To: Beth Robrahn, Hailey Planning Director
(Delivered via email to: beth.robrahn@haileycityhall.org)

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The following are my comments for the P&Z Commission's consideration in the Application by the Blaine County School District for an amendment to its existing Bus Maintenance Facility Conditional Use Permit in order to allow a fuel storage tank:

1. In 2003, it was some consolation, however small, to the neighbors that Condition 4.d., "there shall be no fuel storage" was added to the Conditions of Approval for the bus parking and maintenance facility. In the six years since, what has changed at the site or in the neighborhood that would warrant that this mitigation be removed? In the neighborhood, more homes have been built and there are now more families with young children. At the Community Campus, more community assets have moved in, including Head Start and starting this fall, the Silver Creek Academy. Behind the bus parking shelter, the increasingly-popular Toe of the Hill Trail connects the Community Campus to the rest of Woodside and hopefully, to Quigley and Bellevue in the future. Are these additions to surrounding uses less deserving of the agreement for mitigation made in 2003 that prevented a fuel storage tank? What protection from additional unknown future uses will citizens and neighbors have when this CUP is amended again? What use is a CUP if it can be chipped away at over the years, condition by condition, until there is nothing left of the original agreement to mitigate the impacts of the conditionally-allowed uses? This year, it is a fuel storage tank – next year, what next?
2. This is an avalanche zone. It was a Red Zone, until the District built the parking shelter to withstand the forces that the avalanche would exert on the structure; that's why, on the map, the red zone cuts around the structure (and why the structure cost so much more than an ordinary parking shelter). There have been two avalanches in the immediate area since the facility was built. So, besides the risk to the driver, what health and environmental risks exist from spilled fuel if a bus is fueling and the bus and tank get hit by an avalanche? The District has stated that the tank is virtually bullet-proof and when filled with fuel, would be too heavy to be moved by an avalanche. What about the risk to the driver caught in an avalanche between the bus and the tank? I'm not sure how many, if any, slides have occurred at the hospital, the employee housing units at the Valley Club, and other local facilities cited by the applicant that are constructed in Blue Zones, but this is a Red Zone, and this area has slides.
3. The intent of the General Residential Zone District is "to provide areas for a variety of residential uses, and a limited number of other uses compatible with this type of residential development. The intent is to preserve the favorable amenities associated with a residential neighborhood". A school is generally considered to be a "favorable amenity associated with a residential neighborhood" because neighborhoods have children and the Blaine County School District is committed to a system of neighborhood schools close to the schoolchildren.

However, I find it a stretch to consider a fuel storage tank a “favorable amenity associated with a residential neighborhood”. Nor can I agree with earlier arguments that since school buses are an expected component of school operations, their maintenance, parking and now fuel storage facilities are an expected component of school campuses, and therefore a “favorable amenity associated with a residential neighborhood”. In 2003, two-thirds of the school districts in Idaho disagreed with that view, and either parked and maintained their own fleets on property that was not adjacent to a school, or contracted with a private contractor for bus services who parked and maintained the fleet offsite. One bus supervisor was horrified at the thought of his fleet parked and maintained next to a school full of kids.

If the buses that will be served by this proposed fuel tank were not owned and operated by a public entity, but were instead operated by a private entity, they would not be allowed in the General Residential Zone District under the Hailey Zoning Ordinance. In my opinion, fuel storage tanks are not an expected component of a school campus, and should be allowed only in light-industrial zoned areas.

4. There is already an impact to neighboring residences from the existing bus parking and maintenance facility. However, I find that to be a weak argument to justify the fuel tank, which is an additional use and impact. If the fuel tank is so non-obtrusive, would you want it in your own neighborhood? It is not the tank that has so much impact (the tank can be screened), it is the numerous bus trips to use the tank, not to mention the fuel tanker (a double-trailer?) either winding its way through residential streets, or bumping across the speed bumps in the Community Campus parking lot (or even worse, cutting across the lot to avoid them). How can that be mitigated? This is an impact that, in 2003, was deemed excessive and specifically not allowed.

5. I hope that you took the time to study the information on biodiesel and alternative energies provided to you by my neighbor, Leslie Dilley. I had earlier asserted that I was supportive of biodiesel in school buses, but not supportive of the fuel storage tank in an inappropriate location. Now, however, I am unsure of the benefits of biodiesel, in light of the EPA charts (<http://epa.gov/cleanschoolbus/technology.htm>) showing that biodiesel produces 2% more noxious emissions than regular diesel, costs more, and is widely reported as a struggling industry. If biodiesel is no longer an available fuel, will the District then use regular diesel in this tank? Are there increased hazards with storing regular diesel over biodiesel? Biodiesel may have been the brightest new fuel technology in 2003, but the reality of it today falls short of expectations. I remain strongly supportive of cleaner school bus technology, and encourage the School District to continue to explore alternatives that are proven to reduce particulates and noxious emissions.

6. In my experience, the City of Hailey does not deny Conditional Use Permits. Sometimes, conditions are added that make it onerous for the applicant to comply, but usually, if not always, the CUP is approved. Based on that history, I suspect that this Amendment to the CUP is more than likely to be approved, as well. I hope that I am proved wrong, but asking for mitigation may be the only recourse available to offset the increasingly annoying impacts from the bus parking, maintenance and now fueling facilities. While I can't think of anything short of bulldozing the entire facility that would make me truly content, I would like to ask that you consider:

- a. Additional landscape screening planted around the southern turnaround to screen headlights from the homes to the south. (This is needed whether or not the fuel tank is approved.)
- b. That no uses, construction or mitigating conditions be allowed that would interfere with use of the Toe of the Hill Trail directly east of the bus parking facility
- c. That hours of operation at the fuel depot be considered that avoid conflict with early-morning and after-school traffic, especially when the fuel tanker arrives to fill the tank

- d. That the fuel storage tank not be used as a shared fueling depot with any other private or public fleets, such as Mountain Ride buses, City or County trucks, etc.
- e. That the lights at the facility be turned off at 10 pm (or so) and come on at 6 am (or so), to stay on only until adequate daylight is available. Right now, they are left on needlessly all night; perhaps the savings realized from turning off the lights will help to offset the increased costs of using biodiesel fuel.

Or, as an alternative to the above mitigations, the Commission could leave Condition 4.d. in place and instead amend Condition 4.p. with language to the effect of: “The School District shall continue to explore alternative fuels and practices in order to reduce particulates and noxious emissions from the operation of school buses.”

In conclusion, please understand that the bus facility, except for the lights being on all night, does not directly impact my home. It does directly affect my neighbors who live on the east side of Green Valley and Blue Lake Drives (all in the LR1 zone) and additional mitigation is needed for them. I remain firm in my belief that light-industrial uses, whether private or public uses, belong in the LI zone and not in the GR zone, and that expansion of non-conforming uses should not be allowed.