

City of Driggs
PLANNING AND ZONING COMMISSION MEETING
MINUTES
MEETING HELD AT CITY HALL
October 12, 2011
6:30pm

MEMBERS PRESENT: Rick Baldwin (Conducting), Delwyn Jensen, and Ralph Mossman.

OTHERS PRESENT: Planning and Zoning Administrator Doug Self and Deputy Planning and Zoning Administrator Kreslyn Schuehler and other community members.

1) Approval of Minutes

The Commission reviewed the minutes from September 28, 2011. Commissioner Mossman made a correction.

Commissioner Delwyn Jensen made a motion to approve the minutes from September 28, 2011. Commissioner Ralph Mossman seconded the motion. The motion passed with all in favor.

2) Discussion of Land Use Table Amendments

The Commission briefly began a discussion regarding the land use table amendments. It was determined that a small vet in the C1 zone should be required to have a conditional use permit.

3) Public Hearing for a Conditional Use Permit for a Microbrewery/Bottling Plant at 1755 N Highway 33 as submitted by William Beckett

William Beckett spoke to the Commission regarding his application. He stated in the past, there was a proposal to put a motel on the property but due to the economy and financing availability, that project had been put on hold. The approved site plan for the property included 5 lots for commercial use adjacent to the east property line.

Mr. Beckett's hope was to have a vodka distillery, using potatoes grown in the Valley. He stated there were strict regulations for transporting seed potatoes and he researched how that would impact his business. He explained that potatoes must be unloaded in an enclosed area and must be covered during transport. The potatoes would be transported in boxes which would in turn be covered.

Mr. Beckett explained the process of distilling vodka and stated that nothing would be wasted and no fumes would escape. The remainder of the potatoes could be made into feed for livestock and had already been spoken for by a community member in the valley who would transport the feed himself. The structure of the building would enable the vapors to be very pure.

Mr. Beckett described the label on the vodka bottle, stating it would have the Grand Teton Mountains on it, hoping to attract people to the area. By law, the distillery could have tastings and Mr. Beckett hoped to attract bus tours and others as well, with this activity.

In conclusion, Mr. Beckett stated there were no fumes, no nuisances, and all external lighting would be down lighting. However, not much lighting would be needed as he had no plans at this time to be open through the night.

Doug Self presented his staff report to the Commission. He stated the exact definition of a microdistillery was not in the zoning ordinance, but felt it was similar to a microbrewery. He stated the Commission should determine if this use could be considered a microbrewery or if a new use should be established. If it was classified as a microbrewery, the Commission should discuss if food and beverages should be allowed.

Mr. Self read from the Comprehensive Plan stating, "These areas should be developed in a unified manner, with street-like shared access from the highway for each area." Mr. Self also felt this use was appropriate in this zone, stating, "the uses that would not be appropriate in the Central Business District or Mixed-Use areas because of the larger amount of land required, the auto-intensive nature of the business, or the generation of noise or other impacts that should be more removed from residential areas, General Retail commercial uses appropriate for these areas would be large item retail, such as hardware, lumber yards, auto dealership, trailer sales, etc." He concluded by stating the Comprehensive Plan supported the application and could be found in conformance.

Mr. Self read the public comments from Paul Raube, who was in support of the application providing the design followed the standards. Mr. Self stated the property fell into the design review overlay and before a building permit would be approved, the applicant would have to go through the design review process.

Public access was good because of the improvements made by Burns Concrete. The parking space requirement was met. However, if tour buses were abundant, it may have to be readdressed. Mr. Beckett stated there was plenty of room on the property to increase parking if needed in the future.

Mr. Self told the Commission that stricter standards for the design could be added as this was an application for a conditional use permit, but he did not see a need for that. The proposed height of the building was 32 feet which was less than what was allowed in that zone. A microbrewery should be in the downtown area because it was more of a pedestrian friendly use. However, a microdistillery was more industrial and may not be appropriate downtown.

Commissioner Rick Bladwin opened the Public Hearing at 7:07pm. Anna Trentadue, Valley Advocates for Responsibility, spoke in favor of the application. She stated she was excited for the business to come to the valley, but was concerned about the definition of a microbrewery. She did not feel the location was appropriate for a large business with a restaurant and would like to see it closer to town. She cautioned the Commission on putting this use under the definition of microbrewery for that very reason.

Mr. Beckett responded to the comments. He stated he did not own land closer to town and wanted to be as productive as possible with the resources he had. He felt that a distillery was similar to a microbrewery in the sense that both produced a beverage with a difference in the

products used. He stated potatoes would be brought to the building by the ton and he did not feel there was a location closer to town that would not be impacted by the amount of truck traffic needed to bring in the potatoes.

Commissioner Jensen questioned if the applicant had any intention of having a restaurant or retail business included in the distillery. Mr. Beckett stated that there would not be a restaurant and that he was not able to sell liquor according to state law.

Commissioner Mossman questioned who the product would be sold to. Mr. Beckett stated it would have to be sold to the State dispensaries in Idaho, Wyoming and Utah. The dispensaries would then sell it to liquor stores.

Commissioner Jensen asked that the Commission determine if this use be classified as a microbrewery or microdistillery. Commissioner Mossman stated he was agreeable to leaving it as a bottling and distribution use.

Commissioner Baldwin inquired about the number of employees. Mr. Beckett stated they would start out small with 2 or 3 part-time employees, and hoped to grow in the future. He felt if the business grew beyond Idaho, the business could provide significant impacts for employment in Driggs as well as recognition for the Valley.

Commissioner Baldwin questioned what the output was and if a small amount of employees was appropriate. Mr. Beckett explained the process and stated one batch took approximately 4 hours. He felt they could produce 120 bottles or 10 cases a day and would need to purchase more equipment to do much more than that.

Commissioner Jensen felt the use was appropriate where it was as he did not want to see the truck traffic downtown. Mr. Beckett felt the subject location would provide good transportation to move in and out of the area.

Commissioner Mossman was concerned about future growth but felt the use as it stood now was appropriate. Mr. Self suggested having the applicant come back to the Commission if they wanted to expand beyond 5,000 square feet. Commissioner Mossman also wanted to restrict the sale of the product or the sale of food or drink, other than the tastings allowed by law.

Mr. Self stated the applicant could amend the site plan to combine lots or show larger buildings. Commissioner Jensen felt that when the business could no longer be called a microdistillery and became a distillery, the applicant should come back to amend the conditional use permit.

Commissioner Baldwin stated he would be comfortable in doubling the size of the building, but maintaining the design review overlay. Commissioner Mossman agreed.

Commissioner Ralph Mossman made a motion to recommend to the Board of County Commissioners to issue a conditional use permit with the conditions that the location could not sell food or drink and limitations on bottling and distribution operations to 5,000

square feet on the subject property. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor.

Mr. Beckett stated he had been approached by the owner of the Beverage Shoppe to relocate her business to his property. He stated he wanted to find a way to make this work as she could sell products but could not distill them and he could distill products but could not sell them. Mr. Self responded stating that retail was not allowed in the C3 zone and therefore, it could not be allowed.

Mr. Beckett discussed with the Commission his reasoning behind allowing this type of retail store in the C3 zone. He felt it could be classified as a government agency. Mr. Self stated he disagreed and read the definition of retail uses in the Zoning Ordinance. He continued to state that retail had never been desired in the C3 zone and was in opposition of the city's wishes.

Commissioner Jensen agreed stating that he was in favor of retail remaining in the downtown core. Hyrum Johnson, the Chairman for the Driggs Urban Renewal Agency, stated he would love to have the business in town and would help to relocate the business to a property within the downtown area.

The Commission concluded the discussion by stating that if the owner of the Beverage Shoppe wanted to pursue the relocation, an application should be submitted. However, the Commissioners and Mr. Self felt it was an "up-hill battle."

4) Discussion of the Land Use Table Amendments

The Commission continued the discussion of the land use table. Discussions included industrial uses, agricultural uses, extractive uses, wireless uses and the remainder of the sales and services. Mr. Self would finish the table and the Commission will continue the discussion at the next meeting.

Commissioner Ralph Mossman made a motion to adjourn. Commissioner Delwyn Jensen seconded the motion. The motion passed with all in favor and the meeting was adjourned at 8:40pm.