

AGENDA

Planning and Zoning Commission

February 19, 2020 – REGULAR MEETING

5:30 PM

The New Business items have been placed on the agenda in the order they were received. Please note that at 9:00 p.m., the Commission will evaluate the remainder of the agenda to determine if time constraints will permit the full agenda to be heard at this meeting. All items not heard at this meeting will be postponed to the next regularly scheduled PC/BOA meeting of March 4, 2020 or to a special meeting scheduled by the Commission.

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS AND AUDIENCE MEMBERS

PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING

1. CALL TO ORDER
2. ROLL CALL
3. MATTERS FROM THE PUBLIC
4. APPROVAL OF MINUTES
5. OLD BUSINESS
6. NEW BUSINESS
7. BOARD OF ADJUSTMENT
 - I. **ITEM P19-286:** REQUEST FOR A SIDE YARD (WEST) SETBACK VARIANCE IN THE COMMERCIAL RESIDENTIAL - 2 (CR-2) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 375 W. BROADWAY AVENUE.
8. PLANNING COMMISSION
 - I. **ITEM P19-291:** HILLSIDE CONDITIONAL USE PERMIT (CUP) FOR A NEW THREE-STORY MIXED-USE BUILDING IN THE COMMERCIAL RESIDENTIAL-3 ZONING DISTRICT LOCATED AT 1140 WEST HIGHWAY 22.
9. MATTERS FROM THE COMMISSION
10. AGENDA FOLLOWUP
11. MATTERS FROM STAFF
 - I. Digital Planning Commission Packets
12. ADJOURNMENT



TOWN OF JACKSON BOARD OF ADJUSTMENT AGENDA DOCUMENTATION

PREPARATION DATE: FEBRUARY 14, 2020
MEETING DATE: FEBRUARY 19, 2020

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: PAUL ANTHONY
PRESENTER: TYLER VALENTINE

SUBJECT: **ITEMS P19-286:** REQUEST FOR A SIDE YARD (WEST) SETBACK VARIANCE IN THE COMMERCIAL RESIDENTIAL - 2 (CR-2) ZONING DISTRICT FOR THE PROPERTY LOCATED AT 375 W. BROADWAY AVENUE.

APPLICANT: RACHEL RAVITZ

OWNER: TEGELER PROPERTIES, LLC

STATEMENT/PURPOSE

The applicant is requesting a variance to allow a zero-foot side yard (west) setback for a roof eave for the property addressed at 375 W. Broadway Avenue.

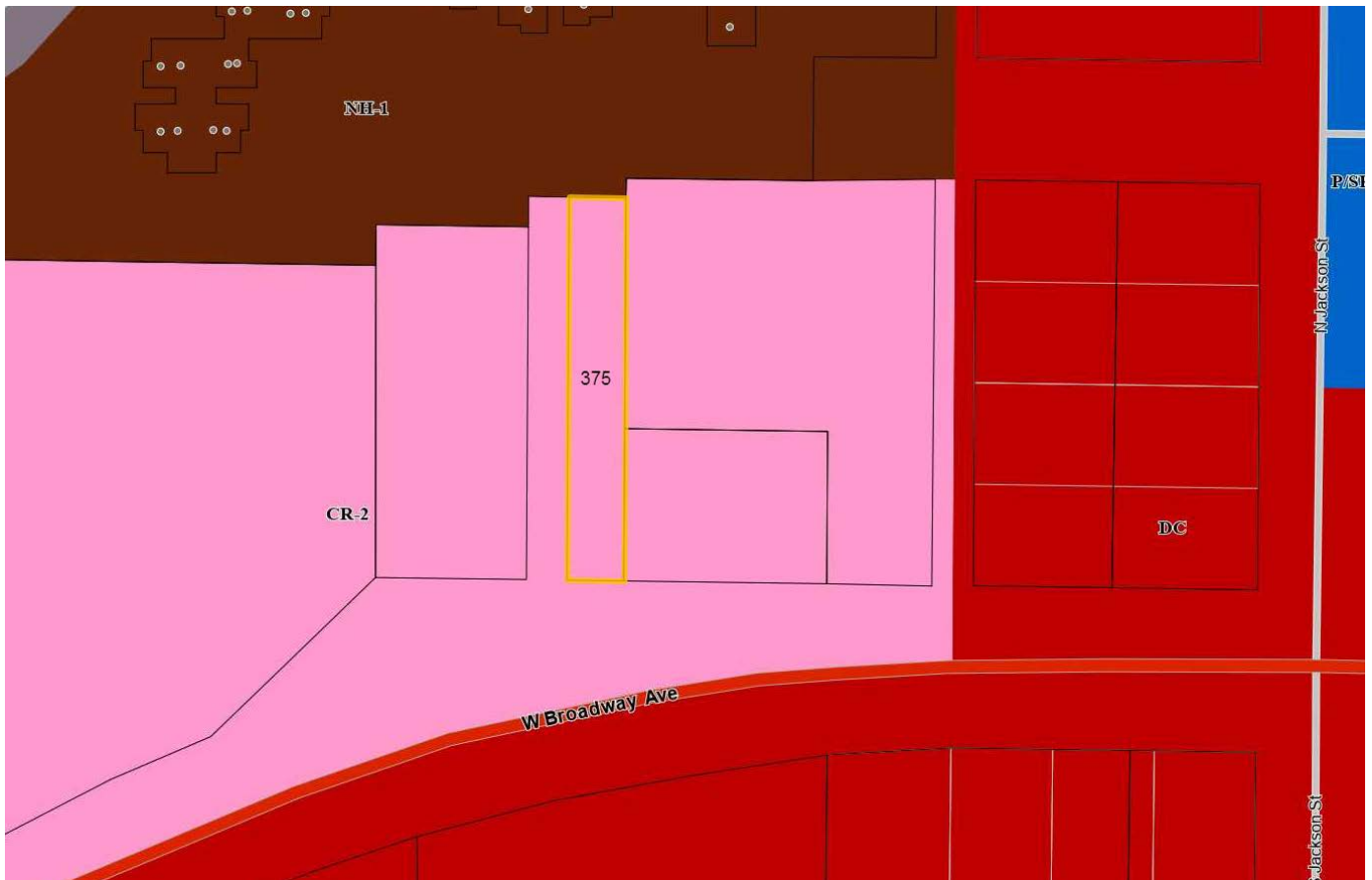
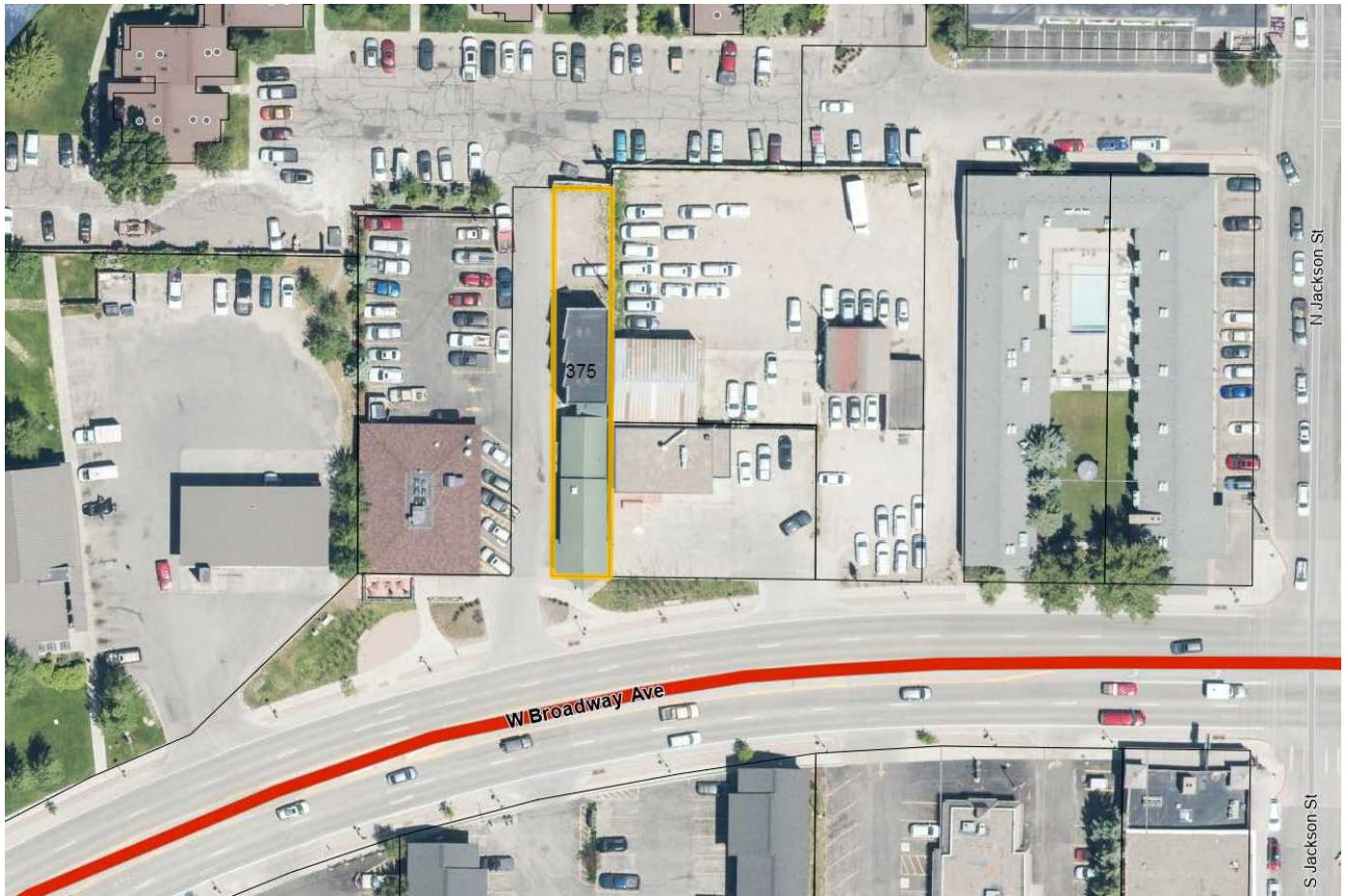
APPLICABLE REGULATIONS

Section 8.8.2. Variances

Section 2.2.12. Commercial Residential - 2 (CR-2)

LOCATION

The subject property is described as PT SW1/4 SE1/4, SEC. 28, TWP. 41, RNG. 116 and is addressed as 375 W. Broadway Avenue. An aerial photo and zoning map are shown on the following page:



BACKGROUND/ALTERNATIVES

Existing Site Characteristics

The subject property was rezoned from Auto-Urban Commercial (AC) to CR-2 in July 2018. The surrounding zoning to the east and west is also CR-2 with Neighborhood High Density-1 (NH-1) to the north and Downtown Core (DC) to the south. The subject site is 0.12 acres and dimensions are 28 feet wide by 190 feet deep. Immediately adjacent to the west of the property is a 20-foot wide alley (Town right-of-way) which provides access to the subject site, adjacent restaurant (El Abuelito) to the west and the Meadowbrook Village Condominiums to the north. The site is used as an office for Tegeler Insurance and includes a 2,459 sf two-story building which was built in two phases: a single-story front portion (1,480 sf) built in the 1960s and a two-story addition (979 sf) to the rear built in 2005.

This property was granted a variance (Item 04-14) in 2004 approving 2-foot side yard setbacks based upon the site being only 28 feet wide. Additionally, a 0.52 FAR variance was also granted allowing up to 2,718 sf of habitable square footage.

The proposed addition went to the DRC on December 11, 2019 and February 12, 2020 and received a unanimous recommendation for approval.

Applicant's Request

The applicant is seeking to remove the original 1960s single-story portion of the building (1,480 sf southern portion) and replace it with a new single-story office addition. The new addition is 1,555 sf and includes a basement. The applicant plans to locate the building up to the 2-foot side yard setback on both sides which is allowed per the original 2004 variance. However, because the remaining building envelope is still only 24 feet wide, the applicant is requesting a new variance for a 0-foot side setback on the west side to allow the roof eave to extend to the property line.

The applicant has designed a gable style roof that sheds away from the building and is aware that roof eaves cannot encroach into a setback in this zone. The applicant states that in order to develop this unique lot reasonably, additional space is needed for the roof eaves otherwise the applicant would have to shrink the building width to fit the roof eaves within the 24 foot building envelope. The applicant states that compared to typical lots in town and in the surrounding area, the subject property is far more constrained with regard to its width and building envelope.

STAFF ANALYSIS

In reviewing the applicant's request, Staff found special circumstances related to the subject lot in terms of its narrow width of 28 feet and resulting building envelope of 24 feet. Compared to typical CR-2 lots in the downtown, which are 50-feet wide by 150-feet deep and have a minimum building envelope width of 40 feet, the applicant's property is significantly more narrow. In addition, when reviewing the properties within the vicinity, the subject lot is the only property with such a narrow width and the majority of the surrounding lots are even much wider than typical 50-foot wide lots.

Under the findings below, staff has found that due to the special circumstances of the subject lot, strict application of the 2-foot side setback requirements would create a hardship on the applicant's plans to redevelop the site in a reasonable manner and would limit options for roof configuration. Although there are several different types of roof configuration options from flat roofs to gable roofs, the existing gable roof

design would not be permitted because the eaves extend beyond the 2-foot setback. Staff finds this to be a challenge unique to this lot and permitting the roof eaves to extend to the property line would allow reasonable use of the site considering its width.

Planning and Engineering have considered the shedding of water/snow toward the alley to the west and a condition of approval has been added to this effect. The condition requires the applicant to ensure stormwater and snow are not discharged into the alley through use of gutter system, downspout and rooftop snow guards

As conditioned, staff finds that the applicant's request meets all findings for a variance, meets the intent of the zoning and will allow the owner to develop their property in a reasonable manner consistent with surrounding development.

PUBLIC COMMENT

Staff has received public comment from a property owner at the Meadowbrook Village Condominiums just north of the subject property. The owner's primary concerns were related to water and snow shedding into the alley. Staff's general response to this concern is addressed in LDR Division 5.7 Grading, Erosion Control and Stormwater Management which sets standard applicable to grading, erosion and run-off. The applicant will be required to submit a grading and erosion control plan with their building permit and adhere to Town standards.

STAFF FINDINGS

Pursuant to Section 8.8.2 Variances of the Land Development Regulations, the following findings shall be made prior to granting the Variance.

1. ***Special conditions and circumstances exist.*** *There are special circumstances or conditions which are peculiar to the land or building for which the Variance is sought that do not apply generally to land or buildings in the neighborhood.*

Complies. Staff finds the subject property is constrained by its uniquely narrow width of 28 feet when typical town lots in the downtown are 50 feet wide. Even with the existing 2004 side setback variances, the site's building envelope is 24 feet wide which is still significantly less than a typical lot which has a building envelope width of 40 feet. Staff finds that this is a condition that is unique to the land in question. A review of parcel sizes and configurations in the immediate neighborhood shows no other lots as narrow as the subject property.

2. ***Not result of applicant.*** *The special circumstances and conditions have not resulted from any willful modification of the land or building.*

Complies. Staff finds that the unique characteristic of the site – its narrow width – is beyond the control of the applicant and is not a result of any willful act of the current owner.

3. ***Strict application deprives reasonable use.*** *The special circumstances and conditions are such that strict application of the regulation sought to be varied would create a hardship on the applicant far greater than the protection afforded to the community.*

Complies. Staff finds that the unique lot width as noted in Finding #1 deprives the owner reasonable use of their site. Although there is a variance that allows 2-foot side yard setbacks for the building, roof eaves are not allowed to encroach into setbacks for any commercial zone such as CR-2. Because of the subject lot's narrow building envelope, the options for physical development and roof configuration, such as roof overhangs, are limited compared to typical 50-foot wide lots which have a 40-foot wide building envelope. With an already narrow lot, staff finds that this would further force the applicant to sacrifice building width which would deprive reasonable use.

4. ***Minimum Variance.*** *The variance sought is the minimum variance necessary to provide balance between the purpose of the regulation sought to be varied and its impact on the applicant.*

Complies. Because the variance is limited to the roof eave along the western side, staff finds that a zero setback is the minimum variance necessary to provide a balance between the purpose of the regulation sought and its impact on the applicant based upon the narrow width of the applicant's lot at 28 feet. Staff does not anticipate any adverse visual impacts from these roof eaves and finds them to be minor additions to a constrained site.

5. ***Not injurious to neighborhood.*** *The granting of the Variance will not be injurious to the neighborhood surrounding the land where the Variance is proposed, and it is otherwise not detrimental to the public welfare.*

Complies. As conditioned, staff finds that this request will not be injurious to the surrounding neighborhood because the only portion of the building extending to the west side property line is the roof eaves. The building walls will maintain a 2-foot setback per the 2004 variance. In addition, directly to the west is a 20-foot wide alley which provides a buffer from the adjacent property owner. Furthermore, the applicant will be required to ensure that storm-water is addressed through a gutter system with downspout and that snow shedding is addressed through use of rooftop snow guards.

6. ***Consistent with the LDRs.*** *The granting of the Variance is consistent with the general purpose and intent of the Land Development Regulations.*

Complies. Staff finds this variance to be consistent with the general intent of the Land Development Regulations as stated in Section 2.2.1.A. Commercial Residential – 3.

ATTACHMENTS

Applicant Submittal
Departmental Reviews

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

The Planning Director recommends **approval** of Item P19-286, a Variance to allow a zero-foot side (west) setback for a roof eave for property addressed as 375 W. Broadway Avenue subject to the Land Development Regulations, the attached department reviews and the following conditions of approval:

1. The variance shall expire in one year from the date of approval unless a building permit is submitted.
2. The applicant shall ensure storm-water and snow are not discharged into the alley through use of gutter system, downspout and rooftop snow guards.

SUGGESTED MOTION

Based upon the findings for a Variance as presented in the staff report related to 1) Special conditions and circumstances exist; 2) Not result of applicant; 3) Strict application deprives reasonable use; 4) Minimum Variance; 5) Not injurious to neighborhood; and 6) Harmony with LDRs as presented by the applicant and staff for Item P19-286, I move to **approve** a Variance for a zero-foot side (west) setback for a roof eave for the property addressed at 375 W. Broadway Avenue, subject to the departmental reviews attached hereto and two conditions of approval:

1. The variance shall expire in one year from the date of approval unless a building permit is submitted.
2. The applicant shall ensure storm-water and snow are not discharged into the alley through use of gutter system, downspout and rooftop snow guards.

PLANNING

Project Number	P19-286	Applied	12/13/2019	STOL
Project Name	Variance - 375 W. Broadway	Approved		
Type	VARIANCE	Closed		
Subtype	STREET SETBACK	Expired		
Status	STAFF REVIEW	Status		

Applicant	Rachel Ravitz	Owner	TEGELER PROPERTIES, LLC
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Site Address	City	State	Zip
375 W BROADWAY AVENUE	JACKSON	WY	83001

Subdivision	Parcel No	General Plan
	22411628400015	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes Building Kelly Sluder	APPROVED	12/17/2019	1/7/2020	12/17/2019	
Fire Kathy Clay	NO COMMENT	12/17/2019	1/7/2020	12/20/2019	
Joint Housing Dept Stacy Stoker	NO COMMENT	12/17/2019	1/7/2020	1/7/2020	
Legal Lea Colasuonno	APPROVED W/CONDITI	12/17/2019	1/7/2020	1/1/2020	

Type of Review	Status	Dates			
		Sent	Due	Received	Remarks
Contact					
Notes					
(1/1/2020 7:48 AM LC)					
LDR 8.8.2 states that a variance may be sought for any standard of these LDRs, exclcuding 6 exceptions. The exceptions do not apply in this case.					
Under LDR 8.8.2, a variance shall be approved upon finding:					
1. There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to land or buildings in the neighborhood;					
2. The special circumstances and conditions have not resulted from any willful modification of the land or building;					
3. The special circumstances and conditions are such that the strict application of the regulation sought to be varied would create a hardship on the applicant far greater than the protection afforded to the community;					
4. The variance sought is the minimum variance necessary to provide balance between the purpose of the regulation sought to be varied and its impact on the applicant;					
5. The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed, and is otherwise not detrimental to the public welfare; and					
6. The granting of the variance is consistent with the general purpose and intent of these LDRs					
Parks and Rec	APPROVED W/CONDITI	12/17/2019	1/7/2020	1/3/2020	
Steve Ashworth					
(1/3/2020 2:41 PM STOL)					
One comment on P19-286: Construction plan to include protection for the "pocket park"/public art area immediately to the south/southeast of the property. Thanks.					
Andy Erskine, CPSI					
Parks Manager, Teton County/Jackson Parks & Recreation Department					
Pathways	NO COMMENT	12/17/2019	1/7/2020	12/26/2019	
Brian Schilling					
(12/26/2019 2:31 PM STOL)					
No comments from Pathways.					
Planning		12/17/2019	1/7/2020		
Tyler Valentine					
Police	APPROVED	12/17/2019	1/7/2020	12/19/2019	
Todd Smith					
(12/19/2019 1:35 PM STOL)					
No concerns from the police.					
Thanks,					
Todd					
Public Works	APPROVED W/CONDITI	12/17/2019	1/7/2020	1/8/2020	see notes
Jeff Silliman					

Type of Review	Status	Dates			
		Sent	Due	Received	Remarks
Contact					
Notes					
(1/8/2020 5:29 PM JSIL)					
VARIANCE – APPROVED					
P19-286					
ADDRESS: 375 W Broadway Ave.					
OWNER: Donal and Jill Tegeler					
APPLICANT: Rachel Ravitz, AIA					
1/8/2020					
Jeff Silliman, 733-3079					
DATE OF SUBMITTAL: 1/17/2020					
DATE OF MATERIALS: 12/5/2019					
REVISION NO.:					
The engineering division has reviewed your application for a VARIANCE submitted on and with application materials as dated above.					
*The following comments are being provided for use in preparation of future applications and are required for sufficiency.					
CONDITIONS OF APPROVAL					
1. Stormwater may not be discharged into the alley.					
2. Owner shall install a gutter and downspout to manage roof drainage.					
3. Stormwater management shall comply with the Town of Jackson Land Development Regulations. (Section 5.7.4)					
START		12/17/2019	1/7/2020		
Darren Brugmann					

LLH Enterprises, LLC
PO Box 324
Green River, WY 82935
10 February 2020

Mr. Tyler Valentine
Senior Planner, Planning & Building Dept.
Town of Jackson
PO Box 1687
Jackson, WY 83001

RE: Item P19-286
Variance—Side Yard Setback
375 West Broadway Avenue

Dear Mr. Valentine,

I own property at 355 West Deloney in Jackson. You notified me by letter of the above referenced Variance Request as I am “a property owner within 200 ft. of the subject property.”

I will not be able to attend the hearing on Wednesday, 19 February 2020. Therefore, I am notifying you by this letter that I am against the Variance Request in its current form.

On Saturday, 1 February 2020, I examined the property at 375 West Broadway. My primary concern is drainage.

- There are no storm drains in the alley on the west side of the property.
- Via the alley the rain, meltwater, storm water, etc. would run downhill into one of the parking lots at 355 West Deloney (Meadowbrook Village dba Town Creek Condominiums).
- Contrary to what is stated in “LDR Section 8.8.2-c Variance Findings for Approval Tegeler Dec 11 2019” of the Variance Request, the alley is not a secondary street. Its status needs to be confirmed with the Meadowbrook Village Homeowners’ Association and with Mountain Property Management.
- The drawing on p. 9 of the Variance Request shows gutters and downspouts on the new roof but the drawing does not address to where the water/run-off will flow from the downspouts. To the property on the east? To the sidewalk along West Broadway? To the alley?
- The photo from 1961 on p. 7 of the Variance Request shows an eave setback that apparently allowed the landscaping on the west/alley side to absorb snow/rain/meltwater/storm water run-off. This would be a better solution to a drainage problem than a zero-foot side yard setback.

Please keep me informed as to the status of the Variance Request. Thank you for your time.

Regards,
Lora Hittle
LLH Enterprises, LLC

Rachel Ravitz
esteAm Architecture, LLC
P.O. Box 2406
Jackson WY 8300
(307)699-2454
Rachel@esteam.design

Tyler Valentine
Senior Planner
Jackson Planning Dept.
P.O. Box 1687
Jackson, WY 83001

Dear Mr. Valentine,
Please find attached our proposal for variance for the Tegeler property located at 375 West Broadway. We seek a variance for roof encroachment into the West Side Yard Setback of 2 feet. Please reach if there is any additional information you need. Thank you for your assistance through this process.

Rachel Ravitz, AIA

Proposal

The Tegeler intend to maintain their 2005 office annex and demolish the existing street front office from 1961. The new office addition will replace this existing structure, plus an additional 85 square feet. The overall project is modest in size, not maximising development potential. The design attempts to create a strong street presence along Broadway, with a friendly facade along the western alley as well for both downtown traffic and secondary entrance.

Property Information

375 West Broadway Ave
Parcel # 22-41-16-28-4-00-015
Location PT SW1/4SE1/4, SEC. 28, TWP. 41, RNG. 116
Zone: Commercial CR-2

Owner

Tegler Properties, LLC
PO Box 829, Pinedale, WY 82941-0829

Requested LDR Variance

2.2.12 Commercial Residential-2
B Physical Development

1. Lot Standards

Building Setbacks - Side, Interior - 5 ft * Note Variance in effect from 2005 is 2 ft
Request to Encroach West Alley Setback with Roof Eave to zero setback.

Findings for Approval - Attached

LETTER OF AUTHORIZATION

Tegeler Properties, LLC

, "Owner" whose address is: 375 West Broadway Ave

PO BOX 829 PINEDALE, WY 82941-0829

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

Jill Tegeler, Donald Tegeler

, as the owner of property

more specifically legally described as: PT SW1/4SE1/4, SEC. 28, TWP. 41, RNG. 116

Parcel # 22-41-16-28-4-00-015

(If too lengthy, attach description)

HEREBY AUTHORIZES Rachel Ravitz, esteAm Architecture, LLC as agent to represent and act for Owner in making application for and receiving and accepting on Owners behalf, any permits or other action by the Town of Jackson, or the Town of Jackson Planning, Building, Engineering and/or Environmental Health Departments relating to the modification, development, planning or replatting, improvement, use or occupancy of land in the Town of Jackson. Owner agrees that Owner is or shall be deemed conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in said application or any Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or modifications to such materials. Owner acknowledges and agrees that Owner shall be bound and shall abide by the written terms or conditions of issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platting or replatting, improvement, occupancy or use of any structure or land involved in the application shall take place until approved by the appropriate official of the Town of Jackson, in accordance with applicable codes and regulations. Owner agrees to pay any fines and be liable for any other penalties arising out of the failure to comply with the terms of any permit or arising out of any violation of the applicable laws, codes or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and, if signing on behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

OWNER:

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: member - LLC

(if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or other non-individual Owner)

STATE OF Wyoming)

COUNTY OF Sublette)

)SS.

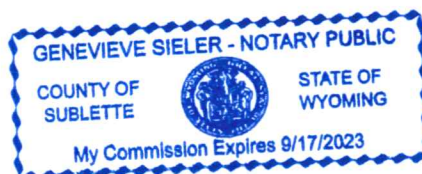
The foregoing instrument was acknowledged before me by Kerry Majhanovich this 13 day of November, 2020

WITNESS my hand and official seal.

(Notary Public)

My commission expires:

(Seal)





PLANNING PERMIT APPLICATION
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | www.townofjackson.com
Jackson, WY 83001

For Office Use Only

Fees Paid _____ Date & Time Received _____
Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: Tegeler Insurance Office Addition / Remodel
Physical Address: 375 West Broadway
Lot, Subdivision: PT SW1/4SE1/4, 28-41-116 PIDN: 22-41-16-28-4-00-015

PROPERTY OWNER.

Name: Donal and Jill Tegeler [Kerry Majhanovich, President] Phone: (307)367-2154
Mailing Address: PO BOX 829 PINEDALE, WY ZIP: 82941-0829
E-mail: km@tegelerinsurance.com

APPLICANT/AGENT.

Name: Rachel Ravitz, AIA Phone: (307)699-2454
Mailing Address: P.O. Box 2406 - Jackson WY 83001 ZIP: 83001
E-mail: Rachel@esteAm.design

DESIGNATED PRIMARY CONTACT.

_____ Property Owner ☒ _____ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning

Use Permit

_____ Basic Use
_____ Conditional Use
_____ Special Use

Relief from the LDRs

_____ Administrative Adjustment
☒ _____ Variance
_____ Beneficial Use Determination
_____ Appeal of an Admin. Decision

Physical Development

_____ Sketch Plan
_____ Development Plan
_____ Design Review

Subdivision/Development Option

_____ Subdivision Plat
_____ Boundary Adjustment (replat)
_____ Boundary Adjustment (no plat)
_____ Development Option Plan

Interpretations

_____ Formal Interpretation
_____ Zoning Compliance Verification

Amendments to the LDRs

_____ LDR Text Amendment
_____ Map Amendment

Miscellaneous

_____ Other: _____
_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: Valentine / Daavetilla Oct 11 Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

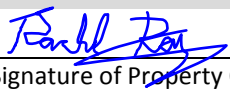
500 **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

X **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at www.townofjackson.com/DocumentCenter/View/102/Town-Fee-Schedule-PDF.

X **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.



Signature of Property Owner or Authorized Applicant/Agent
Rachel Ravitz

Name Printed

Dec 10 2019

Date
Architect

Title

1. There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to land or buildings in the neighborhood.

The width of Tegeler's Lot at 375 West Broadway is extraordinary in its narrowness - roughly 28 feet x 190 feet. In the entire downtown, only the Boyer's Lot at 30 West Broadway appears to have similar constraints, but with private lots on either side. 375 is unique in its adjacency to the public alley, once owned (in 1996) by Maurice Miles

2. The special circumstances and conditions have not resulted from any willful modification of the land or building.

Per Town of Jackson records, the lot has never changed from its current configuration. The applicant is not at fault for the narrow lot width.

3. The special circumstances and conditions are such that the strict application of the regulation sought to be varied would create a hardship on the applicant far greater than the protection afforded the community.

The project experiences hardship in that the narrow width limits programming solutions for usable space and circulation. There is no desire to give up what limited width is available, yet a strict interpretation of land development regulations would severely limit options for roof configuration. To treat the alley as if it were a shared side yard would yield a similar condition to that which currently exists for the northern office annex – a flat, tall, parapet wall. We contend that this hardship would be shared by the Town in that it wishes to present friendly and varied facades to the pedestrian and motorist alike. The West side on which the roof setback encroachment occurs is a Town of Jackson Alley, rather than another privately owned lot; whose private property rights would under typical circumstances need to be protected.

4. The variance sought is the minimum variance necessary to provide balance between the purpose of the regulation sought to be varied and its impact on the applicant.

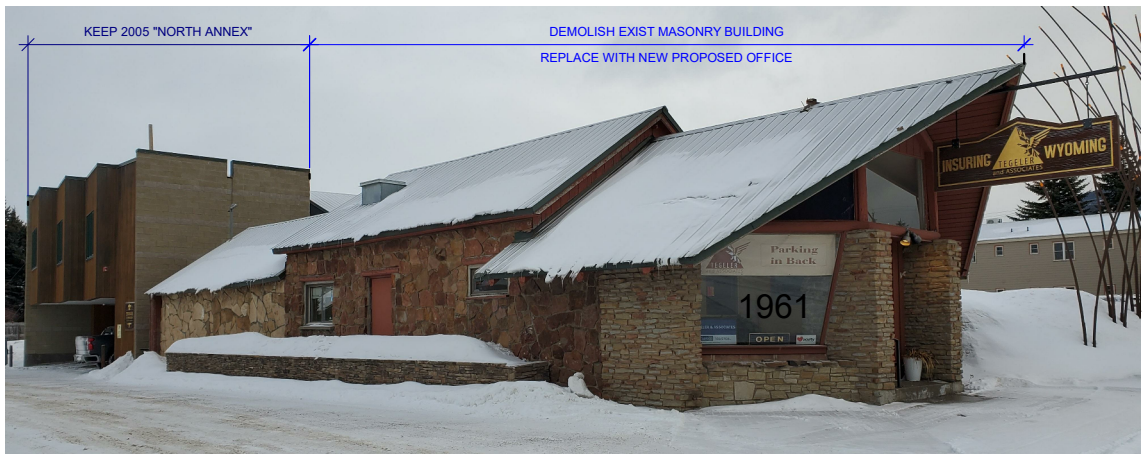
The bulk of roof run-off will not be directed toward the Alley. About ¼ of the new roof, as presented, drains toward the Alley setback; and furthermore is contained on the lot by gutter and downspout. Roughly 1/6th the entire lot length is encroached by this proposed roof eave. The variance is minimal.

5. The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed, and is otherwise not detrimental to the public welfare: and

Proposed shallow roof, gutter, downspouts, and snow bars will improve street maintenance from its current condition; a steep metal roof which sheds half the building towards the alley. Proposed measures to control water, snow, & ice within property boundaries are an improvement from the current condition.

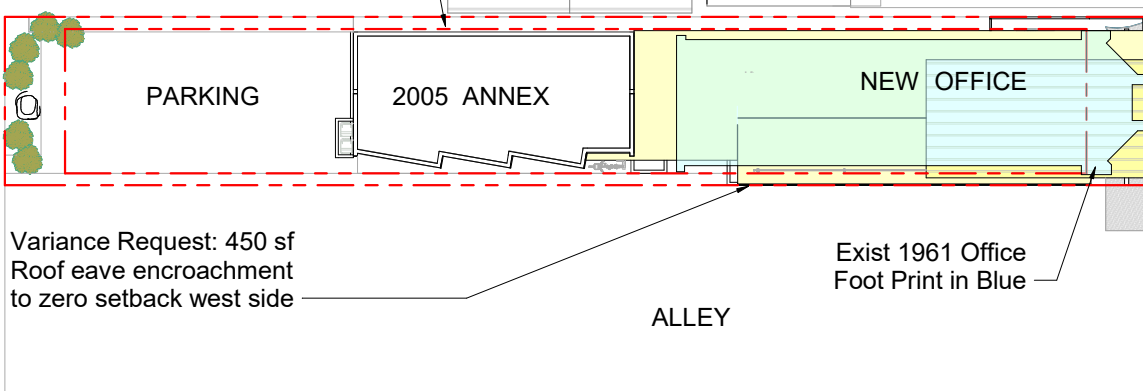
6. The granting of the variance is consistent with the general purpose and intent of these LDR's

Per the LDR's, Lot standards for CR-2 entail Secondary Street Setback Range from Zero 0 - 10 feet. In this case, the Alley (un-named) to the west might be considered a secondary street, with its unique proximity to the Willow Grove Public Art Park. The project would thus conform. See also finding #3.

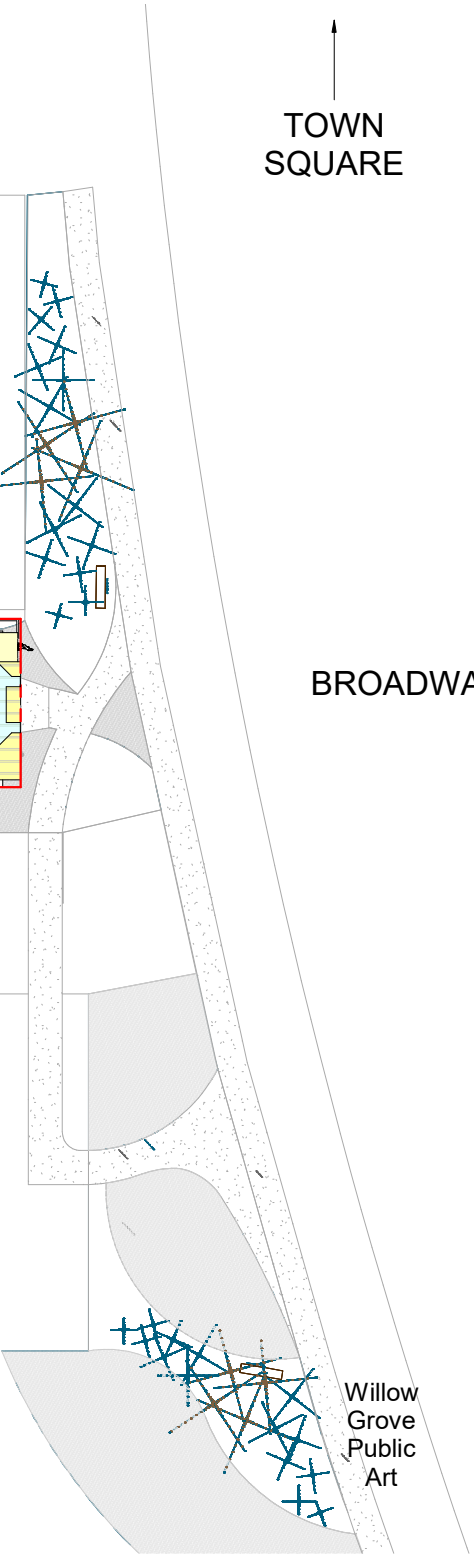
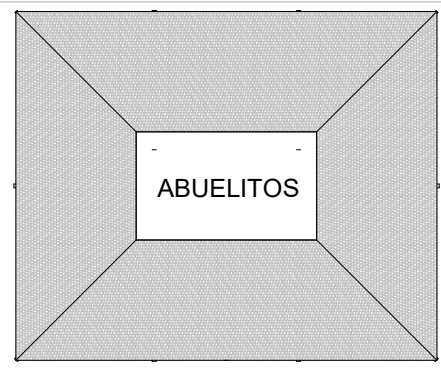


5320 sf - Lot Area
532 sf = 10% LSR

Established Variance
2005 at 2 Ft East & West
Valid 2019



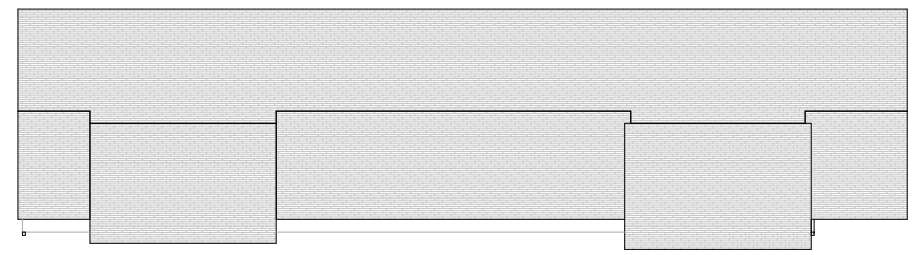
① Site
1/16" = 1'-0"



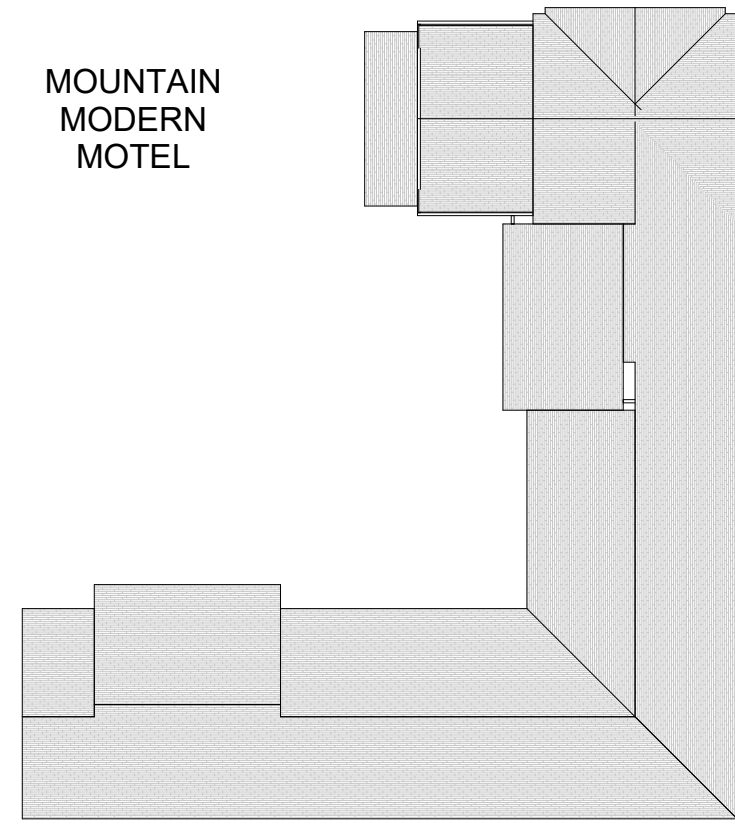
TOWN
SQUARE

BROADWAY

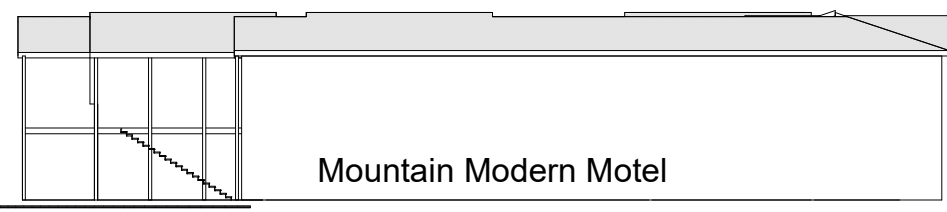
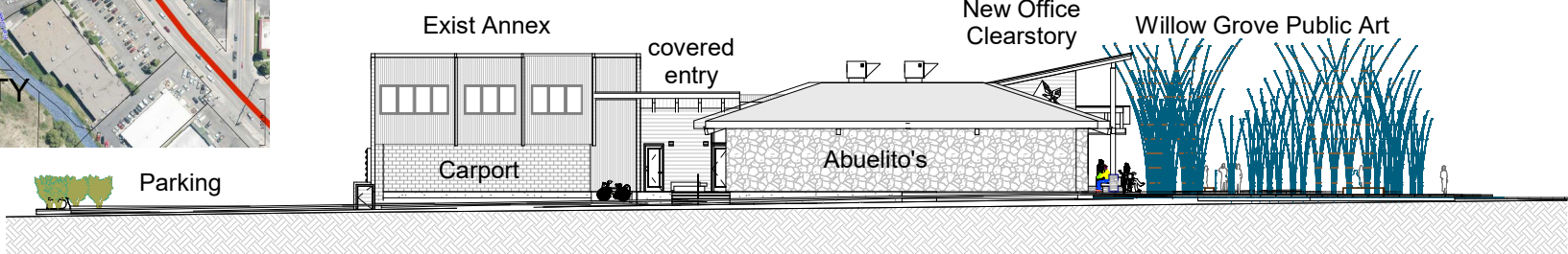
WEST
JACKSON



MOUNTAIN
MODERN
MOTEL



② Block Section
1/16" = 1'-0"



ESTEAM
ARCHITECTURE

REGIONAL RELEVANCE
THROUGH INSPIRED SCIENCE

AIA NCARB LEED AP
Box 2406 Jackson Wy 83001
(307) 699-2454
Rachel@esteAm.design
Carl@GreenDesign-Build.net



INSURING
WYOMING
SINCE 1943



DRC
Submittal

Not For
Construction

TEGELER INSURANCE OFFICE

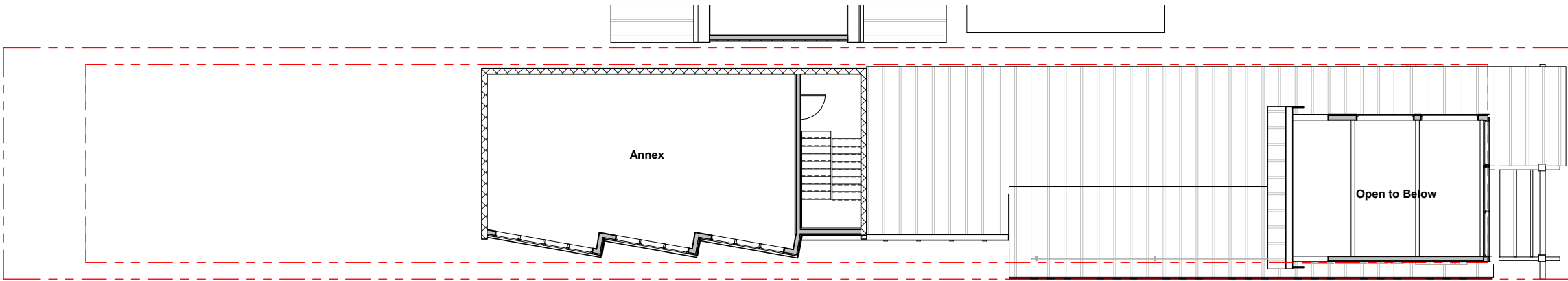
375 West Broadway

BLOCK PLAN

Date 30 Jan 2020

DRC 1

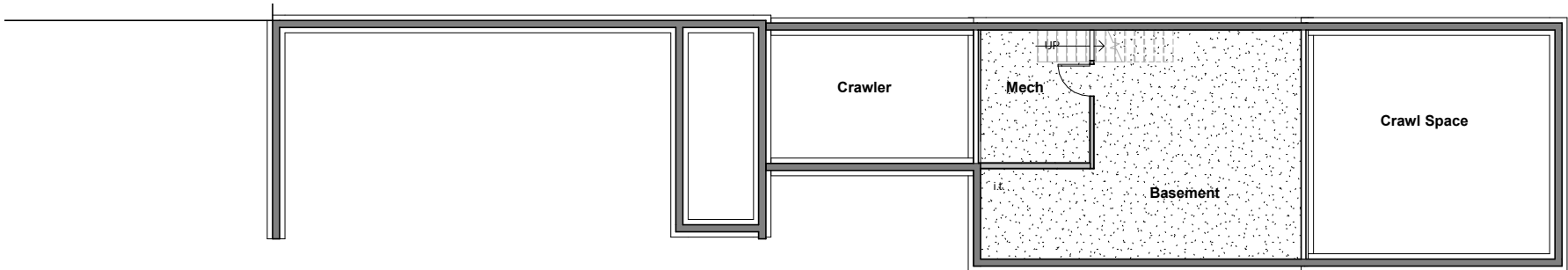
Scale 1/16" = 1'-0"



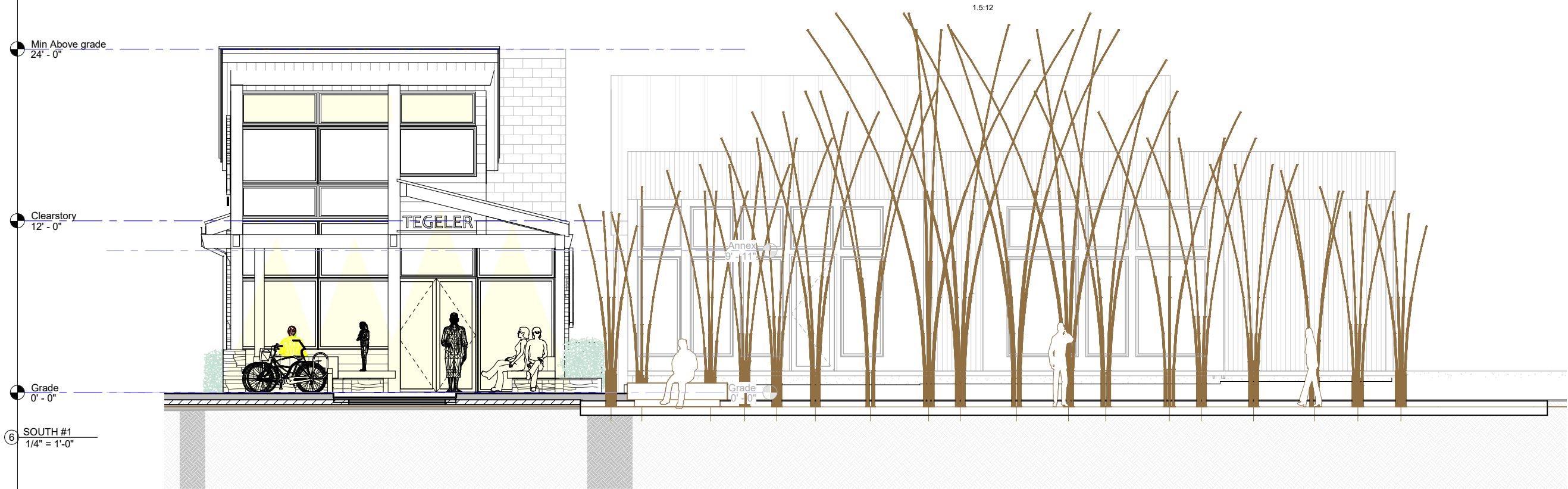
③ Clearstory
1/8" = 1'-0"



② Grade
1/8" = 1'-0"



① Basement
1/8" = 1'-0"



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**DRC
Submittal**

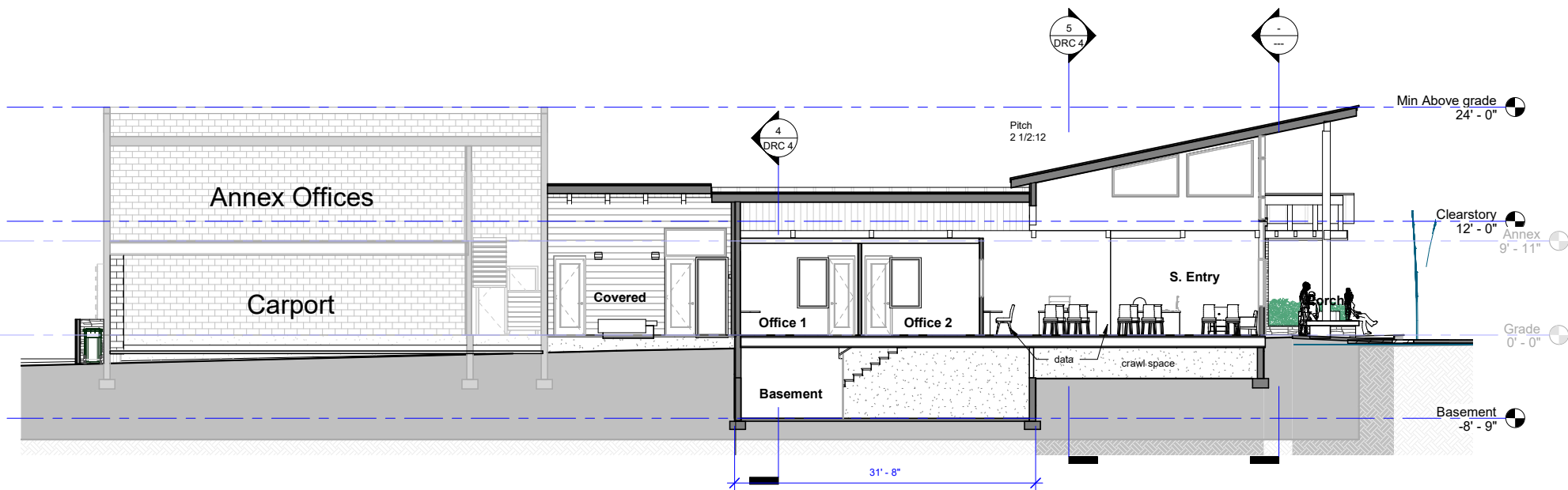
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Construction**

TEGELER INSURANCE OFFICE
375 West Broadway
EXTERIOR ELEVATIONS

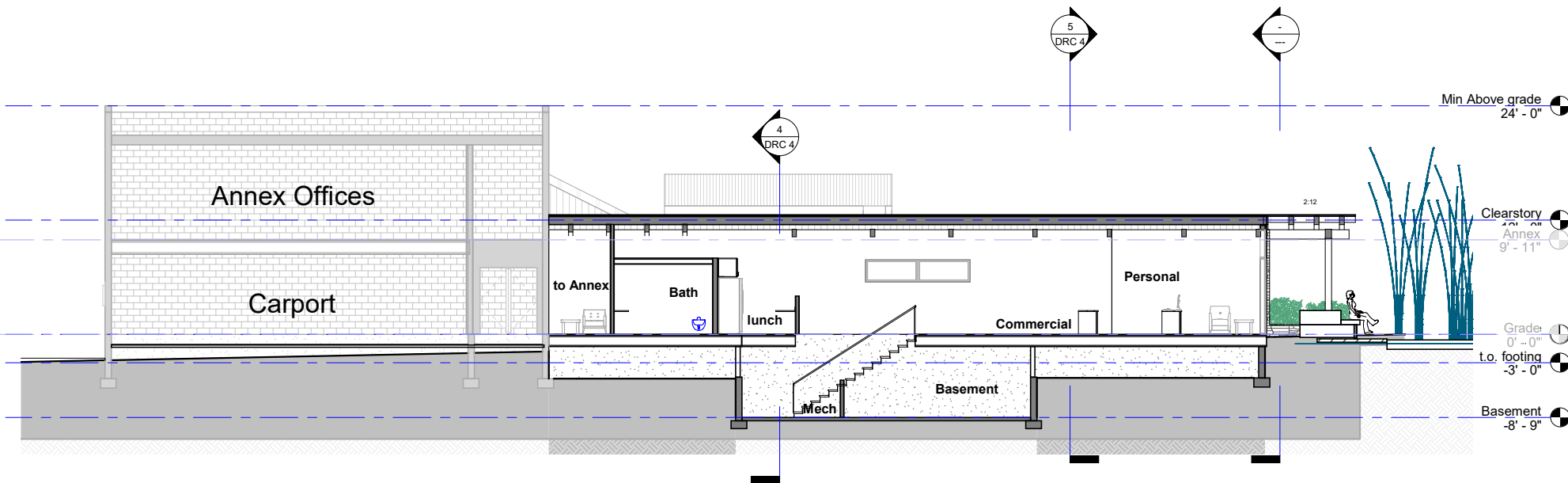
Date 30 Jan 2020

DRC 3

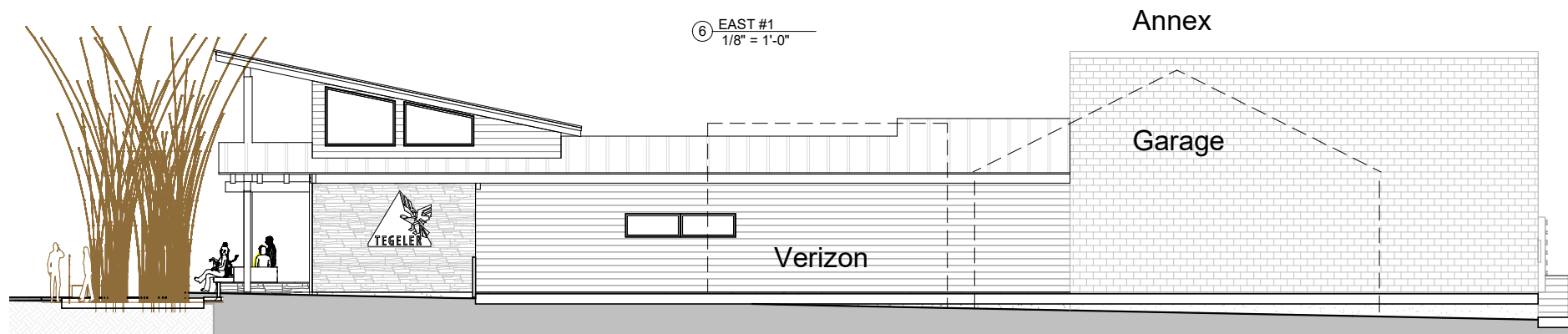
Scale As indicated



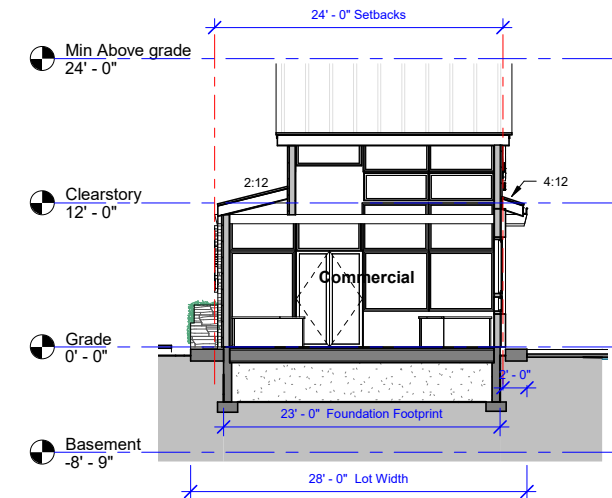
① Longitudinal
1/8" = 1'-0"



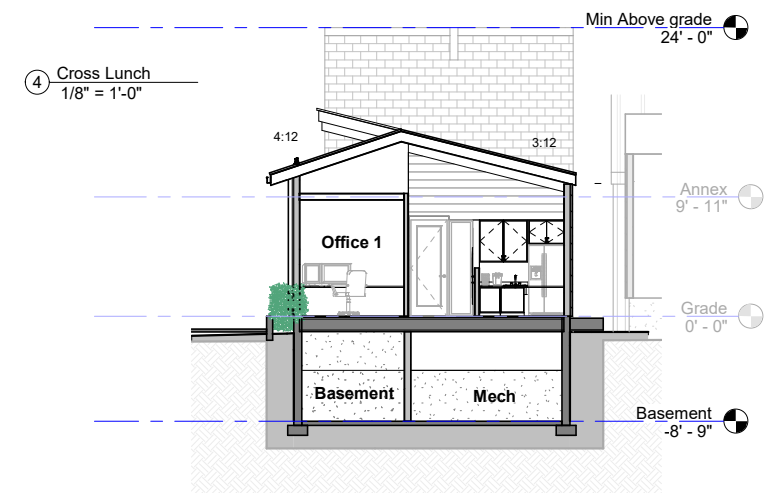
② Long Through Basement
1/8" = 1'-0"



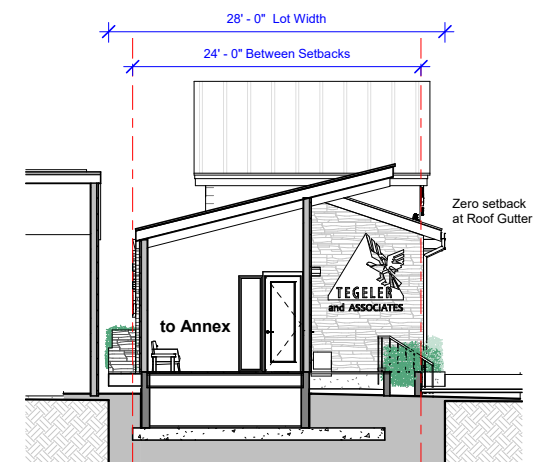
⑥ EAST #1
1/8" = 1'-0"



⑤ Cross Lot
1/8" = 1'-0"



④ Cross Lunch
1/8" = 1'-0"



③ NORTH #1
1/8" = 1'-0"



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SECTIONS & ELEVATIONS

375 West Broadway

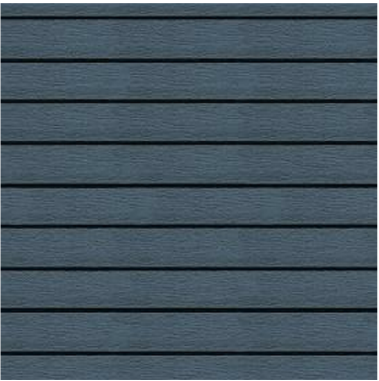
Date 30 Jan 2020

DRC 4

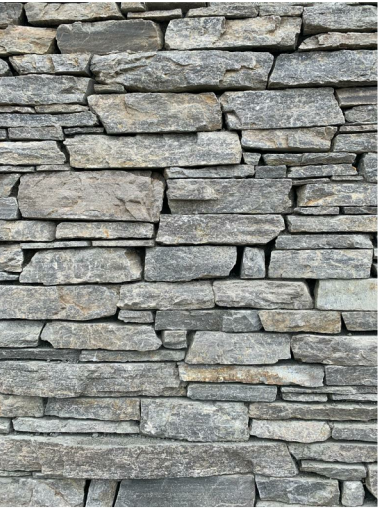
Scale 1/8" = 1'-0"



DRC Dec 2019



Stained Blue-Gray Wood Horizontal Siding or Artisan Lap by Hardi



Oakley Ledge stone



Stand Seam Mtl Roof



New soffit to match existing wood siding



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ARCHITECTURE

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THROUGH INSPIRED SCIENCE

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TEGELER
and ASSOCIATES

DRC
Submittal

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Construction

TEGELER INSURANCE OFFICE
375 West Broadway

3D VIEWS

Date	30 Jan 2020
Scale	

DRC 5



ESTEAM
ARCHITECTURE

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THROUGH INSPIRED SCIENCE

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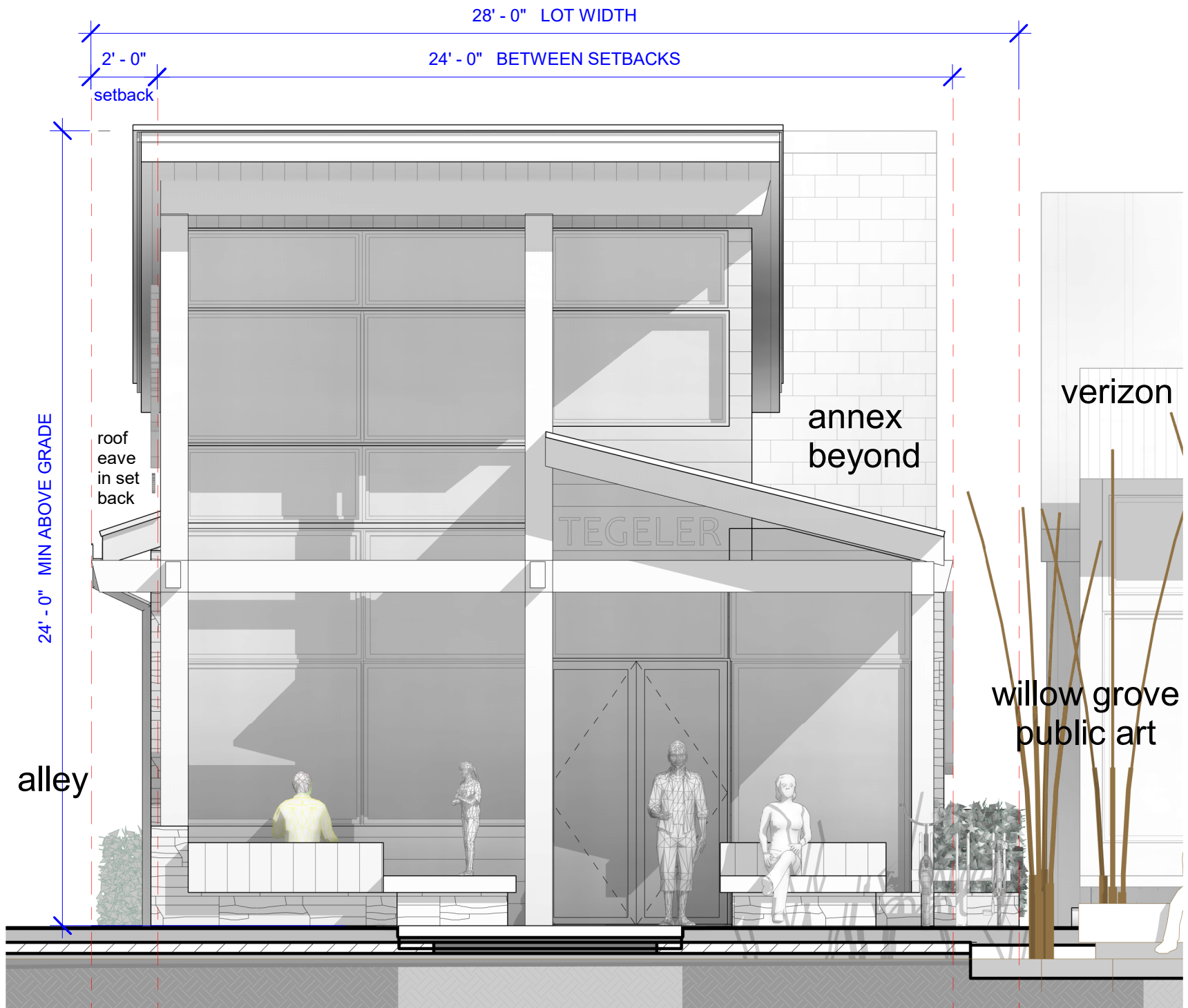
375 West Broadway

3D VIEWS

Date 30 Jan 2020

DRC 6

Scale



TEGELER OFFICE BUILDING - PROPOSED BROADWAY FACADE 1-23-20



TOWN OF JACKSON PLANNING COMMISSION AGENDA DOCUMENTATION

PREPARATION DATE: FEBRUARY 14, 2020
MEETING DATE: FEBRUARY 19, 2020

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: PAUL ANTHONY
PRESENTER: TYLER VALENTINE

SUBJECT: **ITEM P19-291:** HILLSIDE CONDITIONAL USE PERMIT (CUP) FOR A NEW THREE-STORY MIXED-USE BUILDING IN THE COMMERCIAL RESIDENTIAL – 3 ZONING DISTRICT LOCATED AT 1140 WEST HIGHWAY 22.

APPLICANT: KINSEY, LLC – CORNELIUS KINSEY

REQUESTED ACTION

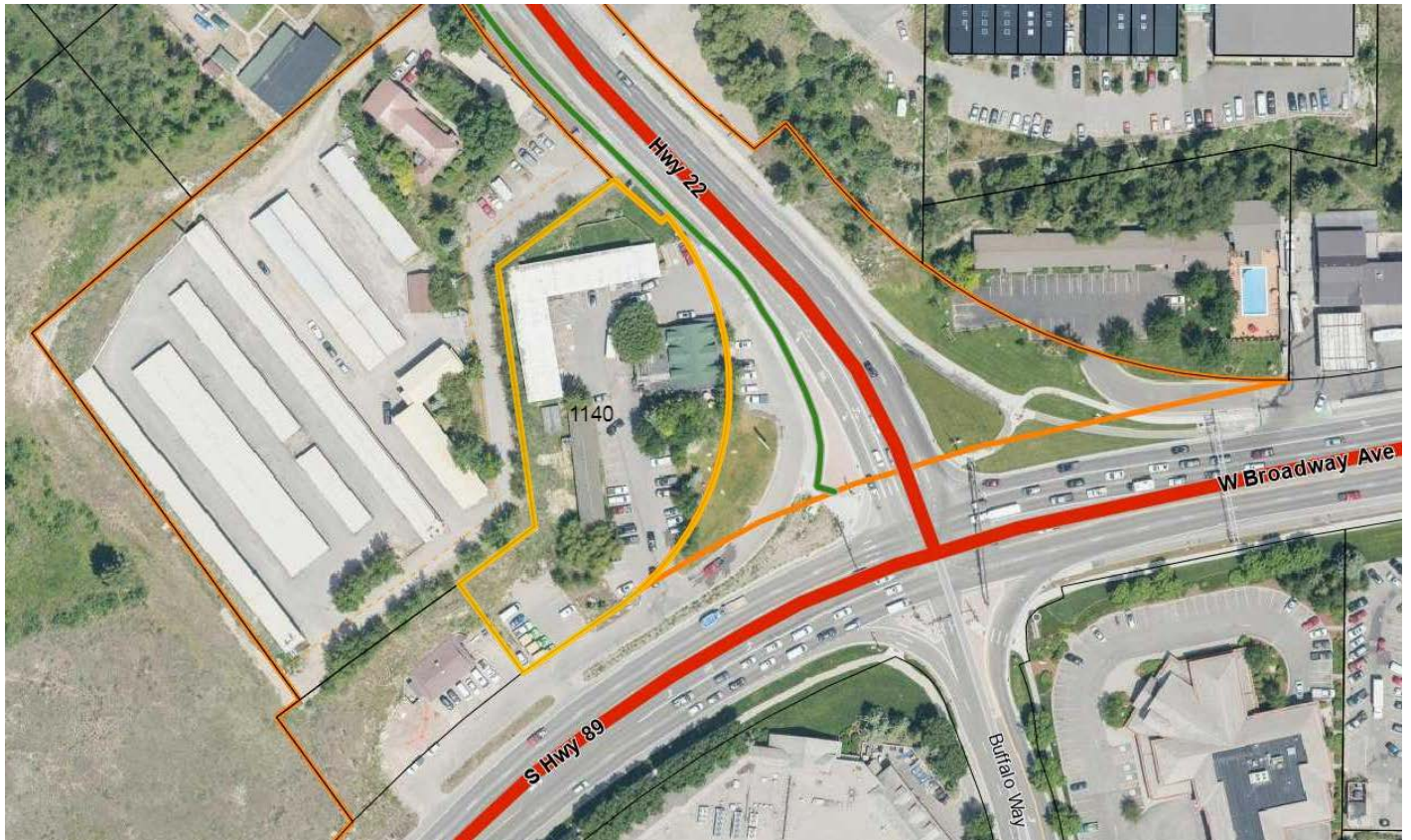
The applicant is requesting approval of a Hillside Conditional Use Permit (CUP) to redevelop the southern half of 1140 West Highway 22 with a new 3-story mixed-use building in the Commercial Residential – 3 (CR-3) zoning district.

APPLICABLE REGULATIONS

Section 8.4.2 Conditional Use Permit
Section 5.4.1 Steep Slopes

LOCATION

The property is located at 1140 W. Hwy 22, legally described as PT SW1/4NE1/4, Section 32, Township 41, Range 116. An aerial photo and zoning map are shown below:



BACKGROUND

The subject property is 1.40 acres (60,984 SF) and located at the west corner of the Y-intersection. The subject property was annexed from the County into the Town in 2016 and subsequently rezoned from Auto-Urban Commercial (AC) to Commercial Residential-3 (CR-3). To the west (side) of the property is Brushbuck Wildlife Tours and to the northwest (rear) is Old West Storage. The parcel's configuration is unique in that the front property line curves along both West Highway 22 and South Highway 89 and the side and rear property lines are jagged along abutting neighboring properties. The site consists of three existing buildings: two Teton Gables motel buildings (2,200 sf & 11,664 sf) built in 1971 and the Cutty's restaurant (4,921 sf) built in 1949. Vehicular access to the site can be taken from both West Highway 22 and South Highway 89. Unique to this area of Town, the site has a WYDOT frontage road that wraps the front of the site which is commonly used as circulation and parking.

The property is also located within the Natural Resource Overlay (NRO) and Scenic Resource Overlay (SRO). Prior this application, the applicant met with Town staff to understand the LDR requirements for development within the NRO and SRO. After meeting it became clear that applying the NRO and SRO standards to the subject site would likely not be beneficial due to the site's lack of wildlife significance (i.e. low value vegetative cover types, minimal to non-existent wildlife use, etc.) and lack of scenic quality due to the site's location at street level up against the base of a butte. The applicant later applied for a Zoning Compliance Verification (ZCV) requesting to be exempted from the requirements in the NRO and SRO. Based on information submitted from Alder Environmental, it was demonstrated that the site is significantly disturbed, has low value vegetative cover types and is considered a low-use movement area for mule deer. Additionally, information was provided demonstrating how the site's location does not fall within the applicability of the SRO which in Town is intended to prevent hillside developments from sky-lining. The site was exempted from the requirements of the NRO and SRO based on the ZCV (P19-239 attached).

In addition to the NRO and SRO exemptions, the applicant's ZCV presented a third exemption request related to the steep slopes along the northwestern portions of the site which exceed 25%. Section 5.4.1. Steep Slopes of the LDRs prohibits the physical development of *natural* slopes greater than 25% unless a variance is granted. However Section 5.4.1.B.1 provides an exemption to this rule if it can be proven that the slopes over 25% are manmade. As part of the ZCV the applicant provided historical data and slope analysis to show that the areas of slope greater than 25% on the subject property are due to manmade activities associated with the development of the property and the lot to the northwest starting in the 1950s and continuing throughout the years thereafter. The applicant estimates that the natural slope between both of these properties is approximately 21.7%. The basic conclusion was that the construction cuts made to the toe of the slope creating manmade grades along the northerly portions of the property, sometimes exceeding 25%, were not present prior to the manmade activities. In conclusion, staff found the applicant's submitted materials and analysis to be fair and reasonable and concluded that development of 1140 W. Highway 22 is not subject to a Variance. Staff did find that a Hillside CUP was still required which would include a geotechnical report.

PROJECT DESCRIPTION

Hillside CUP

The applicant is requesting approval of a Hillside CUP based on their plan to develop on a lot having average cross-slopes greater than 10%. The plan includes removing the smaller 2,200 sf motel building and redeveloping the southern half of the property with a new 25,000 sf three-story mixed-use building which is mostly comprised of the 2:1 workforce housing bonus. The building will be located 10' from the rear property line that abuts the Old West Storage property and 5' from the side property line that abuts the Brushbuck Wildlife Tours property. Along these side and rear property lines where the building is proposed

is where the manmade slopes exceed 25%. The applicant intends to push the building into the steep slopes to better anchor the hillside which will allow more of the site to be utilized.

Based on the current LDRs, no Sketch Plan or Development Plan is required because the remaining base Floor Area Ratio (FAR) of 7,808 sf is less than the 9,750 sf review threshold, so only Design Review Committee (DRC) approval and a Building Permit is required. Per the requirements of a Hillside CUP (Section 5.4.1 and 8.4.2), the applicant has provided the required findings for a CUP and has provided a geotechnical report (soil analysis), visual analysis, wildlife statement and preliminary utility plan.

In addition, the applicant is requesting a 2-year deadline for the CUP in place of the 1-year deadline provided in the LDRs. This deadline sets the final date for submission of a building permit.

STAFF ANALYSIS

The scope of this Hillside CUP is limited to the findings in Section 8.4.2 - Conditional Use Permit and the standards/criteria in Section 5.4.1.C.4 - Criteria and Standards for Hillside Areas. This application does not include final review or approval of physical development standards found within the CR-3 zone which include, but are not limited to, FAR, density, parking, etc.

Hillside Conditional Use Permit (CUP)

Under Sec. 5.4.1.D Standards for Hillside Areas, any lot of record with an average cross-slope of 10% requires a Hillside CUP to allow any terrain disturbance, even if the proposed development would not disturb any slope of greater than 10%. The applicant's site requires a Hillside CUP for development.

The following standards and criteria are required to be met for approval of Hillside CUP:

1. *The amount of terrain disturbance related to the otherwise allowable or conditioned uses for the property and the proposed mitigation efforts;*

The primary terrain disturbance associated with the project is related to the decision to build into the hillside up to about 25 feet in some areas. This is likely because the northern half of the site consisting of the larger motel and restaurant will remain and limit redevelopment to the southern half of the site. While the applicant could certainly reduce the amount of land disturbance by moving the units slightly closer to the road and/or reducing the total number of units, staff finds that the amount of proposed land disturbance does not appear to be excessive based on the slope stability study that indicates that any negative impacts should be able to be mitigated through proper building and site design. The fact that the proposed buildings are embedded into the hillside and will act to support the hillside (rather than leaving an exposed and unsupported slope), will likely help maintain the long-term integrity of the slope. Furthermore, any site disturbance will need to meet all of the grading requirements to the satisfaction of the Town Engineer.

2. *Retention or replacement of native, existing vegetation consistent with any proposed lawful use of the property;*

Because the vast majority of slope is a manmade cut slope, the vegetation on the slope is largely disturbed and compromised with non-native grassland vegetation. Given these conditions, the amount of vegetation proposed to be impacted will be consistent with any proposed lawful use of the property as conditioned by staff.

3. *Mitigation measures for mitigating impacts on wildlife or crucial winter range; and*

The applicant has provided a wildlife use and habitat review from Alder Environmental that analyses the potential impacts to wildlife from the proposed project. The report states that the project site is heavily disturbed and includes non-native and invasive plant species which are of low value to wildlife. Although the site is mapped within the Wyoming Game and Fish Department designated mule deer winter yearlong range, the site does not contain the vegetative cover types that mule deer use for crucial winter range. In addition, the high levels of human use and disturbed habitat indicate the site is of low-quality habitat for mule deer and unlikely to be used as winter range. The site is not crucial winter range for elk, moose or Trumpeter Swans. The closest Bald Eagle nest is 0.51 miles away with no nesting observed on-site. The report concludes that direct impacts from the proposed development to wildlife species are negligible.

Staff finds that the project is consistent with this Hillside CUP standard.

4. *Mitigation measures for avoiding or minimizing visual impacts, subsurface, and any other natural hazards associated with hillside development.*

Visual analysis: The applicant has provided a visual analysis of the proposed development. The proposed building will be set into the base of the hillside in a manner that the rising hillside behind the building will help minimize its perceived mass. The building is as close as 60 feet to the curb on South Highway 89 which provides a reasonable buffer distance to help reduce the building's perceived mass. Other helpful LDR design standards include requirements for landscape screening within the first 20 feet of the property to soften the building and screen the surface parking. Furthermore, the Design Review Committee who will review the project for compliance with the Town's Design Guidelines which specifically address breaking up the bulk, scale and mass of larger buildings. All of the above efforts will help reduce adverse visual impacts.

Geotechnical study: The applicant has also provided a geotechnical and slope stability analysis of the proposed site. The study provides site-specific data (5 test pits). The study's conclusion is that the slopes appear to be generally stable and that there are no apparent 'red flags' or obviously high risks to developing the site. The report found no groundwater within any of the test pits. The report also provides recommendations for the soil nail design, measures to ensure that moisture is kept clear of from loess soil and construction considerations for the footings. The Town Engineer has reviewed the applicant's preliminary geotechnical report and is generally satisfied with its level of detail and conclusions.

Staff finds that the project, as conditioned by staff, is consistent with this Hillside CUP standards for visual and geotechnical impacts.

Finally, staff is supportive of granting a 2-year deadline for the CUP and has added a condition of approval related to this effect.

PUBLIC COMMENT

None at this time.

STAFF FINDINGS

Pursuant to Section 5.4.1.D.5 Findings for Hillside Areas of the Land Development Regulations, the following finding shall be made for the approval of a Conditional Use Permit.

1. **Findings.** *The following finding shall be made before granting a Conditional Use Permit for hillside areas: that the mitigation measures identified will be effective in mitigating any adverse impacts identified, and associated with the proposed physical development, uses, development option, or subdivision.*

Complies. Town Engineering has reviewed the applicant's geo-technical report and has not identified any adverse impacts that need to be mitigated by the proposed physical development and use beyond the recommendations listed in the report itself.

In addition, Pursuant to Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations, a Hillside CUP requires that the following regular CUP Findings shall be made for the approval of a Hillside CUP.

1. *The proposed project is compatible with the desired future character of the area.*

The proposed application is located in Character District #4 Midtown, specifically Sub-area 4.1 Midtown Corridor of the 2012 Comprehensive Plan. In order to review the application for conformance with the Comprehensive Plan, staff has reviewed the Policy Objectives for District 4 as follows:

Common Value 1: Ecosystem Stewardship

Policy 1.1.c: Design for wildlife permeability

Complies. The subject property has been exempted from the standards of the Natural Resource Overlay based upon well-documented habitat information that demonstrates 1) the site has minimal wildlife use, 2) the site is significantly disturbed, and 3) the vegetative cover types are non-native and invasive species. Based on these findings from Alder Environmental that wildlife movement is essentially non-existent, staff finds that the proposed project design is not anticipated to have significant adverse impacts on wildlife movement.

Common Value 2: Growth Management

Policy 4.1.b: Emphasize a variety of housing types, including deed-restricted housing

Complies. Although the final density has not yet been determined, staff finds that this Hillside CUP will encourage the use of the 2:1 workforce housing bonus ultimately providing a variety of housing types including several market apartments and several workforce restricted units.

Policy 4.1.d: Maintain Jackson as the economic center of the region

Complies. As part of Jackson's economy, lodging is an important contributing factor that supports our tourism industry. Staff finds that this Hillside CUP will encourage the continuation of lodging uses which serve the tourism industry and helps maintain Jackson as the economic center of the region.

Policy 4.2.c: Create vibrant walkable mixed use subareas

Complies. Although the property is located on the outer edge of Town, this Hillside CUP would encourage a project that is envisioned to have some pedestrian use and need to access nearby amenities, such as START (along Buffalo Way), the grocery store (Albertsons), restaurants, and services (new Post Office and banks). Many of these amenities are within walking and biking distance

by crossing the either of the highways. Additionally, the site is adjacent to the existing bike path on Highway 22 and across the street from the bike path along the northern side of West Broadway.

Policy 4.3.a: Preserve and enhance stable areas

Not applicable.

Policy 4.3.b: Create and develop transitional areas

Complies. Staff finds that this Hillside CUP will encourage a development that would revitalize a large portion of the site in a prominent entry location to the Town. The proposed project is located within a transitional area and staff finds the development to be consistent with the desired future vision described for Subarea 4.1 by adding needed rental housing to the community.

Policy 4.4.b: Enhance Jackson gateways

Complies. As conditioned, this Hillside CUP would encourage a development that will enhance Jackson's gateways through redevelopment of a site that includes removing an old motel that is not aesthetically pleasing. The new owner of the property has already completed a remodel of the existing larger motel which has helped to improve the appearance and quality of rooms. This is one of the most visible sites as you enter the Town from Highway 22 and the proposed development will significantly improve the visual appearance from its existing condition. Although the final design and materials have not been determined, this project will be required to go before the Design Review Committee and receive approval prior to submission of a building permit. Staff has added a condition requiring the applicant to provide a final landscape plan that adequately screens the parking lot and softens the development.

Policy 4.4.d: Enhance natural features in the built environment

Complies. Although the large majority of site and hillside has been disturbed over the years, staff finds that the proposed development does enhance remaining natural features in the built environment. Specifically staff is able to make the necessary finding required for a Hillside CUP which is designed to protect our steep slopes from the impacts of development.

Common Value 3: Quality of Life

Policy 5.2.d: Encourage deed-restricted rental units

Complies. This Hillside CUP will encourage a project that will be required to provide a housing mitigation plan at the time of Building Permit submittal demonstrating compliance with both affordable housing and workforce housing. The proposed project is anticipated to include several deed-restricted workforce rental units.

Policy 5.3.b: Preserve existing workforce housing stock

Not applicable.

Policy 6.2.b: Support businesses located in the community because of our lifestyle

Not applicable.

Policy 6.2.c: Encourage local entrepreneurial opportunities

Not applicable.

Policy 7.1.c: Increase the capacity for use of alternative transportation modes

Complies. Staff finds that this Hillside CUP would encourage a project that does increase the capacity for use of alternative transportation modes such as pathways and the START bus. A bike path runs adjacent to Highway 22 and across the street along West Broadway. In addition, the closest bus stop at Buffalo Junction is approximately 0.1 miles away. The site is also located within walking distance to banking, restaurants, a grocery store and the post office.

Policy 7.2.d: Complete key Transportation Network Projects to improve connectivity

Not applicable.

Policy 7.3.b: Reduce wildlife and natural and scenic resource impacts

Complies. According to the environmental statement done for the site, no negative impacts to wildlife are expected to result from the proposed action. No significant impacts to other natural resources, such as wetlands, watercourses, are anticipated either. Furthermore, based on the submitted visual analysis, the proposed project should not have any skylining impacts or other major adverse visual impacts given the hillside location. Staff finds the proposed project is consistent with this policy.

In addition, staff finds that the application should be reviewed for consistency specifically with subarea 4.1 Midtown Highway Corridor which states as follows as the desired vision for the subarea:

This mixed use, TRANSITIONAL Subarea is dominated by West Broadway Avenue, Highway 22 and the Y intersection. Development intensity should be oriented towards these roadways and configured in two to three story mixed use buildings with adequate setbacks and screening proportional to these busy highway corridors and intersections. Along the north side of West Broadway four stories buildings will be allowed when they are built into and used to screen the adjacent hillside. All building designs should incorporate techniques to mitigate height such as stepping back upper floors from the streetscape. Parking areas should be predominantly in the rear or screened from view. The lower levels of buildings should contain a variety of non-residential uses including retail, service and office uses catering to locals, while residential uses should be located predominantly on the upper levels of mixed use buildings or to the rear of a site and away from the highway. Future structures will be predominantly mixed use, while multifamily will be allowed if it properly addresses the street. It will be important to successfully integrate the land uses and patterns in this area with adjacent subareas.

A goal of the subarea will be to implement complete street amenities, balancing the needs of vehicle and alternative transportation users. Pedestrian connectivity across West Broadway Avenue will be needed to ensure access to the neighborhood amenities located in the southern portion of the district. Some single use and auto-oriented uses (e.g. gas stations and auto dealers) will still be needed in the future. These uses should follow the desired building form and pattern as much as possible, including providing connectivity by all travel modes to adjacent lots. A key challenge in this area will be to identify a solution to accommodate a wildlife crossing along West Broadway Avenue.

As conditioned, staff finds that this Hillside CUP will encourage a project that is consistent with the desired vision for this transitional subarea. Two to three-story buildings oriented toward the highway

is envisioned at the Y-Intersection which the proposed project complies with. The project will meet other desired design techniques such as a third story step-back and screened parking. Although the ground level will not include uses such as retail, service or office, the building will be mixed-use with residential on the upper floors which is encouraged based on the above vision. The site has access to pathways and several amenities within walking distance such as a grocery store, post office, banks and restaurants. Staff finds the proposed project meets the above vision by developing a mixed-use transitional area.

2. *The proposed projects complies with the use specific standards of Division 6.1.*

Complies. Staff finds that this Hillside CUP will encourage a project that complies with the use specific standards of Division 6.1. The proposal is for apartments which is an allowed use in the CR-3 zone. In addition, Section 1.9.3.D.4 – Discontinuance of a nonconforming use allows the willful removal and replacement of a nonconforming use (i.e. motel outside lodging overlay) provided that all listed standards are met related to obtaining all necessary permits, timing for construction and timing for re-establishing the use.

3. *The proposed project minimizes adverse visual impacts.*

Complies. Staff finds that based on the submitted visual analysis that the proposed project will minimize adverse visual impacts through the site design, proposed landscaping and the existing hillside behind the development. The proposed project will constitute a major visual improvement compared to the existing site development and will improve site circulation by reducing the number of entrances. In addition, half of the building will be setback approximately 60 feet from the highway curb while the other half will be much further away from the highway as the buildings turns further north into the site. All of the above mentioned efforts will help minimize visual impacts.

4. *The proposed project minimizes adverse environmental impacts.*

Complies. Based on the wildlife and habitat summary prepare by Alder Environmental and based on the NRO exemption determination from ZCV P19-239, staff finds the proposed project has minimal adverse environmental impacts due to the site's lack of wildlife and habitat significance.

5. *The proposed project minimizes adverse impacts from nuisances.*

Complies. Compared to the existing use of the property, the proposed residential and lodging development is not anticipated to have any nuisances. In addition, noise and other impacts are anticipated to be far less than what occurs on the adjacent highways.

6. *The proposed project minimizes adverse impacts on public facilities.*

Complies. Staff finds that this Hillside CUP will encourage a project that is not anticipated to have adverse impacts on public facilities including Police, Fire and EMT. The applicant is coordinating with the Town Engineer to properly address stormwater runoff and to identify the necessary water service improvements to ensure available capacity to serve the development. In regards to traffic impact, one of the site's access points will be eliminated to help improve traffic flow to and from Highway 22 and Highway 89. The site also is served by Pathways, is within walking distance to START service and close to a grocery store, restaurants and banks.

7. *The proposed project complies with all other relevant standards of these LDRs and all other Town Ordinances.*

Complies. Staff finds that this Hillside CUP will encourage a project that will be required to comply with Town Ordinances and all relevant standards of these LDRs.

8. *The proposed project is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.*

Not applicable.

ATTACHMENTS

Applicant Submittal
Department Reviews

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

The Planning Director recommends **approval** of a Hillside Conditional Use Permit for a new 3-story mixed-use building for the property located at 1140 W. Highway 22 subject to the department reviews attached hereto and the following conditions:

1. A landscape plan prepared by a Wyoming licensed Landscape Architect shall be provided at the time of DRC review. The landscape plan shall not only comply with the zone-specific standards, but also adequately screen the parking and soften the building from the highway.
2. The Hillside CUP shall expire in 2 years from the date of approval unless a Building Permit is submitted.

SUGGESTED MOTIONS

Based upon the findings as presented in the staff report and as made by the applicant for Item P19-291, I move to make findings 1-8 as set forth in Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations relating to 1) Compatibility with Future Character; 2) Use Standards; 3) Visual Impacts; 4) Minimizes adverse environmental impact; 5) Minimizes adverse impacts from nuisances; 6) Impact on Public Facilities; 7) Other Relevant Standards/LDRs; and 8) Previous Approvals for a Conditional Use Permit; and findings required by Sec. 5.4.1 Steep Slopes regarding hillside mitigation measures; I move to **recommend approval** to the Town Council of a Hillside Conditional Use Permit for the property located at 1140 W. Highway 22, subject to the department reviews attached hereto and the following conditions:

1. A landscape plan prepared by a Wyoming licensed Landscape Architect shall be provided at the time of DRC review. The landscape plan shall not only comply with the zone specific standards, but also adequately screen the parking and soften the building from the highway.
2. The Hillside CUP shall expire in 2 years from the date of approval unless a Building Permit is submitted.

PLANNING

Project Number	P19-291	Applied	12/30/2019	STOL
Project Name	Hillside CUP - Teton Gables	Approved		
Type	CUP	Closed		
Subtype	HILLSIDE	Expired		
Status	STAFF REVIEW	Status		

Applicant	Cornelius Kinsey	Owner	TETON GABLES, LLC
------------------	------------------	--------------	-------------------

Site Address	City	State	Zip
1140 W HIGHWAY 22	JACKSON	WY	83001

Subdivision	Parcel No	General Plan
	22411632100031	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes Building Kelly Sluder (12/31/2019 2:16 PM KS) The new construction shall meet the adopted building codes of the Town of Jackson	APPROVED W/CONDITI	12/30/2019	1/20/2020	12/31/2019	
Fire Kathy Clay (1/2/2020 1:53 PM CLAY) Structure shall be built under 2018 IFC, fire sprinklered and alarmed. Further comments will be made as plans evolve.	APPROVED W/CONDITI	12/30/2019	1/20/2020	1/2/2020	please see notes
Joint Housing Dept Stacy Stoker (2/6/2020 1:18 PM SAS) No Housing Requirement at this time.	NO COMMENT	12/30/2019	1/20/2020	1/7/2020	please see notes
Legal Lea Colasuonno (1/6/2020 9:46 PM LC) A conditional use permit is to provide an individual and public review of a use that is generally compatible with the character of a zone, but requires additional, site-specific conditions to limit and mitigate effects that may be adverse to the desired character of the zone.	APPROVED W/CONDITI	12/30/2019	1/20/2020	1/6/2020	

The findings required for approval of the application are:

1. Compatible with the desired future character of the area;
2. Complies with the use specific standards of Div. 6.1.;
3. Minimizes adverse visual impacts;
4. Minimizes adverse environmental impacts;
5. Minimizes adverse impacts from nuisances;
6. Minimizes adverse impacts on public facilities;
7. Complies with all other relevant standards of these LDRs and all other Town Ordinances; and
8. In substantial conformance with all standards or conditions of any prior applicable permits or approvals.

Parks and Rec Steve Ashworth (1/21/2020 8:58 AM STOL) Tiffany, No comments from P&R regarding P19-291. Thanks.	NO COMMENT	12/30/2019	1/21/2020	1/21/2020
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Andy Erskine
Parks Manager

Project Reviews

Report By: Tyler Valentine

Type of Review Contact Notes	Status	Dates			
		Sent	Due	Received	Remarks
Pathways Brian Schilling (1/21/2020 8:32 AM STOL) No comments from Pathways.	NO COMMENT	12/30/2019	1/21/2020	1/20/2020	
Planning Tyler Valentine		12/30/2019	1/21/2020		
Police Todd Smith (12/31/2019 2:57 PM STOL) The only request the police have is for each unit to be clearly marked with an address to allow for emergency responders to easily locate the unit. Thanks, Todd Smith	APPROVED W/CONDITIONS	12/30/2019	1/20/2020	12/31/2019	
Public Works Jeff Silliman (1/20/2020 3:22 PM JSIL) HILLSIDE CONDITIONAL USE PERMIT– APPROVED w CONDITIONS P19-291 ADDRESS: 1140 W Highway 22 OWNER: Teton Gables APPLICANT: Cornelius Kinsey 1/20/2020 Jeff Silliman, 733-3079 DATE OF SUBMITTAL: December 30, 2019 DATE OF MATERIALS: October 16, 2019 REVISION No.: 00 The engineering division has reviewed your application for a HILLSIDE CONDITIONAL USE PERMIT submitted on and with application materials as dated above. CONDITIONS OF APPROVAL: 1. LDRs 5.4.1: Bond for Required Improvements. Prior to the issuance of any building permit pursuant to this Section, the applicant shall post a performance bond for all restorative and mitigative treatments pursuant to Sec. 8.2.11. 2. The parking lot and underground parking structure stormwater system shall include a sand/oil separator prior to discharge to the WYDOT Storm system.	APPROVED W/CONDITIONS	12/30/2019	1/21/2020	1/20/2020	see notes
START Darren Brugmann		12/30/2019	1/21/2020		
WYDOT <none>	APPROVED W/CONDITIONS	12/30/2019	1/21/2020	2/4/2020	darin.kaufman@wyo.gov

Type of Review	Status	Dates			
		Sent	Due	Received	Remarks
Contact					
Notes					
(2/4/2020 12:26 PM STOL)					
Thank you for the opportunity to comment.					
WYDOT has no objections for the proposed redevelopment.					
Utilities					
If utility licenses have not been obtained, the utility owner will need to obtain new utility licenses for any new connections (i.e. storm drain system) within the highway right-of-way.					
For any new utility connections within WYDOT right-of-way, the utility companies/owner shall obtain the necessary M-54 utility license via the new on-line permitting process, MainStar, located at https://usa.maintstar.co/Wyoming/Logon.aspx . Currently WYDOT requires any utility company needing access to the MaintStar system to contact the local District Office for the license or permit, or to email dot.utilities@wyo.gov to set up your login credentials.					
WYDOT Utilities Section can be found at the following link: http://www.dot.state.wy.us/home/engineering_technical_programs/utilities_section.html					
Access					
A permit for the access improvements on the backside of the access road is not necessary, this work would be considered as a cosmetic or maintenance activity. Only thing required in this case is written documentation and concurrence of work. As shown in the site plan (dated 10/16/19), the proposed access modifications seem acceptable.					
Landscaping					
Any new landscaping within the highway right-of-way will need to obtain a M-26 landscape agreement. Landscaping must not obstruct access drive intersection sight distance, obscure view to highway signage, Shrubs and trees must comply with roadside clear zone requirements per WYDOT Operating Policy 20-1.					
if you have any questions or require additional information, please let me know.					
Thanks,					
Darin Kaufman, P.E., PTOE					

For Office Use Only

Fees Paid _____

Date & Time Received _____

Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.**PROJECT.**

Name/Description: Gables Redevelopment

Physical Address: 1140 West Highway 22

Lot, Subdivision: PT SW1/4NE1/4, SEC. 32, TWP.41, RNG 116 PIDN: 22-41-16-32-1-00-031

PROPERTY OWNER.

Name: Teton Gables, LLC - Tyler Davis Phone: 407.952.1735

Mailing Address: P.O. Box 991, Jackson, WY ZIP: 83002

E-mail: tylerdavis34@yahoo.com

APPLICANT/AGENT.

Name: Cornelius Kinsey - Kinsey, LLC Phone: 413.2485

Mailing Address: P.O. Box 12258, Jackson, WY ZIP: 83002

E-mail: kinseycornelius@yahoo.com

DESIGNATED PRIMARY CONTACT.

_____ Property Owner ☒ _____ Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson/200/Planning**Use Permit**

_____ Basic Use

☒ _____ Conditional Use

_____ Special Use

Relief from the LDRs

_____ Administrative Adjustment

_____ Variance

_____ Beneficial Use Determination

_____ Appeal of an Admin. Decision

Physical Development

_____ Sketch Plan

_____ Development Plan

_____ Design Review

Subdivision/Development Option

_____ Subdivision Plat

_____ Boundary Adjustment (replat)

_____ Boundary Adjustment (no plat)

_____ Development Option Plan

Interpretations

_____ Formal Interpretation

_____ Zoning Compliance Verification

Amendments to the LDRs

_____ LDR Text Amendment

_____ Map Amendment

Miscellaneous

☒ _____ Other: Hillside

_____ Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: P18-344 Environmental Analysis #: Exempted by P19-239
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

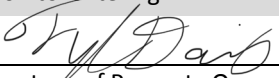
_____ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

_____ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at www.townofjackson.com/DocumentCenter/View/102/Town-Fee-Schedule-PDF.

_____ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

Note: Information provided by the applicant or other review agencies during the planning process may identify other requirements that were not evident at the time of application submittal or a Pre-Application Conference, if held. Staff may request additional materials during review as needed to determine compliance with the LDRs.

Under penalty of perjury, I hereby certify that I have read this application and associated checklists and state that, to the best of my knowledge, all information submitted in this request is true and correct. I agree to comply with all county and state laws relating to the subject matter of this application, and hereby authorize representatives of Teton County to enter upon the above-mentioned property during normal business hours, after making a reasonable effort to contact the owner/applicant prior to entering.



Signature of Property Owner or Authorized Applicant/Agent

Tyler Davis

Name Printed

12/27/19

Date

Owner

Title

28 December 2019

Paul Anthony
Town of Jackson Planning and Development
150 East Pearl Avenue
Jackson, WY 83001

Mr. Anthony,

The applicant, Teton Gables, LLC (Tyler Davis - Owner), is requesting approval for Hillside Conditional Use Permit, for 1140 W. Highway 22.

BACKGROUND:

The applicant/owner is Teton Gables, LLC. The applicant owns the lot defined as PT SW1/4NE1/4, SEC 32, TWP. 41, RNG. 116, (commonly known as 1140 W. Highway 22 or the Cutty's). The lot is zoned CR-3 (Commercial Residential - 3). The lot currently has a restaurant and hotel, the restaurant constructed in approximately 1940's with the hotel built in the 1971. The site has been heavily disturbed over the years and no longer features native vegetation nor does it provide habitat to species of concern protected by Teton County. The lot is approximately 1.40 ac. The applicant proposes replacing the one of the existing hotel structures with one structure that will serve as an employee and local workforce housing also well as lodging units to replace the ones being torn down. On 4 December 2019, the town has determined the property is exempt from the Scenic Resource Overlay (SRO) and the Natural Resource Overlay (NRO) and the hillside slopes were naturally 21.7% so it will exempt from a Variance through Zoning Compliance Verification (ZCV) P19-239. The applicant is applying for a Hillside Conditional Use Permit

Conditional Use Permit (8.4.2.C) FINDINGS:

1. Is compatible with the desired future character of the area;
The site is located in District 4.1, Midtown Highway Corridor of the Comprehensive Plan (Comp Plan) for Jackson and Teton County. The future as described by the Comp Plan is 2-3 stories buildings, pedestrian connectivity to the south side of the Highway and buildings with adequate setbacks and screening proportional to the highway, with the four stories buildings when they are built into and used to screen the adjacent hillsides. The proposed building is three stories, possibly four stories, built into the hillside, hence the reason the applicant is requesting the Hillside CUP to push the building back from the highway. The parking on the lower floor will be screened from the highway per 2.2.13.E.6 of the Town of Jackson LDR's and extend at least 20 feet down the side of the facades. The existing parking will remain as it has and the new parking will be screened from view. Though this building is not multi-use, the property already has a restaurant and offices, which is what the comp plan proposes for the district. The Comp Plan wants to connect the north and south sides since Highway 191 bifurcates the district, the light at the junction of Highway 191 and 22 is pedestrian friendly and specifically addresses pedestrians crossing the highway.
2. Complies with the use specific standards of Div 6.1;
Per 6.1.1 Use Schedule, Residential apartment or Attached Single-Family Unit in CR-3 are a Basic Use Permit. There are seven conventional lodging units from the existing building to be

demolished that were grandfathered, built in 1971, that will be incorporated into the proposed project. Conventional lodging units in the CR-3 are a “Use not allowed.”

3. Minimizes adverse visual impacts;

The reason for the Hillside CUP is to reduce the visual impact on the 191 Highway corridor by pushing the building into the hill. The Comp plan actually wants development built with adequate setbacks and built into the adjacent hillside. The third floor sets back at some locations to reduce the mass seen from the street. If a fourth floor is proposed then it will completely be stepped back from the face of the building, except for the stair and elevator tower. The first minimization is to hide the renter’s storage units so that they could not be seen from the street. The storage units for this project are located in the rear of the building in the basement, which will be underground and cannot be seen from the street. The dumpster is hidden under the building in a closed fence with doors.

4. Minimizes adverse environmental impacts;

The indirect and direct natural environmental impacts caused by the proposed redevelopment have been assessed by Alder Environmental LLC professionals. For the purpose of their review, *environment* can be defined as natural resources such as air, soil, water, plants and wildlife. *Adverse environmental impacts* are defined as any harmful effects on the natural environment that reduce flora or fauna habitat, impair the function of components in the natural environment (e.g. wetlands), or make the local environment socially unacceptable. *Minimize* is defined as not increasing impacts beyond what already exists.

The proposed apartment and motel building with parking garage will be located on a property within the Town of Jackson that has a history of land disturbing activities and development pre-dating 1955 (Teton County GIS Mapserver). The property is currently surrounded by developed land including storage units, the busiest intersection in Wyoming and an old gas station. The current land use of the property and vicinity have adversely affected the natural environment and replaced any natural habitat, plants and soils with developed conditions. The property does not constitute meaningful wildlife habitat as presented in the December 20, 2019 Wildlife Review Letter prepared by Alder Environmental LLC. Since no industrial type exhaust or air pollutant activities are proposed, impacts to air quality should remain the same as existing conditions. Impervious surface will remain relatively the same and stormwater runoff will continue to connect into the WYDOT system.

Since the proposed development is similar in use and extent as the current developed property no additional adverse environmental impacts are expected.

5. Minimizes adverse impacts from nuisances;

The project minimizes adverse impacts from nuisances, for example is light pollution from the garage parking. The garage parking beneath the building is enclosed on both Hwy 191 and 22 sides except for the entrances to block the light emitted from the fixtures. The storage units for this project are located in the rear of the building in the basement or on the first floor, which will be underground and cannot be seen from the street. For this project, renters will be allowed to have one pet, either a dog or a cat to reduce the number of animals allowed on the property. The two existing dumpsters will be enclosed with a roof and doors to reduce the birds and other animals from trying to use the trash as a food source.

6. Minimizes adverse impacts on public facilities;

This project minimizes impacts to existing public facilities due to its location. The project site is located within 900 feet of the Buffalo Way START bus stop adjacent to Albertson's. Striping or other traffic guiding devices can be utilized at the property entrances to promote right turn movements onto the adjacent streets. The property is located adjacent to Wyoming Highway 22 and Broadway Avenue (S HWY 89). Due to the very high volumes observed during all times of years on these streets, it is highly unlikely that traffic generated by any developments on this property would influence traffic on adjacent streets in any way. Since the prospected residents of the planned development are expected to work in Jackson, it is not likely that trips generated from the development would contribute to the traffic density problems on Highway 22.

The project is adjacent to the pedestrian and bicycle corridor created by the Teton County and Town of Jackson pathways systems. This provides the development with more than adequate multi-modal transportation options. It would be anticipated that many residents of the development would choose to utilize pedestrian and bicycle facilities for a commute to the downtown area.

Water for the planned development will be provided from an existing 6" water main near the north corner of the property. Water flow modeling was performed during an off-site utilities investigation in the spring of 2019 found that a demand of 400 gallons per minute can be supplied to the property with a 35-psi residual pressure in the water system. Peak wastewater flows were calculated using fixture unit analysis. This analysis indicated an increase from 45 gallons per minute to 60 gallons per minute for the peak wastewater flow rates. Discussions with the Town of Jackson Engineering Department indicate that the existing sewer system in this area has capacity for increased flows.

The police, fire, and EMS stations are located less than 2 miles from the project. Due to the location on Broadway Avenue (S Highway 89), it can be assumed that no additional police patrols would be required. Broadway Avenue is already patrolled heavily by the town, county and state. Since the proposed building would be fire sprinklered, small fires would be extinguished by the fire sprinkler system. The location on Broadway Avenue would also see quick response times from EMS and fire crews in the event of a large fire or serious injury.

7. Complies with all other relevant standards of these LDR's and all other Town Ordinances: and
The two-story building, restaurant/office was built into the front setback in the 1940's before the county (at the time the property was in the county) had setback requirements. This building was grandfathered due to the length of time of existing and no work is proposed for this building. There are two parking places on the north side of the property next to the hotel office that are not in the parking setback that are grandfathered since no work is to be complete in that area. The remaining parking spots that are in the parking setback on the south side of the property will be removed from the proposed project. The proposed project will comply with all other relevant standards of the Town of Jackson LDR's and Town Ordinances.

8. Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.

The last building permits (B17-0712, B18-001, B18-0014, B18-0017 and B18-0019) were closed by Jim Green on 4 May 2018. The work inspected under the listed permits and associated trade permits were found to be in compliance with the applicable codes and ordinances of the Town

of Jackson and the construction documents at the time of inspection. The final inspections for the permits range from 26 January 2018 to 27 April 2018.

HILLSIDE CUP (5.4.1.C.5) FINDINGS:

5. The following finding shall be made before granting a Conditional Use Permit for hillside areas: that the mitigation measures identified will be effective in mitigating any adverse impacts identified, and associated with the proposed physical development, uses, development options, or subdivision.

The materials presented for the submittal requirements under 5.4.1.C.6 adequately illustrate the efficacy of constructing the proposed physical development. The Geotechnical Report discusses soil nail wall construction and associated slope stability for the excavations that facilitate building construction. In soil nail wall construction, soil is excavated incrementally from the top down as the wall is installed. This mitigates temporary slope instabilities associated with other types of wall or shoring installations. Steep slopes at the project site will be treated with erosion control measures and revegetated to prevent any localized slope instabilities.

REQUEST:

The applicant respectfully requests based on the above findings that the planning department recommends the approval of this Hillside Conditional Use Permit for 1140 W. Highway 22.

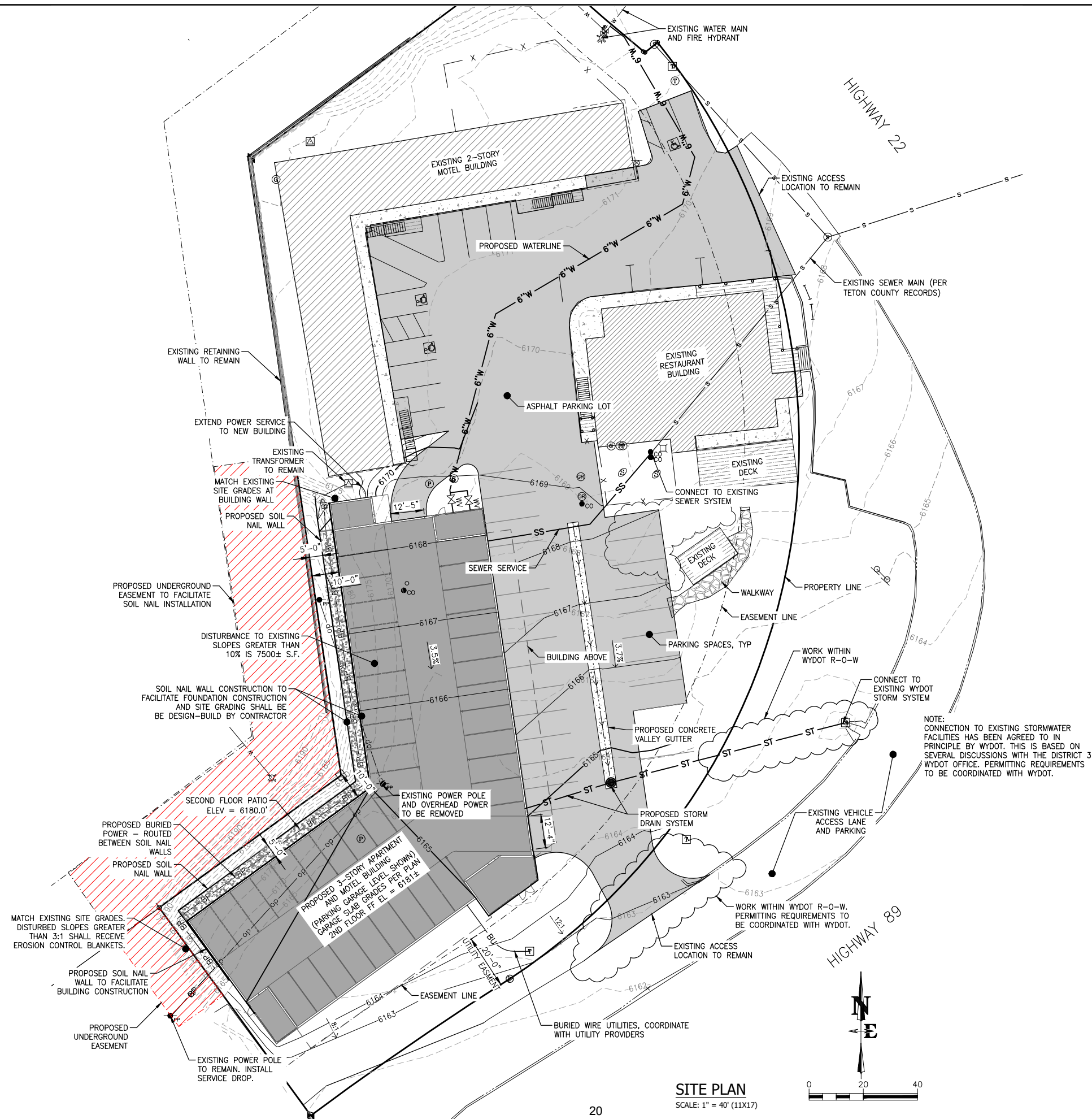
Thank you for your assistance with this request. Please contact me should you have any questions or concerns regarding this request.

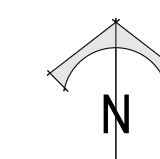
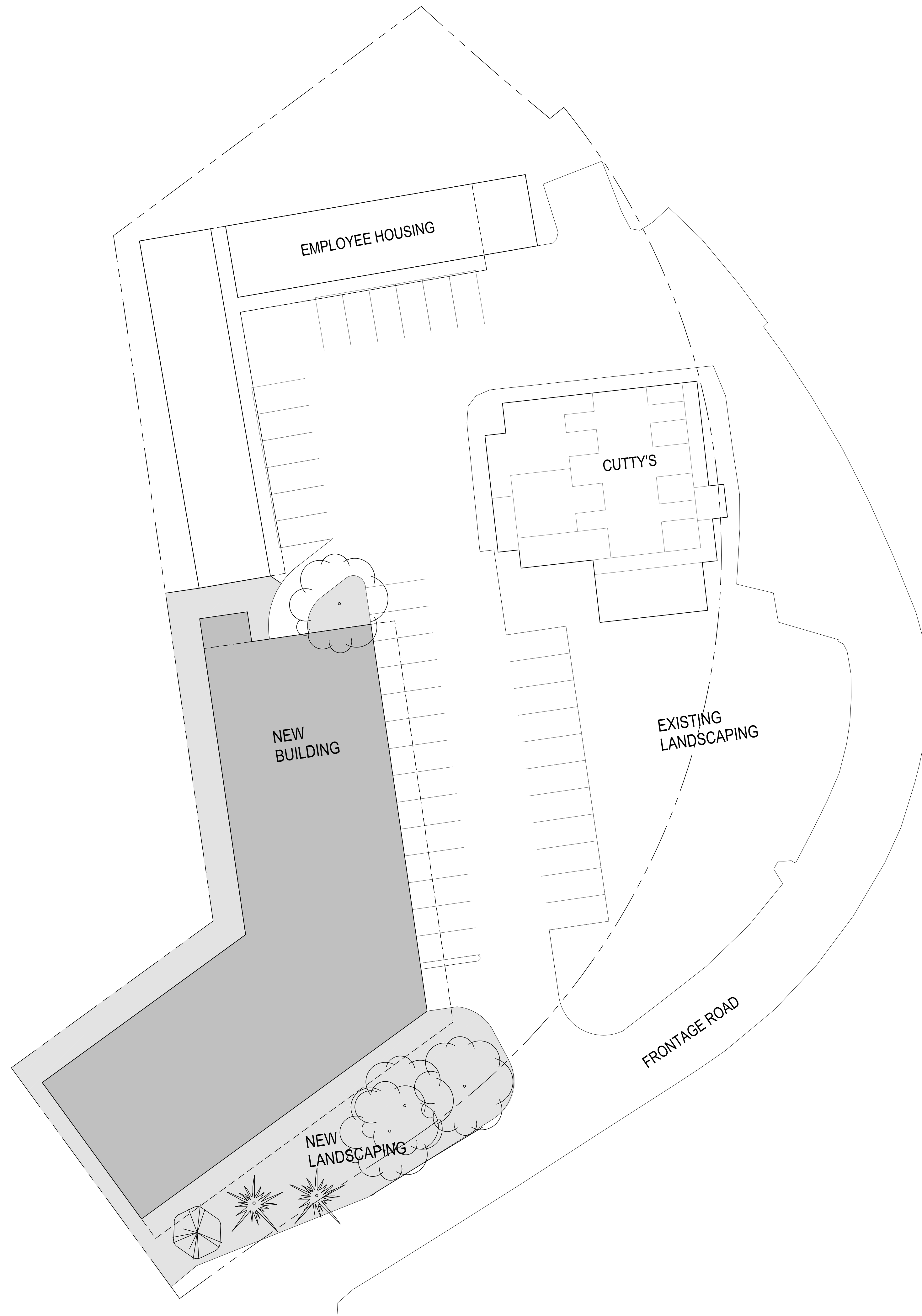
Best Regards,

Cornelius Kinsey, AIA NCARB

Enclosed:

Executed Hillside CUP application
Alder Environmental Report
Nelson Engineering Geotech Report
(3) 3-d Rendering of the proposed project
Nelson Hillside CUP Site Plan
Weaver Landscape Plan

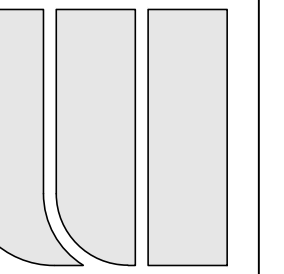




PRELIMINARY
LANDSCAPE PLANTING PLAN



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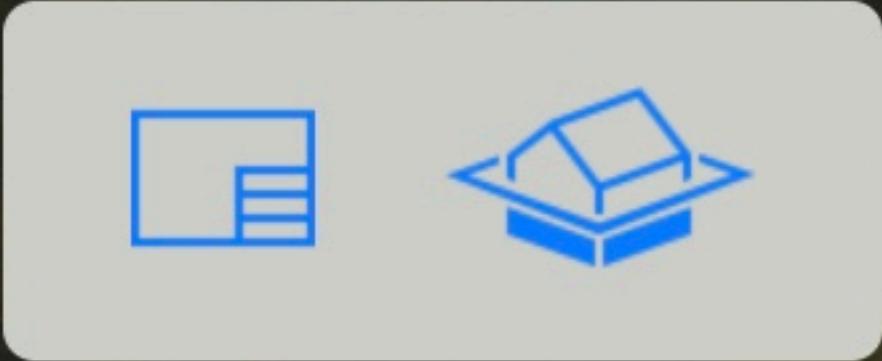


WEAVER & ASSOCIATES PA
LANDSCAPE ARCHITECTURE - LAND PLANNING
1605 SOUTH WOODRUFF AVENUE
IDAHO FALLS, IDAHO 83404
(208) 529-9504

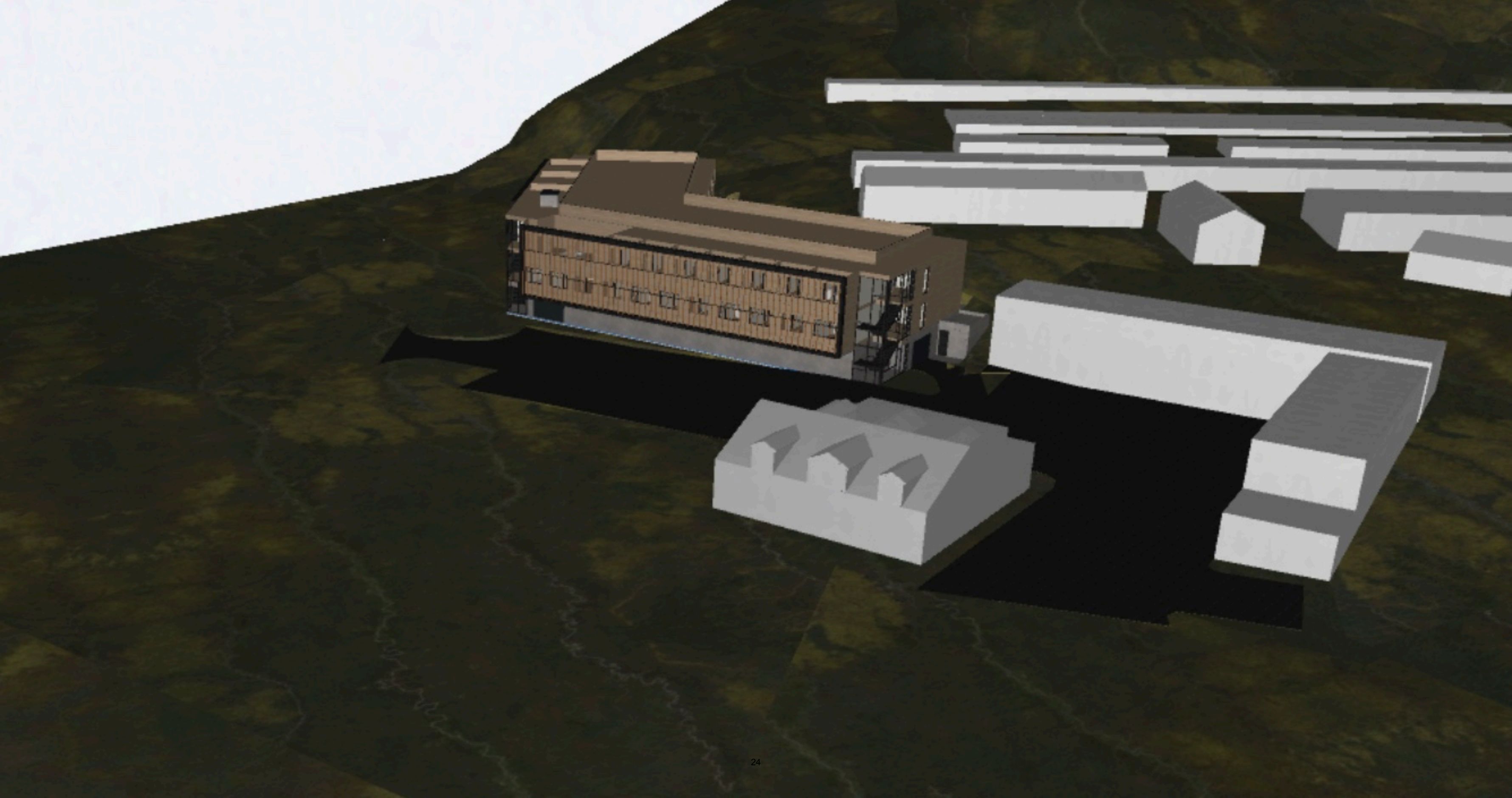
GABLES PHASE II
TOWN OF JACKSON
TETON COUNTY, WYOMING

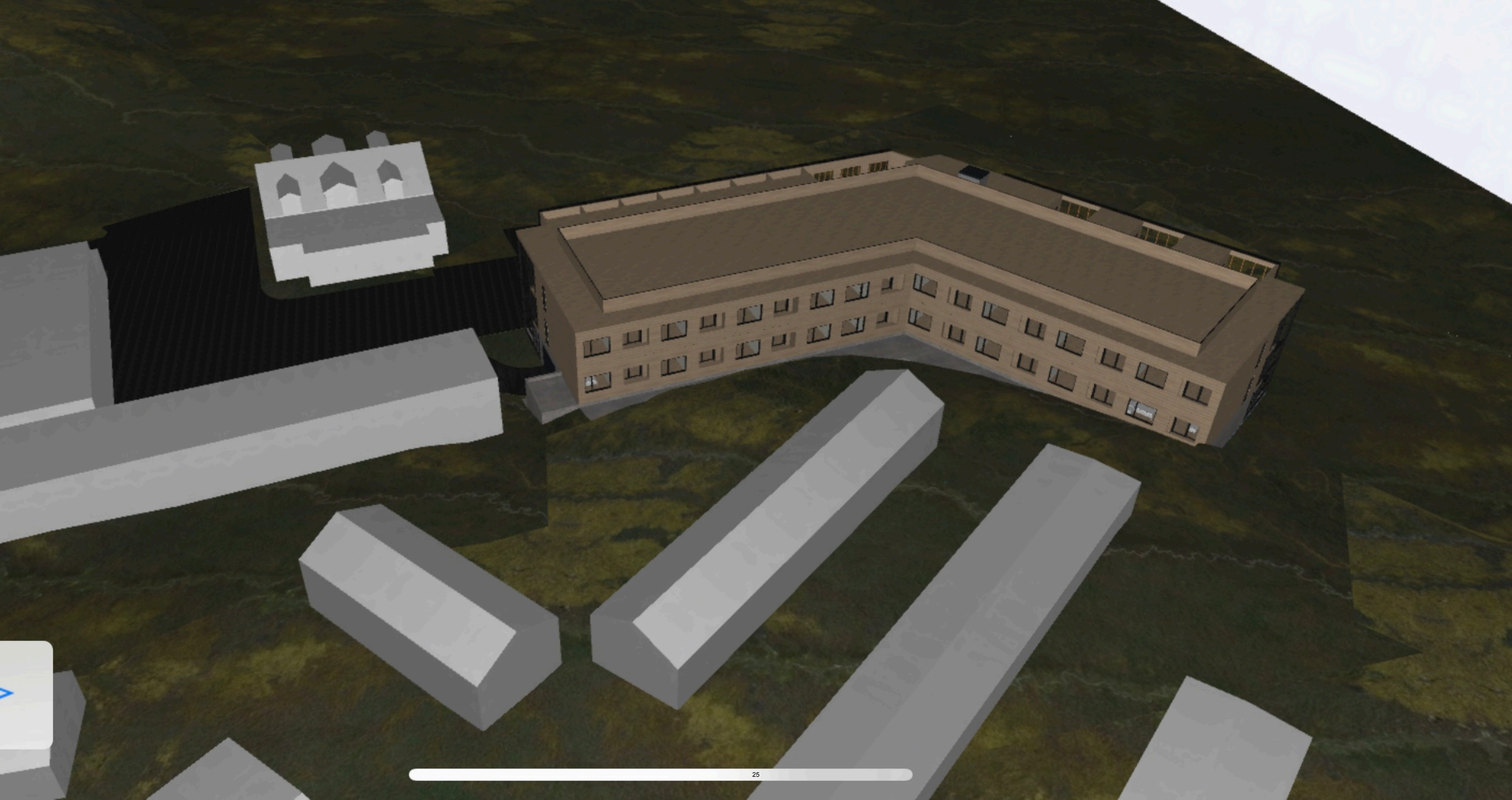
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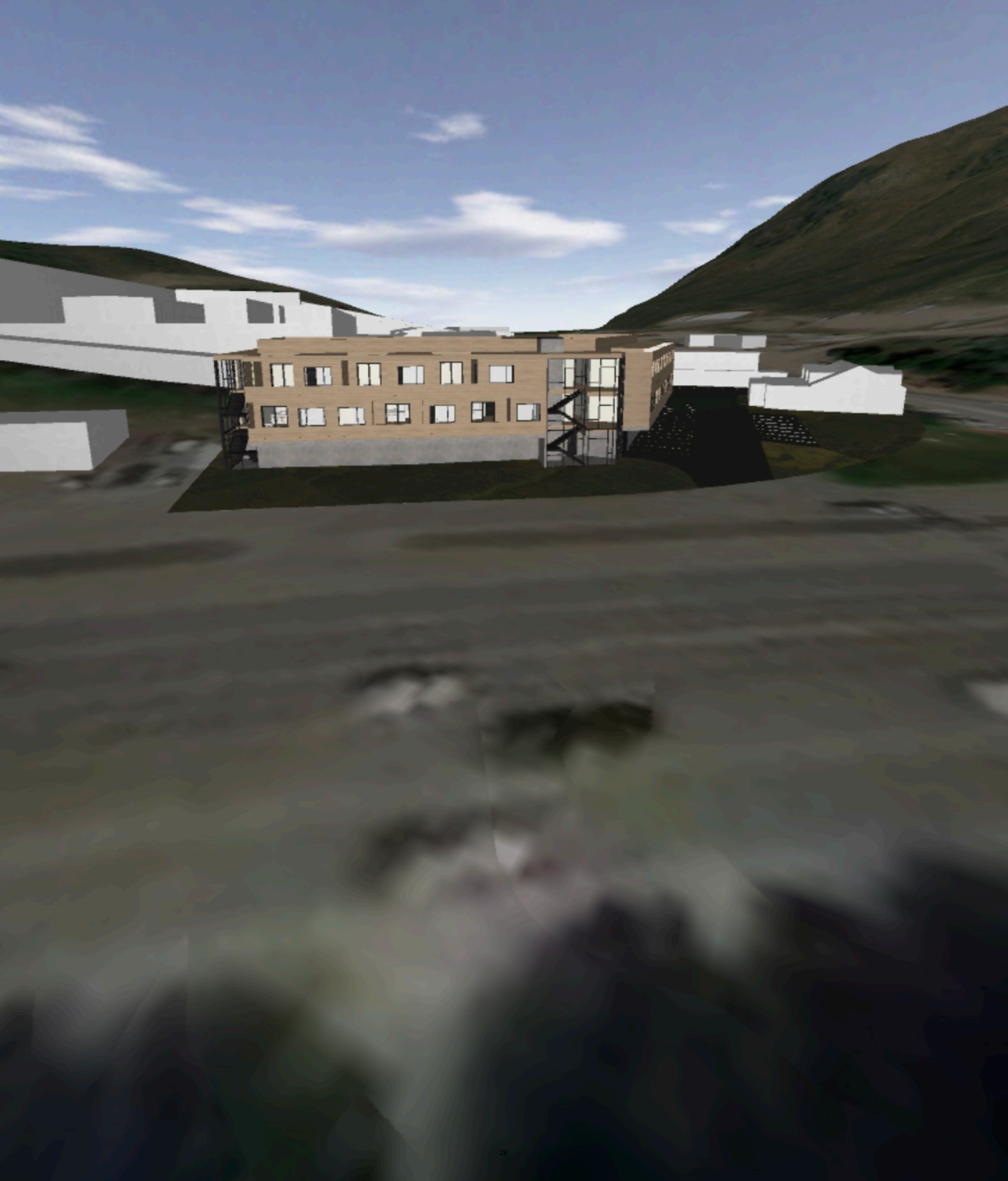
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GEOTECHNICAL INVESTIGATION

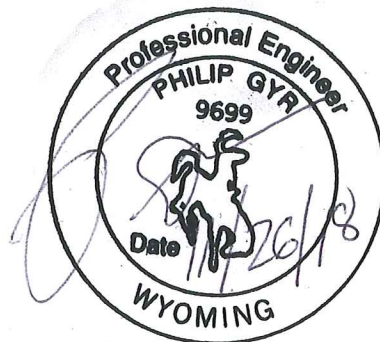
TETON GABLES MIXED USE STRUCTURE SCHEMATIC DESIGN PHASE JACKSON, WYOMING

PREPARED
FOR:

TYLER DAVIS
JACKSON, WYOMING

PREPARED
BY:

NELSON ENGINEERING
JACKSON, WYOMING



NOVEMBER 2018
Project No. 16-306-02

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GENERAL AND PROJECT DESCRIPTION

This report pertains to a geotechnical investigation performed for a mixed use structure located in the south east part of Jackson, Wyoming. Recommendations for this report are specific to Schematic Design level plans as prepared Cornelius Kinsey (Architect). A three-story structure is planned. The ground level will be occupied by parking and the upper two levels will be residential. The structure will be inset into existing cut slopes along its western perimeter. Retaining walls will be required to accomplish the cuts.

Scope of Services

The scope of services for this investigation was to provide geotechnical recommendations based on subsurface investigations and soils laboratory testing for the proposed facility. The purpose of the subsurface investigation was to determine soils and groundwater characteristics. The results of the subsurface investigation and subsequent laboratory testing were utilized in an engineering analysis for foundation, paving and construction recommendations. Additional test pits/points of exploration are recommended in the south east area of the project.

Preliminary stability analysis of proposed shored cuts required for excavation was performed sufficient to ensure the feasibility of the proposed cut slopes. The Owner is responsible for obtaining final analysis and design of shoring and/or underpinning from a professional engineer when final plans for construction are prepared. Specific recommendations for drainage and surface water conveyance are not within the scope of work for this report.

The foundation analysis and resulting recommendations contained herein are based on typical loads for the type of structures assumed in this report. In the final design phase, it will be critical that structural loads be properly communicated to the Geotechnical Engineer to verify that the imposed loading conditions on the proposed foundation configuration do not cause excessive settlement, exceed the bearing capacity of the site soils, or exceed the seismic loading capacity of the foundation elements. Lateral earth pressure recommendations contained within this report are general in nature; it is critical that final retaining wall designs are reviewed by the Geotechnical Engineer for review and approval. For this report, it is assumed that foundation elements would not be subjected to unusual loading conditions such as eccentric loads or vibratory equipment. Unusual load conditions can induce settlement or reduce the bearing capacity of foundation elements.

SITE CONDITIONS

Description

The project is located on the northern lower slopes of High School Butte near Antelope Pass, Development of various commercial facilities at the site is evident in historic photos from the last century. Existing structures and improvements include: 1) a two-story restaurant and commercial office building constructed in 1949 2) a 7-room single story motel building constructed in 1949 which currently unused and in disrepair, and 3) a two-story 30-room motels constructed in 1971. Various underground utilities traverse the project.

Existing facilities are located on relatively flat topography that that gently slopes from north/northwest to south/southeast to northwest towards Flat Creek. The flat area was created by excavation into the hillside and is bounded by steep cut slopes that rise 15 to 20

created by excavation into the hillside and is bounded by steep cut slopes that rise 15 to 20 plus feet up to the west. Historic aerial photos show the cuts were accomplished in the middle part of the twentieth century. The neighboring property to the south and west is occupied by a storage facility.

West of the 7-room motel, the northeast facing slopes are about 1.5(H):1(V) and lead up to a concrete retaining wall that supports a roadway on the property to the south. The wall continues to the north and west of the 30-room building. Historic aerial photography shows the wall was constructed in a fill scenario above existing ground in the years between 1999 and 2001. To the south, the south east facing cut slopes are steeper, ranging from 1.5 to 1.3H:1V with exposed loess at ground surface.

Geology and Soil Mapping

The area's surface geology is mapped on the USGS "Geologic Map of the Jackson Quadrangle, Teton County, Wyoming," J.D. Love and H.F. Albee, 2004. Surficial deposits within proposed developments are described as "Ql – Loess – Silt, light-gray, structureless, homogenous; deposited by wind."

The US Natural Resources Conservation Service's Soil Survey of Teton County has mapped the Tetonia-Lantonia silt loams within the area of development. The soils are loess deposits found on 6 to 10 percent slopes. This soil is described as very deep, well drained, and composed of silt loam.

Seismic Hazard

Jackson Hole and the project site are located within the Intermountain Seismic Belt, a zone extending from southern Utah through eastern Idaho and western Montana, and encompassing western Wyoming and the Teton Range as referenced by Smith, Robert B., and Walter J. Arabasz. "Seismicity of the Intermountain seismic belt. "Neotectonics of North America," 1991. The USGS Earthquake Hazards Program has mapped Quaternary faults and folds in the United States as displayed on Google Earth with the following active faults near the project site: the Teton Fault, the Phillips Valley Fault, and secondary faults within the Jackson Hole Valley. In particular, the Teton Fault is thought to be capable of producing major earthquakes of a magnitude of six or greater. The portion of the Teton Fault mapped as active in the Quaternary is approximately 6.3 miles northwest of the site. The USGS "Geologic Map of the Jackson Quadrangle, Teton County, Wyoming," J.D. Love and H.F. Albee, 2004, shows the postulate trace of the Cache Creek Thrust Fault a quarter mile south of the project site. The Cache Creek Thrust Fault is not classified by the USGS as an active fault. Multiple minor earthquakes with epicenters near the site have occurred in recent years (USGS Earthquake Database).

SITE INVESTIGATIONS

On October 9, 2018, five test pits, TP-1 through TP-5, were excavated within and near the proposed structure footprint as shown in the Appendix on the **Test Pit Location Map**. Test pits were located using a handheld Trimble GeoXT GPS unit. Test pit locations and depths were selected to determine subsurface conditions applicable to the proposed developments at the time of the investigation. Schematic design plans have since changed to enlarge the structure to the south and west. **ADDITIONAL** test pits in the south and west will be dug and a supplement to this report issued based on the updated plans. Test pits were backfilled with excavated material after logging was completed.

Fish Creek Excavation of Jackson, Wyoming, excavated the test pits with a John Deere 135 track hoe. Andy Pruett, a Professional Geologist at Nelson Engineering, logged the pits and directed sampling. Soil classifications, moisture conditions, and presence of organic or other notable features were recorded in the field logs. Bulk samples were sealed in plastic bags and transported to our laboratory for testing and further classification. Groundwater observations were made at the time of the excavation based on field observations of soil moisture conditions. Field observations and laboratory testing results are presented both on the test pit logs and in the test result presentation sheets in the Appendix.

The stratification lines shown on the test pit logs represent the approximate boundary between soil types. The actual in-situ transition may be either gradual or abrupt. Due to the nature and depositional characteristics of natural soils and fills, care should be taken in interpolating subsurface conditions beyond the location of the test pits. Soil conditions can change rapidly in both the lateral and vertical directions. Groundwater conditions shown on the logs are only for the dates indicated.

The subsurface conditions were interpreted from the described test pits. The soil properties inferred from the field and laboratory analyses supported by our experience formed the basis for developing our conclusions and recommendations.

Laboratory Investigations

Samples obtained during the field investigation were taken to the laboratory where they were visually classified in accordance with ASTM Test Method D-2487-93, which is based on the Unified Soils Classification System (USCS). Representative samples were selected for testing to determine the physical properties of the in-place soils and to estimate engineering properties. Engineering properties of concern at this location included bearing capacity, seismic response, shear strength, and site-specific construction recommendations that are influenced by soil type and condition.

Laboratory testing was conducted to provide additional information to determine the suitability of the soils for use as foundation and subgrade materials and to verify field observations and classification estimates. The finalized laboratory observations were used to estimate soil strength and compressibility characteristics for bearing capacity determinations, consolidation and settlement determinations, lateral and vertical pile load response analysis, and pavement designs. Specific tests included Atterberg Limits Tests - ASTM Designation D4318, Grain Size Analysis - ASTM Designation C117 & C136, Soil Moisture Content Determinations - ASTM Designation D2226, and Soil Classification - ASTM Designation D2487.

The soil samples stored in our laboratory will be discarded after 30 days from the date this report is submitted unless we receive a specific request to retain them.

SUBSURFACE CONDITIONS

Soil Profiles

WYDEQ Monitoring Wells

Wyoming DEQ drilled and logged several monitoring wells as part of a closed leaky underground storage tank investigation. Available records are attached in the Appendix and

wells are shown on the test pit location map. Soil profiles in the monitoring wells show loess of thickness varying from less than 5 feet to greater than 12 feet overlying dense cobble, gravel and sand alluvial deposits.

TP-1, 2, and 3, Loess Slopes

Trenches were cut into the slope west of the old motel structure to expose native soils within the slope. Soil profiles in the cut slope were very similar, surficial soils consisted of 1.5 feet of dry, brown/dark brown silt topsoil with minor grass roots. Topsoil was very stiff to hard with pocket penetrometer readings greater than 3.5 tons per square foot (TSF). Below topsoil and to the base of the slope, loess deposits along the entire length of the trenches. Loess was composed of dry, light brown/tan, silty clay with trace amounts of fine-grained sand. The loess contained minor to moderate amounts of pinhole voids and a very stiff to hard consistency corresponding to pocket penetrometer readings greater 3.5 TSF.

TP-4 and TP-5

Similar soil profiles were found consisting of fill overlying glacial gravels and cobbles. Surficial deposits in TP-4 to 5.5 feet were undocumented fills composed of dry, very stiff to hard, brown and light brown, silty clay loess, silt topsoil, and gravelly silt with cobbles and boulders up to 24-inches maximum dimension. Surficial deposits in TP-5 to 3.5 feet were a half foot of silt topsoil overlying fills composed of dense silty gravel with sand, cobbles, and boulders up to 18-inches maximum dimension, round to sub-round clasts. Below fills to the bottom of each test pit at 11 feet in TP-4 and 10 feet in TP-5, soils in both test pits were glacial fluvial deposits composed of dry, brown, gravel with silt, sand, cobbles, and boulders up to 24-inches maximum dimension. These soils were very dense and contained approximately 70-percent round to sub-round gravels, cobbles, and boulders and 30-percent sand with silt matrix. Hard digging in glacial gravels was noted and minor caving of test pit walls was observed.

Interpretation

Test trenches, test pits, and monitoring well logs indicate the native soil profile prior to grading consisted of loess overlying dense gravel and cobble alluvium. The former ground surface sloped down to the east, intersecting with the existing ground in the near vicinity of the edge of the WY22/189 roadway. Loess thickness at the west project pre-grading is estimated to be about 20 feet based on elevation of the cut slope and projecting pre-existing ground. Gravels form the subgrade at the base of the cut slope in the test pit where the loess has been removed in its entirety. Monitoring well profiles show top of gravel contact to the east at zero to 11 feet. Interpolation of depth to gravel along the eastern building edge results in depth to gravel of 3 to 8 feet.

Groundwater

Groundwater was not encountered in the test pits. Groundwater depths of greater than 10 feet are shown on the WYDEQ records.

GEOTECHNICAL ANALYSIS & RECOMMENDATIONS

General

A three-story residential structure with at grade parking on the lower level is proposed. The western walls of the building are located in the existing cut slope. An external retaining wall

is proposed to the west of the second story to create a walk out area. The building wall and external retaining wall combined height will be 10 to 20 feet. Soil nail and shotcrete permanent retaining walls are recommended for the building and external retaining wall. Permanent retaining walls shall be designed during the final design phase to the appropriate seismic and static Factors of Safety per the International Building Code and accepted standards. The remainder of the structure will be supported by columns supported by conventional spread footings bearing on underlying gravels. Recommendations herein emphasize concerns at depths at and below the anticipated bottom footing depth in soils influenced by foundation loading.

Loess

Loess is defined as a wind-deposited soil with a low-density structure. Loess at this site will exhibit undesirable characteristics including collapse and/or loss of strength when wetted. Schematic level plans show portions of retaining walls hardscapes may be supported on loess. Wetting of loess beneath hardscapes and retaining structures is likely to cause excessive settlement and damage.

Drainage and Moisture Infiltration Prevention

It is critical to prevent moisture from penetrating loess beneath hardscapes and retaining structures. Measures to prevent moisture migration include:

1. Subgrade Compaction: Where loess the forms subgrade under all structures, slabs, footings, and hardscape shall be compacted to a depth of 8 inches to greater than 95% of maximum density per Standard Proctor (ASTM-D698). A well-documented testing program shall be conducted to ensure compliance. Compaction of native loess subgrade creates a dense low permeability barrier that prevents moisture infiltration into underlying collapsible soils.
2. Drains: Retaining wall and hardscapes shall be properly drained. Subgrade drains shall be carefully designed and constructed. Drainage to daylight is recommended. Drainage design shall be submitted to and approved by this office prior to construction.
3. Irrigation Systems: Systems must be properly installed and well maintained. Irrigation waters SHALL NOT result in ponding in low areas with loess subgrades. Irrigation piping shall be placed a minimum of 10 feet from foundations and hardscapes.
4. Surface Drainage: Stormwater and snowmelt shall be directed away from structures and hardscape. Ponding near structures and hardscape shall be prevented.

Conventional Spread Footings

Structure foundations can be supported by conventional spread footings bearing on underlying alluvium composed of very dense gravel, cobble and boulders with sand and silt. A net allowable bearing capacity of **3500 PSF** is appropriate. Surficial topsoil and loess deposits will be found in eastern and southern portions of the building footprint. Depth to dense alluvium ranging from 3 to 9 feet is estimated. Loess and fine-grained soils shall be removed beneath footings down to competent gravel and cobbles. Structural fill shall be then be placed to achieve subgrade elevation beneath footings. Structural fill below footings shall extend horizontally beyond the perimeter of all footers a minimum of 2 feet or a distance equal to the total depth of structural fill, whichever is less.

Structural fill placed above the existing ground surface to achieve footing grade, beyond the 2-foot minimum level from the footings, shall have a maximum slope of 1.5(H):1(V).

All subgrades below footings and structural fills shall be compacted to a depth of 10 inches to 95% of maximum density per ASTM D 698 (Standard Proctor).

A typical foundation and backfill configuration are shown in **Foundation Backfill Typical** drawing in the Appendix. The minimum burial depth of footings shall be **36 inches** for frost protection.

The above analysis assumes a **maximum width of 3.0 feet** for continuous footings and a maximum dimension of **12.0 feet for isolated footings**. Construction of larger footing sizes can lead to increased settlement as the bearing pressure bulb can extend deeper into the soil profile resulting in settlement of greater than that specified. The net allowable soil pressure includes dead load plus maximum live load. These calculations assume a minimum depth of burial of the footing of 36 inches and that a maximum total settlement of **0.5 inches** can be tolerated on any one footing and the maximum differential settlement between footings that can be tolerated is **0.5 inches**. Bearing capacity values and settlement should be checked for each combination of load to determine whether settlement or bearing capacity will control the response of the footing. This office shall be consulted to verify specific footing loads and sizes. Isolated footings with bearing areas larger than 100 square feet or those foundation elements supporting large concentrated loads such as stone fireplaces shall be analyzed on an individual basis to determine settlement and bearing characteristics. Other foundation parameters are as noted below:

1. A **one-third** increase in allowable bearing capacity may be used for short duration loads such as wind or seismic.
2. Backfill against shallow foundations and stem walls shall conform to the **Foundation Backfill Typical** drawing in the Appendix. In no case shall material greater than 6 inches in diameter bear directly on or against foundation elements. Placing oversized material against rigid surfaces can damage the structure and interferes with proper compaction.
3. Lateral loads may be resisted by friction between the footing base and supporting soil and lateral bearing pressure against the sides of the footings. For design purposes, a **coefficient of friction of 0.45** at the footing base is appropriate. A lateral passive bearing pressure of **350 psf per foot of depth** is appropriate.

Any soil type encountered other than those described in the test pit logs or in this report shall be analyzed by Nelson Engineering. Isolated boulders at footing grade shall be excavated and removed, unless approved by Nelson Engineering, and the void backfilled with structural fill. Any excessively loose material or soft spots encountered in the footing subgrade will require over-excavation and backfilling with structural fill. All footings shall be suitably reinforced to make them as rigid as possible.

Surface Drainage

Moisture penetration into bearing soils of footings at frost depth should be avoided. Site grading plans should be carefully reviewed to ensure surface waters, snowmelt, and irrigation systems drain away from all structures and that pavements and slabs are well drained.

WESTERN SLOPE SOIL NAIL WALL FEASIBILITY LEVEL DESIGN

General

Slope stability was evaluated for construction of a permanent soil nail and shotcrete retaining wall cut into the western slope. The wall would permanently retain the slope adjacent to the planned structure. Test pit logs, WYDEQ monitoring well logs, laboratory testing, geologic mapping and geologic references were used to evaluate slope stability along the profiles shown on the test pit location map.

Interpolated, extrapolated, and interpreted subsurface conditions were used to formulate slope stability models in SLOPE/W™, a product of Geo-Slope International. The program calculates the Factor of Safety (FOS) of two-dimensional slope model using limit equilibrium theory. Analysis results delineate critical failure surfaces as well as the minimum FOS for the failure surfaces under static and earthquake loading with the soil nails as modeled.

Stability Analyses

Selection of Acceptable Factor of Safety and Seismic Coefficient

The results of a pseudostatic analyses are critically dependent on the selection of a seismic coefficient value. In recognition that actual slopes are not rigid and that the peak acceleration exists for short periods, the maximum peak bedrock acceleration is generally not applied to this type analysis. Hynes-Griffin and Franklin (1984) concluded that for large earthen dams, with pseudostatic Factors of Safety (FOS) of greater than 1.0, a seismic coefficient of 0.5 that of peak bedrock acceleration resulted in acceptable deformation. Seed (1979) concluded that a factor of safety of 1.15 was acceptable for seismic coefficients of 0.10g for Magnitude 6.5 earthquakes. For this analysis, a seismic coefficient of 0.19 was selected as appropriate and conservative, corresponding to half of the peak ground acceleration with a 7 percent probability of exceedance in 75 years.

In selecting a minimum FOS for the analyses, the following factors were evaluated:

1. The consequences of slope failure;
2. The adequacy of field and laboratory investigations;
3. The reliability of the assumptions included in the failure mode;
4. The ability to predict adverse conditions such as ground water conditions and maximum earthquake accelerations;
5. Judgment based on experience and the above discussion of Seismic Coefficient;

For this study, the chief considerations included in the selection of a minimum FOS were uncertainties associated with modeling the subsurface aquifer and soil/rock profiles in between borings, and the possibility of loss of life for a slope failure destroying occupied buildings.

For this preliminary feasibility level design for an inhabited structure, the minimum FOS selected for an inhabited structure for static stability was 2.5 and for seismic stability 2.0. Consideration of the reduction in FOS from existing to final conditions after construction is also important.

Stability Model Formulation

Cross-section topography was generated from site topographic surveys by Nelson Engineering. Subsurface profiles and assumptions were developed from our interpretation of the subsurface conditions. Slope stability sections are shown on the Test Pit location map and slope stability output drawings in the Appendix.

The models consist of two soil types, loess and dense gravel alluvium. Material properties were assigned conservatively using material properties based field cohesion tests, our experience with loess in Jackson Hole, and from generally accepted empirical correlations. Table 1 lists properties assigned. Additional testing of loess properties from additional field work is proposed.

Material	Material Model	Unit Weight (PCF)	Internal Friction Angel	Cohesion (psf)
Alluvium	Mohr-Coulomb	135	34	0
Loess	Mohr-Coulomb	100	28	500

Table 1: Material Model and Strength Properties

Preliminary soil nail wall layouts were modeled using grout to soil assumed bond strength of 1000 psf, a 6-inch diameter grout body and nails at 4 feet on center in the horizontal direction. Circular failure surfaces were analyzed for both static and seismic conditions. The failure surfaces were limited to entry and exit angles corresponding with active and passive wedge movements at the head and toe of the slopes with search criteria designated appropriately for local and global failure surfaces. The Morgenstern-Price (M-P) method of slices was used to search for and analyze failure surfaces. The Morgenstern-Price method satisfies moment and force equilibrium and is mathematically rigorous. Interslice forces in the M-P method were modeled using a half-sine function. Seismic acceleration of 0.19 g was transmitted through the slope models without attenuation or amplification. This acceleration is applied as a constant multiplied by the weight of the failure mass in a pseudostatic stability analysis. No attempt was made to assess strong ground motion transmission through underlying soils based on frequency spectra.

Conclusion

Satisfactory results were achieved in preliminary soil nail layouts analyzed. Seismic analysis results are shown in the Appendix. Based on these results, it is our opinion that properly designed soil nail walls can permanently retain site slopes for the proposed structures. conditions. Alternatively, soldier pile and wood lagged walls with anchors may also perform this function. It is anticipated that soil nails will extend beyond property boundaries, requiring subsurface easements.

Loess soils in the existing cut slope exhibit high cohesion per field tests. Loess in the Jackson Hole Valley typically exhibits cohesion of greater than 1000 psf and stable vertical cuts of 15 feet height or more are commonly performed. ADDITIONAL TESTING of cohesive strength of loess is in progress to eliminate unnecessary conservatism in final design. Slope stability analysis of two cross sections was conducted which confirms the feasibility of proposed construction using soil nail walls. Slope stability analysis discussion and results are given in the Appendix.

In final design, soil nail walls or other retaining structures should be designed by an experienced licensed engineer and installed by an experienced contractor.

Lateral Earth Pressures, Gravity Retaining Walls

These recommendations apply to gravity retaining walls backfilled with Structural Fill per the typical gravity stem wall drawing in the Appendix.

For walls restrained from movement such that active earth pressures are will not be allowed to develop, an at-rest equivalent fluid pressure of **60PCF** is appropriate.

The Mononobe-Okabe (M-O) equations are often used to estimate dynamic forces against retaining walls. The M-O analysis is theoretically derived using active earth pressure conditions. Although there is debate about the theoretical applicability of this methodology to restrained or rigid walls, the method has been used for many years for the seismic design of such walls. The performance record of underground walls during earthquakes has generally been good. Appropriate parameters for the M-O analysis are: 1) soil unit weight 130 pounds per cubic foot, and 2) Internal Friction Angle= 32°, and 3) K_h of 0.12g (half of the maximum horizontal seismic acceleration in rock with a 10% exceedance in 50years). The more limiting case, at-rest or active seismic pressure, shall be utilized in the structural design of restrained or rigid retaining walls.

Slabs-On-Grade

Slabs shall be founded upon the following section from top to bottom: **1)** 3 inches of crushed base composed of a ¾-inch minus free draining material (WYDOT Grade CR or equivalent) compacted to a minimum of 95% of maximum density as determined by ASTM D1557, **2)** 12-inches of Structural Fill, and **3)** the upper 8 inches of dense gravel alluvial deposits compacted to a minimum of 95% of maximum density as determined by ASTM D698. Where NE determines dense native gravels form the subgrade, structural fill may be omitted. Any excessively loose material or soft spots encountered in slab subgrade will require over-excavation and backfilling with structural fill. The recommended Modulus for Subgrade Reaction for use in Slab design per “The American Concrete Institute Design of Slabs on Grade, ACI 360R-92” is **300 lbs/in³**.

Concrete slab-on-grade control joints should be saw-cut as early as possible. Nelson Engineering recommends the use of a soft cut system, which allows saw cutting as soon as the concrete can support foot traffic. Successful crack control is dependent upon proper joint spacing. Control joints should be placed in accordance with current Portland Cement Concrete Paving Association guidelines.

Sidewalks and Exterior Slabs

Sidewalks and exterior concrete slabs for foot traffic shall be placed upon a minimum of 3 inches of ¾-inch minus crushed gravel placed upon 8 inches of structural fill. Native subgrade must be compacted to a minimum of 95% of maximum dry density per ASTM D698 and inspected to 8-inch depth. Where NE determines dense native gravels form the subgrade, structural fill may be omitted. Any fill required to increase the elevation of the slab should meet the requirements for granular structural fill. (Refer to the section on structural fill for requirements). All fill material within one foot of the slabs must be compacted to a minimum 95% of the maximum density as determined by ASTM D698.

Roadway and Parking Lot Sections

The sections given below assume the existing asphalt, crushed base, and pit run section is removed and replaced. Proper drainage is essential for satisfactory road and parking area performance. The structural fill and geotextile requirements given below can be waived when acceptable subgrade conditions exist. **Nelson Engineering shall inspect and approve all pavement subgrades prior to waiving the structural fill requirement.**

Pavement Section Components	Newly Paved Areas
Asphaltic Concrete	3 inches
WYDOT Grade GR Crushed Aggregate	4 inches
Structural Fill subbase	12 inches
Compacted Subgrade	Surficial 8 inches of native soil compacted as much as moisture and subgrade conditions permit

*See Discussion above

CONSTRUCTION CONSIDERATIONS

Earthwork and Site Grading

Excavation work and heavy equipment access will be difficult when wet conditions exist. A protracted period of wet conditions can be expected during and after seasonal snowmelt and during periods of rainfall. **Placement of imported gravels supported by geotextiles and/or geogrid may be required to provide construction access and to provide platforms for equipment.** General recommendations for earthwork suitability, placement, and compaction procedures are provided below:

- Within the building footprints and areas to be paved, all organic material, deleterious undocumented fill, and debris shall be removed regardless of depth below the surface. Loose and disturbed native soils should be scarified, moisture-conditioned, and compacted. Finished surfaces shall be sloped away from foundations.
- Fill materials shall not be placed, spread, or compacted while the ground is frozen or during unfavorable weather conditions. Fill materials shall be at the proper moisture content prior to compaction and shall contain no frozen soil.
- Native subgrade shall be compacted with compaction equipment appropriate for the soil types described in this report. Where soft, loose or wet areas are encountered over-excavate and replace with structural fill or consult Nelson Engineering.
- Clays and silts will be encountered throughout the excavations. These soils will exhibit undesirable engineering properties when wetted. **Every effort shall be made to ensure that moisture from rainfall and groundwater does not infiltrate clay and silt foundation bearing, slab, and roadway subgrade soils.** Measures to prevent moisture infiltration may include the placement of tarps or membranes; maintain grading during construction to drain storm water from exposed excavations during precipitation and snowmelt events, and others. When moisture has infiltrated

problem soils, Nelson Engineering shall be notified to inspect soils prior to resuming construction.

- **Structural Fill** shall consist of imported gravels (USCS classification GW or GP) with the following characteristics: 4-inch maximum rock size for geogrid reinforced fills, 6-inch maximum particle size for other uses, no more than 40% greater than $\frac{3}{4}$ ", and less than 8% fines passing the #200 sieve. Fines shall have a plasticity index of less than 15.

Structural Fill shall be placed in layers of not more than 8 inches in thickness. Each layer of Structural Fill should be moisture conditioned to within 2% of optimum moisture content and compacted to a minimum density of 95% of the maximum dry density as determined by ASTM Designation D 698. The maximum density of material containing more than 30% oversize (greater than $\frac{3}{4}$ " diameter) cannot be determined by use of the ASTM Designation D 698. In this case, a field maximum density may be determined by a test strip method. The material shall be compacted at or near optimum moisture content and a field density test shall be taken after each pass of the compaction equipment. This sequence shall continue until the maximum field density is achieved. This maximum field density shall be used for subsequent field compaction tests. Enough density tests should be taken to monitor proper compaction.

Clean Rock Fill may be used in lieu of structural fill. Clean Rock fill shall be hard, durable crushed or screened rock of less than 6-inch maximum dimension with less than 1% passing the $\frac{1}{4}$ inch sieve. Nelson Engineering shall review and approve clean rock fill source and gradation prior to use.

- Safety of construction personnel including safe trenches and excavations are the responsibility of the contractor. Excavations for retaining walls and foundations shall conform to the applicable OSHA and Wyoming safety standards. Excavations and utility trenches shall be laid back to safe slopes or properly shored. Excavations and shoring operations shall be conducted in accordance with the most recent versions of the OSHA Construction Standards for Excavations, Part 1926, Subpart P and Wyoming Public Works Standard Specifications. Excavations for utilities shall be shored if the proper slope cannot be maintained.
- During earthwork phases of the project, a representative of Nelson Engineering shall be present to observe exposed native soils and fill materials for suitability and consistency. A documented testing program should be conducted to determine that soil compaction is in accordance with requirements.
- Backfill against structures (i.e., pipes and walls) shall be placed manner that will not damage the structure. In no case shall material greater than 6 inches in diameter bear directly on or against structures. Placing oversized material against rigid surfaces can damage the structure and interferes with proper compaction.

GENERAL COMMENTS

It is critical that the structural engineer and other project designers review this report. When project plans and specifications are complete, a consultation with this office should be arranged to ensure compliance with this report. Additional or supplementary recommendations concerning foundations and earthwork may be required at this time.

Monitoring and testing should be performed to verify that suitable materials are used for structural fills and backfills and that fills are properly placed and compacted. Concrete testing and special inspections should be performed prior to and during placement of all concrete to ensure concrete and reinforcing steel bar comply with project plans and specifications. Nelson Engineering can provide concrete testing and special inspections if requested.

WARRANTY AND LIMITING CONDITIONS

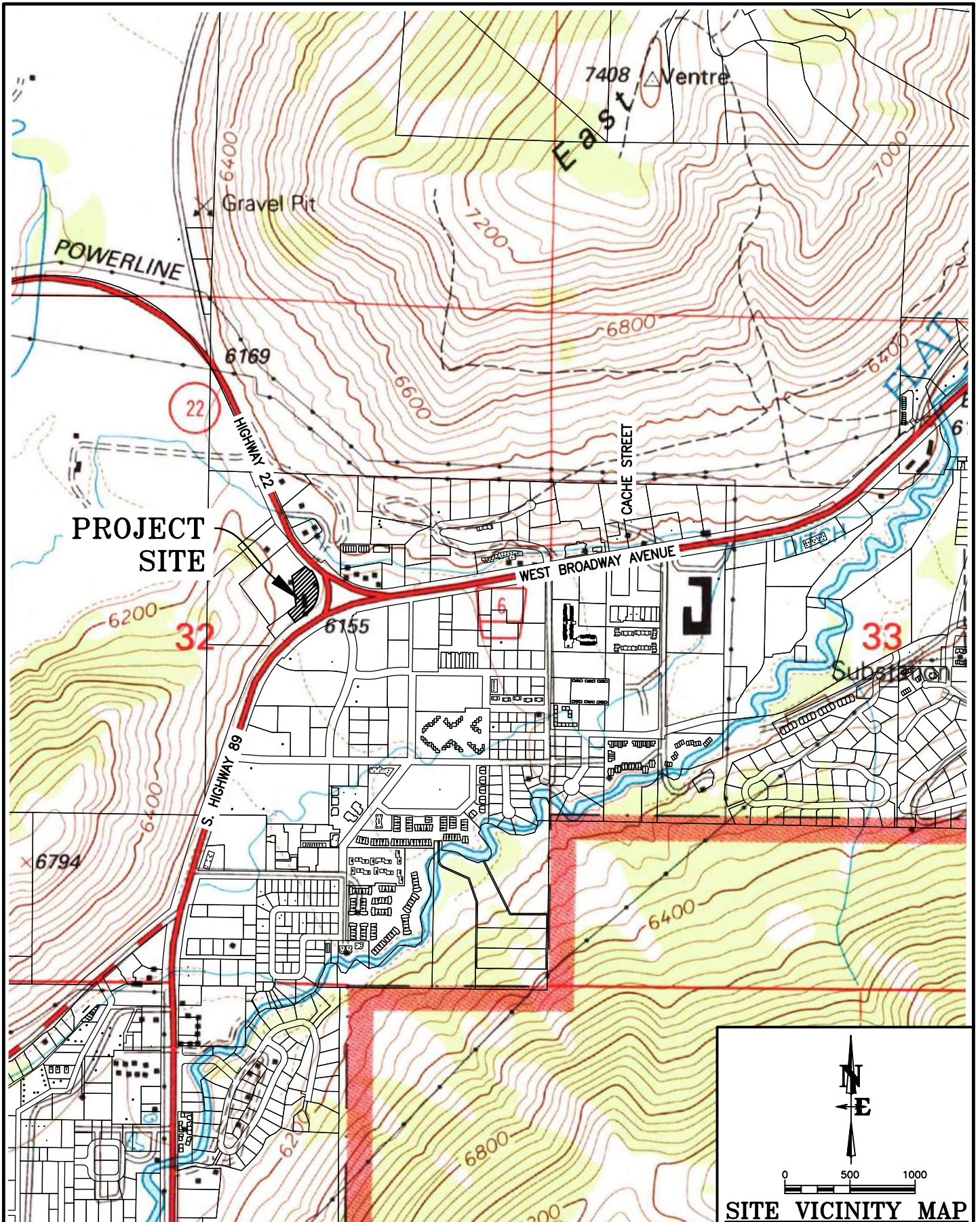
The field observations and research reported herein are considered sufficient in detail and scope to form a reasonable basis for the purposes cited above. Nelson Engineering warrants that the findings and conclusions contained herein have been promulgated in accordance with generally accepted professional engineering practice in the fields of foundation engineering, soil mechanics, and engineering geology, only for the site described in this report. No other warranties are implied or expressed.

These engineering methods have been developed to provide the client with information regarding apparent or potential engineering conditions relating to the subject property within the scope cited above and are limited to the conditions observed at the time of the site visit and research. There is a distinct possibility that conditions may exist which could not be identified within the scope of the investigation or which were not apparent during the site investigation. The report is also limited to the information available at the time it was prepared. In the event additional information is provided to Nelson Engineering following this report, it will be forwarded to the client in the form received for evaluation by the client. This report was prepared for use by Tyler Davis in Jackson, Wyoming ("Client") and the conclusions and recommendations presented in this report are based on the agreed-upon scope of work outlined in the report and the contract for professional services between Client and Nelson Engineering ("Consultant"). Use or misuse of this report, or reliance upon the findings hereof by any parties other than the Client, is at their own risk. Neither the Client nor Consultant may make any representation of warranty to such other parties as to the accuracy or completeness of this report or the suitability of its use by such other parties for any purpose whatsoever, known or unknown, to the Client or Consultant. Neither Tyler Davis, nor Nelson Engineering shall have any liability to, or indemnifies or holds harmless third parties for any losses incurred, by the actual or purported use or misuse of this report. No other warranties are implied or expressed.

Prepared By:
Philip Gyr, PE
Geotechnical Engineer

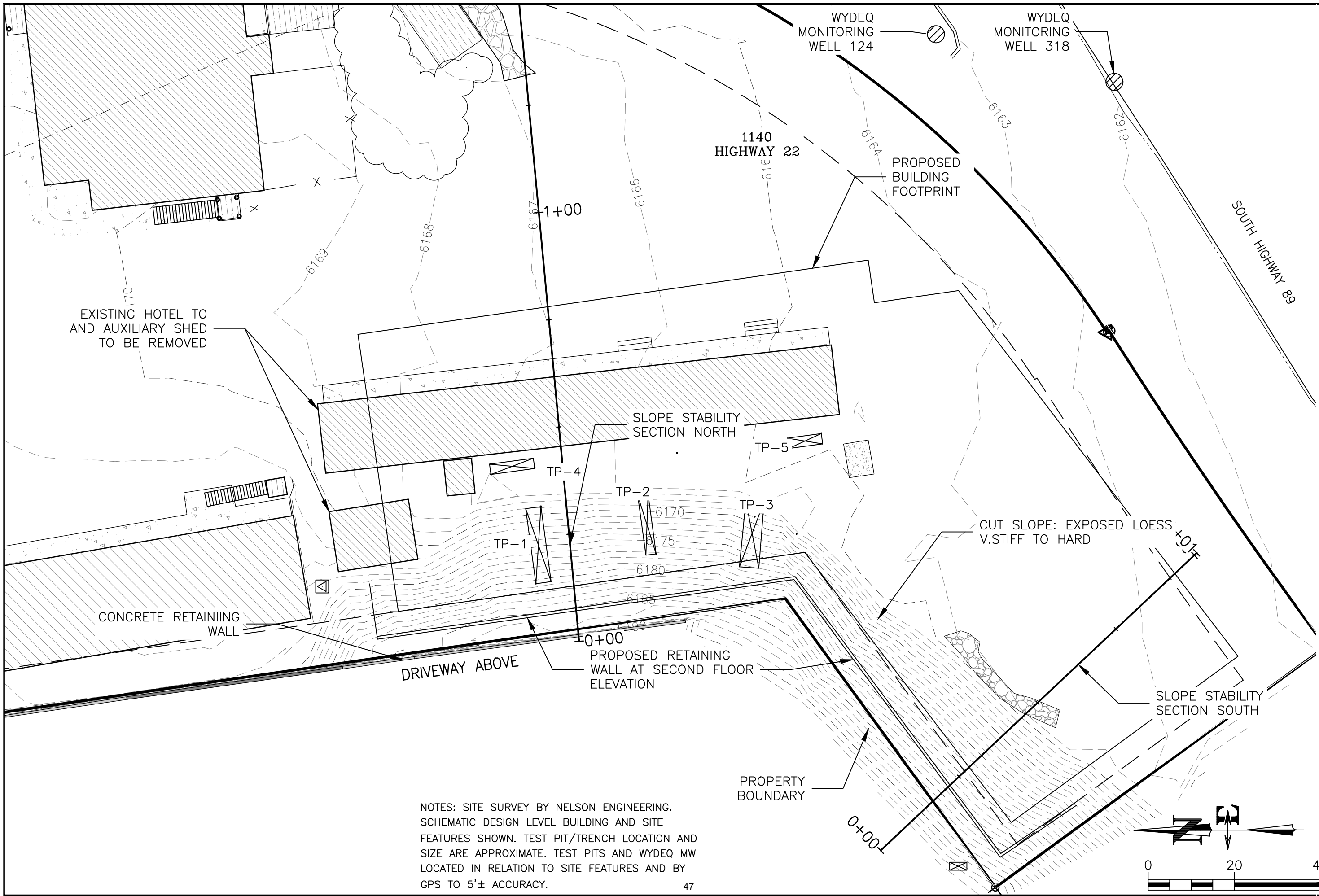
APPENDIX

DRAWINGS



SITE VICINITY MAP

DRAWING NO 1	TITLE TETON GABLES 1140 W HIGHWAY 22 GEOTECHNICAL INVESTIGATION	NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087 46	DATE 10/22/18	REV.
JOB NO 18-262-02			SURVEYED -	
			DRAWN BJG	
			CHECKED AP	
			APPROVED PG	



NOTES: SITE SURVEY BY NELSON ENGINEERING. SCHEMATIC DESIGN LEVEL BUILDING AND SITE FEATURES SHOWN. TEST PIT/TRENCH LOCATION AND SIZE ARE APPROXIMATE. TEST PITS AND WYDEQ MW LOCATED IN RELATION TO SITE FEATURES AND BY GPS TO 5'± ACCURACY.

DRAWING NO EXHIBIT	JOB TITLE TETON GABLES 1140 W HIGHWAY 22 GEOTECHNICAL INVESTIGATION	DRAWING TITLE TEST PIT LOCATIONS AND SLOPE STABILITY SECTIONS	NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087				REV.
			DATE	11/26/2018			
			SURVEYED	-			
			DRAWN	AP			
JOB NO 18-262-02			CHECKED	PG			
			APPROVED	PG			

GRADE AWAY FROM STRUCTURES 5%
MINIMUM FOR 10' OR PER APPROVED
DRAINAGE PLAN

LAWN AND LANDSCAPE AREAS 8"
TO 10" FINE-GRAINED SOILS
(SILTS AND CLAYS) COMPACTED
TO A MINIMUM OF 90% PER
ASTM D-698, SLOPED TO DRAIN
STRUCTURAL FILL SHALL BE
USED TO SUPPORT ALL
HARDSCAPES, SLABS, AND
ROADWAYS ADJACENT TO STEM
AND RETAINING WALLS

FINISHED
GRADE

STRUCTURAL FILL

FOOTING STEM/RETAINING
WALL BY OTHERS

COMPACTED NATIVE
SUBGRADE OR
STRUCTURAL FILL
PER
RECOMMENDATIONS IN
REPORT

FOUNDATION BACKFILL TYPICAL
NOT TO SCALE

DRAWING NO

3

TITLE

TETON GABLES
FOOTING AND GRAVITY WALL
FOUNDATION BACKFILL TYPICAL

JOB NO

18-262-01

**NELSON
ENGINEERING**

P.O. BOX 1599, JACKSON WYOMING (307) 733-2087

DATE

11 26 18

REV.

SURVEYED

N/A

DRAWN

PG

CHECKED

PG

APPROVED

PG

TEST PIT LOGS

CORRECTED SPT: Standard Penetration Test values corrected to 60% of the theoretical free-fall hammer energy and for corrected for overburden pressure per AASHTO LRFD 6th ED Article 10.4.6.2.4.

DRILLING, SAMPLING, AND SOIL PROPERTIES ABBREVIATIONS AND SYMBOLS

N: Standard Penetration Test

U_c: Unconfined compressive strength, Pounds/ft² (PSF)

Pp: Pocket Penetrometer values, Ton/ft² (TSF)

FILGC: Fragments indicate gravels and cobbles larger than split spoon diameter.

w: Water content, %

LL: Liquid limit, %

PI: Plasticity index, %

gd: In-situ dry density, lbs/ft³ (PCF)

: Ground water level

SS: Split-Spoon Sample

ST: Shelby Tube Sampler

CS: Cylindrical Brass Lined Sample



Monitoring Well, diagonal hatching indicates screen and sand packed interval

SOIL RELATIVE DENSITY AND CONSISTENCY CLASSIFICATION

Non-Cohesive Soils	Standard Penetration Resistance	Cohesive Soils	Pp-(tons/ft ²)
Very Loose	0 - 4	Very Soft	0 - 0.25
Loose	4 - 10	Soft	0.25 - 0.50
Slightly Compact	8 - 15	Firm (Medium)	0.50 - 1.00
Medium Dense	10 - 30	Stiff	1.00 - 2.00
Dense	30 - 50	Very Stiff	2.00 - 4.00
Very Dense	50+	Hard	4.00+

PARTICLE SIZE

Boulders: 12 in.+	Coarse Sand: 5 mm(#4)-2 mm(#10)	Silts and Clays: <#200
Cobbles: 12 in.-3in.	Medium Sand: 2 mm(#10)-0.4mm(#40)	
Gravel: 3in.-5mm(#4)	Fine Sand: 0.4mm(#40)-0.075mm(#200)	

SOIL GRAPHICS

<i>GW</i>		<i>SC</i>	
<i>GP</i>		<i>ML</i>	
<i>GM</i>		<i>CL</i>	
<i>GC</i>		<i>ML-CL</i>	
<i>SW</i>		<i>OL</i>	
<i>SP</i>		<i>MH</i>	
<i>SM</i>		<i>CH</i>	
<i>BEDROCK</i>		<i>OH</i>	
<i>COBBLES/BOULDERS</i>		<i>PT</i>	

NOTE: ANGLED DEMARCATIONS ON THE LOGS INDICATE APPROXIMATE OR POORLY DEFINED BOUNDARIES BETWEEN SOIL TYPES.

PROJECT NAME: TETON GABLES PARKING STRUCTURE	TEST PIT No. 1	PAGE: 1
DATE STARTED / FINISHED: 10/09/2018	OPERATOR: FISH CREEK EXCAVATION	
LOGGED BY: ANDY PRUETT	EXCAVATOR TYPE: JOHN DEERE 135 TRACK HOE	
BOREHOLE LOCATION/ELEVATION: SEE TEST PIT LOCATION MAP		

WELL LOG	GRAPHICS LOG	TRENCH LENGTH ON SLOPE FROM TOP (FT)	SAMPLES		SAMPLE ID	This log is part of a report prepared by Nelson Engineering for this project and should be read with the report. This summary applies only at the location of the test pit and at the time of the excavation. Subsurface conditions may differ at other locations and may change at this location with passage of time. The data presented is a simplification of actual conditions encountered.	LIQUID LIMIT	PLASTIC LIMIT	DRY DENSITY (PCF)	MOISTURE (%)	REMARKS
			UNDISTURBED	BULK							
						MATERIAL DESCRIPTION					
						DUG TRENCH APPROX.1.5' DEPTH FROM TOP, 1.5' OF LOESS DERIVED TOPSOIL DRY BROWN/DARK BROWN, SILT TOPSOIL, MINOR GRASS ROOTS THROUGHOUT, PP>3.5 TSF, VERY STIFF TO HARD					TEST TRENCH EXCAVATED ALONG CUT SLOPE. TRENCH DEPTH 1 TO 2 FEET BOTTOM OF TRENCH AT OR BELOW ADJACENT LEVEL GROUND ELEVATION. GRASS & MUSK THISTLE COVERED SLOPE
						UNDERLYING SOIL, ENTIRE TRENCH, DRY, LIGHT BROWN/TAN, SILTY CLAY, LOESS, TRACE FINE SAND, HOMOGENOUS, MINOR TO MODERATE PINHOLE VOIDS, PP>3.5 TSF THROUGHOUT, VERY STIFF TO HARD					EASY DIGGING THROUGHOUT
											NO CAVING

PROJECT NAME: TETON GABLES PARKING STRUCTURE					TEST PIT No. 2		PAGE: 1	
DATE STARTED / FINISHED: 10/09/2018					OPERATOR: FISH CREEK EXCAVATION			
LOGGED BY: ANDY PRUETT					EXCAVATOR TYPE: JOHN DEERE 135 TRACK HOE			
BOREHOLE LOCATION/ELEVATION: SEE TEST PIT LOCATION MAP								

WELL LOG	GRAPHICS LOG	DEPTH (FT)	SAMPLES		SAMPLE ID	MATERIAL DESCRIPTION	LIQUID LIMIT	PLASTIC LIMIT	DRY DENSITY (PCF)	MOISTURE (%)	REMARKS	
			UNDISTURBED	BULK								
		1				DUG TRENCH APPROX. 1.5' DEPTH FROM TOP, 1.5' OF LOESS DERIVED TOPSOIL DRY BROWN/DARK BROWN, SILT TOPSOIL, MINOR GRASS ROOTS THROUGHOUT, PP>3.5 TSF, VERY STIFF TO HARD UNDERLYING SOIL, ENTIRE TRENCH, DRY, LIGHT BROWN/TAN, SILTY CLAY, LOESS, TRACE FINE SAND, HOMOGENOUS, MINOR TO MODERATE PINHOLE VOIDS, PP>3.5 TSF THROUGHOUT, VERY STIFF TO HARD					TEST TRENCH EXCAVATED ALONG CUT SLOPE. TRENCH DEPTH 1 TO 2 FEET BOTTOM OF TRENCH AT OR BELOW ADJACENT LEVEL GROUND ELEVATION. GRASS & MUSK THISTLE COVERED SLOPE EASY DIGGING THROUGHOUT NO CAVING	
		2										
		3										
		4										
		5										
		6										
			6									
			7									
		8										
		9										
		10										
		11										
		12										
		13										
		14										
		15										
		16										
	17											

NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	53	CLIENT: TYLER DAVIS 1140 HIGHWAY 22 JACKSON, WYOMING	JOB NO. 18-262-02
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PROJECT NAME: TETON GABLES PARKING STRUCTURE	TEST PIT No. 3	PAGE: 1
DATE STARTED / FINISHED: 10/09/2018	OPERATOR: FISH CREEK EXCAVATION	
LOGGED BY: ANDY PRUETT	EXCAVATOR TYPE: JOHN DEERE 135 TRACK HOE	
BOREHOLE LOCATION/ELEVATION: SEE TEST PIT LOCATION MAP		

WELL LOG	GRAPHICS LOG	DEPTH (FT)	SAMPLES		SAMPLE ID	This log is part of a report prepared by Nelson Engineering for this project and should be read with the report. This summary applies only at the location of the test pit and at the time of the excavation. Subsurface conditions may differ at other locations and may change at this location with passage of time. The data presented is a simplification of actual conditions encountered.	LIQUID LIMIT	PLASTIC LIMIT	DRY DENSITY (PCF)	MOISTURE (%)	REMARKS
			UNDISTURBED	BULK							
						MATERIAL DESCRIPTION					
						DUG TRENCH APPROX.1.5' DEPTH FROM TOP, 1.5' OF LOESS DERIVED TOPSOIL DRY BROWN/DARK BROWN, SILT TOPSOIL, MINOR GRASS ROOTS THROUGHOUT, PP>3.5 TSF, VERY STIFF TO HARD					TEST TRENCH EXCAVATED ALONG CUT SLOPE. TRENCH DEPTH 1 TO 2 FEET BOTTOM OF TRENCH AT OR BELOW ADJACENT LEVEL GROUND ELEVATION. GRASS & MUSK THISTLE COVERED SLOPE
						UNDERLYING SOIL, ENTIRE TRENCH, DRY, LIGHT BROWN/TAN, SILTY CLAY, LOESS, TRACE FINE SAND, HOMOGENOUS, MINOR TO MODERATE PINHOLE VOIDS, PP>3.5 TSF THROUGHOUT, VERY STIFF TO HARD					EASY DIGGING THROUGHOUT
											NO CAVING

PROJECT NAME: TETON GABLES PARKING STRUCTURE					TEST PIT No. 4		PAGE: 1	
DATE STARTED / FINISHED: 10/09/2018					OPERATOR: FISH CREEK EXCAVATION			
LOGGED BY: ANDY PRUETT					EXCAVATOR TYPE: JOHN DEERE 135 TRACK HOE			
BOREHOLE LOCATION/ELEVATION: SEE TEST PIT LOCATION MAP								

WELL LOG	GRAPHICS LOG	DEPTH (FT)	SAMPLES		SAMPLE ID	MATERIAL DESCRIPTION	LIQUID LIMIT	PLASTIC LIMIT	DRY DENSITY (PCF)	MOISTURE (%)	REMARKS	
			UNDISTURBED	BULK								
		0			0'-5.5' VARIABLE UNDOCUMENTED FILL INCLUDES DRY, BROWN & LIGHT BROWN, SILTY CLAY LOESS, SILT TOPSOIL, GRAVELLY SILT WITH COBBLES AND BOULDERS UP TO 24", PP>3.5 TSF, VERY STIFF TO HARD						FLAT GRASS & THISTLE AREA ADJACENT TO MOTEL STRUCTURE AND UTILITY SHED EASY DIGGING TO 5.5'	
1												
2												
3												
4												
5											4"Ø DUCTILE IRON PIPE BURIED AT 5' PARALLELS BUILDING	
6							5.5'-BOP DRY BROWN GRAVEL WITH SILT, SAND, COBBLES & BOULDERS UP TO 24", POORLY GRADED, ~70% ROUND TO SUB-ROUND GRAVELS, COBBLES, AND BOULDERS, ~30% SAND WITH SILT MATRIX, ABUNDANT LARGE COBBLES/SMALL BOULDERS, VERY DENSE					HARD DIGGING BELOW 5.5'
7												
8												
9												
10												
11							BOP=11' NO GROUNDWATER ENCOUNTERED					MINOR CAVING IN GRAVELS
12												
13												
14												
15												

NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087		55	CLIENT: TYLER DAVIS 1140 HIGHWAY 22 JACKSON, WYOMING	JOB NO. 18-262-02
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PROJECT NAME: TETON GABLES PARKING STRUCTURE					TEST PIT No. 5		PAGE: 1	
DATE STARTED / FINISHED: 10/09/2018					OPERATOR: FISH CREEK EXCAVATION			
LOGGED BY: ANDY PRUETT					EXCAVATOR TYPE: JOHN DEERE 135 TRACK HOE			
BOREHOLE LOCATION/ELEVATION: SEE TEST PIT LOCATION MAP								

WELL LOG	GRAPHICS LOG	DEPTH (FT)	SAMPLES		SAMPLE ID	MATERIAL DESCRIPTION	LIQUID LIMIT	PLASTIC LIMIT	DRY DENSITY (PCF)	MOISTURE (%)	REMARKS
			UNDISTURBED	BULK							
		0				0'-0.5' DRY, DARK BROWN SILT TOPSOIL WITH ABUNDANT GRASS ROOTS					FLAT GRASS & THISTLE AREA ADJACENT TO MOTEL STRUCTURE
1					0.5'-3.5' FILL: SILTY GRAVEL WITH SAND, COBBLES, AND BOULDERS UP TO 18", ROUND TO SUBROUND CLASTS, DENSE					4"Ø TAR PAPER PIPE ENCOUNTERED AT 3'	
2										MODERATE DIGGING TO 3.5'	
3											
4						3.5'-BOP DRY BROWN GRAVEL WITH SILT, SAND, COBBLES & BOULDERS UP TO 24", POORLY GRADED, ~70% ROUND TO SUB-ROUND GRAVELS, COBBLES, AND BOULDERS, ~30% SAND WITH SILT MATRIX, ABUNDANT LARGE COBBLES/SMALL BOULDERS, VERY DENSE					HARD DIGGING BELOW 3.5'
5											
6											
7											1"Ø GALVANIZED PIPE AT 6.5'
8											MINOR CAVING OF GRAVELS
9											
10						BOP=10' NO GROUNDWATER ENCOUNTERED					POTHOLED TOE OF SLOPE ADJACENT TO TEST PIT TO VERIFY DEPTH TO GRAVELS, ENCOUNTER GRAVELS BELOW LOESS ~1' BELOW GROUND SURFACE ELEVATION OF TEST PIT 5
11											
12											
13											
14											
15											

P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	CLIENT: TYLER DAVIS 1140 HIGHWAY 22 JACKSON, WYOMING	JOB NO. 18-262-02
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LABORATORY RESULTS

Sample ID **TP2-1**Depth (ft) **6-7 ft**

Unified Soils Classification
Silty Clay (CL-ML)

Gravel	0%
Sand	10%
Fines	90%

Liquid Limit:	25
Plastic Limit:	21
Plasticity Index:	4

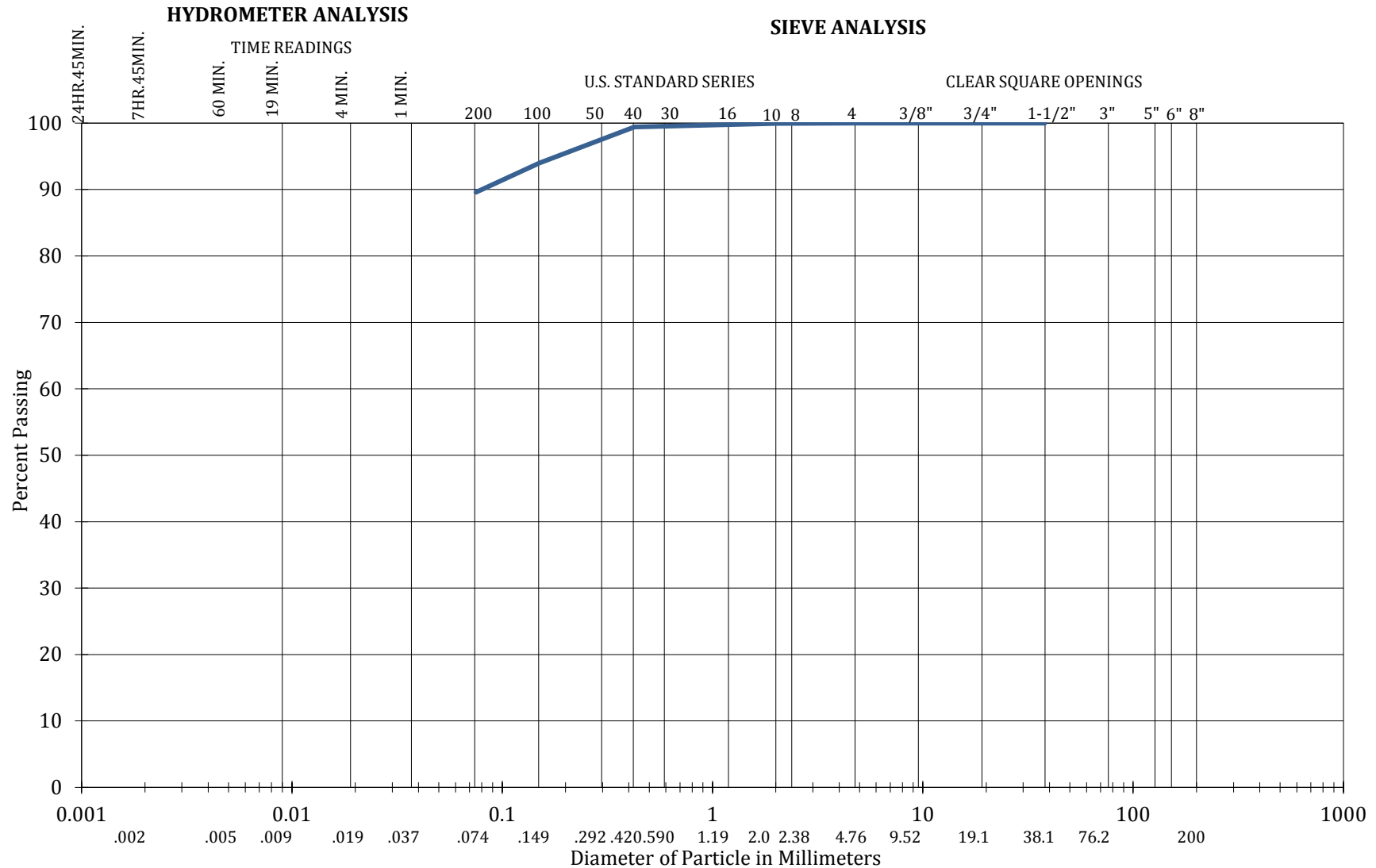
In-Situ Moisture Content	9.8%
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Standard Sieve No.	Particle Size (mm)	Tare Weight (g)	Sample + Tare (g)	Sample Weight (g)	Cumulative % Retained	Percent Passing
1.5"	38	171.0	171.0	0.0	0%	100%
1"	25	171.0	171.0	0.0	0%	100%
3/4"	18.75	171.0	171.0	0.0	0%	100%
3/8"	9.5	171.0	171.0	0.0	0%	100%
#4	4.75	171.0	171.0	0.0	0%	100%
#10	2.00	171.0	171.4	0.4	0%	100%
#40	0.425	171.0	176.0	5.0	1%	99%
#100	0.15	171.0	220.2	49.2	6%	94%
#200	0.075	171.0	210.7	39.7	10%	90%
Pan	0	171.0	983.3	812.3	100%	0%
Total Weight of Sample (g)				906.7		

Moisture Content	
Wet Wt + Tare (g)	1164.8
Dry Wt. + Tare (g)	1076.3
Wt of Water (g)	88.4
Tare Wt. (g)	169.7
Dry Wt. (g)	906.7
Moisture Content	9.8%
Wash	
Wet Wt. + Tare (g)	1164.8
Pre Wash Dry (g)	906.7
Post Wash Dry (g)	94.3
Tare Wt. (g)	0.0
Wt.Of Minus #200 =	812.3

Project: **Teton Gables Parking Structure**
 Job Number: **18-262-02**
 Visual ID: **Light brown silt loess**

Sampled By: **AP**
 Date: **10/9/2018**
 Tested By: **JM**
 Date: **10/22/2018**

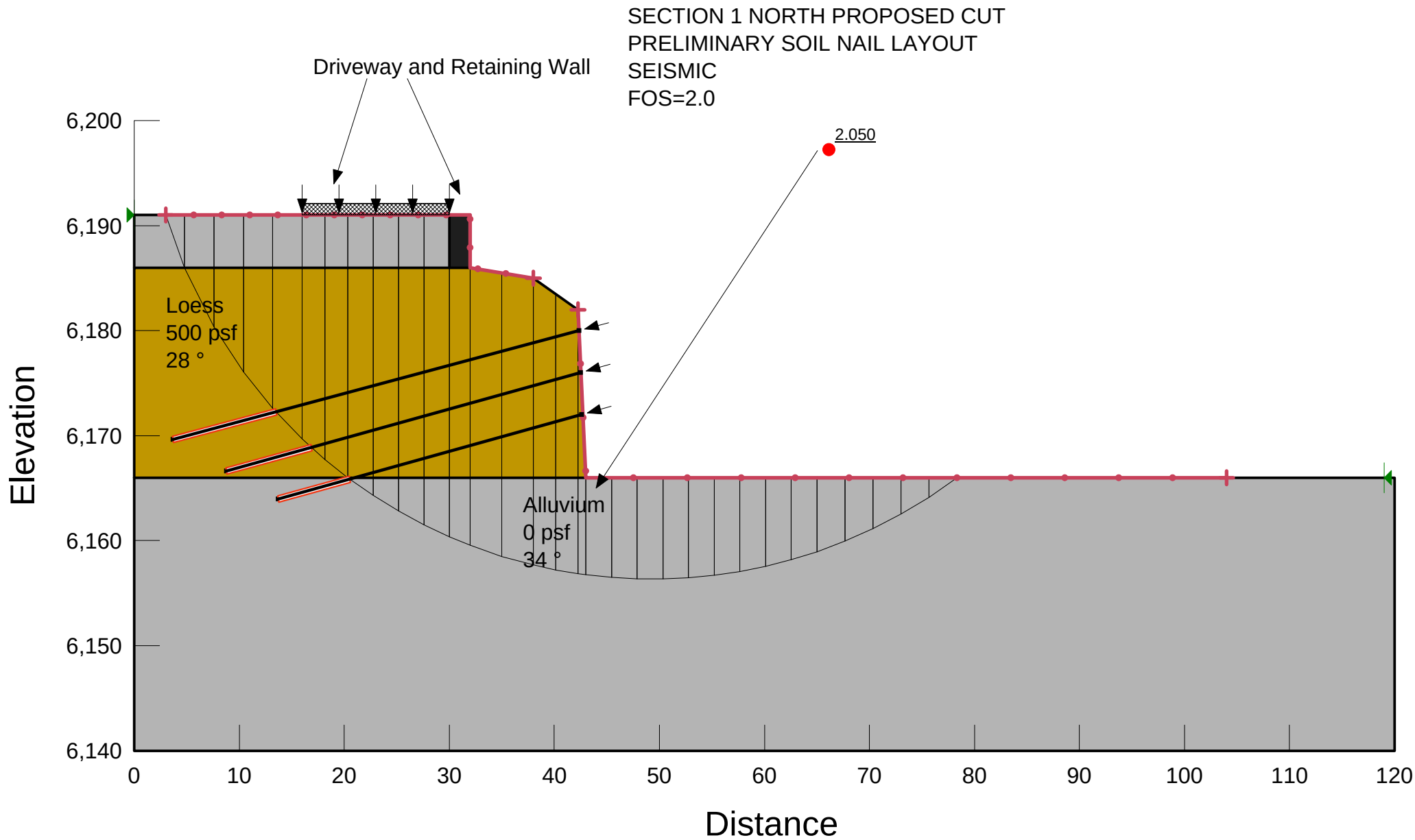


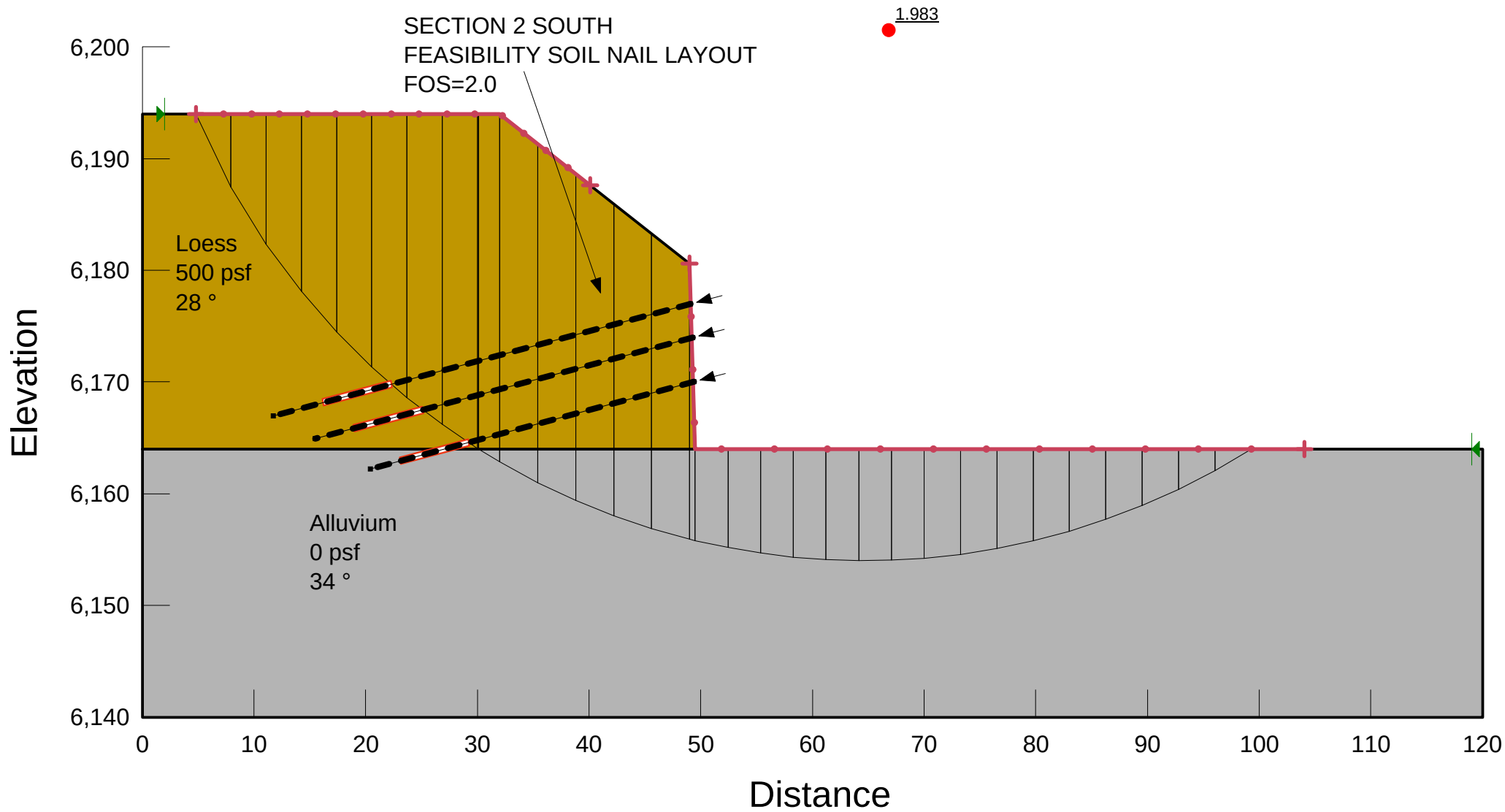
CLAY (plastic) TO SILT (non-plastic)	SAND			GRAVEL		COBBLES
	FINE	MEDIUM	COARSE	FINE	COARSE	

— TP2-1

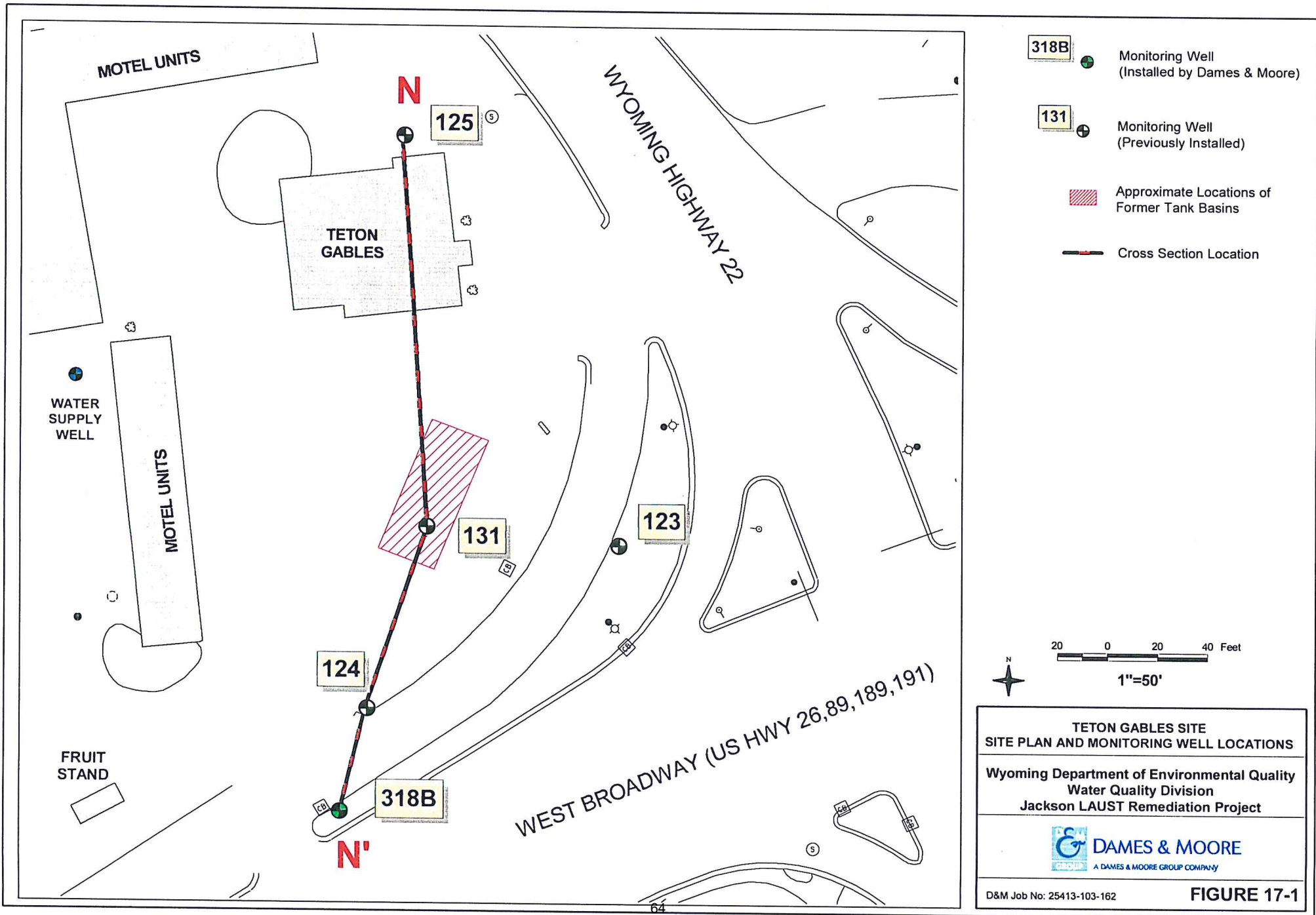
Teton Gables Parking Structure

SLOPE STABILITY ANALYSES



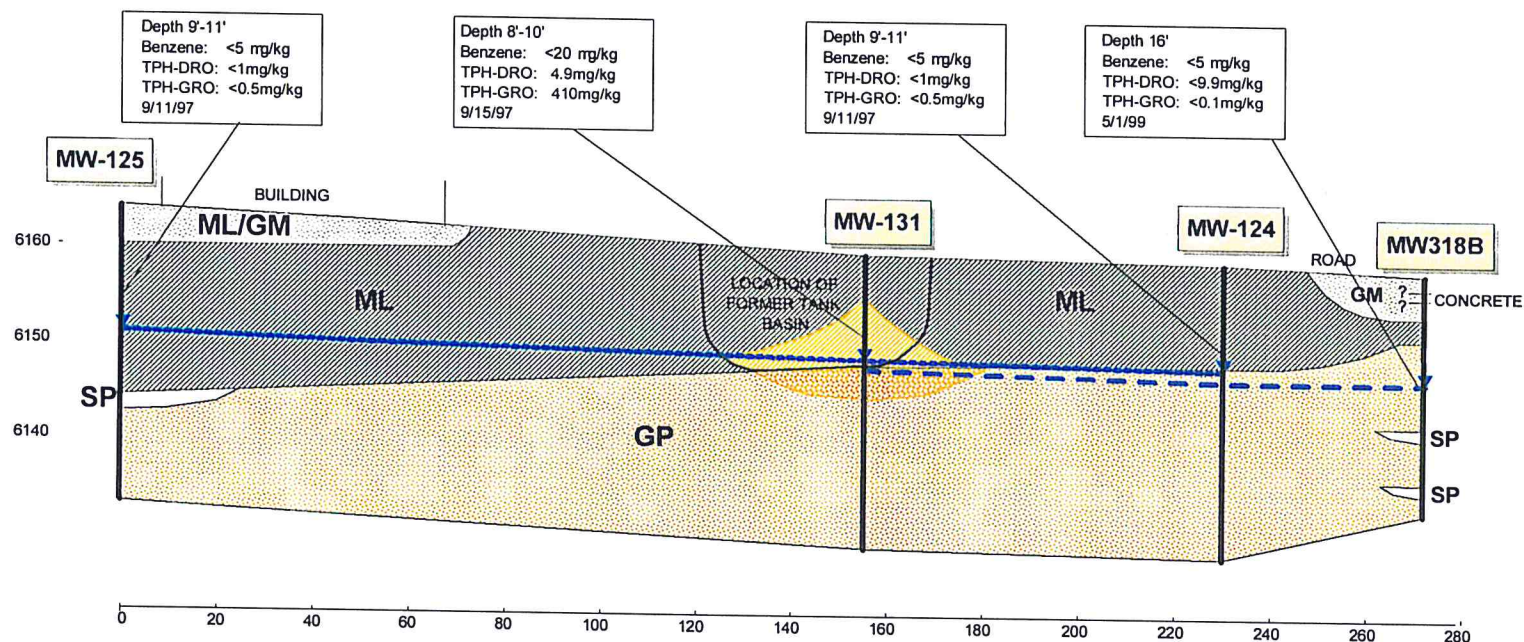


WYDEQ MONITORING WELL RECORDS



N

N'



Horizontal Scale in Feet (1"=40'), Vertical Exaggeration: 2X

Description of Units

	ML	Brown and Tan Silt, Brown Sandy Silt
	ML/GM	Brown Sandy Silt with Gravel
	SP	Fine to Medium Sand, Brown Sand, Gray Gravelly Sand
	GM	Dark Brown Silty Sandy Gravel
	GP	Brown Sand and Gravel with some Silt, Brown Sandy Gravel with Silt and Cobbles, Brown Coarse Sand and Gravel with Cobbles



Groundwater Level (Fall 97)



Groundwater Level (Summer 99)



Petroleum Staining/Odor with PID > 100 Units

TETON GABLES SITE GEOLOGIC CROSS SECTION N - N'

Wyoming Department of Environmental Quality
Water Quality Division
Jackson LAUST Remediation Project



DAMES & MOORE
A DAMES & MOORE GROUP COMPANY

D&M Job No: 25413-013-162

FIGURE 17-2



DAMES & MOORE

A DAMES & MOORE GROUP COMPANY

PAGE 1 of 1

WELL CONSTRUCTION LOG

BORING/WELL NO. MW-318b	LOCATION Teton Gables Jackson, Wyoming	
PROJECT NAME Jackson LAUST	FIELD GEOLOGIST Jim Blankenau, Staff Geologist	
DRAWN BY Remmet deGroot, Env. Scientist	APPROVED BY Lori Robison, Senior Geologist	
DRILLING EQUIP./METHOD ODEX Air Rotary	SIZE/TYPE OF BIT	SAMPLING METHOD Grab Sample
CASING: 2.0" Sch. 40 PVC	SCREEN: 0.02 slotted, 2.0" Sch. 40 PVC	DATE STARTED/COMPLETED 5/25/99

WELL CONSTRUCTION		LITHOLOGY		
Depth (feet)		GRAPHIC LOG	DESCRIPTION	PID (PPM)
		GM Fill	Dark brown silty gravel (GM), fill, slightly moist, no odor	
		Concrete	Concrete	
		GM-GP	Brown silty sandy gravel (GM-GP), slightly moist to moist, well rounded, no odors	
5		SM	Silty sand (SM), trace clay brown, moist, low plasticity, no odor, some gravel	0.0
				0.0
10		GP	Sandy gravel (GP), brown, moist to slightly moist, well rounded, no odor	3.0
				3.0
15			wet @ 14'	19.7
			Note:	
			High background on PID	3.0
		SP	Brown sand (SP), poorly graded, wet, no odor, med sand	
				0.0
		GP	Sandy gravel (GP), same as above	
20				0.0
		GP	Sandy Gravel (GP), well rounded gravel w/med sand	
				0.0
25		SP	Gray gravelly sand (SP), med grained sand, wet, no odor	
				0.0

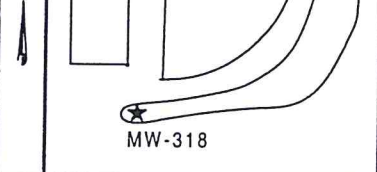


DAMES & MOORE

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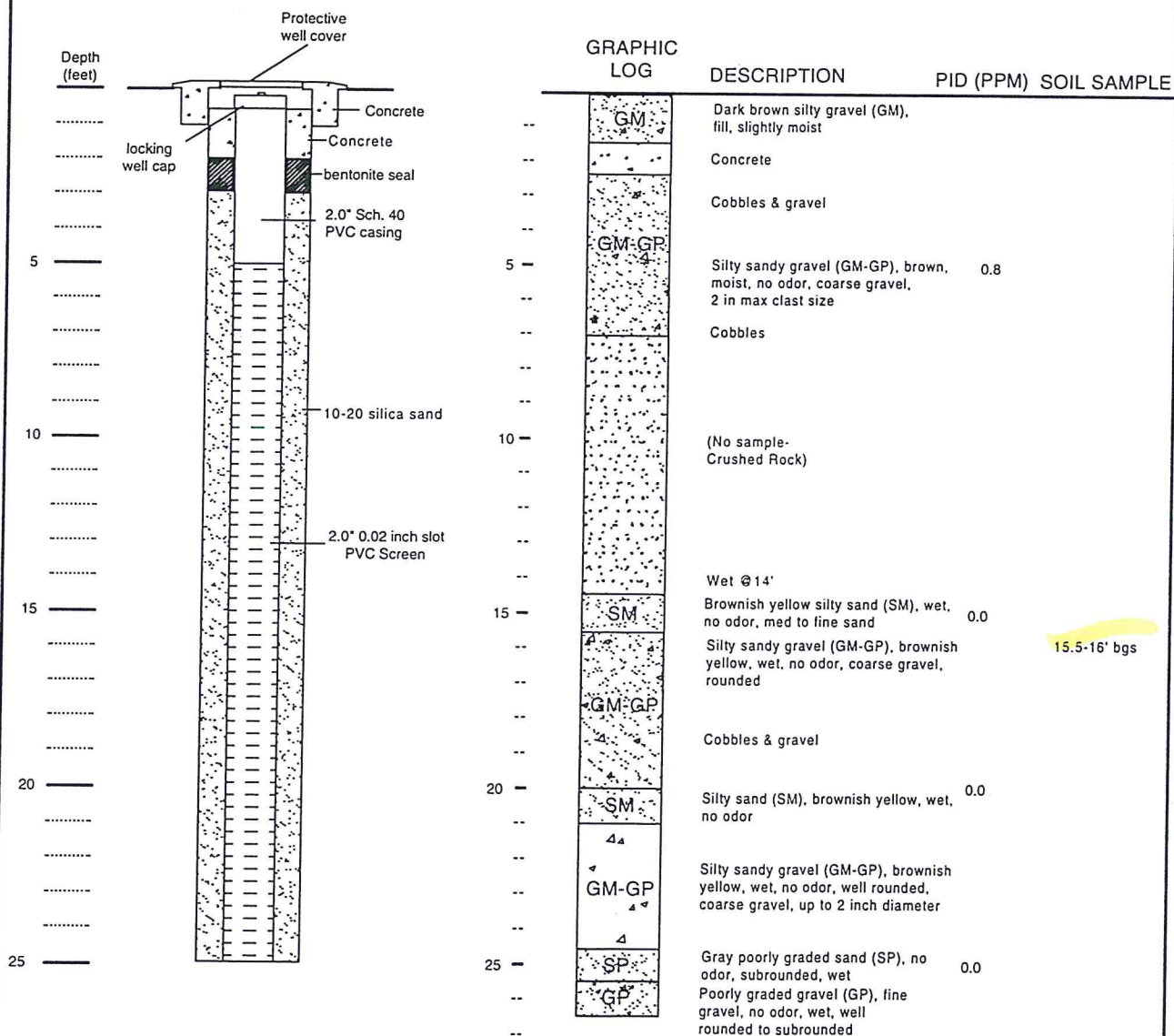
PAGE 1 of 1

WELL CONSTRUCTION LOG

BORING/WELL NO. MW-318	LOCATION Teton Gables Jackson, Wyoming	
PROJECT NAME Jackson LAUST	FIELD GEOLOGIST Jim Blankenau, Staff Geologist	
DRAWN BY Remmet deGroot, Env. Scientist	APPROVED BY Lori Robison, Senior Geologist	
DRILLING EQUIP./METHOD Hollow Stem Auger	SIZE/TYPE OF BIT 7 7/8" / HSA	
CASING: 2.0" Sch. 40 PVC	SCREEN: 0.02 slotted, 2.0" Sch. 40 PVC	DATE STARTED/COMPLETED 5/1/99

WELL CONSTRUCTION

LITHOLOGY



To: Town of Jackson Planning & Building Department

Cc: Cornelius Kinsey, Kinsey LLC

From: Brian Remlinger, Principal, Alder Environmental, LLC
Julie Polasik, Wildlife Ecologist, Alder Environmental, LLC

Date: December 20, 2019

Re: Proposed Teton Gables Motel Phase II, Wildlife Use / Habitat Review
PIDN: 22-41-16-32-1-00-031

The developers of the Teton Gables Motel Phase II are proposing a parking structure with housing and lodging above (Nelson Engineering Exhibit 10/16/19) on the property located at 1140 W Highway 22 within the Town of Jackson limits. Mr. Cornelius Kinsey, agent for the developers of the structure, requested the services of Alder Environmental, LLC to assist with submittal requirements related to the standards in the Town of Jackson Land Development Regulations (LDRs) Section 5.4.1. Steep Slopes. The submittal requirement for the proposed development includes a:

Report summarizing wildlife use of the subject property and any potential impacts from the proposed development. (LDR 5.4.1.C.6.a)

For the purposes of this review, *wildlife* shall be defined as those species and associated habitat protected in the current LDRs (Div. 5.2) and those species identified in the Teton County Focal Species Habitat Mapping Project (Alder 2017). *Impacts* shall be defined as development and/or uses that will detrimentally affect the food supply and/or cover provided by the habitat or detrimentally affect the potential for survival of the protected and focal wildlife species.

SITE INVENTORY & DATA REVIEW

A site visit was conducted on November 1, 2018 to evaluate existing wildlife habitat conditions and use. Photos 1 & 2 depict current site conditions consisting of developed impervious surfaces and disturbed lands with non-native and invasive plant species. The project site is entirely surrounded by development with active human use and activities. No signs of ungulate use (tracks, trails or scat) or bird nests (raptors specifically) were observed on the project location during the field inventory.



PHOTO 1 – Looking west at proposed parking structure.



PHOTO 2 – Looking northwest at slope behind existing motel.

Three sources of wildlife habitat data were reviewed: 1) Wyoming Game and Fish Department (WGFD) designated ungulate crucial winter ranges and migration routes and Bald Eagle Nests, 2) the 2013 WYDOT / Teton Science Schools mule deer movement and habitat use study (Riginos et. al, 2013) and 3) the Teton County

Focal Species Habitat Mapping Project (Alder 2017). The only protected or focal wildlife species potentially using the project site or impacted by the proposed development is mule deer.

The entire project site is mapped within WGFD designated mule deer crucial winter yearlong range (WGFD 2012, Figure 1). However, WGFD range maps were drawn at a very coarse scale and while the maps identify important areas, they are not useful for site specific analysis. The project site consists of disturbed and agricultural meadow cover types thus it does not contain the vegetative cover types that mule deer use for crucial winter range (xeric and mesic sagebrush-grasslands and mixed shrub types; *LDR Section 5.2.1.B.3.d*). Wyoming Game and Fish designated mule deer crucial winter range is also mapped northeast of the project site across Highway 22, and an elk migration corridor is mapped within 0.5 miles southwest of the project site. Although WGFD designated mule winter range is mapped within and near the project site, the high levels of human use and disturbed habitat types at the project site indicate that the site is of low-quality habitat for mule deer and is unlikely to be used as winter range.

The 2013 WYDOT/TSS Mule Deer Study designates the project site as a *low use movement area* for mule deer and *moderate probability of winter use* due to the project site's proximity to *high probability winter use* areas on High School Butte southwest of the project site and North Gros Ventre Butte to the north (Figure 2). Therefore, mule deer are more likely to use the higher quality habitat on High School Butte and North Gros Ventre Butte than the low-quality habitat at the project site. The site inventory, 2013 WYDOT/TSS Study and 2017 County Focal Species mapping also suggest that the crucial winter range that is mapped by WGFD does not exist at the project site (Riginos 2013, Alder 2017).

The nearest Bald Eagle nest to the project site is located 0.51 miles southwest of the site (WGFD 2019), and the site does not contain suitable habitat for nesting or wintering Bald Eagles. The project site also does not contain any crucial winter or nesting habitat for Trumpeter Swans, spawning habitat for Snake River cutthroat trout, or crucial moose winter habitat.

The Teton County Focal Species Habitat Map quantified the relative habitat values for the project site as ranging from 7 to 10 (low value) out of a possible 42 (highest value) (Alder 2017, Figure 2). This indicates that the project site is of low quality for wildlife habitat. The relative values habitat map was created by combining 20 weighted focal species habitat maps that are based on well documented species habitat data, expert knowledge and peer reviews, and environmental variables, providing a thorough assessment of relative wildlife habitat values in Teton County. The Countywide Habitat Value Map also designates the property and location of the proposed development as *Low Value Habitat* (EcoConnect 2018).

FINDINGS & OPINION

Wildlife use of the subject property is considered minimal and non-existent based on the site inventory and data reviews. Direct impacts from the proposed development to wildlife species and habitat protected by the Town of Jackson LDRs and those focal species identified in the Teton County Focal Species Habitat Mapping Project are negligible, if essentially non-existent.

REFERENCES

- Alder 2017. Final Report: Focal Species Habitat Mapping for Teton County, WY. Alder Environmental LLC. Jackson, WY. April 2017.
- EcoConnect 2018. Focal Species Habitat Mapping for Teton County, WY. Report Addendum. EcoConnect Consulting LLC. June 2018.
- Riginos, C., Krasnow, K.D., Hall, E., Graham, M., Sundaresan, S., Brimeyer, D., Fralick, G., & Wachob, D. 2013. Mule Deer (*Odocoileus hemionus*) Movement and Habitat Use Patterns in Relation to Roadways in Northwest Wyoming. FHWA-WY-13/08F.
- WGFD. 2012. Big Game Ranges Geographic Information Systems Layers. Cheyenne, WY.
- WGFD. 2019. Bald Eagle Nest Flight Survey Data. Wyoming Game and Fish Department. Jackson, WY.

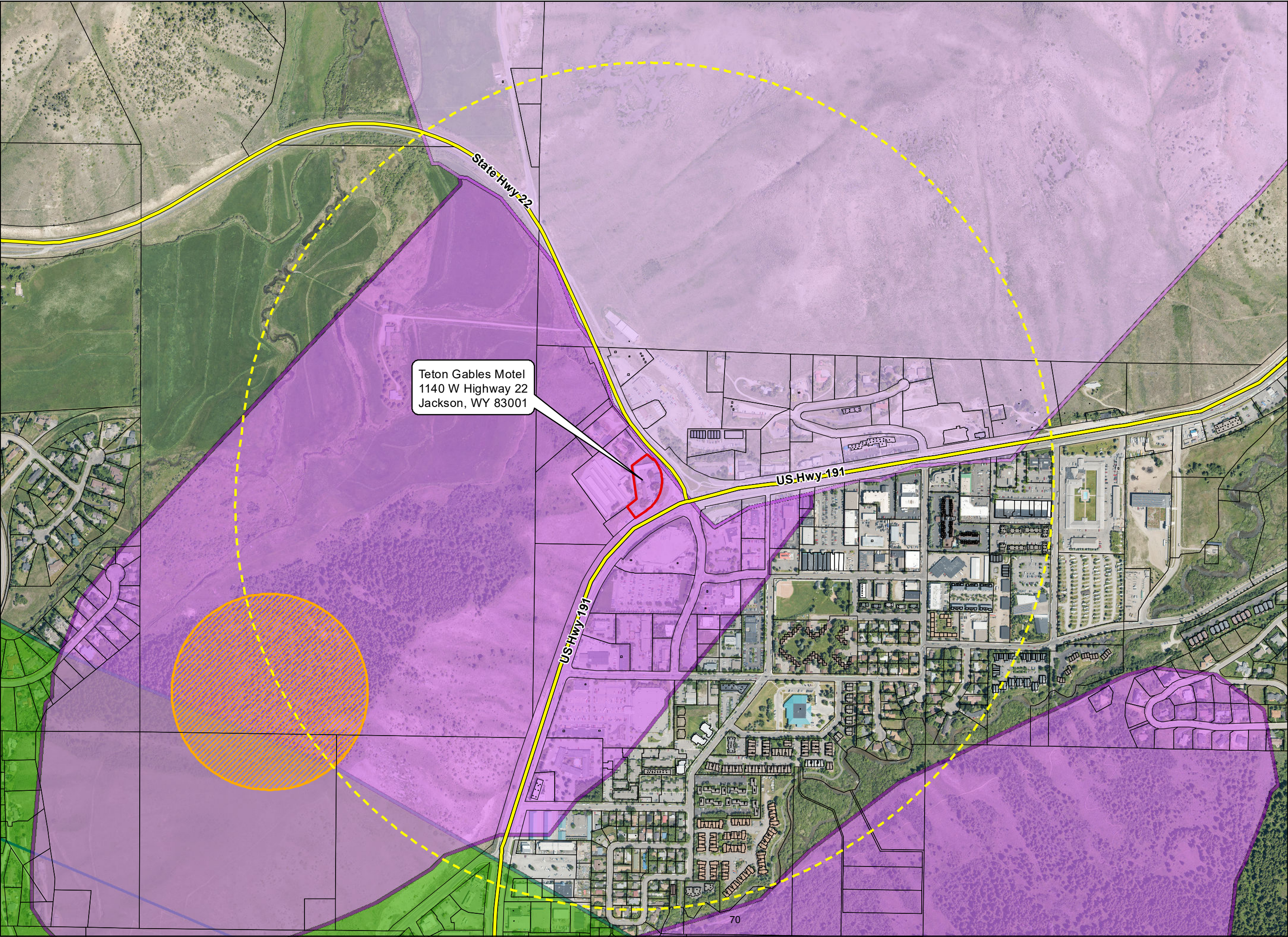
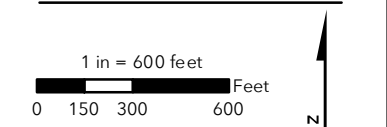


FIGURE 1
 Mule Deer Crucial
 Winter Range and
 Elk Migration Corridor

Teton Gables LLC
TETON GABLES
MOTEL PHASE II
 1140 W Highway 22
 Jackson, WY 83001

- Legend**
- Property Boundary
 - 1/2 Mile Property Buffer
 - Teton County Ownership
 - State & County Roads
 - Bald Eagle Nest Buffer
 - Mule Deer Crucial Winter Range
 - Mule Deer Crucial Winter/Yearlong Range
 - Elk Migration Route 1/2 Mile Buffer

Sources
 TETON COUNTY
 - Aerial Imagery, June 2019
 - Ownership Boundaries
 - Roads
 - Natural Resources Overlay (NRO)
 WGFD
 - Big Game Crucial Ranges and Migration Routes (2012)



December 20, 2019

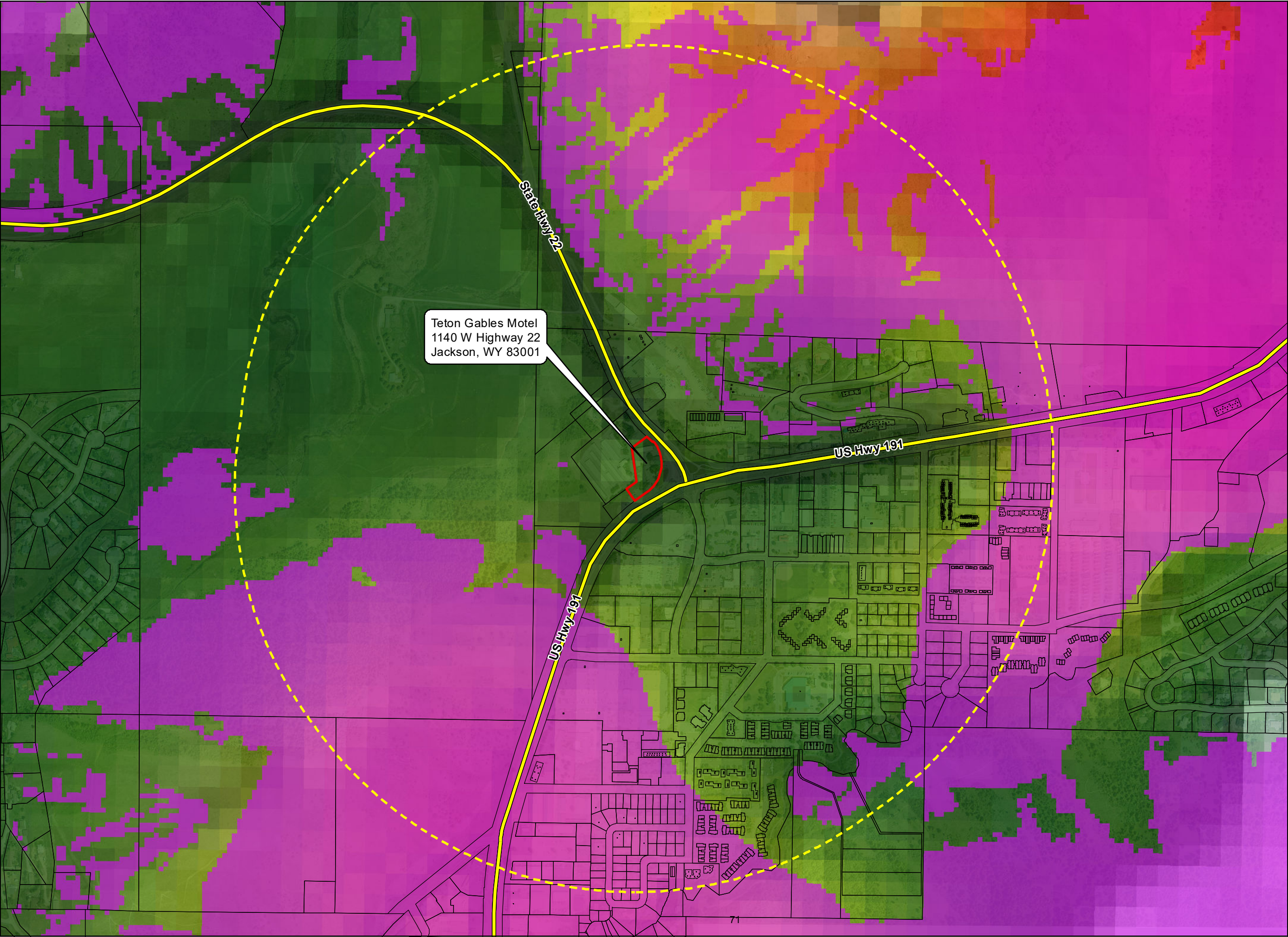
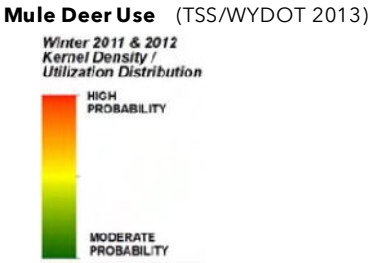


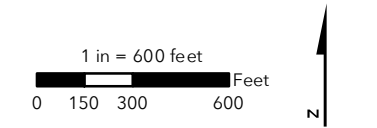
FIGURE 2
Focal Species Habitat
& CRC/WYDOT
Mule Deer Ranges

Teton Gables LLC
TETON GABLES
MOTEL PHASE II
1140 W Highway 22
Jackson, WY 83001

- Legend**
- Property Boundary
 - 1/2 Mile Property Buffer
 - State & County Roads
 - Teton County Ownership
 - Mule Deer Winter Habitat (Alder 2017)



- Sources**
- Teton County
 - Aerial Imagery, June 2019
 - Ownership Boundaries
 - Alder Environmental (2017)
 - Focal Species Habitat Map - Mule Deer
 - Conservation Research Center of Teton Science Schools/WY Dept. of Transportation (2013)
 - Mule Deer Kernel Density and Utilization Distribution



December 20, 2019