

**Meeting Minutes**  
**Hailey Planning and Zoning Commission**  
**Monday, May 6, 2024**  
**5:30 p.m.**

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## **Present**

**Commission:** Dan Smith, Janet Fugate, Sage Sauerbrey, Jordan Fitzgerald, Owen Scanlon

**Staff:** Robyn Davis, Emily Rodrigue, Ashley Dyer, Jessie Parker

### 5:31:12 PM Call to Order

- Public Comment for items not on the Agenda.

### 5:32:32 PM Consent Agenda

- **CA 1** Motion to approve Meeting Minutes dated April 15, 2024. **ACTION ITEM**
- **CA 2** Motion to approve the Findings of Fact, Conclusions of Law, and Decision recommending denial of a Design Review Application by Rezone Application submitted by St. Charles Borromeo Catholic Church (Roman Catholic Diocese), represented by The Land Group, proposing to rezone Lots 3-10, Block 21, Townsite (311 South 1<sup>st</sup> Ave) from Transitional (TN) to Business (B), and located within the Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

5:32:55 PM Scanlon motion to approve CA 1 & CA 2. Fitzgerald seconded. Sauerbrey abstained. 4-0 in Favor.

### Public Hearing

- 5:33:29 PM PH 1 Consideration of a Design Review Application by Eric Cueva, represented by Youdall Architecture, for an 877 square foot detached garage addition as

well as a new 579 square foot Accessory Dwelling Unit (ADU) located above the addition. This project is located at 504 S. Main Street (Lots S20' of 12 All of 13 & 14, Block 9, Hailey Townsite) Business (B), Downtown Residential Overlay (DRO) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

[5:33:50 PM](#) Rodrigue introduced application, noting this project presents a nonconforming use, that the project will be continued on record tonight. Rodrigue summarized requirements that applicant will need to do prior to next hearing.

[5:35:03 PM](#) Matt Youdall, architect, noted project location on three lots, and proposed addition. Youdall explained proposed garage/adu location using site plan and applicants plans for future of the site for applicants roofing business. Youdall summarized proposed materials to be used, using elevation plan. Chair Fugate noted they do require actual samples. Youdall confirmed, and continued to explain materials to be used. Youdall pointed out noted reason why building is facing north south due to Idaho Power easement requirements.

[5:40:13 PM](#) Sauerbrey asked for clarification on projects non-conforming use. Rodrigue explained nonconforming use is as single-family and with the addition of the garage/adu it would be considered an expansion of the nonconforming use. Sauerbrey conforming, and that the solution would be for a business structure to be the primary use. Davis clarified how the single-family home is grandfathered in and summarized what the applicant can develop. Davis confirmed would request a full revised site plan be brought forward for the commission to review.

[5:44:27 PM](#) Youdall expressed concern of adu size based off roofing structure which is smaller. Fitzgerald asked what the permitted use would be that the structure would be under. Scanlon expressed concern of use permitted based off re-roofing business. Davis asked Youdall to explain what the applicant's intent of the commercial use. Youdall summarized proposed business use including manufacturing and fabrication as well as an office component. Davis confirmed will have applicant clarify when bring back. Discussion continued of use.

[5:50:31 PM](#) Smith noted code requirement of office off main and parking in rear.

[5:51:07 PM](#) Scanlon asked if addressing the application. Commission discussed providing suggestions for future hearing. Smith expressed concern of building on lot line. Smith suggested relocation of structures to make appear as more of a business/retail situation, and parking in rear.

[5:53:25 PM](#) Youdall explained ingress/egress of adu, vehicle access for roofing company and parking in front.

[5:54:34 PM](#) Fitzgerald expressed concern of adu not being secondary/subordinate, referred to snow storage brought up in staff report, and concern of guard railings. Fitzgerald asked to see a site plan with just what is being proposed or to at least have the buildings in future to be labeled as future.

[5:56:44 PM](#) Scanlon asked what the slope on the ramp. Youdall asked about keeping some access off main street. Staff and commission explained reasoning's why curb cut is required to be

moved. Smith provided some suggestions on where business structures and parking should be. Smith summarized believes reconsideration of site layout is in order.

[6:00:50 PM](#) Chair Fugate reminded applicant to keep in mind of uses are permitted within the Business district. Commission reviewed elevations, and provided suggestions for east and west elevations.

[6:04:00 PM](#) Youdall asked if were to add a showroom element to structure. Chair Fugate explained that still needs to keep in mind permitted uses. Commissioners explained that there are certain activities allowed and certain ones not permitted within the business district.

[6:05:48 PM](#) Scanlon noted that retaining walls above certain height are required to have a guard rail, also provided some ideas of where a guard rail is not required. Scanlon suggested doing something more transparent than white fence. Scanlon asked why removing one tree and if had thought it through. Scanlon expressed concern of gaps between cables on guard rail on second floor of garage/adu. Scanlon asked for applicant to designate energy saving measures.

[6:08:33 PM](#) Saurbrey asked if incorporate a store room, if will need to include ada requirements. Scanlon stated yes if for client use. Sauerbrey stated it seems there are a fair amount of single-family homes in the business district, suggesting consideration of allowing ADUs with these single family homes due to the housing crisis.

[6:10:45 PM](#) Smith noted a few incorrect call outs on A7.

[6:11:33 PM](#) Chair Fugate opened public comment.

[6:12:06 PM](#) Bonnie Lazarinne, 520 S Main, biggest concern is the property line and that it appears that the building is proposed right on the property line. Wondering about the zoning regulations for that area. Lazarinne also expressed concern of tenant of lack of privacy based off balcony design.

[6:14:08 PM](#) Chair Fugate closed public comment.

[6:14:39 PM](#) Youdall summarized zoning regulations, and that has approximately 18 inch setback from property line. Youdall stated the terrace looks towards the south.

[6:15:47 PM](#) Fitzgerald added that maybe this should be changed to allow for ADUs, but that all the bulk requirements such as setbacks would need to be replaced. Fitzgerald believes this would be a larger code amendment. Smith suggested discussing this at brain storming meeting in June.

Discussion took place on when to continue the application to the next available public hearing.

**[6:20:18 PM](#) Smith motion to continue the public hearing to June 3<sup>rd</sup>, 2024. Scanlon seconded. All in Favor.**

- [PH 2 6:20:50 PM](#) Consideration of a Design Review Preapplication submitted by Macintosh Holdings, LLC, represented by Erinn Bliss with Bliss Architecture, for the construction of a new 6,390 square foot multifamily townhome development project located at 637 S. River Street (AM Lot 2A Block 1, Maple Subdivision). The development consists of two (2), three story, multifamily buildings, which includes six (6) dwelling units in total.

[6:21:17 PM](#) Dyer introduced project and turned floor to applicant team.

[6:21:48 PM](#) Errin Bliss, architect, introduced himself and property owner Leo McIntosh. Bliss summarized project location, proposed site plan, that applicant is requesting to do in lieu fee in place of the typical river street section. Bliss summarized proposed building designs – covered parking, bike storage and parking, floor plans, elevations and proposed materials to be used. Bliss noted these were called townhomes, but that they will be apartments for rent at market rate.

[6:28:08 PM](#) Sauerbrey asked where running mechanicals. Bliss noted no cooling and all electric for heating with no duct work. Sauerbrey suggested incentives out there for efficient heating suggesting mini splits. Bliss does not think mini splits are within the budget. Sauerbrey highly encouraged applicant to discuss with staff. Sauerbrey asked about covered parking vs. garages. Bliss explained it is a cost issue, but that could change. Sauerbrey suggested something with a garage would be more appealing to renters.

[6:31:17 PM](#) Smith agrees with Sauerbrey comment about heating, suggesting utilizing something more efficient. Smith asked about thought process of removing one parking space for bike storage. Bliss explained reasoning was needing bike space and snow storage. Smith suggested idea of moving bike and snow storage. Smith noted it would be nice to see some amenities. Smith asked about material for accent color. Bliss explained that applicant understands that wood will change in the future and require maintenance. Smith complimented palette overall, curious about other commissioners thoughts on east/west elevations. Chair Fugate suggested additional wood on those sides might do the trick.

[6:37:31 PM](#) Fitzgerald asked if considered using access to the north as their access; understands its not on their property but curious if there was coordination. Bliss explained thought had crossed his mind but they did not pursue that route. Fitzgerald likes the materials, design, colors but that it is still really one big block.

[6:39:49 PM](#) Scanlon complimented design. Scanlon asked about lot coverage at 42%. Discussion ensued regarding lot coverage.

[6:45:28 PM](#) Chair Fugate hopes applicant does further research in the heating and include some type of amenities. Chair Fugate complimented design as well, though thinks if could add some light wood to end portions facing east and west and consider garages.

[6:47:06 PM](#) Sauerbrey stated would like to see the sidewalk extend so it is easy to connect to at future point. Bliss noted gravel pathway proposed and concern of extending due to plowing. Bliss stated thought was that would just access sidewalk via sidewalk. Sauerbrey explained that he

would really like to see extend to at least the property line if not extend so it will be much easier for future planning. Smith agrees.

[6:50:56 PM](#) Chair Fugate opened public comment.

[6:51:18 PM](#) Justin Seagraves, curious if can find out how many city lots this property is.

[6:52:31 PM](#) Erin Sweeney, thinks nice idea, likes all the new apartments going in, not a big fan of the gray, thinks make sense to have bike storage closer to front, agrees with comments about baseboards. Sweeney curious about the role of the community and influencing orientation of building on lots and use of solar.

[6:56:44 PM](#) Mark Mac, new owner of building to the west of this this property, this is a very large building in small sight. Thinks it is a very massive building next to modest buildings. This is very close to their property. Does not mitigate any transitions between neighbors. Expressed concern of design and tenants looking at driveway. Encourages architect to think of more creative way on how the units can be laid out on the site. Agrees with comments of previous guest who commented on gray blackness, does not think it is a good trend. Expressed concerns of heating.

[7:02:23 PM](#) Chair Fugate closed public comment.

[7:02:34 PM](#) Staff and applicant confirmed this is just one lot.

[7:03:07 PM](#) Bliss explained the drawings are conceptual as this is a pre-app and will be submitting a full landscape plan. Bliss noted existing and proposed fencing. Bliss explained reasoning behind color choice.

[7:04:35 PM](#) Chair Fugate summarized commissioners role, that always encourages solar but limited by what can require. Sauerbrey referenced bill passed last July that prohibits local governments from requiring more then what the state code requires. Chair Fugate added that staff has also been trying to come up with incentives to help encourage. Sauerbrey recommended community housing.

[7:07:44 PM](#) Chair Fugate asked if Bliss has other questions or comments. Bliss stated no. Smith confirmed that there will be landscape/screening.

[7:08:47 PM](#) Scanlon added referenced comments about garages and house on crutches, and code section XXXX. Scanlon thinks if at least brought the end walls down to the ground would like more like the neighborhood. Scanlon suggested modification to trapezoid windows, as it looks like the 6 houses are sad. Smith noted that to go to 40% lot coverage will need garages. Sauerbrey noted PUD as an alternative route.

Fitzgerald stated if does not convert to garages, people will actually park there and not store items. Commission and staff discussed bicycle storage requirements. Fitzgerald suggested brown in place of gray, and to explore option of sharing driveway to the north.

**No motion.**

### **Administrative Review (No Action)**

- [AR 1](#) Accessory Dwelling Unit (ADU) Application by Brant Tanner, for a new 870 square foot Accessory Dwelling Unit, to be located at 140 Sunbeam Street (Lot 13, Block 2, Sunbeam Subdivision Phase I) within the Limited Residential (LR-1) Zoning District.

### **Staff Reports and Discussion**

- **SR 1** Discussion of building activity, upcoming projects, and zoning code changes.
- **SR 2** Discussion: Next Planning and Zoning Meeting:
  - May 20, 2024:
    - Stream Alteration near Heagle Park
    - DR McCloud
    - DR Idaho Lumber

[7:15:42 PM](#) Davis summarized upcoming meeting items.

[7:17:11 PM](#) Davis provided update on Hailey Comprehensive Plan Update.

[7:19:12 PM](#) **Sauerbrey motion to adjourn. Smith seconded. All in Favor.**