

AGENDA
Hailey Planning and Zoning Commission
Monday, December 4, 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:

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Phone Conference ID: 602 369 677#

Present

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

Staff: Robyn Davis, Emily Rodrigue, Jessie Parker

Absent: Ashley Dyer

5:30:25 PM Call to Order

- Public Comment for items not on the Agenda.

5:31:08 PM Consent Agenda

- **CA 1** Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Conditional Use Permit Application by the Blaine County School District (BCSD) to allow for the Residential Construction Academy, an internal program of the BCSD's, to construct single-family dwellings – onsite at 1250 Fox Acres Road (Lot 1A, Block 3, Wood River High School Campus PUD Subdivision) within the General Residential Zoning District. Constructed dwellings will be relocated offsite once sold. **ACTION ITEM**
- **CA 2** Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.06, Design Review, and Chapter 17.07, Supplementary Location and Bulk Requirements, to provide clarify certain landscaping requirements for nonresidential, multi-family, and mixed-use buildings, include provisions for deck setbacks, and to modernize various Design Review Standards for certain zoning districts. **ACTION ITEM**

- [CA 3](#) Motion to approve Meeting Minutes dated September 5, 2023. **ACTION ITEM**
- [CA 4](#) Motion to approve Meeting Minutes dated September 18, 2023. **ACTION ITEM**
- [CA 5](#) Motion to approve Meeting Minutes dated October 2, 2023. **ACTION ITEM**

- [CA 6](#) Motion to approve Meeting Minutes dated November 6, 2023. **ACTION ITEM**
- [CA 7](#) Motion to approve Meeting Minutes dated November 20, 2023. **ACTION ITEM**

[5:31:17 PM](#) Scanlon motioned to approve CA 1 and CA 2. Smith seconded. Fugate abstained. Scanlon, Sauerbrey, Stone, and Smith. 4-0

[5:32:18 PM](#) Sauerbrey motioned to approve CA 3- CA5 and CA54. Scanlon seconded. Stone abstained. Scanlon, Sauerbrey, Fugate, and Smith. 4-0

[5:32:40 PM](#) Sauerbrey motion to approve CA 4. Scanlon seconded. Smith and Sauerbrey abstained. Fugate, Scanlon and Stone in Favor. 3-0

[5:33:05 PM](#) Stone motioned to approve CA 6. Scanlon seconded. Smith and Sauerbrey abstained. Fugate, Scanlon and Stone in Favor. 3-0

[5:33:21 PM](#) Scanlon motioned to approve CA 7. Smith seconded. Fugate abstained. Scanlon, Sauerbrey, Stone, and Smith. 4-0

Public Hearing

- [PH 1](#) [5:33:42 PM](#) Consideration of a Design Review Pre-Application by the Advocates for Survivors of Domestic Violence for construction of a new three-story safe housing and office building, which would consist of eight (8), one-bedroom units, six (6), two-bedroom units, six (6), studio units, one (1), three-bedroom unit, and commercial space of approximately 8,158 square feet in size on the first floor. This project is located at 201 and 203 South River Street (Lots 1-3, Block 30, Townsite) within the Business (B), Townsite Overlay (TO), and Downtown Residential Overlay (DRO) Zoning Districts.
ACTION ITEM

[5:34:34 PM](#) Davis turned floor to applicant team. [5:34:42 PM](#) Errin Bliss, Bliss Architecture, introduced applicant team and turned floor to Trisha.

[5:35:05 PM](#) Stone stated his daughter works for the Advocates and goes to schools and teaches about healthy relationships.

[5:35:43 PM](#) Trisha Swartley, CEO Advocates, introduced the project, gave a brief overview of the Advocates history and the reasoning for it and provided handouts for the commission.

[5:40:20 PM](#) Scanlon complimented applicant and thanked her for their services.

[5:40:40 PM](#) Stone asked what code this falls under. Staff and Commission discussed project falling under mixed use. Stone asked if applicant discussed with staff a PUD option to meet certain code sections. Bliss explained preference would be not to have a PUD.

[5:42:37 PM](#) Smith asked about the retail space noted on the staff report. Swartley stated no retail service and summarized proposed use for the first floor.

[5:44:25 PM](#) Sauerbrey stated retail space was cleared up and stated it was exciting that this is an opportunity to help the need. Sauerbrey asked about ADA compliance and number of rooms per units. Swartley summarized need for proposed units. Bliss summarized code requirements for ADA. Sauerbrey asked about right of way parking. Sauerbrey asked staff about typical section for River.

[5:47:13 PM](#) Davis confirmed applicant will follow the River Street typical section and how the applicant will complete the northern portion of the block and the City hope is to have the URA complete the southern portion.

[5:48:39 PM](#) Chair Fugate thanked applicant for services provided and complimented proposed housing and day care services. Chair Fugate asked if they would rent out the meeting room. Swartley explained that they have not discussed that but would love to have it be a community resource.

[5:50:07 PM](#) Sauerbrey asked about exploring way that can ensure the units could remain for the community possibly category L. Swartley explained they are open to keeping it community housing but would have to see the language and what is proposed and that the board would need to agree.

[5:52:38 PM](#) Bliss summarized proposed project location, existing buildings to be removed, the designated open space, 9 parking spaces along Croy street in ROW dedicated to the advocates. Bliss explained amending parking lot in alley of structure off Croy to go from 9 to 14 spaces. Bliss explained proposed design of the project and parking spaces. Bliss summarized use of the proposed floor plans. Bliss discussed proposed materials to be used.

[6:02:14 PM](#) Scanlon asked applicant if they are still going to ask for the parking credit (6 cars). Bliss explained that would prefer not, but that if had too believe should round down and be required 5. Bliss explained his understanding of code and how he believes they meet the parking requirement. Scanlon encourages applicant to get all parking on ROW or onsite that he can. Scanlon asked if proposed snow storage covers everything. Bliss explained snow coverage proposed. Scanlon asked why would need 14 offices. Swartley explained need for private consulting rooms, rooms for children to be in, and number of staff. Scanlon suggested additional housing on the second floor, and potential deck on third floor. Scanlon asked if the murals would change. Bliss believes intent is to be permanent. Scanlon asked about site drainage. Bliss explained that they are still working that out and summarized what they have discussed. Scanlon asked about egress with the site changes and if ok. Bliss explained potential options.

[6:10:56 PM](#) Stone asked what would be doing with the existing building being used by advocates. Swartley explained plan and proposed changes to existing buildings.

[6:12:01 PM](#) Smith noted housekeeping items to be corrected. Smith asked if plan on some of the units being for staff. Swartley explained plan for existing apartment building on River St down the street. Smith noted additional housing housekeeping items. Smith stated he thinks it is creative of them to combine studio and two bedroom unit for three bedrooms but recommends what

Scanlon suggested. Smith encourages using open to first floor space on the second and third floors.

[6:15:13 PM](#) Sauerbrey asked option of incorporating more housing on southwest corner. Bliss explained the intent of the design. Bliss explained additional units cost more.

[6:17:02 PM](#) Smith asked if able to address keeping trees requested by staff. Bliss explained reasoning for proposed removal of trees. Smith complimented applicant on services provided. Smith noted that drainage and ADA access will need to be addressed.

[6:19:10 PM](#) Sauerbrey asked what design features are proposed to maximize energy efficiency. Bliss explained proposed features. Sauerbrey suggested ironing out parking requirement with staff before coming back to PZ.

[6:21:42 PM](#) Chair Fugate asked if there are plans for the open space, lot 4a. Bliss explained intent and discussed lot lines. Smith suggested having rendering of materials.

[6:23:48 PM](#) **Chair Fugate opened public comment.**

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

[6:24:46 PM](#) Stone likes the way the building looks, would like to see including naming where it falls in code. Stone suggested discussing with Mountain Rides for a bus. Stone agrees with the office space. Stone recommends keeping at least one of the existing trees.

[6:27:09 PM](#) Scanlon complimented design of building. Scanlon encourages bringing housing square footage in line with the parking. Scanlon is eager to see material samples.

[6:28:35 PM](#) No comments from Smith.

[6:28:44 PM](#) Sauerbrey agreed with what has been said and appreciates the thought for added density. Sauerbrey explained why he does not believe parking would be an issue.

[6:31:05 PM](#) Chair Fugate complimented project design and complimented applicant team. Chair Fugate was not aware of all services provided by Advocates and that services are great. Chair Fugate stated would like to see approved so ensure it complies.

No motion.

[6:32:30 PM](#) Chair Fugate confirmed hearing PH 2 and PH 3 in conjunction.

- **PH 2** [6:32:51 PM](#) Consideration of a Design Review Application submitted by McIntosh Foundation Holdings, LLC, represented by Opal Engineering and Pivot North, for the construction of a ten (10) unit, three story, townhouse project to be located at 317 N. River Street (Lots 1, 2, and 3, Block 54, Hailey Townsite) on approximately 0.25 acres. Each unit consists of three (3) bedrooms, three (3) bathrooms, a one (1) car garage, and a rooftop deck. This project is proposed for the Business (B), Townsite Overlay (TO), and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM**

- **PH 3** [6:34:08 PM](#) Consideration of a Preliminary Plat Application submitted by McIntosh Foundation Holdings, LLC, represented by Opal Engineering and Pivot North, to subdivide Lots 1, 2, and 3, Block 54, Hailey Townsite (317 N River Street) into ten (10) townhouse sublots. This project is located within the Business (B), Townsite Overlay (TO), and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM**

[6:34:33 PM](#) Rodrigue summarized proposed project and turned floor to applicant team. Rodrigue summarized feedback provided at the Design Review Pre-Application.

[6:37:31 PM](#) Brian Wenzel, Architect, provided a slideshow to assist in explaining how they have addresses comments received from the pre-app. Wenzel discussed the proposed materials to be used referring to material board brought to the meeting, removal of snow, and proposed site plan.

[6:43:54 PM](#) Scanlon asked clarification on coloring proposed and if would point to material board while describing where said material is on the elevation. Wenzel agreed and proceeded to break down proposed siding referring to material board. Scanlon asked about the canterleving. Wenzel explained what they tried and how it did not work. Scanlon asked about shadow line worked out. Wenzel explained deeper recess of windows.

[6:50:56 PM](#) Kevin Cablik, developer, clarified proposed colors. Wenzel continued to explain colors proposed. Wenzel moved on to discuss design of roof.

[6:54:15 PM](#) Smith noted access colors on the front, what about incorporating that on sides. Commission and applicant continued to discuss options on how to break up the sides of the building.

[7:05:51 PM](#) Stone is concerned about the transformer and driveway. Stone is unclear on where concrete ends near the transformer. Cablik explained have to keep transformer in proposed location due to Idaho Requirements. Cablik explained have proposed bollards in front of the transformer. Cablik referenced approved project with similar driveway width and transformer situation. Stone confirmed bollards addressed his concern.

[7:12:31 PM](#) Smith made recommendations on bollards to help protect the transformer. Smith confirmed has 3.5 bathrooms, noting housing keeping items. Smith clarified garage size. Wenzel confirmed garage size and garage door size. Smith noted potential issues with garage access with a 8 ft door. Smith suggested making garage door wider. Smith noted housing keeping issues for staff to correct – tree caliper size. Smith provided alternative to bollards. Smith suggested alternative colors to what was recommended in staff. Smith clarified square footage of roof top patio. Wenzel explained the inner units are 874 and the end units are smaller. Smith noted concern of 0 lot size in matrix. Smith noted concern of density in matrix that reads *should* not *shall* (Note 15). Smith expressed concern of not enough parking even though meeting code. Smith does not believe can support application because of lack of parking.

[7:23:30 PM](#) Sauerbrey complimented applicant team and that appreciated the pre app meeting. Sauerbrey suggested ideas for both screening and protecting of transformer. Sauerbrey agrees with point made by Smith regarding parking but explained his view of parking.

[7:28:27 PM](#) Stone expressed his point of concern of parking that controlling a community by deprivation. Commissioner's discussed parking concerns. Cabilk provided his input on the parking discussion and what he views as developer's risk.

[7:37:02 PM](#) Smith apologized for turning application discussion into discussion of parking. Smith referenced previous conversation and suggested applicant explores creating office space on ground floor.

[7:38:34 PM](#) Sauerbrey thanked Smith for suggesting addition of office space. Cabilk explained reasoning for not going with mixed uses. Sauerbrey encouraged applicant to explore live work element. Sauerbrey asked about community housing. Applicant explained their reasoning for not including community housing such as deed restrictions. Cabilk is discussing options with staff regarding category L. Davis explained housing restriction for Locals Only. Staff will discuss with applicant offline.

[7:47:36 PM](#) Chair Fugate asked if applicant had discussed recycling options with Clear Creek. Cabilk explained all garbage and recycling will be per unit. Wenzel confirmed will provide required letter from Clear Creek. Fugate complimented on proposed colors. Chair Fugate asked if willing to require notice given to tenants regarding parking restrictions.

[7:50:48 PM](#) Staff, commission and applicant reviewed proposed conditions. All in agreement to changes recommended.

[7:52:33 PM](#) **Chair Fugate opened public comment for PH 2 and PH 3.**

[7:52:56 PM](#) **Chair Fugate closed public comment for PH 2 and PH 3.**

[7:53:12 PM](#) Chair Fugate asked who is responsible for clearing sidewalks. Davis stated development team. No further questions regarding preliminary plat. Smith confirmed in lieu square footage.

[7:54:24 PM](#) Samantha Stahlnecker explained proposed park in lieu fee and how she calculated the square footage required referring to 16.04.110 (B).

[7:59:01 PM](#) Commissioners provided a summary their comments for the applicant team.

[8:07:56 PM](#) **Stone motion to approve the Design Review Application submitted by CK Property Group, LLC, represented by Opal Engineering and Pivot North, for the construction of a ten (10) unit, three story, townhouse project, to be known as MID RVR and located at 317 N River Street (Lots 1, 2, and 3, Block 54, Hailey Townsite) on approximately 0.25 acres, proposed for the Business (B), Downtown Residential Overlay (DRO), 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 Hailey Municipal Code, Title 18, and City Standards, provided conditions (a) through (I) as modified are met. Scanlon seconded.**

Fugate, Stone, Scanlon - Favor. Smith – Nay. Sauerbrey - abstained 3-1.

[8:11:07 PM](#) Scanlon motion to approve a Preliminary Plat Application by CK Property Group, LLC, represented by Opal Engineering and Pivot North, wherein one (1) lot is subdivided into ten (10) sublots for a townhouse development, located along the public streets of Silver Street and River Street within the Business (B), Townsite Overlay (TO), and Downtown Residential Overlay (DRO) Zoning Districts, finding that the application meets all City Standards, and that Conditions (a) through (l) are met. Scanlon 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:
 - December 18, 2023
 - DR PreApp: First & Myrtle Townhouses
 - CUP & DR: Rivian
 - DR: RVR North

Davis summarized upcoming meeting.

[8:13:12 PM](#) Stone motion to adjourn. Scanlon seconded. All in Favor.