

City of Driggs
PLANNING AND ZONING COMMISSION MEETING
MINUTES
MEETING HELD IN COUNCIL CHAMBERS
June 8, 2016
6:30PM

MEMBERS PRESENT: Lindsey Love, Douglas Rey, Chris Valiante, Grant Wilson, and Larry Young
STAFF PRESENT: Ashley Koehler, Planning and Zoning Administrator
PUBLIC PRESENT: Mark Rockefeller, David Watkins, and Steve Parkes (via phone)

Chris Valiante called the meeting to order at 6:31

1. Approval of Meeting Minutes from May 19, 2016

Commissioner Young motioned to approve the minutes from 5-19-16. Commissioner Wilson 2nd the motion. Motion passed with all in favor.

2. Public Hearing / Possible Decision: Conditional Use Permit for 4 single-family houses located on vacant lot south of Grande Rental – David Watkins, representing the owner Steven Parkes

Koehler presented the staff report and introduced the applicant who was available by phone for the meeting. David Watkins, representing the property owner, explained to the commission that the lot in question has had no commercial interest in 20 years and that it is unlikely to be developed with a commercial use in the near future. Watkins explained that there is a demand for affordable housing which is why the applicant and owner have pursued this avenue at this time.

Commissioner Valiante opened the Public Hearing at 6:50PM

For: *None* Neutral: *None* Against: *None*

Commissioner Valiante closed the Public Hearing at 6:50PM

Watkins expressed to the Commission that he would be amenable to the conditions as outlined in the Staff Report. Commissioner Young then questioned whether Watkins was effectively seeking an upzone for the lot or if he was truly committed to development. Young expressed concerns that the RAD office and Grande Rental, both commercial businesses adjacent to the proposed lot, open very early in the morning, 4AM and 8AM respectively. Young explained that as the lot in question is surrounded by commercial uses, and that this project includes an additional intended 9 vehicle trips per day, that Young was inclined to deny the CUP.

Commissioner Valiante explained that it was hard for him to imagine this as a good place for a residential use as all surrounding uses are commercial as this lot and the adjacent area has been zoned C-2 for some time. Commissioner Valiante considered the nature of the adjacent commercial uses and explained that in his view this is the point of zoning, to ensure that uses so dissimilar do not end up next to each other. Commissioner Wilson explained that he was not necessarily opposed but did find the location to not be ideal due to proximity to Highway 33 and the associated traffic and noise. Wilson's other concern is that the conditions necessary to make this use compatible with the surrounding commercial (such as fences, landscaping, paving) would likely put this project out of the realm of affordable housing. Commissioner Rey expressed the same concerns and concluded by stating that he

understands the push for this use as the lot has not sold in recent years but explained that many residential lots have the same issue as well. Commissioner Love agreed with the other commissioner's comments.

Commissioner Valiante again opened the Public Hearing

Mark Rockefeller:

Rockefeller explained that he is the real estate broker for the lot and that this property has been listed for the last 6 years. Rockefeller has identified prospective buyers for small houses and does not believe that the intent of the developer or owner in pursuing this project was for an upzone. Rockefeller explained that the Gemstone subdivision is directly to the east and that with the tremendous need for housing this project would be a public benefit. Rockefeller explained that the plan is not for high end construction as the goal is truly to make these units affordable. Rockefeller argued that the 300 Main development is right across the street which allows 198 condos and that his office (just to the north) has a steel fab shop directly behind it. Rockefeller also pointed out that Creekside Meadows is just to the south of this lot which allows for affordable housing with pre-fab units. Rockefeller explained that with proper fencing, landscaping and road improvements this residential use can be compatible with adjacent uses and urged the commission to consider the demand for housing in the market place.

Commissioner Valiante closed the Public Hearing

Watkins provided his rebuttal, explaining that the CUP application was not intended as a means to increase marketability of the lot and that after discussing other rezone options for the lot he decided to pursue the CUP at this time. He understands that residential uses would not be appropriate directly at the Hwy 33 frontage and that the plan would be to one day pursue a commercial use at the frontage location. In order to establish the residential uses they desire along the remainder of the east of the lot they have pursued the CUP. Watkins explained that he is confident they can sell the units at \$195,000 even with the conditions as outlined in the staff report for screening and landscape improvements. His hope is to put the lot to use while enhancing the area. Watkins explained that the goal would be to have P&Z approve the CUP, then subsequently pursue a rezone to the NX district (in the proposed Driggs Land Use Code), in order to provide affordable housing on a portion of the lot while maintaining commercial along the highway.

The Commission had follow up questions for staff including the implications of the rezone idea, how utility connections would work for the project as proposed, and what the plans for future subdivision of the lot might be. Koehler explained that the applicant intends to pursue subdivision of the lot if the project moves forward.

Commissioner Young explained that he takes the applicant's word regarding their intent to build affordable units but Gemstone currently has 50 vacant lots directly to the east. Young again expressed his inclination to deny the CUP application at this time and see if the applicant would like to present an updated proposal under the new Land Use Code. Commissioner Rey again expressed the same concerns, specifically that the goal of zoning is to maintain the integrity of neighborhoods based on the appropriate uses in established areas as this helps the City develop and plan long term. Overall Rey explained that he is pro-development but this specific CUP application is not consistent with the commercial nature of the area. Commissioner Love agreed that this CUP application is not the best use of this lot and that the resulting "pocket neighborhood" does not comply with the Comprehensive Plan, although she did admit that 10-15 years down the road if the current commercial uses are different this

might not be a bad location for residential uses. Commissioner Valiante agreed that it is most important to be consistent with the uses allowed in the area and the C-2 Zone is intended for commercial.

Commissioner Young motioned to deny the Conditional Use Permit for 4-single family residential homes as depicted on the site plan submitted by the applicant and included in the staff report. The denial is based on the following findings:

- A. The location does not comply with the Comprehensive Plan in regards to the Future Land Use Map due to the fact that this area is designated for service commercial uses.**
- B. The use does not comply with the zoning ordinance due to the fact that the commercial nature of the area and access road does not support a conducive residential environment. Landscaping and fencing are not adequate buffers to mitigate adverse impacts that the two land uses may have, i.e noise and truck traffic.**

Commissioner Rey 2nd the motion. Motion passed with all in favor.

6. Staff Items

Koehler let the Commission know that a joint Teton County / Driggs P&Z Public Hearing would be held in July.

Commissioner Love motioned to adjourn. Commissioner Wilson 2nd. All in favor. Meeting adjourned at 7:30PM

Chris Valiante, Chair