

Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Tuesday, September 7, 2021
In-Person and 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, Dustin Stone, Dan Smith

Staff: Lisa Horowitz, Robyn Davis, Jessica Parker

Absent: Richard Pogue, Owen Scanlon

[5:30:15 PM](#) Chair Fugate called to order.

[5:30:47 PM](#) Public Comment for items not on the agenda. No comment.

[5:31:02 PM](#) Consent Agenda

CA 1 *Adoption of Findings of Fact, Conclusions of Law and Decision of Preliminary Plat Application by Emerald City, LLC, represented by Galena Engineering, where the existing building located on Lot4HA, Block 4, Airport West Subdivision Phase II (110 Gulf Stream Lane) is converted into a total of three (3) commercial condominiums. This project is located within the SCI Industrial (SCI-I) Zoning District. **ACTION ITEM.***

CA 2 *Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Kilgore Properties, LLC, for construction of Sweetwater Condominiums (Phase I) to be located at Block 2, Sweetwater PUD Subdivision. Phase I includes five (5), ten-plex, three-story condominium buildings and one (1) amenity building, which includes a clubhouse and pool. The live/work units in Phase I will remain as approved. The total number of units proposed for Phase I is 57 units (50 residential units and seven live-work units). **ACTION ITEM.***

[5:31:51 PM](#) Smith motioned to approve CA 1 and CA 2. Chair Fugate seconded. Smith and Chair Fugate in favor, Stone abstained.

Public Hearing

PH 1 [5:32:18 PM](#) *Consideration of a Design Review Application by Jason Szabo and Christian Wrede represented by Mountain Wood Construction, for a detached garaged to be located at 303 North 4th Avenue (Lot 911, Block 49, Hailey Townsite) within the Limited Residential 1 (LR 1) and Hailey Townsite Zoning Districts. **ACTION ITEM.***

[5:32:43 PM](#) Davis stated single family home was approved in November of 2019, and applicant is now returning requesting a garage. Davis turned floor over to applicant to team. [5:33:30 PM](#) Jason Szabo provided brief description of proposed garage, noting will be using

existing material as the approved house. Szabo confirmed will be preserving the existing tree and that it seems to be doing well. Szabo asked if there are any questions.

[5:35:35 PM](#) Chair Fugate asked if resolved concern about issue of gutters and shedding snow. Szabo not aware of that issue with this garage, but there was a concern on the Bungalow garage and that has been resolved.

[5:36:27 PM](#) Chair Fugate opened public comment.

[5:36:50 PM](#) Chair Fugate closed public comment.

[5:36:57 PM](#) Smith asked if two windows on garage are on the south facing side. Szabo confirmed.

[5:37:19 PM](#) Stone has no comments, thinks this is the next rational step and plan goes along with what is expected of this lot.

[5:37:46 PM](#) Smith has no issues, thinks it will be a nice addition to this home.

[5:38:11 PM](#) Stone motion to approve the Design Review Application by Jason Szabo and Chris Wrede, for a new, 529 square foot garage addition, to be located on Lot 11A, Block 49, Hailey Townsite (303 North 4th 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 Title, and City Standards, provided conditions (a) through (k) are met. Smith seconded. All in Favor.

PH 2 [5:39:02 PM](#) *Consideration of a Design Review Application by Jason Szabo and Christian Wrede represented by Mountain Wood Construction, for a detached garaged to be located at 305 North 4th Avenue (Lot 9A, Block 49, Hailey Townsite) within the Limited Residential 1 (LR 1) and Hailey Townsite Zoning Districts. **ACTION ITEM.***

[5:39:45 PM](#) Davis stated this is the same as the last project and turned floor over to applicant.

[5:40:06 PM](#) Jason Szabo stated this is the house next door, referred to as the bungalow and is similar design. Szabo confirmed did adjust roof to correct shedding concern, and that will be using same material as existing home.

[5:41:09 PM](#) Stone asked if homes are right next to each other. Szabo confirmed. Stone asked if both garages are on the alley side. Szabo confirmed, that the intention is to have both along alley and that there will be some space between them.

[5:41:55 PM](#) Chair Fugate opened public comment.

[5:42:03 PM](#) Chair Fugate closed public comment.

[5:42:22 PM](#) Smith stated this will be complimentary to the house.

[5:42:35 PM](#) Stone feels the same way and looks forward to see how they look.

[5:42:48 PM](#) Smith motion to approve the Design Review Application by Jason Szabo and Chris Wrede, for a new, 529 square foot garage addition, to be located on Lot 9A, Block 49, Hailey Townsite (305 North 4th 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 Title, and City Standards, provided conditions (a) through (k) are met. Stone seconded. All in Favor.

PH 3 [5:43:49 PM](#) *Consideration of a Preapplication Design Review by Scott Miley (Leargulf LLC), represented by Gardenspace Design, for a project titled Tommy's Holiday Camp consisting of a commercial recreational facility with eight (8) short-term rental cabins, one (1) 912 square foot community building, one (1) 912 square foot managers unit and five (5) van-camp parking spaces. The project includes landscaping, patio and outdoor play area. This project is located at Lots S 18' of 6, all of 7, Block 19, Townsite, (307 South River Street), Lots 4 and 5, N 12' of 6, Block 19, Townsite (303 South River Street), Lots SW 45' of 1,2,3, Block 19, Townsite, within the Limited Business (LB), Downtown Residential Overlay (DRO) and Hailey Townsite Zoning Districts and Lots 1 and 3, Block 1, Elmwood Subdivision (no address) within the General Residential (GR) and Hailey Townsite Zoning Districts, and the W 45' of Lots 1,2, 3 and Lots 4-7, Block 19, Hailey Townsite (303 and 307 S River Street and 104 W Walnut) and Lots 1 and 3, Block 1, Elmwood Subdivision # 2 (no address).*
ACTION ITEM.

[5:45:14 PM](#) Horowitz stated this is a pre application design review, explaining the process of the pre-application design review. Horowitz introduced applicant team – Scott Miley, Denise Ford, Dean Hernandez.

[5:46:31 PM](#) Hernandez explained some inspiration came from van live movement taking place over the country. Hernandez explained location of proposed project near corner of Walnut and South River Street, next abutting existing 6-plex Scott Miley owns. Hernandez explained proposed site plan of where parking, communal spaces, cabins and camping would be located. Hernandez noted no generators, max 25' van- roughly size of small sprinter, and that offering approximately 400 sq ft cabins for rent that would use on street parking.

[5:50:50 PM](#) Chair Fugate asked location of van area. Hernandez pointed out landscape plan 7 proposed van spaces. Hernandez went on to discuss the buffering and snow storage. Hernandez explained the 900 sq ft building would be communal area on the first floor and manager quarters on the second floor. [5:53:17 PM](#) Hernandez explained why feel like this is a great location – laundry shop across the street, can walk to the various amenities, can ride to trails.

[5:54:03 PM](#) Chair Fugate asked what amenities are included in the cabin. Hernandez noted bathroom, small fridge, microwave, and sink.

[5:55:13 PM](#) Hernandez provided photos of inspiration ideas for cabins.

[5:55:31 PM](#) Chair Fugate asked the maximum occupancy per unit. Hernandez stated they see it as two people for the cabins, and for the vans not going for tent camping or RV camping but could potential allow if space allows for it and under max size.

[5:58:29 PM](#) Smith asked what kind of hook ups providing. Hernandez stated 30 amp for power and water but no sewer. Smith asked about parking surface expecting to put vans on. Hernandez stated would end up with gravel stalls. Hernandez confirmed will have environmental limitations.

[6:01:05 PM](#) Chair Fugate asked about moving snow off gravel. Hernandez stated best way for that would be to snow blow it.

[6:02:45 PM](#) Stone asked if trees showing are existing. Hernandez stated only two existing, and had them assessed by Alpine who stated they were struggling. Hernandez stated would probably remove them and replant them. Hernandez stated the landscape plan is calculated. Stone does support not paving it, and less turf the better. Hernandez stated any turf used will be drought tolerant. Stone agrees designated spots would be nice to keep a little bit of semblance to keep neighborly. Stone asked about the smaller vans presented in the drawings. Hernandez explained various types of vans allowed. Stone reiterated type of camping allowed. [6:07:15 PM](#) Stone asked if the cabin designs have been determined. Hernandez stated plans are conceptual at this time. Miley added they will be stick built. Stone asked type of material to be used outside of the communal building. Hernandez stated it will be pavers, noting areas that will be concrete. Stone asked if anticipate any long-term rentals, curious why targeting short term. Miley stated only long term resident will be the manager,

[6:09:53 PM](#) Chair Fugate asked if there is a stay limit. Applicant team summarized that has not been decided at this time. Chair Fugate asked about outdoor cooking. Hernandez noted common grills and a communal fire pit that is gas.

[6:12:26 PM](#) Smith disclosed Scott Miley and himself are both members of the Hailey Rotary, but does not have any financial ties with him.

[6:12:49 PM](#) Chair Fugate has worked with Denise Ford and Dean Hernandez on the Parks Board but does not have any fiduciary interest.

[6:12:54 PM](#) No disclosures from Stone.

[6:13:07 PM](#) Horowitz offered to walk through the zoning of the properties. Horowitz explained parcels zoning and referenced various types of business uses permitted within the limited business. Horowitz stated applicant would be looking to change GR parcels to Limited Business. Horowitz summarized what a previous application zone change had requested. Horowitz explained uses that the project can be defined as and that staff suggested as a conditional use that will give commission ample time to review projects. [6:16:17 PM](#) Horowitz provided rough numbers on building size that could be built on parcel already zoned as limited business, explaining at some point the parcel will be developed.

[6:17:15 PM](#) Chair Fugate asked if would need to do lot line adjustments. Horowitz confirmed.

[6:17:37 PM](#) Stone asked if camping is not defined by City. Horowitz confirmed camping is not defined, that RV is defined. Horowitz summarized her research on RV park definitions of other cities and that this would not fall within those delimitations either.

[6:18:51 PM](#) Horowitz stated also have ability within the code, that sends them to NAICS that gives them a list of criteria that compares uses nationally. [6:19:42 PM](#) Horowitz stated in case of land use lawsuit matters, the courts generally give great difference to the city to interpret their own code.

[6:20:10 PM](#) Stone thinks things are changing, expects to see stuff like this whether it be a van or mini house, but that it may be time to start defining the term camp.

[6:21:15 PM](#) Horowitz added that motels are permitted uses within limited business, and they could have a pool/hot tub that staff and commission would have no control regarding hours of operation. Horowitz recommended the commission look at what is already permitted in the area.

[6:22:53 PM](#) **Chair Fugate opened public comment.**

[6:23:00 PM](#) Peter Caldera, 308 Willow Street, property that borders the western area. Scott Miley has reached out to him and thanks him for that, and feels better for that. Caldera has talked to some of his neighbors and it's the better of two evils. His concerns are that a) fence borders all properties abutting the project and b) concerned about the on-street parking. Caldera has spoken to Scott regarding the large tree and is taking Scott at his word. The legality of the word camping is not his concern. He does not want anything there, but this seems like a good alternative. Believes his wife agrees. He hopes going forward concerns of his neighbors are addressed regarding street parking, snow removal, etc.

[6:26:13 PM](#) Patty Linberg, concerned about the inherent danger involved of having children in this area, that a tiny house are made for two people. If someone does come in with children, where do they tent and where do they play? As a grandparent concerned about being there with her grandchildren. The Vans are not always plumbed, some of the sprinters vans do not always have full bathrooms and does not know what the facility offers, and does not know what the code is for that. Do we really need more on street parking? Think reason moved here is because it was a better community. Would hate to see core change, thinks this is an interesting project very creative but maybe not so close to the core area.

[6:29:00 PM](#) Joel Loveday, definition of recreation facility commercial does not think is applied correctly in this situation. Loveday read definition of recreation facility commercial aloud, summarized is an implied activity and this activity is sleeping. Loveday stated leads to other concern – land use. Loveday stated current proposal with camping is not in accordance with the Hailey Comprehensive Plan. [6:30:32 PM](#) His question for commission is the proposed use in consistent with the Hailey Comprehensive Plan and land use map. 2) Can the City approve a land use that does not fit within the permitted uses within the Adoptive zoning districts. He does have questions on additional studies – traffic. His concern is does this generate additional traffic such that that would move that intersection to a 4-way spot as well as parking and other is lighting and snow removal.

[6:32:23 PM](#) Dr. Kray, thanked applicant for taking his time to ask his input and opinion. His gut feeling is he is still not in favor of this, this is very innovative but what he finds innovate is detracting from the city future development. Kray looks at this as a short-term financial business. He looks at it that in 10 years, is going to be something else. He believes that the commissioners and public need to express themselves for what they want for their core zone. The city has just

spent a million bucks a block and half away for a core zone, and this is not what he envisions for a core zone. Kray stated this appears to him as another trailer park. Kray expressed concern of parking, of someone showing up with oversized van and parking in front of his business. Kray stated parking is an issue. [6:37:14 PM](#) What do you do with garbage? What are the activities going to be? Issue for children safety? Only other thing would ask for, is to provide to the public a list of hard rules. He would really like to know who is going to be in there? How long are they going to be allowed to stay?

[6:39:37 PM](#) Chair Fugate closed public comment.

[6:39:51 PM](#) Chair Fugate asked about LLUPA. Horowitz confirmed there would be the LLUPA process followed if the applicant decides to proceed.

[6:40:54 PM](#) Denise Ford, 421 Eureka Drive, thanked everyone for coming and providing feedback. Ford reiterated that this is a preapplication, that the applicant has not even purchased the property but testing the waters. Ford explained that because this is a preapplication, they do not have everything designed. Ford stated definitely understands would need to have rules, regulations, rental agreements, that there are a lot of specific rules need to get too but applicant needs to know if this is a viable idea for Hailey. Ford stated lots of details happen when go into full design review.

[6:43:45 PM](#) Scott Miley, 510 E Elm St, stated want to do this as a business, something for the community. Miley stated there will be rules and regulations and limitations in place.

[6:45:05 PM](#) Horowitz suggested commission look at the cabins as a hotel room. Horowitz heard reference to on street parking, stating the city in any case will want the on-street parking built out.

[6:46:33 PM](#) Stone asked about this being part of the LOT, what about this business causing that requirement. Horowitz explained any short term rental of any 30 days or less. Stone does not have issue with mini houses, that has seen some really nice ones. Stone does not think tents should be allowed on site, believes that is a slippery slope and is concerning to him. Stone feels ok about the vans being parked there, that sprinter vans tend to take a certain type of person. Stone does not see a way or spot for trailer. Stone believes this is camping, but can see this being designed in way that would look good.

[6:51:33 PM](#) Smith agrees with Stone, as far as he is concerned hotel/motel is allowed use whether you show up with your own bed or rent one and sees this as a permitted use. Smith is glad to see someone willing to take this up, after City Campground was denied. Smith stated when it comes to the zoning, the two GR lots are configured in such a way that does not foresee them being used as GR and believes would be logical to incorporate them into the LB. Smith noted that in the City Campground debate, the economic development estimated somewhere around 6 million over next 10 years a possible benefit for the businesses and this is about half that size but in his mind even 3 million is not something to sneeze at. Smith thinks with proper fencing and screening planning neighbors should be able to have continued use of their property in a favorable way. Smith thinks this would be a positive step. Smith stated typically the people he has seen in sprinters are very self-sufficient, independent and typically have their own plumbing option. Smith believes the curb and gutter for on street parking could help make the

area nicer. [6:56:46 PM](#) Smith referenced Dr. Kray comment about detracting from the city – Smith thinks the green space of this type is preferable to some other things could see showing up in this area and could have potentially more impact to the parking situation. Smith does not see this as a big negative going forward, does not look at this as a RV park. Smith thinks with some well-defined rules and expectations, this would not be a detriment to the core area. Smith stated it will take some management and he expects that. [6:58:34 PM](#) Smith stated because it is close to downtown core, believe it could provide additional income to the local businesses. Smith has no further comments.

[6:59:45 PM](#) Chair Fugate complimented applicant team. Chair Fugate really likes the idea of this project, while she agrees with some concerns. Chair Fugate confirmed as mentioned by Smith, will want to see rules. Chair Fugate feels comfortable that the proposed cabins would look nice. Chair Fugate agrees with Smith regarding the GR parcels being rezoned to LB. Chair Fugate likes idea of CUP. [7:02:33 PM](#) Chair Fugate stated it seems to her, this project is going to add to on street parking vs. taking away from it as most occupants of this project will want to park by their space. Chair Fugate stated to have people staying within walking distance to local businesses. Chair Fugate thinks this represents what the city is, and is delighted by this proposal. [7:04:49 PM](#) Chair Fugate does not see a need for a traffic study or additional stop signs with the limited parking. [7:05:34 PM](#) Chair Fugate noted that she has worked with Dean and Denise for many years on the parks board, and she knows they care for the environment. Chair Fugate thanked public for their comments.

[7:06:58 PM](#) Smith thanked the public for their participation.

[7:07:45 PM](#) Chair Fugate suggested would need to either designated and/or require small tent if allowed.

[7:08:22 PM](#) Stone asked if there is significance to the name. Miley stated to watch the play.

[7:09:43 PM](#) Chair Fugate suggested to have a more specific plan for snow removal.

[7:11:28 PM](#) Hernandez stated this was intended to not look like an RV park. Ford asked for commission to keep an open mind regarding tents.

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: **September 20, 2021.**

- River Street Townhomes – PUD & DR PreApp
- CUP: Broadford Beverages LLC

[7:15:21 PM](#) Horowitz summarized upcoming projects to be heard.

[7:16:51 PM](#) **Smith motioned to adjourn. Stone seconded. All in Favor.**