

*MINUTES OF THE
HAILEY PLANNING & ZONING COMMISSION
Monday, February 22nd, 2016
Hailey City Hall
5:30 p.m.*

Present: Richard Pogue, Janet Fugate, Owen Scanlon, Jeff Engelhardt

Absent: Dan Smith

Staff: Lisa Horowitz, Kristine Hilt

Call to Order

5:29:53 PM Chair Fugate called the meeting to order.

Public Comment for items not on the agenda

None.

Consent Agenda

CA 1 Motion to approve minutes of January 25th, 2016

CA 2 Motion to approve Findings of Fact and Conclusions of Law for Design Review submitted by the Sawtooth Brewery for a silo, deck exterior lighting and door associated with a brewery (Hybrid Production Facility) to be located at 110 N River Street (Lots 16-18, Block 41, Hailey Townsite) in the Business (B) and Townsite Overlay (TO) Districts.

CA 3 Motion to approve Findings of Fact and Conclusions of Law for Design Review application submitted by Atlantic Aviation operation as Sun Valley Aviation, Inc. for a new 32,500 square foot airport hangar to be located adjacent to the existing hangar at 2230 Aviation Drive in Hailey on the "FBO Parcel", Section 15, T2N, R18E in the Airport (A) Zoning District.

5:30:21 PM Richard Pogue moved to approve the consent agenda. Owen Scanlon recused himself. Jeff Engelhardt seconded and the motion carried.

New Business and Public Hearings

NB 1 Consideration of a Design Review application submitted by Bernard and Kathy Brown represented by Craig Johnson for a new 1,709 square foot single family house plus garage and an existing 421 square foot house to be converted to an Accessory Dwelling Unit, located at 423 North 5th Street (Lot 1A, Block 81, Hailey Townsite) in the Limited Residential-1 (LR-1) and Townsite Overlay (TO) Districts.

5:31:36 PM Lisa Horowitz introduced the application and project to the Commissioners. Horowitz included information about existing non-conforming sheds and the requirement for those to be relocated or removed prior to issuance of certificate of occupancy. Horowitz also noted that the existing home extending into City property but that City staff found no need to require movement of the home.

5:34:12 PM Janet Fugate inquired about proposed setbacks and conformance for each. Horowitz confirmed compliance and noted that Craig Johnson, designer, revised a site plan which would be presented to the Commission.

5:35:37 PM Craig Johnson presented the site plan, details, and overall design of the proposed single family structure and garage. He included information about existing landscaping, fencing, and exterior materials and the samples submitted to the Commissioners. Jeff Engelhardt inquired about the possibility of a Railroad lease that may have been tied to the right of way on the Eastern side of the property. The Browns noted that they were unaware of such a lease.

[5:43:21 PM](#) Owen Scanlon inquired about sidewalks. Craig Johnson noted that an in lieu fee would be paid instead of installation of sidewalks. Discussion between the applicant's designer and the Commissioner included drainage, snow storage, and sidewalk requirements. Lisa Horowitz notified the Commissioners that the Public Works Department recommended that an in lieu fee be paid as sidewalks were rare along 5th Avenue and Spruce Street.

[5:47:06 PM](#) Discussion included non-motorized improvements in the area that would benefit the neighborhood. Craig Johnson suggested that stairs would be more appropriate as the slope is steep leading from 5th Avenue to the top of the bike path asphalt.

[5:48:06 PM](#) Lisa Horowitz noted issues with both the alley slope and grading and also the depth of the water main. She noted that the applicant would prefer to use Spruce Street for access instead of being required to improve the alley which would be a financial burden on the applicant. Lisa also noted that the City Attorney was currently working on the improvement requirements and costs of the alley and was currently undecided. Discussion between City staff, the Commission and Craig Johnson included the number of accesses off of the alley and the improvements that would possibly be required for improvement. Janet Fugate inquired about passing the responsibility on to another owner in the future versus requiring the current owners to improve the alley. City Staff noted that the issue in deciding who was responsible for improving and finishing the alley was a legal question and could not be answered at this time.

[5:55:53 PM](#) Craig Johnson noted that the Fire Department had already rejected using the alley for access due to the grade of the alley. He noted that the alley, once developed, would be a liability to the current owners if they were tasked with development. Chair Fugate inquired about the requirement for improving the alley and if it would hold the applicant up in the process of moving forward. Discussion on the alley concluded with the understanding that the City Attorney was tasked with the final decision and suggestion.

[5:59:11 PM](#) Discussion continued with City service connections and locations of both water and wastewater. The Commission then noted that the elevation of the garage was noted as required at an elevation that was lower than the principal home in order to appropriately plan for the alley at some point in the future. The grading and slope would be easier to improve if the garage was placed at the correct elevation.

[6:04:49 PM](#) Chair Fugate opened the meeting for public comment. Peter Lobb noted that as an adjoining neighbor, he approved the design and thought that the alley was City owned and therefore a City responsibility. Lobb also noted that the requirement for a sidewalk was irrelevant to the project as the in lieu fees would make more sense for the City. He noted that several sidewalks in the City could benefit from the in lieu fee from disrepair.

[6:07:07 PM](#) Chair Fugate closed public comment. Owen Scanlon suggested renumbering the conditions of approval with City Staff. The Commission and City Staff reviewed the conditions of approval and corrected those that had changed. Lisa Horowitz also notified the Commissioners that the windows were double paned and not triple paned as outlined in the staff report.

[6:09:46 PM](#) **Richard Pogue motioned to approve the application submitted by Bernard and Kathy Brown represented by Craig Johnson for a new 1,709 square foot single family house plus garage and an existing 421 square foot house to be converted to an Accessory Dwelling Unit, located at 423 North 5th Street (Lot 1A, Block 81, Hailey Townsite) in the Limited Residential-1 (LR-1) and Townsite Overlay (TO) Districts finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Title, and City Standards, provided conditions (a) through (k) are met. Condition K being the finished floor of the garage to accommodate the finished grade in the alley. Condition C being if the water is accessed off the alley that blue board is used, in lieu fee be acceptable for the sidewalk requirement. Owen Scanlon seconded and the motion carried.**

Matrix, to clarify: Restaurants, including Drive-through and Restaurants which may or may not include the sale of alcoholic beverages; Parcel Delivery and Shipping Services; Dance, Martial Arts and Fitness Facilities.

6:12:56 PM Lisa Horowitz introduced the errors found in the currently adopted District Use Matrix within the Zoning Title of the Hailey Municipal Code. The first error and confusing section of the Matrix included restaurants and the various classifications of various types of restaurants including drive thru restaurants. Discussion between City Staff and the Commission included ways to simplify content for clarification. Items discussed included combining the various categories of restaurants and defining bars separately.

6:27:43 PM Chair Fugate opened the item for public workshop. Tony Evans, Mt. Express, noted that he felt confused about the intent of the changes. He noted that there was no available food available for people traveling in and out of the airport in Hailey. The Commission noted that changing permitted and non-permitted uses was not the intent during the meeting but rather clarifying the existing matrix. Peter Lobb noted that changing uses in Zoning districts was a big deal and that the Commission should not address changes at the current meeting. Peter Lobb also noted that the matrix was originally just a guide.

6:36:14 PM Tony Evans noted that if a business was involved in prompting the clarifications or changes, that the public should know. Chair Fugate continued the discussion of the clarification for restaurants. Discussion continued to include the next items noticed for clarification.

Richard Pogue noted that he felt that UPS, in their current location, did not benefit the Community or River Street. The Commission suggested a “not permitted” for Parcel Delivery and Shipping Services. Owen Scanlon notified the Commissioners that choosing a “Conditional Use” where FedEx and UPS are currently located would be a better option for the districts in which each were currently located. City Staff read the previously written permitted uses prior to the Matrix. The Commission all concluded that a “Conditional Use” would be the best option.

6:59:02 PM Tony Evans, Idaho Mt. Express, noted that he was confused about the “Drive-Thru Facility” component and what was changing. City Staff notified Evans that the clarification was simply for consistency.

7:00:12 PM Owen Scanlon motioned to continue the City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to March 14th, 2016. Richard Pogue seconded and the motion passed.

NB 3 *Consideration of a Work Session to discuss a variety of implementation issues and questions regarding Title 17, Section 17.05, District Use Matrix and Title 17, Section 17.02, Definitions.*

7:01:16 PM Lisa Horowitz notified the Commissioners that this agenda item had been resolved with the previous agenda item.

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

SR 1 *Discussion of current building activity, upcoming projects, and zoning code changes.
(no documents)*

City staff updated the Commission on building activity.

SR 2 *Discussion of the next Planning and Zoning meeting: Monday, March 14th, 2016.
(no documents)*

Adjourn

7:08:14 PM Jeff Engelhardt motioned to adjourn. Richard Pogue seconded and the motion carried.