

Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
March 21, 2022
Virtual and In-Person Meeting
5:30 p.m.

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

Via One-touch dial in by phone: <tel:+15713173122,,506287589#>

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Present

Commission: Janet Fugate, Richard Pogue, Dan Smith, Dustin Stone, Owen Scanlon

Staff: Robyn Davis, Paige Nied, Jessica Parker

[5:30:48 PM](#) Chair Fugate called to order.

[5:31:00 PM](#) **Public Comment for items not on the agenda.** No Comment.

[5:32:20 PM](#) **Consent Agenda**

CA 1 *Adoption of Findings of Fact, Conclusions of Law and Decision of a Planned Unit Development Application by ARCH Community Housing, represented by Galena Engineering, for construction of three (3), four-plex's, for a total of twelve (12) additional residential units to be located at 2711 and 2721 Shenandoah Drive (Lots 1 and 2, Block 21, Woodside Subdivision #6) within the Limited Business (LB) Zoning District. The PUD Application includes additional amenities and a request for waivers. The Applicant is requesting to waive the subdivision park in lieu fee. **ACTION ITEM.***

CA 2 *Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by ARCH Community Housing, represented by Galena Engineering where Lots 1 and 2 are reconfigured, creating Lot 1, comprising of 11,105 square feet, Lot 2, comprising of 11,080 square feet, and Lot 3, comprising of 29,763 square feet to be located at 2711 and 2721 Shenandoah Drive (Lots 1 and 2, Block 21, Woodside Subdivision #6) within the Limited Business (LB) Zoning District. **ACTION ITEM.***

CA 3 *Adoption of Meeting Minutes dated March 7, 2022. **ACTION ITEM.***

[5:32:31 PM](#) Scanlon motioned to approve CA 1, CA 2, and CA 3. Pogue seconded. All in Favor.

Public Hearing

PH 1 [5:32:50 PM](#) *Consideration of a Conditional Use Permit (CUP) Application submitted by Justin and Macquel Earl to permit up to eighteen (18) children at Macquel's House, LLC, Daycare located at 3110 Berrycreek Drive (Lot 13, Block 55, Woodside Subdivision #14) within the General Residential (GR) Zoning District. **ACTION ITEM.***

[5:33:13 PM](#) Davis explained in GR Zoning District that daycares are permitted and applicant is requesting to increase limit of children permitted to 18. Davis confirmed applicant is licensed. Davis turned floor to applicant.

[5:34:18 PM](#) Macquel Earl explained they are comfortable with having twelve children, the increase would be to accommodate taking in additional sibling and or occasional drop in. Earl believes this would help a lot of families, that childcare is limited. Earl has been looking at buildings but has not found one that would work at this time. Earl confirmed she had two employees and follows the state guidelines.

[5:36:08 PM](#) Pogue asked the ages of children in daycare. Earl explained from 3 months to 12 years. Earl provided a brief history of herself, explaining grew up raising children and really enjoys providing a place to care for children. Pogue asked about pick up drop off time. Earl explained the staggering of children. Earl stated she has not had any complaints on her daycare. Earl explained how her parents are courteous during drop off pick up, has talked with neighbors to ensure no issues with parking. Earl explained does try to keep open relationship with neighbors.

[5:39:16 PM](#) Smith asked if ok with going to 18 instead of 20. Earl confirmed.

[5:39:37 PM](#) Scanlon asked if additional 6 children, majority would be siblings of children already have. Earl confirmed. Scanlon asked about additional traffic. Earl explained if siblings no additional traffic, Earl explained idea behind drop in. Scanlon asked Baledge if occupancy exceeds anything. Baledge confirmed and provided summary that applicant is licensed, meets requirements and licensed up to 25 children. Baledge referenced few examples of similar daycares in residential areas.

No questions from Chair Fugate.

[5:42:27 PM](#) Chair Fugate opened public comment.

[5:43:13 PM](#) Chair Fugate closed public comment.

[5:43:27 PM](#) Pogue asked how often the kids play in backyard. Earl confirmed every day as much as possible.

[5:44:25 PM](#) Smith thinks there is a need and that it has been tough on working families. Smith thinks given fact for the need and all the questions answered well, he has no further questions.

[5:45:00 PM](#) Scanlon asked about gate on rear fence. Earl confirmed it does. Scanlon asked about orange sign on fence. Earl stated that is a heat lamp for chickens. Scanlon agrees there is certainly need for childcare in the city and hopes that can find larger building. Earl confirmed that is their goal.

[5:46:32 PM](#) Chair Fugate has not questions, summarized she is fine with this and does not see issue with traffic, only sees benefit.

[5:47:48 PM](#) Pogue motioned to approve the Conditional Use Permit Application request by Justin and Macquel Earl to permit up to eighteen (18) children at Macquel's House, LLC, Daycare located at 3110 Berrycreek Drive (Lot 13, Block 55, Woodside Subdivision #14) within the General Residential (GR) Zoning District, 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) and (b) will be met. Smith seconded. All in Favor.

PH 2 [5:49:06 PM](#) *Consideration of a Design Review Application by Kilgore Properties, LLC, for construction of Sweetwater Condominiums Phase II, to be located at Block 2, Sweetwater PUD Subdivision. The project will consist of eight (8), ten-plex buildings, three-stories in height, for a total of eighty (80) units. Each unit will comprise of approximately 1,380 square feet. Sweetwater Condominiums Phase I, consisting of five (5), ten-plex buildings, three-stories in height, and one (1) amenity building, was approved by the Planning and Zoning Commission on September 7, 2021. **ACTION ITEM.***

[5:49:45 PM](#) Davis introduced project and turned floor over to applicant team. [5:50:12 PM](#) Matt Watson explained this is a continuation of Block 2, noting just received preliminary plat approval of phase 1 and provided progress update on Phase 1. Watson explained phase 2 includes an additional eight buildings. Watson stated color scheme from phase 1 will carry through to Phase 2. Watson summarized a continuation of Phase 1. Watson noted did commit to providing EV charges in all garages and running conduit for solar in Phase 1.

[5:52:22 PM](#) Pogue asked about AC units set outside the garage. Watson explained units would not be in the garage but would have to be screened. Pogue assumes units connect to ducting. Watson confirmed. Pogue did not see how the unit would be protected. Watson explained ac units would be on landscape side up against the building screened with landscaping. Pogue assumes would also include the EV charging in Phase 2. Watson confirmed and would also have roof top conduit for solar.

[5:54:25 PM](#) Smith noted saw putting in little over 30,000 square feet of Kentucky bluegrass, that looked at some information regarding water usage, that talking somewhere in the range of 0-25,000 gallons of water a week to maintain. Smith would really like to see as much artificial turf as possible to minimize water usage and that would also minimize maintenance needed. Smith reiterated would like to see applicant reconsider replacing at least a portion of the sod with artificial turf. Smith appreciates them taking in their advice of the aesthetics, believes will improve look from the highway.

[5:57:23 PM](#) Scanlon asked if the ac units be on the roof of the buildings. Watson confirmed could look at that. Watson noted condensers are not very big, that are actually fairly small as each unit has an individual ac unit. Watson explained would need to go back to applicant team to determine if possible to relocate the ac units. Scanlon would like to see that happen, that it would be a no brainer to hide up there. Scanlon suggested talking to landscape architect about doing xeriscape in areas that would not be used for recreation. Watson confirmed they are open to looking at the artificial turf, noting currently about 400 sq. ft. of sod per unit.

[6:00:58 PM](#) Pogue asked if HOA would serve both Phase 1 and 2 and how does it interconnect with the project already built. Watson explained all of this is part of the Sweetwater communities, that there may be a potential for a sub homeowners association in terms. [6:01:57 PM](#) Chair Fugate asked for clarification. Watson explained looking at if needs a sub HOA for block 2. Pogue recommends people of the sub HOA should be part of the Sweetwater HOA.

[6:03:18 PM](#) Chair Fugate appreciates applicant's willingness to take in the commission comments and suggestions. Chair Fugate appreciates the addition of EV charging stations.

[6:04:15 PM](#) **Chair Fugate opened public comment.**

[6:04:49 PM](#) Elizabeth Jeffery, would just like to agree with Scanlon and thank the developer for considering looking at low water plant material over Kentucky blue grass for a large portion and potential places on the property. Thinks it is frightening to put that much plastic on the ground and really appreciates willingness to look at more creative options that will benefit entire community. Jeffery asked why not going with a heat pump that would provide both heat and AC instead of one unit for both.

[6:06:07 PM](#) **Chair Fugate closed public comment.**

[6:06:20 PM](#) Watson explained how system is set up, noting combined furnace cooling unit in mechanical room and condenser for each unit.

[6:07:02 PM](#) Davis noted that if does relocate units to roof top, will still need to conceal them. Davis explained Nied has been doing research on benefits on artificial turf vs. xeriscape, Davis thinks on this scale artificial turf may not be the best that xeriscape may be better. Davis recommended if do want to consider artificial turf, may want to look at it on a smaller scale for this project. [6:08:05 PM](#) Davis stated condition D little 2-8, to leave a blanket condition and Public Works staff would work on issues with Applicant team during permitting process. Davis stated would add new condition D little 2, stating applicant team will work out with Public Works.

[6:11:01 PM](#) Chair Fugate listed notes of concerns. Commission discussed artificial turf and xeriscape landscaping. Watson confirmed can review landscaping options and agrees to make things consistent across the board. Scanlon asked if could add conditions n) incorporate artificial turf and or xeriscape in phase 1 and 2 to reduce consumption of water, commission and staff agrees relocation of ac units does not need to be made a condition.

[6:14:33 PM](#) **Smith motioned to approve the Design Review Application by Kilgore Properties, LLC, for construction of Sweetwater Condominiums (Phase II) to be located at Block 2, Sweetwater PUD Subdivision. Phase II includes construction of eight (8), ten-plex, three-story condominium buildings, 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 Title 17, Title 18, and City Standards, provided conditions (a) through (n), as amended will be met. Scanlon seconded. All in Favor.**

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.

- Turf Memo

SR 2 Discussion of the next Planning and Zoning meeting: **April 4, 2022.**

- DIF
- DR: Saddle Lofts
- DR: Sun Valley Auto Club
- DR: Virginia McCloud

[6:16:35 PM](#) Nied provided summarized memo summarizing staff research on pros and cons related to artificial turn. Commission and Staff discussed findings of memo.

Staff and commission discussed upcoming meeting, staff will follow up to verify start time if will start early. Baledge will not be in town for next meeting but noted that has been working with Sun Valley Auto Club and the applicant is on point.

[6:30:17 PM](#) **Scanlon motioned to adjourn. Smith seconded. All in Favor.**