

**Meeting Minutes**  
**Hailey Planning and Zoning Commission**  
**Monday, March 20, 2023**  
**5:30 p.m.**

Hailey Planning and Zoning Meetings are open to the public, in person, and by electronic means when available. The city strives to make the meeting available virtually but cannot guarantee access due to platform failure, internet interruptions or other potential technological malfunctions. Participants may join our meeting virtually by the following means:

**From your computer, tablet, or smartphone:** <https://meet.goto.com/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**

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**Present**

**Commission:** Janet Fugate, Dustin Stone, Owen Scanlon, Dan Smith, Sage Sauerbrey

**Staff:** Robyn Davis, Cece Osborn, Jessie Parker

**Absent:** Emily Rodrigue

**5:30:14 PM Call to Order**

- [5:30:26 PM](#) Public Comment for items not on the Agenda.

No comment.

**5:31:02 PM Consent Agenda**

- [CA 1](#) Adoption of Meeting Minutes dated March 6, 2023. **ACTION ITEM.**
- [CA 2](#) Adoption of Findings of Fact, Conclusion of Law of a Planned Unit Development Application submitted by Blaine County School District c/o ARCH Community Housing Trust, Inc. for one (1), two-story multifamily building consisting of four (4) residential units and a one (1), one-story detached studio unit, to be located at 128 W. Bullion (Lot 10A, Parkview Estates) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. The PUD Application includes additional amenities and a request for waivers. **ACTION ITEM.**

**5:31:10 PM Stone motioned to approve CA 1 and CA 2. Smith seconded. All in Favor.**

**Public Hearing**

- [PH 1](#) [5:31:32 PM](#) Consideration of a Design Review Application by F & G Idaho LLC for two (2) new apartment buildings, to be known as Maple Street Apartments, and consisting of studio, one and two-bedroom units for a total of 18 residential units. This project will be located at 50 West Maple Street (Lots 16-20, 20' of Maple Street Adj to Lot 20, Block 5, Hailey Townsite) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.**

Scanlon recused from this hearing.

[5:32:01 PM](#) Davis provided brief summary of pre-application heard late last year and turned floor to Owen Scanlon who is representing the applicant team.

[5:33:21 PM](#) Owen Scanlon requested to start on page 71 of the packet to review the revised latest plans. Scanlon summarized changes since pre-application including reduction of height. Scanlon went through items noted in the Staff Report, confirming will make sure in compliance with River Street Design, that will use 1 meter and abandon other 2, that wastewater will be addressed once know what have, all exterior lighting will be dark sky compliance and meet code requirements. Scanlon provided elevation showing section of building at lowest point of record grade, explaining he asking for additional 18" for a parapet due slope of lot one portion would exceed the height requirement of 30 feet. Scanlon explained reasoning for flat roof. [5:40:21 PM](#) Sauerbrey asked if the proposed elevation accounts for mini split with heating and air condition. Scanlon confirmed. Discussion continued between Sauerbrey and Scanlon regarding condensing units.

[5:42:37 PM](#) Smith asked what percentage of building would be out of compliance in height. Scanlon estimates maybe 25% for total of project, stating he is guessing did not take full measurement.

[5:44:06 PM](#) Sauerbrey asked if Scanlon's interpretation of building height is correct. Staff confirmed.

[5:44:27 PM](#) Stone asked about staff comments in first section of staff report. Davis explained the first section is based off staff comments that could be compliant with assumption those would be addressed. Davis explained the applicant team would be responsible for the infrastructure.

[5:46:21 PM](#) Smith asked if there is an alternative than a text amendment for the height. Davis explained only if they were to go through the PUD process.

[5:47:11 PM](#) Commission discussed if text amendment were approved this would be compliant but that currently it is not. Scanlon explained his thoughts and reasoning's behind the text amendment. Sauerbrey asked what the mechanical height limit is.

[5:51:54 PM](#) Scanlon read footprint definition aloud. Scanlon explained footprint was 5194 sq ft with the unenclosed areas, but that if remove the unenclosed areas such as porches and open stair wells it brings the lot coverage into compliance. Davis asked where the exterior wall ends on third floor unit. Scanlon confirmed it is all open stairs way on all floors. Commission discussed if open stairwells applied to lot coverage. All commission agreed in compliance.

[6:00:27 PM](#) Scanlon confirmed trash enclosure design has previously been discussed with Clear Creek on another project and will get the letter. Scanlon confirmed will install fence and or shrubbery along property line to provide screening for neighbor. Scanlon confirmed happy to work with neighbor to come to mutual decision. Scanlon will confirm will provide new landscape plan.

[6:03:07 PM](#) Chair Fugate asked to see page 44 of packet, Chair Fugate noted typo in staff report regarding caliper size of trees noted. Chair Fugate asked about retaining wall location. Scanlon noted location, and confirmed low height. Smith asked if considered reducing patio near neighbor. [6:05:21 PM](#) Scanlon confirmed opened to suggestions just want to ensure meet open space requirements.

[6:06:00 PM](#) Scanlon referenced next item was in reference to previous design and no longer applicable. Scanlon discussed energy compliance items proposed. Scanlon confirmed will pre-wire for solar. Scanlon

confirmed will take downspout material into consideration. Scanlon stated applicant plans to charge absolute minimum that does not need to make a profit just need to recoup their costs.

[6:08:46 PM](#) Sauerbrey asked what the language is proposed to be for the rentals. Staff confirmed community housing.

[6:09:29 PM](#) Smith asked how plan to use apartments. Scanlon believes will use studio apartments for traveling employees.

[6:10:05 PM](#) Scanlon confirmed street trees and ROW maintenance agreement will be done.

[6:10:28 PM](#) Sauerbrey asked for clarification on Community Housing. Davis does not have exact language, but that will be employee housing for 12 units and remaining 6 for general workforce confirming it will be up to the developer. Commission would like to see something in detail when this comes back. Scanlon and Staff will work together to refrain the language so it's in place.

[6:12:17 PM](#) Chair Fugate opened public comment.

[6:13:02 PM](#) Paula O'Meara, live across from project, living there on River Street, mostly just have questions and also concerns. Concerns are parking and snow removal because rest of plans look like what you would do with the property. Ask that don't reduce parking because already so dense and getting tough to get out of driveway. And snow storage. [6:14:32 PM](#) When approve these things, who supervise that what is said in these meetings happens in the development that is in regards to Amatopia. Not complaining about Amatopia, sure when find right person to bring up all of this it will get addressed but mean if you leave there, small sustainable community affordable housing has turned into giant monstrosities for 1.4 million. So no people moving into this community. As home owner should embrace it, its bringing up her property value, also builders as capitalist you think want to do all that can do too but think commissioners are stewards of the community not the developers. Please help us with that.

[6:15:45 PM](#) Robert Richardson, resident directly north of this development, concerned about height regulation realize there's some variance in the verbiage there and would like to call out the retaining wall that leaves 18 " and that height from River Street will be substantially above 35'. Building coverage seems like everyone that is a new one to them while understands stairwells are not closed they are 75% enclosed with a roof surrounded by building hard for him to image those should not be included. If there were fire escapes, or stairwells on end of building but those stairwells are very much encompassed by that building. Statements in packet there on snow removal, states that developer states there is no onsite snow removal and it will all be removed. Just like to call that out. That requires that every time someone is there plowing it would need to be removed, just want to make sure that is clarified. In regards to the north patio, the setbacks for the building, 15' from north board but patio goes beyond that which is fine but seems to him patio would be much more suited on westside of River street where there is a 56 ft. setback and more than enough room for patio and gives neighbor to north more privacy. Biggest concern is alley congestions, aside from parking on street all of the parking will be accessed off the alley way, if familiar with this area it is a combined commercial residential alley way. There are multiple businesses on east side of alley way one being the bank that's only access is through the alleyway. Other lot to the set of this development is used by auto body shop. Concerned about amount of traffic going down the alleyway, that it is a safety concern for him. One mentioned early, planned solar, planning on cabling and if that will also be on the roof and if that would also fall under height requirements. Solar panels are not small and would extend off the roof substantially as well. Lastly on work force housing units, for the 12 units just mentioned would be for workings out of town, that sounds like transitory or a short term rental, not a long

term rental if used for people to come visit from time to time. Wanted to ensure its presented is it is utilized.

[6:21:14 PM](#) Carol Thompson, live across the street, have couple things, snow storage they just paid upwards of few thousand dollars so could see to get out of their little lane, with none there worry that what is there will get pushed to their easement, will they be paying to remove that so their residents can safely see onto River. Also when I attended when first opposed to this, Scanlon asked if he should be recused and all of you said now. Feel like he should be, doesn't seem right he should vote for his own development. Agree, think density of this is way more than River Street can handle, think option mentioned to night that may regret, removing last 2 units on north end for gentlemen next door and also for snow removal. Height, they all on their street they had to adhere to height and think as Hailey grows making exceptions that don't think should be doing. Whether that requires someone only builds 2 stories than that's what fits on that lot. And this got plans from down the street, that's great but it's this lot and what fits in this area. Want to commend on whoever found the code that was the 30 ft. think someone really did some great research.

[6:24:28 PM](#) Chair Fugate closed public comment.

[6:24:41 PM](#) Davis explained staff ensures requirements are met and that if something was said in a meeting about workforce housing but there were no deed restrictions or agreement it is not something staff can enforce. Chair Fugate confirmed have asked for something in writing regarding workforce housing.

[6:26:25 PM](#) Sauerbrey stated it was good question and something to look at regarding transit housing for studio units proposed to be used for traveling employees. Scanlon addressed studio units, snow storage and clarified suggestion made about removal of 2 units. Davis added there are a few other projects that will haul snow from site, that the owner/developer will be responsible for hauling snow away. Davis summarized how ROW maintenance agreement applies to this. Davis explained changes how city will end up hauling all snow from section of Main St and Maple Street, summarizing no additional storing of snow once this parcel is developed.

[6:31:14 PM](#) Stone and staff discussed alley access, how it was designed within the Townsite overlay.

[6:32:20 PM](#) Chair Fugate noted comment of retaining wall adding height to the building. Scanlon confirmed retaining wall does not add height to the building. Scanlon confirmed will be recusing himself from this project vote.

[6:33:26 PM](#) Scanlon stated it is hard to know what the solar panels will be. Stone referenced applicable code for solar panels. Scanlon explained reason for patio location, commission and Scanlon continued to discuss patio location and design. Stone summarized city limitations on work force housing. Stone asked why did not go through PUD route. Davis explained applicant was already in process with this application when staff reached out to let know did not meet height requirements. Discussion ensued on if should come back with PUD. Smith suggested instead of modify height requirement in Townsite, but modify in DRO. Commission and staff discussed height amendment in DRO.

[6:43:04 PM](#) Paula O'Meara, as understand it building height is measured from the lowest point on the property where building hits the ground and did not get an answer for parking. Does not know the reg here for each unit. Chair Fugate confirmed parking is in compliance.

[6:44:20 PM](#) Chair Fugate asked applicant if wanted to proceed with text amendment or pud. Scanlon stated would not like to go the PUD route. [6:44:48 PM](#) Smith confirmed not only meeting parking onsite but also adding additional 14 spaces along River Street and Maple. Commission discussed date to continue public hearing to for after the text amendment.

[6:45:53 PM](#) **Smith motioned to continue the public hearing to May 1, 2023. Stone seconded. All in Favor.**

- [PH 2 6:46:40 PM](#) Consideration of City-Initiated Text Amendment to the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.05: Official Zoning Map and District Use Matrix, Section 17.05.040: District Use Matrix, to include amendments and additions to modernize the matrix requirements. **ACTION ITEM.**

[6:47:11 PM](#) Osborn summarized amendment and reasoning for amendment, Osborn stated not looking at editing bulk requirements. Osborn asked if Commission wanted to go page by page. Davis asked if preferred to start with clean version. Chair Fugate confirmed.

[6:49:04 PM](#) Commission and staff proceeded to go line by line discussing proposed changes, commission made multiple recommendations and noted few typos. Staff made notes of errors and changes proposed. Commission and staff stopped at page 4, leaving off at offices and agreed to continue to next meeting.

[8:12:29 PM](#) **Chair Fugate opened public comment.**

[8:12:46 PM](#) **Chair Fugate closed public comment.**

[8:13:07 PM](#) **Scanlon motioned to continue the public hearing April 3, 2023. 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: **April 3, 2023**
  - Continuation of DR Copper Ranch
  - Continuation of DR ARCH / BCSD
  - DIF

Davis summarized upcoming hearing.

[8:13:18 PM](#) **Stone motioned to adjourn. Smith seconded. All in Favor.**