

**Meeting Minutes**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Monday, May 18, 2020**  
**Virtual Meeting**  
**5:30 p.m.**

**Planning and Zoning Commission**

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**Present:**

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

**Staff:** Lisa Horowitz, Jessica Parker, Chris Simms, Sharon Grant

[5:32:02 PM](#) Chair Fugate called meeting to order.

[5:32:36 PM](#) Public Comment for items not on the agenda. No comment.

**Consent Agenda**

**CA 1** [5:32:48 PM](#) Adoption of Findings of Fact, Conclusions of Law and Decision of Design Review Application by Blaine County, 1,720 square foot new two-story mixed-use building to consist of a 288 square foot office and 572 square foot storage on the first floor and an 860 square foot one-bedroom residential unit on the second floor. This project is located at 302 S 1<sup>st</sup> Avenue (Lot 13A, Block 22, Hailey Townsite), within the Transitional (T) and Townsite Overlay (TO) Zoning Districts.  
**ACTION ITEM**

[5:33:16 PM](#) Smith asked Scanlon if they came to agreement with Jolyon regarding side of building. Scanlon stated had not seen any updated drawings as of yet. Horowitz confirmed she had not seen any revised drawings. Horowitz explained it was required prior to building permit.

[5:34:07 PM](#) Smith motioned to approve CA 1. Pogue seconded. All in favor.

## Public Hearing

**PH 1** [5:34:46 PM](#) Continuation of a Design Review Application by Tanner Investments, LLC represented by Samantha Stahlnecker of Galena Engineering for a six (6), two-story four-plex units. The proposed project will be located Lots 1-6, Block 86, Woodside Subdivision No. 25 (East side of Woodside Blvd. between Antelope Drive and Baldy View Drive), within the General Residential (GR) Zoning District- **ACTION ITEM**

[5:35:23 PM](#) Chair Fugate asked applicant to keep to what the changes are and the input requested.

Grant provided highlights of the changes made to the project, including the revised locations of two of the buildings and the landscape. Horowitz made Stahlnecker the presenter. [5:37:50 PM](#) Stahlnecker presented the new site plan, describing new location of two buildings and went on to discuss the revised landscape plan including increase of trees for screening. Chair Fugate asked how the fire department being able to locate a specific address would be handled. Stahlnecker explained will be working with the fire department on that and that all addresses will be addressed off of Woodside. No questions from Pogue. [5:41:11 PM](#) Smith asked about material specs for the colors on the building. Stahlnecker confirmed can provide that prior to the findings being signed. Smith asked about the windows on the end of the buildings shown, if that is typical on all buildings. Stahlnecker confirmed. Smith asked for clarification on what is happening on the end of the building as it appears to be shadowed. Stahlnecker clarified the colors matching the front side. Smith asked about insulation values. Stahlnecker referred to Tanner for that question. Tanner confirmed stucco on the side of the building is supposed to be gray. Tanner clarified the door color and that has not resubmitted a color sample of the stucco yet. Tanner explained the insulation is not on the plans but can add that. Smith asked about the landscape – 1) what kind of trees 2) ultimate height and width expected of that tree. Stahlnecker explained will get an answer for him by public comment. [5:46:49 PM](#) Stone asked if area where building was at is still planned to be snow storage. Stahlnecker confirmed significant amount of snow storage elsewhere on the project, but as needed there could be snow storage there. [5:48:49 PM](#) Scanlon noted now looking at the end of four buildings from the street, suggesting row of trees along Woodside Blvd every other one be a conifer or deciduous so that in fall and spring there is still some landscaping. Scanlon asked about masonry detail noted A4 and A5. Tanner explained that is generic information and does not apply to this project. Tanner responded to ok with relocating the trees. Chair Fugate asked about the Arborist Report.

### **55231 Chair Fugate opened public comment.**

55247 Jeffery Jones, Woodside Blvd, no letters were sent out for this meeting. That is why you will see a decrease in people and had to send out notices by hand. Information was put on the website late, had to call Lisa to have it put on Wednesday. Please with all the proposed changes that have been made during the last meeting, almost 85% to 90% of the public comment was about traffic. Unfortunately, none of the planning commissioners talked about it after the public comment was closed. Would like to take this time to ask two questions – Asked commissioners why they feel there is no need for a traffic study and if there is a traffic study done, and found to have a negative impact on this area would it impact their decision on this project and if no why. Would like the commissioners to answer these questions at the end of public comment.

55430 Michal OCallagahn-Abbott, one of the corners is only 14.6' setback and wondering why that one is so close. Was hoping the colors would not be quite so white, maybe a sage green. How long are the buildings?

55529 David Anderson, 1340 Woodside Blvd, keep seeing big building close to their property has moved several different times and does not get an opportunity to see them until public comment period. If there is ever a need for a traffic study, this is one because adding density to single family area that is already dense. Makes no sense to the neighbors, density is way to high for that area. Thinks public comment period is insignificant. Called and asked how people are supposed to know and was told about email and notice mailed out. That is not enough, very small percentage of neighbors even knew having the hearing. There was not enough notice for this meeting.

[5:57:09 PM](#) Bo Kozen ,830 Antelope, at the last meeting expressed frustrating comments directed towards Tanner Construction. Tanner is focused on making profit, their concerns are not his. Has problem with council members, that they are the ones standing between them and the applicant. This council knows very well what they Hailey residents think about building apartments their backyard and what it will do to the value of their homes. It seems they do not care or are concerned about their issues. Made it worse hearing council members talking about colors and trees make it seem that they do not care. All seem to hear is that they all thought this was supposed to be park, this is not what they are upset about. The day the plans were submitted their actions should have been sorry this is a single-home residence area. Please submit plans for single home. Yet they did not. Question to council member if they do not respect their opinion, why have these meetings. Has spent over 6 hours trying to express her opinions and listening to her neighbor opinions, hoping this would make a difference. Does it? Or is their mind already made up and this is for show. Thought their job was to protect them and improve area vs. destroying it. This is what would happen if put rentals in their backyard.

[5:59:29 PM](#) Mary Kemper, 1521 Aspen Valley Dr, back of her property is on the perimeter. Was at the last meeting, so this is the 3<sup>rd</sup> version of the proposal she is seeing. Kemper stated she feels this proposal puts them back at square one. Her image of this property is that it is odd shape, and is the same shape it was when the Tanner Investment purchased it. She and the neighbors aren't responsible for the property shape, but they are taking the brunt. A square shape design is trying to be pushed into a triangle and it is not working. Every change of the proposal seems to benefit some but hurt others. Glad to see two buildings moved to the center, but should have given additional space to have the properties moved towards the center. Instead they moved out. Makes no sense to her. Doing something else with the park, snow removal or parking for this building. Seems like there are ways to fix this so that everyone can be considered. Can only speak for herself, she was not terrifically impacted by the 1<sup>st</sup> design. But now her back fence is 70' long and she looks at the back of the building that is 14'. Her backyard is her sun exposure and it is gone.

Caroline Nutter, 1441 Aspen Valley Dr, little upset about the meeting came home from work at 530 today to find out about this meeting. Did not get any notification otherwise. In addition, to that the traffic study not being required, find that already experiencing traffic delays when at full capacity. If a traffic study is to be conducted should be done in September when school is open. These meetings need to be more public; people need to be notified.

Kathy Nice, 1431 Woodside Blvd, would like to second her concerns and Jeff Jones concerns. Would like the council to answer the questions they have proposed to them regarding traffic study, colors, setbacks. Everything they were concerned about at the last meeting they are still concerned about and would like them to address those concerns.

[6:05:59 PM](#) ***Chair Fugate closed public comment.***

[6:06:11 PM](#) Horowitz responded to questions on deadlines. Horowitz explained the deadline for the applicant was Monday and the packets are published on Wednesday or Thursday. Horowitz explained the noticing process and apologized that not always able to re-notice projects continued on record – that typically we do not. Horowitz addressed the concerns for a traffic study. Horowitz clarified and confirmed that the current zoning does permit for multi-family uses. Simms agreed with Horowitz statement in regards to the process required during the COVID-19 times. Simms assured everyone that they are working under a lawful procedure based on the governor's order. [6:09:46 PM](#) Stahlnecker added that the buildings are 75 ft long and Royal Oak is a narrow tree. [6:10:27 PM](#) Gary Slette, attorney of the applicant, thinks that the P&Z listened closely to what the public had to say and have made major modifications based upon public input and commission suggestions. The criticism that the P&Z is not responsive is tempered by the fact that the P&Z has to also apply the laws of the jurisdiction. This is a density that is allowed. The P&Z is actually applying the law that pertains to this property. The P&Z and the Tanners have not ignored the public and have tried to accommodate everyone and have changed their plans at cost to make it better for everyone. [6:12:39 PM](#) Chair Fugate opened comments and deliberation, starting with Pogue. Pogue responded to Jones, that the zoning for this property has not changed for several years did not feel it was necessary to have a traffic study. Pogue stated he is sorry that people were led astray by the zoning, made to believe it was a park. Pogue applauds the addition of 25 trees for a total of 75. Pogue would like to see the trees moved that are in the snow storage area. Pogue agrees with comment from Scanlon, that the trees should be alternated at the front to provide coverage during summer and winter months. Pogue clarified if the gray would go on the ends of the buildings as well. Stahlnecker confirmed the stucco on the sides of the building will be gray, matching the front of the building. Pogue confirmed all units will be exactly the same in color. Stahlnecker confirmed. [6:15:36 PM](#) Smith stated in regards to the traffic study that since this is not a rezone and not considered a large development did not see a need for that. Smith stated given the number of residences in that area, this would be a small increase overall. Smith agrees the trees in the snow storage should be moved. Smith agrees with Stone, would like to see the variety of color on the doors. Smith recommends Scanlon's suggestion of alternating trees along Woodside Blvd. Smith appreciates applicant's willingness to make certain changes. [6:18:37 PM](#) Stone asked Horowitz to explain what is required to do Traffic Study. Horowitz explained the process for the traffic study. Horowitz stated she agrees with the comments from Smith regarding the traffic input from this project would be low in comparison to the existing volume. Stone is concerned about the traffic. Stone would like to be able to look the buildings and be able to differentiate from between the buildings. Stone complimented applicant and his staff on the project. [6:21:27 PM](#) Scanlon stated he is in accord with the comments made by the other commissioners, appreciates comments from Slette. Scanlon stated he believes that they have met all the required standards in place. Scanlon suggested possibly alternating colors on every other building from white to gray as an example. [6:23:52 PM](#) Chair Fugate reiterates what the other commissioners have stated, as far as the traffic study agrees with Smith's comments. Chair Fugate agrees with Scanlon's suggestion on color. Chair Fugate agrees with Scanlon regarding

the trees. Chair Fugate believes has done all that they can without forgoing the rights of the developer and respecting the ordinances that have in place. Glad the water sensors are going to be added. [6:27:52 PM](#) Chair Fugate and Horowitz discussed new/revised conditions. Horowitz asked commission how they would like to resolve the building color concern. Stahlnecker asked for change to condition verbiage for the conifers. Stahlnecker explained applicant would prefer not to change the main building color as suggested by Scanlon. Chair Fugate agreed with the conifer request. Smith asked if there was a consensus with the door color.

Chair Fugate confirmed that Pogue is comfortable with where the project is at. Smith has no additional comments beyond question of the colors of the door. Stone does not necessarily care if it is the doors, or window sills, wants something with more color to divide things up or he is a no go. Scanlon stated he is wandering about the door color himself but does not think it should be made a conditional of approval as applicant has been very accommodating with all the request. Stone clarified that it is not necessarily the door color, just wants some diversity between the buildings. [6:37:41 PM](#) Stahlnecker explained spoke with Tanner and that the applicant would like to see the project approved as proposed. Chair Fugate asked if need further question. Pogue stated no, Smith still thinking if should make door colors a condition of approval, Chair Fugate would like to see some color variation as well but agrees with Scanlon's comments. Horowitz suggested additional condition if commission choses regarding colors. Simms stated he believes the commission has the discretionary authority to do so. Chair Fugate asked stone if he would like to make a motion with the revised condition M) variation (*in color*) between buildings to be decided by staff and one commissioner. Stone request the word *color* to be added.

[6:43:14 PM](#) **Stone motioned to approve the Design Review Application by Tanner Investments, LLC on behalf of Brant Tanner, represented by Galena Engineering, for amended Woodside Subdivision No. 25, located at Block 86, E side of Woodside Blvd. btw Antelope Dr. and Baldy View Dr within General Residential (GR) 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 Title, and City Standards, provided conditions (a) through (m) are met. Scanlon seconded. All in Favor.**

**PH 2** [6:46:12 PM](#) *Consideration of a Design Review Application by Kevin and Stefanie McMinn represented by Owen Scanlon Architects, for a new two story with basement mixed use building to consist of a 2,312 square foot dental office located on the first floor and two two-bedroom residential units on the second floor for a total of 1,633 square feet with a 1,512 square foot basement, with a total of eight parking stalls. This projected is located at 801 N 1<sup>st</sup> Avenue (Lot 2, Block 1, Taylor Subdivision) within the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM.***

[6:47:43 PM](#) Scanlon recused himself. Horowitz asked Scanlon if he would like to be made the presenter. Scanlon described the location of the project, and that will be building almost to property line to property. Scanlon summarized the residential units, and parking. Horowitz asked Scanlon if he would like to show the drawings or if he would prefer her to show them. Scanlon confirmed he would prefer Horowitz to show the drawings. Scanlon continued to describe the location, design and landscape of the project. Scanlon discussed the snow storage within the parking lots and open area required for the residential units. Scanlon described the basement, main floor – (commercial area for orthodontist office) and second story (residential units), layout of the

project. [6:54:25 PM](#) Scanlon went through the elevation drawings, describing the materials to be used.

[6:57:27 PM](#) Pogue asked about a plant list, Scanlon confirmed had not but he will that it is part of the conditions of approval. Smith questioned the number of total parking, 8 for commercial and 2 for residential thinking total should be 10. Smith asked about awning on A1.2, Scanlon left out of drawing and will correct. Smith asked if would be amendable to putting window on Southside to increase winter lighting. Scanlon stated he would be willing to look at it, but not sure if there will be enough room. Smith noted on the West and North Elevations, sees a lot of horizontal one-color scheme, wonders if maybe an addition of the color band about the elevation of the lower portion that would match the red/bronze would help break up the grayish color. Asked if applicant is amendable to looking at. Scanlon confirmed would be willing to take a look at that and noted there would be a sign there to help as well. Smith noted that depending on placement of sign, that band could help draw the eye. [7:01:39 PM](#) Smith clarified understanding proposed the outside lighting. Scanlon confirmed he is. Smith noted would like to revisit parking requirements sometime in the future. [7:03:32 PM](#) Stone asked what the distance between the two parking stalls are. Scanlon confirmed there is 24 ft. between the parking spots. Chair Fugate noted she is confused about the snow storage. Scanlon explained showing the snow storage being required for the parking and open area. Chair Fugate noted addition of the bike rack. Chair Fugate asked about the color, that it is dark colors. Scanlon reviewed the material board and colors to be used.

[7:10:52 PM](#) *Chair Fugate opened public comment.*

*No public comment.*

[7:11:07 PM](#) *Chair Fugate closed public comment.*

[7:11:12 PM](#) Pogue asked about guest parking. Scanlon explained parking available along 1<sup>st</sup> Ave. Chair Fugate also noted after business hours, parking available there as well. Scanlon noted Dr. McMinn will only be in this office approximately 3 days a week. Smith complimented applicant team. Stone no additional comments. Chair Fugate agreed with the commissioners comments. Horowitz clarified new condition of approval – n. Chair Fugate and Commissioners in agreement with condition n. Stone noted that if put a sign on that side, believes that would fulfill that new condition. No additional comments.

[7:17:21 PM](#) **Smith motioned to approve the Design Review Application by Kevin and Stefanie McMinn, represented by Owen Scanlon, for a 5,457 square foot orthodontist office (1,512 square foot unfinished basement, 2,312 square foot main floor office and 1,633 square foot second floor residence). The project will be located at 801 North 1st Avenue (Lot 2, Block 1, Taylor Subdivision) 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 Title, and City Standards, provided conditions (a) through (n) are met. Pogue seconded. All in Favor.**

**PH 3** [6:45:13 PM](#) *Consideration of a Design Review Application by the City of Hailey, for a new 325 square foot "Fire Safety House" to be located behind the existing Hailey Fire Department at 617*

*South 3<sup>rd</sup> Ave. (Lot 8B, Block 2, Hailey Townsite) within the General Residential (GR) and Hailey Townsite zoning districts. THIS ITEM WILL BE CONTINUED TO JUNE 1, 2020. ACTION ITEM.*

**6:45:17 PM Scanlon motioned to continue the public hearing 3 to June 1, 2020. 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: June 1, 2020.

- Rezone West Crescent
- DR Fire Safety House

Horowitz summarized upcoming projects for next hearing and noted that the Marriott is ready to schedule their field visit. Horowitz noted that the field visit should be done in the field if possibly. Horowitz suggested possibly June 15<sup>th</sup> or another day that week. Simms noted that he does not care for onsite meetings but believes is possible to do and ensure all are safe. Simms suggested doing it during a time that is not rush hour traffic. Pogue would prefer to go after the main meeting. Smith noted that during this time of day the sun will be behind the building so it may give a different impression of color if were to see it during earlier in the day. Pogue agrees with Smiths comment. Stone confirmed discussing June 15, 2020 and that if it would be on the docket. Horowitz confirmed and that it would be noticed. Stone suggested meet at lunch to view the color and discuss that evening. Chair Fugate asked Simms if that would be possible. Simms agrees with the idea proposed by Stone. Simms explained would call meeting to order onsite then reconvene that evening. Chair Fugate confirmed noon at Monday, June 15, 2020 will work for everyone. All confirmed available.

**7:28:17 PM Scanlon motioned to adjourn. Stone seconded. All in favor.**