

AGENDA
Hailey Planning and Zoning Commission
Tuesday, September 5, 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:

*****NEW*****

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Present

Commission: Janet Fugate, Owen Scanlon, Dan Smith, Sage Sauerbrey

Staff: Robyn Davis, Cece Osborn, Emily Rodriguez, Jessie Parker

5:30:29 PM Call to Order

- Public Comment for items not on the Agenda. No comment.

5:31:32 PM Consent Agenda

- **CA 1** Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Preliminary Plat Subdivision Application submitted by ARCH Community Housing Trust, Inc., represented by Opal Engineering, to subdivide Lot 64, Blok 5, Sunbeam Subdivision Phase I, into eight (8) sublots, each subplot ranging between 3,935 square feet and 6,998 square feet in size. This project is located off of Gray's Starlight Drive in the Sunbeam Subdivision and is within the Limited Residential (LR-2) Zoning District. This project is to be known as Sunny Townhomes. **ACTION ITEM**
- **CA 2** Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a City-initiated Annexation Application to annex a 55-foot-wide section of Quigley Gulch Road, along the southern boundary of the Marvin Gardens No. 1 Subdivision, and adjacent to Quigley Road (A parcel of land falling within the North West ¼ of Section 10

Township 2 North Range 18 East, B.M., and said parcel also falling within the Plat of Marvin Gardens No.1 Subdivision recorded under instrument number 209065 records of Blaine County, Idaho, and said parcel being more particularly described as follows: Commencing at a brass cap marking the center ¼ corner of Section 10, said point falling South 89°52'19" East 2653.92 feet from a Brass cap marking the West ¼ corner of Section 10, thence proceeding North 0°17'59" West 977.11' along the center section line to a 5/8" rebar marking the South East most corner of said plat and also being the South East corner of the Quigley Road Dedication, and said corner being the True Point of Beginning; Thence North 0°17'59" West 56.73' to a ½" rebar monument marking a point common to the North East corner of the Quigley Road dedication and the South East corner of Lot 3; Thence South 75°30'18" West 1366.67' to a ½" rebar monument marking a point common to the North West corner of the Quigley Road dedication and the South West corner of Lot 4; Thence South 0°08'08" East 56.77' to a 5/8" rebar monument marking the South West corner of the Quigley Road dedication; Thence North 75°30'18" East 1366.84' to the True Point of Beginning, said parcel containing 1.76 acres or 75,166 square feet, more or less), to complete the portion of Quigley Gulch Road that is owned and maintained by the City of Hailey. A copy of the Annexation Plan can be found at www.haileycityhall.org/community-development/. **ACTION ITEM**

[5:31:48 PM](#) Scanlon motion to approve CA 1 and CA 2. Sauerbrey seconded. All in Favor.

Public Hearing

- [5:32:04 PM PH 1](#) Consideration of a Design Review Application by Trent and Kristy Heitzman for a new 1,736 square foot addition to an existing residence which includes an 872 square foot master bedroom, a 576 square foot garage with 288 square feet of storage above the proposed garage. This project is located at 214 N 2nd Avenue (Lot 18A, Block 47, Townsite) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

[5:32:31 PM](#) Davis noted that those for attending tonight to hear RVR North will not be heard tonight and will be heard October 2, 2023.

[5:33:06 PM](#) Rodrigue summarized proposed project and location.

[5:33:26 PM](#) Mark Gasenica introduced himself explaining location of proposed addition. Gasenica summarized proposed materials, design of addition and floor plan.

[5:40:58 PM](#) Trent Heitzman, explained why its important to the city to take into account the owners keeping in conformity of the surrounding area. Heitzman explained their decision process and how they tried to keep the addition in similar style of surrounding area.

[5:42:39 PM](#) Gasenica explained how the addition affected the site the least.

[5:43:04 PM](#) Scanlon asked how the deck would be accessed from the new master bedroom. Gasenica noted location of the door. Scanlon asked if the window heads are at 8 ft and if it matches existing windows. Gasenica explained reasoning for windows was for privacy. Scanlon asked how wide the strip of stucco was coming around the corner. Gasenica stated it's a couple feet and reasoning for design. Scanlon asked if it could be made wider. Gasenica confirmed it can.

[5:45:45 PM](#) Smith asked if line on gable matches front to prevent snow ice build. Gasenica confirmed. Smith asked if brought materials. Gasenica explained matching existing materials.

[5:46:49 PM](#) Sauerbrey asked if further question regarding snow clips on staff report. Rodrigue explained reasoning for question mark was to leave up to commission to determine if needed as a condition. Gasenica asked location of required snow clips. Rodrigue explained reasoning and location. Gasenica confirmed no issue. Sauerbrey asked if considered rewiring for EV and if it could be a condition. Heitzman confirmed looking to do that while building it but not sure if relevant in context for this approval as he is going to look at it but does not know the cost. Staff and Commission discussed if should make a condition. Sauerbrey stated would feel comfortable making it a strong recommendation and not a condition at this time.

[5:51:21 PM](#) Chair Fugate appreciate effort made to conform to Hailey.

[5:51:45 PM](#) Chair Fugate opened public comment.

[5:52:17 PM](#) Chair Fugate closed public comment.

[5:53:32 PM](#) Commission discussed need for physical materials. Staff confirmed can make a condition of approval with administratively approval.

[5:54:06 PM](#) Scanlon complimented project and asked about snow storage. Gasenica confirmed snow storage.

[5:54:26 PM](#) Smith and Sauerbrey complimented project.

[5:55:28 PM](#) Chair Fugate confirmed new conditions – extending stucco and material board.

[5:55:49 PM](#) Scanlon motioned to approve a Design Review Application by Trent and Kristy Heitzman for an 872 square foot addition to an existing 2,016 square foot residence, as well as a new 576 square foot attached garage with 288 square feet of storage, located above, to be located at 214 N 2nd Avenue (Lot 18A, Block 47, Hailey Townsite) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts, 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, as amended. Smith seconded. All in Favor.

[5:56:59 PM](#) Chair Fugate stated will hear PH 2 and PH 3 in tandem.

- **[PH 2](#)** Consideration of Planned Unit Development (PUD) concept by Darin and Kathleen Barfuss for the proposed Star Light Lane Subdivision, located at the intersection of Silver Star Drive and Broadford Road, within the Limited Residential (LR-2) Zoning District (1371 Silver Star Drive; Hailey Fr S1/2 TI 7731 & TI 7732 Sec 16 2N 18E). The Applicant has drafted a concept for a forthcoming PUD Agreement and Preliminary Plat Application, including five (5) single-family lots and a sixth (6th) lot that will remain as-is. At this time, the Applicant is proposing a Community Housing amenity of one (1) deed-restricted, single- family home in exchange for a waiver to the requirement below:

- Minimum lot size of the LR-2 Zoning District. **ACTION ITEM**

- **PH 3** Consideration of a Preliminary Plat Application by Darin and Kathleen Barfuss wherein Tax Lot 7731 (Hailey Fr S1/2 T1 7731 & T1 7732 Sec 16 2N 18E), at the intersection of Silver Star Drive & Broadford Road, is subdivided into six (6) lots for single-family dwelling units within the Limited Residential (LR-2) Zoning District. This project is in tandem with a Planned Unit Development Application and is to be known as Star Light Lane Subdivision. **ACTION ITEM**

5:58:24 PM Osborn summarized previous hearing and explained amended plat to meet staff requirements. Osborn explained requested waiver and amenity. Osborn discussed potential of one community housing on sixth parcel and concerns in connecting to city services. Chair Fugate confirmed just reviewing the two items tonight and if understood community housing unit. Osborn clarified. Sauerbrey asked if second community housing unit agreement is on city council agenda or just a concept. Davis explained it is just a concept at this time, how that process would look and what the commission is discussing tonight. Chair Fugate confirmed what looking at tonight is just what is proposed on the north parcel.

6:06:28 PM Chad Blincoe representing applicants. Blincoe explained that both tax lots are considered one property separated by a road. Blincoe summarized meetings with staff on how to clean this up and how it played with the annexation of Colorado Gulch Preserve. Chair Fugate confirmed what addressing tonight.

6:08:41 PM Blincoe explained adjustments made based off the commission comments from the last hearing. Blincoe explained reasoning why adjusted community housing units. Blincoe explained proposed landscaping.

6:12:01 PM Scanlon asked how see future tenants getting to adu on lot 5. Blincoe stated have four total parking spots per unit and if that became an adu unit would create pathway. Blincoe moved to discuss architectural plans for the proposed units. Blincoe summarized proposed materials to be used. Chair Fugate asked if roof would extend over the deck. Blincoe stated would have snow retention so nothing would shed onto the deck. Blincoe confirmed lighting will comply with ordinances.

6:15:41 PM Smith stated anticipate parking next to the residences and snow clips may or may not be adjacent to parking, are you going to have snow clips adjacent. Blincoe explained locations for snow retention.

6:16:53 PM Sauerbrey believes there may be some discrepancies in the drought percentages. Davis explained how the percentages were determined. Sauerbrey noted number written out and written in parenthesis are different. Staff confirmed will fix and go with the lower number. Sauerbrey noted error on amenities being met and not sure if complies. Davis explained how the application meets the requirements for the PUD.

[6:21:15 PM](#) Chair Fugate asked if applicant has decided which unit would be deed restricted, clarifying this is not income restricted but community housing. Blincoe stated does not think there is a bad lot, if picked one it would be lot 1 or 5. Chair Fugate stated should designate which lot with the PUD.

[6:22:57 PM](#) Sauerbrey appreciated the note that the deed restricted home shall be built identical to one of the other homes. Chair Fugate agrees. Smith asked if heard from the fire department. Staff confirmed they approved. Smith asked about the pathway. Davis stated at this point do not know the linear footage, confirming it would be equal to the sidewalk in lieu and park requirements. Chair Fugate asked about snow storage. Blincoe explained snow storage, confirming over required amount. Staff asked to have that number clarified.

[6:25:44 PM](#) **Chair Fugate opened public comment for PH 2 & 3.**

[6:25:58 PM](#) Tom Ladado, lives on Red Feather Way and member of Colorado Gulch HOA. Ladado expressed concern of density. Asked why the five homes if City is not getting two deed restricted units. Would like some stipulation that parcel (*unclear*) would remain LR 2 and have a minimum lot size. Expressed concern of overnight parking on either side of Silver Star.

[6:29:27 PM](#) Kathy Thomas, live on Silver Star, question on Lot 5 waiver. What is the minimum lot size proposed, how much smaller than 12,000 sq ft. Expressed concern on reduced lot sizes and did want to clarify on lot 6. Wondering about increasing density for just a single house.

[6:31:32 PM](#) Kassie Waters, resident of Queen of the Hills, strongly encourages to keep zoning as it is. Allowing change would be a substantial change to their neighborhood.

[6:32:26 PM](#) **Chair Fugate closed public comment for PH 2 & 3.**

[6:32:39 PM](#) Davis noted proposed lot sizes and minimum lot size for LR 2 is 12000 sq ft. Davis explained how a PUD works – that the applicant is requesting a waiver to lot size and providing a community housing unit. Davis noted PUD will be reflective to the northern tax lot only and will not apply to the southern tax lot.

[6:34:53 PM](#) Chair Fugate asked if there is a concern about on street parking. Davis stated there is no concern, will clarify with Street Department Head before moves to council. Chair Fugate understands concern on parcel 6 but it is not part of the discussion tonight. Osborn added waiver will not apply to lot 6.

[6:36:04 PM](#) Darin Barfuss, stated Lot 6 is already developed. Barfuss explained as goes to them, lot 6 will be sold as one parcel. Barfuss explained just trying to develop the other lot, not lot 6. Barfuss summarized his intent.

[6:39:58 PM](#) Scanlon asked how many years its been since his property was annexed. Barfuss stated its been 6 years. Barfuss explained how he was opposed and fought annexation on his property. Barfuss summarized his history with the property and how it was eventually annexed. Barfuss discussed connections to city services and that he would have asked for full city service hook-ups for everything on this property. Barfuss asked who will maintain the row. Barfuss explained how he has tried to be neighborly people while maintaining this property for 29 years.

[6:47:04 PM](#) Sauerbrey asked owner how he felt about two community housing units. Barfuss explained his opinion of community housing units, that can sell at market rate. Barfuss stated once sold they are out of his control. Sauerbrey clarified that he was curious about the number of community units proposed- asking how he felt about allowing for two deed restricted units. Barfuss is fine as long as they sell at market value. Osborn clarified in other communities these type of deed restricted units tend to sell 15% under market rate. Barfuss stated explained in process of determining what it takes to connect to services and if he gives two now does he have anything to bargain with when go to City Council.

[6:52:37 PM](#) Blincoe asked if recommendations to City Council will address all items discussed and if will allow some type of agreement for hooking up to city services. Blincoe clarified to neighbors they are not asking for a rezone.

[6:55:23 PM](#) Commission discussed number of community housing units being offered and proposed applications. Scanlon feels one unit is adequate for what is asking for. Sauerbrey does not see how the proposed application is a negative to the city. Smith explained how believes this can be a benefit. Chair Fugate agrees with all comments made and appreciate public comment. Commission and staff reviewed conditions, staff proposed amendment to condition 5 for each unit and added condition requiring community housing unit shall be specified. All agreed with proposed change.

[7:05:22 PM](#) Smith to recommend approval by the Hailey City Council a Planned Unit Development (PUD) Application by Darin and Kathleen Barfuss for the proposed Star Light Lane Subdivision, located at the intersection of Silver Star Drive and Broadford Road, within the Limited Residential (LR-2) Zoning District (1371 Silver Star Drive; Hailey Fr S1/2 TI 7731 & TI 7732 Sec 16 2N 18E), finding that the application meets all City Standards, and that Conditions (1) through (5) are met, as amended. Scanlon seconded. All in Favor.

[7:06:29 PM](#) Davis confirmed amendments to preliminary plat conditions – condition 4.

[7:07:46 PM](#) Sauerbrey motioned to approve a Preliminary Plat Application by Darin and Kathleen Barfuss wherein Tax Lot 7731 (Hailey Fr S1/2 TI 7731 & TI 7732 Sec 16 2N 18E), at the intersection of Silver Star Drive & Broadford Road, is subdivided into six (6) lots within the Limited Residential (LR-2) Zoning District, finding that the application meets all City Standards, and that Conditions (a) through (j) are met, as amended. Smith seconded. All in Favor.

Staff Reports and Discussion

- **SR 1** Discussion of building activity, upcoming projects, and zoning code changes.
- **SR 2** Discussion: Next Planning and Zoning Meeting: **September 18 , 2023 at 5:30 PM.**
 - **CUP: BCRD SVSEF Yurt**
 - **DR: Morgans Fine Finishes**
 - **DR: ARCH Sunny Townhomes**

[7:09:08 PM](#) Davis summarized upcoming projects. Davis noted tonight is Osborn's last meeting.

[7:11:04 PM](#) Sauerbrey motion to adjourn. Scanlon seconded. All in Favor.