

City Council Meeting

May 26 , 2021

Victor, ID

Victor City Council met in regular session via zoom meeting at 7:00 P.M. Upon roll call the following were found to be present:

Mayor & Council: Will Frohlich, Molly Absolon, Emily Sustick, Amy Ross, and Stacy Hulsing.

Staff: Olivia Goodale, Kim Kolner and Michelle Smith were present at 32 Elm Street. Herb Heimerl, Joanna Burkart, Carl Osterberg.

A motion was made by Councilwoman Absolon and seconded by Councilwoman Sustick to amend to agenda to move the Public Hearings before the work session at the beginning of the meeting. The motion showed all in favor. The motion carried.

Public Hearing & Action Items.

Public Hearing- LU2020-01 Broulims Rezoning-43 E Center Street: Kim Kolner confirmed that proper notice has been given and that supporting materials are complete. No Council members declared a conflict of interest. Kim Kolner made staff comment regarding the application for a rezone map amendment to rezone the subject property from the CIV: Civic and Institutional Zoning District to the CX: Commercial Mixed Use Zoning District, development of the site, and a development agreement with conditions. Mark Oswald representing Broulims, made public comment regarding housing, and employment opportunities for local residents. Further discussion between council was made regarding workforce housing for employees with 6 units, snow removal maintenance plan, seasonal workers vs full time employment. Public comment was opened. Public comments were received by Penny Bozkez, Niki Richards, Tim Wells, Shawn Hill, Abbott, Cindy Riegel, Landon Kaufman, Ida Hansen, Neil Albert, and Zach Smith. Public comment was closed.

Council deliberations followed with clarification of the zones in the proposed areas, reviewed the overall vision of the infrastructure and infill within the downtown core, the parking lot being an asset to the city, the walkability financial aspects for a vibrant downtown feel. Council reviewed the conditions of approval and made amendments to 4-b,c,d,f,j,and L. Final motions are listed below.

A motion was made by Councilwoman Hulsing and seconded by Councilwoman Absolon that having concluded that the criteria for approval of a rezone map amendment found in Title 10, Article 14.7.12.B have been met, I move to approve the rezoning map amendment from the CIV: Civic and Institutional Zoning District to the CX: Commercial Mixed Use Zoning District for Broulim Oswald, LLC as described in the application materials submitted on January 19, 2021, and subject to the amended conditions of approval listed in the staff report for the public hearing on May 26, 2021. Conditions of Approval amended and approved as the following:

1. The Owner shall be solely responsible for compliance with these conditions of approval, all applicable development requirements, and all previous and future land use decisions rendered for the Project.
2. The Owner shall submit completed applications for a Site Plan Review (the "Project") within 6 months of the date of this Agreement. Failure to submit applications in this time frame and gain approval of these permits in the time permitted under the Victor land development regulations for the processing and approval of these permits, will cause the zoning for this parcel to remain as Civic, unless a new rezone application is later submitted and approved. No new building permits nor land use permits shall be approved for this site until this permit has been acquired.
3. The rezone ordinance will be adopted and published once the Project permit is obtained.
4. A Development Agreement shall be submitted per Sec. 67-6511A, Idaho Code, to review and include provisions to address the following:
 - a. That the developer installs required infrastructure improvements, including but not limited to, street trees, sidewalks, utilities.
 - b. A traffic study to be performed to determine the needs for turn lanes into the site and also if a right turn lane is needed at the intersection of E. Center Street for northbound traffic onto Main Street/HWY 33, Evaluate developing the alley running east-west from Main Street to Agate Street; as well as the possibility of pedestrian and vehicular use and accesses to the possibility of additional street parking and sidewalks on both sides of the street and that the developer assist in the payment of any needed improvements.
 - c. That development occurs in substantial conformance with the proposed site plan presented, square footage subject to a CUP.
 - d. That the proposed use be limited to a retail establishment and no less than 6 residential units. Said residential units shall be for the purpose of employee housing to be defined by the City Attorney through the Development Agreement Process and that short term rental will not be allowed.

- e. That development of the structure not to exceed the normal permitting allowances of 2 years with a onetime 6-month extension.
- f. The Applicant shall host a neighborhood outreach and coordination process prior to their application process for Site Plan Review or a Conditional Use Permit and submit such findings at that time.
- g. Limit vehicular access on Center Street to no more than two total curb cuts.
- h. Tree Grates every 25' on Center Street.
- i. 36 lineal feet of benches along Center Street.
- j. The City evaluate developing the alley running east-west from Main Street to Agate Street per condition 4.b. The applicant shall develop that alley upon acquisition of an Easement or Right of Way for the City of Victor.
- k. Open and operational for 8 hours on Sundays.

Mayor Frohlich called for a roll call vote. Councilwoman Absolon- In Favor, Councilwoman Ross- In Favor, Councilwoman Hulsing- In Favor Councilwoman Sustick- Against. The motion carried.

Work Session.

Mountain Bikes of the Tetons. Carl Osterberg made staff comment regarding a request made by Mountain Bike of the Tetons to amend the Sherman Park Master plan, amend the maintenance agreement between Mountain bike of the Tetons and the City of Victor. The request is to also expand the existing footprint of the bike park, improved design, materials and infrastructure within extended park boundaries, and a donation from the city to help with park improvements. Chris Brule, representing Mountain Bike of the Tetons, made public comment the overall plan and history of the bike park and the goal that is in place for this project. Public comment was opened/closed. Further discussion between council was made regarding the amendment to the master plan, the connectivity development with pathways with in the park, the horse arena and placements, barriers, and buffers. No action taken at this time.

Hillside Overlay District. Kim Kolner made and Alex Norton made comment regarding the alternative approaches pertaining to the higher-level draft which included: General Protections of the habitat, slopes, building envelopes, subdivision options of density, required open space, building envelope location, and utilities and the new zoning changes for larger areas. Further discussion between council was made regarding open space density, lot size building envelope. Public comment was opened/closed. A general consensus was made that this project is moving in the right direction and to keep moving forward the with ordinance. No action taken at this time.

Ordinances & Resolutions.

Public Hearing- Interim Ordinance O581- Design Review Committee. Kim Kolner confirmed that proper notice has been given and that supporting materials are complete. No Council members declared a conflict of interest. Kim Kolner made staff comment regarding the interim ordinance 0581, an interim ordinance to amend and restate chapter 3 of title 7 as well as article 14 of title 10 of the victor city code regarding the design review process and the formation of a design review committee; to be effective for a period of one (1) year. Further discussion between council was made regarding getting citizens interested in this committee. Public comment was opened/closed.

A motion was made by Councilwoman Absolon and seconded by Councilwoman Husling to waive first reading in full of Ordinance O581, an Interim Ordinance to amend and restate Chapter 3 of Title 7 as well as Article 14 of Title 10 of the Victor City Code regarding the design review process and the formation of a Design Review Committee; to be effective for a period of one (1) year, to read it by title only, and to waive the second and third Ordinance readings. Mayor Frohlich called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Councilwoman Absolon and seconded by Councilwoman Hulsing to further approve Ordinance O581 and to direct the City Clerk to publish the Ordinance. Mayor Frohlich called for a roll call vote. Councilwoman Absolon- In Favor, Councilwoman Sustick- In Favor, Councilwoman Roll- In Favor, Councilwoman Hulsing- In Favor. The motion carried.

Consent Calendar:

A motion was made by Councilwoman Sustick and seconded by Councilwoman Ross to approve the consent calendar including items a-e as presented with the following motions:

- a. To approve the April 21, 2021 council retreat minutes as presented.
- b. To approve the April 28, 2021 regular meeting minutes as presented.
- c. To approve the disbursements as presented.
- d. To approve the Teton County Victor Public Safety Communication Site Lease Agreement as presented.
- e. To approve the Special Event Application for Film Festival as presented.

Mayor Frohlich called for a roll call vote. Councilwoman Absolon- In Favor, Councilwoman Sustick- In Favor, Councilwoman Roll- In Favor, Councilwoman Hulsing- In Favor. The motion carried.

Dashboard. The dashboard included planning applications and permits, the next scheduled P&Z and URA meeting dates, the monthly treasurer report, 2021 legislative session, Grand Targhee expansion EIS, and affordable housing meeting updates.

Adjourn. A motion was made by Councilwoman Ross and seconded by Councilwoman Absolon to adjourn the meeting. Mayor Frohlich called for the vote. The vote showed all in favor. The motion carried. The meeting adjourned at 11:41 P.M.

City of Victor

Will Frohlich, Mayor

ATTEST:

Michelle Smith, City Clerk

Minutes: MS 05/26/2021