

Victor Planning & Zoning Commission
Meeting Minutes
7 June 2011
MinP&Z6_7_11

Present: Mike O'Neil, Zach Smith, Jeremy Besbris. Absent: Lynn Bagley

Review of 19 April 2011 meeting minutes. Mike O'Neil wanted a correction to his comments clarification in paragraph two under the Comp. Plan Ch. 1 section with the addition of the sentence after "Mike mentioned that the language dealing with 'Preserve the community...'" should have said, "New development needs to be visually compatible with the community's historic character.

Mike further suggested that the term "architect" referring to Bill Knight as the founder of the Jackson/Teton County, WY Housing Authority should be changed to "director." The motion was made to adopt the minutes with these changes; the motion was seconded by Zach and passed.

Mackenzie/Trails Inn RV Application

Bill gave a briefing on the staff report regarding Dana Mackenzie's application for a business license for Trails Inn RV Park located at 37 Aspen, approximately opposite the liquor store. He presented a computer photo of the site in question with the explanation that it had been used as a combination mobile home and RV park during the previous decade. The facility had been terminated in 2009 and been used for the storage of masonry construction equipment. Bill explained that the use had lapsed and that the current application was for a pure RV park with higher use intensity. Bill stated that in his view this triggered an elevated level of review that would require the facility to comply with basic requirements for a comparable RV use as well as the requirements for the zone (CBD).

Staff's recommendation was that the facility would need to comply with the terms attached in the staff report. Of particular concern were dust generated from the site given its raw and exposed soil; the term of and type of any rental vehicles; and the question of sidewalk placement.

Dana questioned why he is going in front of P&Z for what he considers a business license application. Dana stated that it was operated as a trailer court and retained that use after the ownership changed. Dana stated that there have been many different RV's and mobile homes on the site over time. He stated that he had permits from the county at a time when he thought it was within the county limits.

Dana said that he proposes to comply with any improvements the city requires. He acknowledges that he is restricting the number of units he can accommodate due to fire water supply radius. Dana would like to consider this as an improvement rather than a development. He doesn't want to offer restroom and shower facilities at this time. There also would not be an office.

Zack asked if gravel would be installed and if there is adequate water and sewer capacity. He questioned how Dana can operate without an office. Dana said that he would use the internet.

Dana stated that he is offering a reconnection of the site to its historic use and feels that his proposal would benefit the city.

Jeremy stated that trash is a concern. Dana stated that there would be no outside storage of trash and that a dumpster would be concealed behind a block wall.

Mike offered that public facilities such as the sidewalk could be handled by a bond or surety with the city to provide for a future sidewalk installation. Dana gave his opinion that this is not new development. On the subject of landscaping, Dana stated that he probably has more than a 15% landscaping requirement given the small relative amount of impervious surface. Bill offered that the landscaping requirement is the balance of the lot less the 85% coverage and that it is not a sliding scale calculation; that in fact, the optimum development design within the General Business Zone is to cover the lot with development to the maximum.

Mike recommended that the proposal be approved with all the requirements cited. He did, however, question how to handle the sidewalk requirement. Dana questioned the whole notion of a sidewalk requirement. Jeremy asked when the requirement would be triggered and when it would be applicable. He wanted to be consistent across the board with the requirement. Bill gave the opinion that the regulatory requirement is sensible given the community's inability to provide for a comprehensive system of sidewalks. He stated that installing a sidewalk here in isolation of any other sidewalks and before any engineering and surveying had been done would be risky and inappropriate given the uncertainty of grade and alignment.

His recommendation on the sidewalk is that it be deferred until the city provides engineering data to accomplish its installation, at which time the property owner will be required to install the sidewalk within the next construction season. Alternatively, owner may be subjected to a Local Improvement District funding requirement for sidewalk installation.

Bill mentioned that the question of the RV units' parking term be addressed. He stated his concern that the site not turn into a de facto mobile home park and that limits should be imposed. The applicant stated that no other campground had similar requirements. Mike stated that a mobile home park would be illegal and that we could police this under zoning regulations. The commission gave the opinion that the terms of the license should suffice without restricting the term an RV could stay on site.

Mike stated that we have looked at this application closely enough and that it should go forward. Zack made a motion to approve the application with amendments. Jeremy seconded and the motion passed.

Bill stated that he would prepare a summary of terms for a license agreement.

Campervan North America LLC RV Rental Application

Bill gave a summary of the Mr. Bob Swan's RV rental operation application stating that the use was proposed for 20 Cedron Road, the two story commercial building located at approximately the intersection of Cedron and Main St. Bill stated that the use was proposed within the Central Business Zone and on its face lacked compliance with the allowed uses of the zone. Bill stated that he was obligated as administrator to recommend denial, however eager he was to accommodate a business. He further stated that the application was within his purview of

authority to deny but felt that another look at the application by the commissioners was appropriate. The question of use centers around the location of rental vehicles parked on the site. Bill explained that it is somewhat difficult to understand zoning in a community such as ours where there is a high degree of under-development. Bill further offered that urban zoning is designed for present and mid-to- long-term land uses and that there will inevitably be criticisms given the varying context of the location.

The applicant offered his opinion of the benefit of his operation to the community citing the need for an RV rental facility on this side of the pass for incoming Jackson visitors. He stated that many find the task of picking-up a camper in Jackson and then navigating through traffic to a campground daunting. Moreover, finding a camping spot can be difficult during the height of the season. Mr. Swan spoke to the service he provides in terms of getting the renters familiarized with the units out of traffic and then directed to a Forest Service camp site or developed campground.

Mr. Swan spoke to the certainty of his clients shopping locally for supplies and fuel and the benefits this would bring. He stated that his facility has the potential for a year round operation albeit at reduced levels. He offered that he intended to have only three units on-site during any daily period and that his other units are stored in Driggs at his storage barn. He stated that he would shuttle units to the Victor site as needed but there would not be more than three units on site for any given 24 hour period.

Zack spoke to the seeming inflexibility of the zoning and that there should be a category under which to approve the application albeit with restrictions. Jeremy seconded Zack's opinion speaking to the need for economic activity under these economic conditions. Mike agreed. Bill read the Purpose of the zone paragraph and the list of Permitted Uses as well as the Special Uses. He explained that the Special Uses (and Conditional Uses) are intended as related uses to those explicitly allowed by right but that carry with them a heightened level of scrutiny and potential public comment. Mike observed that a similar though less visible use was allowed with the U-Haul operation in back of the Tire Store on Center St.

Section I. was offered by Jeremy as a potential category in that the RV rental provided entertainment and recreation. Mike offered that they could be seen to qualify under recreation. Bill cautioned as to the precedent this could conceivably set. Zack and Mike both offered that we could condition the approval with a limit of three units and that this would be a deterrent to the indiscriminate application of similar operations in the future.

Mr. Swan elaborated on the size limit of his RV's and their virtually new condition. He stated that the maximum size would be 24'. Bill cautioned that there must be signage compliance and that there could be no unusual promotional activity in this zone, such as is typical of auto dealerships.

Mike stated that he was comfortable with the interpretation of the regulations and that adequate safeguards limiting the operation could be put into the business license through an agreement. A motion for approval was made by Zack, seconded by Jeremy and carried unanimously.

Impact Area Modifications

Bill gave a briefing on the modifications necessary to bring consistency to the impact area agreement. Mike commented that he had read he recommended modifications and that they were logical and acceptable to him. Jeremy and Zach both agreed. A motion was made by Zach to recommend approval of the changes, seconded by Jeremy and passed.

Urban Renewal/Economic Development

Bill gave a briefing to the commission on depot block development opportunities. He explained the need to get the block structured for development and that this requires the street extension of Depot Way with attendant utilities, and utility expansion in general. This would make development possible along the combined 700 feet of new building frontage and provide circulation and access within the block. Bill explained that the Community Development Block Grant is the available funding source for this type of project. This would require a right-of-way conveyance by the property owners to the city which would probably entail a contractual agreement with them to agree to a Quit Claim of the necessary property to the row.

Bill gave a summary of the Scenic Byway project that was applied for under the Federal Highway Administration (FHWA) and explained that the ranking was in ascending order of project costs which was a ranking which appeared to be without consideration of overall merit and probably politically motivated in order to secure some funding for a number of state projects. He explained that there were few options to the cost of the design and that were no half-way measures to an inter-active visitor center. He related the Driggs Chamber of Commerce similar experience with a low ranking and then a high ranking by the FHWA. Reid Rogers of the Driggs chamber and chair of the Scenic Byway Committee was one of the judges in the state ranking for project submittals and stated that our application was one of the strongest he has seen. Bill offered that it was anybody's guess as to the success of the application but that in his experience this application was also among the strongest he has seen. The decision will be made at its earliest in October of this year.

The meeting was adjourned until next meeting on Tuesday the 28th of June.

P&Z Administrator

P&Z Chairman