

MEETING MINUTES
DEVELOPMENT IMPACT FEE ADVISORY COMMITTEE
Monday, August 3, 2020
Hailey City Hall
5:30 p.m. (before P & Z regular meeting)

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

Via One-touch dial in by phone: [tel:+15713173122,,506287589#](tel:+15713173122,506287589#)

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

Call to Order

[5:30:29 PM](#) Fugate called the meeting to order.

Public Hearing

PH 1 *Proposed amendments to the 2020 City Capital Budget and its Development Impact Fee Component. The Advisory Committee will continue its discussion begun on June 15, 2020, to form recommendations regarding the proposed budget and updates to the FY 2020 Capital Improvement Plan for the Hailey City Council's consideration. Prioritization of capital projects, including the Forest Service Building moving and rehabilitation costs, will occur. **ACTION ITEM***

Heather Dawson reintroduced DIF and the Memorandum. Scanlon questioned relocation of USFS Warehouse Building. Scanlon questioned the arrival of estimates and has questions: should we obtain another contractor, what about building a new building (based on square footage and cost of square footage), etc.

Horowitz went on to explain an offer by Michael Kraynick to relocate the building to his parcel in Airport West. Horowitz noted that Kraynick would pay to relocate and store the building on sonotubes. Horowitz explained that the City needs to take action now, as we might not be able to relocate the building by October 10, 2020.

Chair Fugate questioned what would happen if private party falls through. Horowitz explained that we could store the building at the Police Department or repurpose portions of the building (i.e., doors, half the building). Horowitz noted the possibility of both, but fees would be paid twice. Fugate encouraged the Commission to make a decision.

[5:40:39 PM](#) Stone is impressed by Kraynick's proposal. Stone believes due to the sheer size, it may be better referenced as an art piece, rather than a warehouse. Stone is in favor of repurposing pieces of the building. Stone would like to hire an artist to conduct rendering of the building.

Smith prefers to see the building remain intact. Smith believes the building provides a historical perspective and offers a story – what took place in our past. Smith would like to see the structure maintained. Pogue agreed with Smith. Pogue would like to see the building repurposed and

refurbished. Pogue would hate to see it is demolished; however, Pogue also believes it's irresponsible of the City to take on the cost associated with relocating the building. Chair Fugate agreed.

[5:44:46 PM](#) Simms noted his impressions – move forward in preserving and relocating the building. Chair Fugate is not in favor of paying to relocate the building twice. Chair Fugate believes there are two choices – allow Kraynick to relocate the building or budgeting monies to preserve portions of the building.

Stone would like to see a contingency plan, if Kraynick's proposal falls through. Chair Fugate agreed. Horowitz noted that if the offer falls through, the City does not have the capacity to preserve the entire building, but portions of the building could be preserved.

[5:48:59 PM](#) Yeager discussed Capital Improvements spreadsheet and available monies for relocation of USFS Warehouse Building. Discussion ensued.

[5:53:43 PM](#) Chair Fugate opened the item for public comment. No comments were made.

[5:54:27 PM](#) Chair Fugate closed the item for public comment. Smith questioned Kraynick's intention. Simms noted that Kraynick would utilize the building as storage in Airport West. Chair Fugate believes it is important to include a historical marker in the agreement. Simms will do what he can to include the inclusion of a historical marker in the agreement. Chair Fugate further questioned the lighting of the Hailey Welcome Sign. Yeager noted that it would remain on the list as an unfunded item for the year – it would no longer be lit at this time. Smith would like to see the Hailey Welcome Sign lit sooner than later. Discussion ensued.

Pogue would like to allocate \$5000 for the lighting of the new Hailey Welcome Sign on Airport West. Scanlon believes the bulk of the costs to light the sign will come from Idaho Power and would like to budget \$7500. Scanlon agreed that he would like to see the sign lit. Pogue agreed to \$7500 and remove lighting from skate park. Smith agreed. Stone would like to stick with \$5000. Chair Fugate would like to see \$7500 allocated to light the sign.

[6:03:31 PM](#) Chair Fugate would like to set aside monies for preservation of portions of the USFS Warehouse Building, if plans fall through. Horowitz noted that the Developer has earmarked \$15,000 to help relocate the building; however, if the plan falls through, we may be able utilize monies to preserve portions of the building. Scanlon agreed with Horowitz and would like to see \$15,000 from the Developer to preserve portions of the building. Stone, Smith and Pogue agreed. Simms believes argument is good.

[6:07:33 PM](#) Dawson proposed motion language: **DIF Advisory Committee to move and approve, and add language to the expense sheet to utilize \$15,000 from Developer FAPO to preserve portions of the USFS Warehouse Building prior to its demolition, as well as add language to retain \$7500 to light the Hailey Welcome Sign. Scanlon moved and Smith seconded. All were in favor.**

[6:09:04 PM](#) Pogue motioned to adjourn. Scanlon seconded and all were in favor.

MEETING MINUTES
HAILEY PLANNING & ZONING COMMISSION
Monday, August 3, 2020
Virtual Meeting
5:30 p.m. *

*(*To start after Development Impact Fee Advisory Committee hearing)*

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Call to Order

[6:09:44 PM](#) Chair Fugate called the meeting to order.

Public Comment for items not on the agenda: No comments were made.

Consent Agenda

CA 1 *Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Pioneer, LLC, represented by Andrew Bick, for Pioneer Storage Phase II, for a storage facility consisting of five (5) single-level storage buildings totaling 16,760 square feet and related parking, to be located at 1291 and 1311 Citation Way (Lots 1A and 1B, Airport West Subdivision #2) in the SCI-SO Zone District. **ACTION ITEM.***

[6:10:41 PM](#) Pogue motioned to approve the Consent Agenda. Smith seconded. Scanlon recused himself, as he was absent. Smith, Pogue and Stone were in favor.

Public Hearing

PH 1 *Consideration of an Application submitted by Hailey Investors, LLC, for a third variance from the riparian setback and building site area regulations of the Flood Hazard Overlay District, Section 17.04J. The original variance was granted on August 20, 2004 and approved for a ten (10) year extension on June 7, 2010. The original variance was granted for the purpose of constructing a residence encroaching approximately thirty-three (33) feet into the one hundred (100) foot riparian setback. The current request is for an encroachment of about twenty-six (26) feet. The property is located on Lot 1, Block 8, Della View Subdivision (921 War Eagle Dr). The Applicant is requesting an additional ten (10) years. **ACTION ITEM.***

[6:29:30 PM](#) David Patrie provided a brief overview of the item, its location and the intent of the Applicant. Patrie noted that the Applicant is requesting an additional ten (10) years to the existing variance. Patrie also noted that the only spot the Applicant is requesting a variance is to a triangular area that is approximately 440 square feet in size. The previous variance was for approximately 1,393 square feet in size. The current request is substantially less. Lastly, Patrie noted the setback is approximately 75 feet, which is beyond the minimum required.

Patrie noted that every standard would need to be met and the residence would be built to current regulations; Building Permit would be contingent upon approval. Patrie went on to note that the proposed home, if existing during the 2017 Flood, would've been unscathed. Discussion ensued.

[6:41:26 PM](#) Scanlon questioned the meaning of government services. Patrie noted such services as: emergency services, water, and wastewater. Scanlon noted that there was a lengthy

discussion regarding emergency services to this parcel and further questioned the liability of the City of Hailey if services are unavailable to subject parcel. Simms doesn't believe there is any liability to the City.

Stone questioned when the current owners purchased the parcel. Patrie does not know which year the current owners purchased the parcel; however, the owners were aware of the ordinance and variance attached to parcel. Stone further questioned whether the variance is still active or expired. Horowitz noted that the application requesting an extension to the variance was filed prior to expiration of said variance. Stone also noted that he doesn't believe, per code, terms of the variance are met. Patrie noted that that the standards noted in Title 17 (1,100 square feet) create a very irregularly shaped residence. Patrie noted that surrounding residences have approximately 2,500 square feet of home. Stone understands, but further notes the proposal is not within the terms of the variance. Rebecca Bundy addressed Stone's concerns. Bundy noted that the code allows building footprint of 1,000 square feet with a minimum of 50-foot setbacks within riparian area without a variance.

[6:48:28 PM](#) No comments from Smith at this time. No comments or questions from Pogue either.

[6:49:32 PM](#) Chair Fugate opened the item for public hearing. Ryan Santo with the WRLT provided comments, referencing letter submitted on July 30, 2020. Santo referenced letter – in 2017, City had the third highest flood stage which caused severe aggradation and reduced the flood stage by one (1) foot to five (5) feet. Santo also mentioned the water year of 2019, which was slightly above average peak flood stage and residents in the area also experienced standing water on their properties/city streets for extended periods of time. Santo went on to discuss geomorphic assessments, potential improvements made by WRLT and the City to mitigate/decrease future impacts to neighbor and drainage swales. Regardless if the variance is extended, Santo would like to continue to work with the City to decrease flooding impacts to the Della View neighborhood.

[6:53:28 PM](#) Chair Fugate closed the item for public hearing. Scanlon believes the Applicant qualifies and is in favor of the variance extension. Stone questioned the improvements made near Heagle Park. Yeager noted that said improvements were made to alleviate flooding in the area. Yeager noted that area should do better in the event of another flood, but evaluation will be needed. Discussion ensued. Stone agreed with Scanlon and went on to note that the proposal and variance extension request is appropriate.

Smith questioned how long the owners have owned the parcel. Mr. Nelson noted that it has been owned by them for 16 years. Smith would like to look at an extension for two to five years, as the river can dramatically change in a short period of time. Pogue noted his appreciation for comments by the WRLT. Pogue believes variance extension is appropriate. Pogue agreed with Smith and also recommended a variance extension of less than ten (10) years. Discussion ensued. Chair Fugate agreed with Smith and Pogue, and further questioned whether provisions would prohibit a variance extension for five (5) years. Horowitz noted that the Commission may choose duration of variance. Chair Fugate questioned whether Stone and Scanlon are amenable to a five (5) year extension. Scanlon questioned whether the Commission would be amenable to a five (5) year extension and approval via Consent Agenda, rather than a full hearing. Simms noted that a temporal review is legally acceptable. Commissioners agreed. Stone questioned thoughts from the Applicant. Mr. Nelson is open to a shorter timeframe and Consent Agenda approval.

Stone noted his preference of a ten (10) year extension. Chair Fugate believes a shorter timeframe (five years) with an easier review afterward. Patrie noted the inconsistent time references in one of the Conditions of Approval (i.e., Building Permit acquired within 10 years and Building Permit shall be submitted within 10 years). Patrie suggested streamlining language to read – Building Permit shall be submitted within 10 years.

Additionally, Patrie noted the language “adoption of the decision” vs. “the date of the decision”. Patrie respectfully ask Commission to align two for the Findings. Horowitz and Bundy agreed to both and will clarify in the Findings.

[7:13:32 PM](#) Chair Fugate questioned whether Commission is agreeable to shorter extension and temporal review. Commissioners agreed and clarified language. Horowitz read Condition (h) based on discussion: h) The variance shall be valid for a ten (10) year time period. A review via Consent Agenda shall be conducted after five (5) years. If physical conditions on the ground have changed, then the Commission can require a full review. Commissioners agreed to language.

[7:17:35 PM](#) Scanlon motioned to approve the request for an extension of the variance to the riparian setback on the property, located on Lot 1, Block 8, Della View Subdivision (921 War Eagle Drive), finding that the general provisions of the Hailey Zoning Ordinance, Section 17.12.040(a) through (e), subject to conditions (a) through (i), as modified. Stone seconded and all were in favor.

PH 2 *Consideration of a Conditional Use Permit Application submitted by The Sage School, represented by Chip Maguire of M.O.D.E, LLC, for the addition of a 1,440 square foot modular classroom, to be located on Lot 2, Block 4, Airport West Subdivision #2 (1451 Aviation Drive), within the SCI – Industrial (SCI-I) Zoning District. The Commission approved two (2) modular buildings, of the same size, shape, color and use, in May 2013. Due to the Coronavirus pandemic, the purpose of a third modular building onsite is to allow for additional classroom space, which ensures students and teachers meet the social distancing requirements outlined by Governor Little. **ACTION ITEM.***

[6:11:38 PM](#) Horowitz requested that PH 2 to be heard before PH 1. **Smith motioned to move PH 2 to be heard before PH 1. Scanlon seconded and all were in favor.**

Davis introduced the project noting that two modular buildings exist onsite and the third building will be the same in color, size and shape. Davis noted that third building is to account for the social distancing requirements outlined by the State. Davis introduced Architect of project, Chip Maguire. Maguire concurred with Davis and went through Design Presentation. Maguire reiterated that third modular building will match that of the existing modular buildings. Maguire discussed location of building, site plan, elevations and materials, lighting, pedestrian circulation and parking. Maguire also noted that the building is temporary in nature and will hopefully be moved in a year, as the Sage School plans to relocate to Quigley Farm Subdivision.

[6:19:03 PM](#) Scanlon questioned the materials. Maguire noted that all exterior materials will be the same as the existing buildings. Scanlon questioned landscaping near/around the building. Maguire noted that the area around the proposed building would be filled with woodchips and a deck would be added to the entrance.

Stone shared concerns of temporary nature of building. Maguire noted that the buildings would be moved if and when the Sage School relocates to Quigley Farm Subdivision. Maguire also noted that building will be located on temporary foundation (compliant with code) until foreseeable future.

[6:24:16 PM](#) Chair Fugate opened the item for public hearing. No comments were made.

[6:24:44 PM](#) Chair Fugate closed the item for public hearing.

Scanlon applauded the Applicant Team for being proactive in taking these steps. Stone is good with the project and Smith agreed. Smith noted the addition is a quick way to respond to unusual circumstances. Pogue and Chair Fugate agreed.

[6:26:16 PM](#) Stone motioned to approve the application by the Sage School, represented by Chip Maguire of M.O.D.E, LLC, for the addition of a 1,440 square foot modular classroom, to be located on Lot 2, Block 4, Airport West Subdivision #2 (1451 Aviation Drive), within the SCI – Industrial (SCI-I) Zoning District, finding that 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 (f) are met. Smith seconded and all were in favor.

PH 3 *Consideration of a Hillside Site Alteration Permit Application by Brush and Amber Carpenter, represented by Chip Maguire of M.O.D.E., LLC, for the addition of an outdoor patio space and four (4) foot high retaining wall to a single-family residence. This project would encroach a depth of approximately six (6) feet into the Hillside Overlay Boundary, and is to be located on Lot 8, Block 8, Old Cutters Subdivision (1121 East Myrtle Street).*

ACTION ITEM.

[7:24:46 PM](#) Chair Fugate called the meeting back to order after a five (5) minute break.

Chip Maguire presented the project. Maguire noted that the Owners have applied for a Building Permit. Via the design process, Maguire noted that Owners would like to extend into the hillside overlay, and outside of the building envelope. Maguire referenced the drawings, noting that the area behind the proposed residence was created by Old Cutters/Canal Company. Maguire discussed retaining wall to be moved five (5) feet from its current location and is not visible from the street. Maguire went on to discuss other elements of the home – patio, retaining wall and deck above. Maguire also noted that the hillside would be reclaimed and returned to native plants.

Maguire discussed the Conditions of Approval and noted that the actual square footage of disturbed area would be approximately 320 square feet. Staff will include this total in the Findings of Fact.

[7:31:25 PM](#) Scanlon questioned if the first floor is slab on grade. Maguire confirmed this. Scanlon questioned height of cut. Maguire noted five (5) feet. Stone questioned whether slope determines building envelopes. Horowitz noted that in most cases, slope does. Horowitz noted that area has been disturbed and is man-made; very different from other applications in Hillside Overlay. Pogue sees no issues with proposal. Chair Fugate questioned landscape buffer. Maguire noted that hillside will be replanted.

[7:36:32 PM](#) Chair Fugate opened the item for public hearing. No comments. Chair Fugate closed the item for public hearing.

Scanlon believes proposal makes sense; no issues with request. Stone agreed. Smith also agreed and likes use of coniferous/deciduous trees; minimal invasion and believes request to be appropriate. Pogue and Chair Fugate agreed.

[7:39:58 PM](#) Stone motioned to approve the Hillside Site Alteration Permit Application by Brush and Amber Carpenter for a paver patio and four foot (4') high retaining wall extending 5'6" beyond the building envelope into the hillside overlay at Lot 8, Block 8, Old Cutter's Subdivision, 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 (d) are met. Smith seconded and all were in favor.

[7:44:10 PM](#) Scanlon motioned to adjourn. Pogue seconded and all were in favor.