

AGENDA
Hailey Planning and Zoning Commission
Tuesday, February 20, 2024
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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Present

Commission: Jordan Fitzgerald, Janet Fugate, Dan Smith, Sage Sauerbrey

Staff: Robyn Davis, Ashely Dyer, Jessie Parker, Chris Simms, Christian Ervin

Absent: Owen Scanlon

5:30:56 PM Call to Order

- [5:31:09 PM](#) Public Comment for items not on the Agenda.

Consent Agenda

- [CA 1](#) Motion to approve Meeting Minutes dated February 5, 2024. **ACTION ITEM**
- [CA 2](#) Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Conditional Use Permit Application submitted by Anne and Ben Young for the **approval denial** of a Temporary Fence located at 202 S. 4th Avenue-Lots 13-18 Block 104, Hailey Townsite within the Limited Residential (LR-1) and Townsite Overlay Zoning Districts.
ACTION ITEM

Davis requested to pull CA 2.

5:32:14 PM Smith motion to approve CA 1. Sauerbrey seconded. All in Favor.

Davis corrected CA 2 to amend motion to deny not approve.

5:33:04 PM Smith motioned to approve CA 2 as amended by staff. Sauerbrey seconded. All in Favor.

Public Hearing

- **PH 1 5:33:20 PM** Consideration of a Conditional Use Permit Application, submitted by Two Rivers Dentistry, for the approval of a Temporary Structure, to be located onsite at 116 W. Bullion Street (Croy Addition, Lots 1-2, Block 1, North 10' of alley adj to Lots, Hailey Townsite) within the Transitional (TN) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

5:34:32 PM Dyer introduced application and turned floor to applicant team.

5:35:14 PM Dr. Shane Newton introduced himself as the applicant. Chair Fugate asked if he had facts to add or if ready for questions. Newton stated ready for questions.

5:35:57 PM Sauerbrey asked how long this has been onsite. Newton stated since spring summer of 2023. Sauerbrey asked staff if include history for temporary structures like this. Davis confirmed they do, that there are a few active similar to this and that commissioners re-review varies.

5:37:14 PM Chair Fugate asked if that would include any complaints that conflict with the ordinance. Davis confirmed.

5:37:40 PM Sauerbrey asked if the proposed location is where the structure is right now. Newton believes that is where it is, but that its hard tell from the drawing. Newton confirmed it could be closer to the alley. Sauerbrey requested if it does remain that it honors the required setbacks. Davis confirmed and noted can add that as a condition.

5:39:23 PM Smith asked the reasoning for the 5-year time frame. Newton explained that would like to add on to the existing facility and that wanted to ensure had enough time to implement the new facility. Smith asked if this is being used as office space and for storage. Newton confirmed for storage but does occasionally use for his office.

5:40:51 PM Fitzgerald asked what is being stored and if he can elaborate on the use. Newton explained general supplies. Fitzgerald asked if included sharp objects. Newton explained cotton rolls and normal things for day-to-day supplies. Fitzgerald asked why need the extra space. Newton explained the back log of patients and that offer additional services then the previous dentist. Fitzgerald asked if owns the property and facility. Newton confirmed.

5:42:49 PM Chair Fugate asked if space is heated. Newton stated he has a small space heater set up. Chair Fugate asked if were to go forward with this if he would be able to move the structure to comply with the setbacks. Newton confirmed if it is out of compliance.

5:44:07 PM Chair Fugate opened public comment.

5:44:30 PM Chair Fugate closed public comment.

5:44:41 PM Sauerbrey asked what the permanent plan is. Newton explained it would be a new build on the lot onto the building or an entirely new facility. Sauerbrey asked if had any complaints about the structure. Davis summarized complaints received. Sauerbrey stated this does not present any

more of an eye sore than the temporary structures nearby. Sauerbrey appreciates the timeline, that he is open to dialing in the date a bit more.

[5:47:39 PM](#) Smith suggested re-reviewing it in 3 years instead of 5 years.

[5:48:19 PM](#) Fitzgerald agrees with comments from the commissioners, and that think 3 years is more appropriate. Fitzgerald requested fires input on dual use of office and storage.

[5:49:30 PM](#) Chair Fugate agrees with comments made and agrees with the 3-year time line.

[5:50:41 PM](#) Sauerbrey motioned to approve the Conditional Use Permit Application submitted by Two Rivers Dentistry for the use of the Temporary Storage Trailer, located at 116 W. Bullion Street, Lots 19 and 20, Block 104, Hailey Townsite within the Transitional (TI), and the Townsite Overlay (TO) Zoning Districts, 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 (e), as amended, are met. Smith seconded. All in Favor.

- **[PH 2 5:51:38 PM](#)** Reconsideration of a Design Review Application by Rivian Automotive, LLC, for approval of an improved parking area consisting of electric vehicle charging stations. The Applicant is proposing to install a total of five (5) standard charging stalls, and one (1) pull-in trailer stall onsite, to be located on North Main Street (Lots 6-8, Block 44, Hailey Townsite) within the Business (B), Townsite Overlay (TO), and Downtown Residential Overlay (DRO) Zoning Districts. **ACTION ITEM**

[5:52:06 PM](#) Davis summarized first hearing of this item and requests from the commissioners then. Davis turned the floor to the applicant team.

[5:53:14 PM](#) Cheryl Lee, representing Rivian, introduced herself and provided sample of the fencing.

[5:54:03 PM](#) Sauerbrey asked staff about underground utilities. Davis explained how the proposed power complies with code and then summarized the proposed work to be done. Sauerbrey asked about reduction of fencing to comply with code. Lee confirmed will reduce the fence, noting the equipment will be taller. Sauerbrey asked about vinyl wrap or artwork on protruding equipment. Lee confirmed can do vinyl if requested. Sauerbrey asked about the snow storage conflict. Davis confirmed snow storage does comply. Sauerbrey referenced public comment received, asked about the road access off the alley, if it's a safety issue. Davis confirmed. Sauerbrey asked if this will be available for all electric vehicles and if pricing will be the same. Lee confirmed and that unsure on pricing. Lee explained that currently all their sites are for Rivian only but that will see others opened to all vehicles. Sauerbrey stated would like to see some trees included and if has reviewed for irrigation. Lee stated had not planned on that but can discuss with landscape architect. Lee confirmed should not be an issue.

[6:00:06 PM](#) Smith asked what the plans are between the asphalt and the property line on the north side of the property. Lee explained will build a curb and fill in with crushed rock and gravel. Smith suggested coming up with some visual barrier. Smith stated would like to see trees and some other plantings to help minimize exposure of the sun. Smith thanked the applicant for

improving the one power line. Smith asked staff if approving with a condition for landscaping. Davis stated staff recommends commission continues the items.

[6:03:21 PM](#) Fitzgerald expressed concern for safety for the truck charging locations. Sauerbrey suggested installing bollards. Fitzgerald asked about the noise, if there was a sound study. Lee explained potential noise. Fitzgerald asked what happens when lease ends. Lee explained how that is determined. Fitzgerald requested a written statement from the applicant addressing potential concern of end of lease and equipment and how the site will be monitored. Fitzgerald feels she cannot approve this without irrigation, referring code requirements. Lee asked if it would be acceptable to have a contractor to manage the watering. Commission and staff agree will need an actual system. Fitzgerald asked if could have more charging stations or if could have public parking. Fitzgerald asked if could do snow melt to allow for usage year round. Davis confirmed can have snow hauled away and that staff would be open to snow melt option.

[6:10:24 PM](#) Chair Fugate asked if have a landscape architect available. Lee explained access to landscape architect. Chair Fugate asked if figured out the walkway goes into the planter. Davis stated requested applicant to verify and to correct if needed.

[6:11:55 PM](#) Chair Fugate opened public comment.

[6:12:11 PM](#) ryan Burke, drives Rivian pick up towing camper, he is looking forward to coming to visit and supporting local businesses while charging his vehicle.

[6:13:06 PM](#) Chelsie Williams, representing Rivian as well, confirmed will remove equipment at end of lease term. Complimented Lee on research done for drought tolerant plants and hopes can get approval with conditions for landscaping and irrigation.

[6:14:20 PM](#) Chair Fugate closed public comment.

[6:14:33 PM](#) Chair Fugate encourages applicant team to work with the landscape architect to help mitigate the aesthetics of this project. Chair Fugate believes with trees will need a permanent irrigation system. Chair Fugate believes the esthetics is the main stumbling block. Chair Fugate requests to see a comprehensive plan for landscaping, walk way, and something to protect the shed. Chair Fugate stated public would like to know pricing as well.

[6:17:22 PM](#) Sauerbrey is excited to see more EV charging infrastructure in town. Sauerbrey explained that parking lots do not need to look like parking lots, agrees with Chair Fugate's comments, that putting the extra time to create an appealing space is critical. Sauerbrey would like to see trees. Sauerbrey recommends a permanent irrigation system. Sauerbrey confirmed maxed out in charging spaces. Lee confirmed. Sauerbrey believes snow melt is unnecessary, as it takes up a lot of resources.

[6:20:39 PM](#) Smith thanked public for their comments. Smith recommends thinking more long term to make it a good reflection on their company and the city, that needs to take hard look at landscaping. Smith suggested if landscape architect needs help, staff has area specific information if needed. Smith hopes to see something with more visual break and better aesthetic.

[6:23:03 PM](#) Fitzgerald asked if spot 1a, ADA accessible. Lee stated it is not ADA, but did make it larger than the others. Fitzgerald asked if any spots were ADA. Lee stated no. Chair Fugate suggested adding signage for ADA. Lee confirmed understands. Fitzgerald acknowledged Williams requests for approval, and that not inclined to approve with conditions. Lee clarified they were asked for more diversity and feels like they did get revisions per those comments. Lee asked for approval today with conditions for landscaping.

[6:25:27 PM](#) Chair Fugate explained would like to see specifically the proposed landscape. Chair Fugate suggested dog walking area since limited in stations able to provide. Chair Fugate asked if anyone if anyone is inclined to pass with conditions.

[6:27:18 PM](#) Sauerbrey explained why he would like to see this continued, looking for a drastic enough landscaping plan and would like to see in public hearing. Smith agrees, and suggested evergreen trees that are year round. Sauerbrey noted there were some more fine point addressing the landscaping in the last meeting. Sauerbrey asked Lee if feels has a good understanding of what asking for. Lee believes so.

[6:29:18 PM](#) Chair Fugate summarized requesting a more comprehensive lands cape plan with trees and irrigation, plan for walkway, and shed protection.

[6:29:25 PM](#) Fitzgerald noted a lot of unused asphalt for snow storage, asking if larger snow storage area needs to be asphalt. Lee will need to look into it more. Fitzgerald noted that snow storage does not need to be asphalt. Davis believes it was for phase 2. Discussion continued of potential use for excess of asphalt of snow storage area. Lee would look into as was understanding snow storage had to be asphalt. Sauerbrey noted to pay attention to salt resistant species. Smith suggested large boulders in place of a picnic table. Smith agrees a semi permeable surface allows for minimization of ice and potential safety concerns.

[6:33:48 PM](#) Davis suggested a covered structure for solar. Chair Fugate asked if Lee had any further questions. Lee has no further questions, will take comments received and resubmit. Discussion took place of when to continue, all in agreement for April 1st for hearing to be continued.

[6:35:43 PM](#) **Sauerbrey motioned to continue to April 1, 2024. Smith seconded. All in favor.**

- **PH 3** Consideration of a Preliminary Plat Subdivision Application of the Sunbeam Subdivision (Phase II), submitted by Marathon Partners, LLC, and represented by Opal Engineering and BYLA, wherein Sunbeam Subdivision Phase I, Parcels B and C, are subdivided into 62 lots (42 lots and 20 sublots), as well as Parcel B1, which includes the remaining park dedication of 3.34 acres as contemplated in the approved Planned Unit Development Agreement. **THIS ITEM WILL HEARD AT THE MARCH 4, 2024 PUBLIC MEETING.**

Davis confirmed item had been re-noticed, no motion needed.

[6:36:54 PM](#) **Administrative Reviews**

NO ACTION Required for Administrative Reviews.

- [AR 1](#) Design Review Exemption submitted by Martha Burke, represented by Architect Rebecca Bundy, for approval of a new 430 square foot addition to an existing structure and is located at 203 E. Bullion Street (Lots 19-24, Block 38, Hailey Townsite), within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.

- [AR 2](#) Lot Line Adjustment, submitted by James Josel wherein the interior lot lines of Hailey Lots 13-4, Block 47, Hailey Townsite (220 N. 2nd Avenue) are eliminated. The reconfiguration of the lots would form one (1) lot, Lot 13A, comprising of 5,988 square feet. The Lot Line Adjustment is located within Section 9, T.2N., R.18 E., B.M., City of Hailey, Blaine County, Idaho, in the Townsite Overlay and General Residential (GR) Zoning District.

[6:36:57 PM Staff Reports and Discussion](#)

- **SR 1** Discussion of building activity, upcoming projects, and zoning code changes.
- **SR 2** Discussion: Next Planning and Zoning Meeting:
 - March 4, 2024:
 - PP: Sunbeam Subdivision Phase 2
 - DR: Swan Residence

Davis summarized upcoming meeting.

[6:37:38 PM Sauerbrey motion to Adjourn. Smith seconded. All in Favor.](#)