

**MINUTES  
PLANNING COMMISSION  
TETON COUNTY, WYOMING  
August 24, 2020**

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

**ROLL CALL**

Planning Commission: Glen Esnard, Kasey Mateosky, Karen Rockey, Sue Lurie, and Alex Muromcew.

**STAFF:** Planning Director Chris Neubecker, Senior Long-Range Planner Kristi Malone, Associate Planner Chandler Windom, Senior Planner Andrew Bowen and Chief Deputy Attorney Keith Gingery.

**MINUTES**

A motion to approve the August 10, 2020 minutes was made by Commissioner Mateosky and seconded by Commissioner Rockey. There was no further discussion. Motion Carried 5-0.

**ADOPTION OF AGENDA: 8.24.20**

A motion to adopt the August 24, 2020 agenda was made by Commissioner Rockey and seconded by Commissioner Mateosky. There was no further discussion. Motion Carried 5-0.

**MATTERS FROM THE PUBLIC**

There were no matters from public.

**OLD BUSINESS:**

**A) Applicant:** JACKSON HOLE HEREFORD RANCH LLC – *Continued from the August 10, 2020 Planning Commission Meeting.*

**Presenter:** Kristi Malone

**Permit No.:** ZMA2020-0002

**Request:** Request to amend the Official Zoning Map, pursuant to Teton County Land Development Regulations Section 8.7.2, Zoning Map Amendment, to rezone 74 acres owned by JHHR HOLDINGS I LLC in Northern South Park from Rural-1 to Auto-Urban Residential.

**Location:** The subject parcel does not have an assigned street address but is generally located just south of the Cottonwood neighborhood and Town of Jackson corporate limits adjacent to High School Road and South Park Loop Road. The site is within Tracts 1 and 10 of the Hereford Ranch. The site is 74 acres, is currently zoned Rural-1 and is within the Scenic Resources Overlay.

Chair Esnard introduced the project. He indicated that public comment was closed at the last meeting on this topic. He explained that the Planning Commission had done a site visit to the property, in two groups of two Commissioners.

Chief Deputy Attorney Keith Gingery described the difference between Findings and Factors. He discussed what factors include, as well, and described the regulatory role of the Planning Commission vs. the legislative role. The decision to rezone is at the discretion of the Board of County Commissioners. He read and explained the language in the LDRs regarding zoning map amendment /rezoning's.

Commissioner Esnard – Asked for Director Neubecker to describe the discussion this morning about neighborhood planning. Mr. Neubecker discussed the meeting, timeframes, process for a neighborhood plan.

Commissioner Lurie – Discussed concern about the haste that the applicant has made and implication that the lack of planning is the fault of the County or Planning Commission.

**STAFF PRESENTATION:**

Kristi Malone – Explained that the site visit was not a meeting, and that the site visit was recorded. Staff encouraged Commissioners to have non substantive conversations during the site visit.

**APPLICANT PRESENTATION:**

Susan Johnson, Agent for Applicant – Would like to speak to the broad themes of public comment. The proposed 35% market rate housing is subsidizing the deed restricted housing. She read from the Comprehensive Plan regarding the type of housing, including ownership and rental market and restricted housing. She quoted from the Housing Action Plan. She described the Comprehensive Plan process, and the need to include transportation planning specifically mentioned in the 4-year long process. She stated that all four factors of the LDRs have been met.

Dr. Paul Beaupre, CEO of St John’s Hospital – The housing problems we are facing are our own, but the Gill family is one potential solution to the need. We need to come up 160 housing units due to retirements and staff turnover. Our need is accelerating. We cannot think of this taking several years. We have surveyed our staff, and most are talking about homes priced from \$350,000 – 750,000. We are prepared to put our own housing covenants on the land we obtain, to ensure long term affordability. Its paramount that our staff live in Teton County.

Commissioner Lurie – What percent of your staff can afford the homes at this development? (Beaupre – We do not yet know.)

Commissioner Rockey – Can you provide some examples of the Hospital’s development experience to date?

Dr. Beaupre – We currently have 80 units, some at the Hitching Post. Some are reserved for families in need, at rates well below market. Most have been individual units, or up to 8-12 units. We did sell a property, which would have allowed 5-10 units to be built. We traded that property for other land for childcare center. We do not have enough land to meet our housing demand.

Commissioner Rockey – Building 160 units is a huge commitment in capital. I estimate that would cost \$96 million to build. Where is the hospital on raising funds and making this possible?

Dr. Beaupre – Our staff can qualify for loans. We need staff in Jackson to run the hospital. Typical nurse or phlebotomist stay with us 5-8 years. Our Board is going to make a formal motion on this project on Thursday of this week.

Commissioner Lurie – the development in Alpine was canceled. What has stopped that development from moving forward?

Dr. Beaupre – COVID stopped that development. We had to put all hands-on deck. Also, two developers we were working on had COVID issues to address. We will reinvestigate that project. Some of our finance department, coders, and other staff could live further away. It is on our long-range plan but we will not seriously

discuss until there is a vaccine.

Commissioner Mateosky – What was the price point in Alpine?

Dr. Beaupre – \$350,000 – \$450,000. Toward the lower end of that price range.

Commissioner Mateosky – I have met with developers of the project on Whitehouse Drive, at a price of under \$300 per square foot. I am building homes now for \$225 per square foot. I estimate houses would cost \$750,000. It would be a nice house with a yard. We have been putting the affordable housing units in clusters. Here they will be interspersed.

Dr. Beaupre – Our development might also include folks that clean the hospital, and first responders.

Commissioner Esnard – Asked Susan Johnson about the density of the proposed development relative to the density in Cottonwood and Blair Place development.

Susan Johnson - Our density is about 4 units per acre, and Cottonwood is a bit over 5 units per acre. She described the language in the Comprehensive Plan.

Commissioner Esnard – Do you believe there is a need for a variety of housing product in Subarea 5.6?

Susan Johnson – I do not know if there is a need, but there could be a mix of units and some apartments. She discussed the Dairy Subdivision and when it was built, relative to the Comprehensive Plan goals. Lower density is appropriate farther away, and higher density is appropriate closer to Gregory Lane.

Commissioner Rockey – Asked about the aspiration of Subarea 5.6 in the Comprehensive Plan. Other than the up zone, what other tools exist to arrive at this goal?

Kristi Malone – Staff have discussed in this application, and other applications, the Complete Neighborhood (CN) Planned Unit Development (PUD). In 2016 we rezoned rural areas; we are now looking at Complete Neighborhoods. We do not currently have the CN PUD tools or the Affordable Housing PUD tool. We would consider zoning tools that would implement the values of the Comp Plan.

Commissioner Rockey – Driving through Cottonwood, there is a large variety of housing unit types. How did this come to be?

Kristi Malone – Cottonwood is a PUD. There is a variety of housing types. It is not an outright Town zone, but is a PUD, with a master planning element with common circulation features. A different approach would be to move forward with neighborhood plan, and have the plan advise future zoning decisions. Variety of housing types are imperative when looking at affordability issues. We do not currently have the zoning tools needed, but that could come out of the neighborhood plan. We would also look at other needs, such as transportation, fiscal impacts, etc.

Commissioner Mateosky – What happens if the rezoning happens, but landowners do not want to build what the zoning allows? Could it sit vacant?

Kristi Malone – Yes, that is possible. We would not force development to happen.

Commissioner Mateosky – Asked about the restrictive covenant.

Kristi Malone – You should design a zone to get what you want.

Commissioner Mateosky – Asked if there is any assurance that development will happen if the plan gets completed and zoning put in place.

Kristi Malone – Described the process and timeline of zoning in the past and how it relates to the Comprehensive Plan from 2012.

**PC DISCUSSION:**

Commissioner Muromcew – Commend Gills for bringing this proposal to the County. Not entirely comfortable with proposal as it stands. We may not be able to look at this in a holistic fashion. Sometimes we see the trees and not the forest. We are looking at 1,000 units over 20 years. We need to get this right, but not something to rush into. We cannot screw it up.

Commissioner Lurie – This is a tough decision-making process. I am sympathetic of the position St John's Hospital is in. But the Comp Plan is a community document. We need to look broadly at this project. She read from 2018 Housing Report. The development does not address misalignment for 1-2 person households. I favor waiting for the neighborhood planning to be completed. We need broader housing opportunities. A lot of our locals cannot and will never afford to buy a single-family home in Teton County. A lot of our workers are looking for smaller units, apartment, duplexes, tiny houses. Some of public comments that impacted me were folks that can't afford to live here or are often moving out because they can't afford the rent. Town made it clear that approval is pre-mature, and approval by County would not obligate Town to provide utility service. Private utility will add costs to the homeowners. We need integrated water resource study. We need to take threats to water quality seriously. Transportation is a huge issue that is not adequately addressed. We have responsibility to look at health, safety, and welfare. She discussed bike paths near High School Road and the need for better transportation planning. Discussed the timeline of development, and procedural delays; maybe its 3 years before development happens. There is no way that St John's will build 160 units in that timeframe. Need to look at the collective good. This is not a "no development" decision. It has been anticipated to have development here. But it is our responsibility to do our best.

Commissioner Rockey – We all support developing this area. The intent is to evolve this area. I don't see anyone fighting the concept of growth. I respect the hospital's needs. There could be a need for maintenance workers, hospitality workers. Some might afford \$650,000 town home, if people really stretch. Holistic planning is essential. This is the last great opportunity to address housing. Need to address scenic resources, traffic, while creating density. But we can't drag this on. BCC has committed to doing this plan quicker. Support waiting for the neighborhood plan.

Commissioner Mateosky – My hair stylist has been through a lot of housing challenges, she keeps trying to find a place to live and buy here, but does not want to move back to Lander, she wants to be here. Discussed his family history and difficulty living in town. We needed a foothold to stay here. We have seen opportunity knock, and we have seen a problem turn into a crisis. We constantly plan, but we do not implement. Property owners told me that they are not going to flip the property, but they will stay involved. County has a sketch plan process to ensure you get what you want. We have an opportunity in front of us. I urge County Commissioners to work with this applicant to ensure we get what we want.

Commissioner Esnard – What makes this difficult is the needs that the county has. The community has invested

thousands of hours in developing our guidelines, I have read through both guidelines. We have to respect what the community laid out. BCC is moving rapidly to move forward. I do not know how we can have predictability that this project will have an impact on broader housing crisis. There is a powerful belief that the Gills can be trusted. In real estate, trust can go sideways very quickly if someone gets hit by a bus, or something happens to the family. My view is to not move forward.

Commissioner Rockey – There is no lack of trust in the applicant. But do not tie the hands of the Planning Department by rezoning now. We should do the plan first.

Commissioner Muromcew – On ski patrol, one mantra is “Go Slow to Go Fast” If we rush into this, we may cause more problems. I recommend going through the neighborhood planning process first. We need more information on water, sewer, transportation. Would have more comfort if there was more detail of how the deal would work with the hospital.

Commissioner Mateosky – We can use this to start the ball. Sketch plan is where community gets what it wants. That is our bargaining tool. The reason we are here is that we do nothing. We plan but do not act. The applicants are just asking for the ability to start the process. I do not see that the applicant will get to a point where the roads will not connect. We have got to try eventually. We just recommend.

Commissioner Lurie – I was able to listen to the Voucher meeting this morning. My sense is that everybody understands the sense of urgency and time for development is now. This will move forward in some fashion, more quickly than contemplated a year ago.

#### **MOTION**

Commissioner Rockey moved to recommend APPROVAL of Zoning Map Amendment, ZMA2020-0002.

The motion was seconded by Commissioner Mateosky. The vote showed 1 in favor and 4 opposed. The motion failed with Commissioners Muromcew, Lurie, Rockey and Esnard opposed.

#### **NEW BUSINESS:**

**B) Applicant:** JACKSON HOLE MOUNTAIN RESORT CORP.

**Presenter:** Andrew Bowen

**Permit No.:** PUD2019-0001

**Request:** Request for text amendment pursuant to Div. 8.7.1 of the Teton County LDR’s, to amend Section VII. A: Provision of Employee Housing of the Teton Village PUD Master Plan., to enable the use of dormitory style dwellings in order to satisfy employee housing requirements.

**Location:** Applies to Teton Village Area One; zoned Planned Unit Development-Planned Resort with no overlay.

**STAFF PRESENTATION:** Andrew Bowen introduced the application. He explained that Area 1 is the only area subject to this application. Proposal is to allow dormitories to partially meet housing requirements. Bowen presented the applicant’s final amendment they are requesting. First request is to allow use of dormitories to meet their housing requirements at Teton Village. Other part of this application is that applicant is requesting up to 60% of the required affordable units to be dormitories. Also, dormitories could be used to house non-qualified households or individuals.

Andrew Bowen provided some history of this amendment, which was prompted by AMD2017-0004, which was an amendment to the LDRs. This text amendment shifted the requirements toward long term workforce housing. Prior to that amendment, Powderhorn Phase 1 and Phase 2 were submitted and subsequently built. This development includes suite style dormitories. He explained that 20% of housing mitigation must occur within Area 1 of the Village, but 80% can be outside the Village.

Commissioner Mateosky – What are we losing from this proposal? You cannot move your family into a dormitory.

Andrew Bowen – Not sure you are losing anything. The development is not being created to meet any current requirement. The Applicant is planning for the future.

Commissioner Mateosky – If approved, you would still have 40% more traditional larger apartments or single-family homes. Applicant is looking at their labor base, and the housing currently required does not meet the housing needs of their seasonal housing. So, you are talking about non-qualified households, right?

Andrew Bowen – Powderhorn Phase 2 will be built anyway. Staff is proposing 25% and not 60%

Commissioner Esnard – What is the rationale behind 25%. Because that is what Snow King got?

Andrew Bowen – We recognize that resorts have different housing needs.

Commissioner Muromcew – No questions

Commissioner Lurie – No questions

Commissioner Esnard – We should not have gross inconsistency between the resorts, and support 25%.

Commissioner Mateosky – I agree with you.

#### **APPLICANT PRESENTATION**

N/A

#### **PUBLIC COMMENT:**

There was no public comment.

#### **PC DISCUSSION:**

There was no PC discussion.

#### **MOTION**

Commissioner Mateosky moved to recommend APPROVAL of Planned Unit Development, PUD2019-0001.

The motion was seconded by Commissioner Rockey. There was no further discussion. Motion carried 5-0.

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- C) Applicant:** Brian & Joan Francis  
**Presenter:** Chandler Windom  
**Permit No.:** VAR2020-0003  
**Request:** Variance pursuant to Section 8.8.2 of the Teton County Land Development Regulations to vary Section 5.1.1.D.2.a for the 150 ft river setback for a future building addition/remodel.  
**Location:** The property 1675 E River Drive is south of Hoback Junction. The lot overlooks the confluence of the Hoback and Snake Rivers. The property is zoned Neighborhood Conservation and is within the Natural Resource Overlay.

**STAFF PRESENTATION:**

Chandler Windom – Presented an introduction. The Applicant, Brian Francis, is on the Zoom call to answer questions. She described the location and characteristics of the subject property. She described the history of the property and various additions. Proposal is a reduction to the required 150 feet setback from the river, she showed photos of the property and lot. Chandler described the requirements of the LDRs for setbacks, and the criteria for granting a variance. Staff believes that the application meets variance criteria. She reviewed the criteria, and explained why the proposal meets the criteria, including the design and location of the home, and location on the lot, as well as the location of the river.

Commissioner Esnard – Will this application remove the setback requirements, or only allow the proposed improvements?

Chandler Windom – This would only allow the proposed improvements.

Commissioner Lurie – No additional questions

Commissioner Muromcew – Is this building on septic, not sewer?

Chandler Windom – Yes, I believe it is on a septic, small wastewater facility.

Brian Francis, Applicant – The property is on a septic system, sized for a 4-bedroom house. Currently a one-bedroom house.

**APPLICANT PRESENTATION**

There was no applicant presentation.

**PUBLIC COMMENT:**

There was no public comment.

**PC DISCUSSION:**

There was no PC Discussion.

**MOTION**

Commissioner Rocky moved to recommend APPROVAL of Variance, VAR2020-0003.

The motion was seconded by Commissioner Mateosky. There was no further discussion. Motion carried 5-0.

**MATTERS FROM COMMISSION:**

None.

**AGENDA FOLLOWUP:**

None.

**MATTERS FROM STAFF:**

Director Neubecker gave an update on the neighborhood planning process.


**ADJOURN**

Commissioner Mateosky moved to adjourn at 8:47 PM. Commissioner Rockey seconded and the motion passed unanimously.

Respectfully submitted: kr

  
Glen Esnard, Chair

ATTEST:

  
Chris Neubecker, Planning Director

- Digital recording on file-