

**Minutes of the
Hearing Examiner
Friday, December 5, 2008**

The meeting was opened at 1:00 p.m. by Hearing Examiner Bernie Johnson. Staff present was Planning Director Beth Robrahn and Planning Assistant Becky Mead.

Public Hearings

Idaho Army National Guard for Vacation of a Portion of Cedar Street

An application by the Idaho Army National Guard for the Vacation (abandonment) of a portion of Cedar Street, located between Third Avenue and Fourth Avenue South, between Blocks 125 and 136, which has a 100 foot wide right-of-way, within Hailey Townsite and also an application for Design Review of a remodel to the Hailey Readiness Center (Armory), located on Block 125, Hailey Townsite with the General Residential (GR) zoning district. This meeting was continued from November 21, 2008.

Director Robrahn stated this application is unique in that it deals with the National Guard and Federal regulations. She said the special needs of this application are called out in the staff report.

Lt. Coronal Eugene Gussenhoven, 1600 E. Victor Road, Boise, Construction Facility Management Officer stated they are asking for a Vacation to meet the minimum standoff from the front of the building which is 10 feet to meet the Anti-terrorism/Force Protection (AT/FP) requirements for parking and roadway stand-off distances. He explained this is a requirement mandated by the Unified Facilities Criteria Guidelines (UFC 4-010-01) for National Guard Facilities that use Federal Funding for improvements. He said as an auxiliary benefit, the facility will no longer encroach into the right-of-way of Cedar Street. He explained that the UFC 4-010-01 sets their minimum stand-off distance for parking and roadways as 33 feet for roadways without a controlled perimeter. He stated the drawing provided and received on October 6, 2008 provides a solution that meets their UFC requirements.

Examiner Johnson reiterated these applications were a continuation from November 21, 2008.

Public Hearing Opened

No public present.

Public Hearing Closed

Director Robrahn explained to the applicant that the Examiner will make his determination shortly after the meeting reporting his findings to staff and the Findings of Fact would then be drafted and sent out.

Examiner Johnson's commented that the vacation made sense stating it was a contained situation and there are no extensions of Cedar Street.

Lt. Gussenhoven stated they were not restricting public access at all and would also be cleaning up the other side of the street (Mc Kercher Park).

Director Robrahn said the Engineering, Fire, and Planning departments all felt it was important to maintain public access on Cedar Street. Lt. Gussenhoven stated they will be providing a 26' public access easement and would help the public providing another parking area.

Design Review of the Hailey Readiness Center (Armory)

The Idaho Army National Guard has submitted a Design Review application for a remodel of the Hailey Readiness Center.

Director Robrahn stated the applicant proposes changes to portions of the exterior, new trash enclosure, a new shed, new parking configuration, and new sidewalks, curb and gutter along Cedar Street and a new enclosure for condenser units. There was one issue with the setback of the dumpster enclosure which is addressed in condition d of the staff report. The sidewalks of the east and west sides of the property have been addressed with the applicant and are required as conditions of approval.

Major Doug Werner, 4175 S. Byrd Street, Bldg. 518, Boise, Project Manager, State of Idaho Military Division stated that they intend to put sidewalks around the perimeter of the property. He stated they will comply with the trash enclosure so it will meet all setback requirements. He mentioned they will be submitting two additional applications for a zone change and a wireless permit. He stated they needed an antenna on the property. They understand about the non conformance of a lattice tower and will be installing a solid pole.

Examiner Johnson inquired about the access to the dumpster. Director Robrahn stated it would make sense if it were turned to provide access for the truck. She stated the applicant needed to obtain a letter from the disposal company stating that it does function for their pick up needs.

Public Hearing Opened

No public present.

Public Hearing Closed

The staff report was reviewed with the applicant.

Examiner Johnson was concerned about the sidewalk on north side of Cedar Street abruptly ending and if they could eliminate some parking spaces to continue the sidewalk around the south end.


Lt. Gussenhoven asked how many parking spaces were required. Examiner Johnson stated 9 spaces are required and 14 spaces are proposed. Major Werner calculated a total of 23 with 4 spaces eliminated. Lt. Gussenhoven stated when they have drill or training periods they would need the parking across the street at the public park. Director Robrahn stated she would include a condition that addresses the continuance of the sidewalk.

Examiner Johnson suggested landscaping to help soften the existing chain link fence. Lt. Gussenhoven stated any trees would have to meet the 10' stand off requirement. Examiner Johnson suggested that low shrubs be used.

Major Werner stated the shed will be a standard butler style building and said they will send a color pallet; standard colors are eggshell and a maroon colored roof or same color as the existing roof.

Examiner Johnson closed the hearing at 1:25 p.m.

Approved this 12 day of DECEMBER, 2008.


Bernie Johnson, Hearing Examiner

Attest:


Becky Mead, Deputy Clerk