

**MINUTES
PLANNING COMMISSION
TETON COUNTY, WYOMING
April 11, 2022**

The regular meeting of the Planning Commission meeting was called to order at 6:00 PM in the Board of County Commission Chambers with Alex Muromcew, Chair, presiding.

ROLL CALL: Alex Muromcew, Kasey Mateosky, Karen Rockey, Sue Lurie. (Absent: Devon Viehman)

STAFF: Chandler Windom, Chris Neubecker

APPROVAL OF MINUTES: March 28, 2022

MOTION: Rockey SECONDED: Mateosky

VOTE: The vote showed 4 in favor. None opposed. The motion Passed.

ADOPTION OF AGENDA: 04/11/2022

MOTION: Rockey SECONDED: Mateosky

VOTE: The vote showed 4 in favor. None opposed. The motion Passed.

Public Comment:

Joy Abide – Tribe, would like to have a temporary sign at Albertsons before the Easter weekend. (Staff informed Ms. Bide tat this request must go to the Town of Jackson.)

NEW BUSINESS

Permit: SKC2022-0001
Applicant: Lower Valley Energy
Presenter: Chandler Windom
Request: A Sketch Plan pursuant to Section 8.3.1 of the Teton County Land Development Regulations (LDRs) for the Lower Valley Energy 17-lot workforce housing subdivision.
Location: The parcel has no street address but is located directly south of 4000 S Hwy 89, on the east side of the Highway.

STAFF PRESENTATION:

Chandler Windom, Senior Planner, introduced the application for a 17-lot single family subdivision. She described the location and zoning of the site, which is Suburban. Proposed future use is single family homes, which are required by condition of a past permit to be deed restricted Workforce housing. Development is limited to 50,000 square feet and a maximum lot area of 12,000 square feet. She described the results of an Environmental Analysis completed for this site. The recommendation of the BCC upon approval for the rezoning was to cluster development to preserve space for wildlife corridor. Wyoming Game & Fish

Department provided recommendations based on mule deer and elk migration routes. Based on this input, staff recommends maintaining an open area to the southern side of the site. She showed an alternate option site plan that provides more land at the southern end of the site. Detached single family homes and detached townhomes are allowed on the site. Attached units are not an allowed use. Recommendation is for approval, with two conditions:

1. Southern setback of 120 feet for a wildlife movement corridor.
2. Maximum lot size of 12,000 sq. ft. per lot.

Windom described the required findings for approval and explained how this application meets the criteria.

Mateosky – Is the curb cut an approved WYDOT access?

Windom – Yes since it's an existing access location.

Windom described a separate proposal to develop six separate dwelling units on the adjacent property to the north, which will require Basic Use Permits, as accessory uses. Maximum would be 850 square feet per unit.

Muromcew – Option one does not show enough space for the wildlife corridor.

APPLICANT PRESENTATION:

Bill Collins, Planning Consultant – Introduced Jim Web, LVE President.

Jim Webb, LVE President – Appreciated staff and Planning Commission time spend on this project. We will be asking for flexibility on two issues to make the project work. When we hire staff, they tend to stay with us for 30 – 35 years. We want to make the site and units comfortable. Goal is to house employees close to Town and in County to be able to respond to emergencies.

Sue Lurie – Is there any potential to create an HOA for the development? It's not shown in the documents.

Webb – Yes, we hope to have some type of governing documents since we propose to sell these units to our employees.

Collins – WYDOT has issued a permit to upgrade the roadway access. Staff is recommending two conditions, and we will ask for modification these conditions. We propose to modify the maximum lot area of 12,000 square feet. The BCC was focused on clustering options. The setbacks were not modified, leading to challenges to have smaller lots with same setbacks. We can meet 12,000 sf on most lots except for four. We are asking for a recommendation to the BCC that the 12,000 sf limit be made flexible to accommodate the four internal corner lots with two street setbacks. He proposed a larger opening that the north end of the site near US Forest Service property. We propose to extend the wildlife exclusionary fencing across the front of this property. He discussed the EA mitigation plan; either planting mesic shrubs, or extending the exclusionary fence. He read from the WY Game & Fish letter on wildlife movement. They do not want to entice elk onto the property. We ask that condition on 120-foot setback be removed. Financial challenge of developing deed restricted housing is hard enough but doing so on slopes of 25 – 30% much more challenging and expensive. The other condition for a larger southern setback would push the development to the north, away from the flat terrain.

Muromcew – We would have liked to receive this alternative proposal in writing in advance, to give us time

to consider it thoroughly.

Rockey – When one has a garden, one has ungulates. I assume you will have elk in the neighborhood. Do you think you can avoid having elk in this area?

Collins – Game and Fish Department does not want to encourage elk onto this property. We are not focused on keeping elk out but facilitating getting them to the underpass to the south.

Rockey – Will the purchaser of lots need to be LVE employees? Please give the 42,000-foot view of what you intend.

Collins – Intent is to be LVE employees. We have discussed with WYDOT and Game & Fish to allow their employees to live here. There may be employees than are not LVE workers living here.

Mateosky – Why direct the elk to the south and not the north?

Chandler – Either send elk in the general direction along the northern side, but also can coincide with undeveloped Teton County parcel to the west from the south side of this site. Property is about 800 feet long. Alternative is to use detached townhomes.

Mateosky – Is fence on WYDOT property?

Collins – Yes

Mateosky – Where is the underpass?

Collins – About at the corner of the feed grounds.

Mateosky – That wildlife fencing has been very effective. Very few collisions since fence installed.

Rockey – I can appreciate desire to have the fence along the highway. I'm at a loss on how a herd of elk would circumvent 17 homes.

Collins – That's not our focus. Our focus is to get the elk safely across the highway. Part of our proposal is to extend the fence farther to the north.

Mateosky – Why did they stop the fence where they did?

Collins – That's where the project ended. I expect that's where the money ended.

Lurie – Please describe the proposed edits to the site plan to allow migration on the north side.

Collins – To get the southern setback requested, we would need to shift development to the north onto the hillside. We proposed to keep site plan proposed which allows 133 feet of separation from proposed units to future development to the north on the adjacent lot.

Lurie – Site is in NRO critical winter range. There are tracks all over the site. I wish there had been more time to consider the possibilities.

Muromcew – Want to clarify deed restrictions. These would be For Sale, not For Rent, is that right?

Collins – Has not been decided. LVE may keep the land and sell the units. LVE may also sell the dirt with the houses. Based on profile of the labor force, we assume employees will want to own rather than rent.

Muromcew – How do you determine the price? Achilles heel is that half or two-thirds of homes could be occupied by retirees.

Collins – I don't think LVE would want to force out a retiree that spent 30 years working for them.

Mateosky - How would you determine which agencies have access to these units? St John's?

Collins – We are not yet sure how this will be determined. That conversation has not yet taken place.

Mateosky – Will employees of WYDOT or Game & Fish be able to purchase here? How would that work?

Collins – LVE has not yet determined the details.

PUBLIC COMMENT:

Pamela Winters – We moved to Jackson in 1964. I have always embraced change and tourism. I live in Sage Meadows. I am 100% behind Workforce housing. I think those houses are a bit big. Not sure if 2,000 square feet is necessary. I want them to be affordable, for people who are working. My house is the most northeastern in the subdivision, we get a lot of elk. Recently, the Parks & Rec Department was considering a dog park and pump station/track for kids on dirt bikes. That migratory route would depend on what the County does with that land. If we closed the elk refuges, we would only have enough winter range for 20% of the elk.

Kim Harower – We are on Lot 19 just south of this project. LVE is a great coop for providing electric and natural gas. Sketch Plan states “Lower Valley Energy”. Parcel A has been our Achilles Heel. In the past, we have asked LVE how many employees wanted to live at this employee housing. If you are going to price these, they will be close to \$1 million. Last time we discussed with LVE, they indicated that their staff wanted to commute because they like where they live. LVE does not yet know who will live there. Parcel A was not to be developed separately. It would be a lot of traffic for Little Horsethief to accommodate the traffic. LVE is a great energy provider, but why are they a real estate developer? Biggest impact is to Little Horsethief neighbors. We don't see elk on this property. I don't see them cross very much. They stay on the hillside. We don't want the elk to cross, we want them to go south to the underpass. I don't care if the units are 2,900 sq. ft. 2000 sq ft, or attached or detached. What would help us is some berming.

Mark Hassler – Live in Little Horsethief subdivision. I don't think it's been well thought out. We had our first discussion three years ago with LVE. There was talk of other government agencies having units here. Do they have any commitments with employees to purchase the units? I would like to see the deed restrictions for other property. Even at a minimum of \$200 per square foot, that is closer to \$600,000. More realistically will be closer to \$1 million. Does not seem appropriate. Our subdivision was started in 1977.

Jake Hanson – I own Lot 18, at the southern boundary of Parcel A. My main request is proactive landscaping to prevent headlights glare. Now we have a brand-new subdivision dropped on us. What is being presented is unfair, it was never presented to us. I ask that you do support the 120-foot setback, to keep more in character

and this giant sprawl of single-family homes. If I knew this would happen, I would have designed my home in a different layout.

PC DISCUSSION:

Muromcew – Is there anything we can do for greater density and less sprawl?

Windom – The townhouse style subdivision could be an option.

Muromcew – Is there a maximum square footage for each unit?

Windom – Maximum for the entire site of 50,000 square feet.

Rockey – Suburban zoning, does it allow free standing townhomes?

Windom – Yes, it's essentially building footprints. They would typically have common greenspace. Each individual lot could then be sited with setbacks for the entire site boundary, not to each other unit or lot.

Rockey – Are there limits on structure size?

Windom – Limits of 50,000 sf overall, for the site.

Rockey – Any conditions on restraining dogs and use of fences.

Windom – No conditions other than those from the Environmental Analysis. NRO does not allow pets to roam freely, must be leashed or under strict voice control. She discussed new wildlife friendly fencing regulations.

Lurie – Asked staff to show Policy 1.1b of the Comprehensive Plan. If we are going to approve this, I suggest that there are restrictions to one cat and one dog, since site is in the NRO. As most of us are aware, there are always animals allowed to roam. Minimizing number of pets would help.

Mateosky – Asked questions of the Sketch Plan and purpose.

Muromcew – Torn between the proposal with staff's conditions and the revisions requested by the applicant.

Rockey – Are we locking them into one site plan, or could they still revise plan to allow the townhome?

Windom – There is flexibility to make revision.

Rockey – This is Workforce housing, and it was rezoned to Suburban from R-3. Is LVE under any obligation to develop the lots? Or could they turnaround and sell these lots?

Windom – Lots could potentially be sold to a lot owner to develop their lot individually. Don't believe that LVE needs to be the developer, but the deed restrictions would still apply to future owners or developers.

Lurie – Want to clarify that although we are approving a Sketch Plan, we will see a future Development Plan.

Windom – Yes, that's right.

MOTION: Rockey (approval, as suggested by Staff in the Staff Report)

Mateosky - Does it really matter if the lot sizes are bigger? As long as it's within the limit of 50,000 sq. ft.

Windom – Not sure it matters overall to staff. But the lot size is in the deed restriction from ZMA2020-0001.

SECONDED: Mateosky

VOTE: The vote showed 3 in favor. One opposed. The motion Passed.

MATTERS FROM COMMISSION - None

AGENDA FOLLOWUP - None

MATTERS FROM STAFF – None

ADJOURNMENT

A motion for adjournment was made by Mateosky and Rockey seconded. The meeting was adjourned at 8:02 p.m.



Alex Muromcew, Chair

ATTEST:



Chris Neubecker, Planning Director

- Digital recording on file-