

**Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, March 1, 2021
Virtual Meeting
5:30 p.m.**

From your computer, tablet or smartphone: <https://www.gotomeet.me/CityofHaileyPZ>

Via One-touch dial in by phone: <tel:+15713173122,,506287589#>

Dial in by phone: United States: +1 (571) 317-3122 Access Code: 506-287-589

Present

Commission: Owen Scanlon, Dan Smith, Richard Pogue, Janet Fugate, Dustin Stone

Staff: Lisa Horowitz, Jessica Parker

[5:30:28 PM](#) Chair Fugate called to order.

[5:30:59 PM](#) Public Comment for items not on the agenda. No Comment.

[5:31:54 PM](#) Consent Agenda

CA 1 *Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Stephen Kearns, represented by Jay Cone Architecture PC, for a new 728 square feet garage with a 678 square feet Accessory Dwelling Unit (ADU) above. This project is located at 12 West Elm Street (Lot 11 and N 20' of Lot 12, Block 8 and 20 x 120 Elm St) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.***

CA 2 *Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Dennis and Sheree Kavanagh, represented by Galena Engineering, where the existing building located on Lots 1 and 22, Block 43, Woodside (1060 Mountain Ash Dr) are converted into commercial condominiums, which range in size from 784 square feet to 1,596 square feet. This project is located within the Light Industrial (LI) Zoning District. **ACTION ITEM.***

CA 3 *Adoption of the Meeting Minutes from the February 16, 2021 PZ Hearing. **ACTION ITEM.***

[5:32:08 PM](#) Pogue motioned to approve CA 1, CA 2 and CA 3. Smith seconded. All in Favor.

Public Hearing

PH 1 [5:32:38 PM](#) *Consideration of a Design Review Application by Grocery Outlet Bargain Market, represented by BRR Architecture, for a new 590 square feet bale storage. This project is located at 615 North Main Street (Lots 1-5, and Lots 11-15, Block 68, alley between Lots 1-5 and Lots 11-15 150' x 26' alley, Hailey Townsite) within the Business (B) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.***

Horowitz introduced project, explaining that Grocery Outlet needs a bale storage that allows them to bale the cardboard boxes for recycling. Staff and Applicant team believes this would be the best location. Applicant team is not present.

[5:35:17 PM](#) Scanlon agrees best location but has question of where baler itself is located. Scanlon does not see where structure of roof over bale storage, looks like there is a tarp or something. Scanlon does not think have an accurate depiction of the roof structure, fascia, and soffit will be on the building.

Horowitz recommended opening public comment, that she has emailed the architect and if need can continue to next available hearing.

[5:37:12 PM](#) Stone has no questions. Stone sees the building Scanlon is talking about, thinks if correct one believes need the giant bale of cardboards forklifted out.

[5:37:52 PM](#) Smith has questions but those will need to be answered by the Architect team. Smith has no other comments at this time.

Pogue's question is along the lines of Stones. Pogue asked if these will be real bales that will be forklifted out and if so, how often will this be done? Pogue stated there are parking spaces right next to the area. Pogue asked how they are going to get a trash truck in and out. Pogue does not want the front of the store to look like what is happening on River Street at the recycling area.

[5:39:34 PM](#) Chair Fugate opened public comment.

No comments.

[5:39:54 PM](#) Chair Fugate closed public comment.

[5:40:53 PM](#) Smith motioned to continue the public hearing to March 15, 2021. Pogue seconded. All in Favor.

PH 2 [5:41:52 PM](#) *Consideration of a Design Review Application by Rebecca Wilkinson for a new 475 square foot detached, two-car garage. This project is located at 323 North 2nd Avenue (Lots 1-4, Block 51, Hailey Townsite) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.***

[5:42:16 PM](#) Horowitz introduced applicant team and turned the floor over to them. Gemma Daggatt, representative for owner, provided brief summary of reason for application. Daggatt explained current buildings located on the property, stating intent is to honor the design and intent of townsite overlay by designing simple shed style building that will be the garage. Daggatt explained proposed site plan with garage coming off alley and relocating existing cabin to vacant corner of the lot. Daggatt explained proposed parking plan and stated has satisfied all bulk requirements such as setbacks. Daggatt shared photos existing buildings of current property going, explaining which ones will change due to the addition of the garage. Daggatt provided photos of existing garages off alley in the area.

[5:49:40 PM](#) Scanlon asked if owner will be living in any of these buildings full time. Rebecca Wilkinson, explained her current living arrangements on the property and uses of the

other buildings. Scanlon asked what the height is of the exposed concrete foundation. Daggatt stated looking at 12". Scanlon asked what the finish will be. Daggatt explained rough type foundation to match the older ones in the area. Scanlon asked if not insulating the ceiling in the truss space. Daggatt confirmed will insulate the ceiling. Scanlon does not believe there is enough depth for insulation and ventilation so may exceed proposed height. Daggatt explained working with contractor, who believes may gain a few inches but not much more. Scanlon asked if there is going to have an open soffit or just going to look at the rafter bales. Daggatt believes so, not going for a high finish. Scanlon asked planning on a continuous ridge vent. Daggatt stated yes, planning to have a continuous ridge vent detail, that is listed on the structure drawings.

[5:53:55 PM](#) Stone asked if looking at a 24' wide corrugated metal garage. Daggatt explained material design of garage facing alley, and the side profile will be behind a 6' fence. Stone asked if seeing gray corrugated metal. Daggatt confirmed, explaining type of corrugated metal that will be using. Stone asked if keeping roofline lower for a reason. Daggatt explained keeping roofline lower for owner's benefit of sunlight into house. Daggatt confirmed she consulted with a professional that the proposed roofline will work in this area.

[5:57:39 PM](#) Smith is coming up with 4 different proposed sizes for the garage square footage, asked applicant to verify that. Daggatt noted the number in the staff report is incorrect; the actual number is 528 square feet. It will be 24' wide and 22' feet deep. Smith noted that need to let structural engineer know of the change, Daggatt confirmed she has already contacted him. Smith noted the conceptual shows a 1 piece garage door, but structural plan shows 2. Daggatt explained they decided to expand the door and the structural engineer does have that update as well. Smith suggested matching the color of the house to blend in better. Smith recommended consulting someone regarding the solar panels, suggesting may increase the height as well. Daggatt shared the explanation from her solar consultant – that the panels would be covered in snow during winter months. Daggatt will further research and likes color suggestion.

[6:03:02 PM](#) Pogue asked what the cabin will be used for. Daggatt explained it is currently used by owner's college children when they are home for entertainment purposes. Daggatt stated spoke with movers who moved the buildings in the 1980s, and they do not foresee any issues with moving the building.

[6:04:30 PM](#) Chair Fugate confirmed materials to be used, suggesting red or white for garage doors. Chair Fugate loves the vintage buildings on the property.

[6:05:43 PM](#) **Chair Fugate opened public comment.**

No comment.

[6:06:40 PM](#) **Chair Fugate closed public comment.**

[6:06:46 PM](#) Scanlon asked where the goose neck lighting is going. Daggatt confirmed that is on the back of the garage, facing the owner's home. Daggatt confirmed it does meet the light requirements. Scanlon complimented the project, that he likes Smith suggestion of

changing the garage door to red. Scanlon stated he sees solar panels at various angles around town, but that will be left up to her consultant.

[6:09:03 PM](#) Stone stated garage looks like a standard 24' 2 car garage that doesn't fit the property look or what traditionally see in old town. Stone thinks adding a flatter color corrugated metal and having the concrete exposed may help that a bit. Stone stated shape matters quite a bit on how something looks, thinks applicant is sacrificing how her compound looks for her cars. Stone suggested if went to 20' wide 1 car garage, solar panels would look better and garage would look like it belongs on the property. Stone stated it is more than just the thin metal, it's the exposed rafters and angle of the roof that makes the house. Stone stated either the depiction is off, or what he is seeing is a standard prefab can buy off the internet. Stone stated this is his concern. Stone appreciates following regulations of putting it off the alley. Stone stated whatever color the choose for the garage door that they think make sense as it will not have a lot of exposure. Stone stated the shape is his main concern. Stone does not think the roof follows the guideline of the angles of old town.

[6:11:55 PM](#) Smith has no problems, does think the color would help tie in the garage to the remaining structures on the property.

[6:12:33 PM](#) Pogue agrees with Smith's earlier comments, would look at how the solar panels would be placed on the garage. Pogue has no problems.

[6:12:56 PM](#) Chair Fugate would like to see the color of the doors match others on the compound. Chair Fugate understands Stones concern of the shape of the roof but also agrees sunlight access is important. Applicant team is amendable to changing the color of the doors to red.

[6:14:27 PM](#) Scanlon motioned to approve the Design Review Application Rebecca Wilkinson for a new 528 square foot detached, two-car garage. This project is located at 323 North 2nd Avenue (Lots 1-4, Block 51, Hailey Townsite), 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 Hailey Municipal Code, and City Standards, provided conditions (a) through (k) are met. Pogue seconded. All in Favor.

PH 3 [6:16:21 PM](#) *Consideration of a Design Review Application by Antony and Sarah Gray for a new 2,609 square foot single-story residence. This project is located at 121 North 3rd Avenue (Lots 1-4, Block 38, Hailey Townsite) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.*

[6:17:09 PM](#) Pogue stated his property is across the alley from this project, he has not spoken with the applicant team regarding this project.

[6:17:49 PM](#) Sarah Gray, applicant, introduced their applicant team. Gray stated this will potentially be their 3rd house, would like to build a new home similar size to existing structure and take advantage of the mature trees and large yard. Gray stated they understand finding the ideal garage location is tricky, that they proposed the garage off the main road.

[6:20:12 PM](#) Scanlon asked if the garage is counted in the square footage listed. Gray confirmed it is. Scanlon asked if designed this house for this lot. Gray explained plans were built off a house plan she had seen but then they took ideas to a local architect. Scanlon asked if the two car garage also faced 3rd Avenue. Gray stated no, it was facing Carbonate. Gray went on to explain reason for change to 3rd when reduced to single car garage. Scanlon asked if two outbuildings on site are existing and are not relocating those. Gray confirmed that is correct, describing the existing buildings off the alley. Scanlon confirmed retaining all mature trees around the building. Gray confirmed, with exception of one tree that may be diseased. Scanlon asked if applicant was aware of city recommendation of garages off alley, asking applicant to walk him through their thought process. Gray explained spoke with several contractors and that there was just not enough room and concerns of grade that would be needed. Horowitz noted the City Engineer, Brian Yeager, did not concur with the conclusion regarding the grade concerns. Horowitz verified with applicant that the applicant and Horowitz met 3-4 times over the last year. Gray confirmed. Gray stated that when going through design guidelines, they were looking to prevent excavation work. Gray does not think any architect would look at the layout of the lot and would propose putting the garage in the backyard. [6:26:53 PM](#) Scanlon asked if there is an ordinance that dictates a distance from the corner of the lot and the driveway. Horowitz confirmed there is nothing specific, but the City Engineer and Department Head of Streets provided their opinion. Staff and Applicant discussed distance from driveway to street corner with existing driveway and proposed driveway.

[6:28:57 PM](#) Stone asked for clarification on the house that would consider unique for old town. Gray explained neighbor's house that is midcentury and that she has always liked that. Gray explained she has always wanted to do something with a similar feel that she wanted to do something a little different. Gray explained where she found the design and the inspiration behind her plan.

[6:31:43 PM](#) Smith stated in the write up mention to Usonian, thinks that refers to Frank Lloyd Ride Design Aesthetic. Smith asked if this is correct. Gray confirmed. Smith stated every house of those designs he has seen have a detached garage. Smith asked the applicant why they decided to have an attached garage. Gray explained number one is being in snow country, and just to compact the footprint as well not to have it spread out too much more.

[6:32:47 PM](#) Pogue complimented plan to keep all the trees that they are. Pogue has concerns of garage, asked about the grade off of 3rd Street for the house. Gray explained her first choice was to come off Carbonate. Gray explained trying to bring the garage up so there would not be a slope going into the garage from the sidewalk.

Horowitz asked if two trees near the sidewalk would be removed. Gray explained the one tree is growing at angle. Horowitz clarified, asking about the two trees along the contour line she does not know how that will work. Gray stated they could not go up that high along the trees. Horowitz stated the building height would be measured from existing grade. Staff, applicant and commission continued to discuss the fill being brought into the property. Gray confirmed only going up 3' around the garage/driveway. Discussion of fill continued.

[6:39:44 PM](#) Pogue stated he hopes there is a way to figure out how to enter the garage off Carbonate. Gray explained if came in off Carbonate with 20' setback, it would run into an

existing mature tree wanting to keep. Gray asked if there was any wiggle room on setbacks. Horowitz stated there is no wiggle room on setbacks.

[6:41:11 PM](#) Chair Fugate explained it sounds like there is going to be a lot of moving dirt and removal of trees for proposed garage, wondering why not able to comply with having the garage come off the alley. Gray asked for clarification. Chair Fugate stated talking about garage entry off the street and sounds like there will be a lot of moving dirt and trees. Chair Fugate is wondering why not able to move the dirt and trees to comply with coming off the alley. Gray explained that there are not actually trees off the alley, the issue with the alley is more the issue with the slope and existing buildings. Gray noted that on the south corner of the lot where the shed is, there is an existing telephone on that corner. Chair Fugate asked Horowitz to summarize Yeager and Schwartz concerns.

[6:43:35 PM](#) Horowitz explained that Yeager and Schwartz were concerned above moving a non-conforming driveway closer to an intersection. Smith asked if actual driveway, looks more like a large parking area. Gray stated it is asphalt. Smith stated it is more just a paved parking area. Horowitz stated it is the historic parking for the house. Horowitz went on to explain that the current parking/driveway area is about 30' from the property line. Horowitz explained measurements are taken from the property line. Horowitz stated the proposed is moving close and is approximately 16' from the property line. Horowitz explained Yeager and Schwartz had concerns given the steepness of the street, of a car backing in and out. Horowitz stated they felt the area off the alley would be large enough to fit a garage.

[6:46:52 PM](#) Gray does not understand with the 2' difference getting a car in and out the garage how not blocked out getting in and out of the garage. Chair Fugate stated that brings back where the garage is located and moving around dirt and trees. Gray stated it would not be much excavation, that it may be putting a little dirt in to raise the pad of the garage. Gray explained it would not be some major excavation taking dirt out. Horowitz noted that the trees showing to be retained would not survive with a foot of fill around them. Gray said they can definitely talk to the tree and excavation guy about that.

[6:46:56 PM](#) **Chair Fugate opened public comment.**

[6:48:06 PM](#) Rebecca Cox, current tenant of the home in question – 121 N 3rd Ave, she has lived on this property for 6 years as tenants. Cox stated living on the property with the existing outbuildings, when she saw the Grays design, she was really intrigued and could see how Gray was working the lot to be the best advantage. Cox believes the garage design of the garage, can see it's a complicated decision as far as limitations and regulations for the city. Cox stated will speak to fact if drive by the lot currently, the most logical place to pull a car into this lot is where they are placing the garage. Cox stated as uncomfortable as it is to not be facing Carbonate as she thinks would make the most sense, logistically speaking to pull a car in as she is talking about with the slope driveway, Cox can see it could be problematic to pull in off the alley or Carbonate. Cox stated they find themselves doing the same thing with their car when the snow is on the ground. Cox just wanted to attest that the lot is unique and it is problematic with the beautiful trees that are there. Cox stated although she likes traditional architecture and maybe a garage a certain way, she can see why they chose their design. Cox stated she can see why they chose their design. Cox stated Gray was very thoughtful in trying to overcome those obstacles.

[6:50:47 PM](#) Chair Fugate closed public comment.

[6:50:53 PM](#) Scanlon stated he drove by the property today and could see where the alley was not plowed out. He could see where that would be a consideration, that if he was going to build on that he would have to be responsible for removing snow from the alley. Scanlon wonders if there is a way to skew the floor plan to make a more inviting angle to come into the other side of the garage off the alley. Scanlon does not think the driveway would be much longer than what is shown off 3rd Avenue. Scanlon agrees with Cox, it's a difficult lot. Scanlon stated if does not have a stipulation in code requiring that they come off the alley, he does not see a way to force the rule making the lot more difficult to build on to satisfy a guideline.

[6:52:50 PM](#) Stone understands the struggles of trying to make a garage work on a lot where they are trying to retain trees and woodsheds. Stone complimented applicant team on trying to move existing home. Stone has issue with not following ordinance to not have a garage facing the road. Stone stated understands this is not a hard fast rule, that the area of old town is a unique area held to higher scrutiny. Stone stated it can be hard to get things passed. Stone suggested there could be more than one way to do this one, he would have trouble approving with a simple violation of accessing the garage from the road and without really being able to say we have to. Stone thinks there are few people who live in old town and they all deal with their alleys, not having garages and is probably appropriate with the guidelines.

[6:55:31 PM](#) Smith stated he and his wife built a non-conventional home in townsite and dealt with some dramatic elevation changes. Smith said had to utilize over 100' of retaining walls. Smith does not have any problems with the design of the home. Smith stated with a quick calculation to bring the lot up 2' in area indicating, applicant will be somewhere in 2-300 cubic yards of material that will bring in to compact and shape and can see if come off alley would not take much more material and possibly save some in one corner. Smith has a few problems with allowing this to go as shown – not following the guidelines. Smith explained the guideline is put in place to help retain the feel of old town, comparing it to more modern developments with driveways off the street and it does change the feel, aesthetic of the neighborhood. Smith stated one driveway probably not would ruin anything city wide but it sets a precedent. Smith would prefer to see them adhere to the guidelines and expect people to adhere to the guidelines. Smith stated another problem with this design, when he took traffic engineering class one chapter dealt with is traffic safety. Smith explained an issue that comes up is when you have conflicting traffic patterns you have a higher potential for accidents, that you try to avoid that as much as possible. Smith stated with sight lines being what they are in old town with trees, snow storage, etc., he has bit of an issue with the safety aspect of this particular layout proposed. Smith likes the idea they preserving the trees as much as possible and providing a different sort of design for downtown area. Smith really thinks need to take a hard look at modifying this to try to fit within the guidelines and still provide themselves with the kind of accommodation they want to have long term. Smith thinks possible could eliminate the grade problem and also come in lines with the guidelines for old town.

[6:59:49 PM](#) Pogue stated the ideal place to have a garage is to have it where the existing garage sits. Pogue stated it would probably destroy the building know being used as a woodshed. Pogue stated because of all the homes built in the area, there are no garages which as a result the alley is not plowed. Pogue encourages applicant to meet with Yeager to discuss his ideas on how to access off the alley, that he thinks that would be more in keeping. Pogue agrees with Smith,

worried about the driveway being 14' off the property line. Pogue explained his concern for safety, that as he recalls there are no stop signs at 3rd and Carbonate. Pogue stated because of the slope of the road will have a hard time seeing cars coming down and snow storage in winter would make it worse. Pogue recommends meeting with Yeager to see what his thoughts are and readjust the approach to the lot so can enter off the alley.

[7:02:18 PM](#) Horowitz explained that Yeager no longer designs plans, that the Grays would need to propose ideas for Yeager to review.

[7:03:05 PM](#) Chair Fugate believes project is well thought, has an intriguing design and thinks the home is interesting. Chair Fugate does understand the reason why they laid it out the way they have. Chair Fugate stated Smith explained what she was trying to say about moving the fill being placed and the trees. Chair Fugate stated more importantly is definitely the safety issue with bringing the driveway 14' from property line, that is cutting more than half of the distance. Chair Fugate explained safety is one of the primary standards for Planning and Zoning and would not like to approve something that she feels has the potential to risk someone's safety. Chair Fugate agrees with Pogue and Smith points regarding the guidelines, she understands applicant reasons for coming off the street. Chair Fugate does not think this is a time to set a precedent. Chair Fugate would like to have another look, to see if could make the garage conform and maybe find out if there is less dirt to move. Chair Fugate explained would also hate for any of the sidewalks to be impacted with traffic, as we do not have many in the area.

[7:06:22 PM](#) Gray asked if the City plows any of the alleys and if they were to plow the alley where could the snow be stored. Horowitz stated the property owners would need to plow up to their driveway and that snow storage could be discussed with Yeager and Schwartz. Gray asked if could meet with Schwartz and Yeager onsite to talk about potential recommendations such as safety concerns, snow storage, the excavation. Horowitz confirmed they could all meet onsite, but that Yeager does not want to be put in position of designing. Gray asked who the best person to discuss safety and excavation. Chair Fugate stated unsure who could answer those question. Horowitz confirmed Yeager could assist but explained she is concerned of putting Yeager in an awkward position. Horowitz went on to explain that Yeager will comment on proposed designs, but does not design them.

[7:12:19 PM](#) Chair Fugate stated majority of commissioners would like to see a different design and asked if applicant would like to have the project continued to future date. Smith suggested to applicant to do some quick takes of possible options of relocating garage off alley and provide city with some potentials of what could work to see if there is a preference from city staff. Smith noted that it is common all over that people will push the snow into the alley down until access the garage needed and the snow stays in the alley. Smith does not believe the city would have a problem with snow left in the alley. Pogue confirmed no garages off alley at this time and he would not have a problem with snow being pushed towards his house. Stone confirmed his neighbors do similar in their alley.

Commission discussed if should approve or continue based off condition of garage coming off alley. Chair Fugate asked applicant if would prefer to have approved with condition G or if would prefer to continue the application for a future date. Tony Gray expressed concern of how tight the alley is for backing out and safety issue of reversing out onto Carbonate. Tony Gray would like to have someone walk the property with them and show them what they would like done.

[7:21:36 PM](#) Chair Fugate summarized that they are saying they do not like how it is proposed, the commission has provided feedback on what they would prefer. Chair Fugate summarized the application would not be approved as is, explained options available to applicant – approve with condition g, continue to date certain in future, tabled, or denied. Gray clarified a continuation does not deny the application but give them a chance to review other options. Chair Fugate confirmed. Horowitz suggested applicant have an engineer on their team.

[7:28:29 PM](#) **Smith motioned to continue the public hearing to April 5, 2021. Pogue seconded. All in Favor.**

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.

SR 2 Discussion of the next Planning and Zoning meeting: **March 15, 2021**

- DR: Hayes
- DR Pre- App: Valley View Apartments

Horowitz provided brief summary of upcoming projects.

[7:32:48 PM](#) **Smith motioned to adjourn. Pogue seconded. All in Favor.**