

Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, November 16, 2020
Virtual Meeting
5:30 p.m.

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

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Present

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

Staff: Lisa Horowitz, Robyn Davis, Jessica Parker

[5:30:42 PM](#) Chair Fugate called to order.

[5:30:56 PM](#) Public Comment for items not on the agenda. No Comment.

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

CA 1 Adoption of the Meeting Minutes from the November 2, 2020 PZ Hearing. **ACTION ITEM.**

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Conditional Use Permit submitted by Freedom Bible Church to hold assemblies on Sundays, and to use the location for small gatherings, support groups and/or meetings throughout the week. Freedom Bible Church is seeking approval to occupy the space at 513 North Main Street (Lots 1-5, ½ of 6, Block 65, Hailey Townsite) within the Business (B), Downtown Residential Overlay (DRO) and Hailey Townsite Overlay Zoning Districts. Pursuant Section 17.05.040: District Use Matrix, churches located within the Business (B) District are required to have an active Conditional Use Permit. **ACTION ITEM**

CA 3 Adoption of Findings of Fact, Conclusions of Law and Decision of a Conditional Use Permit submitted by Albertsons, Inc., to place two (2) temporary storage containers onsite. The storage containers will be located on the west side of the property, and will be used to store additional dry goods to support the increased volume the store has seen as a result of the pandemic. This project is to be located at 911 North Main Street (Sub Lot 3, Block 1, North Hailey Plaza) within the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM.**

CA 4 Adoption of Findings of Fact, Conclusions of Law and Decision of a amendments to Title 17 of the Hailey Municipal Code, by amending Chapter 17.04, Establishment, Purposes and Uses within Zoning Districts, Articles B, C, D, E, F, G, L and M to reference new supplemental regulations for Accessory Dwelling Units; amending section 17.05.040, District Use Matrix, to permit Accessory Dwelling Units (ADU's) as a permitted use in the Limited Residential-1 (LR-1) and Limited Residential-2 (LR2) zoning districts subject to criteria, including design review and bulk requirements to establish maximum heights for ADU's and lot coverage for the LR-1 and LR-2 zoning districts; amending section 17.06.010.A to establish an administrative design review or full design review design process for ADU's depending on location; amending chapter 17.08, Supplementary Regulations, to establish a new Article D containing supplemental regulations for

*ADU's (purpose and intent; applicability; general provisions; registration; short-term rental occupancy restrictions; subordinate scale and size; maximum floor area; livability; outdoor access); amending Chapter 17.09, Parking and Loading, Sections 17.09.020.05.B, 17.09.040.01, and 17.09.020.09.D to address parking requirements for ADU's. **ACTION ITEM.***

Stone abstained from vote.

5:32:05 PM Pogue motioned to approve CA 1, CA 2, CA3 and CA 4. Smith seconded. All in Favor.

Public Hearing

PH 1 5:33:07 PM Consideration of a Design Review Application by Travis and Amanda Catanzaro, represented by Chip Maguire of M.O.D.E., LLC, for a residential remodel to an existing home, a new 728 square foot garage addition and a new 728 square foot accessory dwelling unit, to be located above the garage. This project is located at 516 North 2nd Ave (Lots 16-17, N 15' of 18, Block 62, Hailey Townsite) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

5:33:53 PM Davis turned floor over to applicant, Chip Maguire. Maguire explained this is an existing house on 2nd Ave with a basement 3-4ft out of the ground. Maguire explained this was a modular home put on a custom foundation. Maguire explained owners would like to remodel the existing building – new siding, new windows, add street charm, etc. Maguire explained existing site location of lot and building floor plan. Maguire explained footprint of existing house is not changing, just updating to today's standards and that majority of work will be done on top floor. Maguire moved on to discuss new site plan that includes new detached garage and ADU. Maguire explained parking, walkway from garage to rear deck of main building. Maguire noted that there is a large lilac hedge that runs along the west boundary and that idea is to keep landscaping as. Maguire explained new layout of existing building and materials to be used. Maguire went on to discuss garage/ADU floor plan, materials matching existing building. Maguire noted that the roof was extended over the stairway.

5:52:15 PM Scanlon noted that the existing photos of the house did not describe the poor condition of the existing house. Scanlon stated this is a vast improvement. Scanlon asked why keeping the chimney on the north end of the house. Maguire explained keeping there since it's there and will allow it to break up the exterior. Scanlon asked if planning on adding a deck off the west side of the house. Maguire explained concern of deck there causing shade to basement and that the windows came out to be less expensive.

5:54:42 PM Stone asked how high the ceiling is on the 1st floor of the garage. Maguire stated it is 9 feet. Stone asked how tall the ceiling in the ADU is. Maguire stated it is 8 feet. Stone asked if garage doors are going to be black. Maguire confirmed. Stone asked what the cm square is; Maguire stated that stands for construction material. Stone asked about parking on the side of the garage and to the south, which part is permanent parking for the ADU. Maguire stated it is the gravel space to the north.

5:57:16 PM No questions from Smith, Pogue, and Chair Fugate at this time.

[5:57:44 PM](#) **Chair Fugate opened public comment.**

[5:57:57 PM](#) Elizabeth Jeffery, N Hailey, complimented Maguire on design of building. Jeffery has growing concern of acceptable height of ADU compared to the main dwelling. Jeffery is wondering how the dormer peak compares to the primary house. Jeffery asked if the garage has to be 9 feet tall, if it could be an 8 foot ceiling garage to lower the ADU by one foot. Jeffery complimented Maguire on design, stating that otherwise she likes it.

[6:00:25 PM](#) **Chair Fugate closed public comment.**

[6:00:31 PM](#) Maguire stated dormer was raised to 22 ft. and garage height is 24 ft. Maguire explained that the garage will not tower over the existing house due to how far setback it is and because of complimenting colors/materials the garage will tie in nicely with the existing house. Maguire explained reason garage height is 9 feet due to where we live – to allow for SUV with cargo rack to go in. Davis asked Maguire to clarify the overall height of the ADU and the existing residence. Maguire noted the existing house is 20' 3 ½" and the ADU is 24' 1 ½".

[6:04:56 PM](#) Davis confirmed staff received letter from the Lagergrens regarding this project and can speak to that when ready. Chair Fugate stated to do that now.

[6:05:34 PM](#) Davis clarified that there will not be parking in the alley but to be used to access the parking. Davis confirmed the alley is existing and is gravel, explaining that the City does not have the resources to modify the alley as the adjacent property owners have requested. Davis explained that the adjacent property owners can submit an encroachment application for the alley work if they would like to proceed themselves. Davis addressed the comments regarding noxious weeds, that the city does not have the resources but is supportive if the adjacent property owner would like to address themselves. Davis continued to address concerns listed including snow removal.

[6:08:16 PM](#) Stone asked if it was a concern for the City that the developer will be put in a bad spot about the noxious weeds. Staff clarified that the developer would only responsible for what is on the property. Stone is concerned about the height of the garage – that the peak is 4' higher. Stone is curious to how much coverage is provided by the trees. Stone suggested a 2nd parking space. Maguire explained 13 ft. away to the north, is a large 36' long 3 car bed ADU garage. Maguire went on to provide examples of home heights of surrounding area. Maguire explained will not be able to see this garage from Myrtle. Maguire

[6:14:23 PM](#) Scanlon agrees with Stone regarding two parking spots. Horowitz explained this application came under the current standards and that the applicant is way above the parking required. Horowitz explained the Commission can encourage an additional parking space but cannot require it. Scanlon encourages additional parking. Scanlon asked Maguire to clarify the slope of the house and garage. Maguire explained slope of both buildings. Scanlon asked if it is an energy truss. Maguire confirmed. Scanlon suggested using poly glass panels in deck to west to avoid light issues to basement below.

[6:17:19 PM](#) Smith complimented project and applicant. Smith asked Staff to have applicant provide a view that shows both the house and the ADU for future projects coming. Smith noted that it looked like they were amending Article M, which is the townsite overlay which means that the townsite ordinance would also be amended under the new amendments.

[6:20:41 PM](#) Pogue complimented the project and applicant that believes it will be a great addition. Pogue encourages additional parking space – 2 bedrooms, 2 parking spaces. Pogue is concerned of about the height but does not believe it will loom as large as it would if it was not behind the main house. Pogue explained as a resident of 2nd Ave, they mow the alley and recommend the applicant do so as well. Pogue discussed snow.

[6:22:55 PM](#) Chair Fugate agrees with the Commissioners comments. Chair Fugate is not concerned about the height, but would like to see a perspective of the relationship of the two structures. Chair Fugate suggested it may be helpful to have the applicant mention what is north and south to the project. Horowitz confirmed both suggestions are excellent and will do so in the future. Chair Fugate also encourages additional parking space.

[6:26:15 PM](#) Stone motioned to approve the Design Review Application by Travis and Amanda Catanzaro for a residential remodel to an existing home, a new 728 square foot garage addition and a new 728 square foot accessory dwelling unit, to be located above the garage. This project is located at 516 North 2nd Avenue (Lots 15-17, North 15' of Lot 18, Block 62, 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 Zoning Title, and City Standards, provided conditions (a) through (m) are met. Pogue seconded. All in Favor.

Maguire asked about the sidewalk condition. Davis explained that the staff felt a sidewalk in lieu payment was necessary due to scope of the project. Staff, applicant and commission continued to discuss sidewalk or sidewalk in lieu condition. Commission deliberated the sidewalk condition, 4(Pogue, Smith, Scanlon, Chair Fugate)-1(Stone) agreeing to keep the sidewalk in lieu condition. Motion as approved stands.

PH 2 [6:37:19 PM](#) *Consideration of a Conditional Use Permit submitted by UPS for a temporary expansion of the existing building, 610 square feet, which would allow five (5) additional trucks and one temporary restroom facility, 60 square feet, be located at 111 North River Street (Lots 1-7, Block 31, Hailey Townsite) within the Business (B), Downtown Residential Overlay (DRO) and Hailey Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.***

Davis introduced project, reminding commission have seen similar proposal request in the past. Davis explained onsite visit and increase need UPS is facing due to COVID. Davis explained new proposed site plan that was not included in packet. Horowitz added that she agrees with Davis, that yes all would like to see the facility moved but that the applicant is doing an amazing job. Davis turned floor over to applicant, Chris Trone. Trone echoes that the company would like to move to a new site. Trone explained current proposal.

[6:42:35 PM](#) Scanlon asked how temporary the bathroom facility is and discussed property boundary.

[6:44:10 PM](#) Stone asked staff if they field a lot of complaints about this setup throughout the year. Horowitz stated they do not.

[6:45:06 PM](#) Smith stated it seemed to him there was a temporary structure on the northeast corner already. Trone confirmed it is still there. Smith asked staff about leaving cargo trucks on City property for an extended time. Horowitz explained they were not to park in the ROW. Smith asked if the changing facility providing will have AC/Heat. Trone confirmed. Smith asked what the UPS directives for idling will be followed. Trone explained UPS policy for idling and reason for policy. Smith asked if there was no set time, just minimizing is the objective. Trone confirmed.

[6:48:57 PM](#) Pogue asked if the bathroom facility will accommodate both male and female. Trone confirmed.

[6:49:49 PM](#) Chair Fugate has no questions at this time.

[6:49:52 PM](#) **Chair Fugate opened public comment.**

[6:50:43 PM](#) **Chair Fugate closed public comment.**

[6:50:49 PM](#) Chair Fugate asked Davis to put up the conditions of approval.

[6:51:24 PM](#) Scanlon would like to discuss condition C, that a drywell and catch basin was recommended previously but was never done. Scanlon would like to know why this year not last year? Horowitz explained staff may not have followed up with them. Scanlon has no concerns but believes they should take care of the drainage problem. Stone has no concerns. Smith leaves it up to the applicant to determine best use of their space. [6:56:20 PM](#) No comments from Pogue. Chair Fugate appreciates work done by UPS.

[6:57:52 PM](#) **Scanlon motioned to approve the Conditional Use Permit Application request by UPS for a 610 square foot temporary expansion of the existing building, and one 60 square foot temporary restroom facility, to be located at 111 North River Street (Lots 1-7, Block 31, Hailey Townsite), finding that the application meets each of the Criteria for Review, (a) through (h) cited in the Hailey Municipal Code, that the Conditional Use Permit complies with the Comprehensive Plan, and that Conditions (a) through (c) as amended and (d) through (e) are met. Smith 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: **December 7, 2020**

- PP: Amatopia

[6:58:58 PM](#) Horowitz summarized upcoming project to be heard.

[7:01:14 PM](#) **Smith motioned to adjourn. Scanlon seconded. All in Favor.**