

AGENDA

Planning and Zoning Commission

July 7, 2021 – 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 July 21, 2021 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. NEW PUBLIC COMMENT OPTIONS

I Link to Zoom

. Meeting: <https://us02web.zoom.us/j/83186846054?pwd=cG9GMXZua2hTSWZSd1hSRkVwSmczQT09>

2. CALL TO ORDER

3. ROLL CALL

4. MATTERS FROM THE PUBLIC

5. APPROVAL OF MINUTES

I. June 2, 2021

6. OLD BUSINESS

7. NEW BUSINESS

I. P21-114: Development Plan - 105 Nelson Drive

8. BOARD OF ADJUSTMENT

9. PLANNING COMMISSION

10. MATTERS FROM THE COMMISSION

11. AGENDA FOLLOWUP

12. MATTERS FROM STAFF

13. ADJOURNMENT

Due to recommended social distancing practices the public is encouraged to view meetings online and participate remotely. Planning Commissioners, presenters, and staff members may not be physically present at the meeting and may all be participating remotely.

Your options for watching or participating in public meetings:

To just watch a meeting live: www.jacksonwy.gov/live (town's website)

3 Ways to Make Public Comment, either on items that are on the agenda or not on the agenda

1. Public comment can be sent anytime via email to planningcommission@jacksonwy.gov. These emails get sent to each Planning Commissioner and are placed in the public record.
2. Public comment can be made virtually through a Zoom platform in real-time.
 - a. In brief, those wishing to make verbal public comment may do so by joining the meeting via Zoom and using the 'hand raise' feature.
 - b. Instructions are below for using the Zoom platform.
3. Public comment can be made in-person at the Town Hall.
 - a. Planning Commissioners may participate remotely, so don't expect an in-person audience.
 - b. You will be speaking into a microphone without the Planning Commissioners present (please consider using Zoom).
 - c. Due to the changing Public Health Orders, and for the public's safety, the Town will be managing the social distance of public in attendance.
 - d. If a large number of community members come to a council meeting, you may be asked to wait outside or in your car until the item you are interested in begins.
 - i. Additional measures may be taken to ensure distancing.

Instructions to join a meeting via Zoom:

This option is intended for those who wish to participate in a meeting as the applicant or a member of the community making public comment.

1. Pull-up the meeting agenda. The Zoom link is provided on the agenda and is shown as the first item.
 2. Click the link or copy the URL to your browser. The Zoom password is “toj”
 - a. Remember, Zoom links will change for each meeting and will be found on the agenda.
 - i. Find meeting agendas here: <http://townofjackson.com/491/Agendas-Minutes>
 3. Type in your first and last name and your email address as prompted. The password is “toj”
 - a. Those who do not provide a valid name will not be recognized and will not have the ability to speak in the meeting.
 4. Once you have joined the meeting, familiarize yourself Zoom’s tools and options.
 - a. Of particular importance is the “raise hand” feature. Please locate this tool if you desire to make public comment. This is the only way we will know you want to make a comment.
 - b. As you join the meeting, your audio will automatically be muted.
 5. When public comment is open. Town staff will look for those that have “raised their hand.” Your name will be announced, and your microphone will be unmuted. At that time, you can state your name and comment.
 - a. You will be heard by all those participating in or watching the meeting. Your video will not be projected, only audio.
 - b. Please be in a place with no background noise and speak in a clear, strong voice.
- Those using only the telephone call-in feature through Zoom telephone will not be recognized.
 - The Zoom chat feature will not be used.
 - We encourage you to log in early for any given meeting. Generally, the Town of Jackson strives to have the Zoom platform ready at least 10 minutes before a listed meeting’s start time.
 - If you’ve not used Zoom before, you may be required to download Zoom’s tools and/or software and apps. The Zoom platform, its tools, and apps are provided by Zoom directly. As these services are from a third party, we aren’t able to provide support directly to end users. If you should have trouble with the platform, please reference Zoom’s help resources at <https://support.zoom.us/hc/en-us>

Please understand for these virtual Planning Commission meetings, just like any public meeting, uncivil discourse, threatening language, or disruptions will not be allowed from participants.

**MINUTES
SPECIAL MEETING
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
June 2, 2021**

The meeting of the Planning and Zoning Commission was called to order at 5:30 p.m. on 06/02/2021, via ZOOM.

ROLL CALL:

☒ Anne Schuler, ☒ Wendy Martinez, ☒ Katie Wilson, ☒ Abby Petri, ☐ William Gale,
☒ Thomas Smits, ☐ Amanda Lawson

STAFF: Paul Anthony, Tyler Valentine, Noah Foster Holmes

MATTERS FROM THE PUBLIC: None

APPROVAL OF MINUTES:

April 7, 2021

A motion was made by: Anne Schuler seconded by: Thomas Smits
Motion approved by a 5 to 0 vote

OLD BUSINESS: None

PLANNING COMMISSION

ITEM P21-093: REQUEST FOR A LAND DEVELOPMENT REGULATION (LDR) TEXT AMENDMENT TO SECTION 2.2.6.C, 2.2.6.D, 2.2.6.E & 6.1.1.F. TO ADD ATTACHED SINGLE-FAMILY AS AN ALLOWED USE IN THE NEIGHBORHOOD LOW DENSITY – 5 (NL-5) ZONING DISTRICT.

STAFF PRESENTATION: Tyler Valentine

APPLICANT PRESENTATION: April Norton

PUBLIC COMMENT: Alison Lee, Housing Trust, supports amendment.

PC DISCUSSION: Wendy Martinez recused herself due to being employed at Habitat for Humanity. PC discussed and was supportive of potentially adding FAR as an initiative for deed restricted properties. They discussed supporting FAR range of .45 - .50 for 3 units and also reducing LSR.

MOTION:

A motion was made by: Anne Schuler seconded by: Abby Petri
Motion approved by a 4 to 0 vote with 1 condition: To allow a .45-.50 FAR and an appropriate decrease in LSR.

MATTERS FROM COMMISSION: None

AGENDA FOLLOWUP: None

MATTERS FROM STAFF: Staff provided updates on the following items:

- Town Council, Planning Commission, and Design Review Committee meetings- still in discussion as to meetings being held in-person, via Zoom, or both.
- Expansion of Rec Center
- Progress on Housing Nexus Study
- Northern South Park Neighborhood Plan
- Vine Street improvements and ongoing development projects

ADJOURN:

A motion was made by: Anne Schuler seconded by: Thomas Smits
Motion approved by a 5 to 0 vote

STAFF REPORT



Meeting Date:	July 7, 2021	Meeting Title:	Planning Commission
Submitting Department:	Planning	Presenter:	Tyler Valentine
Agenda Item:	P21-114 Development Plan Amendment for a 5-lot subdivision of the properties located at 105 – 165 Nelson Drive	Public Comment:	Yes

Purpose & Policy Considerations.

According to LDR Section 8.5.3, a Development Plan is required prior to submittal of a Subdivision Plat.

Requested Action.

The applicant is requesting approval of a Development Plan amendment to a previously approved 7-lot subdivision (P19-152) in the Neighborhood Medium Density – 1 (NM-1) zoning district. This amendment seeks to reduce the number of subdivided lots from 7 to 5. This application is required prior to submitting a subdivision plat to formalize the 5-lot subdivision.

The applicant is also requesting a refund for the difference in Park and School Exaction fees from 7 lots (\$32,900.00) to 5 lots (\$16,000.00) which would be a \$16,900.00 refund.

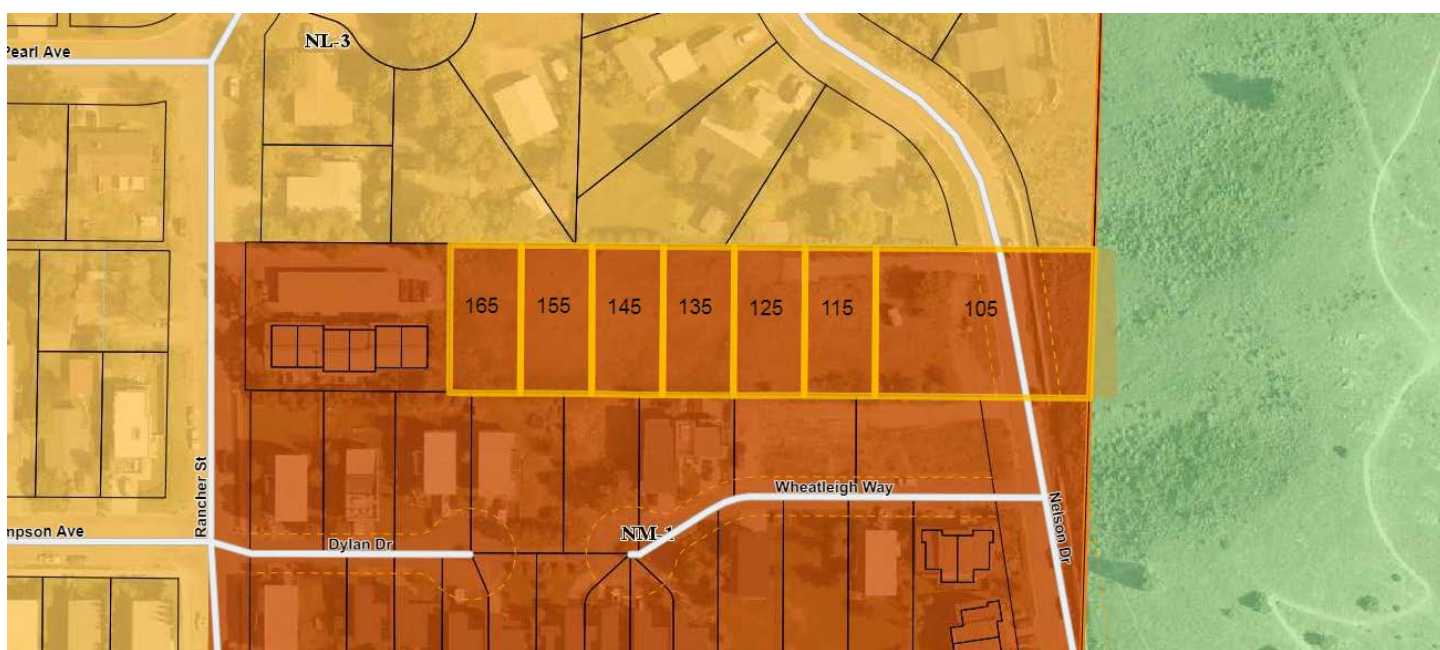
Recommendations.

The Planning Director recommends **approval** of a Development Plan amendment for a 5-lot subdivision at the properties addressed at 105-165 Nelson Drive subject to the Land Development Regulations, the department reviews attached hereto and the following condition(s) of approval:

1. If the applicant does not submit a Subdivision Plat application within 18 months of Development Plan approval, the Development Plan will expire.
2. As part of the Subdivision Plat the applicant shall add a note on the plat requiring all habitable structures to be fire sprinklered as long as the private road does not include a fire turnaround.
3. Within 60 calendar days of approval of the Subdivision Plat for the 5-lot subdivision, the applicant shall be refunded the difference in Park and School Exaction fees in the amount of \$16,900.00.

Project Location.

The properties are addressed as 105, 115, 125, 135, 145, 155 & 165 Nelson Drive and legally described as Lots 1-7 of Teton Landings Addition to the Town of Jackson. An aerial photo and zoning map are shown on the following page:



Background/Project Description.

The subject properties (Lots 1-7, Teton Landings Addition) are located within the NM-1 zoning district. The surrounding zoning to the north is Neighborhood Low Density – 3 (NL-3), and to the east, west and south is NM-1. The eastern-most lot (Lot 1) is bisected by Nelson Drive and just further east is the Town limits abutting Bridger Teton National Forest. Historically the site consisted of two parcels containing a total of three structures: a 1,310 sf single-family detached home, a detached garage and detached storage shed. All structures have been demolished. Vehicular access historically has been taken from Nelson Drive to the east.

On September 4, 2019, the Town Council approved a Development Plan (P19-152) for a 7-lot subdivision of the original 2 parcels. Six of the 7 lots were approximately 6,200 sf and the largest lot was 19,000 sf (which includes

land within Nelson Drive easement and adjacent hillside). On October 19, 2020, the Town Council approved a Subdivision Plat (P20-140) formalizing the 7-lot subdivision.

The applicant is now seeking to reduce the overall number of lots from 7 to 5. The application does not provide a reason for reducing the number of lots. Nonetheless, this Development Plan amendment is being submitted for review prior to a Subdivision as required by the LDRs. As proposed, 4 of the 5 lots are 9,118 sf and the largest lot is 19,798 sf (which includes land within Nelson Drive easement and adjacent hillside). All other aspects of the subdivision configuration, however, remain as currently approved. For example, vehicular access will remain off of Nelson Drive and provided with the same 30-foot wide access easement which runs along the northern property line that includes a 20-foot wide private road with 5 feet on either side for utilities and snow storage. No sidewalks or physical development are proposed at this time. When developed, the 4 smaller lots would allow approximately 4,559 sf of above-ground habitable floor area and the largest lot would allow approximately 7,900 sf of above-ground habitable floor area. Since all lots are larger than 9,500 sf, the zoning would allow a maximum density of 4 units per lot: 2 primary units each with 1 ARU.

Analysis.

Staff has reviewed the proposed development for compliance with the dimensional limitations of the NM-1 zone. The dimensional limitations for each lot are listed below:

	Allowed / Required	Proposed	Complies?
Minimum Lot Size	3,750 sf	Lot 1: 19,798 sf Lots 2-5: 9,118 sf	Yes
Maximum FAR	0.40 plus 0.05 increase for each ARU	Lot 1 (potential): 7,600 sf - 9,500 sf Lots 2-5 (potential): 3,647 sf - 4,559 sf	TBD
Street Setback (north)	20 feet from pavement of private roadway.	20 feet from pavement	Yes
Rear Setback	10 feet	10 feet	Yes
Side Setback	10 feet	10 feet	Yes
Side Setback	10 feet	10 feet	Yes
Building Height	26 – 30 feet	None at this time	TBD
Density	Max of 2 primary unit + 1 ARU per primary unit = 4 units max per lot	None at this time	TBD
Vehicular Access	Private Road – 30-foot easement w/ 20-foot wide road	Private Road – 30-foot easement w/ 20-foot wide road	Yes
Fire Turnaround	Required unless each building is fire sprinklered	Applicant will fire sprinkler all buildings	Yes

After reviewing the request, staff was able to make the required findings for a Development Plan amendment and find that the request is consistent with the LDRs requirements. The NM-1 zone allows for land division

provided that all new lots meet the minimum lot size of 3,750 sf which this application does comply with. Although the proposed 5 lots are larger in size from the most-recent 7-lot subdivision, the LDRs do not have maximum lot size standards. In addition, all lots have compliant vehicular access and reasonably sized building envelopes that will allow 2-story development similar to surrounding zoning and existing development.

From a floor area standpoint, the proposed 5-lot subdivision is not increasing the overall allowed floor area compared to the current 7-lot subdivision. However, since the number of lots is decreasing, each resulting lot will allow more square footage because the overall floor area is being spread amongst a smaller number of lots. Even with this increase, staff finds that the allowed square footages for each lot is similar to the surrounding lots which range in size from 7,500 sf – 20,473 sf.

On the subject of density, lots in the NM-1 zone less than 7,500 sf allow a maximum density of 2 units per lot, while lots equal-to or greater-than 7,500 sf allow a maximum density of 4 units per lot. Since all proposed lots are greater than 7,500 sf, each lot would allow up to 2 primary dwelling units each with an ARU (4 units per lot) totaling 20 units for the entire subdivision. Compared to the existing 7-lot subdivision, which had several lots less than 7,500 sf, the potential maximum density is 16 units. Thus, the potential gross density for the entire subdivision would increase from 16 to 20 units if the amendment is approved. However, achieving the maximum density is dependent upon other factors such as setbacks, LSR, parking, and the landowner's goals. Whether the maximum density is achieved or not, staff finds that the proposed 5-lot subdivision to be consistent with the desired future character of this zone and consistent with the underlining zoning.

Regarding road standards, a reasonable comparison of this subdivision is the Daisy Bush development immediately to the south. Similar to Daisy Bush, the proposed private road will be 20 feet wide allowing enough space for two-way traffic, but not for street parking. Since the Town does not have guest parking requirements and on-street parking on Nelson Drive is limited, staff encourages the applicant to consider the provision of guest parking, perhaps by providing ample parking on each lot as they individually develop. Also similar to Daisy Bush, no sidewalks are proposed or required. Since this will be a private road, maintenance costs such as utilities and snow plowing will be the responsibility of the private homeowners. Unlike the Daisy Bush development, the proposed private road does not have a cul-de-sac or turnaround for the Fire Department. The reason for this is the owner plans to fire sprinkler all habitable structures and the Fire Department supports this proposal as noted in the Department Reviews. To ensure that all habitable structures are sprinklered, staff has added a condition of approval that the applicant provide a note on the plat requiring that all habitable structures be fire sprinklered as long as the private road remains without a compliant fire turnaround.

Finally, several months prior to submittal of this Development Plan amendment the applicant approached staff about potentially being refunded the difference in park and school exaction fees between 7 lots and 5 lots. Staff directed the applicant to make a formal request to the Town Council who ultimately will make the decision. Since Park and School exaction fees for the 7-lot subdivision have already been paid, the applicant is now formally requesting a refund for the difference, which is a \$16,900.00 refund. Staff is supportive of the request because the requested amendment quickly followed the original approval (i.e., the Town has not spent the previously submitted exaction fees) and no units have been constructed in the original subdivision so there has been no actual impact to our schools or parks at this time. Ultimately the Town Council has discretion to approve or deny the refund request and if the request is denied, this matter would be considered closed as the Town already has collected the exaction fees.

Comprehensive Plan & Priority Alignment.

Pursuant to Section 8.3.2 Development Plan of the Land Development Regulations, a development plan shall be approved upon finding the application:

1. ***Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan.***

This finding is not applicable according to the Wyoming Supreme Court.

2. ***Achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable.***

Complies. The proposed Development Plan is not located in the NRO or the SRO.

3. ***Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities.***

Complies. The development will mitigate park and school impacts through payment of exactions at the ratio required in the LDRs for residential development at the time of Subdivision Plat recordation. Staff finds that the proposed subdivision as conditioned will not have a significant impact on other public facilities and services as the development does not expand the anticipated growth within the NM-1 zone based upon allowable lot size.

4. ***Complies with the Town of Jackson Design Guidelines, if applicable.***

Complies. Design Guidelines do not apply to this request.

5. ***Complies with all relevant standards of these LDRs and other Town Ordinances.***

Complies. Staff finds that the Development Plan proposal is in compliance with all relevant LDR standards.

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

Complies. Not applicable.

Fiscal Impact.

If the Town Council approves the Park and School Exaction refund, \$16,900.00 will be issued to the applicant. However, would still get the full exaction fees for a 5-lot subdivision of \$16,000.

Staff Impact.

The amount of staff time to review, research and write this report including future work to send final letters and obtain signatures for the plat is typical of that of a subdivision plat of this size and is 5 hours.

Attachments or Links.

Department Reviews

Applicant Submittal

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

Based upon the findings for a Development Plan as presented in the staff report related to 1) Consistency with the Comprehensive Plan; 2) Achieves purpose of NRO & SRO overlays; 3) Impact of public facilities & services; 4) Compliance with Town Design Guidelines; 5) Compliance with LDRs & Town Ordinances; 6) Conformance with past permits & approvals for Item P21-114, I move to recommend **approval** to the Town Council of a Development Plan amendment for a 5-lot subdivision for the properties addressed at 105-165 Nelson Drive, subject to the Land Development Regulations, the departmental reviews attached hereto and the following condition(s) of approval:

1. If the applicant does not submit a Subdivision Plat application within 18 months of the Development Plan approval, the Development Plan will expire.
2. As part of the Subdivision Plat the applicant shall add a note on the plat requiring all habitable structures to be fire sprinklered as long as the private road does not include a fire turnaround.
3. Within 60 calendar days of approval of the Subdivision Plat for the 5-lot subdivision, the applicant will be refunded the difference in Park and School Exaction fees in the amount of \$16,900.00.

FODOR LAW OFFICE, PC

Stefan J. Fodor

P.O. Box 551 / Jackson, WY 83001

307.733.2880 (t) / 307.733.2890 (f)

stefan@fodorlaw.com

May 7, 2021

Town of Jackson
Planning Department
c/o Annette Langley
Submitted via Email to: planning@jacksonwy.gov

Re: Amendment to Development Plan; Teton Landing

Dear Annette:

Please find enclosed an application to amend the approved Development Plan for the Teton Landing subdivision to reduce the number of lots from 7 to 5 lots. I will deliver the \$3,005.00 filing fee check to your office shortly.

Please let me know if you need anything else from us to process this application. Thank you.

Regards,



Fodor Law Office, PC
Stefan J. Fodor

Encl.



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: Teton Landing Development Plan Amendment
Physical Address: 105, 115, 125, 135, 145, 155 and 165 Nelson Drive
Lot, Subdivision: Teton Landing Addition to the Town of Jackson; Lots 1-7; Plat 1422 PIDN: See attached Exhibit A with PIDNs

PROPERTY OWNER.

Name: Teton Landing LLC Phone: 307-733-2880
Mailing Address: PO Box 1677, Jackson, Wyoming ZIP: 83001
E-mail: sdarwiche@hoteljackson.com

APPLICANT/AGENT.

Name: Fodor Law Office Phone: 307-733-2880
Mailing Address: PO Box 551 Jackson, Wyoming ZIP: 83001
E-mail: stefan@fodorlaw.com; jill@fodorlaw.com

DESIGNATED PRIMARY CONTACT.

_____ Property Owner ☒ _____ Applicant/Agent

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

Use Permit	Physical Development	Interpretations
_____ Basic Use	_____ Sketch Plan	_____ Formal Interpretation
_____ Conditional Use	☒ _____ Development Plan	_____ Zoning Compliance Verification
_____ Special Use	_____ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	_____ LDR Text Amendment
_____ Administrative Adjustment	_____ Subdivision Plat	_____ Map Amendment
_____ Variance	_____ Boundary Adjustment (replat)	Miscellaneous
_____ Beneficial Use Determination	_____ Boundary Adjustment (no plat)	_____ Other: _____
_____ Appeal of an Admin. Decision	_____ Development Option Plan	_____ 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 #: P18-224 Environmental Analysis #: _____
Original Permit #: P19-152; P19-224; P20-140 Date of Neighborhood Meeting: 5/13/19

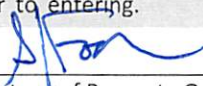
SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type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

Stefan Fodor

Name Printed

5/7/21

Date

Attorney

Title

Exhibit A to Planning Permit Application

PIDNs

105 Nelson Drive: 22-41-16-34-1-AX-001

115 Nelson Drive: 22-41-16-34-1-AX-002

125 Nelson Drive: 22-41-16-34-1-AX-003

135 Nelson Drive: 22-41-16-34-1-AX-004

145 Nelson Drive: 22-41-16-34-1-AX-005

155 Nelson Drive: 22-41-16-34-1-AX-006

165 Nelson Drive: 22-41-16-34-1-AX-007

LETTER OF AUTHORIZATION

Teton Landing LLC

, "Owner" whose address is: _____

PO Box 1677, Jackson, Wyoming 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

Teton Landing LLC

, as the owner of property

more specifically legally described as: _____

Lots 1-7 of the Teton Landing Addition to the Town of Jackson, Wyoming according to that plat recorded in the Office of the Teton County Clerk on February 2, 2021 as Plat No. 1422

(If too lengthy, attach description)

HEREBY AUTHORIZES Fodor Law Office

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: Manager

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

STATE OF WYOMING

)

)SS.

COUNTY OF TETON

)

The foregoing instrument was acknowledged before me by SADED DARWICHE ON this 13th day of April, 2021.

behalf of TETON LANDING b/p

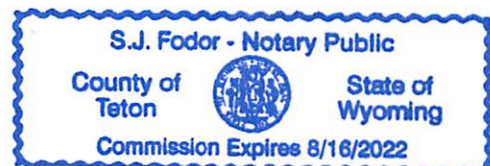
WITNESS my hand and official seal.

[Signature]

(Notary Public)

My commission expires: 8.16.22

(Seal)



Development Plan Amendment Application

Teton Landing LLC

Teton Landing LLC (“Applicant”) owns Lots 1-7 of the Teton Landing Addition to the Town of Jackson, Wyoming according to that plat recorded in the Office of the Teton County, Wyoming Clerk on February 2, 2021 as Plat No. 1422 (“Property”). The Property is zoned NM-1 and there are currently no structures on the Property. The Town approved a Development Plan for the Property in 2019 for 7 lots (P19-152; P19-285) and a Subdivision Plat for the Property on October 19, 2020 for 7 lots (P20-140).

The Applicant now desires to reduce the number of lots on the Property from 7 lots to 5 lots with this Development Plan Amendment application (“Application”). As can be seen on the enclosed Development Plan, Lots 2-5 are proposed to be approximately 9,118.2 square feet. Lot 1 is proposed to be approximately 19,798.4 square feet. Lot 1 is significantly larger as it encompasses steep slopes along its eastern side and Nelson Drive.

Access to the Property will be nearly identical to what exists today and what was shown on the Subdivision Plat. That is, access to the lots will from a private, 30-foot access and utility easement from Nelson Drive to the western boundary of Lot 4. This access easement will contain a 20-foot private road and 5 feet on either side of the road for utilities and snow storage, in accordance with the LDR standards for private roads. The Applicant proposes to vacate a portion of the 30-foot-wide access and utility easement on the new Lot 5 (which easement was granted to owners within the subdivision with the recordation of the Subdivision Plat). This vacation may be by separate instrument or by recordation of the new 5-lot subdivision plat. There is a note to this effect on the enclosed Development Plan.

This Application and proposed lot sizes are in keeping with the surrounding neighborhood character, and will provide an appropriate transition from the single-family, duplexes and townhomes to the south of the Property where lot sizes range from 3,500 square feet to 7,500 square feet (zoned NM-1) to those lots to the north of the Property where the average lot sizes range from 8,700-17,000 square feet (zoned NL-3).

DEV Plan Findings

This Application, and specifically the applicant’s proposal to reduce approved density from 7 lots to 5 lots, satisfies the criteria for approval of a Development Plan under the Town of Jackson Land Development Regulations (“LDRs”), Section 8.3.3(C).

1. Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan.

The Applicant’s proposed subdivision and residential development are consistent with the future character area as described in the Jackson/Teton County Comprehensive Plan. The Comprehensive Plan designates the Property as being within the District 3 “Town Residential Core” and Subarea 3.4 May Park Area. The future character of these subareas is to “maintain

the existing medium to high density development pattern” with a mix of single-family lots and other development types. Here, the applicant is reducing the number of lots previously approved for the Property and is increasing overall lot size, thereby offering a better transition from the smaller lots of the Daisy Bush subdivision to the south of the Property to the larger lots within the Nelson subdivisions to the north of the Property. The access drive is consistent with the access drives in surrounding neighborhoods and will provide adequate access to each lot. The proposed lots exceed the minimum lot size requirement of the zone.

2. Achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable.

No portion of this Property is in the NRO or the SRO.

3. Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMS facilities.

The 5 lots proposed by the applicant will have less impact on public facilities and services than the 7 lots currently approved for the Property. Appropriate school and park exactions will be paid for any *additional* impact this proposal has on parks and schools, though as shown in the enclosed park and school exaction sheets, we anticipate the park and school exactions for the 5-lot subdivision to be less than the 7-lot subdivision so additional exaction fees may not be owed. See LDRs, Section 7.5.2. Water and sewer connections and improvements are depicted on the enclosed Utility Plan. All structures will be fire sprinklered to mitigate the need for a hammerhead turnaround for fire access, and this requirement was included as a note on the Subdivision Plat and in the recorded CCRs for the subdivision. This requirement will also be included on any future subdivision plat and amended CCRs for the subdivision.

The Applicant also recorded a Subdivision Improvements Agreement as part of its original Subdivision Plat (Document Number 1008115). We anticipate this Subdivision Improvements Agreement will be updated and amended as part of the Subdivision Plat application process to reflect any changes approved with this amended Development Plan. Housing mitigation fees are not due at this time. The required housing mitigation fees will be paid at the appropriate time and will be based on the number and size of the homes on the Property.

4. Complies with the Town of Jackson Design Guidelines, if applicable.

The proposed subdivision does not include physical development and therefore the TOJ Design Guidelines do not apply at this time.

5. Complies with all relevant standards of these LDRs and other Town Ordinances.

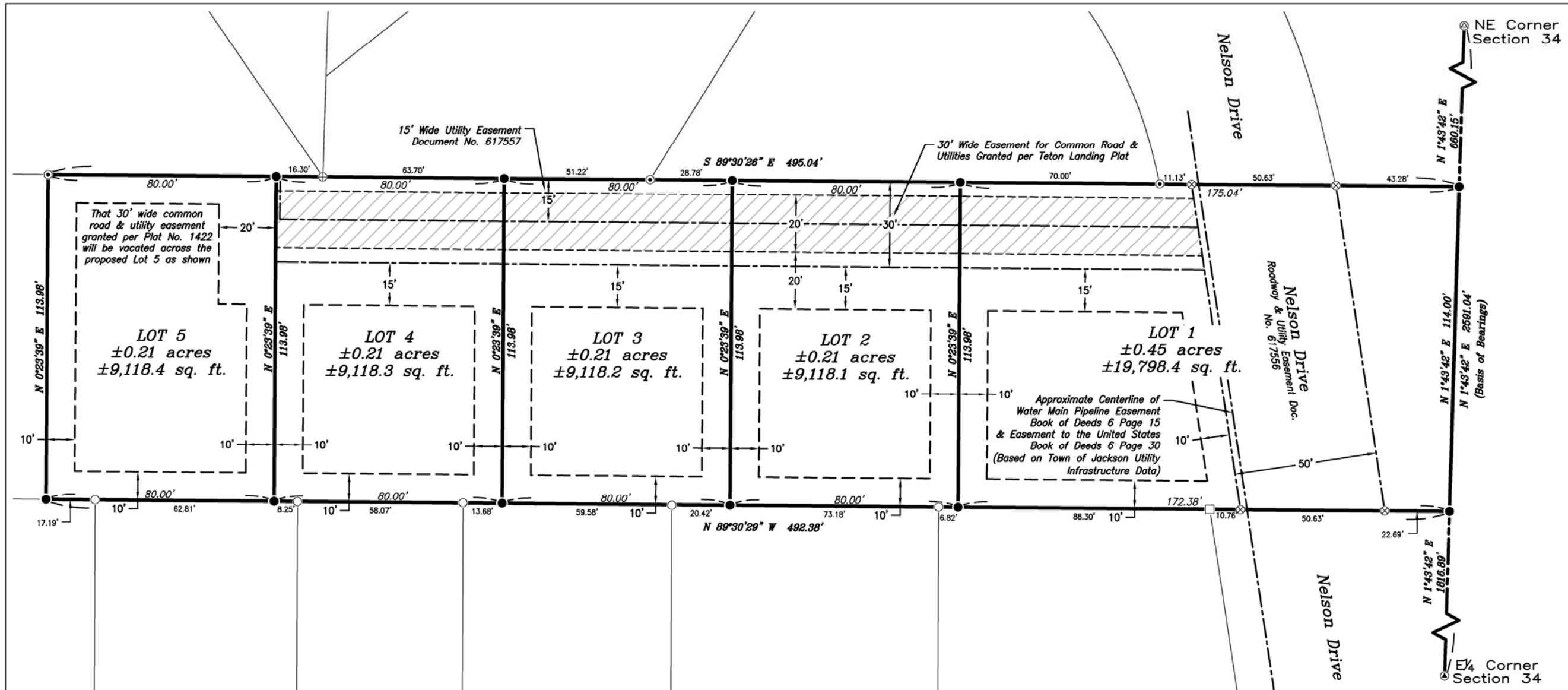
The proposed development complies with all relevant standards of the LDRs and other Town ordinances. The proposed lot sizes exceed the minimum lot size required in the NM-1 zoning district (3,750 square feet). Physical development on the Property will comply with applicable setbacks, FAR, and similar physical development standards.

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

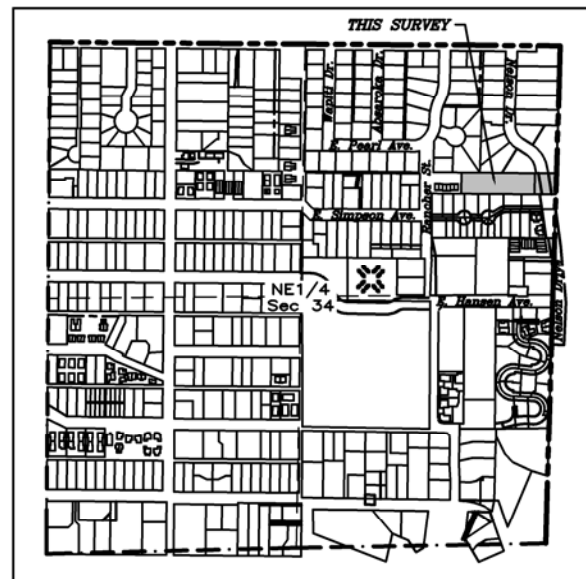
The proposed development is consistent with approved standards and conditions for the Property, but is less dense than what was previously approved for the Property. The prior Development Plan and Subdivision Plat approvals required a 30-foot-wide access and utility easement to the properties and a note on the final subdivision plat that all habitable structures have fire sprinklers so long as the road does not include a fire turnaround. These conditions are reflected on the enclosed Development Plan and will be reflected on the amended Subdivision Plat for the Property.

Request for Refund of Park and School Exaction Fees

The Applicant recorded its 7-lot Subdivision Plat for the Property on February 2, 2021 and paid park and school exactions calculated on 7 lots at the time the plat was recorded. If the Applicant's 5-lot Development Plan and Subdivision Plat are approved by the Town, the Applicant respectfully requests a refund of the difference in park and school exactions between 7 lots (which have been paid) and 5 lots, if any.



VICINITY MAP



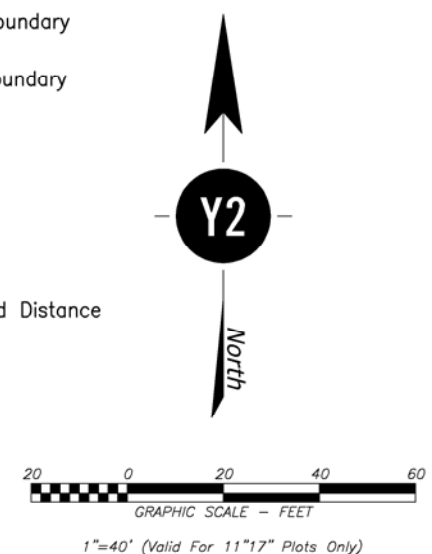
Showing NE1/4 of Section 34
T. 41 N., R. 116 W., 6th P.M.,
Teton County, Wyoming

Scale: 1"=1000'

LEGEND

- Indicates a 24-inch long, 5/8-inch diameter rebar with an aluminum cap inscribed "PLS 16012" set this survey
- Indicates an aluminum cap inscribed "PLS 4270" found this survey
- ⊙ Indicates an aluminum cap inscribed "PLS 578" found this survey
- ⊕ Indicates an aluminum cap with illegible markings
- ⊗ Indicates a brass cap inscribed "RLS 164" with other appropriate markings found this survey
- ⊙ Indicates BLM brass cap with appropriate markings found this survey
- Indicates a 5/8-inch diameter rebar found this survey

- Measured Property Boundary
- Adjoining Property Boundary
- - - Record Easement
- - - Section Line
- ▨ Proposed Road
- S 89°12'57" E 110.12' Measured Bearing and Distance



Proposed Lot Lines

PROJECT NUMBER: 18202
DRAWING DATE: 3/18/2021
REVISION DATE: 4/19/2021; 5/3/2021
DRAWN BY: MWW
REVIEWED BY:

CLIENT

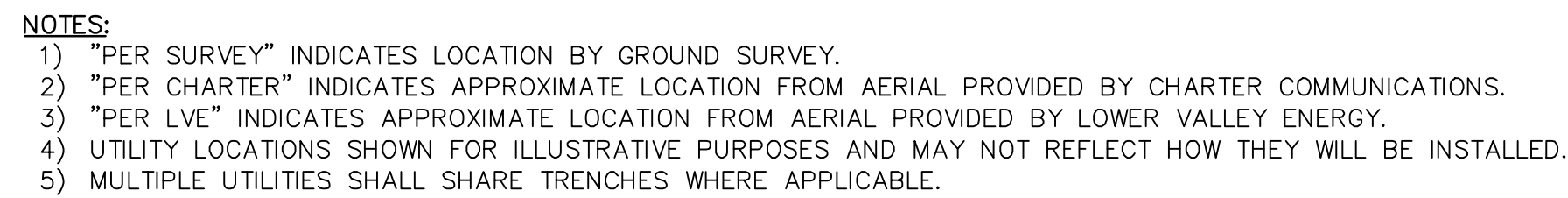
Teton Landing LLC
PO Box 1677
Jackson, WY 83001

Teton Landing Addition 2nd Filing

Being a portion of
NE1/4NE1/4 of Section 34
T. 41 N., R. 116 W., 6th P.M.
Teton County, Wyoming

SHEET:

1 of 1



- 1) "PER SURVEY" INDICATES LOCATION BY GROUND SURVEY.
- 2) "PER CHARTER" INDICATES APPROXIMATE LOCATION FROM AERIAL PROVIDED BY CHARTER COMMUNICATIONS.
- 3) "PER LVE" INDICATES APPROXIMATE LOCATION FROM AERIAL PROVIDED BY LOWER VALLEY ENERGY.
- 4) UTILITY LOCATIONS SHOWN FOR ILLUSTRATIVE PURPOSES AND MAY NOT REFLECT HOW THEY WILL BE INSTALLED.
- 5) MULTIPLE UTILITIES SHALL SHARE TRENCHES WHERE APPLICABLE.

LEGEND (E) - EXISTING (P) - PROPOSED	
	LOT BOUNDARY
	SETBACK
	BUILDING ENVELOPE
	EASEMENT
	(E) EDGE OF PAVEMENT
	(P) EDGE OF PAVEMENT
	(E) CHAINLINK FENCE
	(E) BUCKRAIL FENCE
	(E) WATER MAIN
	(P) WATER MAIN
	(P) WATER SERVICE
	(E) SEWER MAIN
	(P) SEWER MAIN
	(E) SEWER SERVICE
	(P) SEWER SERVICE
	(P) GAS STUB
	(P) GAS LINE
	(E) CABLE TV LINE
	(P) CABLE TV LINE
	(E) UNDERGROUND ELECTRICAL LINE
	(P) UNDERGROUND ELECTRICAL LINE

DATE	DRAWING SET TITLE
06/19/2019	DEV. SUBMITTAL
08/21/2019	REVISION
05/04/2021	REVISION
DRAWN BY: JG	
CHECKED BY: VR JOB #: 18202	

TOWN OF JACKSON
LAND DEVELOPMENT REGULATIONS
DIVISION 7.5.2 - PARK EXACTIONS
DATE: 4/1/2021

CASH-IN-LIEU OF LAND DEDICATION: SECTION 49660

1. PROJECT NAME: Teton Landings - 5-lot Subdivision
2. LOCATION: 115 Nelson Drive
3. PROJECT NUMBER: _____

4. CALCULATE PROPOSED PROJECT POPULATION:

<u>UNIT TYPE</u>	<u># OF UNITS</u>	<u>X</u>	<u>PERSONS HOUSED PER UNIT</u>	<u>PROJECTED POPULATION</u>
STUDIO	_____		1.25	_____
1 BEDROOM	_____		1.75	_____
2 BEDROOM	_____		2.25	_____
3 BEDROOM	_____		3.00	_____
4 BEDROOM	<u>3</u>		3.75	<u>11.25</u>
5 BEDROOM	_____		4.50	_____
EACH ADDITIONAL BEDROOM	_____		0.50	_____
DORMITORY	_____		1 per 150 sf of net habitable area	_____
TOTAL				_____

5. CALCULATE REQUIRED PARK ACREAGE:

$$\frac{11.25}{\text{TOTAL PROJECTED POPULATION}} \times \frac{9 \text{ ACRES}}{1000 \text{ RESIDENTS}} = \frac{0.10}{\text{REQUIRED ACRES}}$$

6. CALCULATE CASH-IN-LIEU:

$$\frac{0.10}{\text{REQUIRED ACRES}} \times \$100,000 \text{ (VALUE OF LAND)} = \$10,000 \text{ CASH-IN-LIEU}$$

7. FOR INFORMATION ON PROVIDING AN INDEPENDENT CALCULATION, SEE LDR SECTION 7.5.2 OPTION FOR INDEPENDENT CALCULATION OF DEDICATION STANDARDS

**TOWN OF JACKSON
LAND DEVELOPMENT REGULATIONS
DIVISION 7.5.3 - SCHOOL EXACTIONS**

DATE: 4/1/2021

CASH-IN-LIEU OF LAND DEDICATION: SECTION 49770

1. PROJECT NAME: Teton Landings - 5-Lot Subdivision
2. LOCATION: 115 Nelson Drive
3. PROJECT NUMBER: _____

4. CALCULATE REQUIRED DEDICATION OF LAND:

LAND DEDICATION REQUIREMENT	X	# OF UNITS	=	LAND DEDICATION
.020 ACRES PER UNIT SINGLE & TWO-FAMILY		<u>3</u>		<u>0.06</u>
.015 ACRES PER UNIT MULTI-FAMILY		_____		_____

5. CALCULATE CASH IN-LIEU:

<u>0.06</u>	LAND DEDICATION STANDARD	X	\$100,000 (VALUE OF LAND)	= \$	<u>6,000</u>	CASH- IN-LIEU
-------------	-----------------------------	---	------------------------------	------	--------------	------------------

6. FOR INFORMATION ON PROVIDING AN INDEPENDENT CALCULATION, SEE LDR SECTION 7.5.3 OPTION FOR INDEPENDENT CALCULATION OF DEDICATION STANDARDS

PLANNING

Project Number	P21-114	Applied	5/7/2021	AL
Project Name	Development Plan Amend - Lots 1-7 Teton Landing		Approved	
Type	DEVPLAN	Closed		
Subtype	AMENDMENT	Expired		
Status	STAFF REVIEW	Status		

Applicant	Fodor Law Office	Owner	TETON LANDING LLC
------------------	------------------	--------------	-------------------

Site Address	City	State	Zip
105 NELSON DRIVE	JACKSON	WY	83001

Subdivision	Parcel No	General Plan
	224116341AX001	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	

Building Kelly Sluder	APPROVED	5/10/2021	6/1/2021	5/12/2021	
--------------------------	----------	-----------	----------	-----------	--

Fire Kathy Clay (5/14/2021 11:23 AM CLAY) No comment at this time.	NO COMMENT	5/10/2021	6/1/2021	5/14/2021	
---	------------	-----------	----------	-----------	--

Joint Housing Dept Stacy Stoker	APPROVED	5/10/2021	6/1/2021	6/7/2021	
------------------------------------	----------	-----------	----------	----------	--

Legal Lea Colasuonno	NO COMMENT	5/10/2021	6/1/2021	6/3/2021	
-------------------------	------------	-----------	----------	----------	--

Parks and Rec Steve Ashworth		5/10/2021	6/1/2021		
---------------------------------	--	-----------	----------	--	--

Pathways Brian Schilling	NO COMMENT	5/10/2021	6/1/2021	5/26/2021	
-----------------------------	------------	-----------	----------	-----------	--

Planning Tyler Valentine (7/1/2021 9:50 AM TV) See staff report.	APPROVED W/CONDITI	5/10/2021	6/1/2021	7/1/2021	
---	--------------------	-----------	----------	----------	--

..

..

..

..

..

..

..

Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Police Michelle Weber	NO COMMENT	5/10/2021	6/1/2021	5/10/2021	

Public Works
Brian Lenz
(6/16/2021 5:07 PM BTL)
Development Plan – APPROVED with Conditions

P21-114
ADDRESS: 105 Nelson
OWNER: Teton Landings, LLC
APPLICANT: Fodor Law Office, Stefan Fodor

6/16/2021
Brian Lenz, 733-3079

DATE OF SUBMITTAL: 5/10/2021
DATE OF MATERIALS: May 3, 4, & 7, 2021
REVISION NO.: 00

The engineering division has reviewed your application for a DEVELOPMENT PLAN submitted on and with application materials as dated above.

CONDITIONS OF APPROVAL

1. Water system and services shall be privately owned.
2. Sewer Services shall be privately owned.
3. The Town shall maintain its utility and access easement within the 30 feet wide common road and utility easement.
4. If reductions in the financial assurance or modifications are required by the Town Attorney, the Subdivision Improvement Agreement shall be amended to reflect the proposed subdivision.

PROJECT SPECIFIC COMMENTS

1. While there is efficiency and cost savings installing sewer services in the same trench at the time of development, it can cause issues with future work due to impacts to adjacent lots or utilities, e.g. a repair on one sewer line causes damage to the adjacent sewer service. Recommend Provide 10 feet wide utility easements on adjacent lots for utilities located less than 10 feet from the property line.
2. Permits are required prior to construction of development improvements.
3. All improvement shall be designed by a professional engineer licensed to do such work in the State of Wyoming.
4. The Miller ditch runs within proposed Lot 5 and development is subject to section 7.7.4.
5. Typically cable utilities can pull through up to 4 bends (including in and out of the ground), some of the proposed services are shown with more bends and their design should be reviewed by the utility providers. More direct alignments may be prudent.

START
Darren Brugmann

..

..

..