MINUTES
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
April 17, 2024

The Planning and Zoning Commission met in a regular session on April 17, 2024, in the Town Council Chambers located at 150 E. Pearl in Jackson, at 5:30 pm. This meeting was held in-person and via Zoom.

Upon roll call the following were found to be present:

BOARD: Katie Wilson, Anne Schuler, Thomas Smits, Laura Bonich, Abigail Petri, Christie Watts

STAFF: Paul Anthony, Tyler Valentine, Katelyn Page, Lynsey Lenamond

MATTERS FROM THE PUBLIC: None.

APPROVAL of MINUTES: A motion was made by Anne Schuler and seconded by Christie Schutt to approve the April 3, 2024, regular meeting minutes. Katie Wilson called for the vote. The vote showed all in favor and the motion carried.

OLD BUSINESS: None.

PLANNING COMMISSION:

ITEM P23-204, 206, P24-007 PCJH Development Plan, PUD Amendment and CUP

STAFF PRESENTATION: Tyler Valentine
Staff noted that this project is in a master-planned neighborhood. The applicant is asking for uses that are not currently allowed on the property. Staff reviewed the research they did to conclude that 4 Lazy F Ranch has control/ownership. Institutional use is allowed in the CNMP and the fellowship building is not a full-scale new church. 32 parking spaces are required and applicant is providing 33, some of which will be in the church parking lot. The LDRs have no standards for traffic impact studies and the Town Engineer did not require one for this project.

QUESTIONS FOR STAFF:
Commission asked if the additional units in the CNMP are a “land-grab” situation or if the original developer has to approve them. Staff said their first step was to determine ownership, and then the units have to be approved before being transferred by the owner. Commission asked if the applicant were asking to put in the 3 approved units on this parcel if they would have to go through the PUD amendment process and staff confirmed that they wouldn’t. Commission asked for more detail on original approval; staff confirmed that the original owner was the developer of Blair place and the other phases, and then at the end of the process there were units left over that the owner could sell or transfer. Commission asked if the PUD defines “unit.” Staff confirmed that it isn’t specific, but the original plan was for single and multi family. Commission asked if there is a likelihood that any remaining units, if this project is approved and completed, will be used, if there

is space. Staff said there's not a lot of land available to build on, but Blair Place may have some room, and possibly the Community Bible Church. Commission asked about a scenario in which Blair Place was razed, then how many units could they build. Staff said they could build the number of units they were originally approved for, but if they wanted more, they would have to go through a MP amendment process. Commission wondered how important it is to have ownership and units figured out now so we don't have to address it in the future. Staff feels that it's clear that if this project is approved, there will be 38 units remaining and 4 Lazy F Ranch has ownership. But there is no assurance that legal battles won't happen down the road. Commission asked about zoning and what would happen if there was no residential going in on the parcel, staff said an amendment would be needed under NL-3 for the accessory use building. Staff is treating the accessory building as part of the church which is why it required the CUP, but acknowledges that it's not a full-scale church and that residents will use it. Commission asked why a lot line is not being created to be separated as institutional. Staff said the applicant could do that if they wanted but staff isn't requiring them to. Commission asked if they pass the CUP and applicant then scraps the development plan, is the CUP tied to this project. Staff said the Commission could condition the approval of the CUP to limit the square footage of the institutional building. Commission asked for clarification on what they are granting the applicant with approval of the CUP. Staff said they are limiting approval with the CUP and can add additional conditions but are approving a 1500 square foot church use specifically. Commission asked about Montana Road being County jurisdiction and if they will review the entry. Staff said Town Engineering will check in with the County to make sure they are okay with the project. Staff confirmed that the access being from Montana Drive is derived from the 1993 Land Exchange Agreement. Commission asked about down payment assistance, and staff confirmed that the Housing Department does have that program but any use of those funds for this project would have to be approved by the County Commissioners. Some Commission members think it is unclear on whether the land swap agreement is being violated since 3 units were agreed upon. Staff suggested that the item could be continued to get legal questions answered.

APPLICANT PRESENTATION:
Bill Collins spoke on behalf of the applicant. He confirmed that this is a residential development. Church has an immediate need for 10 units, and more units down the road. There are no private sector homes going in here, it's not new employees that will live here to work new jobs. It's for current staffing.

QUESTIONS FOR APPLICANT:
Commission asked about the type of units, and applicant confirmed they are townhouses and are on townhouse lots. Commission had applicant confirm that these units will be owned by the church and that they will then rent them out. Applicant said that is the plan, but that some lots could be sold later on. Applicant confirmed that any residents could use the fellowship building, whether they are church staff or not. Commission asked why church decided to deed restrict all of the units. Applicant wanted to be clear that they were not in this as a real estate deal. The deed restrictions

match what applicant wants this development to be. Commission asked about bedrooms and seasonal units. Applicant wants someone in every unit to be church related staffing, visiting speakers, etc. could stay in available bedrooms. No entire units would be temporary or seasonal.

PUBLIC COMMENT:

John Graham spoke on behalf of 4 Lazy F Ranch. James Musclow spoke regarding the units remaining after this project is completed. He questions who owns these units and about resulting traffic impacts from this project. Ryan Peterson spoke regarding the best use of this parcel, and questioned the church's need for staff housing. He also feels that the impact to wildlife would be great and that traffic would be impacted. Dan Heilig spoke regarding the entry and questioned whether there could be other options for access. Janice Skinner spoke about the impact to wildlife, she has concerns about density and access from Montana Drive. Scott Garland asked Commission to walk the area to get a feel for the area in regards density. He also questions the legality of ownership. Matt Miller spoke on behalf of the applicant (lawyer) and discussed vested rights. Robert Warburton spoke regarding whether the housing could be placed on a different part of the church's land.

COMMISSION DISCUSSION:

Commission discussed workforce housing and the possible sale of units with staff. Commission stated they are confused about the zoning and PUD. Staff affirmed that the PUD speaks first, zoning speaks second. Commission is concerned about the entry on Montana Drive. Commission expressed concern on impact to wildlife if parcel 2 is developed down the road. Staff said the area is not in a Natural Resource Overlay. Mila Dunbar spoke on behalf of the applicant regarding the retainer wall. Some Commission members felt that public comment should be taken into consideration and changes implemented and that the infrastructure isn't available to support this project. Commission discussed the difference of workforce housing being owned by employers vs. employees.

MOTION:

ITEM A: A motion was made by Laura Bonich and seconded by Abigail Petri to recommend approval of PUD Amendment P23-206 to amend the Cottonwood Park CNMP to allow "Multi-family Residential" (i.e., condominiums, townhomes, apartments) and "Institutional" (i.e., church) as allowed uses on the subject property based upon the findings presented in the staff report, the departmental reviews, and subject to this staff report dated April 17, 2024. Katie Wilson called for the vote. The vote showed all in favor and the motion carried.

ITEM B: A motion was made by Laura Bonich and seconded by Christie Watts to recommend approval of Development Plan P23-204 for a two-phased development of 21- Workforce deed-restricted townhomes totaling 25,466 sf of above-ground habitable based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to this staff report dated April 17, 2024. Katie Wilson called for the vote. The vote showed all in favor and the motion carried.

ITEM C: A motion was made by Laura Bonich and seconded by Anne Schuler to recommend approval of Conditional Use Permit P24-007 for a new Institutional use, specifically for a 1,500 sf ancillary church building, based upon the findings presented in the staff report, the departmental reviews, and subject to this staff report dated April 17, 2024. Katie Wilson called for the vote. The vote showed all in favor and the motion carried.

ITEM P24-042 LDR Updates – Director Titles

STAFF PRESENTATION: Katelyn Page
Staff reminded Commission that LDR amendments must go before the Planning Commission before Town Council. The Planning Director has now become the Planning and Building Director.

QUESTIONS FOR STAFF: None.

PUBLIC COMMENT: None.

COMMISSION DISCUSSION: None.

MOTION:
A motion was made by Anne Schuler and seconded by Abigail Petri to recommend approval to the Town Council of LDR Text Amendment P24-042 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to this staff report dated April 17, 2024. Katie Wilson called for the vote. The vote showed all in favor and the motion carried.

ITEM P24-043 LDR Updates - Noise

STAFF PRESENTATION: Katelyn Page
Town Council passed an ordinance that now has noise control and enforcement being under the purview of the municipal code as opposed to the LDRs.

QUESTIONS FOR STAFF: None.

PUBLIC COMMENT: None.

COMMISSION DISCUSSION: None.

MOTION:
A motion was made by Anne Schuler and seconded by Thomas Smits to recommend approval to the Town Council of LDR Text Amendment P24-043 based upon the findings presented in the staff

report, the departmental reviews, minor changes by staff, and subject to this staff report dated April 17, 2024. Katie Wilson called for the vote. The vote showed all in favor and the motion carried.

ITEM P24-044 LDR Updates – Findings of Approval

STAFF PRESENTATION: Katelyn Page
The Town Attorney suggested that the LDR findings of approval be modified to be consistent with the comprehensive plan.

QUESTIONS FOR STAFF: Commission asked about the scenario that only a comprehensive plan exists without zoning. Staff said building code would then come into play.

PUBLIC COMMENT: None.

COMMISSION DISCUSSION: None.

MOTION:
A motion was made by Anne Schuler and seconded by Christie Watts to recommend approval to the Town Council of LDR Text Amendment P24-044 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to this staff report dated April 17, 2024. Katie Wilson called for the vote. The vote showed all in favor and the motion carried.

MATTERS FROM COMMISSION:
Councilmember Arne Jorgensen joined the Commission for a discussion on the tools that the Commission has to make decisions on big buildings, the 2 for 1 bonus, housing credits, and parking. Councilman Jorgensen spoke regarding his role as liaison. He feels that his presence at PC/BOA meetings would change the dialogue and discussion, and therefore made the decision to only be at a meeting if asked to attend. Commission asked how they can work with Councilman Jorgensen to more strongly voice to Town Council their concerns and lack of tools. Councilman Jorgensen spoke to a lack of engagement between PC and Town Council. Does this need to be a structural change? He also spoke to the process at the retreat that led to Council taking items off their priority list such as the big building discussion. If the item becomes a big topic with the public, Council can add it back to the priority list. Commission expressed concern that the design guidelines are not consistent, and concern that a long-range planner position may not be filled. Staff added that long-range planning can be done without that position being filled, but in FY26 the Planning and Building Director will be asking for a Town-only long-range planning position. Commission suggested it would be nice to have a more formal way for them to express their priorities to the Town Council. Commission also expressed the need for more clarity on how much they can weigh in on design guidelines.

MATTERS FROM STAFF: None.

Adjourn: A motion was made by Anne Schuler and seconded by Laura Bonich to adjourn the meeting. Katie Wilson called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 9:41 pm.

minutes:ll