

**MINUTES OF THE
HAILEY PLANNING & ZONING COMMISSION
Monday, November 9th, 2015
Hailey City Hall
5:30 p.m.**

Present: Richard Pogue, Regina Korby, Dan Smith, Janet Fugate, Owen Scanlon
Staff: Lisa Horowitz, Kristine Hilt, Ned Williamson (for NB3)
Absent: None

Call to Order

5:29:52 PM Chair Fugate called the meeting to order.

Public Comment for items not on the agenda

None was given.

Consent Agenda

CA 1 *Motion to approve minutes of October 13th, 2015*

5:30:36 PM Richard Pogue moved to approve CA 1. Owen Scanlon seconded and the motion passed unanimously.

New Business and Public Hearings

NB 1 *Consideration of a Design Review application from Carl and Kirsten Hjelm for a 746 square foot addition to a single family house and shed located at 212 Second Avenue South (S 10' of Lot 18, Lot 19 and the N 15' of Lot 20, Hailey Townsite Block 26) located in the Transitional (T) and Townsite Overlay (TO) zoning districts.*

5:31:26 PM Lisa Horowitz introduced the applicant.

5:31:50 PM Carl Hjelm stood and introduced the project to the Commissioners. He included details about the layout and configuration of the proposed addition as well as details about the existing structure and limitations due to age. Carl noted that the existing architectural themes and styles will remain consistent. Dan Smith inquired about the location of the shed. Carl Hjelm noted that he had plans to move it from 4" over the neighboring property line to 4" on his side of the property line. Lisa Horowitz read the section of the code applicable to existing non-conforming structures. Lisa Horowitz noted that the degree of non-conformity may not be increased.

5:37:22 PM Chair Fugate opened the application to public comment. None was given and public comment was closed.

The Commission discussed the application. Janet Fugate noted a letter of approval from a neighbor.

5:39:56 PM Regina Korby motioned to approve the design review application submitted by Carl and Kirsten Hjelm for an expansion to an existing single-family residential dwelling and shed located on the S. 10' of Lot 18, Lot 19 and the N. 15' of Lot 20, Block 26, of the Hailey Townsite, (212 South Second Avenue), finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, and City Standards, provided conditions (a) through (j) are met. Dan Smith seconded and the motion passed unanimously.

NB 2 *Consideration of a Design Review application from Smith Optics for a newly developed parking area to be located at the vacant lot at 17 West Silver Street (Lots 18,19,20 of Block*

56, Hailey Townsite) within the Business (B) and Townsite Overlay (TO) Zoning Districts. Lot is proposed in order to service the influx of employees starting employment at 409 Main Street North.

[5:41:50 PM](#) Lisa Horowitz introduced the application and notified the Commissioners of why the parking lot must go through design review. Ron Hayes, Smith Optics, stood and notified the Commissioners of Smith Optics' employees' needs for additional parking.

[5:45:03 PM](#) Samantha Stahlnecker, Benchmark Associates, stood and informed the Commissioners of the specific details of the proposed improved lot, parking spaces, and snow storage. Samantha addressed a City comment about accessing the lot from River Street. Samantha noted that there existed 35 feet of snow storage and that Smith Optics was not addressing current drainage issues. Lisa Horowitz noted that the City Street Department would like Smith Optics needs to address ponding issues if they arose. Discussion between the Commission and applicant included finished grade and slope.

[5:50:24 PM](#) Lisa Horowitz encouraged the Commissioners to address possible landscaping buffers and/or fencing to prohibit entry from River and Silver Streets. Lisa Horowitz went on to summarize the standards of guidelines for the Commissioners.

[5:54:30 PM](#) Owen Scanlon inquired about landscaping requirements for this parking lot. Lisa Horowitz noted that there were no requirements for a lot this size. Discussion included number of proposed employees, time frame of use of lot, and lease details for the bare land.

[5:57:39 PM](#) Chair Fugate opened the application to public comment. Matt Engel, Hailey resident and property manager, notified the Commissioners of the land lease details. He also included details of the current condition of the lot. Sandy Kelly, Hailey Resident, stood in favor of the application and also inquired of the status of the Roark Building and also the improvements proposed for the lot. She inquired about implantation of sidewalks and if the Roark Building is for sale and also encouraged the applicant should promote public transportation as well as commuting.

[6:01:35 PM](#) Chair Fugate closed public comment. Discussion included barricades that would prevent Silver Street or River Street entry. Dan Smith asked to review the Arial photo and the Commission and staff reviewed the photo. Owen Scanlon inquired about a quote for a post and chain fence. Ron Hayes notified the Commissioners that Smith Optics would be happy to comply with that requirement. Regina Korby inquired about the scope and limitations of the Commissioners in regards to requiring a fence. Chair Fugate commented that it was commendable that Smith Optics was providing additional parking for their employees.

[6:08:49 PM](#) Owen Scanlon motioned to approve the Design Review application submitted by Benchmark Associates on behalf of Smith Optics for an employee parking lot to be located at 17 West Silver Street, Hailey (Lots 18-20, Block 56, Hailey Townsite) within the Business (B) Zoning District, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, Title 18, and City Standards, provided conditions (a) through (i) are met, H being amended to include the installation of a pole and chain fence. Dan Smith seconded and the motion passed unanimously.

NB 3 Consideration of a Conditional Use Permit application from UPS for a temporary structure to be located at 111 South River Street (Lots 1-7 of Block 31, Hailey Townsite) within the Business (B) and Townsite Overlay (TO) Zoning Districts. The proposed temporary structure will be a UPS package distribution facility.

[6:10:24 PM](#) Lisa Horowitz handed out information to the Commissioners that included information about the history of UPS in the City of Hailey. She included details about prior modification to the site, prior building permits, previous zoning classification and new zoning classification. [6:14:32 PM](#) Ned Williamson noted that UPS could possibly be a non-conforming use. Ned included additional details about the uses that UPS was classified under and the history of each. Ned also noted that the only box

that was blank in the whole district use matrix was related to the use that UPS was currently classified under. Ned Williamson finished by stating that it was unintended to portray UPS as a non-conforming use.

[6:21:08 PM](#) Chair Fugate inquired about the definition of the use. She noted that UPS should not be defined as assembly but as storage or delivery service. Chair Fugate inquired about moving forward with the application as a “Conforming Use”. Ned Williamson confirmed. [6:23:22 PM](#) Judy Younce, introduced the application as a “temporary use facility”. She included details about the specific site and noted that the current configuration is not typical of UPS any longer. Judy noted that UPS was unaware that a Conditional Use Permit was needed for the temporary structure. She apologized on behalf of UPS and noted that fixing issues of the existing lot were a priority. Judy included specific details about the temporary structure for the Commissioners.

[6:28:46 PM](#) Lisa Horowitz notified the Commissioners that the City Engineer was not in favor of requiring sidewalks or curb and gutter at this time until the City had funds to implement the same to surrounding areas. The applicant notified the Commission that UPS has no plans to relocate. Discussion between the applicant, staff and the Commission included a timeline of the original installation of the temporary structure, compliance, requirements for a conditional use permit, and definition of a “temporary structure”. Dan Smith inquired if the application was complete. Lisa Horowitz noted that the application was complete for her processing for the use proposed. Dan Smith directed his inquiry to the applicant and the applicant answered his specific questions. The questions included increase in traffic and fleet of vehicles, volume of deliveries, and communities serviced by the location.

[6:42:40 PM](#) Lisa Horowitz inquired about the temporary structure’s main purpose. Judy commented that it was necessary to improve the working conditions for the employees due to the influx of packages and deliveries for the holidays and e-commerce.

[6:43:43 PM](#) Chair Fugate opened the application for public comment. Keith Nelson, Nelson’s Auto Service, noted that the idling was an issue and also the dust during warmer months. Tony Evans, resident of Hailey, noted that this seemed like an industrial use in a residential area. Ned Williamson noted that the zoning was Commercial.

[6:47:30 PM](#) Chair Fugate closed public comment.

Regina Korby suggested and inquired of a condition of approval that the conditional use permit be approved but that the use be visited after the peak season to ensure that essential activity be undisturbed. Judy noted that dust abatement would also be very damaging to drainage and water percolation and may cause more harmful impacts.

[6:56:36 PM](#) Lisa Horowitz mentioned that the Commissioners should review the application at hand which included the increased use based on the installation of the temporary structure. Regina Korby also noted that drainage, dust abatement, and parking were not part of the conditional use permit application. Chair Fugate noted that the concerns should be noted to be addressed at a future date when the “use” of UPS be addressed at a later date.

[6:58:39 PM](#) Discussion included rephrasing the conditional use permit approval language and conditions of approval.

[7:01:26 PM](#) Erica Ritzen, UPS employee, noted that the vehicles that were parked in the corner along River Street and Bullion Street were not UPS employee’s cars.

[7:02:23 PM](#) Discussion continued to include approval language and review period. Lisa Horowitz mentioned that the review would be of the operation and compliance.

[7:07:40 PM](#) Richard Pogue noted that the use was much more industrial than it is commercial.

[7:08:34 PM](#) **Dan Smith Motion to approve conditional use permit application for Conditional Use Permit application by UPS for a temporary peak car to be used during the holiday season at the Hailey Distribution Center located at 111 South River Street (Lot 1-7, Block 31, Hailey Townsite) and finding that the application meets each of the criteria for review (a) through (h) cited in Zoning Ordinance Article 11.4, Section 11.4.1, that the conditional use permit complies with the Comprehensive Plan, and that the conditional use permit is subject to condition (a) thru**

(d) as modified. Owen Scanlon seconded and the motion passed unanimously.

NB 4 Notice of an amendment to the Hailey Comprehensive Plan, Part Five, Capital Improvement Plan to incorporate new text and description of the 2015 TischlerBise DIF analysis and Report, and to replace Section 1, Development Impact Fees with said report.

[7:11:26 PM](#) Lisa Horowitz noted that the report was unavailable for the Commission to review.

[7:12:01 PM](#) **Dan Smith moved to continue an amendment to the Hailey Comprehensive Plan, Part Five, Capital Improvement Plan to incorporate new text and description of the 2015 TischlerBise DIF analysis and Report, and to replace Section 1, Development Impact Fees. Regina Korby seconded. The motion passed.**

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

*SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
(no documents)*

[7:13:06 PM](#) Lisa Horowitz notified the Commissioners of the upcoming Holiday Square. Lisa also notified the Commissioners of the presence of the street/traffic study consultants' presence in town during December and also the scheduled opening of Hailey Ice.

*SR 2 Discussion of the next Planning and Zoning meeting: Monday, December 14th, 2015.
(no documents)*

Adjourn

[7:19:16 PM](#) **Regina Korby motioned to adjourn. Owen Scanlon seconded and the motion passed.**