

**AGENDA**  
**HAILEY PLANNING & ZONING COMMISSION**  
**Monday, May 3, 2021**  
**Virtual Meeting**  
**5:30 p.m.**

From your computer, tablet or smartphone: <https://www.gotomeet.me/CityofHaileyPZ>

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

Dial in by phone: United States: +1 (571) 317-3122 Access Code: 506-287-589

## Call to Order

## Public Comment for items not on the agenda

### Consent Agenda

**CA 1** Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Antony and Sarah Gray for a new 2,609 square foot single-story residence. This project is located at 121 North 3<sup>rd</sup> Avenue (Lots 1-4, Block 38, Hailey Townsite) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.**

**CA 2** Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review application by Hailey Airport Inn, LLC, represented by Owen Scanlon, for the addition of two (2) new three-story apartment buildings containing a total of twenty-one (21) units. This project is located at Lot 1A, Block 137, Hailey Townsite (804 South 4<sup>th</sup> Avenue) within the Limited Business (LB) Zoning District. **ACTION ITEM.**

### Public Hearing

**PH 1** Consideration of a Conditional Use Permit Application submitted by PA Spirits LLC, represented by Josh Hanson, for approval of an alcohol mixing and packaging space (Hybrid Production Facility), to be located at Lots 1-3, Block 42, Townsite (117 N. River Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.**

**PH 2** Consideration of a Preliminary Plat Application by Quartz Properties, represented by Galena Engineering, where AM Lot 2A, Block 61, Woodside Sub #15 (2740 Winterhaven Dr.) is subdivided into six (6) sublots, ranging in size from 6,001 square feet to 18,279 square feet, with all vehicular access from Winterhaven Dr. Several lots contain shared driveways. A 18,712 square foot open space, Parcel A, is to be dedicated to the City for public access. This project is located within the Limited Business (LB) Zoning District. **ACTION ITEM.**

**PH 3** Consideration of a City-initiated Text Amendment to the Hailey Municipal Code to Title 17: Zoning Regulations, Chapter 17.05, Official Zoning Map and District Use Matrix, Section 17.05.040, District Use Matrix, to amend General Residential Setbacks by adding a new note, Note #23, to the Minimum Side and Rear Setbacks, which establishes new setbacks from property lines abutting private property. **ACTION ITEM.**

### Staff Reports and Discussion

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

**SR 2** Discussion of the next Planning and Zoning meeting: **May 17, 2021**

- PP: Quigley Block 3
- PP: LL Greens
- Rezone: LL Greens

**Return to Agenda**

## FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On April 19, 2021, the Hailey Planning and Zoning Commission considered and approved a Design Review Application by Antony and Sarah Gray for a new 2,742 square foot single-story residence. This project is located at 121 North 3<sup>rd</sup> Avenue (Lots 1-4, Block 38, Hailey Townsite) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts.

### FINDINGS OF FACT

**Notice:** Notice for the public hearing was published in the Idaho Mountain Express on February 10, 2021 and mailed to property owners within 300 feet on February 10, 2021. This item was continued to April 5, 2021. Due to a noticing error, this item was continued at the April 5, 2021 public hearing to April 19, 2021.

**Application:** The Applicant is proposing to construct a new 2,742 square foot single-family residence, which includes an attached garage, at 121 North 3<sup>rd</sup> Avenue. This is a corner lot. Access for the existing historic residence is located on Third Avenue. The existing residence will be relocated to another site in Hailey, and the two outbuildings, labeled ‘garage’ and ‘shed’, will remain onsite. This Application was heard by the Commission on March 1, 2021. The Applicant proposed that the garage gain access off of Third Avenue and not the alley, as called for in the TO District, and as noted herein.

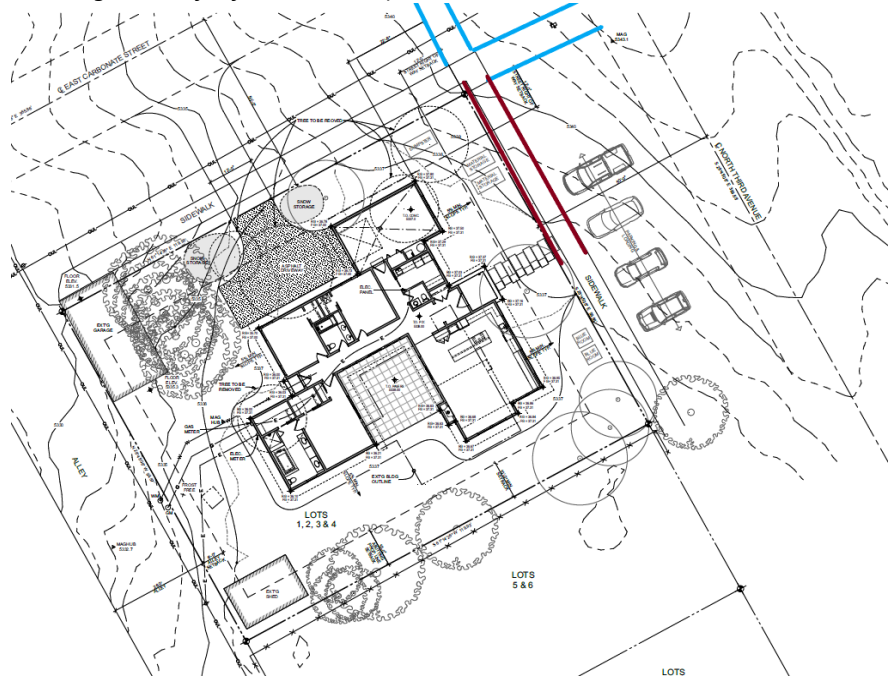
As a general rule (pursuant Section 17.06.090(C)4 of the Hailey Municipal Code), garages and parking areas should be accessed from the alley side of the property and not the street side. Per feedback from the Commission at the March 1, 2021 public hearing, the Commission recommended that the Applicant look at reconfiguring the site plan to meet the standard or draft an alternative design for the Commission’s consideration. Further discussion of this standard can be found below.

**Procedural History:** The Design Review Application was submitted on January 27, 2021 and certified complete on February 5, 2021. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on March 1, 2021. The Commission continued the project to April 5, 2021. Due to a noticing error, this item was continued at the April 5, 2021 public hearing to April 19, 2021. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on April 19, 2021, virtually via GoTo Meeting, and in the Hailey City Council Chambers.

General Requirements for all Design Review Applications				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.050	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Comments	<i>Engineering, Streets and Public Works: The existing driveway is 30’ from the intersection of the two public roads, Third Avenue and Carbonate Street. In the original design, the Applicant proposed that the garage gain access from Third Avenue, where the driveway is approximately 14’ from the intersection of these roads. Due to the proximity of the proposed driveway to the intersection, the Commission found that the proposed driveway and garage would impede</i>

visibility of vehicular and pedestrian traffic coming from Third Avenue and Carbonate Street. The Commission strongly encouraged the Applicant to position the proposed garage and driveway off of the alley or reconfigure the site in differently, to be reviewed by the Commission at a later date.

The Public Works Department also recommended and the Commission concurred that the sidewalk along Carbonate Street and Third Avenue be extended to the edge of asphalt on both Carbonate Street and Third Avenue (see the blue lines in the image below for further details).




With the new configuration, the Applicant is proposing that the garage door face the alley; however, access be achieved from Carbonate Street. The reasons that the Applicant proposes this configuration are 1) to retain all of the historic outbuildings located on the alley side of the property; 2) the garage off of the alley would require a step into the house due to grade change.

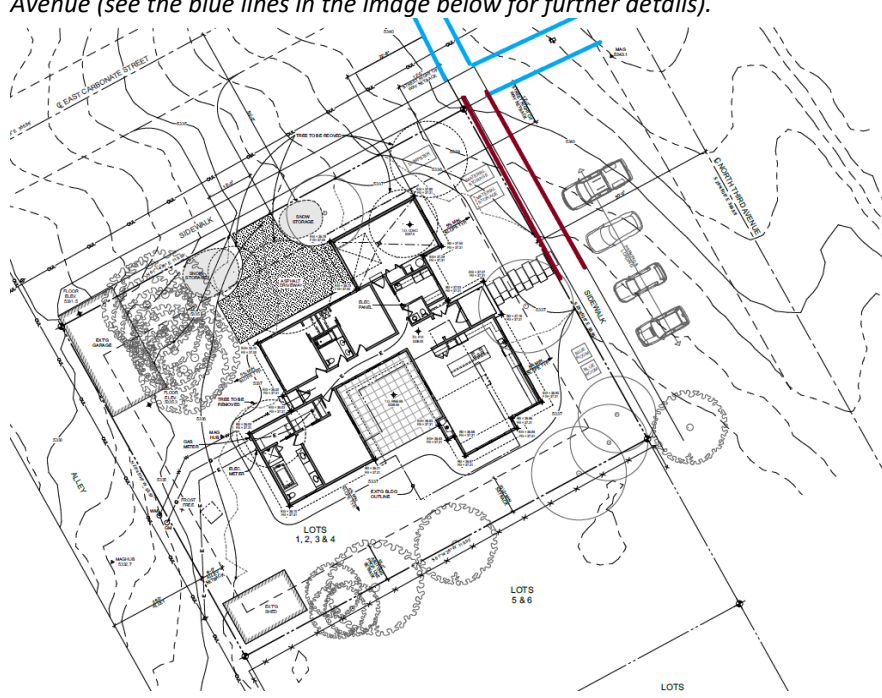
The Commission concurred and found that the current proposal is more aligned with the Design Review Guidelines for Townsite Overlay than the previous proposal for the following reasons:

- 1) The garage doors will not face a street, but will face the alley.
- 2) Historic structures will be preserved.
- 3) There is an existing nonconforming curb cut, which will be relocated to a more appropriate location.

The Commission also found that the existing driveway, off of Third Avenue, be removed and the area be revegetated, and that the sidewalk along the property frontage and where the previous driveway was, be installed/repaired/replaced (see the red lines in the image above for further details). The existing sidewalks may also need some repairing. The Applicant shall repair the existing sidewalks, as outlined by the Public Works Department, prior to issuance of a Certificate of Occupancy.

				<p>Furthermore, a detailed engineering plan with grading and drainage shall be provided prior to issuance of a Building Permit. The Public Works Department will need to review the final design before additional recommendations can be made.</p> <p>Comments above have been made Conditions of Approval and the Commission found that this standard has been met.</p> <p><b>Life/Safety:</b> No comments</p> <p><b>Water and Sewer:</b> The Water and Wastewater Departments recommend that the Applicant utilize the existing services to the lot.</p> <p><b>Building:</b> No comments</p>
				<p><b>City Arborist:</b> The City Arborist recommends that the Applicant make every effort to protect the existing trees from damage and compaction during the construction process. There are approximately 18 trees proposed to be retained, of which, include a variety of species: Ponderosa Pine Trees, Douglas Fir Trees, Spruce Trees, and Box Elder Trees. This has been made a Condition of Approval.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.08A Signs	<p><b>17.08A Signs:</b> The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.</p> <p><i>Staff Comments</i> N/A, as signage is prohibited in residential zones.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.09.040 On-site Parking Req.	<p>See Section 17.09.040 for applicable code.</p> <p><b>17.09.040 Single-Family Dwellings:</b> minimum of two (2) spaces, maximum of six (6) spaces</p> <p><i>Staff Comments</i> The Hailey Municipal Code requires a minimum of two (2) parking spaces for each single-family residential dwelling. An attached garage is proposed and it appears that two (2) or more spaces have been provided onsite. It also appears that the public right-of-way (Third Avenue) can accommodate for a total of approximately three (3) parking spaces.</p> <p>The new site plan indicates that vehicular access to the site will be off of Carbonate Street, and onsite parking would remain off of Third Avenue.</p> <p>Additionally, an alley exists and vehicular access could be restricted to the existing alley; however, the Applicant is proposing that vehicular access be achieved from Carbonate Street. The garage door will face the alley, rather than a public street, which the Commission felt is more closely aligned with the City Code. Please see Section 17.06.090(C)4 for further details.</p> <p>The Commission found that the parking requirements for the proposed residence are met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08C.040 Outdoor Lighting Standards	<p><b>17.08C.040 General Standards</b></p> <p>a. All exterior lighting shall be designed, located and lamped in order to prevent:</p> <ol style="list-style-type: none"> <li>1. Overlighting;</li> <li>2. Energy waste;</li> <li>3. Glare;</li> <li>4. Light Trespass;</li> <li>5. Skyglow.</li> </ol> <p>b. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.</p>

				<p>c. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.</p> <p>d. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires.</p> <p>e. Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator.</p>
			<i>Staff Comments</i>	<p>The Applicant will install Dark Sky compliant fixtures, downcast and low wattage fixtures. Cut Sheets are attached.</p> <div style="text-align: center;">  </div> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Bulk Requirements</b>	<p>Zoning District: Limited Residential (LR-1) and Townsite Overlay (TO)</p> <p>Maximum Height: 30'</p> <p>Setbacks:</p> <ul style="list-style-type: none"> <li>• Street R.O.W. Adjacent: 12'; 20' to Garage Door</li> <li>• Private Property Abutment: 15% of lot width or 10', whichever is less; 6' min.</li> <li>• 1' for every 2.5' of building height</li> <li>• Alley: 6' minimum</li> </ul> <p>Lot Coverage: 35%</p>
			<i>Staff Comments</i>	<p>Maximum Building Height: 30'</p> <p>Proposed Building Height: 18'-1 5/8"</p> <p>Proposed Setbacks:</p> <ul style="list-style-type: none"> <li>○ Front Yard (East): 22'-6"</li> <li>○ Side Yard (North): 14'</li> <li>○ Side Yard (South): 21'</li> <li>○ Rear Yard (West): ~30'</li> </ul> <p>Proposed Lot Coverage:</p> <ul style="list-style-type: none"> <li>○ 3,622 square feet (Proposed Footprint + Existing Garage Footprint) / 11,979 square foot lot = 30%</li> </ul>

				<p><i>The Commission found all setback, building height, and lot coverage requirements have been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.070(A)1 Street Improvements Required</b></p>	<p><b>Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.</b></p>
			<p><b>Staff Comments</b></p>	<p><i>Sidewalks are existing along the property frontage of Third Avenue and Carbonate Street. That said, the Public Works Department recommended and the Commission concurred that the sidewalk along Carbonate Street and Third Avenue be extended to the edge of asphalt on both Carbonate Street and Third Avenue (see the blue lines in the image below for further details).</i></p>  <p><i>The Commission found that the existing driveway, off of Third Avenue, be removed and the area be revegetated, and that the sidewalk along the property frontage and where the previous driveway was, be installed/repaired/replaced (see the red lines in the image above for further details). The existing sidewalks may also need some repairing. The Applicant shall repair the existing sidewalks, as outlined by the Public Works Department, prior to issuance of a Certificate of Occupancy.</i></p> <p><i>Furthermore, a detailed engineering plan with grading and drainage shall be provided prior to issuance of a Building Permit. The Public Works Department will need to review the final design before additional recommendations can be made.</i></p> <p><i>Comments above have been made Conditions of Approval and the Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.070(B) Required Water System Improvements</b></p>	<p><b>In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six feet (6') deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between</b></p>

				and including the subject property and the nearest public street, as recommended by the city engineer. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>This standard shall be met.</i>
<b>Design Review Guidelines for Residential Buildings in the Townsite Overlay District (TO).</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)1	<b>1) Site Planning</b>
				<b>Guideline:</b> The pattern created by the Old Hailey town grid should be respected in all site planning decisions.
			<i>Staff Comments</i>	<i>The lot is existing and respects the Old Hailey Townsite grid pattern.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Guideline:</b> Site planning for new development and redevelopment shall address the following: <ul style="list-style-type: none"> <li>• scale and massing of new buildings consistent with the surrounding neighborhood;</li> <li>• building orientation that respects the established grid pattern of Old Hailey;</li> <li>• clearly visible front entrances;</li> <li>• use of alleys as the preferred access for secondary uses and automobile access;</li> <li>• adequate storage for recreational vehicles;</li> <li>• yards and open spaces;</li> <li>• solar access on the site and on adjacent properties where feasible, and where such decisions do not conflict with other Design Guidelines;</li> <li>• snow storage appropriate for the property;</li> <li>• underground utilities for new dwelling units.</li> </ul>
			<i>Staff Comments</i>	<ul style="list-style-type: none"> <li>• <i>The scale of the proposed addition is consistent with the scale and massing of buildings in the surrounding neighborhood.</i></li> <li>• <i>The lot is existing and respects the Old Hailey Townsite grid pattern. The front entry of the home faces Third Avenue and will be accessible via Third Avenue.</i></li> <li>• <i>The garage door will face the alley, although the alley is not proposed to be used for vehicular access. Existing historic sheds located along the alley will be preserved.</i></li> <li>• <i>The proposed residence will span the entire lot. Ample yard and open space exist on all sides of the home.</i></li> <li>• <i>Snow storage has been identified on the site plan and is sufficient for the site.</i></li> <li>• <i>Utilities are existing. Water, sewer and gas are located underground. Any additional utilities shall be located underground.</i></li> </ul> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Guideline:</b> The use of energy-conserving designs that are compatible with the character of Old Hailey are encouraged. The visual impacts of passive and active solar designs should be balanced with other visual concerns outlined in these Design Guidelines.

			<p><b>Staff Comments</b></p> <p><i>The design intent of the proposed residence was to complement that of the surrounding area, while utilizing a mid-Century Usonian Design. Please see Section 17.06.090(C)3 for further details.</i></p> <p><i>The proposed design takes advantage of the southeastern exposure: a large patio area, several entries and windows are located along the southern elevation of the proposed residence.</i></p> <p><i>The size and shape of the proposed windows are also in scale with the building character of Old Hailey. No solar collectors are proposed at this time.</i></p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.090(C)2</b>     <b>2. Bulk Requirements (Mass and Scale, Height, Setbacks)</b></p> <p><b>Guideline: The perceived mass of larger buildings shall be diminished by the design.</b></p> <p><b>Staff Comments</b></p> <p><i>The use of a flat roof, covered front entry, and large windows reduces the massing of the building, and breaks up the roofline. The various exterior materials, and undulations in the building design make the residence appear smaller in scale.</i></p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.090(C)3</b>     <b>3. Architectural Character</b></p> <p><b>17.06.090(C)3a</b>     <b>a. General</b></p> <p><b>Guideline: New buildings should be respectful of the past, but may offer new interpretations of old styles, such that they are seen as reflecting the era in which they are built.</b></p> <p><b>Staff Comments</b></p> <p><i>The architectural style of the proposed residence is that of a mid-Century Usonian Design. Per the Applicant, Usonian Homes are typically small, single-story dwellings without a garage or much storage. They are often L-shaped to fit around a garden terrace on unusual and inexpensive sites. They are characterized by native materials; flat roofs and large cantilevered overhangs for passive solar heating and natural cooling; natural lighting with clerestory windows; radiant-floor heating. Another distinctive feature is that they typically have little exposure to the front/public side, while the rear/private sides are completely open to the outside. A strong visual connection between the interior and exterior spaces is an important characteristic of all Usonian Homes.</i></p> <div style="text-align: center;"> <p>① EAST ELEVATION</p> </div> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.090(C)3b</b>     <b>b. Building Orientation</b></p> <p><b>Guideline: The front entry of the primary structure shall be clearly identified such that it is visible and inviting from the street.</b></p>

			<b>Staff Comments</b>	<p>The front entry of the proposed residence is located facing Third Avenue. A pathway leading to the front entry is proposed, which is visible and inviting from the street.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p><b>Guideline: Buildings shall be oriented to respect the existing grid pattern. Aligning the front wall plane to the street is generally the preferred building orientation.</b></p> <p><b>Staff Comments</b></p> <p>The lot is existing and respects the Old Hailey Townsite grid pattern. A pathway leading to the front entry is proposed, which is prominent and inviting from Third Avenue.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3c</b>	<p><b>c. Building Form</b></p> <p><b>Guideline: The use of building forms traditionally found in Old Hailey is encouraged. Forms that help to reduce the perceived scale of buildings shall be incorporated into the design.</b></p> <p><b>Staff Comments</b></p> <p>The use of a flat roof, covered front entry, and large windows reduces the massing of the building, and breaks up the roofline. The various exterior materials, and undulations in the building design make the residence appear smaller in scale.</p> <p>The proposed residence will complement that of the surrounding neighborhood. The proposed exterior materials include: horizontal wood siding with a natural finish, stucco finish in light beige, two-step metal fascia with bronze finish, a dark brown anodized overhead door with stain etched glass, and metal clad wood windows with a bronze finish. Dark brown anodized planter boxes will be added under most windows, and a wooden entry door with frosted glass will finish the exterior materials.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3d</b>	<p><b>d. Roof Form</b></p> <p><b>Guideline: Roof forms shall define the entry to the building, breaking up the perceived mass of larger buildings, and to diminish garages where applicable.</b></p> <p><b>Staff Comments</b></p> <p>The proposed roof form and front entry are similar to those in the surrounding area (home on Second Avenue and Pine Street, home on River Street and Cedar, home on Main Street and Walnut Street). The pathway leading to the front entry helps define the front façade of the residence.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3d</b>	<p><b>Guideline: Roof pitch and style shall be designed to meet snow storage needs for the site.</b></p> <ul style="list-style-type: none"> <li>• Roof pitch materials and style shall retain snow on the roof, or allow snow to shed safely onto the property, and away from pedestrian travel areas.</li> <li>• Designs should avoid locating drip lines over key pedestrian routes.</li> <li>• Where setbacks are less than ten feet, special attention shall be given to the roof form to ensure that snow does not shed onto adjacent properties.</li> </ul> <p><b>Staff Comments</b></p> <p>The proposed roof is flat, which will retain snow on the roof, rather than allow snow to shed onto the property.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3d</b>	<p><b>Guideline: The use of roof forms, roof pitch, ridge length and roof materials that are similar to those traditionally found in the neighborhood are encouraged.</b></p>

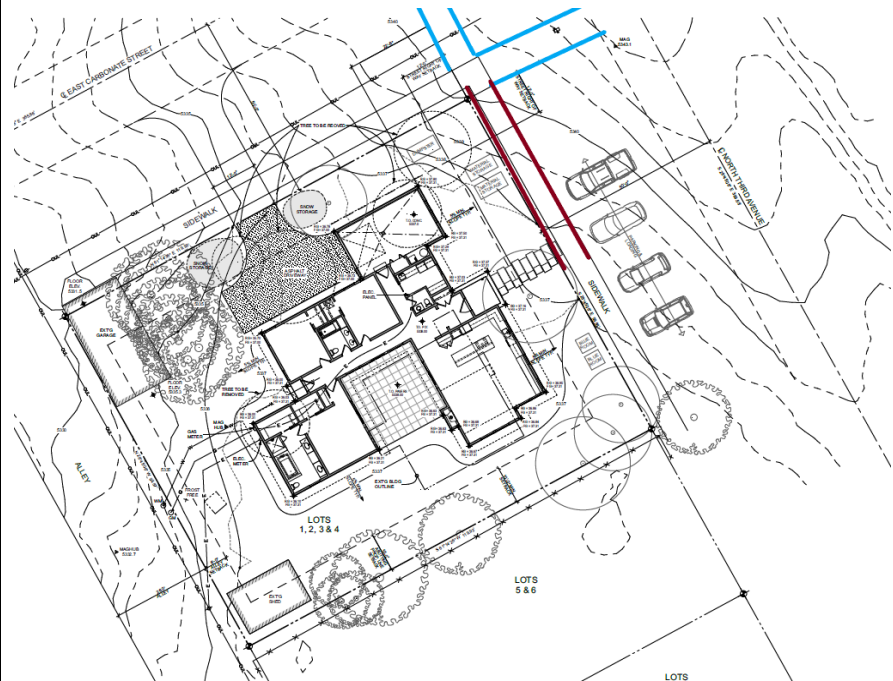
			<b>Staff Comments</b>	<i>The proposed roof forms and materials are similar to those traditionally found in the neighborhood.</i>  <i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3d</b>	<b>Guideline: The roof pitch of a new building should be compatible with those found traditionally in the surrounding neighborhood.</b>
			<b>Staff Comments</b>	<i>The proposed roof forms and materials are similar to those traditionally found in the neighborhood.</i>  <i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3e</b>	<b>e. Wall Planes</b>
				<b>Guideline: Primary wall planes should be parallel to the front lot line.</b>
			<b>Staff Comments</b>	<i>The proposed residence's primary wall plane is parallel to the lot line where the entrance is located.</i>  <i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3e</b>	<b>Guideline: Wall planes shall be proportional to the site, and shall respect the scale of the surrounding neighborhood.</b>
			<b>Staff Comments</b>	<i>The residence is proportional to the site in that the site's longest side is parallel with the residence's longest side. Material variation and front entry porch will also reduce the scale of the building to match the surrounding neighborhood.</i>  <i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3e</b>	<b>Guideline: The use of pop-outs to break up longer wall planes is encouraged.</b>
			<b>Staff Comments</b>	<i>The front entry and unique configuration of the residence creates wall plane variation to break up the mass and longer wall planes of the home.</i>  <i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3f</b>	<b>f. Windows</b>
				<b>Guideline: Windows facing streets are encouraged to be of a traditional size, scale and proportion.</b>
			<b>Staff Comments</b>	<i>The proposed windows are traditional in size, scale, and are appropriate for the neighborhood.</i>  <i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3f</b>	<b>Guideline: Windows on side lot lines adjacent to other buildings should be carefully planned to respect the privacy of neighbors.</b>
			<b>Staff Comments</b>	<i>Minimal windows are proposed facing the alley. Windows are also framed in a manner that is consistent with the neighborhood and do not impact neighborhood privacy.</i>  <i>The Commission found this standard to be met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)3g</b>	<b>g. Decks and Balconies</b>
				<b>Guideline: Decks and balconies shall be in scale with the building and the neighborhood.</b>
			<b>Staff Comments</b>	<i>N/A, as no decks or balconies are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)3g</b>	<b>Guideline: Decks and balconies should be designed with the privacy of neighbors in mind when possible.</b>
			<b>Staff Comments</b>	<i>N/A, as no decks or balconies are proposed.</i>
			<b>17.06.090(C)3h</b>	<b>h. Building Materials and Finishes</b>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Guideline: Materials and colors shall be selected to avoid the look of large, flat walls. The use of texture and detailing to reduce the perceived scale of large walls is encouraged.</b></p>
			<p><i>Staff Comments</i></p> <p>The proposed residence will complement that of the surrounding neighborhood. The proposed exterior materials include: horizontal wood siding with a natural finish, stucco finish in light beige, two-step metal fascia with bronze finish, a dark brown anodized overhead door with stain etched glass, and metal clad wood windows with a bronze finish. Dark brown anodized planter boxes will be added under most windows, and a wooden entry door with frosted glass will finish the exterior materials (see image below for further detail).</p> <div style="text-align: center;"> <p>① EAST ELEVATION</p> </div> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.090(C)3h</b></p> <p><b>Guideline: Large wall planes shall incorporate more than one material or color to break up the mass of the wall plane.</b></p>
			<p><i>Staff Comments</i></p> <p>The largest wall plane is the northeast elevation. This plane is broken up by a variety of window sizes, building undulations, and various exterior materials. Horizontal wood siding and stucco will help reduce the mass of the wall plane.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.090(C)3i</b></p> <p><b>i. Ornamentation and Architectural Detailing</b></p> <p><b>Guideline: Architectural detailing shall be incorporated into the front wall plane of buildings.</b></p>
			<p><i>Staff Comments</i></p> <p>Simple detailing is proposed: covered front entry, horizontal wood siding, and stucco.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.090(C)3i</b></p> <p><b>Guideline: The use of porches, windows, stoops, shutters, trim detailing and other ornamentation that is reminiscent of the historic nature of Old Hailey is encouraged.</b></p>
			<p><i>Staff Comments</i></p> <p>The proposed residence has minimal ornamentation. Simple detailing is proposed: flat roof, covered front entry, horizontal wood siding, and stucco.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.090(C)3i</b></p> <p><b>Guideline: Architectural details and ornamentation on buildings should be compatible with the scale and pattern of the neighborhood.</b></p>
			<p><i>Staff Comments</i></p> <p>Please refer to Section 17.06.090(C)3i for further information. The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.06.090(C)4</b></p> <p><b>4. Circulation and Parking</b></p> <p><b>Guideline: Safety for pedestrians shall be given high priority in site planning, particularly with respect to parking, vehicular circulation and snow storage issues.</b></p>

**Staff  
Comments**

*Adequate parking has been provided. The existing driveway is 30' from the intersection of the two public roads, Third Avenue and Carbonate Street. In the original design, the Applicant proposed that the garage gain access from Third Avenue, where the driveway is approximately 14' from the intersection of these roads. Due to the proximity of the proposed driveway to the intersection, the Commission noted that, in addition to being inconsistent with Design Review Guidelines which direct vehicular access to alleys, the proposed driveway and garage would impede visibility of vehicular and pedestrian traffic coming from Third Avenue and Carbonate Street. The Commission strongly encouraged the Applicant to position the proposed garage and driveway off of the alley or reconfigure the site in differently.*

*The Public Works Department also recommended and the Commission concurred that the sidewalk along Carbonate Street and Third Avenue be extended to the edge of asphalt on both Carbonate Street and Third Avenue (see the blue lines in the image below for further details).*




*With the new configuration, the Applicant is proposing that the garage door face the alley; however, access be achieved from Carbonate Street. The Commission felt this reconfiguration was a more appropriate alternative to the original proposal.*


*The Commission also found that the existing driveway, off of Third Avenue, be removed and the area be revegetated, and that the sidewalk along the property frontage and where the previous driveway was, be installed/repaired/replaced (see the red lines in the image above for further details). The existing sidewalks may also need some repairing. The Applicant shall repair the existing sidewalks, as outlined by the Public Works Department, prior to issuance of a Certificate of Occupancy.*

				<p>Furthermore, a detailed engineering plan with grading and drainage shall be provided prior to issuance of a Building Permit. The Public Works Department will need to review the final design before additional recommendations can be made.</p> <p>Comments above have been made Conditions of Approval.</p> <p>Lastly, pedestrian access is provided with the proposed pathway to the front entry of the residence. Snow storage areas are located to the east and west of the proposed driveway, located off of Third Avenue. Snow storage areas do not appear to restrict pedestrian access.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	<p><b>Guideline: The visual impacts of on-site parking visible from the street shall be minimized.</b></p> <p><i>Staff Comments</i>          The revised proposal positions the new driveway off of Carbonate Street and the garage door facing the alley. With the garage door facing the alley, the visual impacts of onsite parking have been diminished.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	<p><b>Guideline: As a general rule, garages and parking should be accessed from the alley side of the property and not the street side.</b></p> <p><i>Staff Comments</i>          An attached garage is proposed. In the new configuration, the Applicant is proposing that access to the garage be from Carbonate Street, and the garage door face the alley. Though access would not be achieved from the alley, the Commission felt the current proposal was a better and safer alternative to the original proposal. Per the Applicant, a garage with access off of the alley is not practical, as the grade is too steep. Additionally, two (2) historic outbuildings exist along the rear (alley) property line, which the Applicant intends to retain.</p> <p>With garage access off of Carbonate Street and the garage door facing the alley, the Commission agrees that the alternative would continue to facilitate more pedestrian friendly neighborhoods, keep the aesthetic charm of Old Town Hailey intact, and keep accessory structures, such as garages, subordinate to and concealed from the primary streets.</p> <p>The Commission discussed the pros and cons of the placement of the proposed garage and driveway, and found the alternative to be a good and safer compromise than the original proposal, and would not in fact set a negative precedent for future development in Old Town.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	<p><b>Guideline: Detached garages accessed from alleys are strongly encouraged.</b></p> <p><i>Staff Comments</i>          The proposed garage is attached. The Applicant is proposing that the garage, though facing the alley, be accessed from Carbonate Street and not the alley. Please refer to Section 17.06.090(C)4 for further details.</p> <p>The Commission found this standard to be met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	<p><b>Guideline: When garages must be planned on the street side, garage doors shall be set back and remain subordinate to the front wall plane.</b></p> <p><i>Staff Comments</i>          The site plan shows the proposed garage gaining access off of Carbonate Street and the garage door facing the alley. The garage door will not be visible from the</p>

				<p>street and said space, from Third Avenue and Carbonate Street, does not appear to be garage-like, but rather additional living space for the proposed residence.</p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	<p><b>Guideline: When garages and/or parking must be planned on the street side, parking areas are preferred to be one car in width. When curb cuts must be planned, they should be shared or minimized.</b></p> <p><i>Staff Comments</i>          The new site plan has the garage door facing the alley with vehicular access off of Carbonate Street. The proposed garage is one-car in width. Though garage access is not achieved via the alley, the Commission found this alternative to be more appropriate and safer than the original design.</p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	<p><b>Guideline: Off-street parking space for recreational vehicles should be developed as part of the overall site planning.</b></p> <p><i>Staff Comments</i>          Seasonal, off-street parking for recreational vehicles could occur onsite; however, no parking space for recreational vehicles has been delineated. The Commission recommended that recreational vehicle parking occur in the driveway off of Carbonate Street.</p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)5	<p><b>5. Alleys</b></p> <p><b>Guideline: Alleys shall be retained in site planning. Lot lines generally shall not be modified in ways that eliminate alley access to properties.</b></p> <p><i>Staff Comments</i>          The alley is existing and will be retained, although it is not planned for vehicular access or recreational vehicles. For further details on alley access, please refer to Section 17.06.090(C)4 for further details.</p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)5	<p><b>Guideline: Alleys are the preferred location for utilities, vehicular access to garages, storage areas (including recreational vehicles) and accessory buildings. Design and placement of accessory buildings that access off of alleys is encouraged.</b></p> <p><i>Staff Comments</i>          Utilities shall be located underground. There are two (2) outbuildings or accessory structures that gain access off of the alley, both of which the Applicant intends to retain. That said, the Applicant is proposing that the garage door face the alley and access be achieved from Carbonate Street, and not the alley. Please refer to Section 17.06.090(C)4 for further details.</p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)5	<p><b>Guideline: Generally, the driving surface of alleys within Limited Residential and General Residential may remain a dust-free gravel surface, but should be paved within Business, Limited Business, and Transitional. The remainder of the City alley should be managed for noxious weed control, particularly after construction activity.</b></p> <p><i>Staff Comments</i>          The existing alley is gravel. If noxious weeds are present on the site, the Applicant shall control according to State Law.</p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)5	<p><b>Guideline: Landscaping and other design elements adjacent to alleys should be kept simple, and respect the functional nature of the area and the pedestrian activity that occurs.</b></p> <p><i>Staff Comments</i>          The landscaping to be maintained is turf.</p>

				<i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)6	<b>6. Accessory Structures</b>
				<b>Guideline: Accessory buildings shall appear subordinate to the main building on the property in terms of size, location and function.</b>
			<i>Staff Comments</i>	<i>Two (2) accessory buildings exist onsite and are located to the rear of the primary dwelling. The building labeled as ‘existing garage’ is located within the public right-of-way along Carbonate Street. The Applicant intends to retain both outbuildings; however, any additions or repairs to the nonconforming ‘garage’ shall comply with standards set forth in the Hailey Municipal Code. Staff finds that this building is nonconforming and can remain as such until repairs or additions are made. That said, the Applicant shall apply for an Encroachment Permit to document and allow for the nonconforming building (located on northwest corner of parcel and labeled as ‘existing garage’), to be kept in its current location and within the public right-of-way. This shall be applied for concurrently with the Building Permit Application.</i>
				<i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)6	<b>Guideline: In general, accessory structures shall be located to the rear of the lot and off of the alley unless found to be impractical.</b>
			<i>Staff Comments</i>	<i>Two (2) accessory buildings exist onsite and are located to the rear of the primary dwelling. Both appear to be subordinate to the proposed single-family residence.</i>
				<i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)7	<b>7. Snow Storage</b>
				<b>Guideline: All projects shall be required to provide 25% snow storage on the site.</b>
			<i>Staff Comments</i>	<i>Per the Applicant, snow will be stored on either side of the proposed driveway. Snow storage has been delineated onsite; however, no calculations have been provided. Per the Applicant, snow storage areas meet this standard (approximately 300 square feet of hardscape is proposed, and the snow storage areas are greater than 300 square feet).</i>
				<i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)7	<b>Guideline: A snow storage plan shall be developed for every project showing:</b> <ul style="list-style-type: none"> <li>• Where snow is stored, key pedestrian routes and clear vision triangles.</li> <li>• Consideration given to the impacts on adjacent properties when planning snow storage areas.</li> </ul>
			<i>Staff Comments</i>	<i>Snow storage areas are located along the north and northeastern property lines, and on either side of the proposed driveway. Snow storage areas do not restrict pedestrian access. Pedestrian access is unrestricted and visible.</i>
				<i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)8	<b>8. Existing Mature Trees and Landscaping</b>
				<b>Guideline: Existing mature trees shall be shown on the site plan, with notations regarding retention, removal or relocation. Unless shown to be infeasible, a site shall be carefully planned to incorporate existing mature trees on private property into the final design plan.</b>
			<i>Staff Comments</i>	<i>Existing trees are identified onsite. It appears that five (5) trees are proposed to be removed to accommodate for the new residence. It does not appear any additional trees or landscaping will be added to the site. An Arborist Report has been provided and was included in the packet.</i>

				<i>The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)8	<p><b>Guideline: Attention shall be given to other significant landscape features which may be present on the site. Mature shrubs, flower beds and other significant landscape features shall be shown on the site plan and be incorporated into the site plan where feasible.</b></p> <p><i>Staff Comments</i></p> <p><i>The City Arborist recommends that the Applicant make every effort to protect the existing trees from damage and compaction during the construction process. There are approximately 18 trees proposed to be retained, of which, include a variety of species: Ponderosa Pine Trees, Douglas Fir Trees, Spruce Trees, and Box Elder Trees. This has been made a Condition of Approval.</i></p> <p><i>No other significant landscape features will be removed or appear to be impacted by the proposed residence. That said, it doesn't appear that any additional trees or landscaping will be added to the site.</i></p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)8	<p><b>Guideline: Noxious weeds shall be controlled according to State Law.</b></p> <p><i>Staff Comments</i></p> <p><i>If noxious weeds are present on the site, the Applicant shall control according to State Law.</i></p> <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)9	<p><b>9. Fences and Walls</b></p> <p><b>Guideline: Fences and walls that abut public streets and sidewalks should be designed to include fence types that provide some transparency, lower heights and clearly marked gates.</b></p> <p><i>Staff Comments</i></p> <p><i>No fences or walls exist onsite. The Applicant plans to install a black metal fence, matches that of the neighbors to the south, around the parcel (see the image below for further details).</i></p>  <p><i>That said, the Applicant shall install the fence on or within the property lines. This has been made a Condition of Approval.</i></p> <p><i>The Commission found this standard to be met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)9	<p><b>Guideline: Retaining walls shall be in scale to the streetscape.</b></p> <p><i>Staff Comments</i></p> <p><i>N/A, as none are proposed.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)10	<p><b>10. Historic Structures</b></p> <p><b>General Guidelines: Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following guidelines:</b></p> <ul style="list-style-type: none"> <li>• The alteration should be congruous with the historical, architectural, archeological, educational or cultural aspects of other Historic Structures within the Townsite Overlay District, especially those originally constructed in the same Period of Significance.</li> <li>• The alteration shall be contributing to the Townsite Overlay District. Adaptive re-use of Historic Structures is supported while maintaining the architectural integrity of the original structure.</li> </ul>

			<p><b>Staff Comments</b></p>	<p><i>There is an existing residence onsite (see image below for further details). The single-family residence was built in 1898. It will be relocated from this parcel to a lot in Old Cutters (by the new owners). It is anticipated that the relocation will occur in April 2021. Once relocated, the owners of the subject parcel hope to construct the proposed single-family residence, as noted herein.</i></p>  <p><i>The Commission found this standard to be met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>17.06.090(C)10</p>	<p><b>Specific Guidelines. Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following specific guidelines:</b></p> <ul style="list-style-type: none"> <li>• The design features of repairs and remodels including the general streetscape, materials, windows, doors, porches, and roofs shall not diminish the integrity of the original structure.</li> <li>• New additions should be designed to be recognizable as a product of their own Period of Significance with the following guidelines related to the historical nature of the original structure:             <ul style="list-style-type: none"> <li>~ The addition should not destroy or obscure important architectural features of the original building and/or the primary façade;</li> <li>~ Exterior materials that are compatible with the original building materials should be selected;</li> <li>~ The size and scale of the addition should be compatible with the original building, with the addition appearing subordinate to the primary building;</li> <li>~ The visual impact of the addition should be minimized from the street;</li> <li>~ The mass and scale of the rooftop on the addition should appear subordinate to the rooftop on the original building, and should avoid breaking the roof line of the original building;</li> <li>~ The roof form and slope of the roof on the addition should be in character with the original building;</li> <li>~ The relationship of wall planes to the street and to interior lots should be preserved with new additions.</li> </ul> </li> </ul>

			<i>Staff Comments</i>	<p><i>The relocation of the existing structure is proposed. Two historic accessory buildings are proposed to be retained.</i></p> <p><i>The Commission found this standard to be met.</i></p>
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**17.06.060 Criteria.**

- A. The Commission or Hearing Examiner shall determine the following before approval is given:**
  - 1. The project does not jeopardize the health, safety or welfare of the public.**
  - 2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.**
- B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:**
  - 1. Ensure compliance with applicable standards and guidelines.**
  - 2. Require conformity to approved plans and specifications.**
  - 3. Require security for compliance with the terms of the approval.**
  - 4. Minimize adverse impact on other development.**
  - 5. Control the sequence, timing and duration of development.**
  - 6. Assure that development and landscaping are maintained properly.**
  - 7. Require more restrictive standards than those generally found in the Zoning Title.**
- C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.**
  - 1. If any extension of the one-year period is granted by the City, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided.**
  - 2. In the event the improvements are not completely installed within one (1) year, or upon the expiration of any approved extension, the City may, but is not obligated, to apply the security to the completion of the improvements and complete construction of the improvements.**

**CONCLUSIONS OF LAW**

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law:

- 1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
- 2. The project is in general conformance with the Hailey Comprehensive Plan.

3. The project does not jeopardize the health, safety, or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Chapter 17.06, Design Review, other Chapters of Title 17 and City Standards.

## DECISION

The Design Review Application by Antony and Sarah Gray for a new 2,742 square foot single-story residence, located at 121 North 3<sup>rd</sup> Avenue (Lots 1-4, Block 38, Hailey Townsite) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts, was approved, 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 Hailey Municipal Code Section 17.06, Design Review, additional applicable requirements of Title 17, Title 18, and City Standards, provided conditions (a) through (n) are met:

- a) All applicable Fire Department and Building Department requirements shall be met.
- b) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Zoning Title at the time of the new use.
- c) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the Applicant's sole expense include, but will not be limited to:
  - i. The Applicant shall utilize the existing water and wastewater services to the lot.
  - ii. The Applicant shall extend the existing sidewalks along Carbonate Street and Third Avenue to the edge of asphalt of both streets. The Applicant shall extend the sidewalk along Third Avenue and in front of the existing driveway, approximately twenty (20) feet in length, and the existing driveway shall be removed, and the area be revegetated. Additionally, the Applicant shall repair the existing sidewalks, if necessary. Such repairs will be determined by the Public Works Department. The installation and repairs shall comply with City Standards and be completed prior to issuance of the Certificate of Occupancy.
- d) The project shall be constructed in accordance with the Application or as modified by the Findings of Fact, Conclusions of Law and Decision.
- e) All new and existing exterior lighting shall comply with the Outdoor Lighting requirements according to 17.08C.
- f) The Applicant shall provide a detailed engineering plan, which includes grading and drainage, prior to issuance of a Building Permit.
- g) The Applicant shall apply for an Encroachment Permit to document and allow for the nonconforming building (located on northwest corner of parcel and labeled as 'existing garage'),

to be kept in its current location and within the public right-of-way. This shall be applied for concurrently with the Building Permit Application.

- h) The Applicant shall protect the existing trees from damage and compaction throughout the construction process. There are approximately 18 trees proposed to be retained, of which, include a variety of species: Ponderosa Pine Trees, Douglas Fir Trees, Spruce Trees, and Box Elder Trees.
- i) The Applicant shall install the proposed fence on or within the property lines.
- j) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.
- k) This Design Review approval is for the date the Findings of Fact are signed. The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.
- l) Construction staging and storage shall not be within the City Right-of-Way. All construction impacts shall occur within the property boundary.
- m) All utilities shall be located underground, consistent with 17.06.080(A)3h.
- n) The Applicant shall apply for a Lot Line Adjustment Application to remove interior lot lines. This Application shall be applied for concurrently with the Building Permit Application.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Janet Fugate, Planning & Zoning Commission Chair

Attest:

\_\_\_\_\_  
Jessie Parker, Community Development Assistant

**Return to Agenda**

## **FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION**

On April 19, 2021, the Hailey Planning and Zoning Commission considered and approved the Design Review Application by Hailey Airport Inn, LLC, represented by Owen Scanlon, for the addition of two (2) new three-story apartment buildings containing a total of twenty-one (21) units. This project is located at Lot 1A, Block 137, Hailey Townsite (804 South 4<sup>th</sup> Avenue) within the Limited Business (LB) Zoning District.

### **FINDINGS OF FACT**

#### **Notice**

Notice for the public hearing was published in the Idaho Mountain Express on March 26, 2021 and mailed to property owners within 300 feet on March 26, 2021.

#### **Application**

The applicant is proposing the addition of two (2) new three-story apartment buildings containing a total of twenty-one (21) units. Building One (12 units) will consist of three (3) one-bedroom units and nine (9) two-bedroom units, ranging in size from 484 square feet to 745 square feet. Building Two (9 units) will include four (4) one-bedroom units, two (2) two-bedroom units and three (3) three-bedroom units, ranging in size from 598 square feet to 1,020 square feet.

The density proposed complies with the Limited Business (LB) Zone District, and is as follows:

- Original mixed-use buildings in Phase One (Buildings A, B and C): 45 short-term dwelling units exist and are considered commercial, which do not count toward the overall density.
- The proposed buildings (Building One and Building Two) are considered long-term residential dwelling units. Per the Bulk Requirements of the LB Zone District, 20 units per acre is the maximum density for any multi-family or mixed-use project. The total land area (after removal of all interior lot lines) is 1.62 acres (.42 acres + .44 acres + .76 acres) or 70,567 square feet ( $1.62 * 20 = 32$ ). At this time, the Applicant is proposing 21 long-term residential units within the mixed-use project. Thirty-two (32) long-term residential units are permitted per the density requirements outlined in the Hailey Municipal Code.

The Planning and Zoning Commission first heard a Design Review Pre-Application for this proposal on January 19, 2021. Feedback included:

- Look into electric charging station.
- Consider adding more vertical elements to stairwells
- Play area/picnic area
- Consider breaking two buildings into 4

#### **Procedural History**

The application was submitted on March 17, 2021 and certified complete on March 18, 2021. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on April 19, 2021, in the Hailey City Council Chambers.

<b>General Requirements for all Design Review Applications</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.050</b>	<b>Complete Application</b>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Department Comments</b>	<b>Engineering:</b> <i>Drainage shall be addressed in more detail as part of the building permit, and it shall be shown that drainage does not drain towards Cedar Street.</i>
				<b>Life/Safety:</b> <i>No comments</i>
				<b>Water and Sewer:</b> <i>No comments</i>
				<b>Building:</b> <i>No comments</i>
				<b>Streets:</b> <i>A new sidewalk is proposed along Cedar Street. (Sidewalks are already complete from Phase 1 of the project along Fourth Avenue). The existing and proposed sidewalk are on private property, and do not contain curb and gutter. The site plans shows includes parallel parking on private property, which is appropriate given the width of the Cedar Street right of way. There is not enough room for head-in parking. Snow from Cedar Street is pushed to the east into the ITD right of way.</i>  <i>Snow removal from the proposed sidewalks would be the responsibility of the property owner, and road snow removal may impact sidewalks.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.08A Signs</b>	<b>8.2 Signs:</b> <b>The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.</b>
			<b>Staff Comments</b>	<i>No proposed signs are identified on plans submitted March 17, 2021. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.09.040 On-site Parking Req.</b>	<b>See Section 9.4 for applicable code.</b>  9.4.2- 1 parking space per 1,000 gross square feet- Phase 1 commercial  Residential: Dwelling Units less than 1,000 square feet: 1 space per unit.
			<b>Staff Comments</b>	<i>The site plan shows 24 parking spaces in an interior parking lot, and five parallel spaces adjacent to the Cedar Street right of way. Public works has confirmed that there is not room in the public right of way to allow for head-in parking.</i>  <i>Twenty-one spaces are required by Code.</i>  <i>All public right-of-way parking shall not be held or used for exclusive parking for any property owner. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.08C.040 Outdoor Lighting Standards</b>	<b>8B.4.1 General Standards</b> <b>a. All exterior lighting shall be designed, located and lamped in order to prevent:</b> <b>1. Overlighting;</b> <b>2. Energy waste;</b> <b>3. Glare;</b>

				<p><b>4. Light Trespass;</b>  <b>5. Skyglow.</b></p> <p><b>b. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.</b></p> <p><b>c. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.</b></p> <p><b>d. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires.</b></p> <p><b>e. Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator.</b></p>
			<b>Staff Comments</b>	<i>Lighting cut sheets have been submitted and meet City standards. A photometric plan has been submitted. All proposed lighting is downcast and meets City standards. The applicant noted that the light fixture on the east side of Building One will cast light onto the Idaho Transportation Department right of way, and perhaps the Wood River trail. The applicant proposed to remove this light and replace with a bollard style in this location and the Commission concurred. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Bulk Requirements</b>	<p><b>(Insert sections from applicable zoning district)</b>  <b>Maximum Height:</b> 34'-9" (35' permitted)  <b>Setbacks:</b> 20' from Cedar Street; 10' from the east (rear) property line. Setbacks are per City Code.  <b>Lot Coverage:</b> Lot coverage for the project is 20,496 sq ft, or 29% of the total lot size.  <b>Density:</b> The Applicant plans to complete a Lot Line Adjustment Application to remove the interior lots of 804 South 4<sup>th</sup> Avenue (Lot 1A and Lot 2A, Block 137, Hailey Townsite), and 820 South 4<sup>th</sup> Avenue (Lot 3A, Block 137, Hailey Townsite). In doing so, the density proposed complies with the Limited Business (LB) Zone District, and is as follows:</p> <ul style="list-style-type: none"> <li>• Original mixed-use buildings in Phase One (Buildings A, B and C): 45 short-term dwelling units exist and are considered commercial, which do not count toward the overall density.</li> <li>• The proposed buildings (Building One and Building Two) are considered long-term residential dwelling units. Per the Bulk Requirements of the LB Zone District, 20 units per acre is the maximum density for any multi-family or mixed-use project. The total land area (after removal of all interior lot lines) is 1.62 acres (.42 acres + .44 acres + .76 acres) or 70,567 square feet (1.62*20 = 32). At this time, the Applicant is proposing 21 long-term residential units within the mixed-use project. Thirty-two (32) long-term residential units are permitted per the density requirements outlined in the Hailey Municipal Code.</li> </ul>
			<b>Staff Comments</b>	<i>The proposed buildings comply with height, setback, density and lot coverage requirements. A Lot Line Amendment is required concurrent with the building permit. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.070(A)1 Street Improvements Required</b>	<b>Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.</b>
			<b>Staff Comments</b>	<i>5' (approximate) sidewalks are proposed on the Cedar Street frontage. Curb and gutter will be required.</i>

				<p>4<sup>th</sup> Avenue from Maple to Main Street is classified as a 100' Business/ Collector per Chapter 18.06. The road section per city code consists of a 12-14' travel lane with sharrow, 60-degree angled parking, curb and gutter, and a 5' minimum sidewalk within the public right-of-way. However, these improvements are not triggered by with this application. The applicant plans installed a sidewalk as part of Phase 1.</p> <p>A preliminary drainage plan has been submitted, and a full drainage plan will be required as part of the building permit to ensure that no drainage affects the City right of way. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.070(B)</b> <b>) Required Water System Improvements</b>	<p><b>In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six feet (6') deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the city engineer. (Ord. 1191, 2015)</b></p>
			<b>Staff Comments</b>	<i>This standard will be met. The Commission found that this standard has been met.</i>

## Design Review Requirements for Non-Residential, Multifamily, and/or Mixed-Use Buildings within the City of Hailey

1. Site Planning: 17.06.080(A)1, items (a) thru (n)				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A) 1a	<p>a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the residents and allow for safe access to buildings</p>
			<b>Staff Comments</b>	<i>The buildings are infill to an existing site, and allow sun exposure to all of the units. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1b	<p>b. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated or removed. Removal of trees larger than 6-inch caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, shall be replaced with a species of tree found in the Tree Guide and shall be a minimum of 4 inch caliper.</p>
			<b>Staff Comments</b>	<i>Existing landscaping was addressed in Phase 1. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1c	<p>c. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.</p>
			<b>Staff Comments</b>	<i>Site circulation allows for circulation both along 4<sup>th</sup> Avenue and Cedar Street and in the parking lot between the buildings. Pedestrian access is also provided on all sides of</i>

				<i>Building 1 and on the west side of Building 2. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1d	<p><b>d. Building services including loading areas, trash storage/pickup areas and utility boxes shall be located at the rear of a building; the side of the building adjacent to an internal lot line may be considered as an alternate location. These areas shall be designed in a manner to minimize conflict among uses and shall not interfere with other uses, such as snow storage. These areas shall be screened with landscaping, enclosures, fencing or by the principal building.</b></p> <p><i>Staff Comments</i>  A location for a trash enclosure is shown on the submitted plans adjacent to parking stall #24. A sketch of the enclosure has not been submitted. Staff recommends a recycle area within the trash enclosure for the new residential units. The applicant agreed to plan for such recycling, and the Commission concurred. An area should also be planned for future compostable waste at such time as that service is available for multifamily developments. A letter from Clear Creek will be required stating the adequacy of the location for hauling.</p> <p>Existing overhead lines all need to be relocated underground. The applicant concurred in the hearing that all overhead lines on the subject property will be relocated underground. The Commission found that this standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A) 1e	<p><b>e. Where alleys exist, or are planned, they shall be utilized for building services.</b></p> <p><i>Staff Comments</i>  N/A</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A) 1f	<p><b>f. Vending machines located on the exterior of a building shall not be visible from any street.</b></p> <p><i>Staff Comments</i>  N/A</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1g	<p><b>g. On-site parking areas shall be located at the rear of the building and screened from the street. Parking and access shall not be obstructed by snow accumulation. (NOTE: If project is located in Airport West Subdivision, certain standards may apply that are not listed here. See code for details.)</b></p> <p><b>i. Parking areas located within the SCI zoning district may be located at the side or rear of the building.</b></p> <p><b>ii. Parking areas may be considered at the side of buildings within the B, LB, TI and LI zoning districts provided a useable prominent entrance is located on the front of the building and the parking area is buffered from the sidewalk adjacent to the street.</b></p> <p><i>Staff Comments</i>  All on-site parking is proposed at the front of the building. Rear parking is not feasible for this infill development. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1h	<p><b>h. Access to on-site parking shall be from the alley or, if the site is not serviced by an alley, from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.</b></p> <p><i>Staff Comments</i>  The 4<sup>th</sup> Avenue access point was relocated to East Cedar Street, which is appropriate as no alley exists. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1i	<p><b>i. Snow storage areas shall be provided on-site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow.</b></p> <p><i>Staff Comments</i>  Snow storage location identified on submitted plans is practical and accessible. Most snow will be hauled. The Commission found that this standard has been met.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1j	<b>j. Snow storage areas shall not be less than 25% of the improved parking and vehicle and pedestrian circulation areas.</b>
			<i>Staff Comments</i>	<i>Most snow will be hauled off site. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1k	<b>k. A designated snow storage area shall not have any dimension less than 10 feet.</b>
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1l	<b>l. Hauling of snow from downtown areas is permissible where other options are not practical.</b>
			<i>Staff Comments</i>	<i>Most snow will be hauled off site. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 1m	<b>m. Snow storage areas shall not impede parking spaces, vehicular and pedestrian circulation or line of sight, loading areas, trash storage/pickup areas, service areas or utilities.</b>
			<i>Staff Comments</i>	<i>None of the above are impeded by snow storage. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A) 1n	<b>n. Snow storage areas shall be landscaped with vegetation that is salt-tolerant and resilient to heavy snow.</b>
			<i>Staff Comments</i>	<i>N/A</i>
<b>2. Building Design: 17.06.080(A)2, items (a) thru (m)</b>				
<b>Compliant</b>			<b>Standards and Staff Comments</b>	
<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>City Code</b>	<b>City Standards and Staff Comments</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2a	<b>a. The proportion, size, shape and rooflines of new buildings shall be compatible with surrounding buildings.</b>
			<i>Staff Comments</i>	<i>The buildings proposed are compatible with the surrounding buildings. The commission discussed the 2' offset in each of the two buildings, designed as a compromise instead of breaking the two buildings into four, and concurred with this solution. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2b	<b>b. Standardized corporate building designs are prohibited.</b>
			<i>Staff Comments</i>	<i>The building designs are not corporate. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2c	<b>c. At ground level, building design shall emphasize human scale, be pedestrian oriented and encourage human activity and interaction.</b>
			<i>Staff Comments</i>	<i>The re-design of the existing building incorporates architectural detail such as varying siding details, overhangs at each entrance, and landscaping. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2d	<b>d. The front façade of buildings shall face the street and may include design features such as windows, pedestrian entrances, building off-sets, projections, architectural detailing, courtyards and change in materials or similar features to create human scale and break up large building surfaces and volumes.</b>
			<i>Staff Comments</i>	<i>Existing buildings face the street. The new infill buildings are interior to the site. Design features on the street façade include covered entryways, two-toned painted trim, and varying siding to create a human scale feeling. The Commission found that this standard has been met.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2e	<b>e. Any addition onto or renovation of an existing building shall be designed to create a cohesive whole.</b>
			<i>Staff Comments</i>	<i>The proposed new buildings are designed in similar style to create a cohesive whole. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2f	<b>f. All exterior walls of a building shall incorporate the use of varying materials, textures and colors.</b>
			<i>Staff Comments</i>	<i>Per the applicant:  Exterior walls- light tan color is stucco maroon color is Hardi-board siding Facia and soffit- dark brown Hardi-board Window, door trim- dark brown Hardi-board Asphalt composition shingles dark brown Vinyl windows- dark bronze Exterior doors- dark brown to match Hardi-board  The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2g	<b>g. Exterior buildings colors and materials shall be integrated appropriately into the architecture of the building and be harmonious within the project and with surrounding buildings.</b>
			<i>Staff Comments</i>	<i>The materials and color scheme is contemporary and suitable to the Hailey community. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2h	<b>h. Flat-roofed buildings over two stories in height shall incorporate roof elements such as parapets, upper decks, balconies or other design elements.</b>
			<i>Staff Comments</i>	<i>The proposed buildings are three stories with sloped roof. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2i	<b>i. All buildings shall minimize energy consumption by utilizing alternative energy sources and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:</b>  i) Solar Orientation. If there is a longer wall plane, it shall be placed on an east-west axis. A building's wall plane shall be oriented within 30 degrees of true south. ii) South facing windows with eave coverage. At least 40% of the building's total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south. iii) Double glazed windows. iv) Windows with Low Emissivity glazing. v) Earth berming against exterior walls vi) Alternative energy. Solar energy for electricity or water heating, wind energy or another approved alternative shall be installed on-site. vii) Exterior light shelves. All windows on the southernmost facing side of the building shall have external light shelves installed.
			<i>Staff Comments</i>	<i>The applicant stated at the hearing that they plan to super-insulate the attic (R-60); provide double-glazing windows, and use low-emissivity glazing. The Commission queried their suggestion from Pre-Application design review regarding the addition of electric</i>

				<i>vehicle charging stations. After discussion, the applicant agreed to install two 92) such stations. This has been made a condition of approval. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2j	<b>j. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts shall be provided over all walkways and entries to prevent snow from falling directly onto adjacent sidewalks.</b>
			<i>Staff Comments</i>	<i>Pedestrian entrances are covered by balconies. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A) 2k	<b>k. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.</b>
			<i>Staff Comments</i>	<i>Downspouts are not shown on plans and shall be designed per this standard. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A) 2l	<b>l. Vehicle canopies associated with gas stations, convenience stores or drive-through facilities shall have a minimum roof pitch of 3/12 and be consistent with the colors, material and architectural design used on the principal building(s).</b>
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A) 2m	<b>m. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with Article 8.</b>
			<i>Staff Comments</i>	<i>N/A-No signage is proposed.</i>

**3. Accessory Structures, Fences and Equipment/Utilities: 17.06.080(A)3, items (a) thru (i)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)3a	<b>a. Accessory structures shall be designed to be compatible with the principal building(s).</b>
			<i>Staff Comments</i>	<i>A sketch was presented for the dumpster enclosure and approved by the Commission. One existing shed is permitted to remain. The shipping container near the shed should be removed- the applicant agreed to remove this shipping container. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)3b	<b>b. Accessory structures shall be located at the rear of the property.</b>
			<i>Staff Comments</i>	<i>See above</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)3c	<b>c. Walls and fences shall be constructed of materials compatible with other materials used on the site.</b>
			<i>Staff Comments</i>	<i>No walls or fences are proposed. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)3d	<b>d. Walls and fencing shall not dominate the buildings or the landscape. Planting should be integrated with fencing in order to soften the visual impact.</b>
			<i>Staff Comments</i>	<i>See the staff response to item c.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)3e	<b>e. All roof projections including, roof-mounted mechanical equipment, such as heating and air conditioning units, but excluding solar panels and Wind Energy Systems that have received a Conditional Use Permit, shall be shielded and screened from view from the ground level of on-site parking areas, adjacent public streets and adjacent properties.</b>

			<b>Staff Comments</b>	<i>No roof top projections or equipment is existing or identified on submitted plans. Any roof-top equipment shall comply with this standard. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.080(A)3f</b>	<b>f. The hardware associated with alternative energy sources shall be incorporated into the building’s design and not detract from the building and its surroundings.</b>
			<b>Staff Comments</b>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>6A.8(A)3g</b>	<b>g. All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.</b>
			<b>Staff Comments</b>	<i>Ground equipment locations not identified on submitted plans. Condition of approval identifying this standard would be necessary if the project includes ground-mounted mechanical equipment. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)3h</b>	<b>i. All service lines into the subject property shall be installed underground.</b>
			<b>Staff Comments</b>	<i>All proposed service lines into the addition will be underground. Existing service lines shall be located underground, and was agreed to by the applicant. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)3i</b>	<b>j. Additional appurtenances shall not be located on existing utility poles.</b>
			<b>Staff Comments</b>	<i>No appurtenances are proposed on existing utility poles.</i>

**4. Landscaping: 17.06.080(A)4, items (a) thru (n)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)4a</b>	<b>a. Only drought tolerant plant species and/or xeriscape specific plant materials shall be used, as specified by the Hailey Landscaping Manual or an approved alternative.</b>
			<b>Staff Comments</b>	<i>The applicant’s landscape architect confirmed that all proposed plant material is drought tolerant. Lawn areas may not be drought tolerant.; they are planned to be short fescue, which is drought tolerant. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)4b</b>	<b>b. All plant species shall be hardy to the Zone 4 environment.</b>
			<b>Staff Comments</b>	<i>The applicant confirmed that all proposed plant materials are hardy to Zone 4. v</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)4c</b>	<b>c. At a minimum, a temporary irrigation system that fully operates for at least two complete growing seasons is required in order to establish drought tolerant plant species and/or xeriscape specific plant materials. Features that minimize water use, such as moisture sensors, are encouraged.</b>
			<b>Staff Comments</b>	<i>Irrigation design is not specified on plans. All irrigation for proposed landscaping shall meet this standard. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)4d</b>	<b>d. Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees shrubs, vines, ground covers and ornamental grasses shall be used. New landscaped areas having more than 10 trees, a minimum of 10% of the trees shall be at least 4-inch caliper, 20% shall be at least 3-inch caliper, and 20% shall be at least 2½ inch caliper and a maximum of 20% of any single tree species may be used in any landscape plan (excluding street trees). New planting areas shall be designed to accommodate typical trees at maturity. Buildings within the LI and SCI-I zoning district are excluded from this standard.</b>

			<b>Staff Comments</b>	<i>The proposed landscape plan includes a combination of trees and shrubs that satisfies this standard. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.080(A)4e</b>	<b>e. Seasonal plantings in planter boxes, pots, and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.</b>
			<b>Staff Comments</b>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)4f</b>	<b>f. Plantings for pedestrian areas within the B, LB, TN and SCI-O zoning districts shall be designed with attention to the details of color, texture and form. A variety of trees, shrubs, perennials, ground covers and seasonal plantings, with different shapes and distinctive foliage, bark and flowers shall be used in beds, planter boxes, pots, and/or hanging baskets.</b>
			<b>Staff Comments</b>	<i>The proposed landscaping incorporates a combination of trees, and lawn that have a variety of colors, textures, and forms. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)4g</b>	<b>g. Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.</b>
			<b>Staff Comments</b>	<i>A preliminary Grading and Drainage plan has been submitted, but a final grading plan prepared by a licensed engineer shall be submitted as part of the Building Permit. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)4h</b>	<b>h. A plan for maintenance of the landscaping areas is required to ensure that the project appears in a well maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).</b>
			<b>Staff Comments</b>	<i>Maintenance is planned for all landscape areas. The applicant addressed the plan for the existing berm on the east property boundary, which is weedy; stating that they would improve the portion of the berm that is on their property with addition of lilac shrubs. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.080(A)4i</b>	<b>i. Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.</b>
			<b>Staff Comments</b>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(A)4j</b>	<b>j. Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.</b>
			<b>Staff Comments</b>	<i>See "i" above.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.080(A)4k</b>	<b>k. Retaining walls, where visible to the public and/or to residents or employees of the project, shall be no higher than four feet or terraced with a three foot horizontal separation of walls.</b>
			<b>Staff Comments</b>	<i>See "i" above.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.080(A)4l</b>	<b>l. Landscaping should be provided within or in front of extensive retaining walls.</b>
			<b>Staff Comments</b>	<i>No retaining walls are planned.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>6A.8(A)4m</b>	<b>m. Retaining walls over 24" high may require railings or planting buffers for safety.</b>
			<b>Staff Comments</b>	<i>No retaining walls are planned.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.080(A)4n</b>	<b>n. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.</b>
			<b>Staff Comments</b>	<i>No retaining walls are planned.</i>

<b>Additional Design Review Requirements for Non-Residential Buildings Located within B, LB, or TN</b>				
<b>1. Site Planning: 17.06.080(B)1, items (a) thru (b)</b>				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(B)1a	<p>a. The site shall support pedestrian circulation and provide pedestrian amenities. Sidewalks shall be provided along building fronts.</p> <p><i>Staff Comments</i> Sidewalks are planned on the majority of building fronts. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(B)1b	<p>b. Wider sidewalks are encouraged to provide additional amenities such as seating areas and bicycle racks.</p> <p><i>Staff Comments</i> 5' sidewalks are proposed currently, and appear adequate for this location. The Commission found that this standard has been met.</p>
<b>2. Building Design: 17.06.080 (B) 2, items (a) thru (g)</b>				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(B)2a	<p>a. The main facade shall be oriented to the street. The main entrance(s) to the building shall be located on the street side of the building. If the building is located on a corner, entrances shall be provided on both street frontages. If the design includes a courtyard, the main entrance may be located through the courtyard. Buildings with more than one retail space on the ground floor are encouraged to have separate entrances for each unit.</p> <p><i>Staff Comments</i> Multiple entrances are provided along Cedar Street and 4<sup>th</sup> Avenue; however, a majority of the units are access from the rear of the building adjacent to parking. Because this is a multi-unit building, no one main entrance existing, and staff feels that the design shown meets this standard. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(B)2b	<p>b. Multi-unit structures shall emphasize the individuality of units or provide visual interest by variations in roof lines or walls or other human scale elements. Breaking the facades and roofs of buildings softens the institutional image which may often accompany large buildings.</p> <p><i>Staff Comments</i> The applicant should describe how the entrances are highlighted. The Commission found that this standard has been met.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(B)2c	<p>c. Building designs shall maximize the human scale of buildings and enhance the small town "sense of place". This can be achieved by utilizing voids and masses, as well as details, textures, and colors on building facades. Human scale can also be achieved by incorporating structural elements such as colonnades and covered walkways, overhangs, canopies, entries, and landscaping. Particular attention should be paid to creating interest at the street level.</p> <p><i>Staff Comments</i> Design features on the street façade include covered entryways, two-toned painted trim, and varying siding to create a human scale feeling. The Commission found that this standard has been met.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(B)2c	<p>d. Buildings that exceed 30 feet in height, the entire roof surface shall not project to the highest point of the roof. The Commission shall review building height relative to the other dimensions of width and depth combined with detailing of parapets, cornices, roof, and other architectural elements.</p> <p><i>Staff Comments</i> The buildings are 34'-9" and record grade will be required as part of the building permit so that the 35' high limit is not violated. Building entrances cannot be elevated. The Commission found that this standard has been met.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080 (B)2e</b>	<b>e. Livable outdoor spaces in multi-story buildings that create pleasing elements and reduce the mass of taller buildings are encouraged.</b>
			<b>Staff Comments</b>	<i>No useable outdoor spaces are shown. The applicant stated that useable open space in terms of a picnic area and barbeque is located directly south on the same subject property, and that the properties would remain as one project. This area will be available for tenants. The Commission discussed the importance of this standard in general, but noted that there is an existing picnic area, and that McKercher park is directly across the street. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080 (B)2f</b>	<b>f. Fire department staging areas shall be incorporated into the design elements of the building.</b>
			<b>Staff Comments</b>	<i>Adequate space is available along Cedar Street. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080 (B)2g</b>	<b>g. New buildings adjacent to residential areas shall be designed to ensure that building massing and scale provide a transition to adjoining residential neighborhoods. Possible mitigation techniques include, but are not limited to the following:</b>
				<ul style="list-style-type: none"> <li>i. Locating open space and preserving existing vegetation on the edge of the site to further separate the building from less intensive uses;</li> <li>ii. Stepping down the massing of the building along the site's edge; and</li> <li>iii. Limiting the length of or articulating building facades to reflect adjacent residential patterns</li> </ul>
			<b>Staff Comments</b>	<i>The residential areas adjacent to the north are buffered with landscaping and sidewalks, and the pedestrian access and windows along the northern elevation create a residential feel. The Commission discussed the length of the proposed new buildings ((101' and 91' in length) and found the scale to be compatible with the area. The Commission found that this standard has been met.</i>

**3. Landscaping: 17.06.080 (B) 3, item (a)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.060.080 (B)3a</b>	<b>a. When abutting the LR, GR or TN zoning districts, a landscape buffer between the project and the residential property shall be provided. The buffer shall be at least eight foot wide to create a year-round visual screen of at least 6 feet in height. The buffer shall be designed to avoid the appearance of a straight line or wall of uniform plant material and shall be wide enough to accommodate the planted species when mature.</b>
			<b>Staff Comments</b>	<i>The proposed project is zoned LB, but abuts GR zoning. The properties are separated by Cedar Street, sidewalks and landscaping. The Commission found that this standard has been met.</i>

**Additional Design Review Requirements for Multi-Family within the City of Hailey**

**1. Site Planning: 17.06.080(D)a, items (a) thru (c)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(D)1a</b>	<b>a. The location of the buildings shall respond to the specific site conditions, such as topography, street corners, open space and existing and planned adjacent uses.</b>

			<b>Staff Comments</b>	<i>Building location is adequate for an infill project. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(D)1b</b>	<b>b. Site plans shall include convenient, attractive and interconnected pedestrian system of sidewalks and shared pathways to reinforce pedestrian circulation within a site.</b>
			<b>Staff Comments</b>	<i>Each building is served by a walkway. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(D)1c</b>	<b>c. Buildings shall be organized to maximize efficient pedestrian circulation and create gathering spaces.</b>
			<b>Staff Comments</b>	<i>Pedestrian circulation exists, but no gathering spaces are shown. The Commission found that this standard has been met.</i>

**2. Building Design: 17.06.080(D)2, items (a) thru (b)**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(D)2a</b>	<b>a. Buildings shall incorporate massing, group lines and character that responds to single-family homes. Buildings may also include the use of varying materials, textures and colors to break up the bulk and mass of large multifamily buildings. Front doors should be individual and visible from the street. Windows should be residential in scale and thoughtfully placed to provide for privacy and solar gain.</b>
			<b>Staff Comments</b>	<i>The residential areas adjacent to the north are buffered with landscaping and sidewalks, and the pedestrian access and windows along the northern elevation create a residential feel. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.080(D)2b</b>	<b>b. At ground level, buildings shall present a setting that is visually pleasing to the pedestrian and that encourages human activity and interaction.</b>
			<b>Staff Comments</b>	<i>Entrances and landscaping are shown at ground level. The Commission found that this standard has been met.</i>

**Design Review Guidelines for Residential Buildings in the Townsite Overlay District (TO).**

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)1</b>	<b>1. Site Planning</b>
				<b>Guideline: The pattern created by the Old Hailey town grid should be respected in all site planning decisions.</b>
			<b>Staff Comments</b>	<i>A grid pattern is used. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<b>Guideline: Site planning for new development and redevelopment shall address the following:</b> <ul style="list-style-type: none"> <li>• scale and massing of new buildings consistent with the surrounding neighborhood;</li> <li>• building orientation that respects the established grid pattern of Old Hailey;</li> <li>• clearly visible front entrances;</li> <li>• use of alleys as the preferred access for secondary uses and automobile access;</li> <li>• adequate storage for recreational vehicles;</li> <li>• yards and open spaces;</li> </ul>

			<ul style="list-style-type: none"> <li>• solar access on the site and on adjacent properties where feasible, and where such decisions do not conflict with other Design Guidelines;</li> <li>• snow storage appropriate for the property;</li> <li>• underground utilities for new dwelling units.</li> </ul>
			<b>Staff Comments</b> <i>Scale and massing is consistent with the neighborhood. The above standard has been addressed earlier in this report. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>Guideline:</b> The use of energy-conserving designs that are compatible with the character of Old Hailey are encouraged. The visual impacts of passive and active solar designs should be balanced with other visual concerns outlined in these Design Guidelines.
			<b>Staff Comments</b> <i>The applicant described the energy conservation elements at the hearing. See discussion noted earlier in these findings. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)2</b> <b>2. Bulk Requirements (Mass and Scale, Height, Setbacks)</b>
			<b>Guideline:</b> The perceived mass of larger buildings shall be diminished by the design.
			<b>Staff Comments</b> <i>The bulk of the buildings is compatible with this part of Old Hailey. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3</b> <b>3. Architectural Character</b>
			<b>17.06.090(C)3a</b> <b>a. General</b>
			<b>Guideline:</b> New buildings should be respectful of the past, but may offer new interpretations of old styles, such that they are seen as reflecting the era in which they are built.
			<b>Staff Comments</b> <i>Building design is compatible with this part of Old Hailey. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)3b</b> <b>b. Building Orientation</b>
			<b>Guideline:</b> The front entry of the primary structure shall be clearly identified such that it is visible and inviting from the street.
			<b>Staff Comments</b> <i>Primary structure is existing. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Guideline:</b> Buildings shall be oriented to respect the existing grid pattern. Aligning the front wall plane to the street is generally the preferred building orientation.
			<b>Staff Comments</b> <i>Grid pattern is respected. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3c</b> <b>c. Building Form</b>
			<b>Guideline:</b> The use of building forms traditionally found in Old Hailey is encouraged. Forms that help to reduce the perceived scale of buildings shall be incorporated into the design.
			<b>Staff Comments</b> <i>Building forms are compatible with this portion of Old Hailey. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3d</b> <b>d. Roof Form</b>
			<b>Guideline:</b> Roof forms shall define the entry to the building, breaking up the perceived mass of larger buildings, and to diminish garages where applicable.
			<b>Staff Comments</b> <i>Roof forms are compatible. The Commission found that this standard has been met.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3d	<p><b>Guideline: Roof pitch and style shall be designed to meet snow storage needs for the site.</b></p> <ul style="list-style-type: none"> <li>• Roof pitch materials and style shall retain snow on the roof, or allow snow to shed safely onto the property, and away from pedestrian travel areas.</li> <li>• Designs should avoid locating drip lines over key pedestrian routes.</li> <li>• Where setbacks are less than ten feet, special attention shall be given to the roof form to ensure that snow does not shed onto adjacent properties.</li> </ul>
			<i>Staff Comments</i>	<i>Snow storage needs are met. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3d	<p><b>Guideline: The use of roof forms, roof pitch, ridge length and roof materials that are similar to those traditionally found in the neighborhood are encouraged.</b></p>
			<i>Staff Comments</i>	<i>Roof forms and pitch are compatible. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3d	<p><b>Guideline: The roof pitch of a new building should be compatible with those found traditionally in the surrounding neighborhood.</b></p>
			<i>Staff Comments</i>	<i>See above. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3e	<p><b>e. Wall Planes</b></p>
				<p><b>Guideline: Primary wall planes should be parallel to the front lot line.</b></p>
			<i>Staff Comments</i>	<i>Wall planes are parallel. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3e	<p><b>Guideline: Wall planes shall be proportional to the site and shall respect the scale of the surrounding neighborhood.</b></p>
			<i>Staff Comments</i>	<i>Wall planes are proportional. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3e	<p><b>Guideline: The use of pop-outs to break up longer wall planes is encouraged.</b></p>
			<i>Staff Comments</i>	<i>Small pop-outs are included. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3f	<p><b>f. Windows</b></p>
				<p><b>Guideline: Windows facing streets are encouraged to be of a traditional size, scale and proportion.</b></p>
			<i>Staff Comments</i>	<i>Windows are design to match the rest of the site. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3f	<p><b>Guideline: Windows on side lot lines adjacent to other buildings should be carefully planned to respect the privacy of neighbors.</b></p>
			<i>Staff Comments</i>	<i>Windows will be compatible with the residential to the north. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)3g	<p><b>g. Decks and Balconies</b></p>
				<p><b>Guideline: Decks and balconies shall be in scale with the building and the neighborhood.</b></p>
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)3g	<p><b>Guideline: Decks and balconies should be designed with the privacy of neighbors in mind when possible.</b></p>
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3h	<p><b>h. Building Materials and Finishes</b></p>

				<b>Guideline: Materials and colors shall be selected to avoid the look of large, flat walls. The use of texture and detailing to reduce the perceived scale of large walls is encouraged.</b>
			<b>Staff Comments</b>	<i>See earlier descriptions of finishes. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3h</b>	<b>Guideline: Large wall planes shall incorporate more than one material or color to break up the mass of the wall plane.</b>
			<b>Staff Comments</b>	<i>Wall planes are broken with color changes. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3i</b>	<b>i. Ornamentation and Architectural Detailing</b>
				<b>Guideline: Architectural detailing shall be incorporated into the front wall plane of buildings.</b>
			<b>Staff Comments</b>	<i>Some detailing is proposed. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)3i</b>	<b>Guideline: The use of porches, windows, stoops, shutters, trim detailing and other ornamentation that is reminiscent of the historic nature of Old Hailey is encouraged.</b>
			<b>Staff Comments</b>	<i>The buildings are not particularly historic. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)3i</b>	<b>Guideline: Architectural details and ornamentation on buildings should be compatible with the scale and pattern of the neighborhood.</b>
			<b>Staff Comments</b>	<i>Details match existing. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)4</b>	<b>4. Circulation and Parking</b>
				<b>Guideline: Safety for pedestrians shall be given high priority in site planning, particularly with respect to parking, vehicular circulation and snow storage issues.</b>
			<b>Staff Comments</b>	<i>Pedestrian walkways are planned in all parking areas. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.06.090(C)4</b>	<b>Guideline: The visual impacts of on-site parking visible from the street shall be minimized.</b>
			<b>Staff Comments</b>	<i>Parking is interior. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)4</b>	<b>Guideline: As a general rule, garages and parking should be accessed from the alley side of the property and not the street side.</b>
			<b>Staff Comments</b>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)4</b>	<b>Guideline: Detached garages accessed from alleys are strongly encouraged.</b>
			<b>Staff Comments</b>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)4</b>	<b>Guideline: When garages must be planned on the street side, garage doors shall be set back and remain subordinate to the front wall plane.</b>
			<b>Staff Comments</b>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)4</b>	<b>Guideline: When garages and/or parking must be planned on the street side, parking areas are preferred to be one car in width. When curb cuts must be planned, they should be shared or minimized.</b>
			<b>Staff Comments</b>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.06.090(C)4</b>	<b>Guideline: Off-street parking space for recreational vehicles should be developed as part of the overall site planning.</b>
			<b>Staff Comments</b>	<i>N/A</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)5	5. Alleys
				<b>Guideline: Alleys shall be retained in site planning. Lot lines generally shall not be modified in ways that eliminate alley access to properties.</b>
			<b>Staff Comments</b>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)5	Guideline: Alleys are the preferred location for utilities, vehicular access to garages, storage areas (including recreational vehicles) and accessory buildings. Design and placement of accessory buildings that access off of alleys is encouraged.
			<b>Staff Comments</b>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)5	Guideline: Generally, the driving surface of alleys within Limited Residential and General Residential may remain a dust-free gravel surface, but should be paved within Business, Limited Business, and Transitional. The remainder of the City alley should be managed for noxious weed control, particularly after construction activity.
			<b>Staff Comments</b>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)5	Guideline: Landscaping and other design elements adjacent to alleys should be kept simple and respect the functional nature of the area and the pedestrian activity that occurs.
			<b>Staff Comments</b>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)6	6. Accessory Structures
				<b>Guideline: Accessory buildings shall appear subordinate to the main building on the property in terms of size, location and function.</b>
			<b>Staff Comments</b>	<i>One existing shed to remain. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)6	Guideline: In general, accessory structures shall be located to the rear of the lot and off of the alley unless found to be impractical.
			<b>Staff Comments</b>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)7	7. Snow Storage
				<b>Guideline: All projects shall be required to provide 25% snow storage on the site.</b>
			<b>Staff Comments</b>	<i>See earlier comments. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)7	Guideline: A snow storage plan shall be developed for every project showing: <ul style="list-style-type: none"> <li>• Where snow is stored, key pedestrian routes and clear vision triangles.</li> <li>• Consideration given to the impacts on adjacent properties when planning snow storage areas.</li> </ul>
			<b>Staff Comments</b>	<i>All snow will be hauled. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)8	8. Existing Mature Trees and Landscaping
				<b>Guideline: Existing mature trees shall be shown on the site plan, with notations regarding retention, removal or relocation. Unless shown to be infeasible, a site shall be carefully planned to incorporate existing mature trees on private property into the final design plan.</b>
			<b>Staff Comments</b>	<i>Existing vegetation was addressed in Phase 1. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)8	Guideline: Attention shall be given to other significant landscape features which may be present on the site. Mature shrubs, flower beds and other significant landscape

				features shall be shown on the site plan and be incorporated into the site plan where feasible.
			<b>Staff Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)8	<b>Guideline: Noxious weeds shall be controlled according to State Law.</b>
			<b>Staff Comments</b>	<i>This will be met. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)9	<b>9. Fences and Walls</b>
				<b>Guideline: Fences and walls that abut public streets and sidewalks should be designed to include fence types that provide some transparency, lower heights and clearly marked gates.</b>
			<b>Staff Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)9	<b>Guideline: Retaining walls shall be in scale to the streetscape.</b>
			<b>Staff Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)10	<b>10. Historic Structures</b>
				<b>General Guidelines: Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following guidelines:</b> <ul style="list-style-type: none"> <li>• The alteration should be congruous with the historical, architectural, archeological, educational or cultural aspects of other Historic Structures within the Townsite Overlay District, especially those originally constructed in the same Period of Significance.</li> <li>• The alteration shall be contributing to the Townsite Overlay District. Adaptive re-use of Historic Structures is supported while maintaining the architectural integrity of the original structure.</li> </ul>
			<b>Staff Comments</b>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)10	<p><b>Specific Guidelines. Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following specific guidelines:</b></p> <ul style="list-style-type: none"> <li>• The design features of repairs and remodels including the general streetscape, materials, windows, doors, porches, and roofs shall not diminish the integrity of the original structure.</li> <li>• New additions should be designed to be recognizable as a product of their own Period of Significance with the following guidelines related to the historical nature of the original structure: <ul style="list-style-type: none"> <li>~ The addition should not destroy or obscure important architectural features of the original building and/or the primary façade;</li> <li>~ Exterior materials that are compatible with the original building materials should be selected;</li> <li>~ The size and scale of the addition should be compatible with the original building, with the addition appearing subordinate to the primary building;</li> <li>~ The visual impact of the addition should be minimized from the street;</li> <li>~ The mass and scale of the rooftop on the addition should appear subordinate to the rooftop on the original building, and should avoid breaking the roof line of the original building;</li> <li>~ The roof form and slope of the roof on the addition should be in character with the original building;</li> </ul> </li> </ul> <p><b>The relationship of wall planes to the street and to interior lots should be preserved with new additions.</b></p>

			<i>Staff Comments</i>	N/A
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**17.06.060 Criteria.**

- A. The Commission or Hearing Examiner shall determine the following before approval is given:**
  - 1. The project does not jeopardize the health, safety or welfare of the public.**
  - 2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.**
- B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:**
  - 1. Ensure compliance with applicable standards and guidelines.**
  - 2. Require conformity to approved plans and specifications.**
  - 3. Require security for compliance with the terms of the approval.**
  - 4. Minimize adverse impact on other development.**
  - 5. Control the sequence, timing and duration of development.**
  - 6. Assure that development and landscaping are maintained properly.**
  - 7. Require more restrictive standards than those generally found in the Zoning Title.**
- C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.**
  - 1. If any extension of the one-year period is granted by the City, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided.**
  - 2. In the event the improvements are not completely installed within one (1) year, or upon the expiration of any approved extension, the City may, but is not obligated, to apply the security to the completion of the improvements and complete construction of the improvements.**

**CONCLUSIONS OF LAW**

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law:

- 1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
- 2. The project is in general conformance with the Hailey Comprehensive Plan.
- 3. The project does not jeopardize the health, safety, or welfare of the public.

4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Chapter 17.06, Design Review, other Chapters of Title 17 and City Standards.

## **DECISION**

The Design Review Application by Hailey Airport Inn, LLC, represented by Owen Scanlon, for the addition of two (2) new three-story apartment buildings containing a total of twenty-one (21) units. This project is located at Lot 1A, Block 137, Hailey Townsite (804 South 4<sup>th</sup> Avenue) within the Limited Business (LB) Zoning District, was approved, 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 Hailey Municipal Code Section 17.06, Design Review, additional applicable requirements of Title 17, Title 18, and City Standards, provided conditions (a) through (m) are met:

- a) All applicable Fire Department and Building Department requirements shall be met.
- b) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. On-site infrastructure improvements to be completed at the applicant's sole expense.
- c) The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.
- d) All new lighting shall comply with the Outdoor Lighting Ordinance. Location of all proposed lighting shall be shown on the plans.
- e) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.
- f) This Design Review approval is for the date the Findings of Fact are signed. The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.
- g) The applicant shall submit a Master Signage Plan and sign permit for staff approval if any new signage is proposed. Proposed sign(s) shall conform to City Zoning requirements, and shall be approved prior to installation.
- h) A letter shall be provided from Clearcreek Disposal prior to issuance of a building permit stating that the design and location of the dumpster area is adequate for trash and recycling pickup.
- i) All new ground-mounted utility equipment shall be located to the rear of the building(s) and screened from view. All existing utility lines shall be relocated underground.
- j) The landscape plan shall be modified as part of the building permit submittal to confirm drought tolerant plantings, particularly for lawn areas.
- k) All public right-of-way parking shall not be held or used for exclusive parking for any property

owner.

- l) A grading and drainage plan prepared by a licensed engineer shall be submitted as part of the building permit to ensure no drainage is directed towards public rights of way.
- m) Two (2) electric charging stations shall be incorporated into the project.

Signed this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Janet Fugate, Planning & Zoning Commission Chair

Attest:

\_\_\_\_\_  
Jessie Parker, Community Development Assistant

**Return to Agenda**



**STAFF REPORT**  
**Hailey Planning and Zoning Commission**  
**Regular Meeting of May 3, 2021**

**To:** Hailey Planning & Zoning Commission

**From:** Robyn Davis, Community Development City Planner

**Overview:** Consideration of a Conditional Use Permit Application submitted by PA Spirits, LLC, represented by Josh Hanson, for approval of an alcohol mixing and packaging space (Hybrid Production Facility), to be located at Lots 1-3, Block 42, Townsite (117 North River Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts.

**Hearing:** May 3, 2021

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**Applicant:** PA Spirits, LLC

**Location:** Lots 1-3, Block 42, Hailey Townsite (117 North River Street)

**Zoning:** Business (B) and Townsite Overlay (TO) Zoning Districts

**Notice:** Notice for the public hearing was published in the Idaho Mountain Express on April 14, 2021, and mailed to adjoining property owners on April 14, 2021. The notice was posted to the property on April 26, 2021.

**Application:** The Applicant is requesting approval for a Conditional Use Permit to produce, mix and package alcohol onsite at 117 North River Street. The Applicant intends to utilize locally farmed produce to include in their concoctions. The space would also include a small retail area and tasting room to better connect with residents and visitors of the Wood River Valley.

Per the Applicant, “We would like to use the space as a hybrid production use to create a boutique mixing room to mix and package Vodka and Ready to Drink Cocktails. While this space limits us to a boutique operation, we plan on utilizing the outdoor space as a small beer and wine garden (after the proper permitting). The beer and wine license would allow us to serve our packaged Ready to Drink Cocktails. We would also partner with local food trucks to provide food service, offer tours of our space, and tastings within the legal parameters”.

Pursuant the Hailey Municipal Code, Section 17.05.040: District Use Matrix, Hybrid Production Facilities located within the Business (B) Zone District are required to have an active Conditional Use Permit.

Additionally, per the Hailey Municipal Code, Hybrid Production Facilities are defined as:

**A commercial operation or use, on one or more premises within the same zoning district, where finished consumer goods are manufactured or produced and those same goods are**


**offered for sale to the general public. Hybrid production facilities must be similar in size, scale and scope of operation with adjacent or nearby uses.**

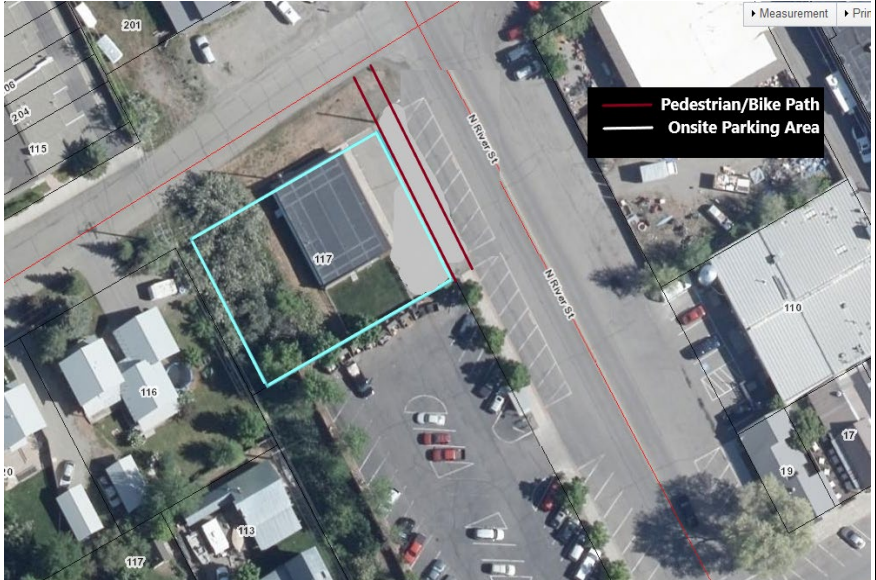
City Staff feels the proposed facility is best described as a Hybrid Production Facility, and is similar in size, scale and scope of operation with Sun Valley Brewery and Sawtooth Brewery, both which are Hybrid Production Facilities.


**Procedural History:** The Conditional Use Permit Application was submitted on March 25, 2021, and certified complete on March 29, 2021. A public hearing before the Planning and Zoning Commission for approval or denial of the project will be held on May 3, 2021, virtually via GoTo Meeting, and in the Hailey City Council Chambers.

<b>General Requirements for all Conditional Use Permits</b>				
<b>Compliant</b>			<b>Standards and Commission Findings</b>	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.020	<p><b>Complete Application:</b>  <b>17.11.020</b> The application shall include at least the following information:</p> <ul style="list-style-type: none"> <li>a. Name, address, and phone number of the applicant.</li> <li>b. Proof of interest in the subject property by the applicant, such as a deed, contract of sale, option to purchase, or lease agreement.</li> <li>c. Legal description of the subject property, including street address.</li> <li>d. Description of existing use.</li> <li>e. Zoning district of subject property.</li> <li>f. Description of proposed conditional use.</li> <li>g. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, easements, existing and proposed grade, energy efficiency considerations, landscaping, exterior lighting plan as required by Article VIII B of this Ordinance, refuse and service areas, utilities, signs, property lines, north arrow, and rendering of building exteriors, where applicable.</li> <li>h. A narrative statement evaluating the effects on adjoining property, the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property.</li> <li>i. A narrative statement identifying surrounding land uses and discussing the general compatibility of the proposed use with adjacent and other properties in the district.</li> <li>j. A narrative discussion of the relationship of the proposed use to the Comprehensive Plan.</li> <li>k. A list of the names and addresses of all property owners and residents within three hundred (300) feet of the external boundaries of the land being considered.</li> <li>l. Any other information as requested by the Administrator to determine if the proposed conditional use meets the intent and requirements of this Article.</li> <li>m. A fee established in a separate ordinance approved by the Council.</li> </ul>
				Engineering: <i>No comments</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>Department Comments</b></p>	<p><b>Life/Safety:</b> <i>City Staff received a letter from the Hailey Fire Department on December 30, 2020, which is attached to this report. The letter addresses Fire and Building Code concerns, as well as federal regulations that PA Spirits must follow for licensing, as noted below:</i></p> <ul style="list-style-type: none"> <li>- <i>All equipment specifications for storage, mixing and manufacturing of spirits must be listed for the intended use and be submitted to the Building and Fire Departments for approval.</i></li> <li>- <i>Any F1 Occupancy (PA Spirits is classified as such) over 12,000 square feet or three stories in height must be protected by an automatic sprinkler system. Any building that is occupied by this business that has a preexisting fire sprinkler system must be analyzed to ensure the system in place is rated to protect the hazard inside.</i></li> <li>- <i>The finished product is classified as a 1B flammable liquid by Fire Code. Storage of a class 1B flammable liquid is limited to 120 gallons in storage and 120 gallons in mixing provided it is a closed system. If an open system, the limit is 30 gallons.</i></li> <li>- <i>Control areas must have a fire separation of at least one hour from other building areas and be built to Building and Fire Code standards. Construction plans for building remodel and control rooms must be stamped by an architect and submitted to the Building and Fire Departments for approval.</i></li> <li>- <i>Ventilation is required pursuant Fire Code 5704.3.8.3</i></li> <li>- <i>Electrical Device requirements may be needed based on mixing systems.</i></li> <li>- <i>Distribution and manufacturing of alcohol and retail sales is regulated by federal, state and local governments through different licenses. Discuss and verify with Hailey Police Department.</i></li> </ul> <p><i>Overall, the Hailey Fire Department believes the product is stable as long as the use is properly separated from ignition sources and other business uses. The manufacturing process is also stable so long as the proper equipment is used and regulations are followed. The above regulations have been made Conditions of Approval.</i></p> <p><b>Water and Sewer:</b> <i>No comments</i></p> <p><b>Building:</b> <i>No comments</i></p> <p><b>Streets:</b> <i>No comments</i></p> <p><b>Parks:</b> <i>No comments</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.08A Signs</b></p>	<p><b>17.08A Signs:</b> <i>The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.</i></p>
			<p><b>Staff Comments</b></p>	<p><i>If signage is desired, a Sign Permit Application shall be submitted, reviewed and approved prior to the installation of any signage. All signage shall conform to City Standards. This has been made a Condition of Approval.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.08C.040 Outdoor Lighting Standards</b></p>	<p><b>17.08C.040 General Standards</b></p> <p>e. <b>All exterior lighting shall be designed, located and lamped in order to prevent:</b></p>

				<p>a. <b>Overlighting;</b>          b. <b>Energy waste;</b>          c. <b>Glare;</b>          d. <b>Light Trespass;</b>          e. <b>Skyglow.</b></p> <p>f. <b>All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.</b></p> <p>g. <b>Idaho Power shall not install any luminaires after the effective date hereof that lights the public right of way without first receiving approval for any such application by the lighting administrator.</b></p> <p>h. <b>All exterior lighting shall be full cutoff luminaires with the light source downcast and fully shielded, unless exceptions are specified in subsection 17.08C.040.02, Type of Luminaires, of this Chapter.</b></p>
			<p><b>Staff Comments</b></p> <p><i>The exterior fixtures located under the entry awning and recessed and are dark sky compliant. A few exterior lights, located on the north and south elevations, are not dark sky compliant fixtures (see image below). These fixtures shall be replaced with dark sky compliant fixtures, as noted in Section 17.08C.040.02. This has been made a condition of approval.</i></p>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.09.040 On-site Parking Req.</b></p> <p><b>See Section 17.09.040 for applicable code.</b></p>	
			<p><b>Staff Comments</b></p> <p><i>The Hailey Municipal Code requires one (1) parking space for every 1,000 square feet of commercial space and one (1) loading space for retail, wholesale or warehouse occupancy with a floor area in excess of 4,000 square feet. The building is approximately 2,550 square feet; thereby, two (2) parking spaces are required. Per the site plan, five (5) parking spaces and one (1) loading space are available onsite.</i></p>	

			<p><i>The existing parking is sufficient and will meet the unique needs of the proposed use.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.09.020.08(B)</b> <b>B. Where alleys exist, access to on-site parking for any non-residential use or for any multifamily dwelling of three or more units shall be from the alley. Parking areas adjacent to alleys may be designed to allow a vehicle to back from the parking area into the alley.</b></p>
			<p><b>Staff Comments</b></p> <p><i>An alley has been designated in GIS as existing; however, is impermeable due to existing mature landscaping and it is substandard in width. The alley has not been utilized, nor does it service the subject parcel. Vehicular approaches to the site can be achieved from River Street via an uncontrolled curb cut. Staff concurs that the site is not serviced by an alley and that the approach, via River Street, is existing and does not interfere with traffic in the surrounding area.</i></p> <p><i>It is important to note that the uncontrolled curb cut will be reconfigured when the River Street Master Plan is executed. An interim design is underway for River Street, to extend an asphalt bike path to the north until such time as a more complete streetscape can be executed. As part of the interim design, City Staff recommends that the Applicant locate onsite parking to the public right-of-way, and utilize the front parking area as additional patio and outdoor space. With this redesign, the sidewalk that ends just south of the parcel (at the Park-n-Ride) will be utilized as a pedestrian and bike path (see image below for further details). Sawtooth Brewery, the business located to the east and across River Street will also be reconfiguring their onsite parking to reflect the interim redesign, as noted above and shown below.</i></p> <p><i>Additionally, the Applicant is not responsible for executing and striping the parking area. The City will execute said changes and notify the Applicant prior to the reconfiguration.</i></p> 

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.09.020.08(C)</b>	<b>C. If the site is not serviced by an alley, access shall be from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.</b>
			<i>Staff Comments</i>	<p>An alley has been designated in GIS as existing; however, is impermeable due to existing mature landscaping and substandard in width. The alley has not been utilized, nor does it service the subject parcel. Vehicular approaches to the site can be achieved via River Street, although not from a single approach. Staff concurs that the site is not serviced by an alley and that the approach, via River Street, is existing and does not interfere with traffic in the surrounding area (see image below for details) at this time.</p> 
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<b>17.09.020.08(D)</b>	<b>D. Access for on-site parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.</b>
			<i>Staff Comments</i>	<p>Onsite parking locations are existing and are located in front of the existing building. The parking area is clearly visible to pedestrian and vehicular traffic coming from River Street.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.09.020.08(E)</b>	<b>E. Access for subdivisions shall be provided in accordance with standards set forth in Section 4 of the Subdivision Ordinance.</b>
			<i>Staff Comments</i>	<p>N/A</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>17.09.020.08(F)</b>	<b>F. Parking areas containing no more than two (2) parking spaces in any zoning district or parking areas within the LR, GR, TN, TI and LI Districts may be designed to allow a vehicle to back from the parking area into the public right-of-way.</b>
			<i>Staff Comments</i>	<p>N/A</p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.09.020.08(G)	G. Parking areas for residential uses only may be designed to allow required parking spaces for one vehicle to deny access to another vehicle, thus “stacking” the parking area. For non-residential uses, stacked parking may be allowed only for additional spaces that may be provided in excess of the required number of parking spaces.
			<i>Staff Comments</i>	N/A

### Chapter 17.11 Criteria for Review of Conditional Use Permits

Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.010	<p>Compliance with the Comprehensive Plan  <b>17.11.010: Purpose.</b> The City of Hailey recognizes that certain uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. In order to protect the public welfare and promote conformance with the Comprehensive Plan, conditional use permits are required for such uses upon review by the Commission.</p>
			<i>Staff Comments</i>	<p><i>This Application complies with the following goals and objectives of the Hailey Comprehensive Plan:</i></p> <p><b>Goal 5.2: Land Use, Population and Growth Management:</b> <i>Maintain Downtown as the area containing the greatest concentration of commercial, cultural and civic activity and the priority area for encouraging higher density commercial and mixed-use (commercial and residential) development.</i></p> <ul style="list-style-type: none"> <li>• <i>This project brings civic activity to a vacant building, as well as a new use (Distillery) in Hailey’s Downtown. The proposed use could provide an opportunity for the business to grow in size while supporting other local businesses within the Wood River Valley.</i></li> </ul> <p><b>Goal 6.1: Economic Development:</b> <i>Encourage a diversity of economic development opportunities within Hailey.</i></p> <ul style="list-style-type: none"> <li>• <i>This project will bring more activity to the Downtown area, promote economic growth, as well as Downtown diversity. PA Spirits would be the first business of its kind in Hailey, which expands and encourages Hailey’s diversity of its offerings.</i></li> </ul> <p><b>Goal 6.2: Economic Development:</b> <i>Encourage abundant, competitive and career-oriented opportunities for young workers.</i></p> <ul style="list-style-type: none"> <li>• <i>The Owners of PA Spirits are young entrepreneurs in the Wood River Valley. The Owners hope to employ a young workforce with a unique job opportunity that includes production, food science analysis, inventory management, supply chain management, and sales opportunities, providing career-oriented opportunities for workers within the Wood River Valley.</i></li> </ul>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.11.040.01(a)</b></p> <p><b>17.11.040.01 The Commission or Hearing Examiner shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and, if approved, shall find adequate evidence showing that such use at the proposed location:</b></p> <p><b>a. Will, in fact, constitute a conditional use as established for the zoning district involved; and</b></p>
			<p><i>Staff Comments</i></p> <p><i>Pursuant the Hailey Municipal Code, Section 17.05.040: District Use Matrix, Hybrid Production Uses located within the Business (B) Zone District are required to have an active Conditional Use Permit.</i></p> <p><i>The Applicant is requesting approval for a Conditional Use Permit to produce, mix and package alcohol onsite at 117 North River Street. The Applicant intends to utilize locally farmed produce to include in their concoctions. The space would also include a small retail area and tasting room to better connect with residents and visitors of the Wood River Valley.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p><b>17.11.040.01(b)</b></p> <p><b>b. Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area;</b></p>
			<p><i>Staff Comments</i></p> <p><i>The building, located at 117 North River Street, is existing and vacant. The building has in the past been used for office space and for a restaurant. The property to the north and across Carbonate Street of the subject parcel is currently High Desert Sports. The property to the south is the Park-n-Ride and the property to the east and across River Street is The Attic Thrift Store. To the east is a mix of single-family and multifamily residential dwellings.</i></p> <p><i>Hailey is comprised of a variety of uses and, per the Comprehensive Plan, thrives on diversity. The proposed use further supports the diverse uses within surrounding area.</i></p> <p><i>To better harmonize in appearance with the existing or intended character of the general vicinity, City Staff encourages the Applicant to utilize seasonal plantings and other landscaping within pedestrian areas and in front of the building. The Applicant would like to utilize the outdoor space as a beer and wine garden. Though not required within the parameters of the CUP, the utilization of seasonal plantings and other landscaping within pedestrian areas and in front of the building would also encourage human interaction. Seasonal plantings or landscaping, with specific attention to the details of color, texture and form, would greatly improve the outdoor space, as well as the entry to the building.</i></p>
			<p><b>17.11.040.01(c)</b></p> <p><b>c. Will not be hazardous or disturbing to existing or future neighboring uses;</b></p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Staff Comments</i>	<i>The proposed use does not appear to be hazardous or disturbing to the neighboring uses and/or future uses. The intent is to mix alcohols in a closed space, where there will be zero to trace amounts of odor or fumes from the alcohol mixing operation. Additionally, when bottling the product, the odor will be nonexistent from the outside.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(d)	<b>d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, and drainage structure. Agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service; and</b>
			<i>Staff Comments</i>	<i>The site can be accessed by an uncontrolled curb cut off of River Street. The site can be served adequately by essential public facilities and services.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(e)	<b>e. Will not create excessive additional requirements at public cost for public facilities and services; and</b>
			<i>Staff Comments</i>	<i>At this time, no additional cost will be incurred from any public agencies for the function and operation of the proposed use.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(f)	<b>f. Will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, odors, vibration, water or air pollution, or safety hazards; and</b>
			<i>Staff Comments</i>	<i>No externalities are anticipated by this use.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(g)	<b>g. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public thoroughfares;</b>
			<i>Staff Comments</i>	<i>An alley has been designated in GIS as existing; however, is impermeable due to existing mature landscaping and substandard in width. The alley has not been utilized, nor does it service the subject parcel. Vehicular approaches to the site can be achieved via River Street. Staff concurs that the site is not serviced by an alley and that the approach, via River Street, is existing and does not interfere with traffic in the surrounding area (see image below for details).</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(h)	h. Will not result in the destruction, loss or damage of a natural, scenic or historic feature.
			<i>Staff Comments</i>	<i>The building, parking, vehicular approaches and landscaping are existing. The proposed use will not result in the destruction, loss or damage of any natural, scenic or historic features.</i>

**17.11.060 Conditions.**

The Commission or Hearing Examiner may impose any conditions which it deems necessary to secure the purpose of City regulations and give effect to the Comprehensive Plan. Conditions which may be attached include, but are not limited to those which will:

- 17.11.060(A) Require conformity to approved plans and specifications.
- 17.11.060(B) Require or restrict open spaces, buffer strips, walls, fences, signs, concealing hedges, landscaping and lighting.
- 17.11.060(C) Restrict volume of traffic generated, require off-street parking, and restrict vehicular movements within the site and points of vehicular ingress and egress or other conditions related to traffic.
- 17.11.060(D) Require performance characteristics related to the emission of noise, vibration and other potentially dangerous or objectionable elements.
- 17.11.060(E) Limit time of day for the conduct of specified activities.
- 17.11.060(F) Require guarantees such as performance bonds or other security for compliance with the terms of the approval.
- 17.11.060(G) Require dedications and public improvements on property frontages.
- 17.11.060(H) Require irrigation ditches, laterals, and canals to be covered or fenced.
- 17.11.060(I) Minimize adverse impact on other development.
- 17.11.060(J) Control the sequence, timing and duration of development.

- 17.11.060(K) Assure that development is maintained properly.**
- 17.11.060(L) Designate the exact location and nature of development.**
- 17.11.060(M) Require the provision for on-site or off-site public services.**
- 17.11.060(N) Require more restrictive standards than those generally found in this Ordinance.**
- 17.11.060(O) Mitigate foreseeable social, economic, fiscal and environmental effects.**
- 17.11.060(P) Set a limit on the duration of the permit when deemed necessary.**
- 17.11.060(Q) Allow for subsequent periodic review.**

**Summary:** Section 17.11.010 of the Hailey Zoning Ordinance states that “the City of Hailey recognizes that certain uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. In order to protect the public welfare and promote conformance with the Comprehensive Plan, conditional use permits are required for such uses upon review by the Commission.”

Conditional Use Permits are subject to review and revocation pursuant to Section 17.11.090 of the Hailey Municipal Code. This statement will be included in the Findings of Fact, Conclusions of Law, and Decision for any Conditional Use Permit approved by the Commission.

By ordinance, the Commission is required to decide to approve, conditionally approve, or deny the application within forty-five (45) days after conclusion of the public hearing and issue its decision together with the reasons therefore. The Commission is required to review the application, all supporting documents and plans, and Section 17.11 of the Hailey Municipal Code, in making their decision.

The Commission should make Findings of Fact related to the criteria of Section 17.11, (a) through (h).

**Suggested Conditions:** The following conditions are suggested to be placed on approval of this application:

- a) All Fire Department and Building Department requirements shall be met with regard to all maintenance, administrative, and other functions of this facility. The regulations noted below must also be followed:
  - i. All equipment specifications for storage, mixing and manufacturing of spirits must be listed for the intended use and be submitted to the Building and Fire Departments for approval.
  - ii. Any F1 Occupancy (PA Spirits is classified as such) over 12,000 square feet or three stories in height must be protected by an automatic sprinkler system. Any building that is occupied by this business that has a preexisting fire sprinkler system must be analyzed to ensure the system in place is rated to protect the hazard inside.
  - iii. The finished product is classified as a 1B flammable liquid by Fire Code. Storage of a class 1B flammable liquid is limited to 120 gallons in storage and 120 gallons in mixing provided it is a closed system. If an open system, the limit is 30 gallons.
  - iv. Control areas must have a fire separation of at least one hour from other building areas and be built to Building and Fire Code standards. Construction plans for building remodel and control rooms must be stamped by an architect and submitted to the Building and Fire Departments for approval.

- v. Ventilation is required pursuant Fire Code 5704.3.8.3
  - vi. Electrical Device requirements may be needed based on mixing systems.
  - vii. Distribution and manufacturing of alcohol and retail sales is regulated by federal, state and local governments through different licenses. Discuss and verify with Hailey Police Department.
- b) All existing and new exterior lighting shall comply with the Outdoor Lighting requirements according to Section 17.08C.
  - c) A Sign Permit Application shall be submitted, reviewed and approved prior to installation of any signage.
  - d) To better harmonize in appearance with the existing or intended character of the general vicinity, the Applicant shall utilize seasonal plantings and other landscaping within pedestrian areas and in front of the building.
  - e) The on-site parking shall be relocated into the public right-of-way along River Street to accommodate the interim bike path, as shown in the sketch herein. The Applicant is not responsible for striping said spaces, as the City will execute and notify the Applicant prior to the reconfiguration.

#### **Motion Language**

**Approval:** Motion to approve the Conditional Use Permit Application request by PA Spirits, LLC, represented by Josh Hanson, for approval of an alcohol mixing and packaging space (Hybrid Production Facility), to be located at Lots 1-3, Block 42, Townsite (117 North River Street), within the Business (B) and 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) are met.

**Denial:** Motion to deny Conditional Use Permit Application request by PA Spirits, LLC, represented by Josh Hanson, for approval of an alcohol mixing and packaging space (Hybrid Production Facility), to be located at Lots 1-3, Block 42, Townsite (117 North River Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts, finding that \_\_\_\_\_ [the Commission should cite which standards are not met and provide the reason why each identified standard is not met].

**Continuation:** Motion to continue the public hearing to \_\_\_\_\_ [the Commission should specify a date].

**Hailey Fire Dept.**  
**617 S. Third Street**  
**P.O. Box 1192**  
**Hailey, Idaho 83333**



**Christian Ervin, Fire Inspector**  
**Office: 208-788-3147**  
**Fax: 208-788-0279**  
**E-mail:**  
**[christian.ervin@haileycityhall.org](mailto:christian.ervin@haileycityhall.org)**

December 30, 2020

This letter is regarding the proposed idea to put a distilled spirit mixing facility in Hailey.

I have spoken with the State Fire Marshal and another fire marshal that has a similar type of business in his jurisdiction and have come up with the following points for you to follow. Keep in mind that these are fire code and building code concerns and the federal regulations that you must follow for licensing may have other requirements.

- This type of business is classified by code as an F1 (moderate hazard manufacturing).
- All equipment specifications for storage, mixing and the manufacturing of spirits must be listed for the intended use and be submitted to the building department and fire department for approval. The building department will have additional regulations on the use of pressurized containers.
- Any F1 occupancy over 12,000 square feet or three stories in height must be protected by an automatic fire sprinkler system. Also, any building that is occupied by this business that has a pre-existing fire sprinkler system will have to be analyzed to ensure that the system in place is rated to protect the hazard inside.
- The finished product is classified as a 1B flammable liquid by fire code, see table 5003.1.1. Storage of a class 1B flammable liquid is limited to 120 gallons in storage and 120 gallons in mixing provided it is a closed system. If it is an open system, then it is limited to 30 gallons. Exceeding these quantities would place the business in a hazard category and require more fire protection. There are also requirements for storage height depending on the type and size of containers.
- Control areas must have a fire separation of at least one hour from other building areas and be built to building and fire code standards. Construction plans for building remodel and control rooms will have to be stamped by an architect and submitted to the building and fire departments for approval.
- Fire code 5704.3.8.3 Discusses the types of ventilation required for the different types of systems.
- Table 5703.1.1 Discusses the Class 1 electrical device requirements that may be needed based on which mixing systems you have in place.
- Distribution and manufacturing of alcohol for retail sales is regulated by federal, state and local governments through different licenses depending on the business plan. I encourage you to talk with our local police chief for questions regarding licenses.

The overall product is stable as long as it is properly separated from ignition sources and other business uses. The manufacturing process is stable as long as the proper equipment is used. If all the proper guidelines are followed and approved methods are used for storage and manufacturing this type of business is no more of a fire concern, then a gas station/convenience store. There are specific requirements that need to be in place and those requirements are all based on which types of systems you are using for the mixing process of these spirits. Without exact specifications it is challenging to include everything, but these requirements should give you a bit of information to get started. As you decide more about the systems, etc. we can start to clarify what requirements will be needed. The decision concerning the location of this type of business can only be made by the City of Hailey Planning and Zoning Commission. If you have questions concerning the contents of this letter please feel free to contact me, however without a business location, equipment specifications, construction plans, and an overall business plan this is all the information I can provide at the time.

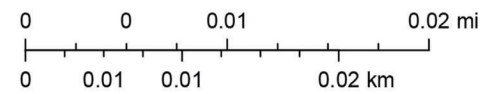
If you have any questions, please do not hesitate to call me at 208-788-3147. Again, thank you for your time and cooperation.

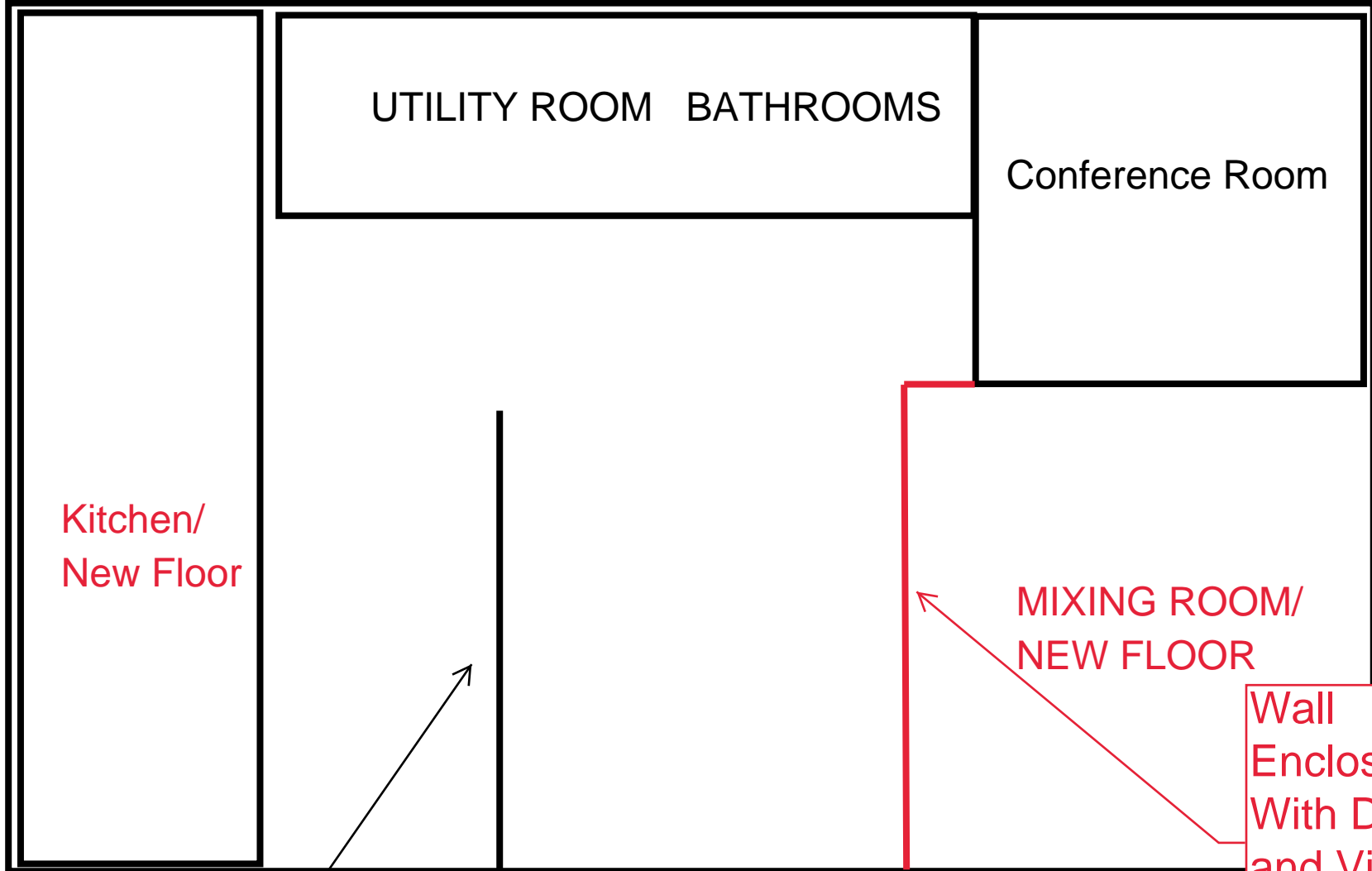
Christian Ervin  
Fire Inspector  
City of Hailey.



March 15, 2021

**1" = 25'**





Half Wall

Door

Door **DOUBLE**  
Door

Door

Wall  
Enclosure  
With Door  
and Viewing  
Window  
(Eventually)

RIVER STREET



Image capture: Aug 2018 © 2021 Google

Hailey, Idaho



Street View



**Return to Agenda**

**Return to Agenda**

**Return to Agenda**