

AGENDA
Planning and Zoning Commission
June 3, 2026 – 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 8:00 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 Planning Commission meeting.

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. ZOOM LINK FOR PUBLIC PARTICIPATION
To join, [click link](https://us02web.zoom.us/j/84797999278?pwd=X8COamYHyjou6DfAwuffHRSkosr4wL.1) or copy it to your browser:
<https://us02web.zoom.us/j/84797999278?pwd=X8COamYHyjou6DfAwuffHRSkosr4wL.1>
Or join at zoom.com with Webinar ID: **847 9799 9278** and Password: **83001**
2. PLEDGE OF ALLEGIANCE
3. CALL TO ORDER
4. ROLL CALL
5. MATTERS FROM THE PUBLIC
6. APPROVAL OF MINUTES
 - I. May 6, 2026 Planning Commission Meeting Minutes
7. NEW BUSINESS
 - I. P25-163 250 & 260 North Cache St: Conditional Use Permit for Outfitter/Tour Operator - Continued to July 1, 2026
 - II. PM25-011 LDR Amendments – Development Impacts
 - III. P25-210: 750 W Broadway Ave Development Plan
8. MATTERS FROM THE COMMISSION
 - I. Planning Commission Chair and Vice Chair Appointments
9. MATTERS FROM STAFF
10. ADJOURN PLANNING COMMISSION
11. CALL TO ORDER BOARD OF ADJUSTMENT
12. APPROVAL OF MINUTES
 - I. May 20, 2026 Board of Adjustment Hearing Minutes
13. ADJOURN BOARD OF ADJUSTMENT

MINUTES
PLANNING AND ZONING COMMISSION
TOWN OF JACKSON, WYOMING
May 6, 2026
UNAPPROVED

The Planning and Zoning Commission met in a regular session on May 6, 2026 in the Town Council Chambers located at 150 E. Pearl Ave. in Jackson, at 5:30 pm. This meeting was held in person and via Zoom.

Upon roll call the following were found to be present:

BOARD: Eliska Garcia, Katie Wilson, Steph Wise & Georgie Stanley appeared in person. Megan Jennings & Thomas Smits appeared via Zoom. Laura Bonich is not present.

STAFF: Tyler Valentine, Andrew Bowen, Ryan Hostetter, Mary Tippetts

MATTERS FROM THE PUBLIC: None.

APPROVAL OF MINUTES:

A motion was made by Commissioner Wilson and seconded by Commissioner Stanley to approve the April 15, 2026, Planning Commission Meeting minutes. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried.

NEW BUSINESS

I. PM26-012 Teton Village Master Plan Amendment

STAFF PRESENTATION:

Andrew Bowen, Senior Planner, provides a brief background of the proposed amendment. Chandler Windom with Teton County Planning and Building provides a background of the proposed Amendment which will adjust exaction tables, provide Lot 15 Homesteads for Sheriff Substation, adjust timing of transit center construction, update use table and definitions, change CSF, LSR and allowed uses, along with other clarifying or non-substantive corrections. Staff is supportive of the amendments and the Teton County Planning Commission recommended approval of the proposed amendment with the exception of the Certificate of Occupancy condition.

PUBLIC COMMENT

None

QUESTIONS FOR STAFF & APPLICANT:

Commissioners receive clarification regarding changes to the Transit Center Exaction and Timing of Construction Amendment.

COMMISSION DISCUSSION:

Commissioner Stanley is opposed to changing the Master Plan at this time. The majority of the Commission is amenable to the proposed changes, in particular to the changes to the timing of construction amendment, and believes TVA should be involved in the discussion.

MOTION:

A motion was made by Commissioner Wilson and seconded by Commissioner Garcia to direct staff to share with the Town Council the Planning Commissions' comments on this item (PM26-12) as discussed in this May 6, 2026, meeting. Commissioner Smits called for the vote. The vote shows all in favor and the motion carried.

II. PM26-0008 Text Amendment to LDR Section 5.1.2 - Wildlife Friendly Fencing

STAFF PRESENTATION:

Ryan Hostetter, Joint Long-Range Planner, provides a background of the proposed amendment. Discussion has continued with Wyoming Game & Fish who recommended simplification of the fencing requirements and specific guidelines. Goals are permeability, avoiding entrapment & entanglement, and creating a simple LDR guideline which is easier to follow. Staff provide details regarding each amendment redline.

PUBLIC COMMENT

Amy Cusak with the JH Conservation Alliance addresses the Committee. The Alliance is generally in support of the amendments with some additional restrictions and encourages fencing regulations to be consistent across all tiers.

Renee Seidler with JH Wildlife Foundation appreciates the work to create these amendments but has concerns regarding some details, wants a full prohibition on buck and rail fencing unless it is to contain livestock, and disagrees with the exclusionary aspect of

Lorna Miller agrees with previous commenters, is supportive of wildlife movement, and is interested in seeing window wells addressed.

QUESTIONS FOR STAFF & APPLICANT:

Requirements for the base tier are clarified. What qualifies as an exclusionary area in the base tier is clarified. Fencing permits are considered and addressed by Paul Anthony, Town of Jackson Planning Director.

COMMISSION DISCUSSION:

As to key questions #1 & #2, the Commission agrees that the Town should facilitate permeability everywhere within the Town boundaries but allow for flexibility within the base tier and encourage wildlife friendly fencing requirements to discourage entrapment. As to key question #3, the Commission wants to continue to allow perimeter and privacy fencing in Town. In general, the Commission supports wildlife friendly fencing with flexibility within the base tier; the Commission suggests combining the requirements for the base and mid-tier. Commission agrees that the amendment complies with the required findings.

MOTION:

A motion was made by Commissioner Stanley and seconded by Commissioner Wilson to recommend approval of Text Amendment PM26-0008 to amend LDR Section 5.1.2 for Wildlife Friendly Fencing draft dated May 1, 2026 with the following edits and/or recommendations to the Town Council:

- The base and mid-tier fencing standards be combined, removing base tier standards.
- Entrapment in D.2.4. be a code enforcement issue
- The Town consider fencing permits

Commissioner Smits called for the vote. The vote shows all in favor and the motion carried.

III. PM25-011 LDR Amendments – Development Impacts**MOTION:**

A motion was made by Commissioner Wilson and seconded by Commissioner Garcia to continue this to the June 3, 2026 meeting. Commissioner Smits called for the vote. The vote shows all in favor and the motion carried.

MATTERS FROM STAFF:

An appeal of an administrative decision will be heard on May 20.

ADJOURN: A motion was made by Commissioner Wilson and seconded by Commissioner Garcia to adjourn the meeting. Commissioner Smits called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 8:04 pm.

minutes:mt

STAFF REPORT



Meeting Date:	June 3, 2026	Meeting Title:	Planning Commission
Submitting Department:	Planning Department	Presenter:	Katelyn Page
Agenda Item:	P25-163 Conditional Use Permit for Outfitter/Tour Operator use at 250 and 260 North Cache Street.	Public Comment:	No

Purpose & Policy Considerations.

A Conditional Use Permit (CUP) is required in the Downtown Core-1 (DC-1) zoning district by the Town of Jackson Land Development Regulations (LDRs) to operate an Outfitter/Tour Operator use. Planning Commission (PC) review and recommendation is required for CUPs and Town Council is the final decision maker.

Recommendations.

Staff requests to continue this item as permitted under LDR Section 8.2.14.D.4 (Continuance of a Public Hearing) in order to provide the applicant additional time to install posted notice at the property as required by LDR Sec. 8.2.14.C.4 (Posted Notice).

Suggested Motion.

I move to **continue** item P25-163 for a Conditional Use Permit for Outfitter/Tour Operator use at the properties addressed 250 and 260 North Cache Street to the regularly scheduled Planning Commission meeting on July 1, 2026.

STAFF REPORT



Meeting Date:	June 3, 2026	Meeting Title:	Planning Commission (workshop)
Submitting Department:	Planning	Presenter:	Paul Anthony
Agenda Item:	LDR changes to Address Large Development Impacts (PM25-011)	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this workshop item is for the Planning Commission to build on its previous conversations (i.e., its initial list of “five things” related to specific LDR amendments) to confirm its direction on proposed LDR changes intended to improve development outcomes in the Town. This item does not include discussion or action on the Council’s broader “visioning” exercise it added to this effort to explore additional LDR changes to be considered potentially in the FY27 Work Plan.

NOTE: This item was continued from the Planning Commission’s May 6, 2026, meeting. No changes have been made to this staff report.

Recommendations.

Staff do not have specific recommendations at this time because this is a discussion item where staff are looking for Commission direction before drafting and presenting red line changes to the LDRs.

Background.

The Council and Planning Commission have had multiple workshops since October 2025, to discuss options for improving the LDRs to better address concerns that new development, especially large projects, are happening in a manner (e.g., size, pace, use, etc.) that may not be consistent with the community’s current needs and vision. The Commission most recently met on March 4, 2026, and provided input on the various LDR topics. Growing public comment expressing frustration with traffic congestion, lack of workforce housing, impacts to surface and groundwater resources, and protection of our small town and western character has brought attention to this issue. And provided feedback that is incorporated into the options provided in this staff report.

While this item has often been informally called the “5 Things” it is now focused on four specific LDR changes because the update to the Town’s Design Guidelines (one of the 5 things) was added as an item to Town Planning’s FY27 Work Plan. The four items under current consideration are the following:

1. **2:1 Workforce Housing Bonus.** The general goal is to consider ways to improve the deal for the public by increasing the number and/or affordability level of the deed restricted units in comparison to market units.
2. **3rd-story Stepback.** The direction here is to consider increasing the current 10’ stepback and 60% encroachment allowance to perhaps a 15’ or 20’ stepback with a lower percentage of encroachment allowed. This would reduce the perceived height of buildings and increase natural light into the streetscape.
3. **Reconsidering certain Land Uses, such as Short-term Rentals.** While not interested in removing short-term rentals as a use in the Lodging Overlay, Council supported exploring a limit on the percentage that short-term rentals could be of a project (e.g., no more than 30%).
4. **Basement Regulations and Definition.** Council supported changing the LDRs to count habitable basement floor area against the maximum building size limits (40,000sf/50,000sf) recently adopted. Council also wanted more information on the potential impacts of deep basements on groundwater and whether basement depth should be capped.

Analysis & Key Questions.

As mentioned above, the Commission’s and Council’s discussions have centered on exploring options for improving the

LDRs to better address concerns that new development, especially large projects in the Downtown area. In addition, the intent is that any suggested changes should be simple enough that they are not policy-level changes that would require amendment to the Comprehensive Plan but instead could be done immediately as LDR amendments in this fiscal year (by July 1, 2026). Larger or more complex LDRs amendments could be assigned to the FY27 or FY28 Planning Work Plans, assigned to other Town Departments if appropriate, or wait for additional future action.

Below staff provide the Commission specific LDR changes to discuss and possibly affirm as changes it wants staff to present as redline amendments to the LDRs in a future meeting. In some cases, staff are presenting new information requested by the Council (e.g., options for regulating basements) and looking for further direction from the commission and Council on that topic. However, most of the options provided present options that should be familiar to the Commission because they are based on previous Council direction. Staff's goal is to get the Commission's support for specific LDR changes at this workshop and then bring back a proposed red line draft for final approval before moving on to ordinance readings.

Below is a summary of the LDR changes for Commission's consideration:

2:1 Workforce Housing Floor Area Bonus

General Background: This project is already on the FY26 Work Plan, so it is considered a high priority LDR update. The question regarding the 2:1 Bonus is whether the Town (public) is getting the best deal it can and whether the incentive should be modified to increase affordability benefits for the public and to better address other associated impacts of the bonus (e.g., increased building size, impacts to downtown, etc.). The bonus provides developers with 2 square feet of additional market housing for 1 square foot of deed restricted housing. There is no cap on how much 2:1 bonus can be used on a site (other than regular dimensional/parking limits). The deed restriction is usually a workforce occupancy restriction, not an affordable (income restricted) restriction, because this restriction requires the least subsidy.

Two background facts about the 2:1 bonus tool are worth considering. First, the tool is tied to a bonus pool of residential units moved from the County and there are approximately 500 units remaining in the pool. Second, if the Wyoming Legislature ends up prohibiting housing mitigation in Wyoming (likely Spring of 2027), then the 2:1 tool will likely be the only method for getting new deed restricted units in the Town – except of course projects developed by the Housing Authority or other non-profit affordable housing developers. Also, we know that the tool has been very popular with developers (which is good) and staff's believes that there is room to tighten the incentive while still preserving the feasibility of the tool and so get more public benefit from the tool.

The Jackson Teton County Housing Department has been assisting Planning staff in evaluating potential changes to the 2:1 bonus too. Given that the current 2:1 bonus tool is based on a 2016 market analysis conducted by Navigate LLC that helped to identify a baseline feasibility that compared the subsidy level of building new deed restricted housing compared to the profit gained from additional incentive market housing. This information was used to calibrate the incentive at a 2:1 ratio of additional market housing to deed restricted housing that we now have in the LDRs. We asked the Housing Department to try to update the primary variables in the 2016 study to see if the financial feasibility of the incentives has changed significantly in the last 10 years in a way that could guide us in updating the 2:1 ratio. In short, as of now, the Housing Department's conclusion is that updating the 2016 study with actual 2:1 data does not allow for adequate analysis of the financial feasibility of the 2:1 tool because the market inputs are too simple, we lack sufficient basic market data, and the analyses does not factor for risk (the comparative financial risk of developing rental versus ownership housing).

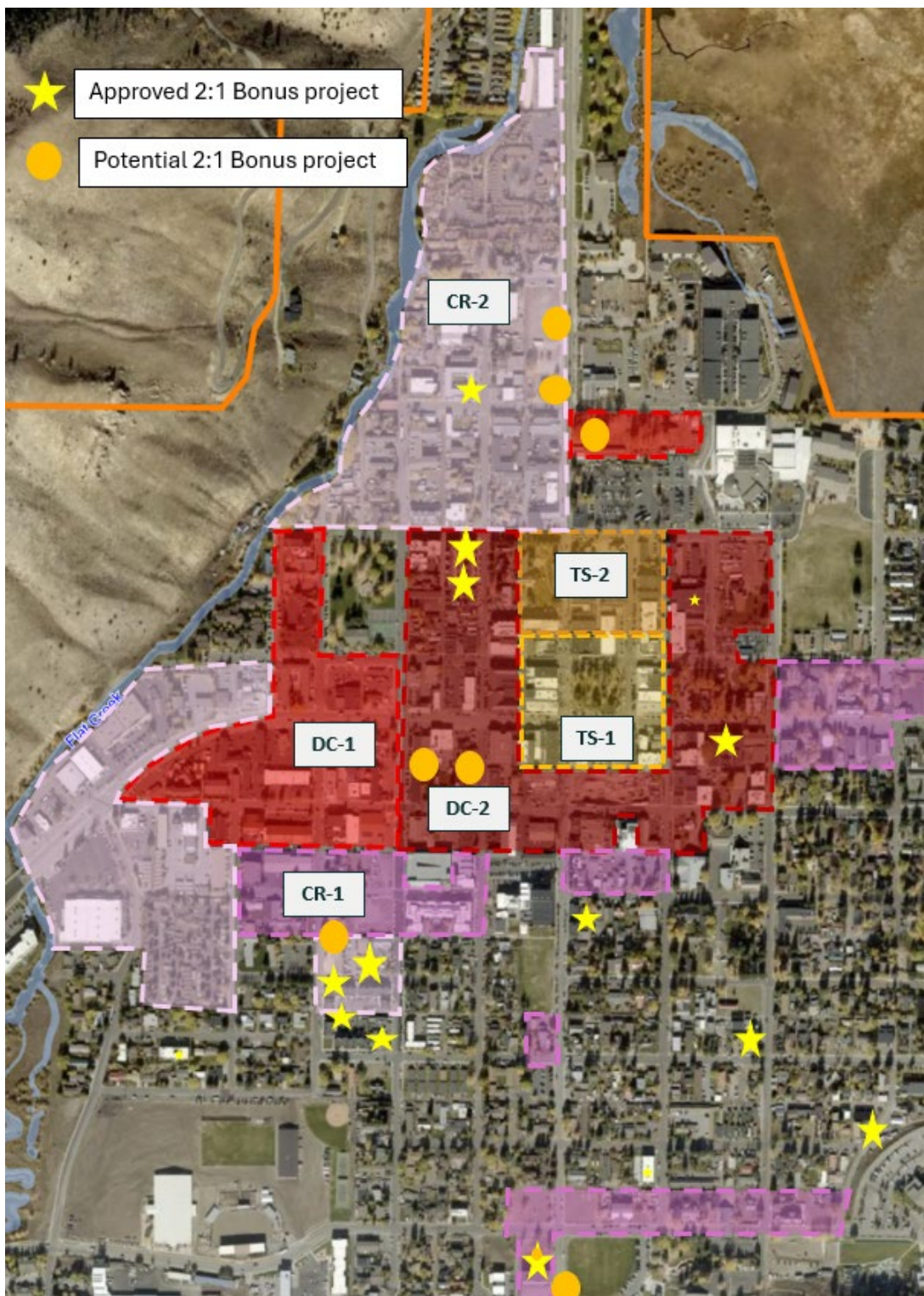
Thus, unless Council wants staff to take additional time conduct an in-depth study of the 2:1 market feasibility, Planning staff's recommendation is to move forward with changes to the 2:1 tool using the data and knowledge we already have based on 8-10 years of experience with the 2: 1 tool. For example, we know that the tool has been very successful. It

has been used instead of base FAR, it has sometimes doubled the size of projects, it has sometimes produced very large deed restricted units, and the discount on initial rent for workforce restricted units is quite modest (less than 10% usually).

Previous Commission and Council Direction: The Planning Commission and Council reviewed a variety of ideas presented to them by staff as well as discussed other aspects of the 2:1 bonus tool. The general direction was for staff to consider a sliding scale option to incentivize affordable deed restrictions over the workforce occupancy deed restriction; to limit the amount of the bonus that could be used in any one project; and capping the individual size of deed restricted units to better ensure that units meet needs of employees.

Options for LDR changes to 2:1 Bonus:

1. Sliding Scale:
 - o 1:1 ratio for workforce restricted units (rental or ownership)
 - o 1.5:1 for 120%-160% affordable units (rental or ownership)
 - o 2:1 for < 120% affordable units (rental or ownership)
2. Maximum limit on use of 2:1 bonus tool per project
 - o 2:1 bonus floor area cannot exceed 25% of base FAR
3. Maximum size of deed restricted unit
 - o Deed restricted units cannot exceed the following size limits:
 - 1 br – 700 sf
 - 2 br – 950 sf
 - 3+ br – 1,500 sf
4. Remove use of 2:1 Bonus in downtown zones (DC-1, DC-2, CR-1, CR-2)
 - o This would be done to remove possibility of buildings exceeding the base FAR in the greater downtown area (see map below). This would allow the 2:1 Bonus in the CR-3 and NH-1 zones only along the highway corridor west of Staples and in our highest density residential zone.
 - o Option B: Remove only from DC-1, DC-2 zones to focus on protecting character of Town Square area.



Key Question.

Does the Commission support the suggested 2:1 sliding scale, limits on the use of the 2:1 bonus tool, unit size limits, and locational limits, as provided in this staff report?

Third-story Stepback

General Background: The LDRs currently require a third-story stepback on all buildings with a third-story (except 100% residential buildings). The required stepback is 10' with an allowance that 60% of the third story (i.e., more than half) does not have to be stepped back. The result is a very modest stepback that often does not effectively reduce the scale of larger downtown buildings that can already be 42'-46' in height. While many of LDR changes adopted through the moratorium in 2024 addressed building size and scale (e.g., maximum building size limits, maximum building length limits, changes to Design Guidelines related to breaking up the mass of larger buildings. etc.), additional measures to reduce the perceived size of buildings still may be necessary. Increasing the third-story stepback was identified by the Council as one of those measures.

Previous Commission and Council Direction: Staff was directed to propose an increased third-story stepback. Options considered included increasing the stepback distance to 15' or 20' and decreasing the allowed encroachment from 60% to something less than 50%.

Option for LDR changes:

- Third-story stepback = 15' with 40% maximum encroachment into third-story stepback; or
- Third-story stepback = 20' with 60% maximum encroachment into third-story stepback;
- 1 or 2-story buildings: Any street-facing façade above 30' must be stepped back consistent with 3rd-story stepback requirements (with exceptions for special use buildings e.g., theatres, recreational facilities, etc. that require large volume spaces).

Key Question.

Does the Commission support the suggested changes to the third-story stepback as provided in this staff report?

Short-term Rentals

General Background: When considering the character of our downtown and other areas, it is appropriate to consider whether the land uses we allow play a positive or negative role. In this regard, short-term rental condominiums have become a very popular use in the downtown Lodging Overlay. Recent experience has shown that these short-term rental units tend to be large, very expensive, and minimally rented to visitors. In many cases, these condos are developed as investment properties for non-local buyers and used only occasionally by the owner. As such, they often create unoccupied spaces in the most vital and active parts of downtown. This is contrary to the Comprehensive Plan's Policy 4.2.e: Keeping lodging as a key component in the downtown, because these short-term rentals do not usually function as true lodging units that create "nightly year-round occupancy" (i.e., or "lights-on" activity) as specifically called out in the Comp Plan. Examples include the Glenwood-Gill Condos, The Arts District West condos, and likely the forthcoming S. Cache-Pearl Ave. project (The Jacksonian) and new Snow King Resort Condos (see map below).

Previous Commission and Council Direction: Staff was directed to identify a maximum limit on the percentage of a project that could be dedicated to short-term rentals. The Council did not support options that would outright prohibit short-term rentals in the Lodging Overlay. Also, please note that the Council recently amended the LDRs to cap the size of individual short-term rental units to 1,500 sf in the hope of creating more "family-sized" units that might be more likely rented to visitors rather than serve as pure investment properties for speculative development. There was additional discussion by some Council members regarding the possibility of prohibiting "condo-hotels" but it was not clear to staff whether was Council agreement on this item. If Council is interested in taking this step, staff can draft a LDR amendment to do so (assuming there are no legal complications).

Option for LDR changes on short-term rentals:

- Limit short-term rentals to no more than 30% of the project size (i.e., about one floor of a three-floor structure).

Key Question.

Does the Commission support the suggested limits on the use of the short-term rentals in individual projects, as provided in this staff report?

Basements (intensity of use and potential impacts on groundwater)

General Background: Two recent large projects have raised issues about basements with Council. During discussion of the Dauntless Development hotel (50 S. Millward), the Council expressed serious concerns that its 3-story basement would have significant negative impacts to the Town due to it increasing overall development intensity (e.g., impacts on traffic and roads and other public infrastructure) and might negatively impact groundwater. The proposed Mogul hotel (335 N. Cache Street) generated concern largely because its one-story (but large) basement is located in an area of relatively high groundwater that is close to Flat Creek and would disturb the existing underground contaminated benzene plume. Combined, these two projects called into question our current regulations on basements and whether we needed to make any changes.

The LDRs do not limit the depth or number of stories of basements. They also do not address any potential impacts of basements on groundwater quantity or quality. Instead, because the State of Wyoming manages groundwater, the Town typically generally relies on Wyoming DEQ standards when it comes to specific water quality and quantity impacts from development on groundwater. Building codes further define the construction standards that need to be followed when basements and foundations encounter or approach groundwater. The Engineering Department gets directly involved only when applicants seek to discharge groundwater into the Town's stormwater system, often then requiring pre-treatment of the discharged water and measures to avoid flooding. To date, staff are not aware that reliance on these methods and standards has led to any significant negative impacts to local groundwater resources nor has evidence been provided of such impacts. In addition, with regard to overall building size, the LDRs do not count basements against the new maximum building size limits of 40,000sf and 50,000sf. Thus, theoretically, a developer can currently dig a basement as deep as they deem feasible and put it to any use allowed by the LDRs and building code.

Previous Commission and Council Direction: Council wanted to eliminate the current exemption for habitable basement floor area to not count against the maximum building size. They also asked staff to research options for an absolute limit on basement depth and best practices related to basements and groundwater protection.

Additional staff research requested by Council on basement impacts on groundwater: Staff conducted additional research to investigate what, if anything, other communities are doing to limit basement depth to address groundwater impacts (beyond following local building codes and good engineering practices). Staff also received a research memo from Protect our Waters Jackson Hole providing their research and input on basement regulations. Based on the combined research, which is not exhaustive, there appears to be few communities that require additional limits on basements to protect groundwater. And communities that do have local requirements, such as those in some Colorado jurisdictions, generally do so to implement State adopted groundwater regulations or programs, often focused on addressing hazardous chemicals or mining-scale activities. There are examples of groundwater-related protections from development in some foreign jurisdictions, such as the cities of London and Vancouver and areas in France, but these appear to be based on comprehensive, master plan-level analyses and extensive data.

Staff's conclusion is that we did not yet find any relevant "model" in any other American community that could be applied easily or appropriately in Jackson. Jackson also exists in a state that has not provided any additional requirements or technical guidance on regulating basement depth and groundwater. As such, any local effort to adopt science-based regulations intended to protect groundwater resources from basement development would involve creating an entirely new and novel regulatory program that would require the expertise of outside consultants (Town staff do not have expertise in this field) and considerable time to conduct a highly technical analysis and a comprehensive public outreach effort. Such a study would need to collect baseline data to address the threshold

question of whether current and past sub surface developments have, in fact, negatively impacted groundwater resources and, if so, what can be realistically achieved with local land use regulations.

Option for LDR changes:

- Eliminate floor area exemption for habitable basement floor area from maximum building size (i.e., 40,000sf /50,000sf). This change would not eliminate the current exemption for non-habitable basement floor area, such as for parking garages.
- Regulations to Limit Basement Depth to protect groundwater. Staff recommend that the Council postpone any action on addressing basement depth and groundwater until after the Mogul hotel development is complete. Through review of that Development Plan application (which should be submitted in the next two or three months), the Town will have the opportunity to analyze the most comprehensive and detailed groundwater remediation report the Town as ever received addressing the impacts of below-ground development on groundwater quality and quantity. It will also address hydrocarbon contamination and remediation options. Also, because the Town has retained a third-party expert consultant to review the applicant's remediation report and advise us on the efficacy of proposed mitigation measures, we will have access to professional expertise to help us better understand all the relevant scientific, engineering, and policy considerations related to subsurface development impacts on groundwater hydrology.

Key Question.

Does the Commission support the suggested change to not exempt habitable basement floor area from maximum building sizes, as provided in this staff report?

Possible Alternatives.

The Commission has the following options in considering the proposed LDR changes:

- Modify or provide alternatives to one or more of the changes presented by staff;
- Ask for more information before making a final decision on one or more items;
- Not approve one or more of the suggested amendments;

Comprehensive Plan & Priority Alignment.

As provided below, the proposed amendments in this item implicate a number of different Comprehensive Plan policies and goals.

RE: 2:1 Workforce Housing Bonus:

- Policy 5.4.d: Provide incentives for the provision of workforce housing
- Policy 3.1.b: Direct development toward suitable Complete Neighborhood subareas
- Strategy 3.1.S.2: Explore tools for transferring development potential from Preservation and Conservation Subareas of ecological significance to Stable and Transitional Subareas in the Town and County

The 2:1 workforce bonus tool was created as an innovative incentive to encourage private developers to build deed restricted housing with no public subsidy. It has been very well used and so has implemented Policy 5.4.d. The tool has also directed density from the County conservation areas into the Complete Neighborhood of the Town where there are appropriate services to accommodate additional density, as envisioned in Policy 3.1.b and Strategy 3.1.S.2.

RE: Third-story Stepback

- Policy 4.1.c: Promote compatible infill and redevelopment that fits Jackson's neighborhoods
- Policy 4.2.e: Create a vibrant and walkable mix use Subareas

The proposed change to reduce the third-story stepback is intended to better integrate new, large buildings in the downtown area consistent with Policy 4.1.c. In addition, providing for a more generous stepback will help to open up views within town, make buildings seem less massive, reduce the “canyon” effect, and so make downtown a more enjoyable place to walk.

RE: Short-term Rentals

- Policy 3.2.C: Limit Lodging to defined areas
- Policy 4.2.e: Maintain lodging as a key component in the downtown

While the proposal is to limit the use of short-term rentals in individual projects, doing so retains this visitor-serving use in our Lodging Overlay as intended by the Policies 3.2.C and 4.2.e. that acknowledge the key roles that lodging plays in our local economy and downtown vitality.

RE: Basements

- Policy 3.3.C: Provide predictability in land use decisions.

No Comprehensive Plan policy directly or indirectly addresses basements or subsurface development but the proposal to no longer exempt habitable basement floor area from the maximum building size will add predictability to development so that actual development better matched public expectations in terms of the amount of development allowed by zoning.

Fiscal Impact.

There should be no measurable fiscal impact to the Town if the proposed LDR changes are adopted. No outside professional services were used.

Staff Impact.

Staff have spent approximately 80 hours on this item to date. We expect to spend another 40 hours to finalize the LDR amendments provided in this staff report assuming they are generally approved as presented. This estimate will increase if the Council makes significant additional changes to the amendments.

Attachments or Links.

None.

Suggested Motion.

I move to recommend to the Council that staff bring back LDR changes consistent with the amendments presented in this staff report, dated May 4, 2026, with changes as discussed by the Commission at this workshop.

From: [Matt Faupel](#)
To: [Town Council](#); hsb@tetoncountwy.gov; [April Norton](#); [Kristi Malone](#)
Subject: 2:1 bonus reconsideration
Date: Tuesday, March 31, 2026 1:21:06 PM
Attachments: [image.png](#)



Council -

I am writing in regards to the work you are doing to re-evaluate the 2:1 bonus and the policies around it. From what I am reading, the problems noted were building heights/sizes & unit sizes while the opportunity seemed to be the potential for greater restrictions.

Looking at the results from the chart provided in the staff report, the closest any project came to 2:1 was less than 1.9:1 with the average seemingly under 1.75:1. This is great news in that the private sector was not pushing the limit to the 2:1. What this tells us is that their having the freedom to work within the limit gave each the flexibility to design their unique project. Buildings are not designed by formula; that just sets a parameter then they are actually designed, which creates nuances to unit sizes, etc. That flexibility is important and we see that in what was actually build in each project - and, a likely contributor was running out of parking before they could get the last free market unit in raising the ratio closer to 2:1.

South of the downtown sector, 2:1 housing is all local housing. You have to recognize the benefit from the 2:1 there differently than downtown. Our example at the Gables, we had 11,000 sqft of entitlement which on its own really did not pencil to develop. Using the 2:1 we added another 9,000 sqft and ended up with 20,000 sqft of local housing which otherwise would not have been built. The 3,000 sqft of "1" was not the benefit, 20,000 sqft of local housing was the benefit (@ a 1.75:1 ratio).

Regarding the problems identified:

- building heights/sizes - I have heard this discussion largely as it relates to projects downtown and how the 2:1 opportunity creates increased scale which is not desirable - the Glenwood, Mogul, etc., which are functionally mixed-use buildings (by residential use type at least) where south of the downtown core, the buildings are effectively single use - local housing. I have no problem with larger scale buildings in areas that are more locally served - mid-town and south, as they are putting local employees in the most logistically sensible location creating the greatest effectiveness for public transportation and other multi-modal means. Is the logical solution to not allow the 2:1 in the Lodging Overlay? That takes out both the free market and restricted units and limits building scale to the base LDR regs.
- unit sizes - my first question is what is the scale of the problem (how many units)? Second, if you remove the 2:1 from the Lodging Overlay as suggested above, would that have removed all of these units? If so, one solution solves two issues.

opportunity - greater restrictions

- This opportunity resides completely in the cost of subsidy. The community has been successful in providing two restriction categories - Workforce (public/private partnerships) and lowest tier housing (Habitat and LITHC). The middle of the spectrum is simply too expensive. Below is a good example of the scope of this

problem. Summarized, if you go from a 2:1 as a Workforce unit to a 80-120% AMI unit, you are adding hundreds of thousands of dollars of subsidy to the developer making the project, thus adding the 2 sqft & the 1 sqft is not feasible and back to the case of the Gables, you lose 20,000 sqft of local housing, not the incremental 9,000 sqft only.

Use a 1,000 sqft 2 bed as the example with a sale price at free market of \$1mm and a Workforce restriction value of \$850k (Westview is a good example of this).

2 bed, 1,000 sqft

80-120 AMI

restriction	value	subsidy
market	\$ 1,000,000	
workforce	\$ 850,000	\$ 150,000
120-160	\$ 550,000	\$ 450,000
80-120	\$ 420,000	\$ 580,000
50-80	\$ 275,000	\$ 725,000
0-50	\$ 125,000	\$ 875,000

image.png



The \$150k is being absorbed by developers currently but the next restriction step is 3X which is not absorbable, let alone a greater restriction.

I hope you find this helpful as you evaluate further.

matt

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Exclusive [REALM](#) Members





MEMORANDUM

To: Paul Anthony
Director, Town of Jackson Planning and Building

From: April Norton
Director, Jackson/Teton County Affordable Housing Department

Re: Options for changes to LDRs to Address Development Impacts (PM25-011)

Date: January 9, 2026

Thank you for the opportunity to review and comment on your upcoming January 20, 2026 workshop with Town Council to discuss potential Land Development Regulation changes to address development impacts. We are looking forward to collaborating with your team as this work moves forward. Please contact me with any questions or other feedback you may have.

Summary points:

1. Changes to the 2:1 Tool may impact the private sector's contribution providing deed restricted housing, putting more pressure on the public sector. We need more info to make sure changes do not effectively eliminate the tool's use.
2. Reducing maximum building heights will negatively affect the number of affordable workforce homes that can be built and the cost per home created – whether by the private sector or via a public-private partnership.
3. Generally, reducing short-term rentals is a pro-housing policy, but we need more study and should consider increasing development potential for residential uses in place of short-term rentals.
4. Other items to consider as part of these potential LDR amendments: Affordable Housing Overlay and expansion of housing tools, improve residential design standards, adjust maximum building height standards on slopes, eliminate housing credits for uses that did not provide housing mitigation.

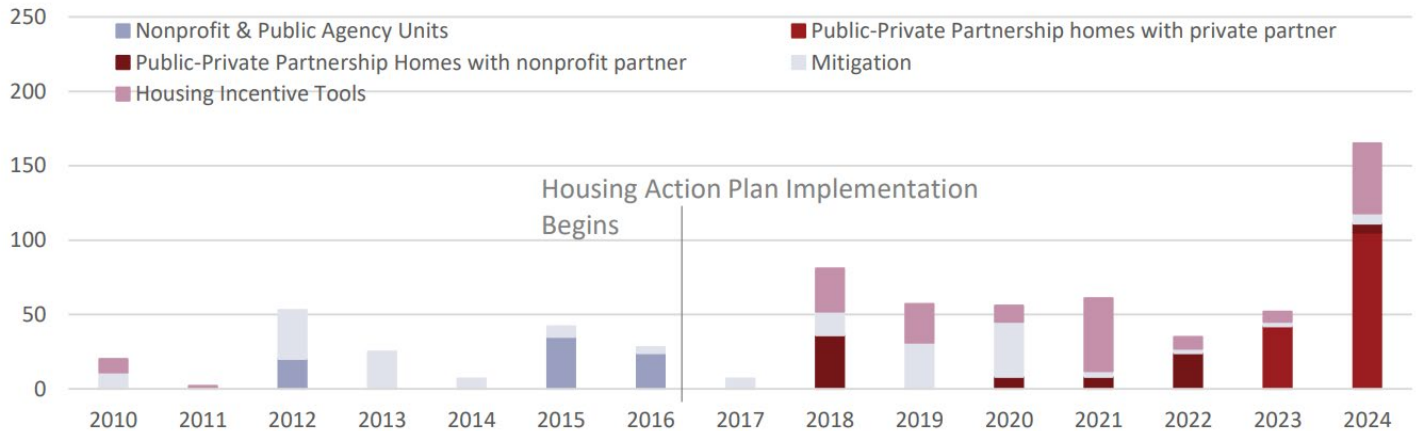
Setting the housing table: consider the context of all housing tools

The need for affordable workforce housing in our community continues to outpace its availability. We must consider resilience of the variety of housing tools available to our community before making LDR changes.

- Housing Mitigation: the regulatory requirement that developers offset a portion of the local housing need generated by their own development is continually questioned at the state legislature and is currently being contested in court against Teton County and could one day no longer exist. This is a primary source of both funding for housing and development of new deed restricted housing.
- Public investment in housing: Capital streams may narrow considering reduced property tax collection.
- Philanthropy and private non-profits: Pace of upcoming developments, like Northern South Park, depend on scaling-up of resources, and likely will require public investment, like Nelson Drive.

- Incentive tools: Currently limited to 2:1 Tool, 4th story, and exemptions for 100% deed restricted developments. These tools do not require public financial subsidies and are a way to leverage private capital and bring private developers to the housing table.

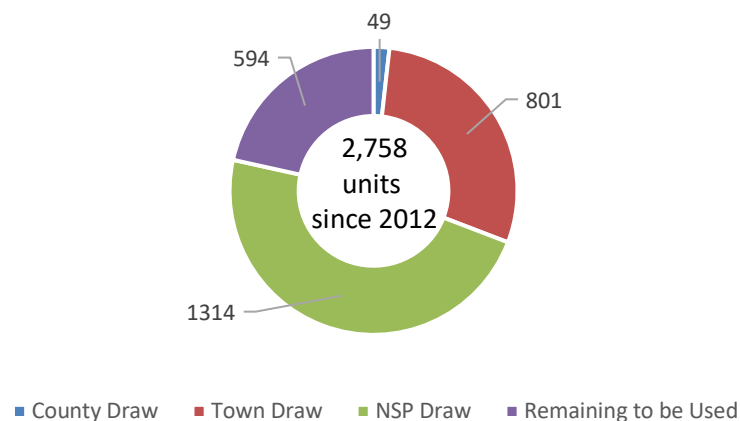
Using our housing toolbox we have seen Affordable & Workforce housing production increase 260% compared to before implementation.



Increasing regulatory barriers to providing housing is contrary to the guidance of the Comp Plan and Housing Action Plan. A key question for consideration: should LDR changes that will impede the production of permanently deed restricted housing (incentive tools, building height, etc.) as a reaction to perceived overdevelopment or concerns about community-wide scale of development be considered *after* the upcoming Comp Plan update?

Use of housing incentive tools are limited by the number of unallocated residential unit entitlements within the Town and County's collective growth cap. The cap is the amount of residential development allowed and planned for in the Town and County's 1994 zoning. The remaining amount of residential development allowed in the Town and County is reported annually in the Jackson/Teton County Comprehensive Plan Indicator Report.

Units as of 2024 Year-End



Trade-offs between housing production and development impacts must consider the remaining unallocated residential unit pool, unit use trends, most effective future unit use, and any possibility of growth management program change that replenishes or reallocates pooled units.

In short, considering threats to our requirements and funding resources, we encourage deliberate consideration of any changes or upgrades to housing incentives, as well as the creation of new potential incentive tools, and look forward to working with your team on this.

Workforce Housing Floor Area Bonus (2:1 Tool)

Since implementation in 2018, use of this tool has created 36 privately developed deed restricted units.

- 32 Workforce Rental
- 4 Workforce Ownership

Correspondingly, 47 additional market-rate units have been created – 40 rentals and 7 ownership. A data snapshot is provided below and summaries by individual properties are provided as a separate attachment.

	1120 South Park Loop	Glenwood Condos Phase 1	10 E. Simpson	367 S. Willow	445 Vine Street	The Gables Apartments	Veronica Lane Apartments	Glenwood Condos Phase 2	80 E Karns (St Johns Hospital)	TOTALS
Building Size (sf)	12,254	29,979	--	4,234	4,582	20,847	23,465	--	14,169	
Max Base FAR (sf)	10,802	27,300	3,450	3,000	3,238	11,373	11,739	18,200	6,000	
Bonus Above FAR (sf)	9,080	17,778	1,398	1,234	1,344	9,474	11,726	8,201	8,169	
% Bonus	84%	65%	41%	41%	42%	83%	100%	45%	136%	
WF Rental Units	5	2	1	1	1	7	9	1	3	30
WF Own. Units	0	2	0	0	0	0	0	2	0	4
Market Rental	8	0	0	0	2	9	14	0	6	39
Market Own.	0	4	1	0	0	0	0	1	0	6
Market/WF Ratio (by sf out of 2)	1.27	1.66	1.89	0	1.11	1.75	1.74	0.56	2	
Average WF Rent/Price	\$2,546	\$2,250 \$1.5m	\$2,270	\$3,950	\$2,675	\$3,323	\$2,463	\$1.5m	\$1,909	
% Discount/sf for WF	5%	54%	--	--	--	0%	17%	60%	0%	
Average MFI % of WF Units	109%	80% and 308%	92%	140%	108%	113%	99%	364%	73%	
MFI Range of WF Units	120-160%	80-160%+	120-160%	160%+	120-160%	120-160%	120-160%	160%+	80-120%	
Average Household MFI %	111%	137%	70%	183%	114%	99%	80%	--	87%	
Average % income spent on housing	28%	19%	39%	23%	25%	38%	40%	--	23%	

* The following developments were excluded from the table above:

- 160 E Broadway Avenue: 1 Workforce Rental unit, out of compliance = incomplete resident data
- 645 S Cache Street: 1 Workforce Rental unit, free rent offered as employment benefit = skews rental data
- The Loop: We anticipated having rental cost and occupancy data on The Loop by the end of 2025 to inform this 2:1 Tool discussion. As the largest development to use the tool, essentially doubling the number of all 2:1 Tool units built to date, this data is integral to understanding the market environment in which these units exist, the households they serve, and additional direct comparison between identical restricted and market homes within the same development. Considering the importance of this data, 2:1 Tool amendment may be better informed once this data is available after completion of The Loop this year.

Note that changing the 2:1 Tool does not impact the Deed Restricted Housing Exemption. LDR Division 7.8. – Workforce Housing Incentive Program has separate sections for 7.8.3. – Deed Restricted Housing Exemption and 7.8.4. – Workforce Housing Floor Area Bonus (2:1 Tool). The options presented for amendment of the 2:1 Tool (ratio, restriction type, etc.) are not relevant to the incentive tool exempting required or voluntary deed restricted housing from Maximum Floor Area Ratio (FAR), thresholds for physical development permits, required Affordable Workforce housing, and the limit on 20 percent expansion of a nonconformity.

Public-Private Partnerships in which the Housing Department participates use the Deed Restricted Housing Exemption, not the 2:1 Tool, because achieving additional market-rate residential floor area is not the intent of these developments.

- 7.8.3. – Deed Restricted Housing Exemption
 - A. **Intent.** Deed restricted housing is required by [Division 6.3.](#), and other standards of these LDRs. A landowner may also voluntarily deed restrict housing. In order to encourage incorporation of required and voluntary deed restricted housing into development, deed restricted housing is exempt from certain LDRs.
 - B. **Applicability.** The exemptions of this section shall apply to the following floor area.
 - 1) **Required Restricted Housing.** Floor area in a residential unit that is required to be restricted in order to comply with [Division 6.3.](#) or another standard of these LDRs.
 - 2) **Voluntary Restricted Housing.** Floor area in a residential unit that is subject to an affordable or workforce deed restriction, acceptable to the Jackson/Teton County Housing Department, which is recorded with the County Clerk, that is not required by [Division 6.3.](#), or another standard of these LDRs.
 - C. **Exemptions.** Floor area meeting the applicability standards of this section is exempt from calculation of the following standards, but is still subject to all other applicable standards of these LDRs.
 - 1) Maximum Floor Area Ratio (FAR)
 - 2) Thresholds for physical development permits
 - 3) Affordable workforce housing required by [Division 6.3.](#)
 - 4) Limit on 20 percent expansion of a nonconforming physical development

Housing Supply Board recommendations on the 2:1 Tool:

1. Create different 2:1 standards for sale vs rental Workforce units that acknowledge the market environment for different product types.
2. Examine how the 2:1 Tool influences the size of buildings in the context of all big buildings in the Town.
3. Identify the problem we are trying to solve—big buildings, more affordability, or both?
4. Cap the sizes of Workforce units resulting from 2:1 Tool:

- 800sf for a 1-bedroom unit
- 1,500sf for 2 or more-bedroom units

Housing Director recommendations on the 2:1 Tool:

1. Before making changes to the ratio, affordability requirement, or number of units that can be used, we need evidence that altering the 2:1 tool is not effectively eliminating its use by the private sector.
 - Update the 2016 Workforce Housing Incentives feasibility study (Housing Dept. staff have started working on this)
 - Talk to developers that have used or are planning to use this tool
 - Examine previous use ratios that are less than 2:1 for policy opportunity to maximize restricted units or affordability.
 - Create a projection of the number and type of restricted units likely to result from change to the tool.
2. Explore sliding scale options that give developers more choices to adapt the 2:1 Tool to suit individual developments.

Building Height:

Unlike the 2:1 Tool, reducing maximum building height allowances impacts both private and public investment in housing. Reducing what can be built on a property will increase the land basis per housing unit, increasing the cost of building per unit, and may decrease livability (light, ceiling height, etc.). We also expect that reducing maximum building heights will result in more flat roofs, which may relate to the development impact issues planners and Council are seeking to address. Housing staff contacted the architects for three of our partnership developments to better understand how these changes would have affected the housing that was built.

On Jackson Street Apartments (CR-2 & NH-1 zones):

This would have been a fairly prohibitive restriction for us. All 3 buildings in the NH-1 would have lost a whole story worth of units.

Or the spaces would have suffered. I.E:

- *We would have had to have pushed the lowest level in to the ground another approximately 18". Creating a "Basement feel" to this lower level.*
- *The ceiling heights would have had to have been reduced to 8' or lower.*

On the north commercial lots. We would have had to have taken 19" from our building height. Which we would have had to have solved in a similar fashion as the NH-1 lots.

This is just a high level glance/analysis. I would have to dig deeper to actually see the ramifications of such a change. I am not entirely sure that we could have even made it work, without significant changes. With the 7 feet of slope across our site, and how the Town measures grade to building height, our west faces of each of the building would become our critical point for this analysis. Had this been in place, we may have had to have taken more out of these buildings, and potentially lost floors.

On 174 N. King (DC zone):

Thanks for your question and I do think it would be detrimental to reduce the heights as proposed.

Example:

Commercial Districts: (for mixed use building) shopfront requires 12' floor to ceiling on first floor. All other floors must be 9'. With these minimums and a minimum floor pack and plenum space of 2' these changes would be very difficult to comply with.

12'+2'+9'+2'+9'+2' = 36' – if you add in a foot for grade elevation and a foot for parapet, you are maxed out with minimums. Other building frontages might be simpler, but 90% of all buildings are shopfront to comply with the comp plan of having an engaging pedestrian experience. Keeping the existing is most practical and will allow affordable projects to be built cost effectively rather than cramming structural and MEP systems into spaces that are too tight. You would not be able to have any vaulted ceilings like the top units at King street. The town is going to end up with flat roof boxes that are all maxed out to their new proposed height. I doubt this is what they are trying to achieve.

I strongly disagree with the other changes in more residential areas. It is going to be really difficult to make NM-2 and NH-1 work with up to 8 units and parking without existing heights.

On the lower density areas, it basically eliminates the option of a real second floor at 22' (depending on architecture). Look at golf and tennis as an example (19'). The town would also push designs towards boxes.

On Kelly Place Condos (NH-1 zone)

Thanks for the question, at first glimpse I would comprehensively be against lowering buildings height limits. It's incredibly restrictive with respect to being able to design stories 3, or 4. We typically try to design spaces with 9' min. ceiling heights ... which is based on our ability to design structure and HVAC spaces between stories. By reducing maximum heights construction systems will become more restrictive and therefore more costly, the spaces will all begin to shrink and would have negative impacts on the livability. This seems like a horrible idea.

Housing Supply Board & Housing Director recommendations on building height:

1. Do not reduce maximum allowed building height.
2. If maximum building height standards are reduced, exempt developments that meet or exceed a certain housing restriction threshold (i.e. 50%+ deed restricted).

Short-Term Rentals:

Short-term rentals generate more local employees and are less likely to serve local workers than residential uses, so reducing or eliminating their development generally is a pro-housing policy. However, we need more study and consideration of increasing development potential for residential uses in place of short-term rentals.

Housing Supply Board & Housing Director recommendations on short-term rentals:

1. Study how many properties this would apply to and the associated trade-offs.
2. Explore housing incentives or by-right development allowances to be paired with this change to maintain the value of the property for the owner and shift to long-term housing production

What is missing?

The Housing Supply Board and Housing Director would like the following items added to the workshop for consideration of LDR amendments:

1. Explore how we can expand housing incentive tools by creating an Affordable Housing Overlay or suite of housing incentives.

- a. More density bonuses
 - b. Reduced regulatory requirements, including parking
 - c. Identification of opportunity areas = make housing easier to build where we want it to be built
- 2. Improve design standards for residential development focusing on streetscape and better integration of new buildings into human scale and experience.
- 3. Adjust maximum building height standards to allow terracing up hillsides = better integration of built environment with natural forms and increased opportunity for housing development
- 4. Revise housing mitigation regulations to eliminate credit for existing or historical uses that did not provide housing mitigation.

Thank you, again, for the opportunity to provide feedback. The team at the Housing Department are excited to work collaboratively with Planning staff, and other Town and County staff, to meet housing goals along with other community needs. We are happy to bring our expertise and the involvement and expertise of the Housing Supply Board as requested and helpful.

10 E Simpson

Max Base SF	3,450	Zone	OR	Bonus SF Ratio	1.89							
Bonus SF	2,445	Max Base FAR	0.46									
Total SF	5,895	Year Completed	2022									
% SF Increase	71%	Ind. Building Size										
UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:		
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income	HH MFI %	
Workforce Rental												
1B	1	845	\$2,270	\$2.69	2025	92%	120%-160%	0	\$15,981.29	39%	70%	
Market Ownership												
2	2	1600	conveyed to family					0.067	\$0.00	not collected		
TOTALS:	3	2445							0.067	\$15,981.29		

80 E Karns

Max Base SF	6,000	Zone	NH-1	Bonus SF Ratio	2.02
Bonus SF	8,169	Max Base FAR	0.4		
Total SF	14,169	Year Completed	2024		
% SF Increase	136%	Ind. Building Size	14,169		

UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:	
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income	HH MFI %
Workforce Rentals											
102	studio	494	\$1,409	\$2.85	2025	67%	80-120%	0	\$174,346.22	16%	109%
205	2	1065	\$2,159	\$2.03	2025	76%	80-120%	0	\$271,953.24	30%	76%
208	2	1065	\$2,159	\$2.03	2025	76%	80-120%	0	\$271,953.24	24%	77%
Market Rentals											
	studio	499	\$1,409	\$2.82	2025	67%	80-120%	0.015	\$0.00	not collected	
	studio	499	\$1,409	\$2.82	2025	67%	80-120%	0.015	\$0.00		
	2	1073	\$2,159	\$2.01	2025	76%	80-120%	0.04	\$0.00		
	2	1073	\$2,159	\$2.01	2025	76%	80-120%	0.04	\$0.00		
	2	1073	\$2,159	\$2.01	2025	76%	80-120%	0.04	\$0.00		
	2	1073	\$2,159	\$2.01	2025	76%	80-120%	0.04	\$0.00		
TOTALS:	12	7914						0.19	\$718,252.70		

367 S Willow

Max Base SF	3,000	Zone	NM-2	Bonus SF Ratio	0.00
Bonus SF	1,234	Max Base FAR	0.4		
Total SF	4,234	Year Completed	2022		
% SF Increase	41%	Ind. Building Size	4,234		

UNITS:						Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income	HH MFI %
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year						
Workforce Rental											
2nd Floor	2	999	\$3,950	\$3.95	2024	140%	>160%	0	\$71,009.20	23%	183%
TOTALS:	2	999						0	\$71,009.20		

445 Vine

Max Base SF	3,238	Zone	NM-2	Bonus SF Ratio	1.11							
Bonus SF	1,344	Max Base FAR	0.4									
Total SF	4,582	Year Completed	2021									
% SF Increase	42%	Ind. Building Size	4,582									
UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:		
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income	HH MFI %	
Workforce Rentals												
103	1	448	\$2,675	\$5.97	2025	108%	120%-160%	0	\$15,981.29	25%	114%	
Market Rentals												
	1	448		\$0.00		0%		0.013	\$0.00	not collected		
	1	48		\$0.00		0%		0.013	\$0.00			
TOTALS:	3	944							0.026	\$15,981.29		

1120 South Park Loop

Max Base SF	10,802	Zone	CR-3	Bonus SF Ratio	1.27
Bonus SF	9,080	Max Base FAR	0.4		
Total SF	19,882	Year Completed	2021		
% SF Increase	84%	Ind. Building Size	12,254		

UNITS:	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income	HH MFI %
Workforce Rentals											
201	2	800	\$2,595	\$3.24	2025	92%	120%-160%	0	\$71,009.20	20%	139%
202	2	800	\$3,100	\$3.88	2025	110%	120%-160%	0	\$71,009.20	34%	85%
204	2	800	\$3,600	\$4.50	2025	127%	120%-160%	0	\$71,009.20	37%	86%
205	2	800	\$2,597	\$3.25	2025	92%	120%-160%	0	\$71,009.20	24%	113%
207	2	800	\$3,600	\$4.50	2025	127%	120%-160%	0	\$71,009.20	24%	131%
Market Rentals											
101	1	400	\$2,025	\$5.06	2025	82%	120-160%	0.011	\$0.00	not collected	
102	1	400	\$1,970	\$4.92	2025	80%	80-120%	0.011	\$0.00		
206	1	400	\$1,970	\$4.92	2025	80%	80-120%	0.011	\$0.00		
208	2	776	\$3,179	\$4.10	2025	112%	120-160%	0.026	\$0.00		
209	2	776	\$3,142	\$4.05	2025	111%	120-160%	0.026	\$0.00		
210	2	776	\$3,200	\$4.12	2025	113%	120-160%	0.026	\$0.00		
211	2	776	\$3,142	\$4.05	2025	111%	120-160%	0.026	\$0.00		
212	2	776	\$3,193	\$4.11	2025	113%	120-160%	0.026	\$0.00		
TOTALS:	23	9080						0.163	\$355,046.00		

The Gables (255 S. Highway 89)

Max Base SF	11,373	Zone	CR-3	Bonus SF Ratio	1.75
Bonus SF	9,474	Max Base FAR	0.4		
Total SF	20,847	Year Completed	2023		
% SF Increase	83%	Ind. Building Size	20,847		

UNITS:	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income	HH MFI %
Workforce Rentals											
204	1	493	\$2,809	\$5.70	2025	113%	120-160%	0	\$174,346.22	19%	159%
206	1	493	\$2,601	\$5.28	2025	105%	120-160%	0	\$174,346.22	43%	73%
208	1	493	\$2,601	\$5.28	2025	105%	120-160%	0	\$174,346.22	52%	61%
210	1	493	\$2,800	\$5.68	2025	113%	120-160%	0	\$174,346.22	27%	110%
212	1	493	\$2,895	\$5.87	2025	117%	120-160%	0	\$174,346.22	23%	134%
310	1	493	\$3,039	\$6.16	2025	123%	>160%	0	\$15,981.29	36%	101%
312	1	493	\$2,861	\$5.80	2025	116%	120-160%	0	\$174,346.22	66%	52%
Market Rentals											
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00	not collected	
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00		
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00		
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00		
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00		
	2	901	\$4,774	\$5.30	2025	169%	>160%	0.031	\$0.00		
	2	901	\$4,774	\$5.30	2025	169%	>160%	0.031	\$0.00		
	2	901	\$4,774	\$5.30	2025	169%	>160%	0.031	\$0.00		
	2	901	\$4,774	\$5.30	2025	169%	>160%	0.031	\$0.00		
TOTALS:	20	9500						0.194	\$1,062,058.58		

Glenwood Condos 1

Max Base SF	27,300	Zone	DC-2	Bonus SF Ratio	1.66					
Bonus SF	17,778	Max Base FAR	1.3							
Total SF	45,078	Year Completed	2022							
% SF Increase	65%	Ind. Building Size	29,979							
UNITS:										
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income
Workforce Rentals										
18	1	1089	\$2,500	\$2.30	2025	101%	120-160%	0	\$15,981.29	19%
19	3	1866	\$2,000	\$1.07	2025	63%	80-120%	0	\$416,437.21	19%
Workforce Ownership										
20	3	1866	\$1,225,000	\$656.48	2024	260%	>160%	0	\$201,040.22	not collected
21	3	1866	\$1,680,000	\$900.32	2023	357%	>160%	0	\$201,040.22	
Market Ownership										
	3	2772	fractional					0.143	\$0.00	not collected
	3	2772	\$4,950,000	\$1,785.71		1052%	>160%	0.143	\$0.00	
	3	2772	\$4,350,000	\$1,569.26		924%	>160%	0.143	\$0.00	
	3	2772	unknown					0.143	\$0.00	
TOTALS:	22	17775							0.572	

STR allowed: \$2,078.48
 \$2,241.90

HH MFI %
161%
112%

Glenwood Condos 2

Max Base SF	18,200	Zone	DC-2	Bonus SF Ratio	0.56					
Bonus SF	8,201	Max Base FAR	1.3							
Total SF	26,401	Year Completed	2025							
% SF Increase	45%	Ind. Building Size								
UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income
Workforce Rentals										
24	3	1878	not yet rented							
Workforce Ownership										
22	2	1601	\$1,375,000	\$858.84	2025	329%	>160%	0	\$201,040.22	not yet sold
23	3	1893	\$1,595,000	\$842.58	2025	339%	>160%	0	\$201,040.22	
Market Ownership										
30	3	3018	\$6,450,000	\$2,137.18	2025	1370%	>160%	0.161	\$0.00	not collected
TOTALS:	11	8390							0.161	

STR allowed: \$1,783.50
\$1,709.14
\$1,977.72
\$2,006.00
\$2,137.18
\$2,196.92

HH MFI %

HH MFI %

235 Veronica Lane

Max Base SF	11,739	Zone	CR-3	Bonus SF Ratio	1.74
Bonus SF	11,726	Max Base FAR	0.4		
Total SF	23,465	Year Completed	2024		
% SF Increase	100%	Ind. Building Size	23,465		

UNITS:	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income	HH MFI %
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Workforce Rentals												
205	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	36%	72%	
206	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	41%	64%	
210	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	18%	170%	
211	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	38%	79%	
212	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	58%	52%	
213	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	44%	69%	
214	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	41%	64%	
215	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	31%	95%	
216	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	54%	55%	

Market Rentals										
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	not collected
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	2	723	\$4,488	\$6.21	2025	159%	>160%	0.024	\$0.00	

	2	723	\$4,488	\$6.21	2025	159%	>160%	0.024	\$0.00	
	2	723	\$4,488	\$6.21	2025	159%	>160%	0.024	\$0.00	
TOTALS:	26	11724						0.226	\$143,831.61	



Protect our Water Jackson Hole Input on Basement Regulations:

The Snake River alluvial aquifer underlying Jackson is shallow, highly permeable, and hydraulically connected to surface waters. Because of these characteristics, excavation, dewatering, and underground construction can alter groundwater flow paths and water quality. The following points summarize why basement regulation is warranted in this hydrogeologic setting.

Key Characteristics of the Snake River Alluvial Aquifer

- Main shallow, unconfined aquifer along the Snake River and tributaries
- Extremely high transmissivity (approx. 200,000 gpd/ft; locally up to 900,000 gpd/ft)
- Rapid groundwater flow (~9 ft/day) due to coarse, permeable alluvium
- Shallow depth to groundwater (often <10–15 feet near surface waters)
- Widely recognized as highly susceptible to contamination from land uses

Sources: Wyoming State Geological Survey; Wyoming State Water Plan

Documented Impacts of Dewatering and Groundwater Alteration

- Creates cones of depression that alter groundwater flow directions
- Can reduce baseflow to streams and wetlands
- May induce land subsidence and infrastructure damage
- Alters contaminant transport pathways
- Effects are often complex and difficult to reverse

Source: Preene & Brassington, *Potential Groundwater Impacts from Civil Engineering Works*

Relevant findings from USGS groundwater quality monitoring of the Snake River alluvial aquifer near Jackson Hole Airport:

- Confirms aquifer is a primary domestic and commercial water source
- Demonstrates that land-use practices directly affect groundwater quality
- Shows contaminants can migrate rapidly in shallow, connected systems
- Improved surface practices led to measurable groundwater quality improvements (2011–2020)
- Reinforces that subsurface disturbances influence long-term water quality trends

Why this is relevant to basements:

- Basements intersecting shallow groundwater in alluvial aquifers are more sensitive to changes in water flow and quality.
- Earthwork, drainage, and construction-related groundwater alteration can influence how contaminants move and are mobilized around foundations.
- In highly transmissive, shallow alluvial aquifers, even small changes in groundwater gradient can shift flow paths, potentially mobilizing existing contaminants or drawing surface water into the subsurface system.

Source:

https://www.usgs.gov/centers/wyoming-montana-water-science-center/science/monitoring-changes-groundwater-quality-jackson?utm_source=chatgpt.com

Examples of regulations on basements and dewatering:

1. Hart, Michigan: Prohibits basements in high groundwater areas
 - a. Source: https://codelibrary.amlegal.com/codes/hart/latest/hart_mi/0-0-0-9287
2. Colorado cities (Boulder, Denver, Aurora, and Vail): Require permits, treatment, and monitoring for dewatering discharge
 - a. Regulate groundwater dewatering from basements, underground parking, and elevators, requiring permits, treatment for contaminants, and monitoring before discharge. These rules stem from state health department requirements for large structures. The Colorado Department of Public Health and Environment (CDPHE) requires specific permits for groundwater discharge (dewatering) to manage quality and quantity.
 - b. Source: <https://cdphe.colorado.gov/dewatering-general-permit-program>
3. Hudson, MA: Limits building height and drainage relative to water table
 - a. Source: [https://go.boarddocs.com/ma/hudsonma/Board.nsf/files/CW4KAC506255/\\$file/Nov%202023%20by-laws%20-%20FINAL.pdf](https://go.boarddocs.com/ma/hudsonma/Board.nsf/files/CW4KAC506255/$file/Nov%202023%20by-laws%20-%20FINAL.pdf)

Notes from a Geotechnical Engineer contact via POWJH board (can connect you if helpful):

1. A pump test is really absolutely necessary to gauge the impacts to the surface and subsurface hydrology.
2. Even with a pump test, once dewatering starts it may become necessary to pump more vigorously or add pumping wells or back off of the pumping; as determined by the subsurface conditions.

3. The expected effects will be the cone(s) of depression created by each dewatering well. The radius and depth of these depressions depend on the soil stratigraphy and hydraulic conductivity of the soil(s). The cone of depression may impact nearby surface water features if they are near the radius of the cone of depression.
4. There will also be groundwater mounding at the site of the injection wells. Again the geometry of the mounding will depend on injection rate and hydraulic conductivity. Surface water features may be impacted by the mounding depending on distance from the injection wells and hydraulic conductivity.

Regulatory Goals:

1. **Limit Basement Depth**
Restrict underground structures to one story (approximately 10 feet) to reduce the likelihood of intersecting the water table and requiring long-term dewatering.
2. **Require Pre-Construction Groundwater Study**
Applicants should conduct multi-year groundwater monitoring to determine seasonal high water levels, flow direction, and baseline water quality prior to approval.
3. **Prohibit Construction Within the Water Table (Most Protective Option)**
The most protective and administratively simple approach would prohibit excavation and structural placement within groundwater.
4. **Require Hydrologic Impact Assessment if Construction Proceeds**
If construction near or within groundwater is allowed, applicants should complete a [Comprehensive Hydrologic Impact Assessments \(CHIAs\)](#) evaluating dewatering impacts, effects on nearby wells and surface waters, contaminant mobilization, and long-term monitoring/mitigation.
 - a. An example of a groundwater study required by a city for a building project located in unconsolidated alluvial aquifer:
https://www.researchgate.net/publication/367326051_Assessment_of_alluvial_aquifer_conditions_during_a_construction_phase_for_a_deep_excavation

From: [Amy Kuszak](#)
To: [Arne Jorgensen](#); [Jonathan Schechter](#); [Alyson Sperry](#); [Devon Viehman](#); [Kevin Regan](#)
Cc: [Jenny, JHCA](#); [Paul Anthony](#)
Subject: Follow-Up Comment on Downtown Development Discussion
Date: Tuesday, March 17, 2026 10:27:45 AM



Dear Mayor and Members of the Town Council,

Thank you for your continued focus on development trends in downtown Jackson. I appreciate the opportunity to provide comment yesterday, although I wanted to follow up in writing.

I do want to respectfully note that the discussion occurred significantly earlier than indicated on the published agenda. As a result, I provided my public comment while driving to the meeting. It is difficult for the public to meaningfully participate in your process when agenda timing is not followed, and I encourage greater adherence to published schedules to support full and fair public engagement.

For ease of reference, I have summarized my comments below:

- Development decisions in downtown Jackson have impacts beyond town boundaries, affecting rural lands, wildlife habitat, and public lands that support our broader economy.
- While the five proposed LDR amendments may address specific issues, they do not fully respond to the larger development trends currently underway.
- I appreciate the Council stepping back to more broadly consider what types of development the community wants and does not want.
- The community has clearly expressed concerns about current trends; the next step is to identify what is missing.
- The Comprehensive Plan calls for a downtown that supports small, locally owned businesses and workforce and affordable housing, yet current patterns are moving in the opposite direction.
- To achieve different outcomes, LDRs should:
 - Incentivize desired development, including small local businesses and workforce/affordable housing
 - Require meaningful community benefits from developments that create significant impacts, particularly large projects with high employee demand
- Community benefits could include affordable and workforce housing (that is not part of required mitigation or bonuses), space for locally owned and operated businesses (ensures that money is going back into the community), and conservation investments that help offset broader impacts.
- Ultimately, our regulations should make it easier to build what the community wants and more difficult to build what undermines adopted community goals.

Thank you again for your time and consideration.

--

Amy Kuszak

Community Planning Director

Jackson Hole Conservation Alliance

307.733.9417 ext. 101

website JHAlliance.org





Re: Land Development Regulation Updates

October 23, 2025

Dear Mayor Jorgensen and Town Councilors,

Thank you for taking on this important process of updating our Land Development Regulations. ShelterJH board member Whitney Oppenhuizen shared comments during the workshop on October 20, and we wanted to provide them in writing as well.

We urge you to use this opportunity to incentivize **what our community truly needs—homes, especially deed-restricted ones**—and to *disincentivize what we don't need*: excessive, rampant, and unmitigated commercial and luxury development that worsens our housing shortage. ShelterJH supports the right kind of growth that allows local residents, working people, families, and seniors to continue living locally. We need to ensure that the people already here have stable, attainable homes.

Even before the recent development moratorium, there has been strong community support for proactive updates that align our LDRs with our community's priorities and Comprehensive Plan goals. Some actions to consider include:

- **Parking updates**
 - **Removing parking minimums** to free up space and reduce costs for developers and occupants while furthering our climate and transportation goals.
 - **Allowing developers to decouple rent and parking space costs** to offer maximum flexibility for occupants and reduce single occupancy car dependency.
 - **Implementing paid parking and investing in alternative transit** to manage demand and foster meaningful transportation options.
- **Accessory Residential Unit (ARU) updates**
 - **Creating an ARU handbook** with pre-approved designs to streamline applications and permitting for locals who want to add small, attainable units.
 - **Allowing mobile homes as ARUs**, creating flexible, lower-cost housing options that can be built quickly.
- **Updating housing mitigation rates** to reflect current construction costs, so development meaningfully contributes to the housing for which it creates demand.
- **Revising the 2-for-1 tool** to make sure the community benefits proportionally to developers while protecting the tool from state overreach.
- **Continuing to strengthen short-term rental regulations** and investing in enforcement and public education regarding new regulations, ensuring that homes serve residents first.

- **Eliminating the legacy housing credit**, which no longer reflects today's housing realities.

Each of these ideas supports Comprehensive Plan goals to protect the ecosystem and house at least 65% of our workforce locally. We want to address the housing crisis and there are tools to do it. This LDR update is a critical opportunity to align our policies with our shared values and make it easier to build homes local workers can actually afford.

Thank you for your time, your leadership, and your continued commitment to housing locals locally.

Best,

A handwritten signature in cursive script that reads "Clare Stumpf".

Clare Stumpf

On behalf of ShelterJH board members and membership

From: [Abby Petri](#)
To: [Town Council](#)
Subject: Public Comment - January 20, 2026 Town Council Workshop
Date: Monday, January 19, 2026 9:25:56 PM



Dear Mayor Jorgensen and Town Council Members,

Thank you for the opportunity to comment on the January 20, 2026 workshop regarding potential Land Development Regulation amendments. As a Town of Jackson resident, former member of the TOJ Planning Commission (2018-2025), and Partner with Northworks Architects, I have been involved in various planning and design projects in Jackson both professionally and personally.

The decision to modify the previously approved FY26 Work Plan to include staff analysis of potential LDR updates suggests that the Council believes the changes enacted post-2024 "big building" moratorium were insufficient to significantly alter the trajectory of commercial and multifamily development in Jackson. Considering that only a year has passed since the adoption of the previous updates, I believe it's premature to fully assess their effectiveness. Projects subject to the new regulations have likely not yet received entitlements, and several projects, including the Mogul Capital project, proceeded under the moratorium guidelines.

The five options presented by staff vary in complexity regarding analysis, implementation, and outcomes. However, one option that stands out as potentially detrimental to development and design character is reducing building height limits.

I respectfully **do not support reducing building height limits** as proposed in the staff report.

I appreciate the Council's concern about building scale, mass, and community character. However, I believe that **blanket height reductions are unlikely to meaningfully address the problems the Town is trying to solve**, and may instead create unintended consequences for housing delivery, design quality, and project feasibility.

First, I strongly agree with the staff's observation that **updates to the Design Guidelines**, while a larger and longer-term undertaking, have the potential to make a **far greater impact** on what the community perceives as problematic than across-the-board height reductions. The issues residents often raise—bulk, monotony, poor street engagement, loss of character—are primarily **massing, proportion, articulation, and design problems**, not simply height problems. More prescriptive and contemporary Design Guidelines, combined with stronger setbacks and modulation standards, would allow the Town to directly shape how buildings are experienced, rather than reducing height in a way that may not change perceived scale in a meaningful way.

Second, the proposed height reductions do not adequately account for the reality of **current and future building codes**. Modern structural, life-safety, and energy codes (including the

IBC, IRC, and IECC) require:

- deeper structural systems,
- thicker floor assemblies,
- higher mechanical and energy-performance requirements, and
- more robust fire and acoustic separations.

These requirements **inevitably increase floor-to-floor heights** compared to older buildings. Reducing overall height limits without recognizing this reality risks forcing:

- fewer stories where zoning intends multiple stories,
- compromised building systems, or
- inefficient designs that work against energy and sustainability goals.

Third, I do not understand how a reduction in allowable height — which by definition reduces **building volume** — can realistically be expected to **not have a negative impact on the ability to meet allowed FAR**, particularly on constrained urban sites. In practice, when height is reduced:

- projects often lose entire floors,
- FAR becomes harder to achieve efficiently, and
- development pressure shifts toward wider, bulkier buildings or fewer housing units.

This is especially concerning in mixed-use and multi-family districts, where efficient vertical development is essential to meeting housing and economic goals.

For these reasons, I respectfully urge the Council to:

- prioritize a comprehensive update to the Design Guidelines,
- focus on targeted massing tools such as stronger stepbacks, modulation, and façade standards, and
- be cautious about height reductions that may reduce housing capacity and design flexibility without clearly solving the underlying issues.

I support refining the LDRs to address development impacts, but I believe **design quality and massing controls, not blanket height reductions, are the more effective and durable tools** to achieve the community's goals.

Thank you for your thoughtful consideration.

Abigail Petri



MEMORANDUM

To: Paul Anthony
Director, Town of Jackson Planning and Building

From: April Norton
Director, Jackson/Teton County Affordable Housing Department

Re: Options for changes to LDRs to Address Development Impacts (PM25-011)

Date: January 9, 2026

Thank you for the opportunity to review and comment on your upcoming January 20, 2026 workshop with Town Council to discuss potential Land Development Regulation changes to address development impacts. We are looking forward to collaborating with your team as this work moves forward. Please contact me with any questions or other feedback you may have.

Summary points:

1. Changes to the 2:1 Tool may impact the private sector's contribution providing deed restricted housing, putting more pressure on the public sector. We need more info to make sure changes do not effectively eliminate the tool's use.
2. Reducing maximum building heights will negatively affect the number of affordable workforce homes that can be built and the cost per home created – whether by the private sector or via a public-private partnership.
3. Generally, reducing short-term rentals is a pro-housing policy, but we need more study and should consider increasing development potential for residential uses in place of short-term rentals.
4. Other items to consider as part of these potential LDR amendments: Affordable Housing Overlay and expansion of housing tools, improve residential design standards, adjust maximum building height standards on slopes, eliminate housing credits for uses that did not provide housing mitigation.

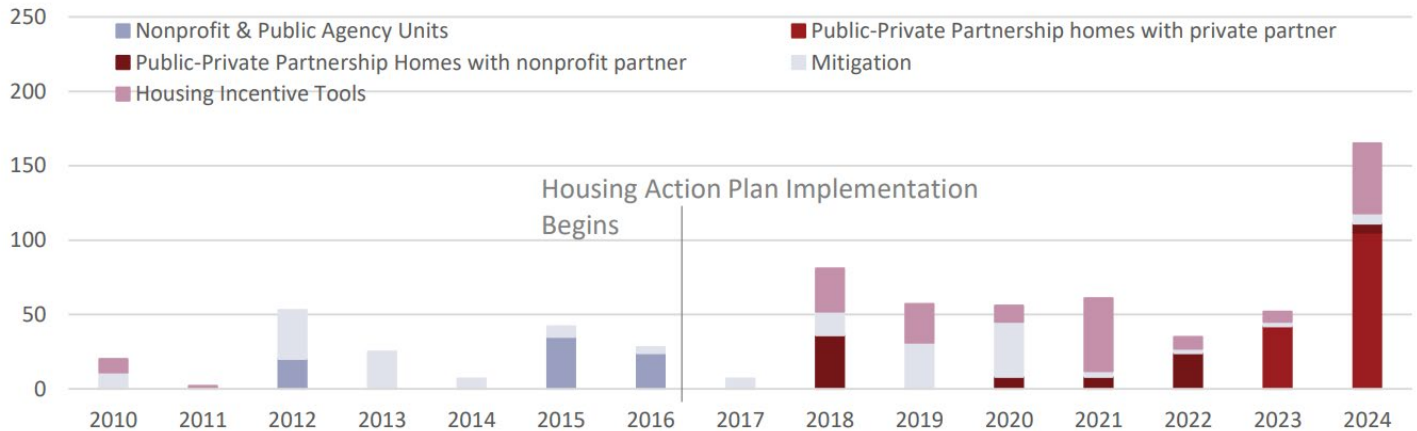
Setting the housing table: consider the context of all housing tools

The need for affordable workforce housing in our community continues to outpace its availability. We must consider resilience of the variety of housing tools available to our community before making LDR changes.

- Housing Mitigation: the regulatory requirement that developers offset a portion of the local housing need generated by their own development is continually questioned at the state legislature and is currently being contested in court against Teton County and could one day no longer exist. This is a primary source of both funding for housing and development of new deed restricted housing.
- Public investment in housing: Capital streams may narrow considering reduced property tax collection.
- Philanthropy and private non-profits: Pace of upcoming developments, like Northern South Park, depend on scaling-up of resources, and likely will require public investment, like Nelson Drive.

- Incentive tools: Currently limited to 2:1 Tool, 4th story, and exemptions for 100% deed restricted developments. These tools do not require public financial subsidies and are a way to leverage private capital and bring private developers to the housing table.

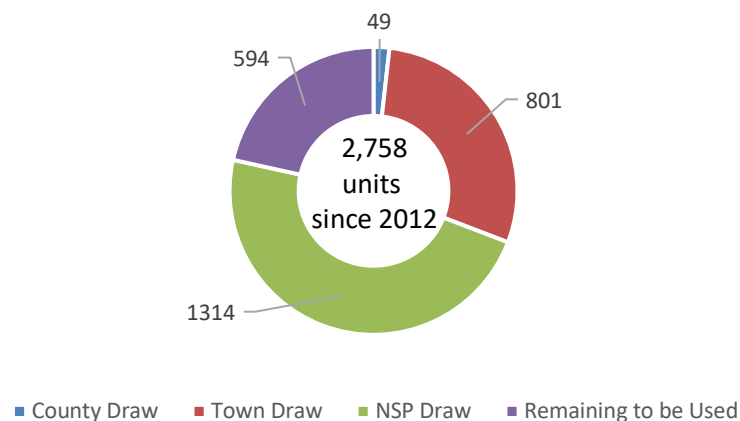
Using our housing toolbox we have seen Affordable & Workforce housing production increase 260% compared to before implementation.



Increasing regulatory barriers to providing housing is contrary to the guidance of the Comp Plan and Housing Action Plan. A key question for consideration: should LDR changes that will impede the production of permanently deed restricted housing (incentive tools, building height, etc.) as a reaction to perceived overdevelopment or concerns about community-wide scale of development be considered *after* the upcoming Comp Plan update?

Use of housing incentive tools are limited by the number of unallocated residential unit entitlements within the Town and County's collective growth cap. The cap is the amount of residential development allowed and planned for in the Town and County's 1994 zoning. The remaining amount of residential development allowed in the Town and County is reported annually in the Jackson/Teton County Comprehensive Plan Indicator Report.

Units as of 2024 Year-End



Trade-offs between housing production and development impacts must consider the remaining unallocated residential unit pool, unit use trends, most effective future unit use, and any possibility of growth management program change that replenishes or reallocates pooled units.

In short, considering threats to our requirements and funding resources, we encourage deliberate consideration of any changes or upgrades to housing incentives, as well as the creation of new potential incentive tools, and look forward to working with your team on this.

Workforce Housing Floor Area Bonus (2:1 Tool)

Since implementation in 2018, use of this tool has created 36 privately developed deed restricted units.

- 32 Workforce Rental
- 4 Workforce Ownership

Correspondingly, 47 additional market-rate units have been created – 40 rentals and 7 ownership. A data snapshot is provided below and summaries by individual properties are provided as a separate attachment.

	1120 South Park Loop	Glenwood Condos Phase 1	10 E. Simpson	367 S. Willow	445 Vine Street	The Gables Apartments	Veronica Lane Apartments	Glenwood Condos Phase 2	80 E Karns (St Johns Hospital)	TOTALS
Building Size (sf)	12,254	29,979	--	4,234	4,582	20,847	23,465	--	14,169	
Max Base FAR (sf)	10,802	27,300	3,450	3,000	3,238	11,373	11,739	18,200	6,000	
Bonus Above FAR (sf)	9,080	17,778	1,398	1,234	1,344	9,474	11,726	8,201	8,169	
% Bonus	84%	65%	41%	41%	42%	83%	100%	45%	136%	
WF Rental Units	5	2	1	1	1	7	9	1	3	30
WF Own. Units	0	2	0	0	0	0	0	2	0	4
Market Rental	8	0	0	0	2	9	14	0	6	39
Market Own.	0	4	1	0	0	0	0	1	0	6
Market/WF Ratio (by sf out of 2)	1.27	1.66	1.89	0	1.11	1.75	1.74	0.56	2	
Average WF Rent/Price	\$2,546	\$2,250 \$1.5m	\$2,270	\$3,950	\$2,675	\$3,323	\$2,463	\$1.5m	\$1,909	
% Discount/sf for WF	5%	54%	--	--	--	0%	17%	60%	0%	
Average MFI % of WF Units	109%	80% and 308%	92%	140%	108%	113%	99%	364%	73%	
MFI Range of WF Units	120- 160%	80- 160%+	120- 160%	160%+	120- 160%	120- 160%	120- 160%	160%+	80- 120%	
Average Household MFI %	111%	137%	70%	183%	114%	99%	80%	--	87%	
Average % income spent on housing	28%	19%	39%	23%	25%	38%	40%	--	23%	

* The following developments were excluded from the table above:

- 160 E Broadway Avenue: 1 Workforce Rental unit, out of compliance = incomplete resident data
- 645 S Cache Street: 1 Workforce Rental unit, free rent offered as employment benefit = skews rental data
- The Loop: We anticipated having rental cost and occupancy data on The Loop by the end of 2025 to inform this 2:1 Tool discussion. As the largest development to use the tool, essentially doubling the number of all 2:1 Tool units built to date, this data is integral to understanding the market environment in which these units exist, the households they serve, and additional direct comparison between identical restricted and market homes within the same development. Considering the importance of this data, 2:1 Tool amendment may be better informed once this data is available after completion of The Loop this year.

Note that changing the 2:1 Tool does not impact the Deed Restricted Housing Exemption. LDR Division 7.8. – Workforce Housing Incentive Program has separate sections for 7.8.3. – Deed Restricted Housing Exemption and 7.8.4. – Workforce Housing Floor Area Bonus (2:1 Tool). The options presented for amendment of the 2:1 Tool (ratio, restriction type, etc.) are not relevant to the incentive tool exempting required or voluntary deed restricted housing from Maximum Floor Area Ratio (FAR), thresholds for physical development permits, required Affordable Workforce housing, and the limit on 20 percent expansion of a nonconformity.

Public-Private Partnerships in which the Housing Department participates use the Deed Restricted Housing Exemption, not the 2:1 Tool, because achieving additional market-rate residential floor area is not the intent of these developments.

- 7.8.3. – Deed Restricted Housing Exemption
 - A. **Intent.** Deed restricted housing is required by [Division 6.3.](#), and other standards of these LDRs. A landowner may also voluntarily deed restrict housing. In order to encourage incorporation of required and voluntary deed restricted housing into development, deed restricted housing is exempt from certain LDRs.
 - B. **Applicability.** The exemptions of this section shall apply to the following floor area.
 - 1) **Required Restricted Housing.** Floor area in a residential unit that is required to be restricted in order to comply with [Division 6.3.](#) or another standard of these LDRs.
 - 2) **Voluntary Restricted Housing.** Floor area in a residential unit that is subject to an affordable or workforce deed restriction, acceptable to the Jackson/Teton County Housing Department, which is recorded with the County Clerk, that is not required by [Division 6.3.](#), or another standard of these LDRs.
 - C. **Exemptions.** Floor area meeting the applicability standards of this section is exempt from calculation of the following standards, but is still subject to all other applicable standards of these LDRs.
 - 1) Maximum Floor Area Ratio (FAR)
 - 2) Thresholds for physical development permits
 - 3) Affordable workforce housing required by [Division 6.3.](#)
 - 4) Limit on 20 percent expansion of a nonconforming physical development

Housing Supply Board recommendations on the 2:1 Tool:

1. Create different 2:1 standards for sale vs rental Workforce units that acknowledge the market environment for different product types.
2. Examine how the 2:1 Tool influences the size of buildings in the context of all big buildings in the Town.
3. Identify the problem we are trying to solve—big buildings, more affordability, or both?
4. Cap the sizes of Workforce units resulting from 2:1 Tool:

- 800sf for a 1-bedroom unit
- 1,500sf for 2 or more-bedroom units

Housing Director recommendations on the 2:1 Tool:

1. Before making changes to the ratio, affordability requirement, or number of units that can be used, we need evidence that altering the 2:1 tool is not effectively eliminating its use by the private sector.
 - Update the 2016 Workforce Housing Incentives feasibility study (Housing Dept. staff have started working on this)
 - Talk to developers that have used or are planning to use this tool
 - Examine previous use ratios that are less than 2:1 for policy opportunity to maximize restricted units or affordability.
 - Create a projection of the number and type of restricted units likely to result from change to the tool.
2. Explore sliding scale options that give developers more choices to adapt the 2:1 Tool to suit individual developments.

Building Height:

Unlike the 2:1 Tool, reducing maximum building height allowances impacts both private and public investment in housing. Reducing what can be built on a property will increase the land basis per housing unit, increasing the cost of building per unit, and may decrease livability (light, ceiling height, etc.). We also expect that reducing maximum building heights will result in more flat roofs, which may relate to the development impact issues planners and Council are seeking to address. Housing staff contacted the architects for three of our partnership developments to better understand how these changes would have affected the housing that was built.

On Jackson Street Apartments (CR-2 & NH-1 zones):

This would have been a fairly prohibitive restriction for us. All 3 buildings in the NH-1 would have lost a whole story worth of units.

Or the spaces would have suffered. I.E:

- *We would have had to have pushed the lowest level in to the ground another approximately 18". Creating a "Basement feel" to this lower level.*
- *The ceiling heights would have had to have been reduced to 8' or lower.*

On the north commercial lots. We would have had to have taken 19" from our building height. Which we would have had to have solved in a similar fashion as the NH-1 lots.

This is just a high level glance/analysis. I would have to dig deeper to actually see the ramifications of such a change. I am not entirely sure that we could have even made it work, without significant changes. With the 7 feet of slope across our site, and how the Town measures grade to building height, our west faces of each of the building would become our critical point for this analysis. Had this been in place, we may have had to have taken more out of these buildings, and potentially lost floors.

On 174 N. King (DC zone):

Thanks for your question and I do think it would be detrimental to reduce the heights as proposed.

Example:

Commercial Districts: (for mixed use building) shopfront requires 12' floor to ceiling on first floor. All other floors must be 9'. With these minimums and a minimum floor pack and plenum space of 2' these changes would be very difficult to comply with.

12'+2'+9'+2'+9'+2' = 36' – if you add in a foot for grade elevation and a foot for parapet, you are maxed out with minimums. Other building frontages might be simpler, but 90% of all buildings are shopfront to comply with the comp plan of having an engaging pedestrian experience. Keeping the existing is most practical and will allow affordable projects to be built cost effectively rather than cramming structural and MEP systems into spaces that are too tight. You would not be able to have any vaulted ceilings like the top units at King street. The town is going to end up with flat roof boxes that are all maxed out to their new proposed height. I doubt this is what they are trying to achieve.

I strongly disagree with the other changes in more residential areas. It is going to be really difficult to make NM-2 and NH-1 work with up to 8 units and parking without existing heights.

On the lower density areas, it basically eliminates the option of a real second floor at 22' (depending on architecture). Look at golf and tennis as an example (19'). The town would also push designs towards boxes.

On Kelly Place Condos (NH-1 zone)

Thanks for the question, at first glimpse I would comprehensively be against lowering buildings height limits. It's incredibly restrictive with respect to being able to design stories 3, or 4. We typically try to design spaces with 9' min. ceiling heights ... which is based on our ability to design structure and HVAC spaces between stories. By reducing maximum heights construction systems will become more restrictive and therefore more costly, the spaces will all begin to shrink and would have negative impacts on the livability. This seems like a horrible idea.

Housing Supply Board & Housing Director recommendations on building height:

1. Do not reduce maximum allowed building height.
2. If maximum building height standards are reduced, exempt developments that meet or exceed a certain housing restriction threshold (i.e. 50%+ deed restricted).

Short-Term Rentals:

Short-term rentals generate more local employees and are less likely to serve local workers than residential uses, so reducing or eliminating their development generally is a pro-housing policy. However, we need more study and consideration of increasing development potential for residential uses in place of short-term rentals.

Housing Supply Board & Housing Director recommendations on short-term rentals:

1. Study how many properties this would apply to and the associated trade-offs.
2. Explore housing incentives or by-right development allowances to be paired with this change to maintain the value of the property for the owner and shift to long-term housing production

What is missing?

The Housing Supply Board and Housing Director would like the following items added to the workshop for consideration of LDR amendments:

1. Explore how we can expand housing incentive tools by creating an Affordable Housing Overlay or suite of housing incentives.

- a. More density bonuses
 - b. Reduced regulatory requirements, including parking
 - c. Identification of opportunity areas = make housing easier to build where we want it to be built
- 2. Improve design standards for residential development focusing on streetscape and better integration of new buildings into human scale and experience.
- 3. Adjust maximum building height standards to allow terracing up hillsides = better integration of built environment with natural forms and increased opportunity for housing development
- 4. Revise housing mitigation regulations to eliminate credit for existing or historical uses that did not provide housing mitigation.

Thank you, again, for the opportunity to provide feedback. The team at the Housing Department are excited to work collaboratively with Planning staff, and other Town and County staff, to meet housing goals along with other community needs. We are happy to bring our expertise and the involvement and expertise of the Housing Supply Board as requested and helpful.

10 E Simpson

Max Base SF	3,450	Zone	OR	Bonus SF Ratio	1.89							
Bonus SF	2,445	Max Base FAR	0.46									
Total SF	5,895	Year Completed	2022									
% SF Increase	71%	Ind. Building Size										
UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:		
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income	HH MFI %	
Workforce Rental												
1B	1	845	\$2,270	\$2.69	2025	92%	120%-160%	0	\$15,981.29	39%	70%	
Market Ownership												
2	2	1600	conveyed to family					0.067	\$0.00	not collected		
TOTALS:	3	2445							0.067	\$15,981.29		

80 E Karns

Max Base SF	6,000	Zone	NH-1	Bonus SF Ratio	2.02							
Bonus SF	8,169	Max Base FAR	0.4									
Total SF	14,169	Year Completed	2024									
% SF Increase	136%	Ind. Building Size	14,169									
UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:		
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income	HH MFI %	
Workforce Rentals												
102	studio	494	\$1,409	\$2.85	2025	67%	80-120%	0	\$174,346.22	16%	109%	
205	2	1065	\$2,159	\$2.03	2025	76%	80-120%	0	\$271,953.24	30%	76%	
208	2	1065	\$2,159	\$2.03	2025	76%	80-120%	0	\$271,953.24	24%	77%	
Market Rentals												
	studio	499	\$1,409	\$2.82	2025	67%	80-120%	0.015	\$0.00	not collected		
	studio	499	\$1,409	\$2.82	2025	67%	80-120%	0.015	\$0.00			
	2	1073	\$2,159	\$2.01	2025	76%	80-120%	0.04	\$0.00			
	2	1073	\$2,159	\$2.01	2025	76%	80-120%	0.04	\$0.00			
	2	1073	\$2,159	\$2.01	2025	76%	80-120%	0.04	\$0.00			
	2	1073	\$2,159	\$2.01	2025	76%	80-120%	0.04	\$0.00			
TOTALS:	12	7914							0.19	\$718,252.70		

367 S Willow

Max Base SF	3,000	Zone	NM-2	Bonus SF Ratio	0.00
Bonus SF	1,234	Max Base FAR	0.4		
Total SF	4,234	Year Completed	2022		
% SF Increase	41%	Ind. Building Size	4,234		

UNITS:						Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income	HH MFI %
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year						
Workforce Rental											
2nd Floor	2	999	\$3,950	\$3.95	2024	140%	>160%	0	\$71,009.20	23%	183%
TOTALS:	2	999						0	\$71,009.20		

445 Vine

Max Base SF	3,238	Zone	NM-2	Bonus SF Ratio	1.11							
Bonus SF	1,344	Max Base FAR	0.4									
Total SF	4,582	Year Completed	2021									
% SF Increase	42%	Ind. Building Size	4,582									
UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:		
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income	HH MFI %	
Workforce Rentals												
103	1	448	\$2,675	\$5.97	2025	108%	120%-160%	0	\$15,981.29	25%	114%	
Market Rentals												
	1	448		\$0.00		0%		0.013	\$0.00	not collected		
	1	48		\$0.00		0%		0.013	\$0.00			
TOTALS:	3	944							0.026	\$15,981.29		

1120 South Park Loop

Max Base SF	10,802	Zone	CR-3	Bonus SF Ratio	1.27
Bonus SF	9,080	Max Base FAR	0.4		
Total SF	19,882	Year Completed	2021		
% SF Increase	84%	Ind. Building Size	12,254		

UNITS:	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income	HH MFI %
Workforce Rentals											
201	2	800	\$2,595	\$3.24	2025	92%	120%-160%	0	\$71,009.20	20%	139%
202	2	800	\$3,100	\$3.88	2025	110%	120%-160%	0	\$71,009.20	34%	85%
204	2	800	\$3,600	\$4.50	2025	127%	120%-160%	0	\$71,009.20	37%	86%
205	2	800	\$2,597	\$3.25	2025	92%	120%-160%	0	\$71,009.20	24%	113%
207	2	800	\$3,600	\$4.50	2025	127%	120%-160%	0	\$71,009.20	24%	131%
Market Rentals											
101	1	400	\$2,025	\$5.06	2025	82%	120-160%	0.011	\$0.00	not collected	
102	1	400	\$1,970	\$4.92	2025	80%	80-120%	0.011	\$0.00		
206	1	400	\$1,970	\$4.92	2025	80%	80-120%	0.011	\$0.00		
208	2	776	\$3,179	\$4.10	2025	112%	120-160%	0.026	\$0.00		
209	2	776	\$3,142	\$4.05	2025	111%	120-160%	0.026	\$0.00		
210	2	776	\$3,200	\$4.12	2025	113%	120-160%	0.026	\$0.00		
211	2	776	\$3,142	\$4.05	2025	111%	120-160%	0.026	\$0.00		
212	2	776	\$3,193	\$4.11	2025	113%	120-160%	0.026	\$0.00		
TOTALS:	23	9080						0.163	\$355,046.00		

The Gables (255 S. Highway 89)

Max Base SF	11,373	Zone	CR-3	Bonus SF Ratio	1.75
Bonus SF	9,474	Max Base FAR	0.4		
Total SF	20,847	Year Completed	2023		
% SF Increase	83%	Ind. Building Size	20,847		

UNITS:	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income	HH MFI %
Workforce Rentals											
204	1	493	\$2,809	\$5.70	2025	113%	120-160%	0	\$174,346.22	19%	159%
206	1	493	\$2,601	\$5.28	2025	105%	120-160%	0	\$174,346.22	43%	73%
208	1	493	\$2,601	\$5.28	2025	105%	120-160%	0	\$174,346.22	52%	61%
210	1	493	\$2,800	\$5.68	2025	113%	120-160%	0	\$174,346.22	27%	110%
212	1	493	\$2,895	\$5.87	2025	117%	120-160%	0	\$174,346.22	23%	134%
310	1	493	\$3,039	\$6.16	2025	123%	>160%	0	\$15,981.29	36%	101%
312	1	493	\$2,861	\$5.80	2025	116%	120-160%	0	\$174,346.22	66%	52%
Market Rentals											
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00	not collected	
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00		
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00		
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00		
	1	489	\$2,892	\$5.91	2025	117%	120-160%	0.014	\$0.00		
	2	901	\$4,774	\$5.30	2025	169%	>160%	0.031	\$0.00		
	2	901	\$4,774	\$5.30	2025	169%	>160%	0.031	\$0.00		
	2	901	\$4,774	\$5.30	2025	169%	>160%	0.031	\$0.00		
	2	901	\$4,774	\$5.30	2025	169%	>160%	0.031	\$0.00		
TOTALS:	20	9500						0.194	\$1,062,058.58		

Glenwood Condos 1

Max Base SF	27,300	Zone	DC-2	Bonus SF Ratio	1.66					
Bonus SF	17,778	Max Base FAR	1.3							
Total SF	45,078	Year Completed	2022							
% SF Increase	65%	Ind. Building Size	29,979							
UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income
Workforce Rentals										
18	1	1089	\$2,500	\$2.30	2025	101%	120-160%	0	\$15,981.29	19%
19	3	1866	\$2,000	\$1.07	2025	63%	80-120%	0	\$416,437.21	19%
Workforce Ownership										
20	3	1866	\$1,225,000	\$656.48	2024	260%	>160%	0	\$201,040.22	not collected
21	3	1866	\$1,680,000	\$900.32	2023	357%	>160%	0	\$201,040.22	
Market Ownership										
	3	2772	fractional					0.143	\$0.00	not collected
	3	2772	\$4,950,000	\$1,785.71		1052%	>160%	0.143	\$0.00	
	3	2772	\$4,350,000	\$1,569.26		924%	>160%	0.143	\$0.00	
	3	2772	unknown					0.143	\$0.00	
TOTALS:	22	17775						0.572	\$834,498.94	

STR allowed: \$2,078.48
 \$2,241.90

HH MFI %
161%
112%

Glenwood Condos 2

Max Base SF	18,200	Zone	DC-2	Bonus SF Ratio	0.56					
Bonus SF	8,201	Max Base FAR	1.3							
Total SF	26,401	Year Completed	2025							
% SF Increase	45%	Ind. Building Size								
UNITS:						Equivalent	Income	Equivalent	Subsidy	RESIDENTS:
	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	MFI %	Category	Mitigation	Estimate	% HH Income
Workforce Rentals										
24	3	1878	not yet rented							
Workforce Ownership										
22	2	1601	\$1,375,000	\$858.84	2025	329%	>160%	0	\$201,040.22	not yet sold
23	3	1893	\$1,595,000	\$842.58	2025	339%	>160%	0	\$201,040.22	
Market Ownership										
30	3	3018	\$6,450,000	\$2,137.18	2025	1370%	>160%	0.161	\$0.00	not collected
TOTALS:	11	8390							0.161	

STR allowed: \$1,783.50
\$1,709.14
\$1,977.72
\$2,006.00
\$2,137.18
\$2,196.92

HH MFI %

HH MFI %

235 Veronica Lane

Max Base SF	11,739	Zone	CR-3	Bonus SF Ratio	1.74
Bonus SF	11,726	Max Base FAR	0.4		
Total SF	23,465	Year Completed	2024		
% SF Increase	100%	Ind. Building Size	23,465		

UNITS:	Bedroom #	Unit Size (sf)	Price/Rent	Price/SF	Year	Equivalent MFI %	Income Category	Equivalent Mitigation	Subsidy Estimate	RESIDENTS: % HH Income	HH MFI %
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Workforce Rentals												
205	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	36%	72%	
206	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	41%	64%	
210	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	18%	170%	
211	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	38%	79%	
212	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	58%	52%	
213	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	44%	69%	
214	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	41%	64%	
215	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	31%	95%	
216	1	475	\$2,463	\$5.19	2025	99%	120%-160%	0	\$15,981.29	54%	55%	

Market Rentals										
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	not collected
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	1	480	\$3,018	\$6.29	2025	122%	>160%	0.014	\$0.00	
	2	723	\$4,488	\$6.21	2025	159%	>160%	0.024	\$0.00	

	2	723	\$4,488	\$6.21	2025	159%	>160%	0.024	\$0.00	
	2	723	\$4,488	\$6.21	2025	159%	>160%	0.024	\$0.00	
TOTALS:	26	11724						0.226	\$143,831.61	



Re: Land Development Regulation Updates

October 23, 2025

Dear Mayor Jorgensen and Town Councilors,

Thank you for taking on this important process of updating our Land Development Regulations. ShelterJH board member Whitney Oppenhuizen shared comments during the workshop on October 20, and we wanted to provide them in writing as well.

We urge you to use this opportunity to incentivize **what our community truly needs—homes, especially deed-restricted ones**—and to *disincentivize what we don't need*: excessive, rampant, and unmitigated commercial and luxury development that worsens our housing shortage. ShelterJH supports the right kind of growth that allows local residents, working people, families, and seniors to continue living locally. We need to ensure that the people already here have stable, attainable homes.

Even before the recent development moratorium, there has been strong community support for proactive updates that align our LDRs with our community's priorities and Comprehensive Plan goals. Some actions to consider include:

- **Parking updates**
 - **Removing parking minimums** to free up space and reduce costs for developers and occupants while furthering our climate and transportation goals.
 - **Allowing developers to decouple rent and parking space costs** to offer maximum flexibility for occupants and reduce single occupancy car dependency.
 - **Implementing paid parking and investing in alternative transit** to manage demand and foster meaningful transportation options.
- **Accessory Residential Unit (ARU) updates**
 - **Creating an ARU handbook** with pre-approved designs to streamline applications and permitting for locals who want to add small, attainable units.
 - **Allowing mobile homes as ARUs**, creating flexible, lower-cost housing options that can be built quickly.
- **Updating housing mitigation rates** to reflect current construction costs, so development meaningfully contributes to the housing for which it creates demand.
- **Revising the 2-for-1 tool** to make sure the community benefits proportionally to developers while protecting the tool from state overreach.
- **Continuing to strengthen short-term rental regulations** and investing in enforcement and public education regarding new regulations, ensuring that homes serve residents first.

- **Eliminating the legacy housing credit**, which no longer reflects today's housing realities.

Each of these ideas supports Comprehensive Plan goals to protect the ecosystem and house at least 65% of our workforce locally. We want to address the housing crisis and there are tools to do it. This LDR update is a critical opportunity to align our policies with our shared values and make it easier to build homes local workers can actually afford.

Thank you for your time, your leadership, and your continued commitment to housing locals locally.

Best,

A handwritten signature in black ink that reads "Clare Stumpf". The signature is written in a cursive, flowing style.

Clare Stumpf

On behalf of ShelterJH board members and membership

Teton Resilience Network

Re: Options for Changes to LDRs to Address Development Impacts

January 16, 2026

Dear Mayor Jorgensen and Council Members,

We are writing on behalf of the Teton Resilience Network, a new organization formed through the merger of the Riverwind Foundation and the Jackson Hole Climate Action Collective. Our mission is to advance sustainable, equitable, and climate-resilient communities in the Tetons and beyond.

The January 20 workshop and associated scoping materials pose a clear question to this body: *Are there any other LDR changes the Council wants to direct staff to bring back for future consideration by the Planning Commission and Council?* **Our request is yes.**

In April 2025, staff identified “Sustainability LDRs” as a potential scope of work, but recommended waiting until after the Comprehensive Plan update, or possibly addressing them through a smaller effort in FY27 or beyond. That recommendation appears to have carried forward, as Sustainability LDRs are not included among the priorities outlined in the January 20 Staff Report.

We are deeply concerned by the continued deferral of sustainability and climate standards. As we stated in public comment on October 20, 2025, postponing Sustainability LDRs until after a multi-year Comprehensive Plan update risks permitting additional development projects that not only fail to adequately account for climate, ecological, and social externalities, but actively exacerbate them.

While we understand staff have limited time and capacity to take on LDR amendments and recognize that sustainability updates may not be prioritized in the current work plan, we strongly urge the Council to prioritize Sustainability LDRs in FY27.

At the same time, “sustainability” should not be treated as a standalone issue. The social, ecological, and broader community impacts of development are present regardless of which LDR amendment is under consideration. Decisions related to building height, workforce housing incentives, basements, land use, and design standards all carry real environmental and community consequences. When we don’t count these impacts upfront, the costs don’t go away – residents and the natural environment end up paying for them later.

We respectfully ask the Council to direct staff to:

1. Prioritize Sustainability LDRs that address the social and ecological impacts of development as a targeted effort in the FY27 work plan, rather than deferring them until after the Comprehensive Plan update.

Examples of Sustainability LDR concepts the Council could direct staff to explore could include:

- Low-carbon development incentives, such as density bonuses or other regulatory incentives tied to verified low-carbon building design and operations.
- Parking and transportation reforms that reduce vehicle miles traveled, including reassessing minimum parking requirements, requiring transit access or shuttle service for larger developments, and strengthening active transportation infrastructure connections.
- On-site renewable energy readiness and production, including assessment of rooftop photovoltaic viability for projects above a specified size, encouraging roof orientation and design to optimize solar gain, and omitting solar arrays from height limitations.
- Water-smart landscaping standards, including increased minimum landscaping requirements paired with water-efficient, climate-appropriate plantings and irrigation practices.
- Construction and operational waste reduction requirements, such as construction waste management plans with clear diversion targets, design strategies that reduce waste generation from the outset, and on-site recycling and composting facilities for larger residential and commercial developments.

2. Apply social and ecological externalities as a standard evaluative lens across all LDR amendments moving forward, rather than treating them as a separate or optional consideration.

Thank you for your service and consideration of this important matter.

In service of our community and ecosystem,



Ali Dunford

On behalf of the Teton Resilience Network Board



Advocating for wildlife, wild places, and responsible planning in Jackson Hole since 1979

January 19, 2026

Dear Mayor, Members of the Town Council, and Planning Director Anthony,

Subject: Consideration of Town LDR Amendments

Thank you for advancing these important Land Development Regulation (LDR) amendments to strengthen protections for our community. We appreciate the Council's willingness to engage in substantive reform and encourage you to maintain this momentum by directing planning staff to move forward expeditiously.

As you consider which amendments to advance, it is critical to look beyond development impacts alone and focus on the scale, intensity, and land uses that best serve the long-term needs of Jackson – particularly the balance between commercial developments, short term rentals, and housing that supports full-time residents and working families. The choices made through this process will directly shape whether our community remains livable and economically resilient.

The Jackson Hole Conservation Alliance (JHCA) agrees that the amendments identified in the scoping staff report should be addressed swiftly. As you prepare to provide direction to staff at your January 20th workshop, we respectfully offer the following recommendations:

Building Height, 2:1 Workforce Housing Bonus, and Short-Term Rentals

In considering amendments related to allowable building height and the 2:1 Workforce Housing Bonus, we share the concerns raised by housing partners that, without careful calibration, changes to the LDRs could unintentionally reduce opportunities for developer-provided affordable housing – further undermining the Town's role as the community's heart. Incentives must be structured deliberately to ensure they produce deed-restricted housing for full-time residents, not simply larger buildings that intensify our housing shortage without delivering public benefit.

Our current big building regulations are not meeting the community's needs, and the 2:1 workforce housing bonus, as currently structured, is not working. We strongly recommend **returning to the previous 15,000-square-foot maximum** building size for nonresidential and market rate uses. This reduction in floor area will provide opportunities to meaningfully incentivize deed restricted housing by allowing developers to “fill the box” only when at least

75 percent of the development is dedicated to affordable housing. Incentives must be earned, and affordable housing should be the primary and clear beneficiary.

Finally, we urge the Council to direct staff to conduct a comprehensive analysis of short-term rental allowances within town. The unchecked proliferation of short-term rentals has led to dark buildings, weakened neighborhood vitality, and the continued erosion of opportunities for full-time and affordable housing. Strengthening housing policy within town is essential not only to support the people who live and work here, but also to reduce pressure for growth to spill into surrounding rural and resource lands. Thoughtful, intentional planning in town is one of the most effective tools we have to preserve the rural character and environmental integrity of the county as a whole.

Basements

The JHCA strongly believes basements should be formally limited to a single level, as implied by the lack of reference to multiple basements in the LDRs. Further, the basement floor area should not receive a blanket FAR exemption. Floor area intensifies impacts, infrastructure demand, and community character regardless of whether it is above or below grade. We urge the Council to **limit basement FAR exemptions to one level of parking or to affordable housing** developments.

Environmental Impacts

This amendment process presents a critical opportunity to establish clear, enforceable environmental standards within the LDRs. While we recognize that amendments to the Natural Resource Overlay (NRO) are underway, many important environmental issues such as groundwater protection, surface water quality, and soil contamination may not be adequately addressed by the NRO alone. This is particularly true for areas that do not fall within the mid- or high-tier NRO, where additional analysis and mitigation is typically required. Because these impacts occur throughout town, they should be addressed through town-wide standards in the LDRs. We therefore urge the Council to direct staff to bring forward comprehensive, town-wide environmental standards that apply regardless of NRO tier.

Design Guidelines

We concur that amendments to the Design Guidelines would be more effective if pursued as a separate, standalone amendment. In addition, we recommend incorporating agreed upon design standards directly into the LDRs as enforceable requirements rather than advisory guidelines. Doing so would provide greater clarity and consistency, strengthen implementation,

and ensure that community supported standards can be required and upheld by both staff and the Town Council.

Additional LDR Amendments for Consideration

Lot Aggregation

We encourage the Council to consider limitations on lot aggregation. This tool can help preserve Jackson's small town character by ensuring that new development remains compatible in scale and form with surrounding neighborhoods.

Sustainable Development Standards

At the conclusion of the Big Building Moratorium in fall 2024, the Town Council directed staff to consider eight specific items, many of which are included in this workshop. Notably absent, however, are sustainability standards. The JHCA supports the recent public comment from the Teton Resilience Network and strongly advocates for the integration of sustainability standards throughout the LDRs. We further recommend that this work be prioritized in the FY27 work plan.

In closing, we urge the Town Council to provide clear and decisive direction to staff to move forward with these amendments, particularly those that strengthen the balance between commercial and residential uses. These reforms are essential to ensuring that development in town functions as our largest complete neighborhood, while prioritizing development and uses that serve the people who live and work here.

Thank you for your leadership and continued commitment to the long-term health of our community.

Sincerely,

A handwritten signature in black ink that reads "Amy Kuszak". The signature is fluid and cursive, with a red dot visible above the letter 'y'.

Amy Kuszak
Community Planning Director

STAFF REPORT



Meeting Date:	June 3, 2026	Meeting Title:	Planning Commission
Submitting Department:	Planning Department	Presenter:	Tyler Valentine
Agenda Item:	Development Plan for the Virginian Lodge Apartments at 750 West Broadway Avenue (P25-210)	Public Comment:	Yes

Purpose and/or Policy Considerations.

The purpose of this item is for the Planning Commission to review and make a recommendation on a Development Plan for a new 32-unit apartment project totaling roughly 15,000 sf of habitable floor area. A Development Plan is required in the Commercial Residential-3 (CR-3) zoning district by the Town of Jackson Land Development Regulations (LDRs) for projects with a qualifying floor area exceeding 9,750 sf. The Planning Commission is tasked with reviewing the project for consistency with the LDRs and must be able to make all six Development Plan findings (see the Findings section under Staff Analysis).

Recommendations.

The Planning Director recommends **approval** of a Development Plan for the Virginian Lodge Apartments, consisting of 32 units, located at 750 West Broadway Avenue, subject to the departmental reviews attached hereto, this staff report, and the following conditions:

1. Prior to Town Council review, a total of 11 EVSE-capable and two EVSE-installed spaces shall be provided as part of the project.
2. Prior to Town Council review, the proposed trash and recycling shall be screened according to LDR Section 6.4.2.
3. Prior to Town Council review, the snow storage plan shall be revised so that it does not block the ingress/egress of the southernmost parking spaces adjacent to the new development.
4. Prior to building permit issuance, the applicant shall pay the affordable housing fee of \$124,027.08 for the required 0.455 units.

Project Location.

The property is located at 750 West Broadway Avenue and is legally described as Lot 1, Virginian Addition (Virginian Lodge). An aerial photo is shown below on the following page:



Background/Project Description.

Background on the Site

The subject property (the “property”) is 7.79 acres (339,332 sf), zoned CR-3, and is surrounded by West Broadway Avenue to the north, the START facility to the east, the Virginian RV Park to the south, and Virginian Lane to the west. The property contains several existing structures and uses, including the 164-room Virginian Lodge, two restaurants (Virginian Restaurant and Billy’s Burgers), and the Virginian bar/tavern as the primary uses. The total existing floor area for the site is 95,269 sf. The property currently has access from both West Broadway Avenue and Virginian Lane, with an internal vehicular circulation that provides access throughout the site. The property has 247 on-site parking spaces.

Project Description

The applicant is seeking Development Plan approval for 32 market-rate apartment units within four two-story buildings located in the southeastern corner of the property. The proposal includes approximately 15,000 square feet of total floor area. Each building will contain eight units, consisting of six studio units (341 square feet each) on the first floor and two two-bedroom units (852 square feet each) on the second floor. Although proposed as market-rate units, the applicant indicates that the apartments are intended to serve as employee housing for the uses located on the property. The project will require removal of the six existing nonconforming recreational vehicles historically located in this area of the site and used for on-site employee housing.

All buildings are proposed at just under 29 feet in height and will be connected at the second-story level by non-enclosed stairs and walkways. The proposal also includes reconfiguration of the parking layout, resulting in the removal of 19 existing parking spaces and the addition of 12 new spaces, for a total of 240 on-site parking spaces.

Please refer to the applicant's submittal materials for a complete project description, including associated plans and renderings.

Staff Analysis.

Development Plan Overview

A Development Plan is required because the development's qualifying floor area exceeds 9,750 sf. The purpose of a Development Plan is to review a physical development that is large and complex enough to benefit from a public review. After reviewing the applicant's submittal, staff find that, as conditioned, the proposed project complies with the LDR requirements of the CR-3 zone.

LDR COMPLIANCE TABLE

Development Standard	CR-3 Standards	Proposed	Compliance
Primary Building Setbacks			
Primary street setback (min)	20 feet (Broadway Avenue)	+600 feet	Complies
Secondary street setback (min)	10 feet (Virginian Lane)	+300 feet	Complies
Side interior (min)	5 feet (east and south)	East – 7 feet South – 10.9 feet	Complies
Landscaping			
Landscape Surface Ratio (LSR)	10% = 33,933 sf	47,000 sf	Complies
Plant Units			
Plant Units	1/1,000 sf of LSR 1/12 parking spaces	4 plant units required	Complies
Parking & Vehicular Access Standards			
Curb Cut Width (max)	24 feet	Broadway Ave: +/-45 feet Virginian Lane: +/-140 feet	Complies (existing nonconforming)
Parking Setbacks	Highway: 20 feet Other streets: 10 feet	Broadway Ave: +600 feet Virginian Lane: +200 feet	Complies
Height			
Height @ > 5/12 (max)	42 feet	28 feet 10 inches	Complies
Stories	3	2	Complies
Scale of Development			
Floor Area Ratio	0.40 (339,332 * 0.40 = 135,733 sf permitted FAR)	95,269 sf (existing) + 15,004 sf (proposed) = 110,273 sf	Complies
Maximum Individual Building Size	40,000 sf	3,751 sf per building	Complies
Parking			
Vehicular Stalls Required	Hotel (existing): 164/0.75 = 123 spaces Retail (existing): 2.47/1,000 sf = 7 spaces		Complies

Development Standard	CR-3 Standards	Proposed	Compliance
	Restaurants (existing): 1/73 sf dining = 56 spaces Bar (existing): 1/40 sf bar = 8 spaces Apartments: 36 spaces 240 Spaces Required	240 proposed	Complies
EVSE Parking	EVSE Capable: 30% EVSE Installed: 5%	EVSE Capable: 30% = 11 EVSE Installed: 5% = 2	Complies (as conditioned)
Bike Parking	Residential: .75/Bed = 30	39 proposed Short-term (75%): 23 (meets min) Long-term (25%): 16 (exceeds min)	Complies
Affordable Housing			
Required Affordable Housing	Apartment (Unrestricted) 24 studios: 0.221 units 8 two-beds: 0.233 0.455 units required – fee of \$124,027.08	Fee to be paid prior to building permit issuance.	Complies
Operational Standards			
Trash Enclosure	Required	Provided	Complies, as conditioned.

Design Review Committee (DRC)

The DRC reviewed the proposed project on three occasions and ultimately recommended approval to the Town Council at the April 8, 2026, meeting.

During its initial review, the DRC expressed concerns that the design lacked strong place-making elements and did not adequately relate to the existing development. In response, the applicant made several significant design revisions, including reorienting the two western buildings along an east–west axis to form a U-shaped courtyard that faces west. These changes resulted in meaningful improvements, creating more usable and functional open space, increasing landscaping, better defining building entrances, and strengthening the project’s relationship to the surrounding site.

The DRC also discussed pedestrian and bicycle access to Virginian Lane. Given the auto-oriented nature of the area, constructing a 300+ foot sidewalk connection to Virginian Lane was determined to be impractical and should be considered at a later date when the entire site, or a large portion, is redeveloped. The Committee noted that a 30-foot-wide pathway easement straddles the southern property line, which is intended to accommodate a future east/west pathway connection between Virginian Lane to Karns Meadow Drive. Unfortunately, the timing of the construction of this pathway is tied to the Virginian RV Park redevelopment, which currently has an uncertain future based on recent Town and County discussions.

Vehicular Access/Curb Cuts

As noted above, the site has existing nonconforming curb cuts: four along Virginian Lane and one off West Broadway Avenue. Although the amount of curb cut exceeds the LDR minimum of 24 feet per street frontage, this development does not exceed the 20% expansion trigger to require compliance, and thus, the existing curb cuts can remain. With that said, the southernmost curb cut along Virginian Lane, which straddles the property line of the Virginian RV Park, will likely be modified or removed to accommodate the Virginian RV Park redevelopment and an east-to-west pathway. This all assumes the Town and County successfully develop the Virginian RV Park. As the property currently exists, staff do not have concerns over the access.

Traffic

Currently, the Town's LDRs do not establish specific standards identifying when a traffic study is required or what mitigation measures may be necessary to address traffic impacts. In practice, traffic studies are generally required at the discretion of the Town Engineer or are voluntarily submitted by applicants in anticipation of potential traffic concerns. In this case, the Town Engineer did not require a traffic study and the applicant did not voluntarily provide one. However, the applicant did submit a traffic impact statement, which, while less comprehensive than a full traffic study, provides information regarding projected AM and PM peak-hour trips.

Consideration of projected peak-hour trips is particularly relevant because, in the coming months, the Planning Commission and Town Council are expected to review a proposed LDR Text Amendment that would establish traffic study and travel demand management standards. Under the draft language, developments generating 30 or more net peak-hour trips would be required to submit a traffic study, while projects generating fewer than 30 net peak-hour trips would not. Based on the draft methodology, this project is estimated to generate an average of 16.6 net peak-hour trips, with a maximum of 33 net peak-hour trips. Staff emphasize that the new traffic study standards have not yet been adopted and are referenced only as a general guideline in evaluating whether a full traffic study may be warranted. As a result, staff do not find that the development is likely to create significant adverse impacts on adjacent streets or intersections and therefore conclude that a full traffic study is not warranted.

Additionally, the proposed units are intended to serve as employee housing associated with the existing uses on the Virginian Motel property. To the extent employees are able to walk between their residences and workplace, actual vehicle trip generation may be lower than projected. While the units may be rented to members of the general community, staff find the applicant's explanation regarding the intended use to be reasonable given the smaller unit sizes and the manner in which the buildings are integrated into the overall campus. It is also notable that the site is located within walking distance of a nearby bus stop and in close proximity to the Snow King Avenue bike lane, further supporting opportunities for alternative modes of transportation.

Key Question #1

Does the Planning Commission agree with staff conclusion about traffic impacts, and does the Planning Commission desire additional information about how the applicant will encourage and support multi-modal transportation?

Findings

All Development Plan proposals may be approved only if all of the following findings are made:

1. *The proposed project is consistent with the purposes and organization of the LDRs.*

Complies. As conditioned, staff find that the project is consistent with the purposes and organization of the LDRs. The proposed project and use fall under the purpose and intent of the CR-3 zone, which is intended to be a mixed-use zone for both commercial and multi-family residential developments. The two-story buildings, with parking situated behind the buildings away from the streets, are also examples of how the development meets some of the physical development goals of the zone.

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

Not applicable. The property is not located within the NRO or SRO.

3. *The proposed project does not have a have a significant impact on public facilities and services, including transportation, portable water and wastewater facilities, parks, schools, police, fire, and EMS facilities.*

Complies. As conditioned, staff find that the proposed project will not have significant impacts on public facilities and infrastructure. Based on the traffic impact statement, the daily peak AM and PM trips are anticipated to be below the proposed, but not approved, traffic impact study guidelines trigger of 30 peak-hour trips. Staff find that adequate vehicle and bike parking is provided on-site to reduce impacts on adjacent streets.

4. *The proposed project complies with the Town of Jackson Design Guidelines, if applicable.*

Complies. The proposed project received a recommendation of approval by the DRC on April 8, 2026.

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

Complies. As conditioned, staff find that the application meets all standards of the LDRs and other Town Ordinances.

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

Not applicable. There are no prior applicable permits or approvals related to this Development Plan.

Public Comment

At the time of writing and publishing this report, no public comment has been received.

Comprehensive Plan and/or Priority Alignment.

The subject property is located within Comprehensive Plan **District 4 – Midtown**, specifically within **Subareas 4.1 – Midtown Highway Corridor** and **4.3 – Central Midtown**, both of which are identified as transitional areas. Below is a summarized version of the vision for these subareas:

These mixed-use subareas are intended to support the development of a walkable, connected district centered around West Broadway, Highway 22, and the Y intersection. The vision for the area emphasizes primarily two- and three-story mixed-use buildings with ground-floor retail, service, or office uses and residential units located on upper floors or away from the highway corridors. Multifamily and live-work opportunities are encouraged, while single-family residential development is generally not anticipated.

The Comprehensive Plan also emphasizes improved connectivity for pedestrians, cyclists, vehicles, and wildlife through enhanced street and pathway connections and safer crossings along West Broadway. Parking areas should generally be located behind buildings or screened from view, with landscaping or hardscaping used to buffer buildings from adjacent streets. While some auto-oriented uses may continue in the area, future development should promote walkability, compatibility with surrounding neighborhoods, and a cohesive mixed-use character.

Staff find that the proposed development is generally consistent with the vision for these subareas. The proposed multi-family apartments align with the desired residential development pattern, and the two-story buildings are appropriately located in the southeast corner of the site, away from the highway corridor, which supports the goals of the subareas. While parking is distributed throughout the site, the development includes designated apartment parking in the rear portion of the property, helping to reduce its visibility from the street. Because the proposal is considered infill development and does not redevelop the entire site or a substantial portion of it, opportunities to significantly enhance walkability are somewhat limited. However, the project does include internal pedestrian walkways connecting and surrounding the buildings, which represents an improvement over the existing site conditions.

Fiscal Impact.

None identified.

Staff Impact.

The amount of staff time on this project, which includes meetings, correspondence, drafting this staff report, presentation, etc., is approximately 60-80 hours.

Attachments or Links.

Department Reviews

Applicant Submittal

Suggested Motion.

I move to **recommend approval** of Development Plan P25-210 for the Virginian Lodge Apartments, consisting of 32 units, located at 750 West Broadway Avenue, based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to this staff report dated June 3, 2026.

Workflow Notes

Permit Number	Begin Date	Step Type	Text	Created By	End Date
P25-210		BUILDING DEPARTMENT COMMENTS	The structures must meet the most current adopted Building Codes of the Town of Jackson. Please note that a Wyoming State Architect and Engineer will be required. Also a Class B Licensed Contractor is required.		
P25-210		DETERMINATION OF SUFFICIENCY	See attached letter.		
P25-210		ENGINEERING DEPARTMENT COMMENTS	DEVELOPMENT PLAN - COMMENTS P25-210 ADDRESS: 750 W Broadway Ave. OWNER: Virginian Lodge, LLC APPLICANT: Hal Hutchinson 2/11/2026 Jeff Silliman and Brian Lenz, 733-3079 DATE OF SUBMITTAL: 11/4/2025 DATE OF MATERIALS: 10/24/2025 (Civil) The engineering division has reviewed your application for a DEVELOPMENT PLAN submitted on and with application materials as dated above. The submitted plan is noticeably different than the plans submitted with the pre-application. Many of the items identified in the pre-application to be addressed in the development plan were not addressed and at this time we are requesting this and information rather than recommending denial. *Prior to Public Works recommending approval or denial of the application the following clarifications and information need to be provided. PROJECT SPECIFIC COMMENTS 1.Clarity the type of construction the apartments will be permitted as, e.g. a single apartment building, multiple attached dwelling units, condos, townhomes, etc. a.The type of building construction impacts how the utilities are designed, accessibility, egress, fire systems, etc. 2.Clarity the status of the well used for water supply until 2021, i.e. active or abandoned per statute. Confirm that there is no proposed connection of the well to the potable distribution system. Show where the well supply line is capped. a.Public Works would like to better understand the feasibility of using this well for irrigation and non-potable uses. 3.Provide information on the number of existing RV spaces and how they are served water and wastewater.		

Workflow Notes

Permit Number	Begin Date	Step Type	Text	Created By	End Date
			4.Provide an overall site utility plan for Lot 1. Include better clarity and detail on what lines are abandoned, and how the older copper, 2021 line, and proposed are plumbed together. 5.Confirm that the water line installed in 2021 is actually 3 HDPE. a.Public Works recommends any new line installed be 4-inch nominal diameter. 6.Provide preliminary water demands for development. Provide hydraulic calculations that show the existing system is adequate to supply Lot 1 including the new development. 7.Provide preliminary wastewater volumes for the development. 8.Provide preliminary stormwater calculations for the development. 9.Confirm that all of the proposed development is downstream of the existing main meter and that no other metering is required. 10.Provide an update on the status of the pathway easement amendment. 11.Show both the existing and proposed pathway easements on the plan with dimensions, accompanying notes clarifying the record document information, and that one is to be vacated and one is proposed prior to Building Permit issuance. If the vacation and amendment are complete, state that and show the relevant easement. 12.Provide an update on the status of the sewer easement amendment. 13.Show both the existing and proposed sewer utility easements on the plan with dimensions, accompanying notes clarifying the record document information, and that one is to be vacated, and one is proposed prior to Building Permit issuance. If the vacation and amendment are complete, state that and show the relevant easement. 14.Provide the easement and/or other instrument that provides for conveying wastewater through the Lot 2 sewer system. a.Public Works Recommends that Lot 1 take its wastewater directly to the main in Virginian Lane. 15.Review the criteria for a Construction Management plan in the Town Code 12.08.045 to determine if a plan is required. Provide a statement that it is not required, or if required, provide a preliminary narrative and plan. 16.Provide a development plan detailed grading plan for the development including sidewalks, floor elevations, spot elevations, grade breaks, contours, curbs, etc. Show how the stairs to the second level are accessed. 17.Clarity if accessible units are required and if so, identify the accessible units per the IBC. 18.Clarity and show how accessible parking for Lot 1 is addressed and which accessible parking serves the proposed development. 19.Provide an accessibility plan that shows compliance with the IBC accessibility routes from parking, public way, transportation, etc.		
			DEVELOPMENT PLAN - COMMENTS P25-210 ADDRESS: 750 W Broadway Ave. OWNER: Virginian Lodge, LLC APPLICANT: Hal Hutchinson		

Workflow Notes

Permit Number	Begin Date	Step Type	Text	Created By	End Date
			5/20/2026 Jeff Silliman and Brian Lenz, 733-3079 DATE OF SUBMITTAL: 4/16/2026 DATE OF MATERIALS: 4/17/2026 (Civil) Revision: 01 The engineering division has reviewed your application for a DEVELOPMENT PLAN submitted on and with application materials as dated above. The submitted plan is noticeably different than the plans submitted with the pre-application. Many of the items identified in the pre-application to be addressed in the development plan were not addressed and at this time we are requesting this and information rather than recommending denial. *Prior to Public Works recommending approval or denial of the application the following clarifications and information need to be provided. PROJECT SPECIFIC COMMENTS 1.Provide update on LVE easement realignment around Building 4. 2.A construction-staging narrative shall be submitted for review and approval with the Development Plan application.		
P25-210		FIRE DEPARTMENT COMMENTS	Project must meet currently adopted International Fire Code (IFC) and NFPA 101 requirements at the time of permit, including but not limited to the following. 1.) As part of the Construction Management Plan, the owner or owner's agent shall be responsible for the development, implementation, and maintenance of an approved, written site safety plan establishing a fire prevention program at the project site applicable through all phases of the construction. 2.) An approved water supply capable of supplying the required fire flow for fire protection shall be provided. Existing fire hydrants on public streets are allowed to be considered as available to meet the requirements of the IFC, Appendix C. FDC shall be installed in an approved location. 3.) Premises shall have address identification that shall be legible and placed in a position that is visible from the street or road fronting the property. Each unit shall display its unit number or letter. 4.) Where access to or within a structure is restricted, a key box shall be installed in an approved location. Exterior doors and openings required by the IFC or the IBC shall be maintained with ready access for emergency access by the fire department. Stairway access to the roof shall be marked at street and floor levels with a sign indicating that the stairway continues to the roof. 5.) A fire department permit is required for an automatic sprinkler system. A stamped set of plans shall be submitted for review and approval prior to a permit being issued and any work being		

Workflow Notes

Permit Number	Begin Date	Step Type	Text	Created By	End Date
			done. System design will be most restrictive for the occupancy. Inspections and testing shall be scheduled with this office. 6.) A fire department permit is required for a fire alarm system. A stamped set of plans shall be submitted for review and approval prior to a permit being issued and any work being done. Inspections and testing shall be scheduled with this office. 7.) Portable fire extinguishers shall be located for the occupancy per the IFC, Section 906. 8.) Means of egress in accordance with the IFC, Chapter 10. 9.) Means of egress illumination and any required emergency electrical systems shall be in accordance with the IFC, Section 1008, 2023 NEC, and NFPA 70. 10.) All new commercial (non-1 or 2 family) construction will be required to comply with Section 510 of the IFC under the following conditions: any construction with 1 or more levels built below grade or any construction being built 2 or more stories above grade. 11.) Effective January 01, 2025, all private land parcels in the Town of Jackson and Teton County are now within the mapped Wildland Urban Interface and subject to IWUIC review by the Fire Department. A review of the area will include fire hazard, determine water compliance, and consider existing or proposed defensible space on the property. A memo will be provided outlining the construction requirements necessary to meet the IWUIC. 12.) ESVE in accordance with the IFC, Chapter 12, as applicable.		
P25-210		JOINT HOUSING DEPARTMENT COMMENTS	I did double check their calculator and looks right to me. As an alternative to paying the housing mitigation fee, one of the 2-bedroom apartments may be deed restricted for residency by local households earning between 80-120% Median Family Income. Kristi Malone		
P25-210		PARKS AND RECREATION DEPARTMENT COMMENTS	Landscape plan should consider 5' setback for all plant materials, or ability to prune back 5', from building. Fire Dept defensible structure initiatives		

Workflow Notes

Permit Number	Begin Date	Step Type	Text	Created By	End Date
P25-210		PATHWAYS DEPARTMENT COMMENTS	oWheelstops or rigid bollards shall be placed in parking spots that abut walkways or sidewalks to prevent vehicle overhang from blocking the walkway. If using wheelstops, there should be 36 between the wheelstop and the nearest edge of the walkway. If using bollards, there should be a minimum of 6 between the bollard face and the nearest edge of the walkway. The short-term bike parking should be moved to a more visible, accessible location. Guidelines for short-term parking include that the lcoation is immediately adjacent to the entrance it serves. The rack area should be as close as or closer to the front entrance than the nearest car parking space, visible from the front entrance, hardscaped, and should not obstruct pedestrian flow. As it is currently shown, the bike parking appears to be behind the trash/recycling dumpster on the north side of the building, which is on the opposite side of the building from the future pathway. Options for better locations would be towards the center of the west frontage or along the south side of the building which would be readily accessible from the pathway and visible to pathway users who would be arriving by bike. The long-term parking is noted as vertical storage. A minimum of 25 percent of the required long-term bicycle parking spaces must accommodate larger and alternative bicycles, including cargo bicycles, bicycles with trailers, tricycles, handcycles, tandems, and electric motor assisted bicycles. Vertical storage is not appropriate for cargo-style or other larger bikes, so some of the long-term bike parking will need to be revised.		
P25-210		PLANNING DEPARTMENT COMMENTS	1.Prior to Town Council review, a total of 11 EVSE-capable and two EVSE-installed spaces shall be provided as part of the project. 2.Prior to Town Council review, the proposed trash and recycling shall be screened according to LDR Section 6.4.2. 3.Prior to Town Council review, the snow storage plan shall be revised so that it does not block the ingress/egress of the southernmost parking spaces adjacent to the new development. 4.Prior to building permit issuance, the applicant shall pay the affordable housing fee of \$124,027.08 for the required 0.455 units.		
P25-210		REGIONAL TRANSPORTATION COMMENTS	Letter attached		
	11/17/2025	INITIAL REPORT		TVALENTINE@JACKSONWY.GOV	01/02/2026
	01/05/2026	COMPLETENESS REVIEW		KSLUDER@JACKSONWY.GOV	01/05/2026
	01/21/2026	PC ROUGH DRAFT		LPOTZ@JACKSONWY.GOV	01/21/2026
	01/23/2026	COMPLETE REPORT		MTIPPETTS@JACKSONWY.GOV	01/23/2026
	01/23/2026	FINAL LETTER		BSCHILLING@JACKSONWY.GOV	01/23/2026

Workflow Notes

Permit Number	Begin Date	Step Type	Text	Created By	End Date
	01/26/2026	PLANNING COMMISSION REVIEW AND RECOMMENDATIO N		AERSKINE@JACKS ONWY.GOV	01/26/2026
	02/11/2026	PC PUBLIC NOTICE		JSILLIMAN@JACKS ONWY.GOV	02/11/2026
	05/20/2026	TC PUBLIC NOTICE		JSILLIMAN@JACKS ONWY.GOV	05/20/2026
	05/27/2026	LEGAL DEPARTMENT COMMENTS		TVALENTINE@JAC KSONWY.GOV	
	05/29/2026	TOWN COUNCIL MEETING		TVALENTINE@JAC KSONWY.GOV	05/29/2026
		PC KEY ISSUES			
		PC FINAL DRAFT			
		START DEPARTMENT COMMENTS			
		FINAL REPORT			
		POLICE DEPARTMENT COMMENTS			

Virginian Lodge Apartments

Town of Jackson Planning Department Applications:

1. Development Plan

2. Basic Use Permit

3. Design Review

4. Exemption to Street Façade Width Nonconformities

Revised Submittal: April 13, 2026

Owner:	Applicant/Agent:	Land Planning:
Virginian Lodge, LLC PO Box 7396 Jackson, WY 83002	HH Land Strategies, LLC Hal Hutchinson PO Box 1902 Wilson, WY 83014 (307) 699-0265 hal@hhlandstrategies.com	HH Land Strategies, LLC Hal Hutchinson: Land Planner PO Box 1902 Wilson, WY 83014 (307) 699-0265 (mobile) hal@hhlandstrategies.com
Civil Engineering:		Landscape Architecture
Nelson Engineering Dave Dufault PO Box 1599 Jackson, WY 83002 307-733-2087		Place Landscape Architects 25 E Wallace Ave, Suite 102 Driggs, ID 83422 (208) 354-0900

Background:

The following application is a revision to the original Virginian Lodge Apartments Development Plan application submitted on December 21, 2025. Since the original application was submitted it was considered by the Town of Jackson's Design Review Committee, and the DRC expressed substantive concerns about site plan and architectural design of the original application. The revised site plan, architecture and landscape plan was considered by the Town Design Review Committee during their April 8, 2026 hearing and received unanimous approval without any conditions.

The below application materials includes all information that reflects the revisions made to the application and responds to Town Development Review Committee comments made during their review of the Development Plan application.

1. Introduction, Project Goals and Applications:

1.1 Introduction:

HH Land Strategies, LLC, as agent for Virginian Lodge, LLC, the owners of the Virginial Lodge Property located at 750 W Broadway, Town of Jackson, is seeking approval of a Development Plan to permit the development of four individual apartment buildings containing a total of thirty-two apartment units in a total of approximately 15,000 s.f. of floor area on the Virginian Lodge property as described in detail within this Development Plan application.

1.2 Project Goals:

In making this Development Plan application, the owners are seeking to replace existing RV units on the Virginian Lodge property, which have historically been used for residential purposes, with new apartment units that can be rented to Virginian Lodge employees and/or other community members. The site of the proposed apartments is located at the southeast corner of the overall 7.79-acre property. The site of the proposed apartment development, including site improvements, is approximately $\frac{1}{2}$ an acre of the overall 7.79-acre lot, or approximately 6.5% of the overall property.

Specifically, the owners are proposing to develop four individual two-story apartment buildings. Each individual building will contain six studio units on the first floor and two 2-bedroom units on the second floor. As such, each building will contain eight individual apartments, and the total number of apartment units provided by the proposed development will be thirty-two individual units, with twenty-four units being 1-bedroom/studio units and eight units being 2-bedroom units.

The proposed buildings will be prefabricated modular structures constructed off site and erected on site in accordance with current Town of Jackson building codes and requirements. Attached to this application are the following Exhibits which are referenced throughout this application narrative:

Exhibit A – A.L.T.A./N.S.P.S. Land Title Survey completed by Nelson Engineering and dated 6/29/2020.

Exhibit B – Overall Existing Site Plan and Final Site and Parking Plan completed by Nelson Engineering and dated 04/08/2026

Exhibit C – Development Plan – Civil Site Plan completed by Nelson Engineering and dated 04/08/2026

Exhibit D - Virginian Lodge Apartments Architectural Floor Plans and Renderings
Completed by Hoyt Architects and dated March 23, 2026

Exhibit E - Sanitary Sewer Easement Agreement

Exhibit F - Landscape Site Plan completed by Place Landscape Architects, Revised 04/08/2026

Exhibit G – Existing Pathway Easement

1.3 Applications:

The Virginian Lodge property is zoned Commercial-Residential 3 (CR-3). Under the existing CR-3 zoning, any development proposing between 9,750 s.f. and 19,500 s.f. of floor area is required to apply for and receive approval of a Development Plan application. The proposed development is exclusively classified as an “Apartment” use. Apartment use in the CR-3 zone district is classified as a Basic Use. Any proposed Basic Use requires a Basic Use Permit. In addition, under CR-3 zoning, any Development Plan application is required to go through the Town of Jackson Design Review process.

Under CR-3 zoning, specifically LDR Section 2.2.13.2 – Bulk Standards – the zoning requires a minimum “street façade width” of 50% within the primary street setback range of 20’ minimum and 85’ maximum. Currently the historic development on the northern portion of the Virginian Lodge property that fronts the primary street (W. Broadway) does not meet this minimum street façade width standard and is therefore considered nonconforming.

The proposed apartment development, located in the southeast corner of the overall 7.79-acre property, will not serve to decrease this existing street façade width nonconformity. Recognizing that many street façade width standards within the Town of Jackson Land Development Regulations (LDRs) present significant challenges on properties with older buildings or sites that do not currently meet the street façade width standards, and recognizing the benefits of exempting certain projects from meeting this standard, such as preserving the community’s building stock and character, Town planning staff has proposed an amendment to the LDRs to address this issue (Planning Agenda Item P-25-176) and the Town Planning Commission recommended approval of this LDR amendment on October 15, 2025. Town Council approved the proposed LDR amendment on November 17, 2025. This planning staff proposed LDR amendment allows for an exemption to street façade width standards under the nonconformity section of the LDRs. This LDR amendment will allow the necessary exemption to street façade width and will result in the siting of the proposed apartments being consistent with Town LDR standards.

Based on the above, inherent in this Development Permit application is a request for a Planning Director exemption to CR-3 street façade width standards.

On April 8, 2026, the Town Design Review Committee unanimously approved the following development plan application without conditions.

The proposed development will require a Grading and Erosion Control Permit, including a Grading Pre-application Conference and erection of the buildings on site will require a building permit. The Grading and Erosion Control Permit and Building Permit applications will be submitted upon approval of the Development Plan, Basic Use Permit, design review approval and nonconforming street façade width exemption by the Town of Jackson.

In summary, this development application seeks approval of the following:

- 1) Development Plan approval
- 2) Basic Use Permit
- 3) Exemption to street façade width standards under LDR Section 1.9.2 – Nonconforming Physical Development.

The following Development Plan application materials provide information and responses to all items required by the Submittal Checklist found in the Pre-application Conference Summary (P25-145) as well as responses to Town Development Review Committee comments made during the review of the original Development Plan application. Inherent in the following Development Plan application materials is information required to secure a Basic Use Permit, and exemption to street façade width standards and these approvals will be considered concurrently with the overall Development Plan application.

2. Development Plan Application

2.1. General Information:

The “General Information” required to be provided by the application submittal checklist includes administrative requirements such as providing a planning permit application form, a notarized letter of authorization, application fees, a mailed notice fee, and submittal of the application in digital format. All these administrative requirements have been provided concurrently with and inherent to the submittal of this application.

2.2. Narrative Description of Proposed Development:

2.2.A. Property Description:

The Virginian Lodge is an iconic and prominent Jackson Hole Lodging property located at 750 W Broadway and is currently zoned Commercial Residential 3 (CR-3). The Virginian Lodge property (“Subject Property”) is 7.79 acres in size and legally described as Lot 1 of the Virginian Addition to the Town of Jackson according to that plat recorded with the Teton County Clerk as Plat No. 1129. (PIDN 22-41-16-33-2-06-001)

Originally built in 1965, the Virginian Lodge structures retain their original motel character, and various lodging and commercial structures have been added on the property over the subsequent years. The Subject Property currently contains a motel use, with a total of 164 motel units, two restaurants (the Virginian Restaurant and Billy’s Burgers) a bar/tavern, a convention space and various minor outbuildings. The southeast corner of the Subject Property has historically, since at least 1978, contained a series of RVs that have served various uses, including residential use and seasonal housing for Virginian Lodge employees.

The Subject Property is bordered on the north by West Broadway Avenue, and on the west by Virginian Lane. The neighboring property to the east, commonly referred to as the “Bus Barn” property, is owned by the Town of Jackson and contains a transportation services maintenance and storage facility. The property to the south currently contains a seasonal RV Park use and is owned by the Jackson/Teton County Housing Authority. The Teton County and the Town of Jackson are currently planning to redevelop the RV Park property for workforce and affordable housing.

The owners of the Subject Property, Virginian Lodge, LLC, purchased the property in 2020. Since that time the owners have undertaken various improvements to the property, including, but not limited to, motel units remodel, courtyard improvements, and improvements to commercial spaces that are ancillary to, and a part of, the overall lodging use.

As the next step in improving the Subject Property and support their ownership and operation of the primary lodging use, the owners are seeking to develop apartment units in the

southeast corner of the overall property, replacing the RV housing use that currently exists in that portion of the property.

A pre-application conference (P25-145) for this project was held on August 28, 2025. The pre-application conference summary classifies the proposed use and configuration as an "Apartment" use. An "Apartment" use is considered a Basic Use under Commercial – Residential 3 (CR-3) zoning.

The Subject Property currently contains approximately 95,000 s.f. of floor area and, approximately 50,000 s.f. of landscape surface. CR-3 zoning for the Subject Property requires a maximum Floor Area Ratio (FAR) of .40, or 135,733 s.f. and a minimum Landscape Surface Ratio (LSR) of .10, or 33,933 s.f. The Virginian Lodge property is currently well within the maximum FAR and minimum LSR requirements. The addition of the Virginian Lodge Apartments project on the Subject Property represents a modest increase of approximately 15.75% in overall allowable FAR. Because the site of the apartment buildings proposed by this application is largely covered by site development, including paving and areas covered by existing semi-permanent structures, this application represents only a nominal decrease in LSR.

For a depiction of existing conditions, please refer to the attached **Exhibit A – A.L.T.A./N.S.P.S Land Title Survey** completed by Nelson Engineering and dated 6/29/2020. This Land Title Survey identifies existing conditions on the site and includes both the Subject Property as well as Lot 2 of the Virginian Addition, commonly known as the Virginian Lodge RV Park property. This includes the location of sanitary sewer infrastructure located on Lot 2 of the Virginian Addition, which serves the overall development on Lot 1 of the Virginian Addition.

It is important to note that since the ALTA Land Title Survey was completed in 2020, a few changes and improvements to the overall property have been completed by the current owner. These include the construction of a water line that connects to the Town water line in W. Broadway and runs south along the eastern portion of the subject property to a location near the proposed development. The water line location, and how the proposed development will connect to water is shown on **Exhibit B - Overall Existing Site Plan and Parking Plan** and **Exhibit C – Development Plan – Civil Site Plan**. After completion of the ALTA Land Title Survey, the owners of the subject property sold Lot 2 (the Virginian RV Park property) to the Jackson/Teton County Housing Authority.

As part of this sale, the owners of the Subject Property entered into a Sanitary Sewer Easement Agreement with the Jackson/Teton County Housing Authority, the current owners of the Virginian RV Park property. This Sanitary Sewer Easement Agreement, attached to this application as **Exhibit E – Sanitary Sewer Easement Agreement**, grants the owners of the Subject Property a sewer line easement across the Virginian Lodge RV Park property to the owners of the subject property for the "purpose of accessing, operating and maintaining any new and existing portions of the sanitary sewer system on the Virginian RV Park property."

The attached **Exhibit B – Overall Existing Site Plan and Parking Plan** depicts existing conditions and the parking that exists on the overall Subject Property.

Based on a count of existing parking on the site, the property currently contains 247 parking spaces. The existing uses generate a parking requirement of 194 spaces as discussed below in **Section 2.2.B. Project Description, Parking Requirements**. The proposed development generates a parking requirement of 36 spaces. The proposed development will displace/eliminate a total of 19 spaces and provide an additional 16 parking spaces that are located fronting the proposed development. Overall, the Subject Property provides 10 spaces in excess of parking requirements as detailed within this application narrative.

2.2.B. Project Description:

The Virginian Lodge Apartments project seeks to develop four individual buildings in the southeast corner of the 7.79-acre property. The site of the proposed apartment buildings is approximately ½ acre in area, or approximately 6.5% of the overall 7.79-acre Virginian Lodge lot. Because this site of the proposed apartments is a small portion of the overall Virginian Lodge property (the “Subject Property”), and the site is not being considered for subdivision at this time, this application refers to the specific portion of the site proposed for apartment development as the **“Apartment Site”**.

Apartment Site: The Apartment Site is bordered on the south by the “Virginian RV Park” property that is owned by the Jackson/Teton County Housing Authority and is currently planned for redevelopment as workforce and affordable housing. It is bordered on the east by the “Bus Barn” property that contains public transportation maintenance and storage facilities. North of the Apartment Site are storage and maintenance buildings that support the Virginian Lodge operations. These buildings also contain a well, which previously provided water to the Virginian Lodge property but has recently been taken out of service and water to the Virginian Lodge property is currently provided by Town water supply. West of the proposed apartment site is a paved drive aisle that is approximately 60’ in width and provides access to parking that serves an individual lodging building west of the drive aisle. The location of the Apartment Site on the overall Subject Property is shown on the attached **Exhibit B – Overall Existing Site Plan and Parking Plan**. Please refer to the attached **Exhibit C – Development Plan – Civil Site Plan** for a detailed depiction of the proposed development on the Apartment Site, including utility connections to the proposed development. **Exhibit F - Landscape Site Plan** shows the Apartment Site and associated proposed landscaping and site improvements.

Building, Unit Type and Unit Size Descriptions: The Virginian Lodge Apartment project proposes to develop four individual buildings that will contain exclusively apartment use. Each individual building will have the same footprint, floor area, number and type of units, and floor plans. **Exhibit D – Virginian Lodge Apartments Architectural Floor Plans and Renderings** for plans of the proposed buildings.

The footprint of each building measures 31' x 66', totaling 2,046 s.f. While the first floor of each building is equal in area to the building footprint, the second floor of each building measures 31' by 55' totaling 1,705 s.f. of floor area. The portion of the first floor of each building that extends out from the second floor is a roofed single story and these portions are located on the north and south ends of the buildings. Each individual building contains a total of 3,751 s.f. of floor area. The overall floor area of the proposed development is 15,004 s.f.

The first floor of each apartment building will contain six studio apartment units, with three accessed by individual doors on the one side of the building and three accessed by individual doors on the opposite side of the building. Each of the individual studio units are 341 s.f. in area.

The second floor of each apartment building will contain two 2-bedroom units. All the second story units are accessed by a primary and a secondary staircase leading accessing each of the 2-bedroom units. (see **Exhibit D** for greater detail.) Each individual 2-bedroom units are 852 s.f.

Overall, the Virginian Apartments project contains a total of twenty-four 1-bedroom/studio units and eight 2-bedroom units for a total of thirty-two apartment units.

Setbacks and Easements: The overall Virginian Lodge property is considered a “corner lot” due to W Broadway bordering the property to the north and Virginian Lane bordering the property to the west. The Apartment Site is located at the opposite corner of the property from the W Broadway and Virginian Lane street corner. Therefore, the property lines bordering the Apartment Site – the south and east property lines - are subject to the minimum side interior setback standards. The side interior building setback in the CR-3 zone district is 5'.

The proposed development is setback from the east property line by 7 feet and setback a minimum of 10.9 feet from the south property line. No eaves that are part of the proposed buildings will extent more than 1 foot from the building plain and therefore will not encroach into the 5' side interior building setback. These development setbacks meet the side interior building setback requirements of the CR-3 zone district.

Please refer to the attached **Exhibit C – Development Plan – Civil Site Plan** for detail of how the individual buildings are configured on the site in relation to one another, and in relation to neighboring property lines. Floor plans and elevations depicting the relationships between each individual building and their architectural design, form and materials are attached **Exhibit D – Virginian Lodge Apartments Architectural Floor Plans and Renderings**

Proposed landscaping and site improvements, including bicycle parking and trash enclosures please refer to **Exhibit F - Landscape Site Plan.**

The property is nonconforming with the street façade width standards for primary streets, which, in the case of the Subject Property, is W. Broadway. The Virginian Apartments project will not reduce the degree of nonconformity with the street façade width standards as they relate to the minimum and maximum primary street building setbacks. However, as discussed in the **Section 1.3 - Applications** of this application, we are seeking an exemption to this bulk standard nonconformity as allowed for in the planning staff proposed LDR amendment permitting this exemption.

The property is conforming regarding the street façade width standard for secondary streets, which requires 50% of the secondary street façade be located between 10 and 85' of the secondary street.

Regarding the project's compliance with the side interior building setback discussed above, it bears noting that there exists a 10' wide gas line easement running east-west, with a center line that is approximately 20' from the Subject Property's south property line. The proposed development encroaches into the existing gas line easement. However, we have contacted Lower Valley Energy, and they have assured us that this gas line and associated easement can be relocated. We have not determined yet the best alignment for a relocated gas line. This is, in part, dependent on discussions with the Jackson/Teton County Housing Authority, the neighboring property owner to the south,

There exists on both the Virginian Lodge property and the Virginian RV Park property a pathway easement - see attached **Exhibit G – Existing Pathway Easement** for a depiction of the existing pathway easement location. The proposed development does not encroach into the existing pathway easement. The owner of the Virginian Lodge property has previously had discussions with the owner of the Virginian RV Park property, The Jackson/Teton County Housing Authority, about amending the existing pathway easement that straddles the common property boundary. Based on these previous discussions, the proposed apartment development has been sited in a manner that would accommodate a prospective amendment to the pathway easement should the individual property owners agree to the easement amendment proposed by the Jackson/Teton County Housing Authority.

Consistent with the existing pathway easement, the existing Sanitary Sewer Easement, as shown on **Exhibit C - Development Plan - Civil Site Plan and Exhibit E - Sanitary Sewer Easement Agreement** present no obstacles to the apartment development as proposed. The proposed development will connect to this existing sanitary sewer line as anticipated and permitted by the Sanitary Sewer Easement Agreement.

Floor Area Ratio and Landscape Surface Ratio: The CR-3 zone district has a maximum Floor Area ratio of 40%. At 7.79-acres in area, or 339,332 s.f., the Virginian Lodge property has a maximum allowable FAR of 135,732 s.f. Currently, all existing floor area on the property totals 95,269 s.f. This total floor area is broken down by individual existing buildings as follows:

Original motel building and associated ancillary uses:	40,247 s.f.
Virginian Restaurant:	5,121 s.f.
East motel building:	15,344 s.f.
Bar/Tavern:	13,269 s.f.
South motel building	20,184 s.f.
Miscellaneous storage/well house	<u>1,104 s.f.</u>
Total Existing Floor Area:	95,269 s.f.

The proposed Virginian Apartments project contains a total of 15,004 s.f. Therefore, including the proposed apartments, the overall floor area on the Subject Property totals **110,273 s.f.** This is equal to 32.5% FAR, which is 7.5% below the maximum FAR of 40%, or 25,459 s.f. below the maximum floor area allowed in the CR-3 zone district.

The overall floor area of the proposed Virginian Lodge Apartments is 15,004 s.f. This represents a cumulative floor area expansion of approximately 15.75%. This is below the 20% expansion that triggers required compliance with curb cut standards in the CR-3 zone district. The proposed development is therefore exempt from compliance to curb cut standards for the overall Virginian Lodge property.

The CR-3 zone district has a maximum Landscape Surface Ratio (LSR) of 10%. At 7.79-acres in area, or 339,332 s.f., the Virginian Lodge property has a minimum allowable LSR of 33,933 s.f.

A study completed by Nelson Engineering in 2021, which included parking space calculations and LSR Requirements for the overall Subject Property, which resulted in a permit to revise the LSR on the property by providing parking spaces between the main lodge entrance and W Broadway to the north, established a baseline LSR for the overall property.

Based on these calculations and resulting permits, there is a minimum available LSR on the property of 50,000 s.f., which is well below the minimum requirement of 33,933 s.f.

The proposed apartment development is located in an area where there is primarily impervious surface. The proposed development will not increase the existing LSR in any meaningful way. Based on a calculation of the overall increased LSR resulting from this proposed development, the increase in impervious surface is approximately 3,000 s.f.

Based on this calculation, the LSR on the overall property is decreased by 3,000 s.f. resulting in a rough amount of LSR on the overall property of approximately 47,000 s.f., which is well within the 10% LSR requirement of 33,933 s.f.

Parking Requirements: To determine parking requirements for the existing use, it is necessary to identify the overall use and/or number of units that currently exist on the

Subject Property. Based on recent architectural plans that identify existing uses and used to permit recent improvements to the overall Virginian Lodge buildings and grounds, the current uses and associated parking requirements are broken down as follows:

Existing Use: (by units or floor area as applicable)	Parking required by use	Parking Requirement
Conventional Lodging Units: 164	.75 spaces/Lodging Unit	123 spaces
- Retail (Liquor Store): 390 s.f. - Retail (In Virginian Restaurant building): 2,220 s.f. - Total Retail: 2,610 s.f.	2.47 spaces/ 1,000 s.f.	7 spaces
- Restaurant (Dining) - Billys Burgers: 667 s.f. - Saloon (Dining): 1,377 s.f. - Virginian Restaurant: 2,272 s.f. - Total Restaurant: 4,074 s.f.	1 space/73 s.f. - dining	56 spaces
Bar (Saloon): 294 s.f.	1 space/40 s.f. - bar	8 spaces
Convention Center: 2,828 s.f.	0 spaces (Ancillary to Conventional Lodging use)	0 spaces
Total Existing Use Parking Requirement		194

The Virginian Lodge property currently contains 247 parking spaces. Please refer to attached **Exhibit B – Overall Existing Site Plan and Parking Plan** for a count of existing parking spaces on site.

The proposed Virginian Lodge Apartments generates a parking requirement of 36 spaces as follows:

1/DU if less than 2 bedroom and less than 500 s.f.	24 units	24 spaces
1.5/ DU otherwise	8 units	12 spaces
Total – Proposed development		36

The existing development on the property requires 194 parking spaces. The new Virginian Lodge Apartments project requires 36 parking spaces. The total parking requirement for existing development and proposed development equals 230 parking spaces.

Currently., the property contains 247 parking spaces. The proposed development will displace/eliminate a total of 19 existing parking spaces and will add an additional 12 parking spaces resulting in an overall parking space count on the property of 240 spaces. This exceeds the parking requirement by 10 spaces.

While the proposed apartment use provides 12 of the required 36 spaces, the outstanding 24 spaces required by the use will be provided by allowing apartment occupants to park in existing spaces on the overall Virginian Lodge property.

EVSE and Bike Parking Requirements: The proposed development generates a total parking requirement of 36 spaces. Pursuant to Town parking and loading standards, 30% of the required parking spaces shall be EVSE capable with 5% of the required 30% of being EVSE installed. Based on the above, the proposed development requires a total of 11 parking spaces be EVSE capable and 2 of these 11 spaces be EVSE installed. The attached **Exhibit C Civil Site Plan** shows the location of required EVSE parking spaces and how they will be EVSE capable and installed.

In addition to vehicle parking, the proposed development generates a bike parking requirement. Bike parking requirements are based on the number of bedrooms proposed in the apartments. The Virginian Lodge Apartment project proposes a total of 40 bedrooms (sixteen bedrooms in the eight 2-bedroom units and twenty-four bedrooms in the twenty-four 1-bedroom units). Required number of bike parking spaces is 75% of the overall number of proposed bedrooms, which results in a bike parking requirement of 30 bike parking spaces. ($40 \times .75 = 30$). Of these thirty required bike parking spaces, 75% are required to be long term bike parking space and 25% are required to be short term bike parking spaces. Therefore, when rounding up, the proposed apartment development is required to provide 23 long term bike parking spaces and 8 short term bike parking spaces. Please see the attached **Exhibit F - Landscape Site Plan** for the location of proposed bike parking.

2.3 Proposed Development Program

The project's compliance with primary development standards is summarized below. Please see **Exhibit C – Development Plan – Civil Site Plan** and **Exhibit D - Virginian Lodge Apartments Architectural Floor Plans and Renderings** for details notes, descriptions and illustrations of compliance with dimensional development standards.

Development Standard	Permitted	Proposed
Primary street setback range (min-max)	10'-85' @ 50%	no change – non-conformities exemption
Secondary street setback range	10'-65'	No change - complies
Side interior (min)	5'	7'
Rear (min)	5'	10.9'
Height (max if roof pitch < 5/12	42'	<42' (22'9.5")
FAR (Max)`	.40 (339,332)	<.40 (110,273)

2.4. Site Plan

Please refer to attached **Exhibit C – Development Plan - Civil Site Plan** for a site plan of the proposed development. This site plan is limited to the location of the proposed development on the overall 7.79 acre Subject Property. For a depiction of the overall Subject Property, including site improvements and overall parking spaces, as well as a depiction of the Apartment Site in relation to the overall subject Property, please refer to **Exhibit A – A.L.T.A./N.S.P.S. Land Title Survey** and **Exhibit B – Overall Existing Site Plan and Parking Plan**.

2.5. Floor Plans – Including floor plans, elevations and renderings

Please refer to **Exhibit D – Virginian Lodge Apartments Architectural Floor Plans and Renderings** for proposed architectural site plans, floor plans and elevations.

2.6. Structure Location and Mass

Please refer to attached **Exhibit C – Development Plan - Civil Site Plan** and **Exhibit B – Virginian Lodge Apartments Architectural Floor Plans and Renderings** for detailed information.

2.6. Maximum Scale of Development

The development proposes four individual buildings, connected by second story landings for access purposes. Each individual building contains a total of 3,751 s.f. Combined, all four individual buildings total 15,004 s.f. of floor area.

The maximum scale of development limitation in the CR-3 zone district is 50,000 s.f. per individual building. The proposed development is well below the required Maximum Scale of Development.

2.7. Design Review

The proposed development requires Design Review Committee approval. This approval was unanimously granted by the Design Review Committee during their April 8, 2026, hearing.

2.8. Site Development

Please refer to discussion in 2.2. Narrative Description of Proposed Development and 2.3. Proposed Development Program, sections of this report for discussion on site development requirements.

2.9. Landscaping

The proposed development requires 1.5 plant units. The required plant units will be provided within the approximately ½ acres in which the proposed development is located. A detailed landscaping plan showing compliance with this requirement is included with this application in **Exhibit F - Landscape Site Plan**

2.10. Fencing

The proposed development proposes no new fencing on the Subject Property.

2.11. Scenic Standards

The property is not within the Scenic Resource Overlay and scenic resource Overlay standards do not apply.

Exterior lighting standards apply. All development will comply with Exterior Lighting Standards and will show compliance at building permit submittal.

2.12. Natural Hazards to Avoid

No steep slopes are present on site. The property is not within the Flat Creek floodplain. Soil and groundwater studies have been completed revealing no hazards.

2.13. Signs

No signs are currently proposed by this development.

2.14. Grading and Erosion Control, Stormwater, etc.

Preliminary grading and erosion control plans for the project have been completed, including areas for stormwater detention are provided in attached **Exhibit C –Development Plan - Civil Site Plan**. These plans provide information on compliance with relevant LDR standards and proposed utility locations. The owner will submit a Grading and Erosion Control Pre-application conference request at the appropriate time and will submit a GEC

application along with a building permit for the project once the Development Plan is approved.

2.15. Allowed uses

The proposed Virginian Lodge Apartments project includes exclusively “apartment” uses. Apartment use is a basic use in the CR-3 zone district and the Basic Use Permit for “apartment use” is inherent within this application.

2.16. Parking

The overall parking requirements for the existing uses and development on the Subject Property, along with the parking requirements for the proposed development are provided in Section 2.2. Narrative Description of Proposed Development section of this application.

2.17. Employee housing

Required employee housing for the proposed 32 apartment units results in a housing mitigation requirement of .456 units. This generates a housing fee in lieu requirement of \$124,207. The owner proposes to provide the required employee housing mitigation as a fee in lieu. Below is a copy of the employee housing mitigation calculation as calculated by the Town of Jackson Affordable Housing Calculator. None of the existing development on the overall property is being proposed to be removed. Therefore, affordable housing calculator is only for proposed development.

Step 3: Proposed Development

Please describe the proposed use of the site to determine if affordable workforce housing is required as part of the development. Describe the end result of the proposed development. (For example: in the case of an addition do not enter the square footage of the addition, enter the size of the unit upon completion of the addition.)

Proposed Use	Housing Requirement (Sec. 6.3.3.A)	Use Size: bedrooms	Use Size: habitable sf	Use Quantity	Housing Required
Apartment (Unrestricted)	$0.000017 * sf + (Exp(-14.17 + 1.59 * Ln(sf))) / 2.176$	2	852	8	0.234
Apartment (Unrestricted)	$0.000017 * sf + (Exp(-14.17 + 1.59 * Ln(sf))) / 2.176$	1	341	24	0.222

Affordable Workforce Housing Required: 0.456 units Fee-in-Lieu Amount: \$ 124,027.08

If the amount of required affordable workforce housing is less than one unit, you may pay the above fee in-lieu of providing the required housing. If you elect to pay the fee, your Housing Mitigation Plan is complete. If the requirement is greater than one unit, or you would like to provide a unit to meet the requirement, please proceed to the [Unit Type Sheet](#).

2.18. Operational standards

Refuse and recycling enclosure will be provided pre the LDR requirements. Refuse and recycling for the apartment use will be provided north of the proposed development, just

west of the existing maintenance building. The location of the trash enclosure is shown on both **Exhibit C – Development Plan - Civil Site Plan** and **Exhibit F - Landscape Site Plan**.

2.19. Transportation Facility Standards

Access to streets, roads and highways by the overall Virginian Lodge property are long established and no change to these access points are propose by this application. The Virginian Lodge Apartments project proposes a total of 15,004 s.f. of floor area, and the existing development on the overall Virginian Lodge property is equal to 95,269 s.f. Therefore, the cumulative increase in floor area on the overall property is 15.75% and the project is therefore exempt from compliance with access (curb cut) limits. The only drive aisle on the overall property that is affected by the proposed development is the drive aisle directly west of the Apartment Site. This drive aisle is currently more than 60' in width and development of the Apartment Site will maintain compliance with drive aisle limitations. Please see attached **Exhibit C - Development Plan - Civil Site Plan**. Easements, including applicable easements such as Sewer and pathways easements are addressed under section 2.2. Narrative Description of Proposed Development

2.20. Required Utilities

All required utilities will be provided. Please refer to attached **Exhibit C –Development Plan - Civil Site Plan** for information on required utilities. See also Section 2.21. Response to Department Review Comments below for additional utility connection information.

2.21. Response to Department Review Comments

Pre-application Conference Summary (P-25-145) includes comments from both the Planning Department and the Engineering Department. Response to these additional comments are provided below:

Planning Department Comments:

Comment: BICYCLE PARKING / EV CHARGING – Triggered for all new and expanded uses that generate off-street parking.

Response: EV Charging standards within the LDRs require 30% of the required parking generated by the proposed development be EVSE capable. An addition, 5% of the required EVSE capable parking spaces are required to be installed. The proposed development requires a total of 36 parking spaces. Therefore, 30% of 36 parking spaces, or 11 spaces are required to be EVSE capable and of these 11 spaces, 2 are required to be EVSE installed. As discussed in Section 2.2.B above, the overall Virginian Lodge property contains a total of 247 parking spaces and the uses on the overall property, including the proposed development, requires a total of 230 parking spaces.

Therefore, the overall property provides parking in excess of the requirement by 17 spaces. Please see **Exhibit B – Overall Existing Site Plan and Parking Plan and Exhibit C Development Plan - Civil Site Plan** for illustrations for the parking providing on site and the parking provided specific to the proposed development.

Comment: CONSTRUCTION MGT PLAN – Proposed plan should be included with Development Plan submittal for staff (and Council) comment. This enables any updates/changes to be incorporated and finalized prior to submittal of building permit.

Response: **Exhibit C Development Plan - Civil Site Plan** includes an illustration of the locations dedicated to construction staging, access, fencing and other provisions for construction management.

The proposed “Apartment Site” contains RVs which will be removed prior to construction and therefore no structure demolition will be required.

The contractor shall implement a clear and self-enforcing construction parking plan that does not use or encumber on street and/or public parking lot parking spaces. The Contractor will encourage carpooling and bus riding, and when possible, provide shuttles to/from the project. The site plan as designed will allow for all construction parking, deliveries and staging to the site alone. The size of the site gives ample room for any parking required for all onsite construction personnel.

The project site will have a perimeter site construction fence with a silt fence along the inner margin as part of the erosion control BMP’s. Worker and vehicle access is minimized to one access point to minimize disturbance. The vehicle entrance gates will include vehicle tracking control pads as needed. Throughout all stages, trucks arriving or leaving the site will have access to utilize the town truck route. A map to the site, delivery and parking instructions will be provided to subcontractors and vendors at the beginning of the project and additionally as needed.

Construction work hours, unless by special exception, will be Monday-Friday 7AM-7PM and 8AM-5PM during weekends and holidays.

During construction, a small mobile crane will be utilized. The crane will not encroach on any PROW and will be installed interior to the site itself. Cranes will include hardwired electric lighting at their highest point.

Comment: SNOW STORAGE – demonstrate snow storage that complies with the minimum 2.5% storage requirement for all new paved surfaces (parking, sidewalks, walkways, etc.).

Response: Snow storage required by the proposed development is shown on **Exhibit C - Development Plan - Civil Site Plan**. The site of the existing development on the Apartment Site (as defined above in Section 2.2.B - Apartment Site) is generally covered

by impervious surfaces and is therefore not subject to additional snow storage requirements. Nevertheless, some additional paved surfaces for the development, including paving existing gravel drive aisles is approximately 1,000 s.f. in area. The location of proposed snow storage, as illustrated on Exhibit C is approximately 20 % of the proposed additional paved surfaces, far exceeding the 2.5% requirement.

Comment: LANDSCAPE SURFACE RATIO - The 7.79-acre (339,332 sf) site requires a minimum of +/-33,933 sf of Landscape Surface Ratio based on a 0.10 LSR

Response: As discussed in Section 2.2.B above, the existing minimum LSR on the overall property is decreased by 3,000 s.f. resulting in a rough amount of LSR on the overall property of approximately 47,000 s.f., which is well within the 10% LSR requirement of 33,933 s.f.

Comment: FLOOR AREA RATIO – The 7.79-acre (339,332 sf) site allows a total of +/- 135,733 sf of floor area based on a 0.40 FAR. Based on GIS it appears there is roughly 95,000 sf of existing floor area. At the time of the Development Plan submittal, the applicant shall provide an accounting of all existing structures and their square footage.

Response: As discussed in Section 2.2.B above, the Virginian Lodge property has a maximum allowable FAR of 135,732 s.f. Currently, all existing floor area on the property totals 95,269 s.f. This total floor area is broken down by individual existing buildings as follows:

Original motel building and associated ancillary uses:	40,247 s.f.
Virginian Restaurant:	5,121 s.f.
East motel building:	15,344 s.f.
Bar/Tavern:	13,269 s.f.
South motel building	20,184 s.f.
Miscellaneous storage/well house	<u>1,104 s.f.</u>
Total Existing Floor Area:	95,269 s.f.

The proposed Virginian Apartments project contains a total of 15,004 s.f. Therefore, including the proposed apartments, the overall floor area on the Subject Property totals **110,273 s.f.** This is equal to 32.5% FAR, which is 7.5% below the maximum FAR of 40%, or 25,459 s.f. below the maximum floor area allowed in the CR-3 zone district.

Comment: SETBACK RANGE – The site is currently nonconforming to the primary street setback range. Please discuss this with Planning to ensure the new development complies with the setback range, or that the request is run after an LDR Text Amendment.

Response: As discussed in **Section 1.3 - Applications** and **Section 2.2.B - Project Description** above, under CR-3 zoning, specifically LDR Section 2.2.13.2 – Bulk Standards

– the zoning requires a minimum “street façade width” of 50% within the primary street setback range of 20’ minimum and 85’ maximum. Currently the historic development on the northern portion of the Virginian Lodge property that fronts the primary street (W. Broadway) does not meet this minimum street façade width standard and is therefore considered nonconforming.

The proposed apartment development, located in the southeast corner of the overall 7.79-acre property, will not serve to decrease this existing street façade width nonconformity. Recognizing that many street façade width standards within the Town of Jackson Land Development Regulations (LDRs) present significant challenges on properties with older buildings or sites that do not currently meet the street façade width standards, and recognizing the benefits of exempting certain projects from meeting this standard, such as preserving the community’s building stock and character, Town planning staff has proposed an amendment to the LDRs to address this issue (Planning Agenda Item P-25-176) and the Town Planning Commission recommended approval of this LDR amendment on October 15, 2025. This planning staff proposed LDR amendment would allow for an exemption to street façade width standards under the nonconformity section of the LDRs. This LDR amendment will allow the necessary exemption to street façade width and will result in the siting of the proposed apartments being consistent with Town LDR standards.

Based on the above, inherent in this Development Permit application is a request for a Planning Director exemption to CR-3 street façade width standards.

Comment: NONCONFIRMING CURB CUTS – The site has existing curb cuts along Virginian Lane that are nonconforming because they exceed the 24’ rule. Required compliance is triggered upon a cumulative expansion of 20% or more.

Response: The proposed development is a total of 15,004 s.f. Existing development on the property, which has existed on the parcel beginning in 1965, with most recent floor area additions being built in 2001 (the Virginian Restaurant) have a total cumulative floor area of 95,269 s.f. Twenty percent cumulative expansion is equal to 19,053 s.f. The proposed development of 15,004 s.f. is well below the 20% cumulative expansion and therefore the required compliance of nonconforming curb cuts is not triggered by the proposed development.

Comment: PARKING – As part of the Development Plan submittal the applicant shall provide a total parking analysis that includes all existing uses and the proposed 16 apartments. The parking analysis shall include all hotel rooms, the retail alcohol store, the restaurant/bar seating areas, salon, and any other uses. The Conference space is exempt from parking requirements because it is considered ancillary to the hotel. At least one ADA space will be required.

Response: The total number of parking spaces on the property is discussed under Section 2.2.B Project Description; Parking Requirements of this report and an illustration of the overall parking counts is provided in **Exhibit B – Overall Existing Site Plan and**

Parking Plan. Overall the Virginian Lodge property contains a total of 247 parking spaces and existing development on the property generates a parking requirement of 194 spaces. The proposed development generates an overall parking requirement of 36 spaces. The proposed development will add a total of 12 new spaces to the property but displace/eliminate 19 existing spaces. Once the new development is completed the property will contain a total of 240 spaces, with an overall parking requirement of 230 spaces.

The new development also generates a requirement to provide 11 EVSE capable parking spaces with 2 of these spaces required to be EVSE installed. The required EVSE Parking spaces will be provided fronting the new development and are shown on **Exhibit C – Development Plan – Civil Site Plan.**

Comment: *ROOF OVERHANGS – Roof overhangs cannot encroach into any side or rear setback.*

Response: Setbacks from the east and south property lines is 5'. The proposed development is setback from the east property line by 7' and the south property line by a minimum of 10.9 feet. The eave along the east property line will be less than 6" and the eave along the south property line will be less than 1', thereby complying with the requirement that roof overhangs not encroach into the 5' setbacks. The proposed development is well within property line setback limitations.

Comment: *ACCESS – Need to discuss the proposed plan, namely the new parking, as it intersects with the east-to-west vehicle corridor that runs along the southern boundary of the property. It appears this is used as one of the main circulation paths for the RV park to the south. The southern 15' is also encumbered by a pathway easement that runs from the western property to and ends roughly 81.71' from the eastern property line.*

Response: The Virginian Lodge property and the Virginian RV Park property are owned separately and there is not cross boundary easement allowing access from the Virginian Lodge property to the Virginian RV Park property. While the east west vehicle corridor along the southern boundary of the Virginian Lodge property will remain, it will not provide access to the Virginian RV Park property unless otherwise agreed to between the separate property owners.

The issue of the pathway easement is also discussed in Section 2.2.B Project Description of this report. As the pathway is currently configured, the east 81.7' of the Virginian Lodge property is not encumbered by the pathway easement.

Engineering Department Comments:

Comment: 1. The existing water line shown appears to be from the well house. The proposed water service line will be required to be branched off the existing water line that is connected to the town's water distribution system. The proposed shown appears to be from the well line.

Response: Previously, water service to the property was from a well on the property. In 2021, the property was connected to Town water and the well service abandoned. The water service to the overall property is connected to Town water at West Broadway and runs along the east boundary of the property as shown on **Exhibit C – Development Plan – Civil Site Plan**

Comment: 2. Provide how the proposed units will be metered.

Response: Each of the four proposed buildings will have separate and individual water meters. Each individual unit, 32 in total, will have separate, individual electric meters.

Comment: 3. Provide an overall site plan that includes all easements, sanitary sewer lines and water lines along with power and communication lines. The submitted site plan does not provide enough information on existing utilities.

Response: The attached **Exhibit C – Development Plan – Civil Site Plan** show all existing and proposed utility lines as they relate to the “Apartment Site” as they are planned to provide service to the proposed development. **Exhibit A – A.L.T.A./N.S.P.S. Land Title Survey** shows all easements, sanitary sewer lines, and water lines and power and communication lines on the property, with the exception of the recently installed water line that is served by Town water service in W Broadway and the sewer easement on the neighboring Virginian RV Park Property. The water line is shown on **Exhibit B – Overall Existing Site Plan and Parking Plan** and a portion of the existing water line is also shown on **Exhibit C – Development Plan – Civil Site Plan Exhibit**. The sewer easement is also shown on **Exhibit C – Development Plan – Civil Site Plan** and the sewer line easement is included with this application under **Exhibit E - Sanitary Sewer Easement Agreement**. In addition, the location of the sewer line located on Lot 2, which will serve the existing and proposed development on Lot 1 is shown on the attached **Exhibit A – A.L.T.A./N.S.P.S. Land Title Survey**

Comment: 4. The existing sanitary collection system shown and ToJ GIS do not match. The proposed sanitary sewer collection system connects to an existing manhole that flows south into the RV park. Keep the Virginian lodging system separate from the RV park and proposed development in the RV park.

Response: The existing sewer line easement was established by the owners of the Virginian Lodge property and the Virginian RV Park property prior of the sale of the RV Park property from the Virginian Lodge owners to the Jackson/Teton County Housing Authority. The establishment of this sewer line is understood by the RV Park owner, has capacity to serve the existing and proposed development on the Virginian Lodge property and will be used in the future for that purpose.

Comment: *5. Provide a sanitary sewer main for this project that connects to the town's wastewater collection system in Virginian Lane.*

Response: Sanitary sewer for the project will be served by the existing sewer line that is within the existing sewer easement on the Virginian RV Park property and is shown on both **Exhibit E - Sanitary Sewer Easement Agreement** and on **Exhibit C – Development Plan – Civil Site Plan**

2.22 Response to Development Review Committee Comments

After submittal and sufficiency determination of the original development plan submittal, the Town Development Review Committee issued specific comments. The comments received from the Town Engineering Department and the Joint Town of Jackson and Teton County Transportation Manager are listed below, along with responses to these specific comments:

Engineering Department Specific Comments:

1. Clarify the type of construction the apartments will be permitted as, e.g. a single apartment building, multiple attached dwelling units, condos, townhomes, etc.

1.a. The types of construction impacts how the utilities are designed, accessibility, egress, fire systems, etc.

For the purposes of IBC, the apartment buildings will be permitted as one building

2. Clarify the status of the well use for water supply until 2021. i.e. active or abandoned per statute. Confirm that there is not proposed connection of the well to the potable distribution system. Show where the well supply is capped.

2.a. Public works would like to better understand the feasibility of using this well for irrigation and non-potable uses.

It is the understanding of the owner and applicant that the well was capped and abandoned per statute and the well was capped at the well head. We will further investigate and confirm or provide additional information.

The well is not connected to the potable water distribution system.

Currently the owners have no plans to use the well for irrigation and non-potable uses but willing to explore use of the well for on-site irrigation uses.

3. Provide information on the number of existing RV spaces and how they are served water and wastewater.

The apartment site currently has 6 RV units on site. The units are connected to the existing water and wastewater system as shown on ALTA survey and on the civil site plan.

4. Provide an overall site utility plan for Lot 1. Include better clarity on detail on what lines are abandoned, and how the older copper, 2021 line, and proposed are plumbed together.

Please refer to attached **Exhibit C – Development Plan – Civil Site Plan** for utilities location in proximity to the proposed development. The attached ALTA Survey also includes locations of utilities as of 2021. An overall utility plan for Lot 1 that shows, to the best of our knowledge, the existing utility infrastructure will be provided under separate cover on April 17, 2026.

5. Confirm that the water line installed in 2021 is actually 3 HPDE.

5.a Public Works recommends any new line installed be 4" nominal diameter

Approved construction plans for installation of the existing water distribution system indicate that a 3" HDPE pipe was installed.

6. Provide preliminary water demands for the development. Provide hydraulic calculations that show the existing system is adequate to supply Lot 1 including the new development.

Preliminary water demands for the development are as follows: 32 units: at 350 gpd/unit = 11,200 gallons per day. Further, preliminary calculations indicate that at peak hour 46 gpm use using a peaking factor on a 24-hour day.

7. Provide preliminary wastewater volumes for the development.

Preliminary wastewater demands for the development are as follows: 32 units: at 350 gpd/unit = 11,200 gallons per day. Further, preliminary calculations indicate that at peak hour 46 gpm use using a peaking factor on a 24 hour day.

8. Provide preliminary stormwater calculations for the development.

Rational Method at max intensity is $Q=CiA = .85 (3 \text{ min./inch}) \times 20,000 / 43,560 = 1.17 \text{ cfs}$ peak runoff. For 5 minutes this is 350 cubic feet stormwater storage (2700 gallons). This will be stored subgrade in numerous UIC drywells (for percolation discharge) and stormwater will be designed to only leave property at pre-development runoff rates.

9. Confirm that all of the proposed development is downstream of the existing main meter and that no other metering is required.

We confirm that all of the proposed development is downstream of the existing main meter, and the no other metering is required.

10. Provide an update on the status of the pathway easement amendment.

Prior to, and at the time of the original submittal (December, 2025) the Jackson/Teton County Housing Authority and their representatives requested the owners of the Virginian Lodge property consider an amendment to the pathway easement. The Virginian Lodge owners worked in good faith to accommodate this request. Since that time, discussions regarding the pathway easement amendment ended and the owners of the Virginian Lodge are not currently aware of any further request to amend the pathway easement. While the Virginian Lodge owners remain open to the possibility, no pathway easement amendment is currently contemplated in this application.

11. Show both the existing and proposed pathway easements on the plan with dimensions, accompanying notes clarifying the record document information, and that one is to be vacated and one is proposed prior to building permit issuance. If the vacation and amendment are complete, state that and show the relevant easement.

The location of the existing pathway easement is shown on **Exhibit C – Development Plan – Civil Site Plan** and **Exhibit F - Landscape Site Plan**. No amendment to the pathway easement is currently contemplated.

12. Provide an update on the status of the sewer easement amendment.

There is currently no planned amendment to the sewer easement.

13. Show both the existing and proposed sewer utility easements on the plan with dimensions, accompanying notes clarifying the record document information, and that one is to be vacated, and one is proposed prior to building permit issuance. If the vacation and amendment are complete, state that and show the relevant easement.

The existing sewer easement is included with this application as Exhibit The sewer easement is included as **Exhibit E - Sanitary Sewer Easement Agreement**. This agreement is recorded with the Teton County Clerk as Document # 1064463 on 08/01/23. The sewer location across Lot 2 is shown on the attached ALTA survey and **Exhibit C – Development Plan – Civil Site Plan** includes the location of the sewer easement. No amendment to the sewer easement is currently contemplated.

14. Provide the easement and/or other instrument that provides for conveying wastewater through the Lot 2 sewer system.

The sewer easement is included with the application as **Exhibit E - Sanitary Sewer Easement Agreement**

15. Review the criteria for a Construction Management plan in the Town Code 12.08.045 to determine if a plan is required. Provide a statement that it is not required, or if required, provide a preliminary narrative and plan.

The Jackson Town Code Section 12.080.45 states that a Construction Management Plan is required for "... all construction sites and development projects that require a permit (Building, Grading, Encroachment, PROW or Other) to construct and any one or more of the following:

1. Utilization of the public way for construction and/or staging
2. Utilization of private off-site location for construction and/or staging
3. Utilization of a crane

The proposed Virginian Lodge Apartments will not utilize the public way for construction and/or staging and will not use a private off-site location for construction and/or staging. However, it is anticipated that the project will use a crane to place the modular units on site.

Exhibit C – Development Plan – Civil Site Plan shows construction management plan information. In addition, Section 2.21 of this application for a construction management plan narrative.

16. Provide a development plan detailed grading plan for the development including sidewalks, floor elevations, spot elevations, grade breaks, contours, curbs, etc. Show how the stairs to the second level are accessed.

Please refer to the attached revised **Exhibit C – Development Plan – Civil Site Plan, Exhibit D - Virginian Lodge Apartments Architectural Floor Plans and Renderings, and Exhibit F - Landscape Site Plan** showing the Development Plan level grading plan, including sidewalks, elevations, curbs and how the second level apartments are accessed.

17. Clarify if accessible units are required and, if so, identify the accessible units per the IBC.

All ground level/first floor units are required to be accessible Type A Units. One unit, per building is required to be accessible Type B units. Please refer to the attached **Exhibit D - Virginian Lodge Apartments Architectural Floor Plans and Renderings** and **Exhibit F - Landscape Site Plan** showing unit types and accessible plan for all units pursuant to Type A and Type B requirements.

18. Clarify and show how accessible parking for Lot 1 is addressed and which accessible parking serves the proposed development.

The parking fronting the proposed apartment include two accessible parking spaces. Please refer to the attached **Exhibit C - Development Plan - Civil Site Plan** and **Exhibit F - Landscape Site Plan** for location of accessible parking spaces.

19. Provide an accessibility plan that shows compliance with IBC accessibility routes from parking, public way, transportation, etc.

This information will be provided at the time of building permit for the proposed apartment development.

Transportation Manager and Travel Demand Management Coordinator Specific Comments:

Follow the Teton County Traffic Impact Study and Travel Demand Management Guidelines

The comments under this heading include a request that “the developer should plan to assess the development’s trip generation towards submitting appropriate documentation and future monitoring to staff per the guidelines”. To this end, the applicant has contacted a traffic engineer to determine the scope and scale of a traffic impact study. We will inform the Town of the status of the traffic engineer’s work on providing a traffic statement.

In lieu of this work, we offer the following information. The existing Virginian Lodge business and operation employs numerous individuals who travel to work from outlying communities, such as Alpine, Swann Valley and Teton Valley. These employees necessarily travel to the Virginian Lodge property for work on a daily basis. The underlying purpose of the Virginian Lodge Apartments project is to provide housing for employees of the businesses at Virginian Lodge. Units in the proposed apartments will be offered to employees first and, any unoccupied units will be available for rental by on the open market. Due to the purpose of providing housing to Virginian Lodge employees and due to the scale and nature of the apartments, most, if not all, will be occupied by the local workforce. Therefore, due to the very purpose and nature of the proposed apartments they will serve to reduce to overall traffic in the proximity of the Virginian Lodge and traffic in the greater Jackson Hole area.

In addition, under this heading, the transportation comments include an encouragement that the applicant highlight how a pedestrian will navigate the parking area to walk to nearby destinations. In response, there exists a pathway easement that runs west from the project site, along the property’s south boundary and this pathway will act as a primary pedestrian access to Virginian Lane. Alternatively, in the absence of a pathway constructed in the easement the existing drive aisle the runs west from the apartment site to Virginian Lane does not currently, nor will it as a result of this project, and is this drive aisle is and will remain a clear, open and inviting pedestrian way accessing nearby amenities ,including shopping, the library, and restaurants.

Parking and Pathway Easement:

This comment suggests removing some of the parking on site to make vehicular trips less appealing and pedestrian access to the site more appealing. The revised plans removes 19 overall parking spaces, including those directly east of the existing “Queen Building” thereby meeting the intent of these comments.

Consider implementing contract with USPS mail delivery to mailboxes on site, and USPS does not offer home delivery in Jackson.

The owner will consider this suggestion.

3.0 Findings for Approval

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;**

Complies: The purpose of the LDRs is to implement the Jackson/Teton County Comprehensive Plan and promote the health, safety and general welfare of the present and future inhabitants of the community. The subject property This project helps achieve the goals pf the LDRs and the Comprehensive Plan.

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

Not applicable.

- 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 proposal is a nominal increase in existing use on the property with only a slight increase in intensity of use. It will have no significant impact on public facilities.

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

Complies: The applicant has made every effort to comply with the Town of Jackson Design guidelines. We are seeking a workshop and a formal hearing before the Design Review Committee to confirm the project’s compliance with these design guidelines.

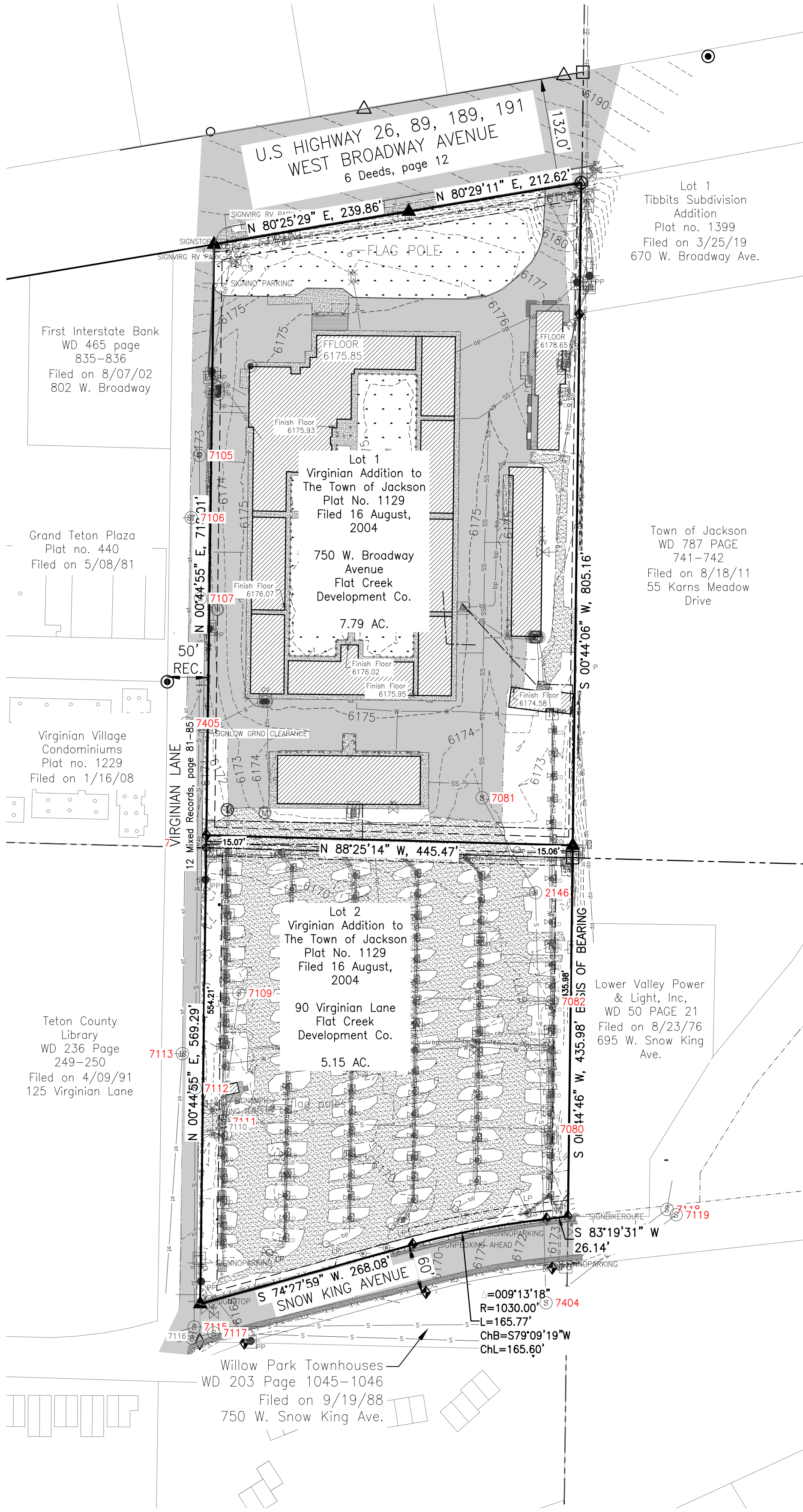
- 5. Complies with all relevant standards of these LDRs and other Town Ordinances;**

Complies: With the exception of the street yard façade issue, which is addressed by the LDR amendment proposed by the Town planning department, the project complies with both the Comprehensive Plan and the purpose of the LDRs, the project complies with relevant standards and Town ordinances.

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

Not Applicable.

Exhibit A – A.L.T.A./N.S.P.S. Land Title Survey



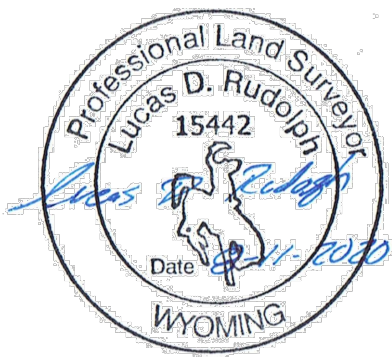
LEGAL DESCRIPTION

Lot 1 and Lot 2 of Virginian Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the Office of the Teton County Clerk, on August 16, 2004 as Plat No. 1129.

CERTIFICATE OF SURVEYOR

TO: Westcor Land Title Insurance Company, Wyoming Title & Escrow Inc., New West Companies, LLC, a Wyoming limited liability company, Waterton Hospitality Acquisitions, LLC a Delaware limited liability company, Flat Creek Development Company, a Wyoming corporation, Virginian Lodge LLC a Wyoming limited liability company, Virginian RV Park LLC, a Wyoming limited liability company, and First Republic Bank.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes Items 1, 3, 4, 5, 6(a)(b), 7(a), 8, 11, 19 and 20 of Table A thereof. The field work was from a survey on June 4, 5, 8, 9, 10, and 29, 2020.



Date of Map: August 11, 2020

Lucas D. Rudolph, Wyoming Professional Land Surveyor 15442

MH TYPE	POINT NO.	MANHOLE INVERTS		NORTH	SOUTH	WEST
		RIM	INV.			
SANITARY SEWER	7080	6171.01	6.82	5.85	5.75	
SANITARY SEWER	7081	6172.81		8.00	8.38	
SANITARY SEWER	7082	6170.89	6.8	5.35 TOP PIPE	4.80 TOP PIPE	
SANITARY SEWER	7105	6172.9	8.9			
STORM SEWER	7106	6172.74	5.15			
SANITARY SEWER	7107	6171.83	8.25			
SANITARY SEWER	7108	6169.87	9.1			
SANITARY SEWER	7109	6168.68	6.9			
SANITARY SEWER	7111	6168.98	8.85			
SANITARY SEWER	7112	6168.74		N-S 9.30	SE 8.80	
STORM SEWER	7113	6168.93	4.5			
SANITARY SEWER	7115	6167.46	12.25 TOP PIPE			
SANITARY SEWER	7116	6167.34	9.90 TOP PIPE			
SANITARY SEWER	7117	6167.64	10			
SANITARY SEWER	7118	6175.71	15.15			
SANITARY SEWER	7119	6176.11	15.25			
SANITARY SEWER	7404	6170.4		10.05		E-W 11.1
STORM SEWER	7405	6171.15	4.35 FROM CB			
SANITARY SEWER	2146	6172.03		N-S 7.65	SW 3.85 DRY	

Schedule B-II Exceptions from Coverage
Title Commitment Order Number: W-21434, dated 6 March, 2020

Exceptions shown on this survey are highlighted below.

1. Affects property, but not a matter of survey.
2. Affects property, but not a matter of survey.
3. Affects property, but not a matter of survey.
4. Affects property, but not a matter of survey.
5. Affects property, but not a matter of survey.
6. Affects property, but not a matter of survey.
7. Affects property, but not a matter of survey.
8. Affects property, but not a matter of survey.
9. Affects property, but not a matter of survey.
10. Affects property, but not a matter of survey.
11. Affects property, but not a matter of survey.
12. It is a blanket easement.
13. It is a blanket easement.
14. Affects property, and is depicted hereon, 10 foot wide easement to Lower Valley Power and Light, Inc., Book 31 of Photo, page 233, recorded on 3-20-1976.
15. Affects property, and is depicted hereon, 10 foot wide easement to Lower Valley Power and Light, Inc., Book 53 of Photo, page 86-87, recorded on 12-08-1976.
16. Affects property, and is depicted hereon, Parcel No. 2 Roadway easement to The Town of Jackson, Book 155 of Photo, page 731-733, recorded on 7-18-1984.
17. Affects property, and is depicted hereon, 10 foot wide easement to Lower Valley Power and Light, Inc., Book 186 of Photo, pages 504, recorded on 2-10-1987.
18. This easement is not on, and does not touch this surveyed property.
19. Affects property, and is depicted hereon, 10 foot wide easement to Lower Valley Power and Light, Inc., Book 223 of Photo, page 1013, recorded on 4-25-1990.
20. Affects property, but not a matter of survey.
21. Affects property, and is depicted hereon, 10 foot wide gas easement to Lower Valley Power & Light, Inc., Book 361, pages 1077-1080, recorded on 9-23-1998.
22. Affects property, and is depicted hereon, easements as shown on Plat No. 1129, filed 8-16-2004.
23. Affects property, and is depicted hereon, 10 foot wide telephone easement to Silver Star Telephone Company, Inc., Book 904, pages 544-545, recorded on 9-14-2015.
24. Affects property, but not a matter of survey.

NOTES:

The undersigned has received and examined copies of the Title Commitment Order No. W-21434, dated 6 March 2020 issued by Westcor Land Title Insurance Company with respect to the subject property, and of each instrument listed therein. The location of each easement, right-of-way, servitude, and other matter affecting title listed in said commitment, to the extent it can be located, has been shown hereon with appropriate recording references.

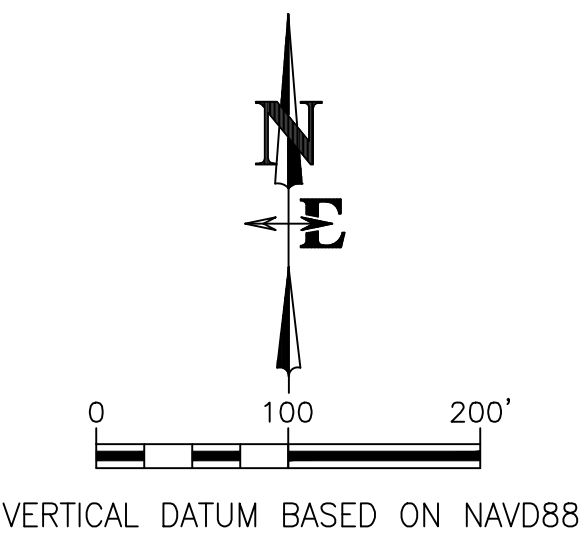
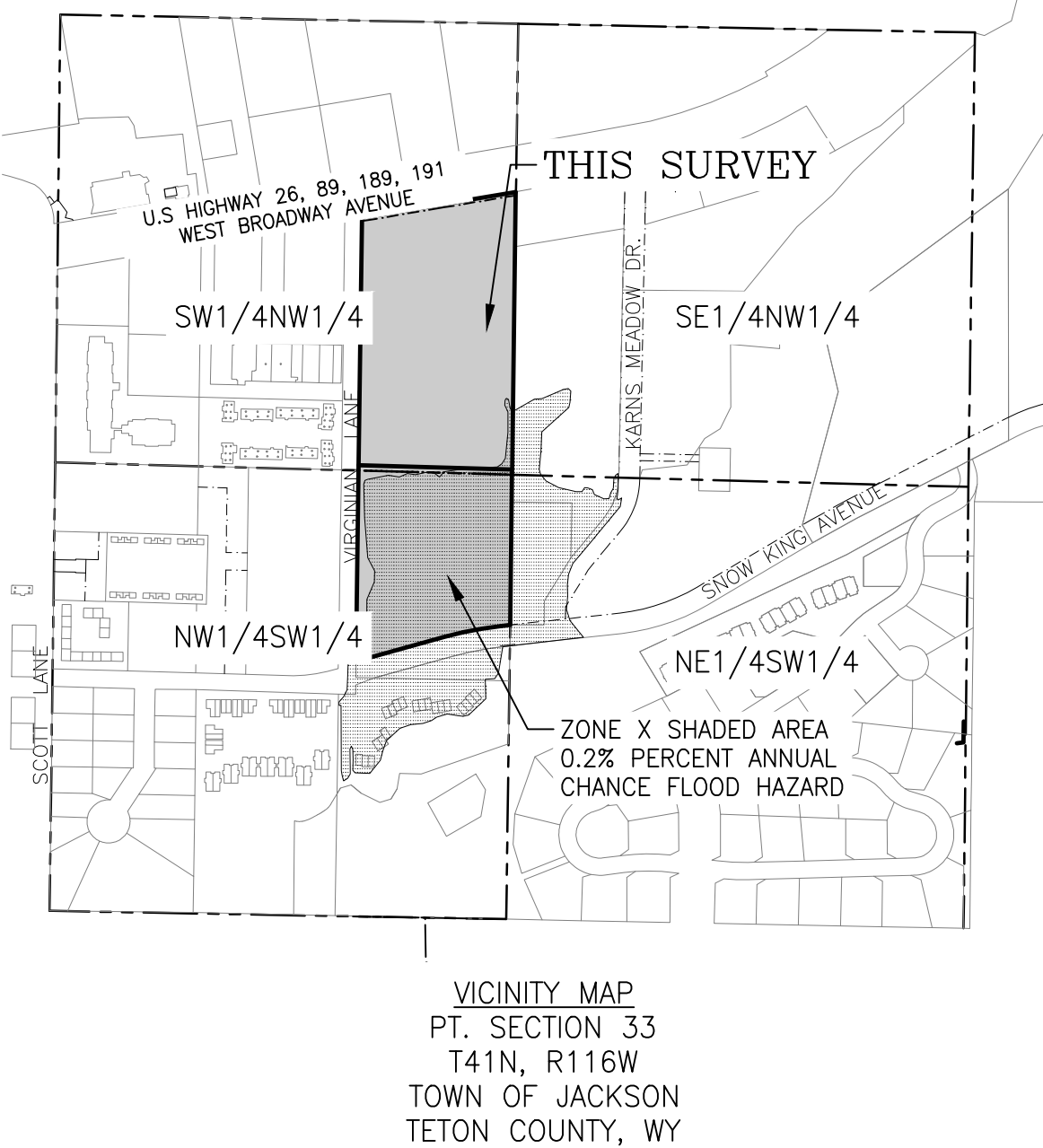
The property shown in this survey is the same as the properties described in Schedule A of the above-referenced Title Insurance Commitment.

The Property lies in Zone X, "areas determined to be outside the 500-year flood plain" and in Zone X shaded "areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood" as shown on the Flood Insurance Rate Map Panel 56039C2907D, prepared by the Federal Emergency Management Agency, effective September 16, 2015.

No Zoning Report Letter was supplied to the surveyor by the client, the setbacks shown are from the current zoning classification that the Town shows for the properties. Parking requirements are not listed.

Lot 1 has direct physical access to Highway 26, 89, 189, 191 and Virginian Lane and Lot 2 has direct physical access to Virginian Lane, both Public Roadways. There is an existing curb cut along Snow King Avenue, but no physical access to Lot 2 of Virginian Addition from Snow King Avenue.

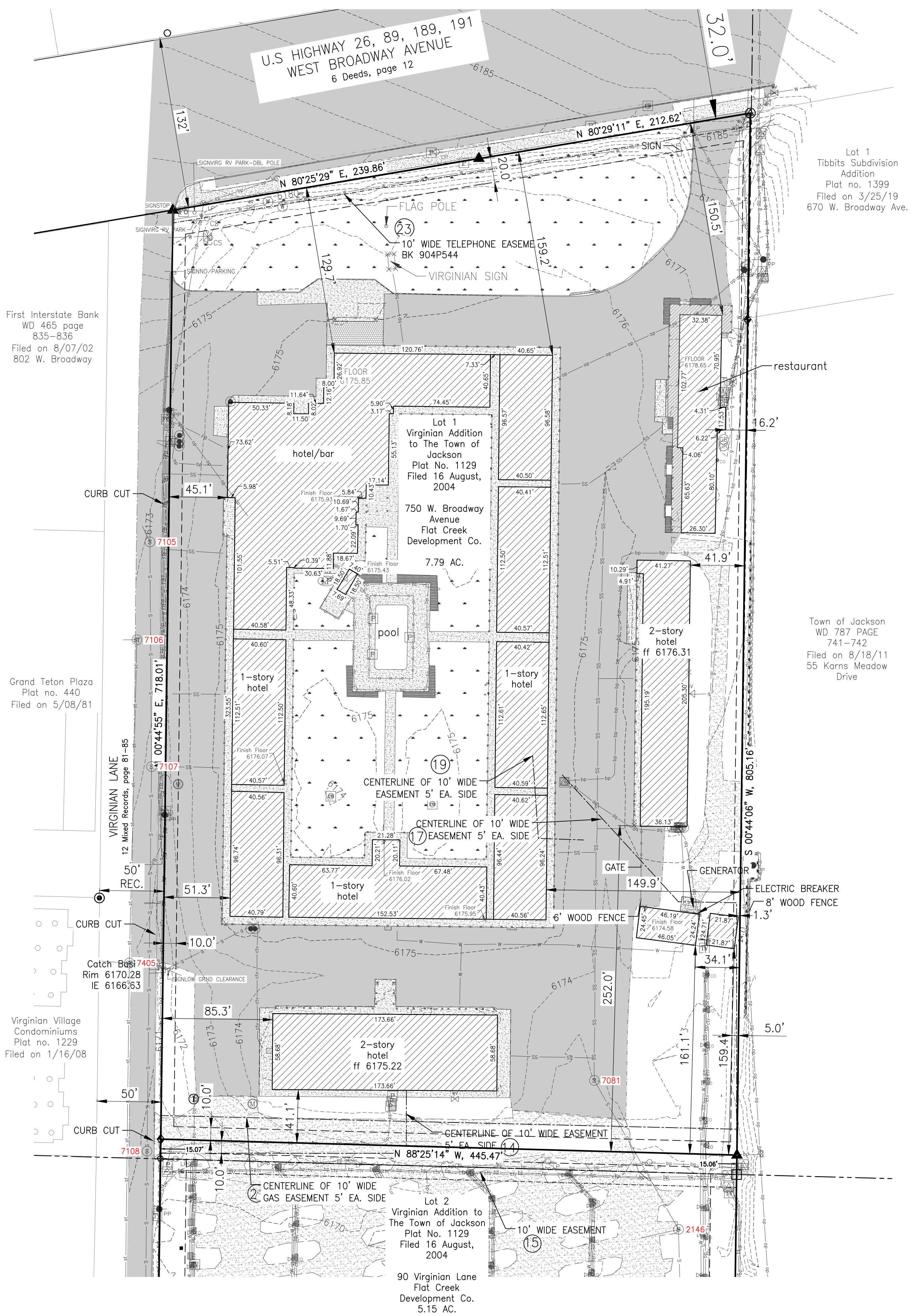
Underground utilities locates provided by private utility Locate company, Magic Valley Locates.



A.L.T.A./A.C.S.M. LAND TITLE SURVEY
Lot 1 and Lot 2
of the
Virginian Addition to the Town of Jackson
located within
SW1/4 NW1/4, NW1/4 SW1/4, Section 33
Township 41 North
Range 116 West, 6th P.M.
Town of Jackson
Teton County, Wyoming

DRAWING NO		JOB TITLE	DRAWING TITLE	NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	REV				
1 OF 3		A.L.T.A./N.S.P.S. LAND TITLE SURVEY	SITE PLAN		DATE	6/29/2020	WV/DS	7/13/20 6/7/20	
		NEW WEST COMPANIES LLC			SURVEYED				
		AND FLAT CREEK DEVELOPEMENT CO.			ENGINEERED				
JOB NO					DRAWN		SK		
20-102-2					CHECKED		LR		
				APPROVED		LR			

S:\P\2020\102-12 09 Virginian Lane & 750 W. Broadway - ALTA Survey - Orion Connors\1\ Drawing\001022 EXISTING.dwg (2020 ALTA pg 2) - Aug 11 2020 11:39:30 am PLotted by: kerdineer JWG F00011 230



LOT 1 TOWN OF JACKSON ZONE CR-3

BUILDING SETBACKS

Highway 89/191

Primary Street

Property Line (min) - 20'

Back of curb (min) - 30'

Property Line (max) - 85'

*Residential projects are exempt from the max setback requirement

All other Streets

Primary street setback range (min-max) - 10'-65'

Secondary street setback range (min-max) - 10'-65'

Side interior (min) - 5'

Rear (min) - 10'

Abutting protected zone (min) - 10'

*Residential projects are exempt from the max setback requirement

Landscaping

Landscape surface ratio (min) 10%

Highway 89 street scape standards - see E.5 standards for vegetation

Parking setbacks

Highway: primary street (min) - 20'

All other Streets: primary street (min) - 10'

Secondary street (min) - 10'

Street Facade

Width of ground and 2nd Story in primary street

and secondary street setback range

% of lot width (min) - 50%

length from street corner (min) n/a

*Residential projects are exempt from the % of lot width requirement.

Building Height

Height (max) roof pitch $\geq 5/12$ - 46'

Height (max) roof pitch $< 5/12$ - 42'

Stories (max) - 3

Height (min) - applies fronting

Highway 89/191 only- 24'

Scale of Development

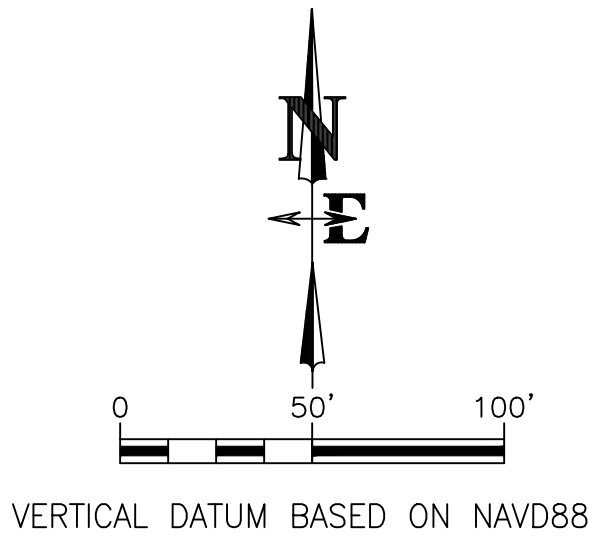
Floor Area ratio (FAR Max) - 0.40

- LEGEND
- = PROPERTY LINE
 - - - = SIDE OF EASEMENT LINE
 - - - = CENTERLINE OF EASEMENT
 - - - = SETBACK LINE
 - + — = CURB AND GUTTER FLOWLINE
 - cty — cty — cty — cty — = CABLE TV BURIED LINE
 - x - x - x - x - x - x - = FENCE LINE - WOOD
 - x - x - x - x - x - x - x - = FENCE LINE - RAIL
 - w - w - w - w - w - w - = FENCE LINE - PRIVACY WOOD
 - fb — fb — fb — fb — = FIBER OPTIC LINE
 - fl — fl — fl — fl — = FLOW LINE DITCH
 - g — g — g — g — g — = GAS LINE
 - gr — gr — gr — gr — gr — = GUARD RAIL
 - bp — bp — bp — bp — bp — = POWER BURIED
 - op — op — op — op — op — = POWER OVERHEAD
 - r — r — r — r — r — r — = RETAINING WALL
 - ss — ss — ss — ss — ss — = SANITARY SEWER LINE
 - st — st — st — st — st — st — = SANITARY SEWER SERVICE LINE
 - st — st — st — st — st — st — = STORM SEWER LINE
 - tel — tel — tel — tel — tel — tel — = TELEPHONE LINE - BURIED
 - w — w — w — w — w — w — = WATER LINE

- AC = AC UNIT
- B = BOLLARD
- TV = CABLE TV PEDESTAL
- CB = CATCH BASIN
- CV = COMMUNICATION VAULT
- C = CULVERT
- CS = CURB STOP
- P = ELECTRIC METER
- EP = ELECTRIC PEDESTAL
- ET = ELECTRIC TRANSFORMER
- EV = ELECTRIC VAULT
- FH = FIRE HYDRANT
- GV = GAS VALVE
- GMH = GREASE MANHOLE
- G = GRILL
- GW = GUY WIRE
- IV = IRRIGATION VALVE
- LP = LIGHT POLE
- M = MONITORING WELL
- PP = POWER POLE
- SSH = SANITARY SEWER HOOKUP
- S = SIGN
- WM = WATER METER
- WMH = WATER MANHOLE
- WS = WATER SPIGOT
- WP = WOOD POST

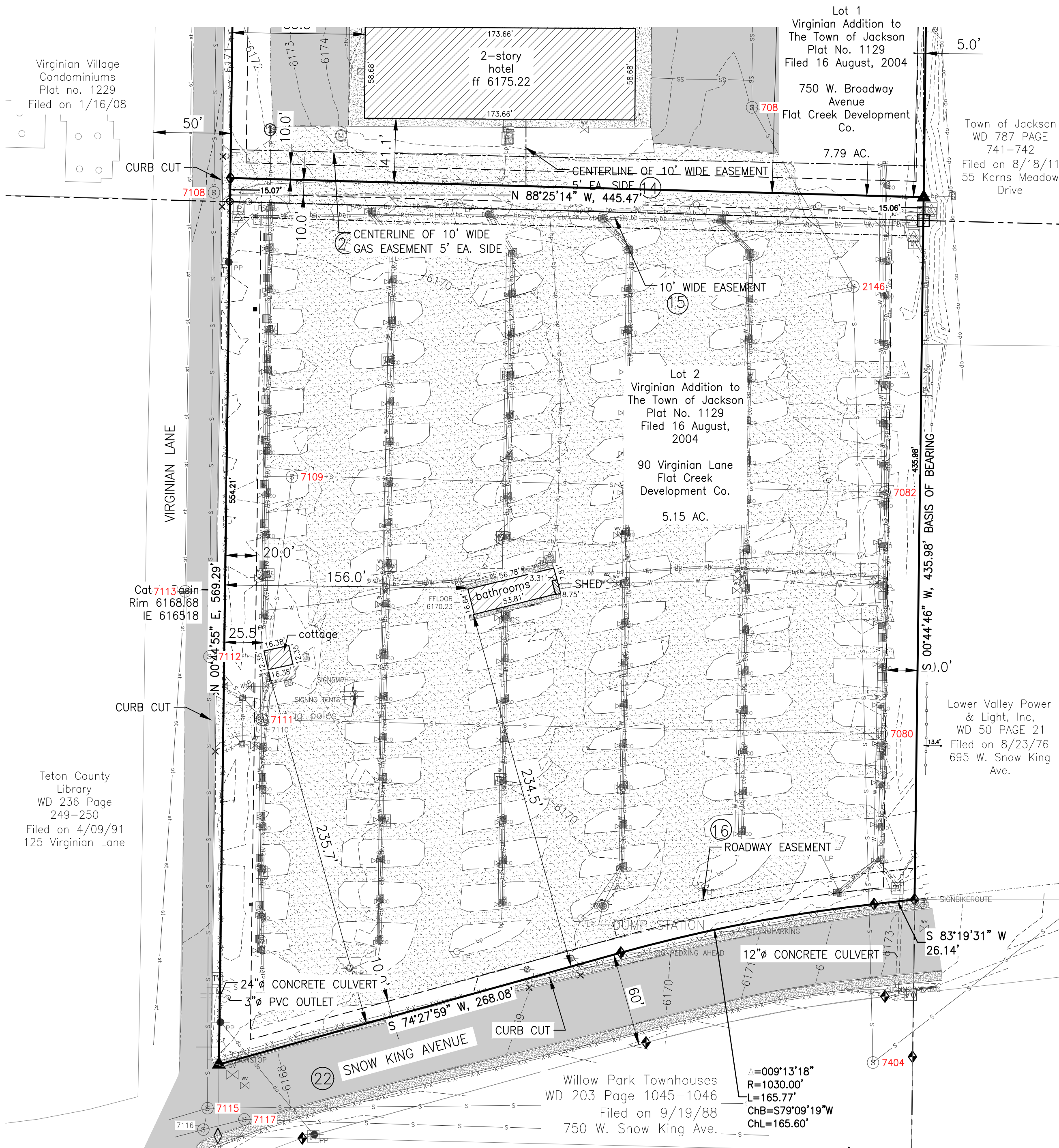
- B = BUILDING
- C = CONCRETE
- D = DECK
- G = GRASS
- Gv = GRAVEL
- P = PLANTER
- Pv = PAVERS
- Pv = PAVEMENT

- = FOUND BRASS CAP, CORNER RECORD IN FILE IN THE OFFICE OF THE CLERK OF TETON COUNTY
- ◆ = FOUND REBAR WITH ALUMINUM CAP INSCRIBED "SURVEYOR SCHERBEL LTD BIG PINEY WY PLS 3889"
- ⊕ = FOUND T-STAKE WITH METAL CAP INSCRIBED "SURVEY POINT DO NOT DISTURB RLS 164"
- △ = FOUND 6"x6" CONCRETE POST WITH STANDARD HIGHWAY BASE TABLET INSCRIBED APPROPRIATELY
- ⊙ = FOUND REBAR WITH CAP INSCRIBED "PIERSON LAND SURVEYS PC PLS 3831"
- ◇ = FOUND CHISELED X IN CONCRETE SURFACE
- ⊗ = FOUND REBAR WITH CAP "NELSON ENGR" PLS NO. NOT READABLE
- ▲ = SET 5/8" REBAR WITH CAP INSCRIBED "NELSON ENGR. PLS 15442"



A.L.T.A./A.C.S.M. LAND TITLE SURVEY
Lot 1 and Lot 2
of the
Virginian Addition to the Town of Jackson
located within
SW1/4 NW1/4, NW1/4 SW1/4, Section 33
Township 41 North
Range 116 West, 6th P.M.
Teton County, Wyoming

DRAWING NO	2 OF 3	JOB NO	20-102-2	JOB TITLE	A.L.T.A./N.S.P.S. LAND TITLE SURVEY NEW WEST COMPANIES LLC AND FLAT CREEK DEVELOPEMENT CO.	DRAWING TITLE	SITE PLALOT 1 SITE PLAN	DATE					REV.
								6/29/2020	WV/DS	SK	LR	LR	
								DATE	SURVEYED	ENGINEERED	DRAWN	CHECKED	APPROVED



LOT 2 TOWN OF JACKSON ZONE NH-1
BUILDING SETBACKS

Primary Building Setbacks
Primary Street (min) - 20'
Secondary Street (min) - 10'
Side Interior (min) - 10'
Rear (min) - 20'

Accessory Structure Setbacks
Primary Street (min) - 30'
Secondary Street (min) - 10'
Side Interior/rear (min) - 5'
Rear Alley (min) - 10'

Landscaping
Landscape surface ratio (min) see regulation (9.4.6.D)
Apartments/Single-Family Attached 0.21 & 70% in front 1/3 of lot
all other allowed uses - 0.30

Driveway setbacks
Primary street* (min) - 20'
Secondary street (min) - 10'
Side Interior (min) - 1'
Rear (min) - 5'
Rear Alley (min) - 0'
*Excludes 20' max driveway allowed in primary/secondary street setback

Building Height
Height: roof pitch $\leq 3/12$ (max) 3 stories not to exceed 35'
Height: roof pitch $4/12$ (max) 3 stories not to exceed 37'
Height: roof pitch $\geq 6/12$ (max) 3 stories not to exceed 39'

Scale of Development
Floor Area ratio (FAR Max) - 0.40
Individual building (max gross floor area) 10,000 sf

NOTE: All camping spots include a water, sewer and power/cable tv hookup.

LEGEND	
	= PROPERTY LINE
	= SIDE OF EASEMENT LINE
	= CENTERLINE OF EASEMENT
	= SETBACK LINE
	= CURB AND GUTTER FLOWLINE
	= CABLE TV BURIED LINE
	= FENCE LINE - WOOD
	= FENCE LINE - RAIL
	= FENCE LINE - PRIVACY WOOD
	= FIBER OPTIC LINE
	= FLOW LINE DITCH
	= GAS LINE
	= GUARD RAIL
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	= ELECTRIC TRANSFORMER
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	= DECK
	= GRASS
	= GRAVEL
	= PLANTER
	= PAVERS
	= PAVEMENT

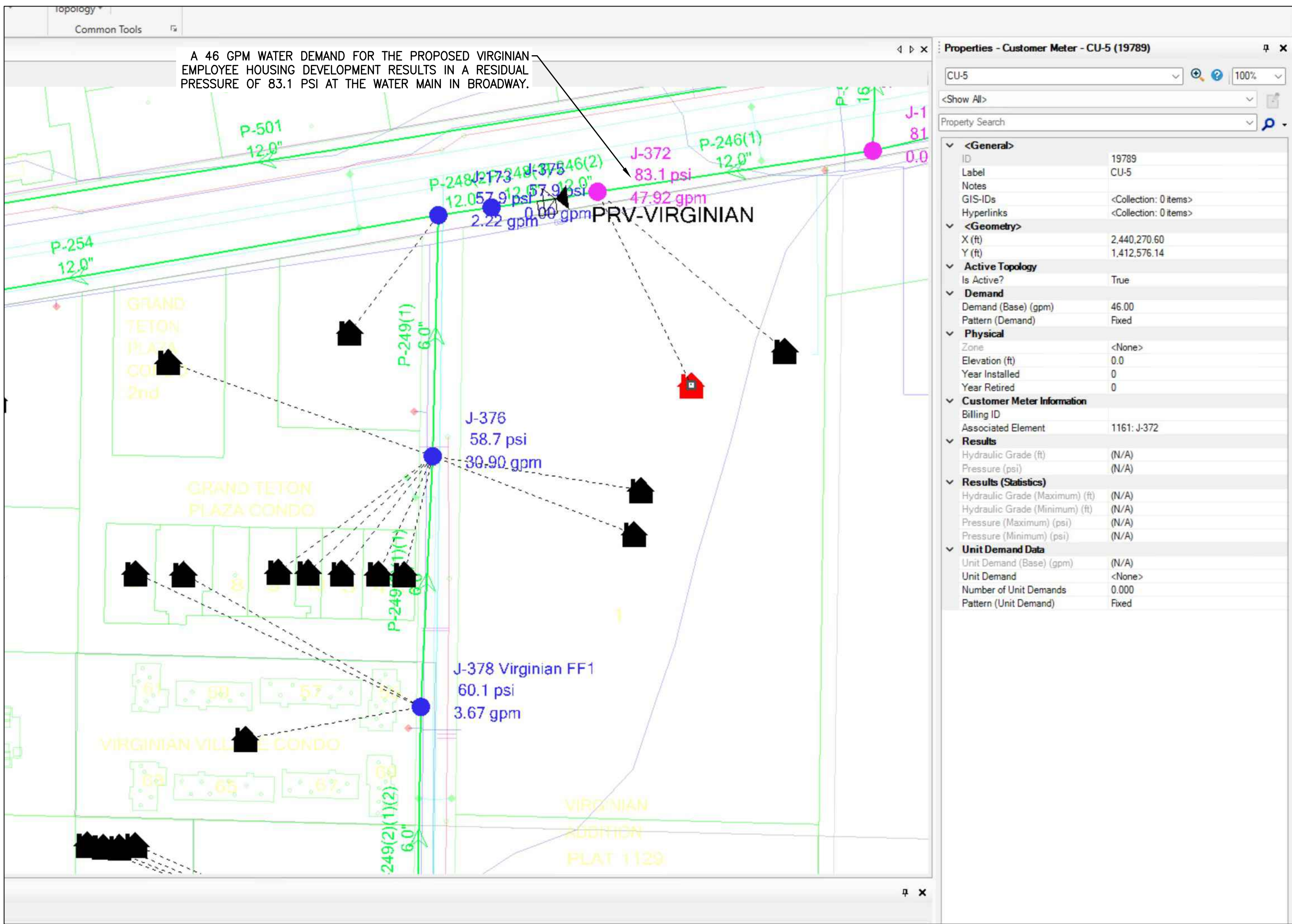
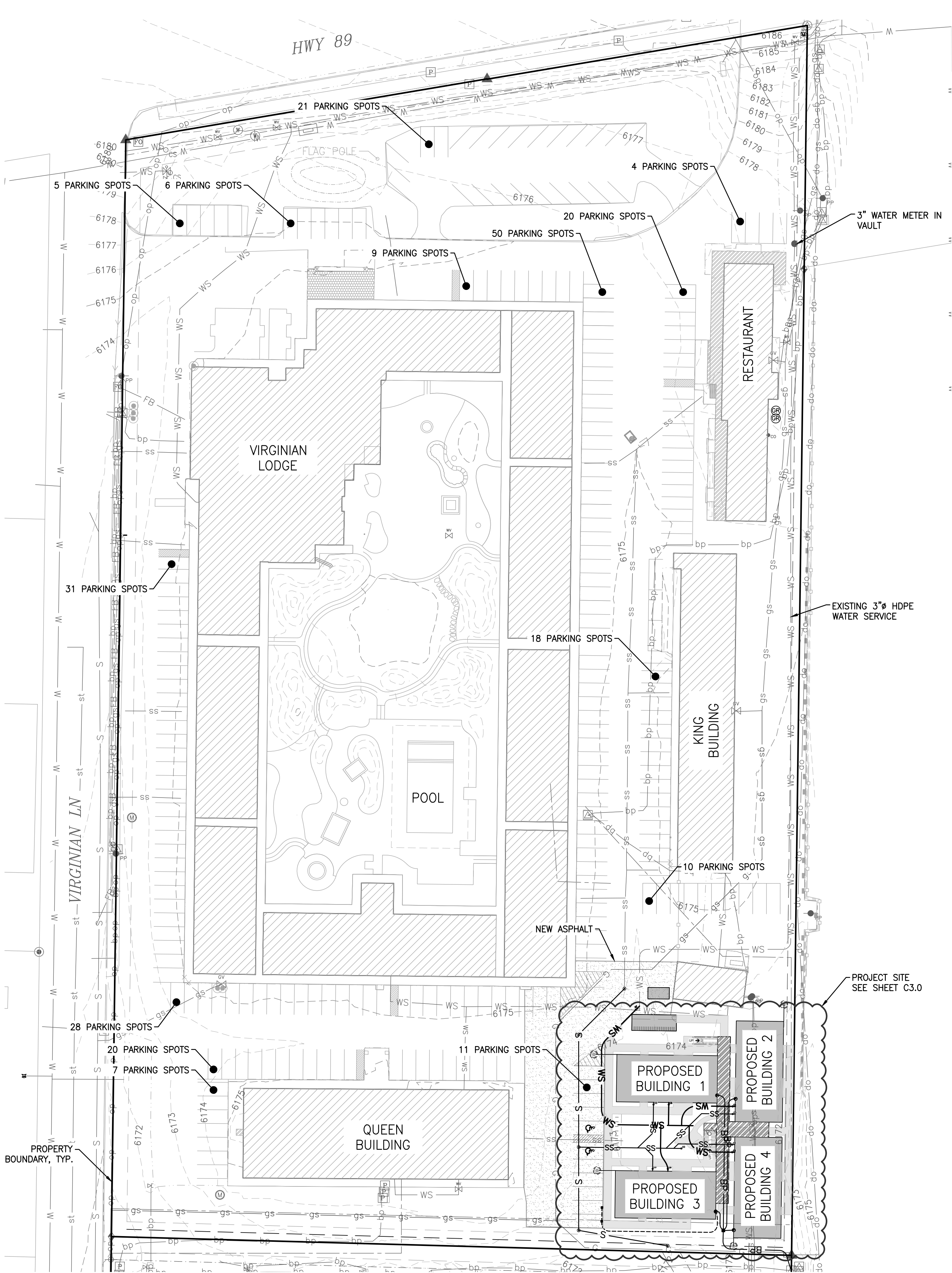
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Range 116 West, 6th P.M.
Teton County, Wyoming

DRAWING NO		JOB TITLE	DRAWING TITLE	REV.					
3 OF 3		A.L.T.A./N.S.P.S. LAND TITLE SURVEY	LOT 2	DATE	SURVEYED	WV/DS			
		NEW WEST COMPANIES LLC	SITE PLAN	ENGINEERED					
JOB NO				DRAWN	SK				
20-102-2		AND FLAT CREEK DEVELOPMENT CO.		CHECKED	LR				
				APPROVED	LR				

Exhibit B – Overall Existing Site Plan and Parking Plan

LAYOUT: FINAL SITE UTILITY & PARKING PLANS0009 - PRINTER/PC3 AutoCAD PIF General Documents0003 - PAGE SETUP: 24x36 PIF, BY - Publish - DWG VER 250 - PLOTTED BY: Canyon Huber
JUG IMAGE: S:\Projects\25-828-01 Virginian Lodge Workforce Housing - CIVIL\Drawings\CU-5-25-828-01.dwg - DATE/TIME: 4/17/2025 3:08:56 PM

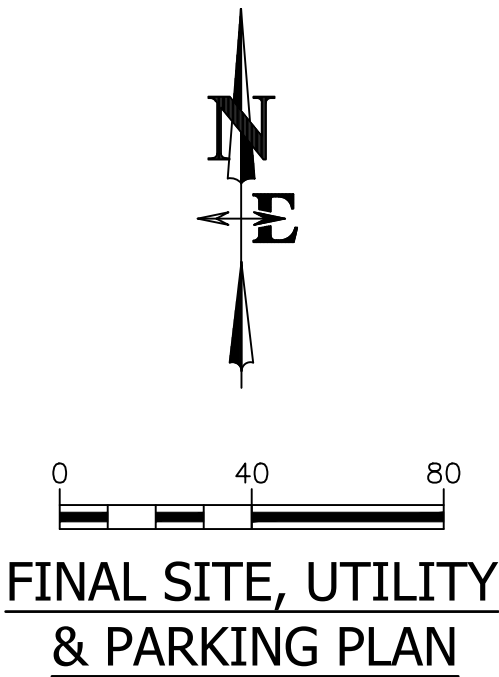


NOTE:
WATER CAD RESULTS ARE RUN ON MAX DAY DEMAND IN THE CURRENT TOJ MODEL.
MAX DAY: 32 UNITS X 350 GPD PER UNIT = 11,200 GALLONS PER DAY. 46 GPM
PEAK HOUR (USING 6 PEAKING FACTOR ON A 24-HOUR DAY).

1
C2.0 PRELIMINARY WATER DEMAND
N.T.S.

TOTAL PARKING REQUIRED (INCLUDING APARTMENTS) = 230
TOTAL PARKING ON SITE = 247
TOTAL PARKING ELIMINATED = 19
TOTAL PARKING ADDED = 12
TOTAL PARKING ON SITE AFTER APARTMENT DEVELOPMENT = 240
TOTAL SPACES IN EXCESS OF REQUIREMENT = 10

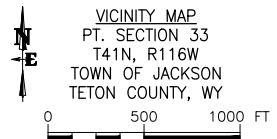
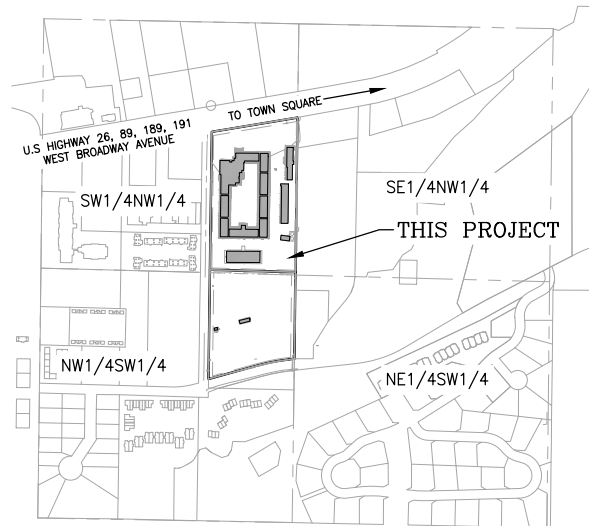
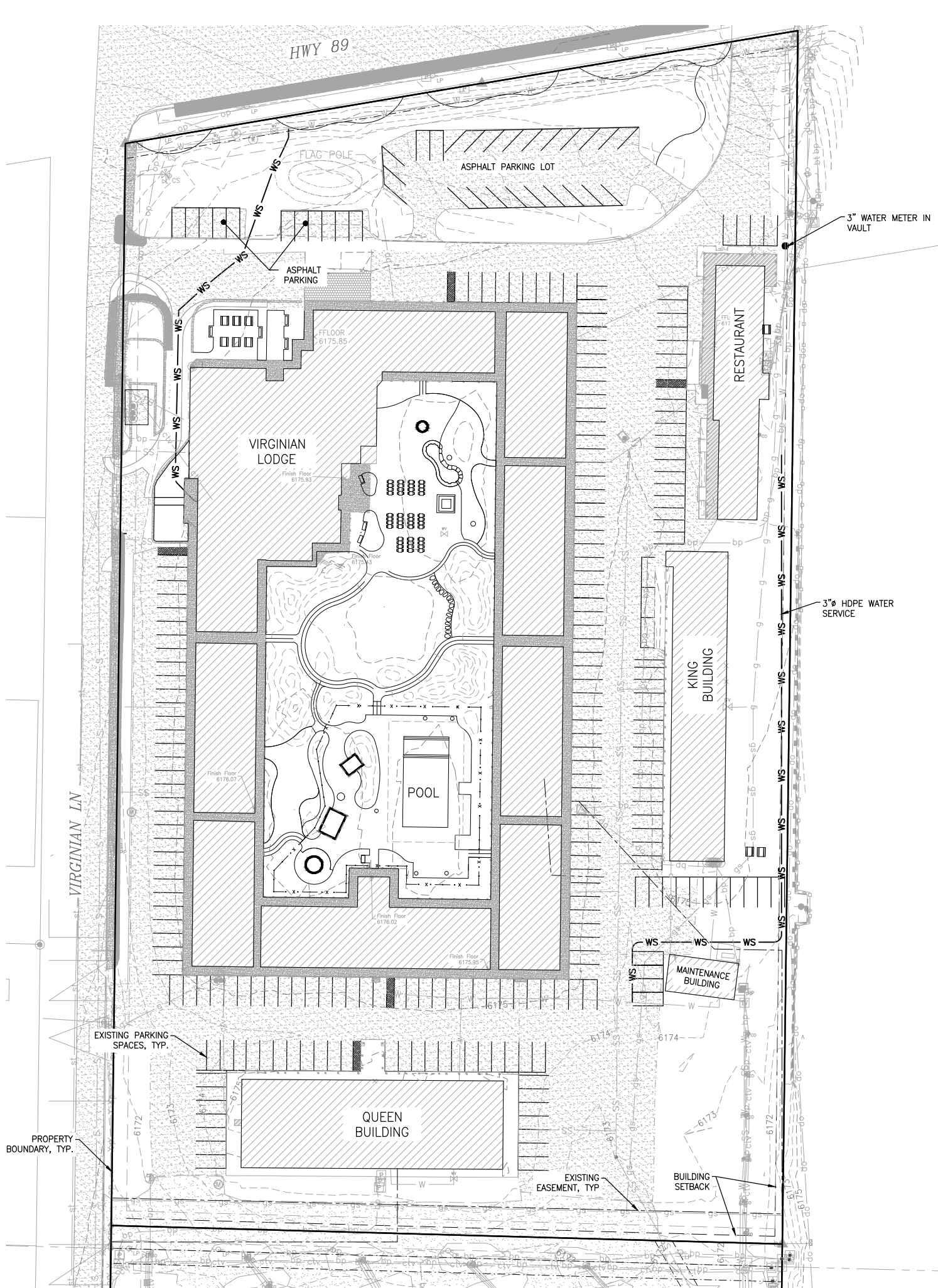
2
C2.0 PARKING SUMMARY
N.T.S.



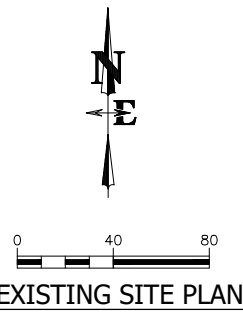
FINAL SITE, UTILITY
& PARKING PLAN

DRAWING NO	JOB TITLE	DATE	REV.			
			4/17/2028	ALTA	POH	DD
C2.0	VIRGINIAN LODGE WORKFORCE HOUSING	DRAWING TITLE				
		FINAL SITE & PARKING PLAN				
JOB NO	25-828-01	Nelson Engineering				
		P.O. BOX 1599, JACKSON WYOMING (307) 733-2087				

LAYOUT: EXISTING SITE PLAN.dwg - PLOTTER/PC3: AutoCAD PLOT General Documents.dwt - PLOT: SETUP: 12x18 PLOT BW - PUBLISH: DWG: 4/8/2028 10:05:08 AM
DWG NAME: 25-228-01-01.dwg - PLOTTER/PC3: AutoCAD PLOT General Documents.dwt - PLOT: SETUP: 12x18 PLOT BW - PUBLISH: DWG: 4/8/2028 10:05:08 AM



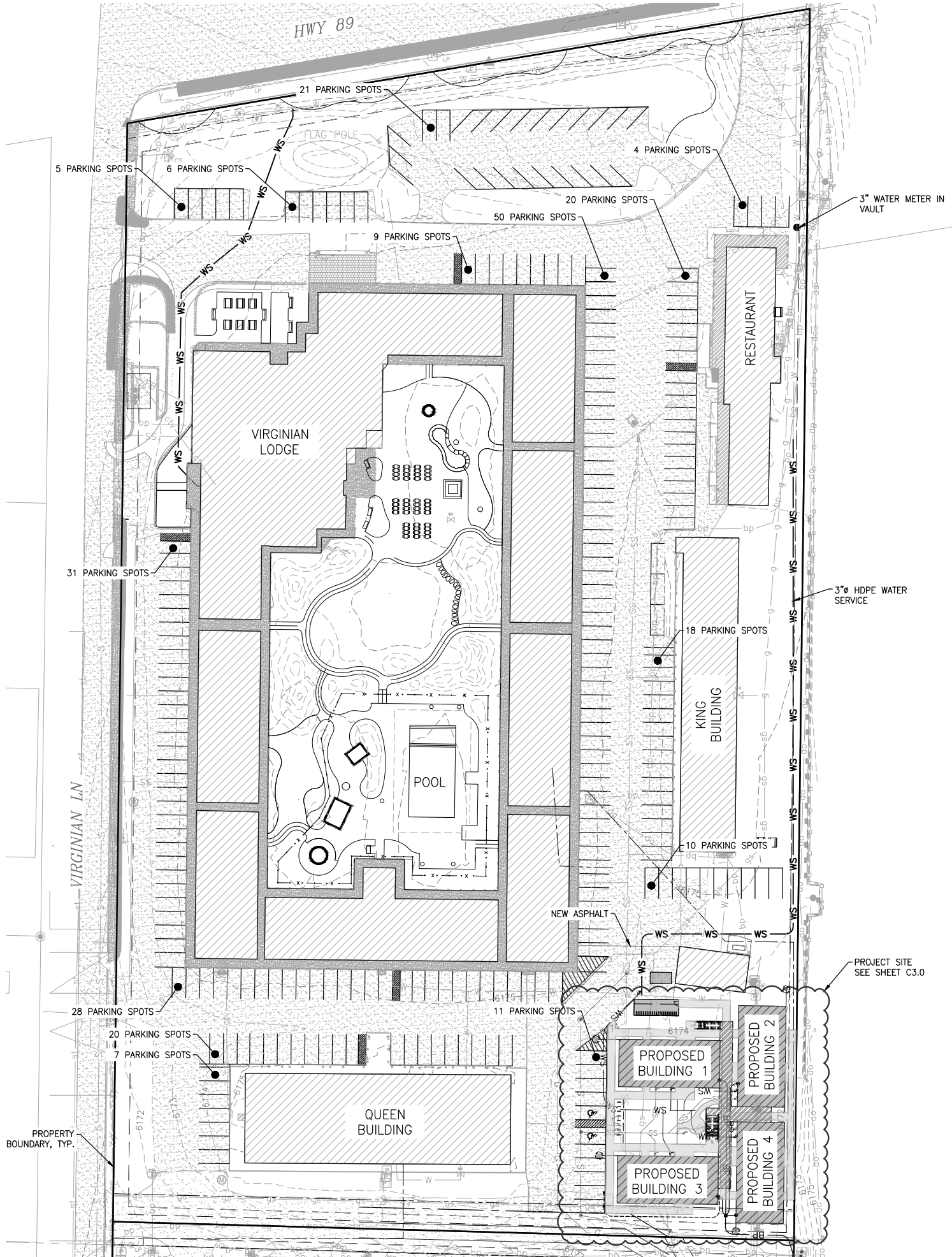
- LEGEND
- = PROPERTY LINE
 - - - = SIDE OF EASEMENT LINE
 - . - . = CENTERLINE OF EASEMENT
 - - - = SETBACK LINE
 - o o o = CONSTRUCTION FENCING
 - ctv — ctv — = CABLE TV BURIED LINE
 - FB — FB — = FIBER OPTIC LINE
 - g — g — = GAS LINE
 - bp — bp — = POWER BURIED
 - op — op — = POWER OVERHEAD
 - S — = SANITARY SEWER LINE
 - SS — = SANITARY SEWER SERVICE LINE
 - st — = STORM SEWER LINE
 - bt — bt — = TELEPHONE LINE - BURIED
 - W — = WATER LINE
 - [Symbol] = CABLE TV PEDESTAL
 - [Symbol] = ELECTRIC METER
 - [Symbol] = ELECTRIC PEDESTAL
 - [Symbol] = ELECTRIC TRANSFORMER
 - [Symbol] = ELECTRIC VAULT
 - [Symbol] = GAS VALVE
 - [Symbol] = POWER POLE
 - [Symbol] = SANITARY SEWER CLEANOUT
 - [Symbol] = SANITARY SEWER MANHOLE



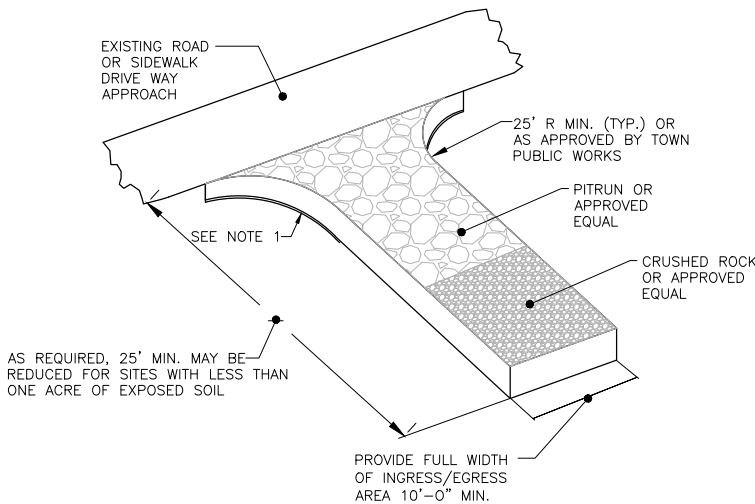
DRAWING NO	JOB TITLE	DRAWING TITLE	REV.				
			DATE	SURVEYED	ENGINEERED	DRAWN	CHECKED
C1.0	VIRGINIAN LODGE WORKFORCE HOUSING	EXISTING SITE PLAN	4/8/2028	ALTA	PCH	PCH/RN	DD
JOB NO	TETON COUNTY, WYOMING						
25-228-01							

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

LAYOUT: FINAL SITE & PARKING PLANS009 - PRINTED/PC3 MidCAD PDE General Documents000003 - PAGE SETUP 12x18 PDE PW - PLOTTER: B7i Canyon Huber
DWG NAME: S:\projects\25-228-01\Virginia Lodge Workforce Housing - Civil\Drawings\25-228-01_000003.dwg - DATE/TIME: 4/8/2028 10:02 PM

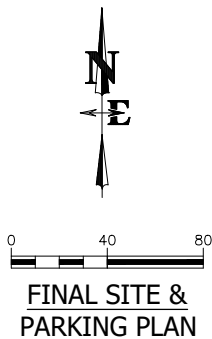


TOTAL PARKING REQUIRED (INCLUDING APARTMENTS) = 230
TOTAL PARKING ON SITE = 247
TOTAL PARKING ELIMINATED = 19
TOTAL PARKING ADDED = 12
TOTAL PARKING ON SITE AFTER APARTMENT DEVELOPMENT = 240
TOTAL SPACES IN EXCESS OF REQUIREMENT = 10



- NOTES:
1. PLACE CONSTRUCTION GEOTEXTILE FOR SOIL STABILIZATION UNDER THE CRUSHED ROCK FROM THE EDGE OF THE EXISTING ROADWAY TO THE RADIUS RETURNS, OR AS DIRECTED BY PUBLIC WORKS.
 2. ENTRANCE SHALL BE REMOVED AND RECONSTRUCTED AS REQUIRED TO PREVENT EXCESS TRACKING OF MATERIALS ONTO RIGHT-OF-WAY, OR WHEN DIRECTED BY THE TOWN PUBLIC WORKS DEPARTMENT.

1
C2.0 CONSTRUCTION TRACK PAD DETAIL
N.T.S.



FINAL SITE & PARKING PLAN

DRAWING NO	C2.0	JOB TITLE	VIRGINIAN LODGE WORKFORCE HOUSING TETON COUNTY, WYOMING	DRAWING TITLE	FINAL SITE & PARKING PLAN	REV.					
						DATE	SURVEYED	ENGINEERED	PCH	PCH/RN	DD
25-236-01						NELSON ENGINEERING					
						P.O. BOX 1599, JACKSON WYOMING (307) 733-2087					

Exhibit C – Development Plan – Civil Site Plan

Exhibit D - Virginian Lodge Apartments Architectural Floor Plans and Renderings



Sheet Index SCHEMATIC DESIGN	
Sheet Number	Sheet Name
SD-00	COVER SHEET
SD-001	DRC - SITE CONTEXT PHOTOS
SD-10	AERIAL PHOTOGRAPH
SD-L1.0	LANDSCAPE SITE PLAN
SD-11	FIRST & SECOND LEVEL FLOOR PLAN
SD-20	EAST / WEST ELEVATION
SD-21	NORTH / SOUTH ELEVATION
SD-30	NORTH-SOUTH SECTION
SD-40	EXTERIOR MATERIALS

OWNER
VIRGINIAN LODGE LLC
P.O. Box 7396
750 W Broadway Avenue
Jackson, WY 83001

ARCHITECT
Hoyt Architects
1110 Maple Way Suite F
PO Box 7364 (83002)
Jackson, WY (83001)
307.733.9955
name@hoytarchitects.design

PROJECT LOCATION
750 W Broadway Avenue
Jackson, WY 83001

Lot 1, Virginian Addition
Acreage 7.79



VIRGINIAN LODGE EMPLOYEE HOUSING



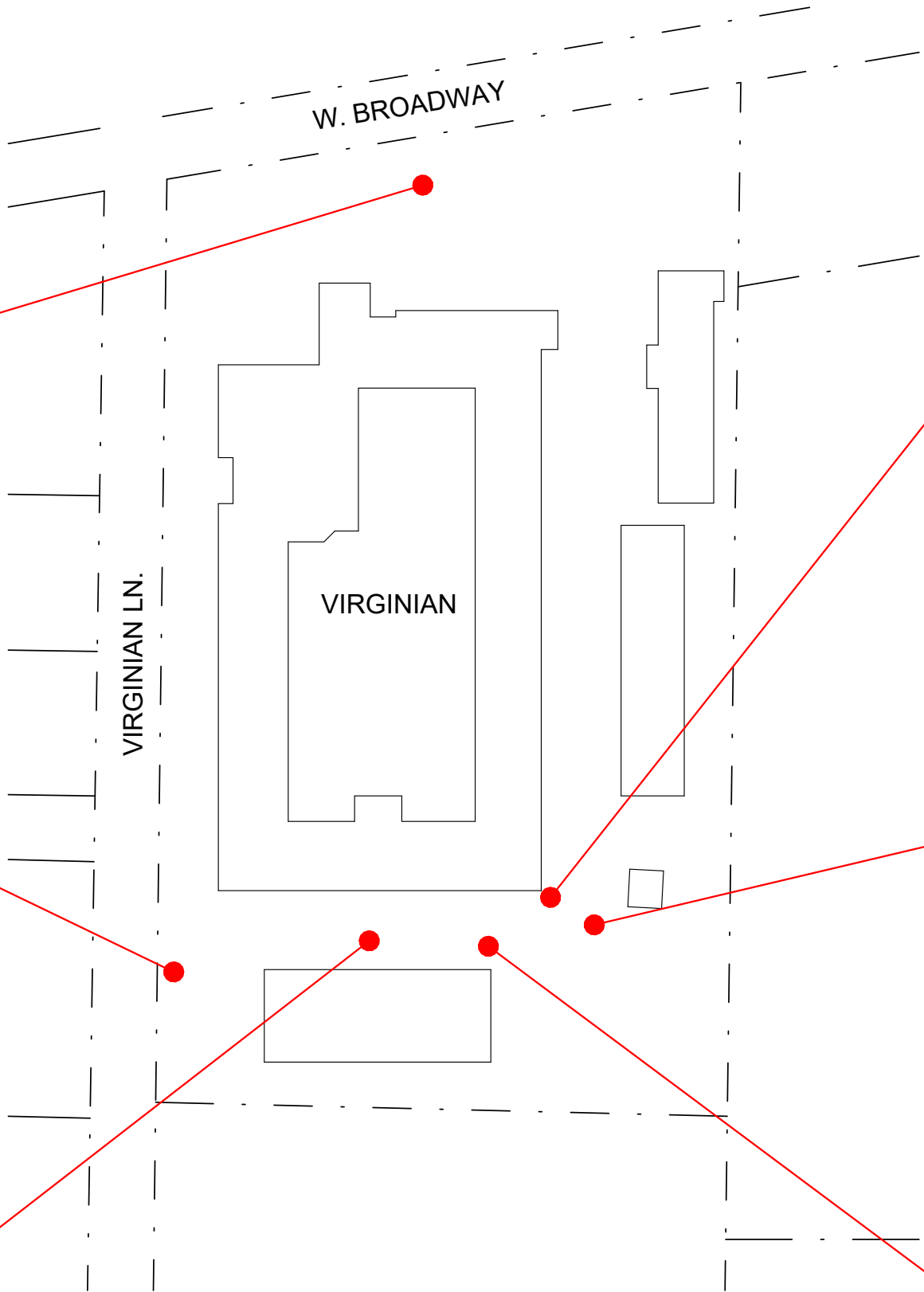
1



2



3



① GIS MAP
1" = 60'-0"



4

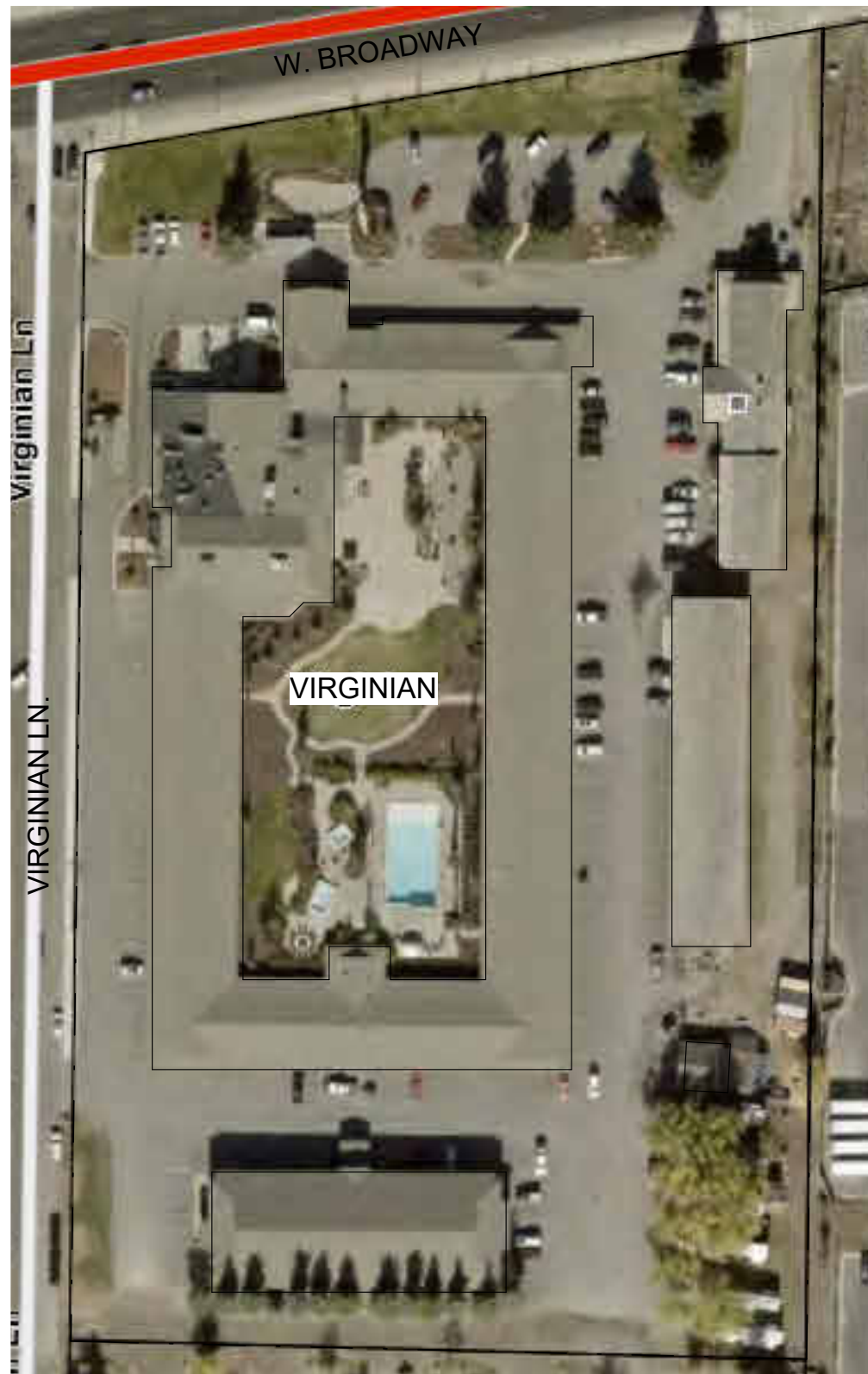


5



6

VIRGINIAN LODGE EMPLOYEE HOUSING



① SITE PLAN
1" = 50'-0"

VIRGINIAN LODGE EMPLOYEE HOUSING

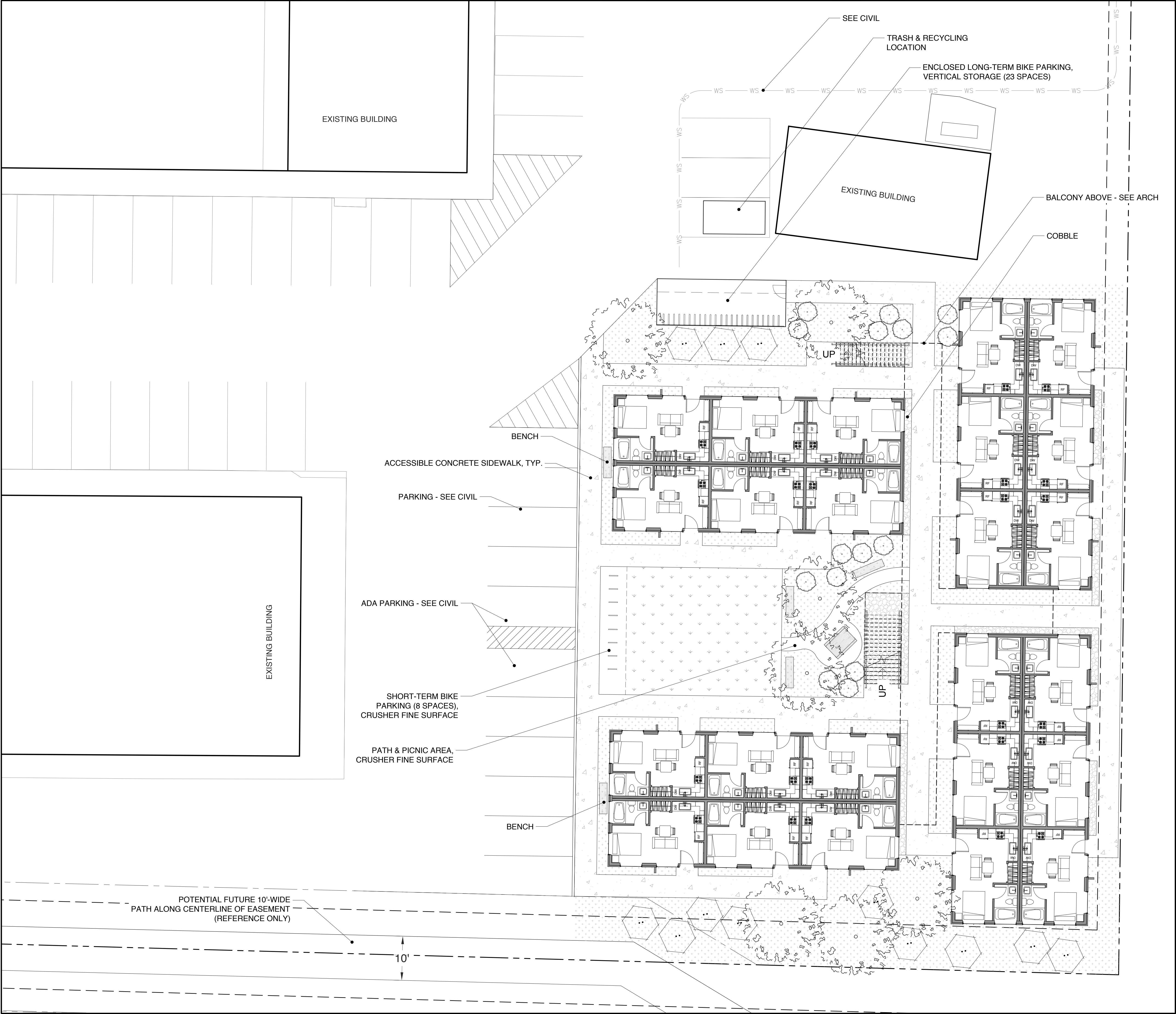
TOWN OF JACKSON, WY

SD-10

MARCH 23 2026

HOYT

architects



LEGEND

- Property Boundary
- Easement
- Building Setbacks

GENERAL NOTES

Landscaping & Irrigation: All landscaping will comply with Town of Jackson LDR's. See below for Plant Unit Calculation. All plant material shall be irrigated by a pressurized subsurface irrigation system with automatic controller. Irrigation system to be design build in field by Landscape Contractor. All trees and shrubs to be drip irrigated. All rescue sod areas to be spray irrigated by pop-up heads. Heads shall be located as to not spray onto building, driveway, roadway, or adjacent properties.

Grading, drainage, utilities, parking design, and snow storage: See Civil.

Bike Parking Spaces Requirement:
Total Bike Parking Spaces Required: 30
Total Long-term Spaces Required: 23 (75% rounded up)
Total Short-term Spaces Required: 8 (25% rounded up)

Total Bike Parking Spaces Provided: 31
Total Long-term Spaces Provided: 23
Total Short-term Spaces Provided: 8

Plant Unit Calculation: (per Town of Jackson LDR 5.5.3.E)

Plant Units Required: 1.5

Plant Unit Alternative A:
(1) 3" cal. Canopy tree x 1.5 = (2) 3" cal. canopy trees
(6) 6-8' Ht Shrubs or Multi-stem tree x 1.5 = (9) 6-8' Ht Shrubs or multi-stem tree
(4) 5 gal. shrub x 1.5 = (6) 5 gal. shrub

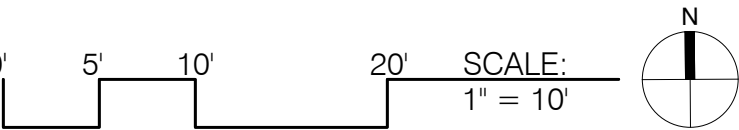
Proposed Planting Based on Alternative A:
(7) 3" cal. canopy tree
(12) 6-8' Ht Shrubs
(15) 5 gal. shrubs
(5) benches

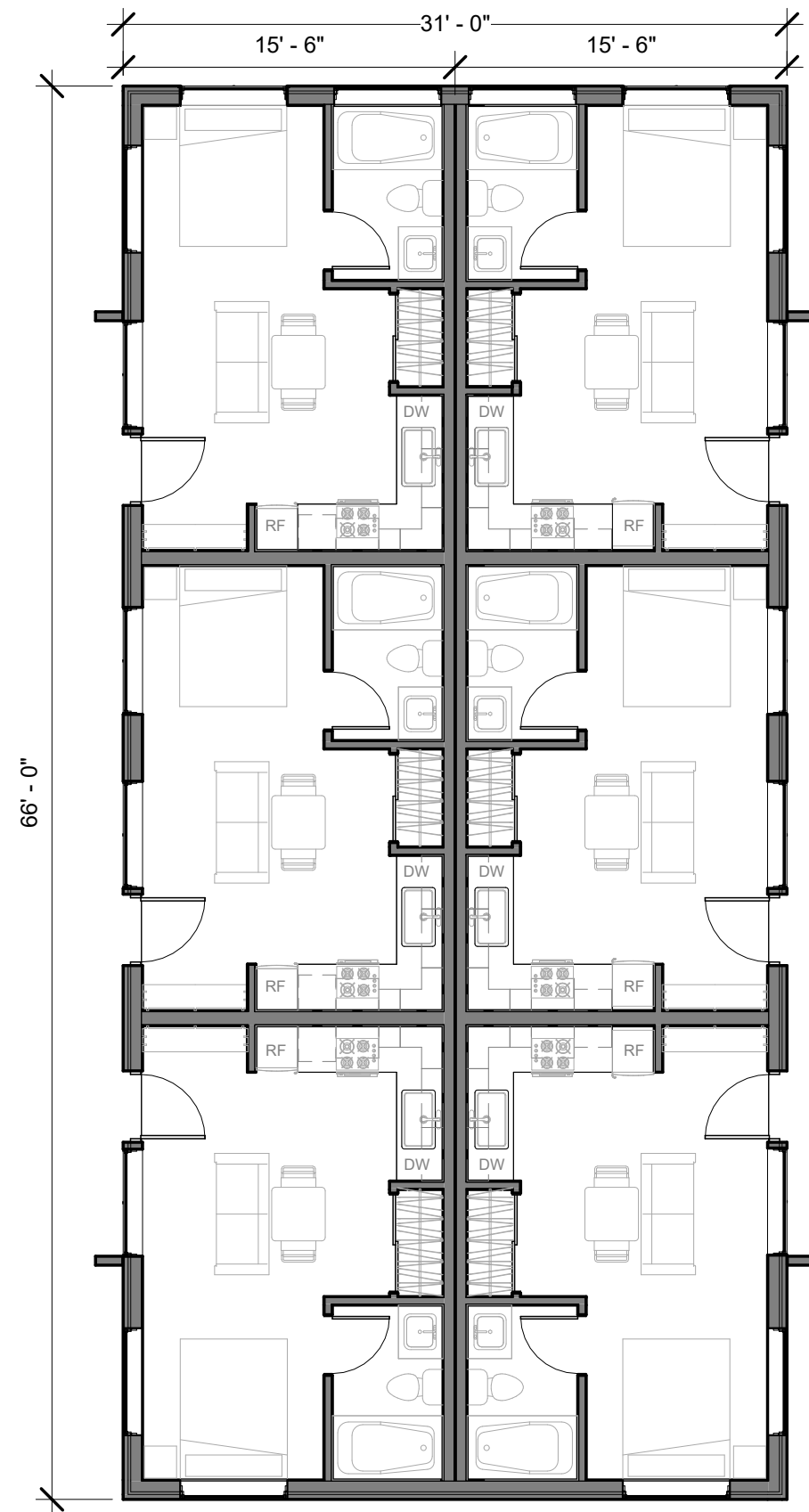
PLANTING NOTES

- Obtain approval of finish grading from landscape architect prior to installing any plant material. The finish grades of planting areas and lawns shall be 2 inches below adjacent edging or paving. (Confirm mulch depth and whether lawns are to be seed or sod).
- Confirm all plant counts and square footages; quantities shown are provided as owner information only. If quantities indicated in the plant list differ from symbols shown on the plans, then the plans shall govern the plant count.
- The landscape architect shall review all plant materials at the source or nursery if w/in 50 miles of Jackson, WY - or by photographs - prior to digging trees or shipping plant materials. The landscape architect reserves the right to reject any unacceptable plant material either at the source or when delivered to the project site.
- Carefully align and space plant materials as indicated in these notes, drawings and details.
- The final location of plant materials is to be approved by the landscape architect on site prior to installation. The contractor is responsible for staking or marking the location of all plant materials on site for review by the landscape architect. The landscape architect reserves the right to adjust the exact locations of plants on site.
- All plants shall be planted at the same level with relation to finish grade as they were grown in the field or nursery.
- The irrigation system shall be operational prior to plant installation, or temporary irrigation measures shall be provided in the interim. The method of temporary irrigation shall be approved by the landscape architect prior to installing any plant material.
- Do not perform any pruning of existing or newly planted trees or shrubs without the direction and approval of the landscape architect.
- Provide and install specified edging as divider between planting beds and lawn areas.
- Provide burlap wrap or other approved trunk protection for all new trees.
- For ball & burlap trees, remove burlap from top 1/3 of rootball once trees are fully planted, unless directed otherwise by nursery.
- All installed trees shall be staked. The landscape architect shall review and reserves the right to reject the method and/or installation of tree staking and guying systems prior to acceptance.
- All disturbed areas to be reclaimed w/ approved native grass sod. Install 16-16-8 fertilizer at the rate of 15 lbs. per 1,000 s.f. and till into top four inches of soil.
- During construction & prior to final acceptance, contractor shall observe the project site for the growth of noxious weeds. The growth of noxious weeds shall be reported to the Teton County Weed and Pest District Office. Contractor and owner shall implement a weed control program to control noxious weeds.

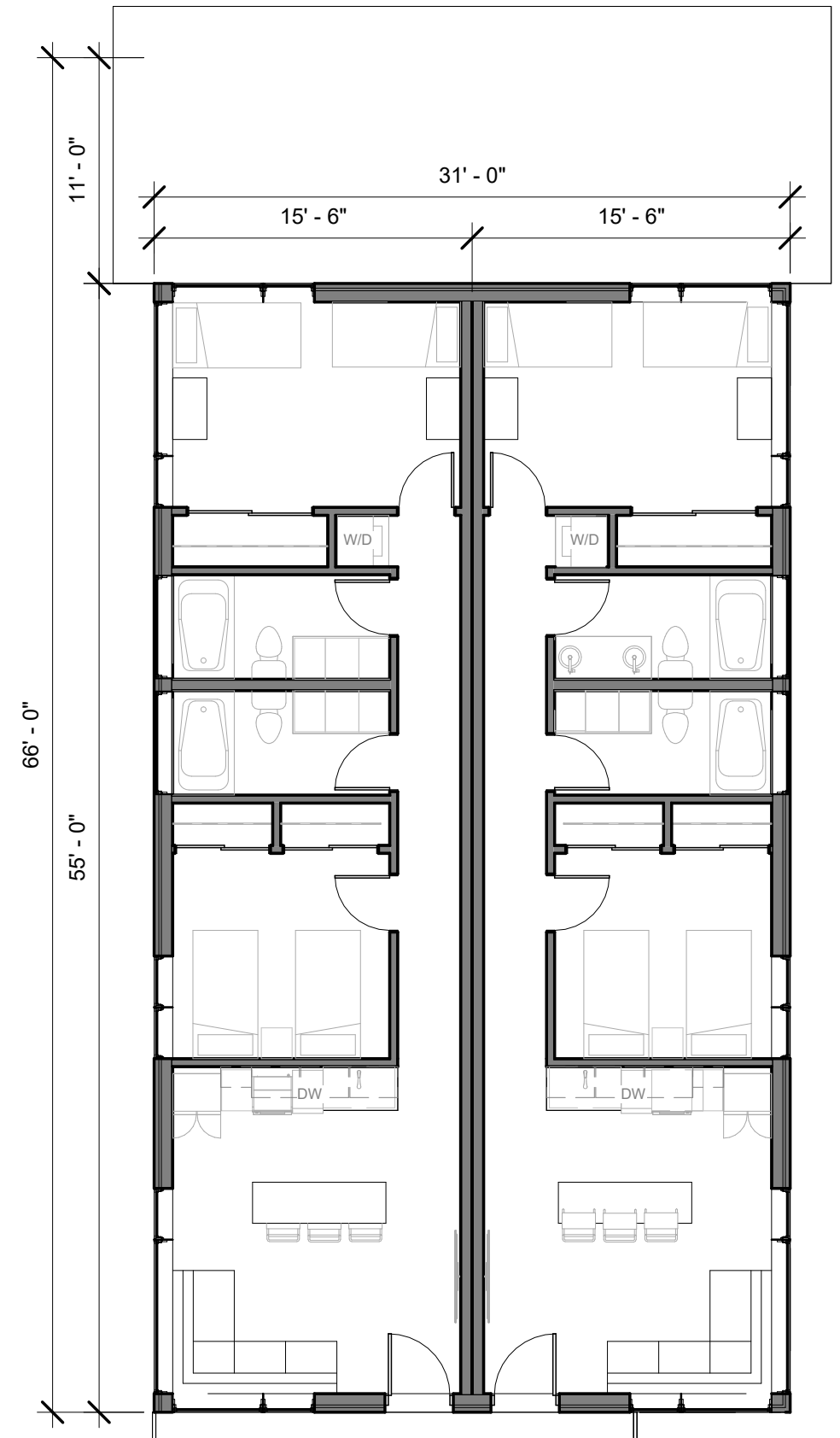
PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES				
	Populus tremuloides	Quaking Aspen	3" cal	7
SHRUBS				
	Native Shrub TBD	Native Shrub TBD	5 gal.	15
	Native Shrub TBD	Native Shrub TBD	6' Ht	12
SOD				
	Poa pratensis	Bluegrass	Sod	1,020 SF
	Festuca spp.	Fescue blend	Sod	4,689 SF





① SD FIRST FLOOR PLAN
1/8" = 1'-0"



② SD SECOND FLOOR PLAN
1/8" = 1'-0"

VIRGINIAN LODGE EMPLOYEE HOUSING

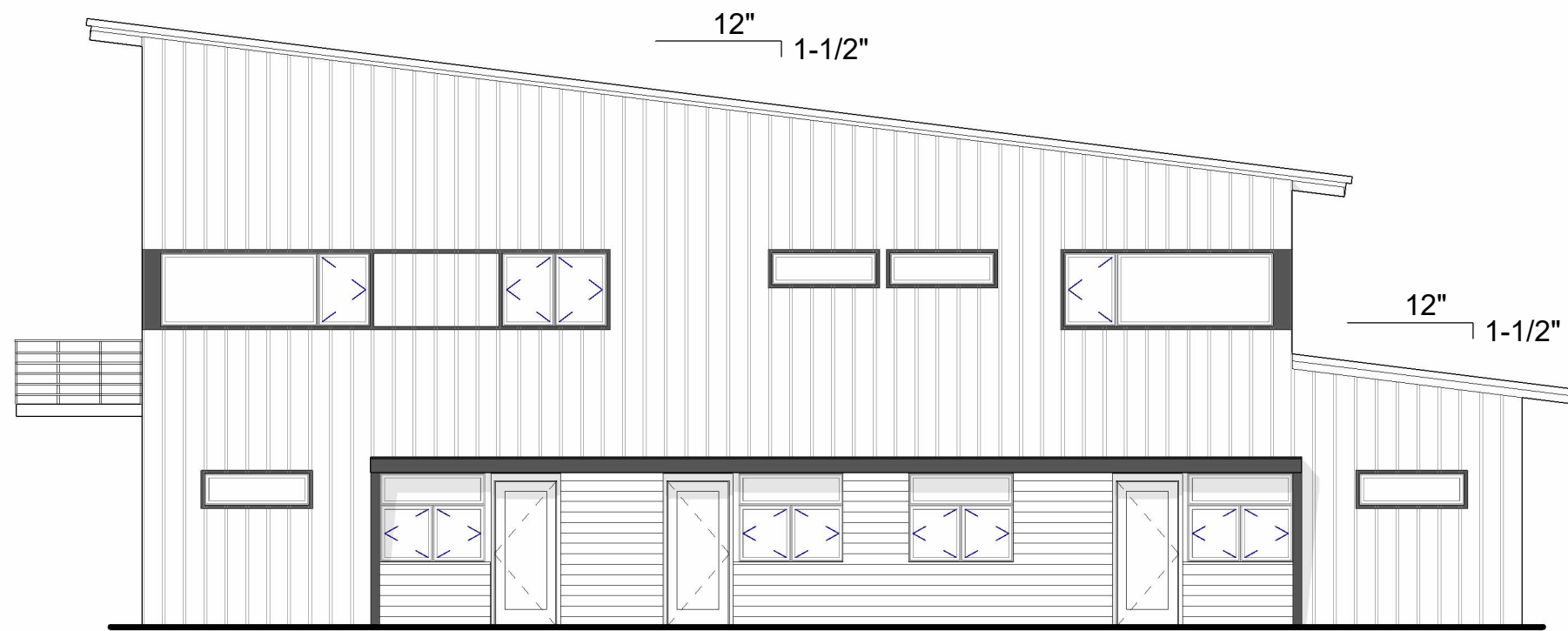
TOWN OF JACKSON, WY

SD-11

MARCH 23 2026

HOYT

architects



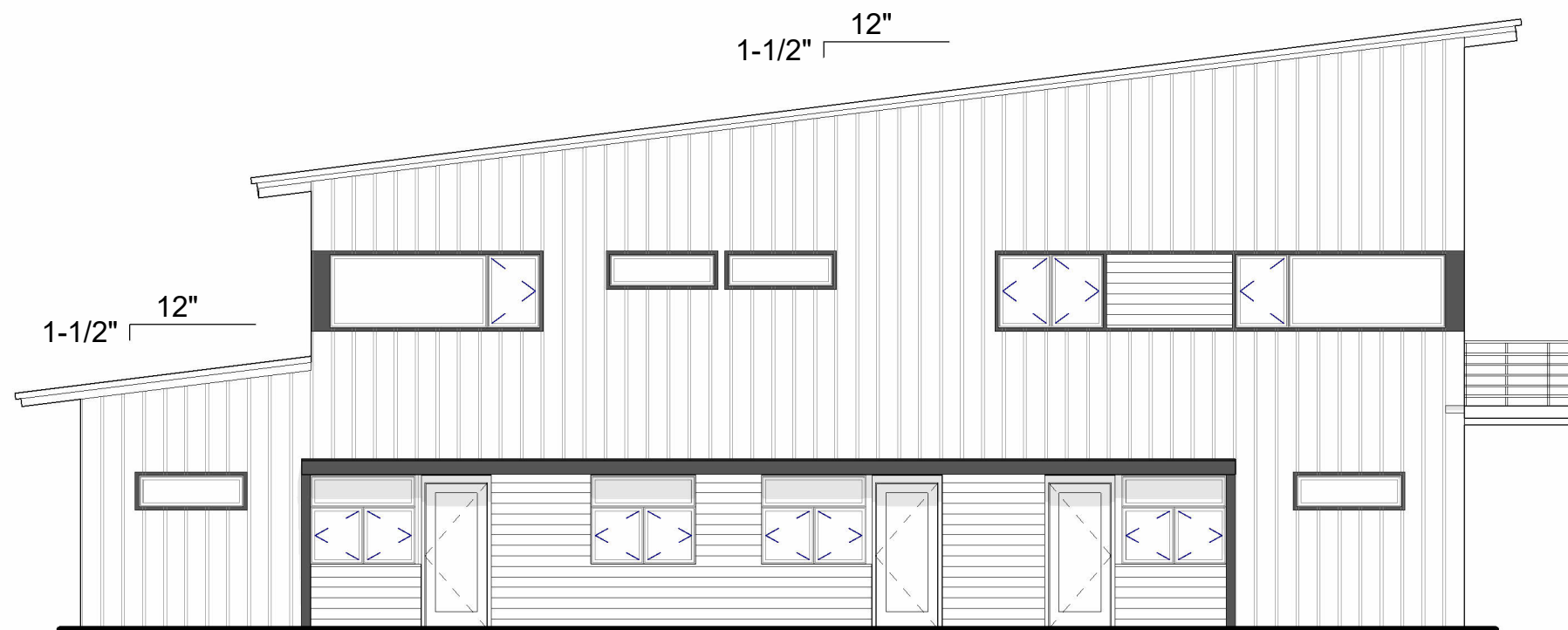
① SD EAST ELEVATION
1/8" = 1'-0"

ROOF
128' - 10 1/8"

T.O. L-2 FLOOR
PLAT
120' - 5 1/8"

SECOND FLOOR
110' - 7 7/8"

FIRST FLOOR
100' - 0"



② SD WEST ELEVATION
1/8" = 1'-0"

ROOF
128' - 10 1/8"

T.O. L-2 FLOOR
PLAT
120' - 5 1/8"

SECOND FLOOR
110' - 7 7/8"

FIRST FLOOR
100' - 0"

VIRGINIAN LODGE EMPLOYEE HOUSING

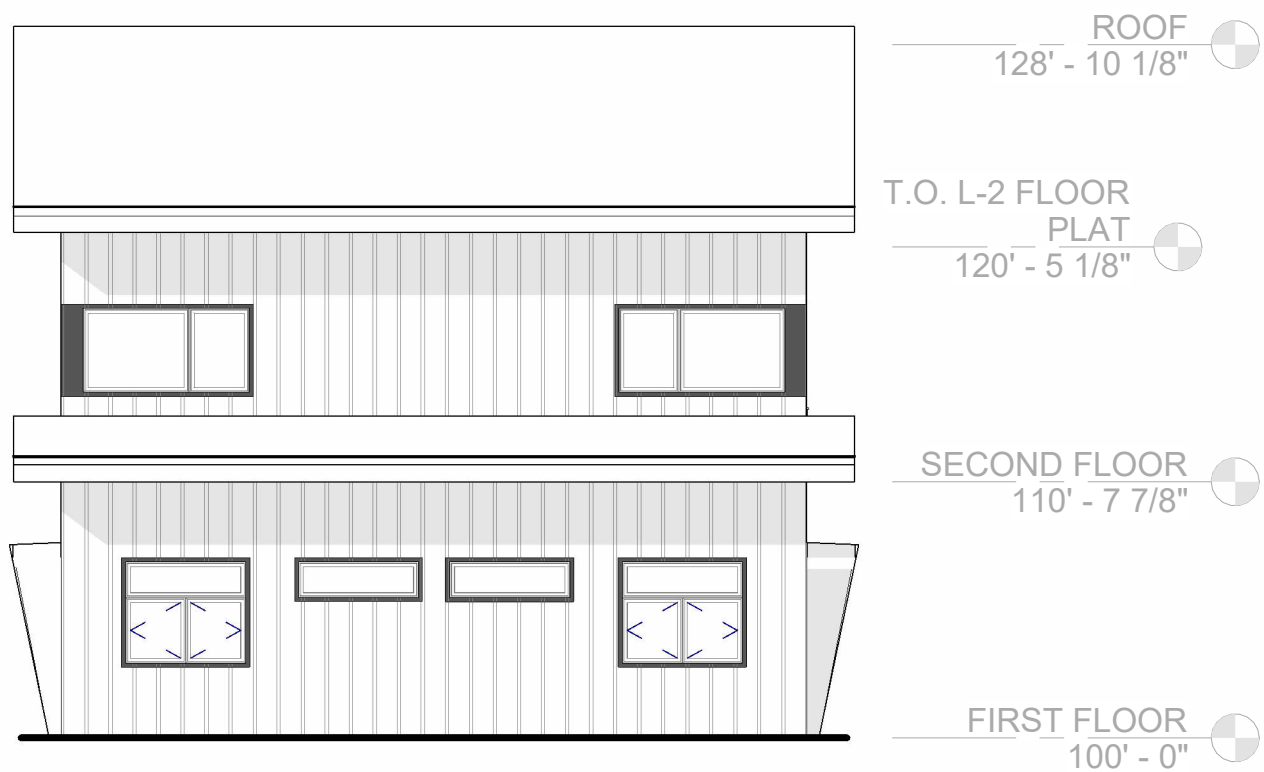
TOWN OF JACKSON, WY

SD-20

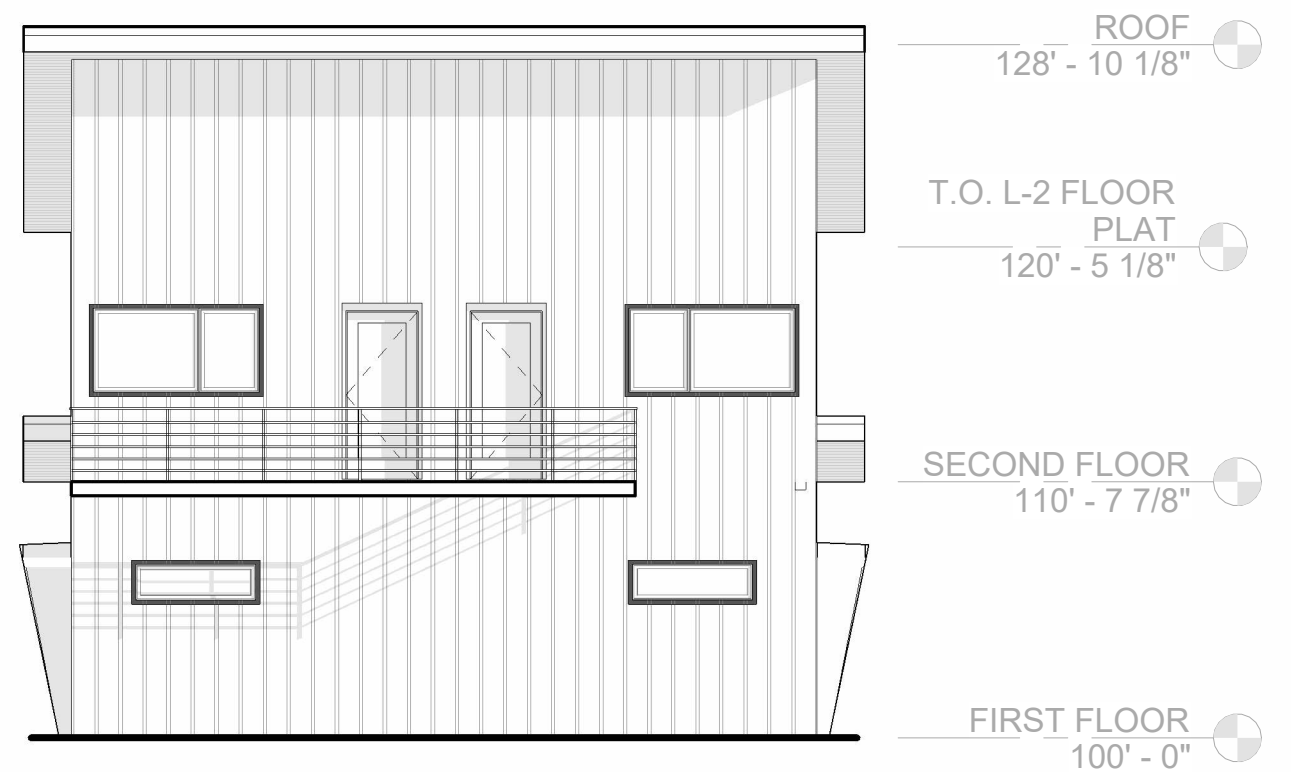
MARCH 23 2026

HOYT

architects



① SD NORTH ELEVATION
1/8" = 1'-0"



② SD SOUTH ELEVATION
1/8" = 1'-0"

VIRGINIAN LODGE EMPLOYEE HOUSING

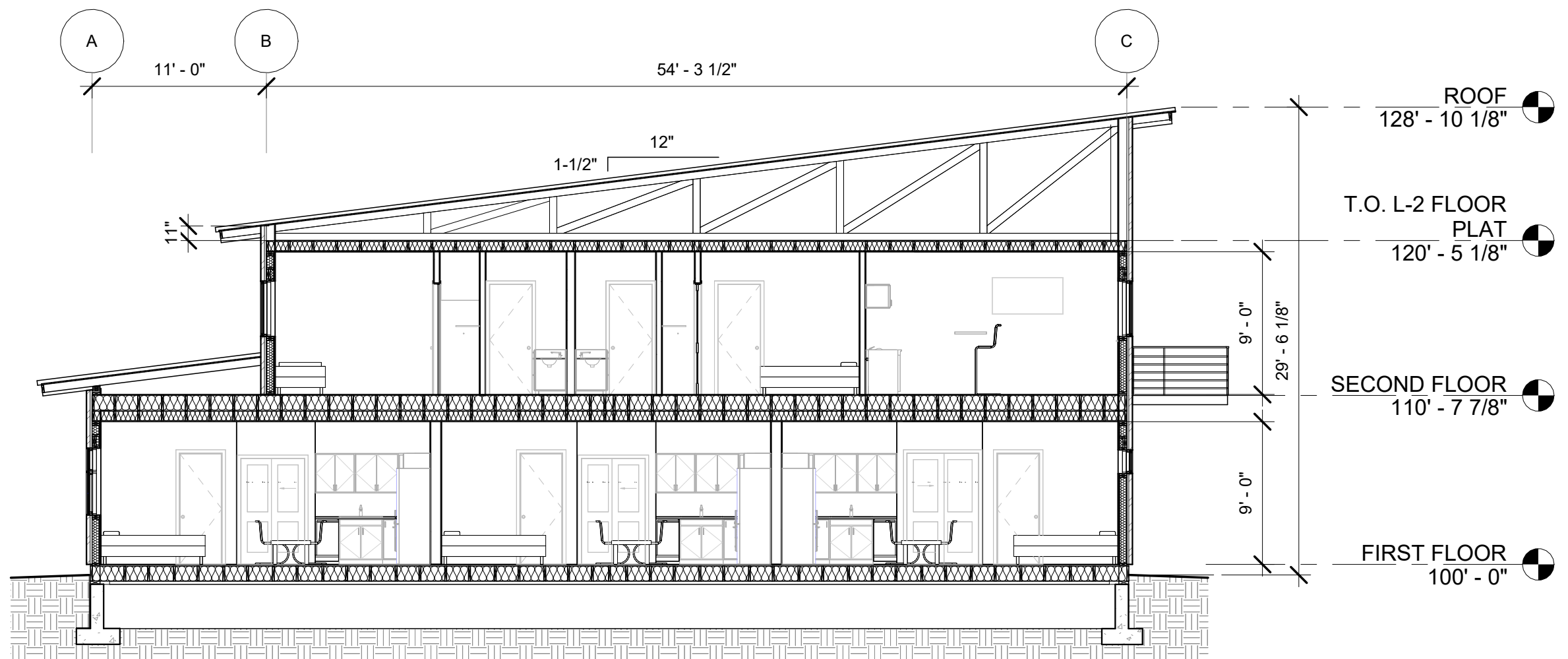
TOWN OF JACKSON, WY

SD-21

MARCH 23 2026

HOYT

architects



① SD NORTH/SOUTH SECTION
1/8" = 1'-0"

VIRGINIAN LODGE EMPLOYEE HOUSING

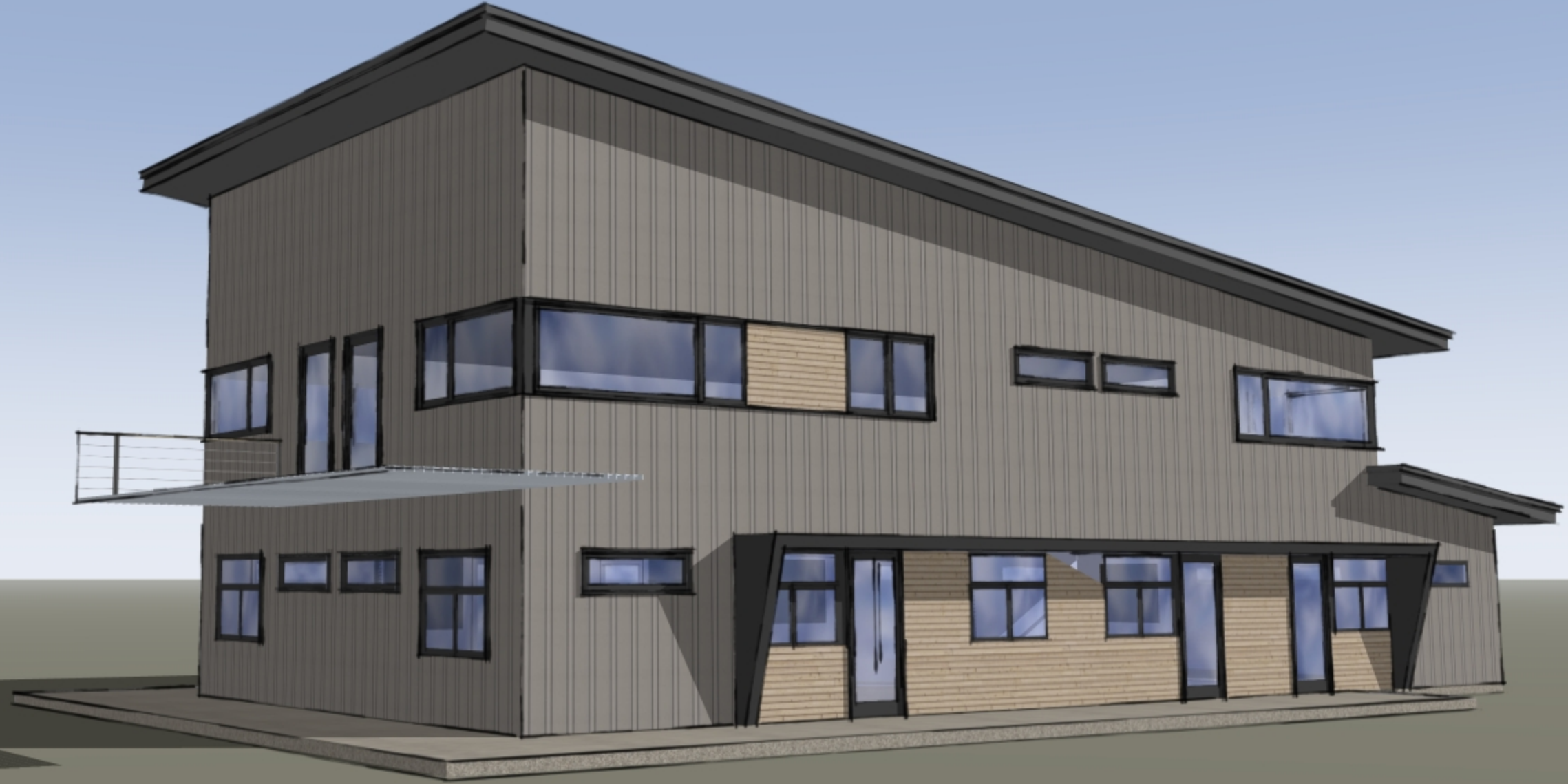
TOWN OF JACKSON, WY

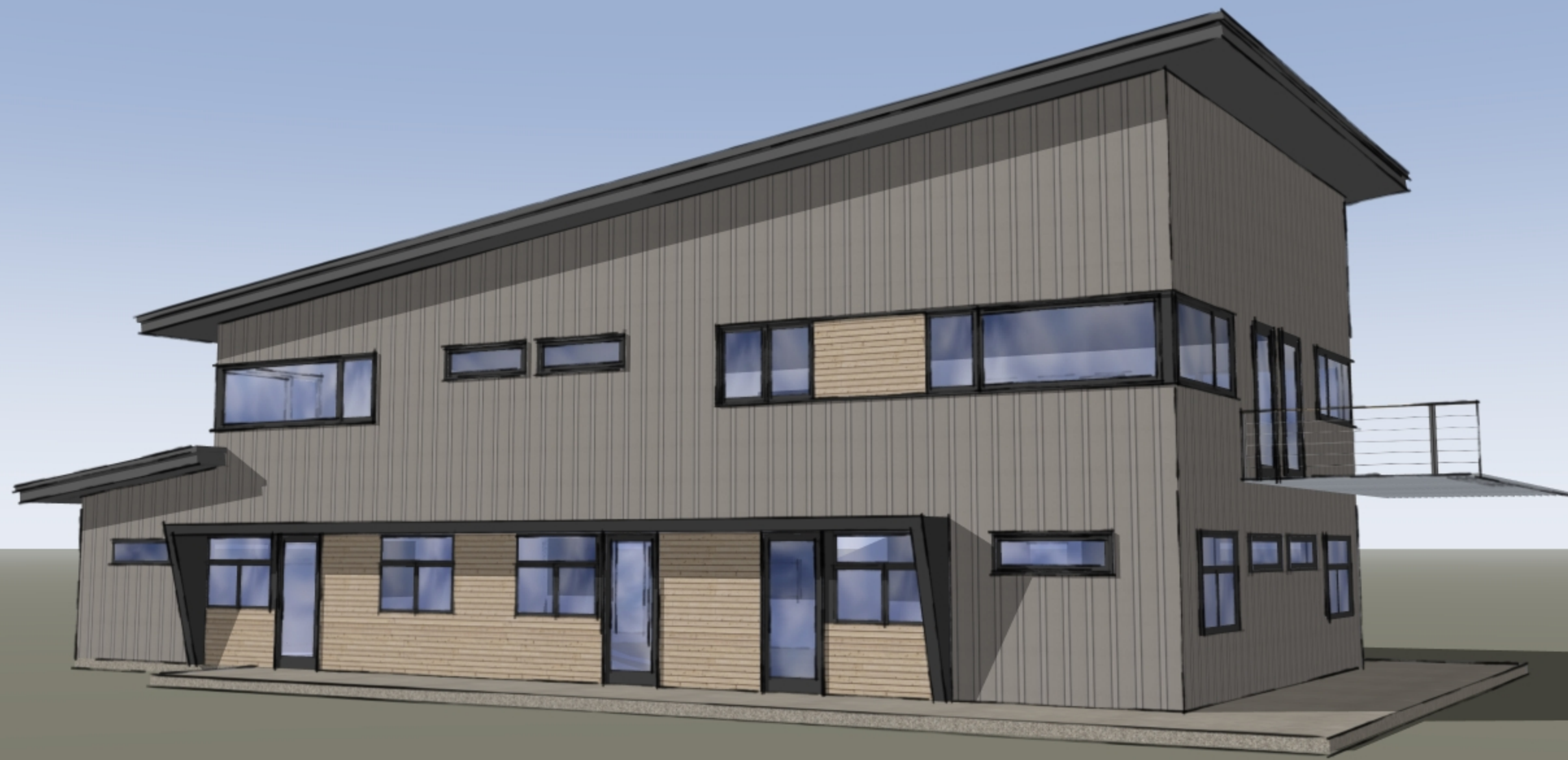
SD-30

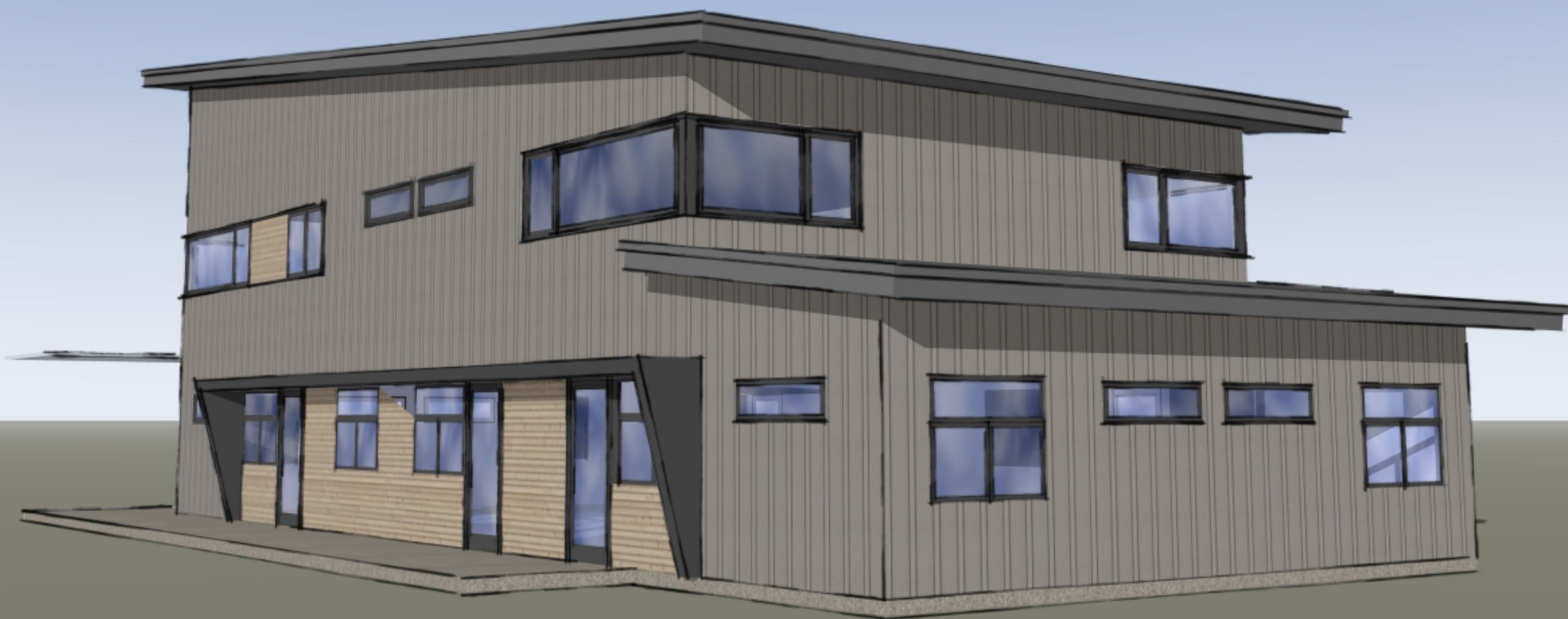
MARCH 23 2026

HOYT

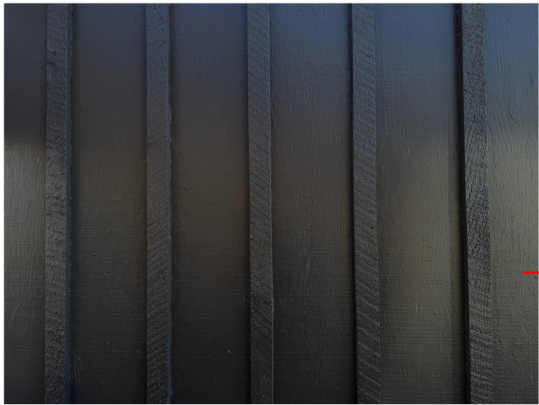
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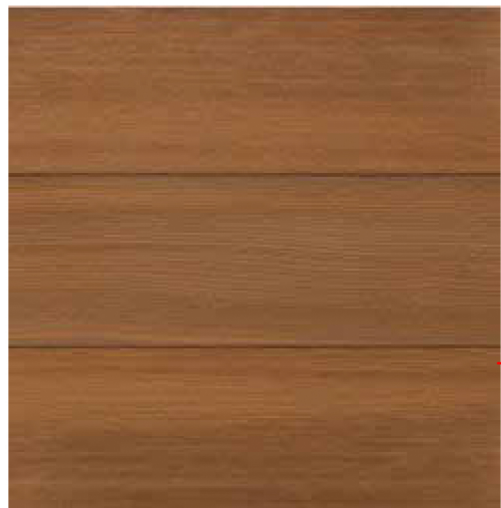
BOARD & BATTEN WOOD SIDING

PRODUCT: WOOD BATTEN SIDING 12" O.C. (MATCH EXISTING BUILDINGS)
1X2 BATTENS OVER ROUGH SAWN D-FIR PLYWOOD
SPACED 12" O.C. STAIN TO MATCH MOTEL



FIBER CEMENT BOARD PANELS

BLACK PANELS



NATURAL WOOD SIDING

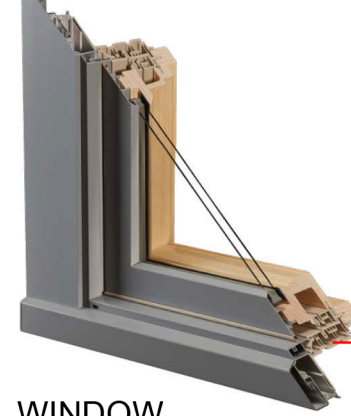
1X4 FINE LINE PROFILE
DOUGLAS FIR

WOODEN FASCIA

PAINTED BLACK TO MATCH EXISTING
MATCH EXISTING PROFILE

WINDOW

BLACK CLAD WINDOWS
MFGR. TBD



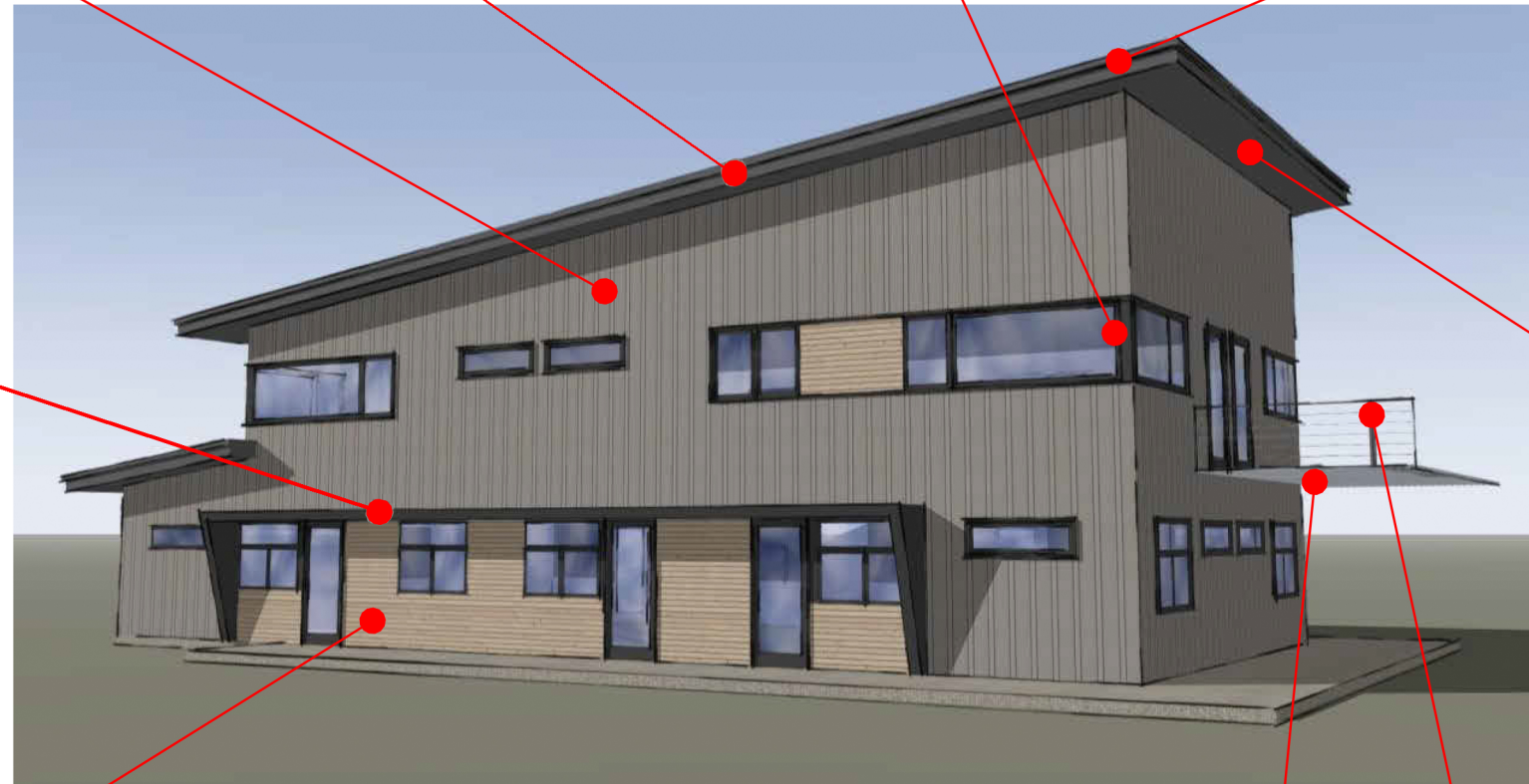
STANDING SEAM METAL ROOFING

COLOR: BLACK



SOFFIT

PRODUCT: ROUGH SAWN FIR PLYWOOD SHEATHING.
STAINED TO MATCH SIDING

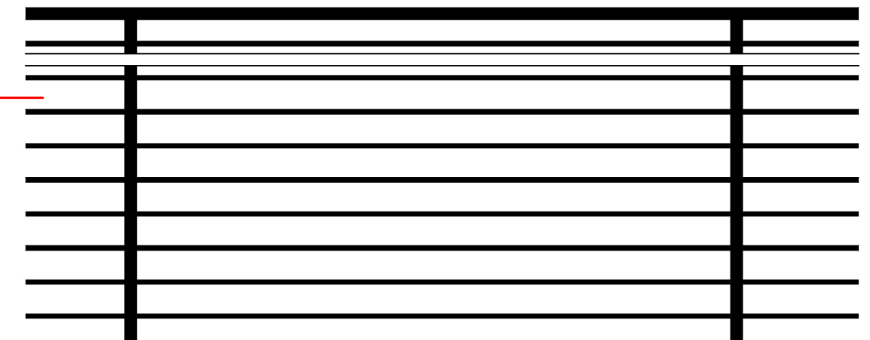


SCONCE LIGHT

LDOD4006 RAINE
DARK SKY COMPLIANT.
LOCATED AT EACH UNIT ENTRY.



METAL GRATE



GUARD RAIL

FABRICATED, 1.5" X 1.5" ANGLE FRAME AND BALUSTERS.
1/2" ROUND HORIZONTAL BARS.
1.5" ROUND HAND RAIL.

VIRGINIAN LODGE EMPLOYEE HOUSING

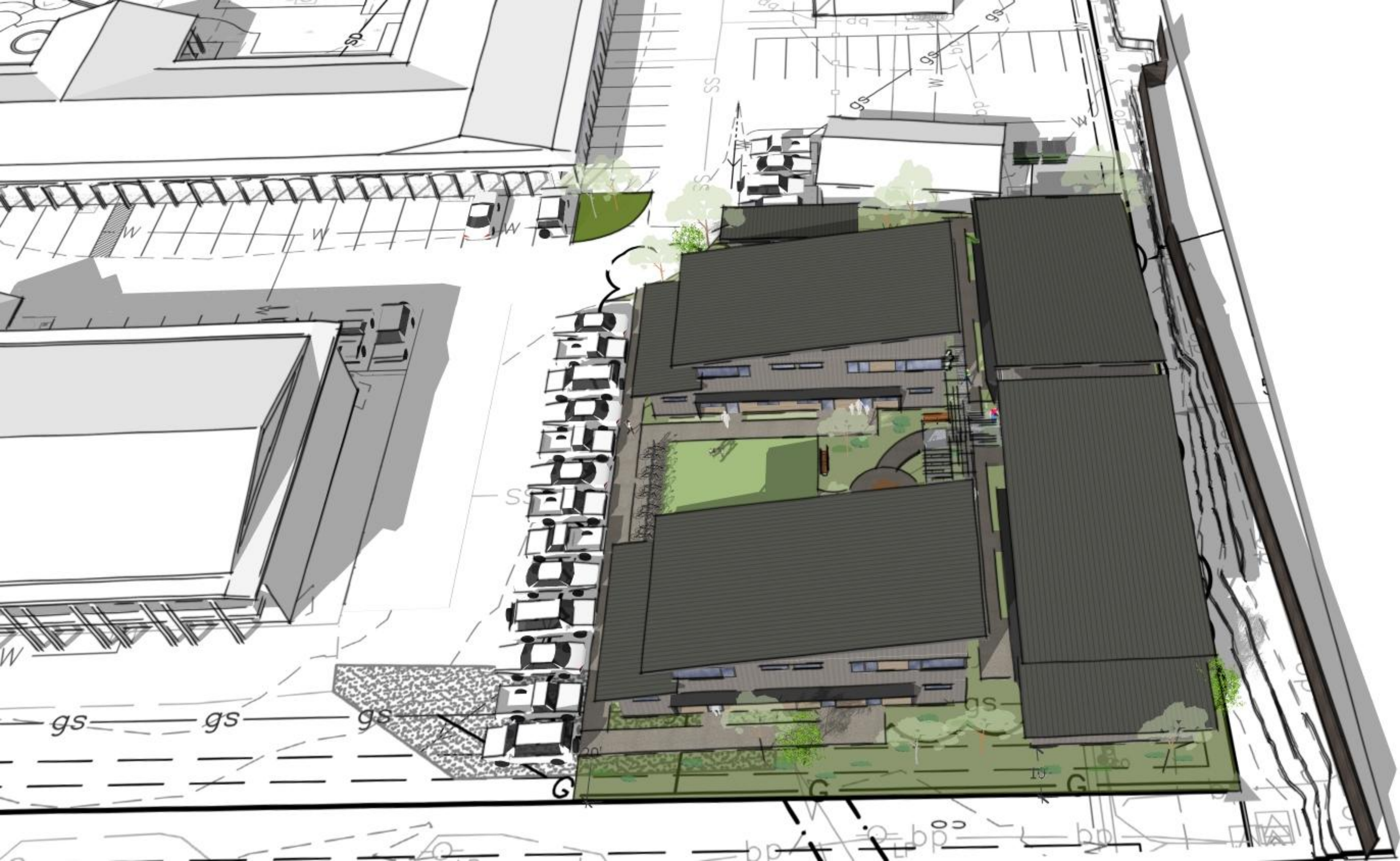
TOWN OF JACKSON, WY

SD-40

MARCH 23 2026

HOYT

architects

























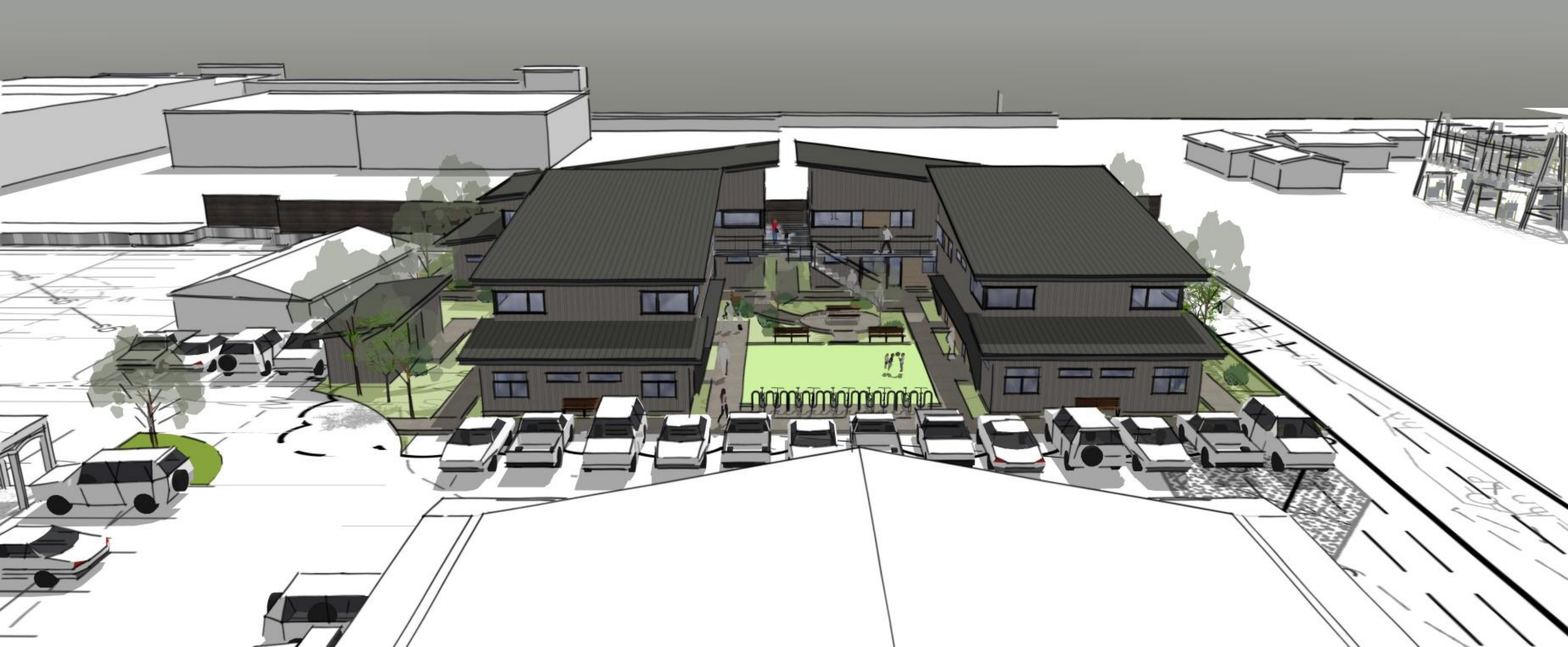


Exhibit E - Sanitary Sewer Easement Agreement

TOWN OF JACKSON

SANITARY SEWER EASEMENT AGREEMENT

This Sanitary Sewer Easement Agreement ("**Agreement**") is made and entered into on this 1st day of August, 2023 ("Effective Date) by and between JACKSON/TETON COUNTY HOUSING AUTHORITY, a duly constituted housing authority in the State of Wyoming pursuant to Wyoming Statute §15-10-116(b) ("**Grantor**"), and the VIRGINIAN LODGE LLC, a Wyoming limited liability company ("**Grantee**").

RECITALS

WHEREAS, Grantor is the owner of real property located in Teton County, Wyoming, and described more fully as:

Street Address: 90 Virginian Lane, Jackson, Wyoming.

Legal Description: Lot 2 of the Virginian Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the Office of the Teton County Clerk on August 16, 2004 as Plat No. 1129.

PIDN: 22-41-16-33-2-06-002 the ("**Grantor's Property**");

WHEREAS, Grantor is the owner of real property located in Teton County, Wyoming, and described more fully as:

Street Address: 750 W Broadway, Jackson, Wyoming.

Legal Description: Lot 1 of the Virginian Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the Office of the Teton County Clerk on August 16, 2004 as Plat No. 1129.

PIDN: 22-41-16-33-2-06-001 the ("**Grantee's Property**");

WHEREAS, Grantor desires to grant and establish a perpetual non-exclusive 10 foot wide easement to and for the benefit of Grantee in, under, over, through, across and on that portion of the Grantor's Property described on Exhibit A and as shown on Exhibit B ("**Easement Area**"), which easement encumbers the area described on Exhibit A and depicted on Exhibit B, attached hereto and made a part hereof by this reference, according to the terms and conditions set forth herein;

WHEREAS, Grantee desires to use the Easement Area for purposes of accessing, operating, and maintaining, any new and existing portions of the sanitary sewer system (the "**Sewer**") serving Grantee's Property;

WHEREAS, Grantor and Grantee desire to establish a non-exclusive easement to and for the benefit of Grantee on the Easement Area, according to the terms and conditions set forth herein.

NOW, THEREFORE, that for and in consideration of the aforesaid recitals, which are incorporated herein by this reference as if set forth in their entirety below and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged and confessed, Grantor and Grantee do hereby agree as follows:

1. Grant of Easement. Grantor hereby grants and conveys to Grantee a non-exclusive permanent 10 (ten) foot wide easement in, on, over, under, across, and through the Easement Area for constructing, installing, improving, operating, using, inspecting, repairing, maintaining, reconstructing, replacing, and removing the Sewer, within the easement area. (“**Easement Purpose**”). The easement area is 5 (five) feet wide centered on the existing sewer pipe center line. Subject to the notice requirements of Section 4 herein, Grantee, its officers, employees, agents, representatives, contractors, subcontractors, licensees, successors, and assigns shall have the right and privilege to access the Easement Area for the Easement Purpose. Subject to the notice requirements of Section 4 herein, Grantee has the right of ingress and egress upon, over and across as much of Grantor’s adjacent lands as may be reasonably necessary for the Easement Purpose.

2. Limitations on Grantee Use. Grantee shall exercise its rights granted above with due regard to the rights of others and their use thereof and shall not use the Easement Area in a way that would impair the rights of Grantor or others, including, without limitation, other utilities located in the Easement Area. Grantee shall have no right to place, construct or maintain any above-ground buildings, structures, or improvements of any kind, or any other new below ground utilities. Replacement of the existing sewer by the Grantee for the Grantees exclusive use must be in the same location as the existing sewer. “Above-ground” shall mean any buildings, structures, systems, or other improvements that are not level with, or below, the existing surface grade of the Easement Area.

3. Obstructions. Grantor agrees, for the consideration set forth herein, not to construct or place within the Easement Area after the date of this Agreement (i) any buildings, structures, or other improvements of any nature whatsoever, or any shrubs, trees or other growth of any kind, or otherwise interfere with the Grantee’s rights granted hereunder, without the prior written consent of Grantee, which consent shall not be unreasonably conditioned, withheld or delayed; (ii) any landscaping that impairs, interferes with, or obstructs the use of the Easement Area by Grantee without the prior written consent of Grantee, which consent shall not be unreasonably conditioned, withheld or delayed. Grantee acknowledges that fences, landscaping, concrete sidewalk, asphalt pavement and other improvements and utilities existing in the Easement Area as of the Effective Date do not interfere with the Grantee’s rights hereunder and do not require the written consent of Grantee.

4. Notice of Maintenance Use of Easement. Grantee shall give Grantor at least fourteen (14) days’ advance written notice of its intent to exercise its rights under this Agreement and shall use reasonable efforts to notify Grantor of its intent to exercise its right under this Agreement for emergency or unplanned repair, maintenance, and replacement where such prior notice is feasible. In exercising its rights hereunder, Grantee shall use its best efforts to minimize disturbance to the Grantor.

5. Restoration. Grantee agrees that the surface of the Easement Area and adjacent lands that are disturbed or impaired by Grantee's work, shall be restored within sixty (60) calendar days from completion of Grantee's work to an equivalent or better condition than it was found in immediately prior to the commencement of any work done by Grantee or Grantee's agents or contractors, however if any trees are disturbed, Grantee shall have up to 6 months from removal to restore such trees. Grantee agrees that any other subsurface improvements (such as cable providers' vault boxes) disturbed or impaired by Grantee's work shall be restored as promptly as possible from the date of such disturbance or impairment.

6. Indemnification. Grantee hereby agrees to indemnify Grantor and to hold Grantor harmless from and against, any injury to any party acting on behalf of Grantee during any use of the Easement Area, and any other type of claim, loss or damage (including attorney fees and all damage to property) to the extent arising from Grantee's exercise of its rights under this Agreement. Notwithstanding anything to the contrary herein, Grantee shall not be obligated to indemnify or hold harmless Grantor for any injury, claim or loss to the extent arising from the intentional misconduct, illegal acts, negligent acts or omissions of Grantor, its successors, assigns, employees, contractors or any other third party not acting at the direction of or on behalf of Grantee. Grantor will notify Grantee in writing within twenty (20) business days of Grantor receiving notice of any claims against Grantor arising from or related to Grantee's exercise of its rights under this Agreement from which Grantor is or will be seeking indemnification from Grantee. Nothing in this Agreement shall alter, amend, modify, or diminish the existing statutory, constitutional, or legal defenses of the Grantee in relation to such claims under Wyoming law.

7. Successors and Assigns. This Agreement shall constitute a covenant running with the land that binds and shall inure to the benefit of the parties and their heirs, assigns and successors in interest.

8. Governing Law and Jurisdiction. This Agreement shall be governed by Wyoming law. The District Court of Teton County, Wyoming, shall have exclusive jurisdiction over any litigation that arises pursuant to this Agreement.

9. Severability. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

10. Entire Agreement; Modification. This Agreement embodies and constitutes the entire agreement with respect to the subject matters hereof and all prior or contemporaneous agreements, understandings, representations, statements are merged into this Agreement. Neither this Agreement nor any provision hereof may be waived, modified, amended, discharged, or terminated in whole or in part, unless agreed to in writing by the parties; provided, however, that such amendment or termination shall be properly recorded in the Office of the Clerk of Teton County, Wyoming as a condition to its effectiveness.

11. Governmental Immunity. Grantor does not waive its sovereign or governmental immunity by entering this Agreement, and fully retains all immunities and defenses provided by law with respect to any action based on or arising out of this Agreement, provided, however, that

the express obligations of Grantor under this Agreement are deemed not subject to such sovereign or governmental immunity, pursuant to W.S. § 1-39-104(a), which provides "Any immunity in actions based on a contract entered into by a governmental entity is waived except to the extent provided by the contract if the contract was within the powers granted to the entity and was properly executed and except as provided in W.S. 1-39-121."

12. No Assumption of Liability or Responsibility. All improvements or maintenance to the Easement Area necessary to ensure Grantee's access will be the sole responsibility of the Grantee.

13. Authority. Grantor covenants that the consideration recited herein shall constitute full and final payment for the Easement and for all damages sustained by Grantors by reason of the installation of the structures referred to herein.

14. Abandonment or Sewer Line Replacement. In the event Grantee ceases or abandons use or operation of the Sewer located within the Easement Area for a period of one (1) year, or if the Grantor replaces the sewer line in accordance with the terms of Section 16 below, then the Grantee shall release Grantor and Grantor's Property from all rights, duties, obligations, and encumbrances created by this Agreement, and Grantee, at its expense, shall remove all visual improvements that Grantee placed, installed or constructed on Grantor's Property. In such event, Grantor and Grantee shall execute and record a vacation of easement in the Office of the Clerk of Teton County, Wyoming for purposes of vacating this Agreement. Grantee shall have no obligation to remove subsurface improvements unless the abandonment of such improvements creates a health hazard or dangerous condition to Grantor's Property, or if the continued existence of such subsurface improvements interferes with other subsurface improvements. Grantee shall have no right to resume the use of the Easement Area or the Easement Purposes after one (1) year of non-use. Grantor's failure to affirmatively request the release pursuant to this provision shall not be a defense to Grantee's obligation to release the Easement.

15. Attorney's Fees. In the event of a dispute between Grantor and Grantee, or their respective successors and assigns, that arises from or is related to the terms of this Agreement, the prevailing party shall be entitled to reimbursement of its reasonable attorneys' fees and costs from the non-prevailing party.

16. Relocation. At any time and from time to time, Grantor shall have the right, at its sole cost and expense, to relocate the then-existing Sewer improvements within the Easement Area to another location, provided that:

- a. any such relocation shall be performed only after Grantor provides Grantee thirty (30) days' advance written notice of Grantor's intention to undertake the relocation and the plans for such relocation work;
- b. Grantee shall have the right to review the plans for such relocation work (such review not to be unreasonably withheld, conditioned or delayed), which review shall be completed within thirty (30) days after Grantee's receipt of Grantor's request in the event Grantee fails to complete review within such 30-day period;

- c. any such relocation shall be completed in a good and workmanlike manner and shall be performed in accordance with all applicable governmental laws, regulations and requirements;
- d. any such relocation shall be conducted in a manner so as to minimize any interruption of Grantee's sewer uses (and in no event shall result in the discontinuation of Grantee's sewer longer than an hour)
- e. any replacement sewer line shall be sized as to accommodate existing flows from the Grantee's property;
- f. Grantee agrees that Grantor may replace the existing sewer beginning at manhole number 7081 on Grantee's property; and
- g. Grantor and Grantee shall set forth future maintenance, repairs and access rights relating to any replacement sewer line by either (i) entering into a new easement agreement or (ii) jointly approving a Dedication Agreement.

[remainder of page intentionally blank]

IN WITNESS WHEREOF, the undersigned have executed this instrument as of the date and year first above written.

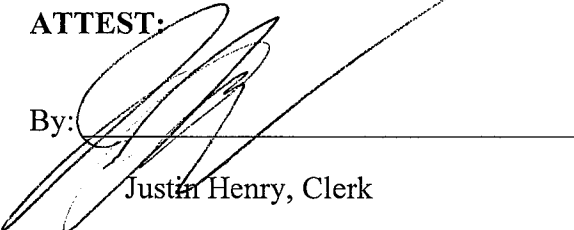
GRANTOR:

JACKSON/TETON COUNTY HOUSING AUTHORITY, a duly constituted housing authority in the State of Wyoming pursuant to Wyoming Statute §15-10-116(b)

By: 

Anne Kent Droppert, Chair

ATTEST:

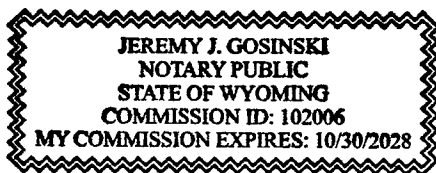
By: 
Justin Henry, Clerk

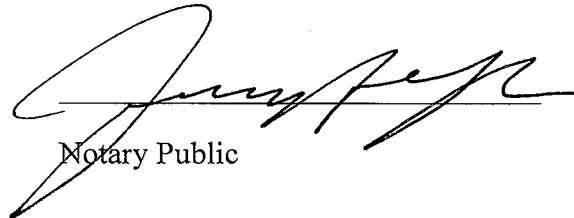
STATE OF WYOMING)
) ss
COUNTY OF TETON)

The foregoing SANITARY SEWER EASEMENT AGREEMENT ~~AS TO "VIRGINIAN" NAME~~ was acknowledged before me by Anne Kent Droppert, as Chair of the Jackson/Teton County Housing Authority, and Justin Henry, as the Clerk of the Jackson/Teton County Housing Authority, this 1st day of August, 2023.

WITNESS my hand and official seal.

(Seal)




Notary Public

My commission expires:

[Signatures Continue On Following Page]

GRANTEE:

VIRGINIAN LODGE LLC,
a Wyoming limited liability company

By: 
Name: Erin H. Ankin
Its: Authorized Signatory

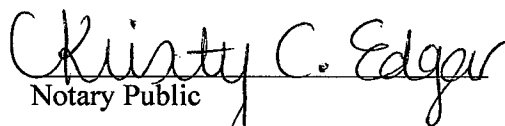
STATE OF Illinois)
COUNTY OF Cook) ss

The foregoing Sanitary Sewer Easement Agreement was acknowledged before me by Erin H. Ankin, authorized signatory of Virginian Lodge LLC, a Wyoming limited liability company this 24 day of July, 2023.

WITNESS my hand and official seal.

(Seal)




Notary Public

My commission expires: 2/17/2025

EXHIBIT A

LEGAL DESCRIPTION

A 10-foot-wide strip of land being located within Lot 2 of the Virginian Addition to the Town of Jackson, Plat No. 1129, as recorded in the Office the Clerk of Teton County and located within the SW1/4 NW1/4 & NW1/4 SW1/4, Section 33, Township 41 North, Range 116 West, 6th P.M. Town of Jackson, Teton County, Wyoming, said strip being 10 feet in width, being 5 feet each side of the following described centerline:

Beginning at a point on the southerly line of Said Lot 2, being S83°21'52"W, a distance of 29.43 feet from the southeast corner of Said Lot 2;

Thence N01°26'45"W, a distance of 397.12 feet;

Thence N29°30'10"W, a distance of 68.46 feet to the northerly line of Said Lot 2 and the end of this description.

The sidelines of said strip to be extended or shortened to terminate on said property lines.

Said Strip contains 0.107 acres, more or less, and is subject to any other easements, rights-of-way, reservations or restrictions of sight and/or of record.

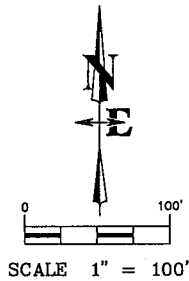
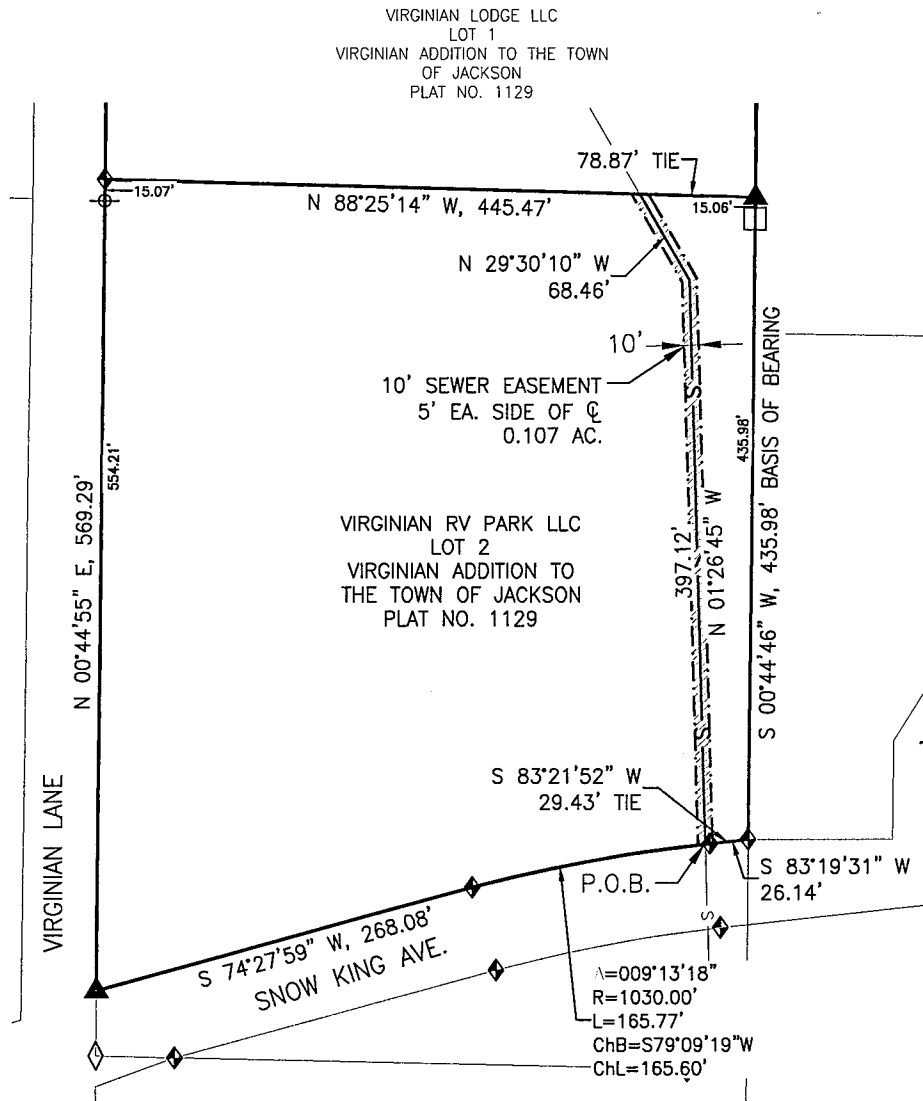
The Basis of Bearing being S00°44'46"W, along the easterly line of Said Lot 2.

All as shown on Exhibit B attached hereto and by this reference made a part hereof.

Lucas D. Rudolph
Wyoming PLS 15442
Nelson Engineering
Project 20-102-05

July 27, 2023

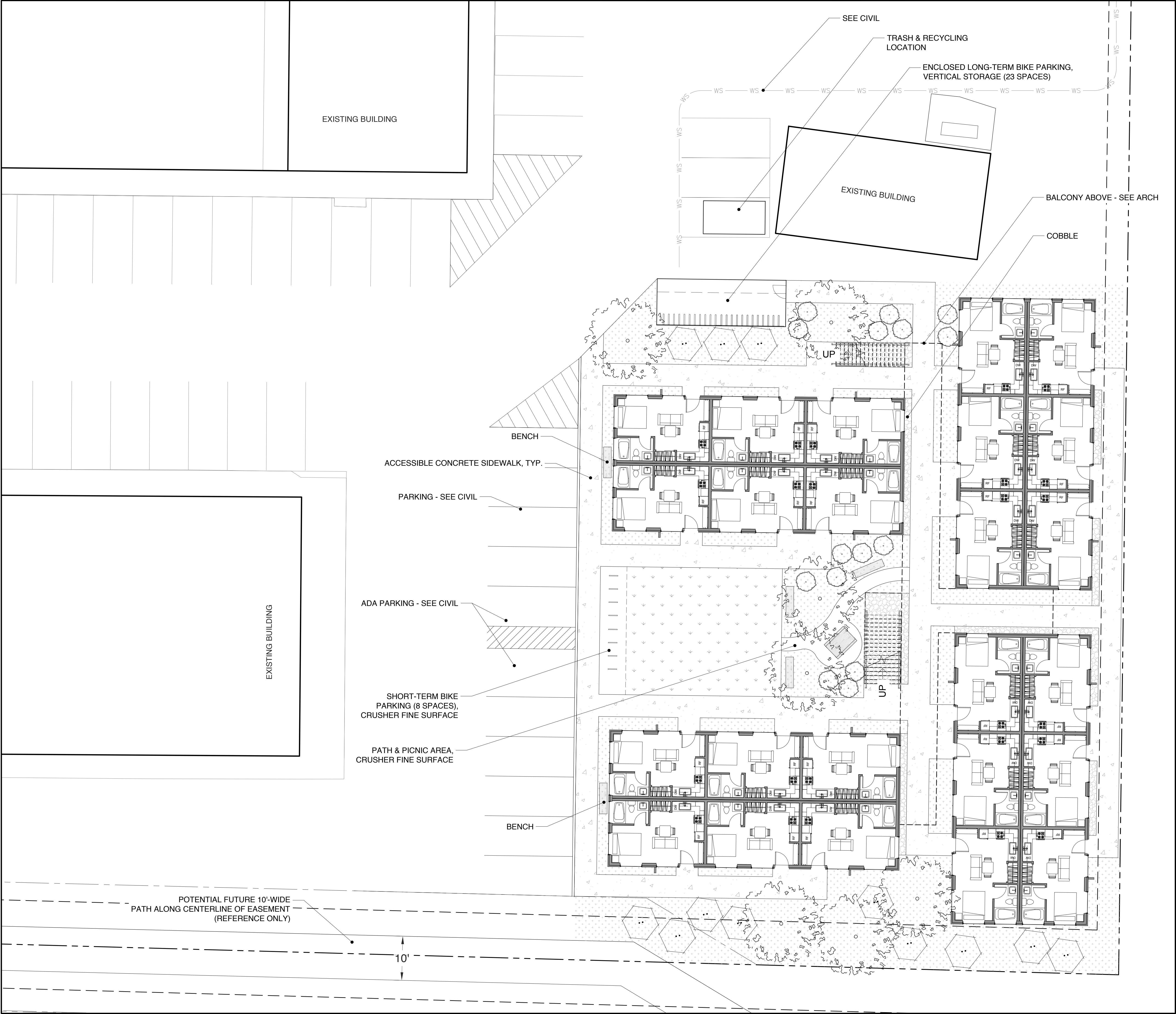
EXHIBIT B



LOCATED WITHIN
LOT 2 OF VIRGINIAN ADD., PLAT NO. 1129
THE SW1/4 NW1/4, NW1/4 SW1/4,
SECTION 33, T41N, R116W, 6th P.M.
TOWN OF JACKSON
TETON COUNTY, WYOMING

DRAWING NO 1	DRAWING TITLE VIRGINIAN RV PARK LLC SEWER EASEMENT	NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	DATE 7/27/2023
JOB NO 20-102-05			ENGINEERED BK
			DRAWN LR
			CHECKED LR
			APPROVED LR

Exhibit F - Landscape Plan



LEGEND

- Property Boundary
- Easement
- Building Setbacks

GENERAL NOTES

Landscaping & Irrigation: All landscaping will comply with Town of Jackson LDR's. See below for Plant Unit Calculation. All plant material shall be irrigated by a pressurized subsurface irrigation system with automatic controller. Irrigation system to be design build in field by Landscape Contractor. All trees and shrubs to be drip irrigated. All rescue sod areas to be spray irrigated by pop-up heads. Heads shall be located as to not spray onto building, driveway, roadway, or adjacent properties.

Grading, drainage, utilities, parking design, and snow storage: See Civil.

Bike Parking Spaces Requirement:
Total Bike Parking Spaces Required: 30
Total Long-term Spaces Required: 23 (75% rounded up)
Total Short-term Spaces Required: 8 (25% rounded up)

Total Bike Parking Spaces Provided: 31
Total Long-term Spaces Provided: 23
Total Short-term Spaces Provided: 8

Plant Unit Calculation: (per Town of Jackson LDR 5.5.3.E)

Plant Units Required: 1.5

Plant Unit Alternative A:
(1) 3" cal. Canopy tree x 1.5 = (2) 3" cal. canopy trees
(6) 6-8' Ht Shrubs or Multi-stem tree x 1.5 = (9) 6-8' Ht Shrubs or multi-stem tree
(4) 5 gal. shrub x 1.5 = (6) 5 gal. shrub

Proposed Planting Based on Alternative A:
(7) 3" cal. canopy tree
(12) 6-8' Ht Shrubs
(15) 5 gal. shrubs
(5) benches

PLANTING NOTES

- Obtain approval of finish grading from landscape architect prior to installing any plant material. The finish grades of planting areas and lawns shall be 2 inches below adjacent edging or paving. (Confirm mulch depth and whether lawns are to be seed or sod).
- Confirm all plant counts and square footages; quantities shown are provided as owner information only. If quantities indicated in the plant list differ from symbols shown on the plans, then the plans shall govern the plant count.
- The landscape architect shall review all plant materials at the source or nursery if w/in 50 miles of Jackson, WY - or by photographs - prior to digging trees or shipping plant materials. The landscape architect reserves the right to reject any unacceptable plant material either at the source or when delivered to the project site.
- Carefully align and space plant materials as indicated in these notes, drawings and details.
- The final location of plant materials is to be approved by the landscape architect on site prior to installation. The contractor is responsible for staking or marking the location of all plant materials on site for review by the landscape architect. The landscape architect reserves the right to adjust the exact locations of plants on site.
- All plants shall be planted at the same level with relation to finish grade as they were grown in the field or nursery.
- The irrigation system shall be operational prior to plant installation, or temporary irrigation measures shall be provided in the interim. The method of temporary irrigation shall be approved by the landscape architect prior to installing any plant material.
- Do not perform any pruning of existing or newly planted trees or shrubs without the direction and approval of the landscape architect.
- Provide and install specified edging as divider between planting beds and lawn areas.
- Provide burlap wrap or other approved trunk protection for all new trees.
- For ball & burlap trees, remove burlap from top 1/3 of rootball once trees are fully planted, unless directed otherwise by nursery.
- All installed trees shall be staked. The landscape architect shall review and reserves the right to reject the method and/or installation of tree staking and guying systems prior to acceptance.
- All disturbed areas to be reclaimed w/ approved native grass sod. Install 16-16-8 fertilizer at the rate of 15 lbs. per 1,000 s.f. and till into top four inches of soil.
- During construction & prior to final acceptance, contractor shall observe the project site for the growth of noxious weeds. The growth of noxious weeds shall be reported to the Teton County Weed and Pest District Office. Contractor and owner shall implement a weed control program to control noxious weeds.

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES				
	Populus tremuloides	Quaking Aspen	3" cal	7
SHRUBS				
	Native Shrub TBD	Native Shrub TBD	5 gal.	15
	Native Shrub TBD	Native Shrub TBD	6' Ht	12
SOD				
	Poa pratensis	Bluegrass	Sod	1,020 SF
	Festuca spp.	Fescue blend	Sod	4,689 SF

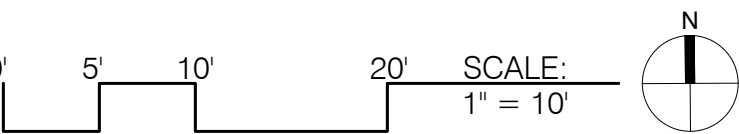


Exhibit G – Existing Pathway Easement

GRANTOR: VIRGINIAN LODGE LLC
GRANTEE: TOWN OF JACKSON WYOMING
Doc 1064459 Filed At 16:11 ON 08/01/23
Maureen Murphy Teton County Clerk fees: 36.00
By Corrina Dorman Deputy Clerk

PATHWAY ACCESS EASEMENT AND AGREEMENT

This Pathway Access Easement and Agreement ("Agreement") is made to be effective as of the date this Agreement is recorded in the land records of Teton County, Wyoming, in the office of the Teton County Clerk (the "Effective Date"), by and between Virginian Lodge, LLC, a Wyoming Limited Liability Company, P.O. Box 7396, Jackson, Wyoming 83002, its successors and assigns ("Grantor") and the Town of Jackson, Wyoming, of P.O. Box 1687, Jackson, Wyoming 83001 ("Grantee") (the Grantor and the Grantee may be referred to herein collectively as the "Parties" or individually as a "Party").

RECITALS

WHEREAS, the Grantor is the owner in fee simple (subject to existing recorded encumbrances) of that certain real estate situated in Teton County, Wyoming, more particularly described and shown in Exhibit A attached hereto, over which the Grantee wishes to obtain a right for the public to enter and pass for non-motorized transportation and recreational purposes, under circumstances where the Grantor is provided the immunity from liability recorded by W.S. §34-19-101 (1977) *et seq*; and

WHEREAS, Grantee is a governmental body whose powers include the authority to receive easements in land for the public that has joined in the creation and funding of the Jackson Hole Community Pathways Program; and

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference, and other good and valuable consideration, in hand paid, the receipt and sufficiency of which is hereby acknowledged and confessed, the Parties agree as follows:

1. Easement Grant. The Grantor hereby grants to the Grantee a non-exclusive easement ("Easement") over and across that real property of the Grantor described on Exhibit A attached hereto and incorporated herein by this reference ("Easement Land"), for the purpose of permitting the Grantee to construct and maintain a Pathway for non-motorized bicycle (including any "electric bicycle" as defined under Wyoming law), pedestrian, equestrian, and ski passage and repassage by the public on and along the pathway easement as described in Exhibit A and further shown in Exhibit B, attached hereto and incorporated herein by this reference, under the terms and conditions herein.

2. Maintenance. The Grantee, for itself and for its successors and assigns, covenants and agrees that, once constructed, it will maintain the Pathway for public transportation and recreational purposes for and by pedestrian, bicycle, equestrian, and ski passage and repassage at its expense in a neat, orderly, and safe condition, in an efficient and expedient manner, and it shall undertake periodic inspections to ensure that the Pathway is maintained in a neat, orderly, and safe manner and that the terms and conditions of this Agreement are met. For purposes of this Agreement, "maintenance" shall mean, at a minimum, upkeep, maintenance, and repair of the Pathway surface and sub-surface, once constructed, to ensure the Pathway may be safely used by the public as intended by this Agreement.

3. Limitations on Use of Easement.

a) Motorized Vehicles Prohibited Except for Emergency and Maintenance Vehicles. There shall be no operation of motorcycles, all-terrain vehicles, snowmobiles, or any other type of motorized vehicle, except that (i) the Grantee, its agents, contractors, and subcontractors may operate and permit the operation of vehicles by the Grantee in a manner and to an extent satisfactory to the Grantor for the initial construction and periodic maintenance and repairs of the Pathway, including plowing, grooming, sweeping, and inspection; (ii) emergency

vehicles may access and use the Pathway as necessary; and (iii) "electric bicycles" as defined under Wyoming law may be utilized on the Pathway.

- b) Preservation of Habitat. There shall be no removal, destruction, cutting, or alteration of any vegetation, whether dead or alive, nor any disturbance or change in the natural habitat in any manner beyond that necessary for construction, maintenance, and/or repairs of the Pathway for public passage and prevention of trail deterioration or erosion.
- c) Use of Chemicals. There shall be only such spraying or application of biocides as are necessary to control noxious weeds or plants interfering with the use of the Easement.
- d) Hunting Prohibited. There shall be no hunting, discharging of firearms, killing, trapping, or harassing of wildlife in any manner on or from the Easement Land.
- e) No Improvements Other than Pathway. There shall be no improvements placed within the Easement Land by the Grantee other than the Pathway without the express prior written consent of the Grantor. Such prohibited improvements include without limitation any structures, but shall not include signs, culverts, retaining walls, interpretative stations, pathway-related amenities, benches, or fences.
- f) Impact of Construction and Maintenance Activity upon Lands of Grantor. All construction, replacement, and maintenance of the Pathway shall be done in a good and workmanlike manner as quickly and efficiently as reasonably possible to minimize the impact of such activities upon the surrounding lands of the Grantor.
- g) Restoration. Upon completion of the initial construction and any subsequent maintenance and repair of the Pathway, the Grantee shall return the surrounding lands of the Grantor to the condition in which they were found at the commencement of such activities to the extent reasonably possible. In the event vegetation is removed or destroyed, like vegetation shall be replaced, replanted, and restored.
- h) No Camping or Fires. Camping and fires shall be prohibited within the Easement Land. The Grantee shall take such measures as are reasonably necessary to inform the public that camping and fires are prohibited, and to enforce this restriction within the Easement Land and any affected surrounding lands of the Grantor.

4. Termination if Not Constructed. The Parties understand that, by acceptance of this Easement and entering into this Agreement, the Grantee is not obligated to construct any pathway immediately but must do so within twenty (20) years of the date hereof or this Easement shall be deemed to be abandoned and shall terminate. The Grantor hereby authorizes the Grantee to enter upon the property for purposes of clearing, grading, and constructing the Pathway, including paving and building culverts, retaining walls, and bridges, etc., as may be necessary to utilize the Easement granted. However, there shall be no construction or placement of any other structures (except signs, interpretative stations, pathway-related amenities, benches, or fences) in addition to the Pathway improvements without the express consent of the Grantor.

5. Termination upon Condemnation or Eminent Domain. In the event that the Easement Land or any part thereof is condemned or taken by eminent domain, or as a result of an inverse condemnation action, then the Easement herein granted shall terminate automatically as to the portion of the property so taken.

6. Indemnification of Grantor. The Grantee, and its successors in interest and assigns, hereby agrees to indemnify, defend, and hold harmless the Grantor and his successors in interest and assigns, from any and all losses, damages, claims, causes of action, or rights of action, including reasonable attorney's fees, which the Grantor may incur as a result of the Easement granted herein, other than from losses, damages, claims, causes of action, or rights of action caused by the Grantor's negligent acts or omissions. Nothing in this Agreement shall alter, amend, modify, or diminish the existing statutory, constitutional, or legal defenses of the Grantee in relation to such claims under Wyoming law.

7. Other Grounds for Termination. The Grantor may terminate this Easement upon the occurrence of any of the following events (each a "Default"), after the Grantor has given the Grantee written notice of the Default(s) and the Grantee failed to cure the Default(s) within thirty (30) days after written notice or fails to diligently complete the cure as soon as reasonably possible after beginning such cure within thirty (30) days of written notice:

- a) The Grantee no longer enjoys governmental immunity as set forth in Wyoming Statutes §1-39-101 *et. seq.*, or any amendments or replacements thereto; or
- b) The Pathway is abandoned by the Grantee by failure to keep the Pathway open for passage by the general public for a period of one (1) year, not including periods of closure for regular maintenance or the replacement of the Pathway; or
- c) The Grantor's reserved rights as defined in this Agreement are impaired or restricted.

8. Rights Reserved to the Grantor. Notwithstanding any of the foregoing covenants to the contrary, the Grantor specifically reserves for itself, its directors, affiliate companies, officers, employees, tenants, invitees, licensees, successors, and assigns the following reserved rights:

- a) All rights as owner of the Easement Land, including the right to use the property for all purposes not inconsistent with this instrument.
- b) The right, in a reasonable manner and at reasonable times, to enforce, by proceedings at law or in equity, the terms and conditions of this instrument. Nothing herein shall be construed to entitle the Grantee to institute any enforcement proceedings against the Grantor for any changes to the granted Easement due to causes beyond the Grantor's control, such as changes caused by fire, storm, landslide, erosion, falling trees or branches, plant growth, water, or any other act of nature, or the unauthorized acts of third persons.

9. No Obligations on the Grantor. It is understood and agreed that this instrument imposes no other obligations with respect to the creation, maintenance, or removal of the Pathway upon the Grantor.

10. Preexisting Interests. Nothing herein shall be deemed to affect any mortgage, lien, or other interest in the Easement Land as described herein which was in existence at the time of the execution of this instrument.

11. Recordation; Binding Effect. This Agreement shall be recorded in the land records of the County Clerk of Teton County, Wyoming, and shall run with the lands underlying the Easement Land and shall be binding upon and inure to the benefit of the Grantor and the Grantee, their successors and assigns.

12. No Public Dedication. Nothing herein shall be deemed to be a gift or dedication of all or any portion of the Easement Land for the general public. Any use of the Easement Land by the public shall be pursuant to the terms and conditions of this Agreement only or as otherwise may be allowed by the Grantor from time to time, in its discretion.

13. Miscellaneous.

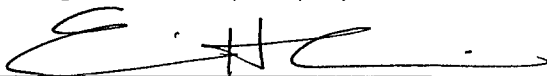
- a) Governing Law; Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Wyoming. Venue for any dispute concerning this Agreement shall be the 9th District Court in Teton County, Wyoming, and each of the parties hereto consents to the jurisdiction of such court in any such action or proceeding and waives any objection to venue laid therein. Process in any action or proceeding referred to in the preceding sentence may be served on any party anywhere in the world.
- b) Time. Time is of the essence of this Agreement.
- c) Interpretation. Any rule of interpretation construing any provision against the drafter of this Agreement shall not apply. The headings contained herein are for convenience only and shall not be used in the interpretation of this Agreement. As used in this Agreement, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.
- d) Entire Agreement. This Agreement represents the entire agreement of the Parties hereto and supersedes any prior agreements or negotiations of the Parties, whether oral or written.
- e) Attorneys' Fees. In the event of any suit or other proceeding for the interpretation or enforcement of this Agreement, the substantially prevailing party in such suit or other legal proceeding shall be entitled to recover its costs and expenses incurred, including, without limitation, reasonable attorneys' fees.
- f) Amendment. The Agreement shall only be amended by the consent of the Grantor and the Grantee in writing duly executed and recorded in the land records of the County Clerk of Teton County, Wyoming.
- g) Severability. If any provision of this Agreement is held invalid by a court or other tribunal of full and proper jurisdiction, then such provision shall be stricken here from, but the remainder of this Agreement shall continue in full force and effect.
- h) Counterparts. This Agreement may be executed in any number of counterparts which when taken together shall constitute a whole and complete original of this Agreement.
- i) No Waiver. The failure of either of the Parties to enforce the terms and conditions of this Agreement at any time shall not operate as a waiver of such Party's ability to enforce any violation of the terms and conditions of this Agreement in the future.
- j) No Third-Party Beneficiaries. The Parties do not intend to create in any other individual or entity the status of third-party contract beneficiary, and this Agreement shall not be construed so as to create such status.

- k) Governmental Immunity. The Grantee reserves and does not waive its governmental immunity as to any issues or matters not governed by the express terms of this Agreement.
- l) Estoppel Certificates. Each party shall, from time to time and upon not less than twenty (20) days' notice from the other, execute and deliver to a prospective lender, purchaser, or tenant of any portion of the property subject to this Agreement an estoppel certificate stating: (i) that this Agreement is in full force and effect and that it has entered into no other amendments, modifications or supplements of the same, or if such party has entered into any such amendments, modifications or supplements, then listing them, (ii) whether or not to its actual knowledge the other party is in default in any respect under this Agreement, and if in default, specifying the nature of such default, and (iii) that the party delivering such estoppel certificate acknowledges that it may be relied upon by purchasers, assignees, tenants, or mortgagees of the party requesting the estoppel certificate. In the event of an error or omission within an estoppel certificate, the certifying party shall not be liable therefor, but such certifying party shall be estopped from claiming any facts or statements contained in such estoppel certificate to be otherwise.

IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the Effective Date

GRANTOR:

VIRGINIAN LODGE LLC,
a Wyoming limited liability company

By: 

Name: Erin H. Ankin

Its: Authorized Signatory

STATE OF Illinois)
COUNTY OF Cook) ss

The foregoing Pathway Access Easement and Agreement was acknowledged before me by Erin H. Ankin, Authorized Signatory of Virginian Lodge LLC, a Wyoming limited liability company, this 24 day of July, 2023.

WITNESS my hand and official seal.

(Seal)



Kristy C. Edgar
Notary Public

My commission expires: 2/17/2025

TOWN OF JACKSON, WYOMING

By: 
Hailey Morton Leynson, Mayor

By: Riley Taylor
Riley Taylor, Town Clerk

[illegible]

The foregoing Pathway and Access Easement and Agreement was acknowledged before me by Hailey Morton Levinson, as Mayor of the Town of Jackson, and Riley Taylor, as the Town Clerk of the Town of Jackson, who are personally known to me or have established their identity and authority to me by reasonable proof, this 17th day of October, 2023.

WITNESS my hand and official seal.


Notary Public

(Seal)



My commission expires: 2.10.22

EXHIBIT A
LEGAL DESCRIPTION
OF
PATHWAY EASEMENT
OVER LOT 1, VIRGINIAN ADDITION TO THE TOWN OF JACKSON

A tract of land being a portion of Lot 1, Virginian Addition to the Town of Jackson, recorded as plat no. 1129 in the Office of the Clerk of Teton County, Wyoming and lying within the SW1/4NW1/4 of Section 33, T.41N., R.116W., 6th P.M., Teton County, Wyoming, said tract being more particularly described as follows:

BEGINNING at the west corner common to said Lot 1 and Lot 2, Virginian Addition, marked by a rebar with illegible aluminum cap;

Thence N00°44'20"E, 15.00 feet, on the west line of said Lot 1 to a point;

Thence S88°25'57"E, 338.05 feet, departing said west line, on a line parallel with and offset 15.00' north of the south line of said Lot 1 to a point;

Thence S58°25'57"E, 30.00 feet to a point of intersection with the south line of said Lot 1;

Thence N88°25'57"W, 363.82 feet, on said south line of Lot 1, to the Point of Beginning.

Said tract encompasses 0.12 acres, more or less.

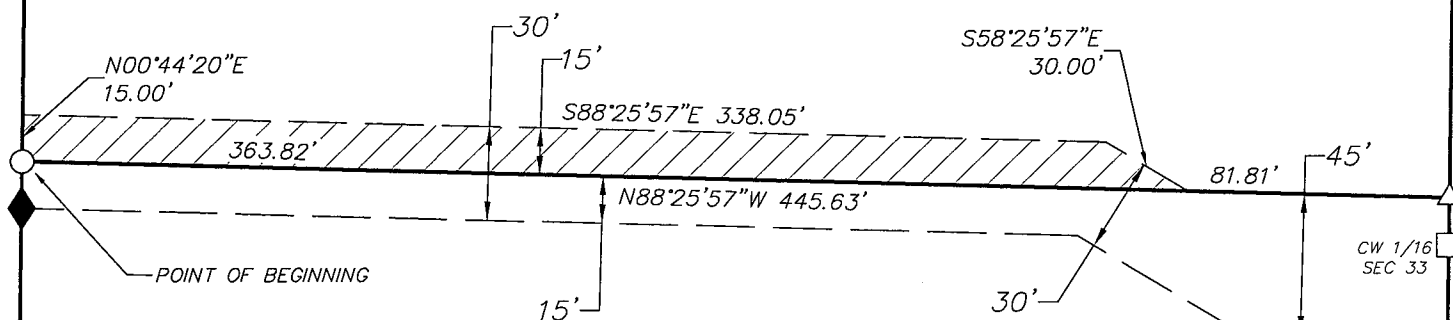
The basis of bearings for this description is Wyoming State Plane Coordinate System, NAD83, West Zone.

July 12, 2023

Jorgensen Associates, Inc.

P:\2023\23408-TC Housing Authority\90 Virginian Ln\60-Survey\Docs\23408_Lot 1 Virginian Pathway Easement Description.docx

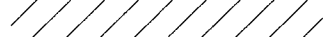
LOT 1
VIRGINIAN ADDITION
TO THE TOWN OF JACKSON
PLAT NO.1129



LOT 2
VIRGINIAN ADDITION
TO THE TOWN OF JACKSON
PLAT NO.1129

LEGEND

-  iron pipe with brass cap inscribed "BUR OF LAND MANAGEMENT" with other appropriate markings
-  reinforcing steel bar with aluminum cap, inscription illegible
-  T-stake with chromed cap inscribed "RLS 164"
-  reinforcing steel bar with aluminum cap inscribed "PLS 15442"

-  boundary, subject properties
-  boundary, pathway easement
-  easement area

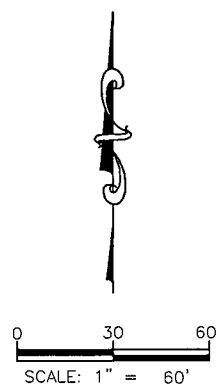


EXHIBIT B
Map of
Pathway Easement
over Lot 1
Virginian Addition
LOCATED WITHIN
SW1/4NW1/4 of Section 33
T.41N., R.116W., 6th P.M.
Teton County, Wyoming



PREPARED BY: STAFF

MAP PREPARED: 2023-07-12

PROJECT NUMBER: 23408

Fasching Consulting



May 9th, 2026

Mr. Hal Hutchinson
HH Land Strategies, LLC
1305 N Second Street
PO Box 1902
Wilson, WY 83014

RE: **Virginian Lodge Attainable Housing in Jackson, WY
 Traffic Impact Statement (Fasching Project 26-15)**

Dear Mr. Hutchinson:

This letter-report provides some preliminary trip-making estimates and an access analysis in support of the proposed 32-unit attainable housing project planned for the southeast corner of the Virginian Lodge in Jackson. The new units would utilize the same access points onto Virginian Avenue as the Lodge, and these units' location would tend to focus usage on the southern access driveway. A site plan is attached.

TRIP GENERATION

Using the Institute of Transportation Engineers' (ITE) Trip Generation manual, 12th Edition, Affordable Housing's trip generation rates (ITE Category 223) are as follows:

- Daily – 4.81 trips per unit
- AM Peak Hour – 0.36 trips per unit (29% inbound, 71% outbound)
- PM Peak hour – 0.46 trips per unit (59% inbound, 41% outbound)

The trip generation associated with 32 housing units would then be:

- Daily – 154 trips per day
- AM Peak Hour – 12 trips per hour (4 inbound and 8 outbound)
- PM Peak hour – 15 trips per hour (9 inbound and 6 outbound)

The above does not incorporate any transportation demand management measures, which could possibly result in lower trip-making. As compared to available existing traffic counts along Virginian Lane, the 32 units would increase this roadway's peak hour traffic by 5 to 6 percent.

ACCESS OPERATIONS

The southern access of the site was analyzed additional traffic from the 32 units. Analyzing the access intersection requires AM and PM peak hour turning movement information, and this was estimated at the access per the following:

- Peak hour data collected for the 2024 90 Virginian Lane affordable workforce housing traffic impact study which was extrapolated to the southern Lodge access with respect to north-south through traffic movements, rounded up slightly to account for growth.
- Trip estimates for the 163 lodge units were estimated using ITE data and assuming one-half of the Lodge's trips would use the southern access.
- Trip estimates for the proposed 32 housing units stated above are all assumed to use the southern access with 80 percent turning to/from the north and 20 percent turning to/from the south.

The results of the above are shown in **Table 1**.

Table 1 – Virginian South Access Intersection onto Virginian Lane

Movement	AM Peak Hour		PM Peak Hour	
	Veh/ Hr	LOS	Veh/Hr	LOS
Westbound Left Turn	11	A	8	B
Westbound Right turn	15	A	12	A
Northbound Through	70	NA – Free Flow	105	NA – Free Flow
Northbound Right Turn	7	NA – Free Flow	11	NA – Free Flow
Southbound Left Turn	9	A	16	A
Southbound Through	100	NA – Free Flow	190	NA – Free Flow

Intersection movements that must yield to other movements were analyzed with respect to Level of Service (LOS). LOS is a qualitative measure of traffic operational conditions, based on movement capacity and vehicle delay, described by a letter designation ranging from A to F. A LOS A represents nearly free-flow travel indicative of very little delay, while LOS F represents congested conditions and excessive delay. The LOS is defined by the amount of delay drivers endure, on average, during a peak hour, and the *Highway Capacity Manual* procedures are geared toward calculating the average delay for each movement or lane group (as compared to free-flow conditions if the intersection did not exist).

Table 1 also shows the LOS results for the access intersection. Three of the six movements do not need to yield and are not subject to LOS; they are LOS A with zero delay. The three movements that are subject to yielding are all shown to function at a LOS A or LOS B. The LOS worksheets are attached to this memo. LOS's A and B are typically acceptable conditions. Typical criteria for the busiest times of the day are a LOS D or sometimes LOS C or better, and the results of this analysis satisfy the typical

criteria. The access intersection onto Virginian Lane will function adequately with the addition of 32 attainable units.

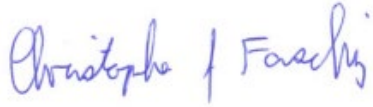
TRAFFIC IMPACT STATEMENT SUMMARY

This traffic impact statement provides trip-making information for the proposed 32 units of attainable housing to be located in the southeast corner of the Virginian Lodge site. The intersection most impacted by this development, the southern Lodge access onto Virginian Lane, can accommodate the additional trips without any improvements.

If you have any questions, please email me at Chris.Fasching@Outlook.com.

Sincerely,

Fasching Consulting, LLC



Christopher J. Fasching, PE
President/Owner

Intersection						
Int Delay, s/veh	1.6					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	11	15	70	7	9	100
Future Vol, veh/h	11	15	70	7	9	100
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	80	70	70	80
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	16	21	88	10	13	125

Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	243	93	0	0	98	0
Stage 1	93	-	-	-	-	-
Stage 2	151	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218	-
Pot Cap-1 Maneuver	745	965	-	-	1496	-
Stage 1	931	-	-	-	-	-
Stage 2	877	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	739	965	-	-	1496	-
Mov Cap-2 Maneuver	739	-	-	-	-	-
Stage 1	931	-	-	-	-	-
Stage 2	870	-	-	-	-	-

Approach	WB	NB	SB
HCM Ctrl Dly, s/v	9.31	0	0.69
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBRWBLn1WBLn2	SBL	SBT
Capacity (veh/h)	-	- 739 965 1496	-	-
HCM Lane V/C Ratio	-	- 0.021 0.022 0.009	-	-
HCM Ctrl Dly (s/v)	-	- 10 8.8 7.4	-	-
HCM Lane LOS	-	- A A A	-	-
HCM 95th %tile Q(veh)	-	- 0.1 0.1 0	-	-

Intersection

Int Delay, s/veh 1

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	8	12	105	11	16	190
Future Vol, veh/h	8	12	105	11	16	190
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	0	-	-	0	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	70	70	80	70	70	80
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	11	17	131	16	23	238

Major/Minor	Minor1	Major1	Major2
Conflicting Flow All	422	139	0
Stage 1	139	-	-
Stage 2	283	-	-
Critical Hdwy	6.42	6.22	-
Critical Hdwy Stg 1	5.42	-	-
Critical Hdwy Stg 2	5.42	-	-
Follow-up Hdwy	3.518	3.318	-
Pot Cap-1 Maneuver	588	909	-
Stage 1	888	-	-
Stage 2	765	-	-
Platoon blocked, %		-	-
Mov Cap-1 Maneuver	579	909	-
Mov Cap-2 Maneuver	579	-	-
Stage 1	888	-	-
Stage 2	753	-	-

Approach	WB	NB	SB
HCM Ctrl Dly, s/v	9.96	0	0.66
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBRWBLn1WBLn2	SBL	SBT
Capacity (veh/h)	-	-	579	909
HCM Lane V/C Ratio	-	-	0.02	0.019
HCM Ctrl Dly (s/v)	-	-	11.3	9
HCM Lane LOS	-	-	B	A
HCM 95th %tile Q(veh)	-	-	0.1	0.1



Date: January 23rd, 2026

Subject: P25-210 750 W Broadway Development Plan Transportation Comments

Dear Town of Jackson Planning Department,

The Joint Town of Jackson and Teton County Transportation Manager and Travel Demand Management Coordinator have reviewed the P25-210 750 W Broadway Development Plan Documents and appreciate the opportunity to give input.

We offer the following comments:

1. Follow the Teton County Draft Traffic Impact Study and Travel Demand Management Guidelines which begin on page 7 at [this link](#).¹

These guidelines reflect best practices, community priorities, our Comprehensive Plan, and direction from elected officials. They provide a consistent starting point for development applicants. With 32 new apartment units, this project is likely above the 'Major Project' threshold of 30 net new trips in the peak hour, and the developer should plan to assess the development's trip generation towards submitting appropriate documentation and future monitoring to staff per the guidelines. Transportation staff are available to provide guidance or assistance to the applicant regarding traffic impact study planning and monitoring expectations. We encourage the applicant to highlight how a pedestrian will navigate the parking areas to walk to nearby destinations; the current parking lot and building layout prioritizes vehicle movement and storage over pedestrian access to the nearby library, gym and restaurants, which is likely to increase the number of vehicle trips generated by the site.

2. Parking and Pathway Easement.

The applicant's response on page 24 regarding the pre-application 'ACCESS' comment suggests the site may be overparked to the detriment of multimodal access and snow storage. We suggest removing a few parking spaces for snow storage and to ensure a continuous pathway can run along the apportioned easement, if indeed some of the excess spaces are proposed on the pathway easement. This pathway is important to safely connecting destinations on either side of Virginian Lane and Karns Meadow Drive.

3. Consider implementing contract USPS mail delivery to mailboxes on site, as USPS does not offer home mail delivery in Jackson.

Implementing contract mail delivery will reduce impacts to the transportation system by eliminating individual trips that residents would otherwise make to the post office for routine mail pickup, while also being an amenity to building residents.



Transportation Division

Thank you for the opportunity to comment. We are available for questions.

Miles Contreras

MContreras@tetoncountywy.gov

307-732-8659

Charlotte Frei

CFrei@tetoncountywy.gov

307-732-8498



Statement of Trip Generation

Purpose

Use this Statement worksheet to provide a concise trip-generation summary and site description for change-of-use or development projects. Complete all fields and attach the required site plan and frontage exhibits. This worksheet helps Town of Jackson Transportation, Planning, and Engineering staff determine what a development's transportation impacts will be, and if a full Transportation Impact Study (TIS) is required. Detailed information on each section of this Statement, as well as requirements for a full TIS, are available in the Town's Transportation Impact Study Guidelines located here: jacksonwy.gov/futureurl.

Thresholds

Projects generating fewer than 10 PM peak-hour trips are exempt from completing this Statement. All other development projects and change of uses are required to complete this Statement. Projects that are expected to generate **more than 30 net new PM peak hour trips** will require a full Transportation Impact Study (TIS) – this statement serves as a scoping document for the full TIS. Projects with expected trip generation between **10 and 30 net new PM peak hour trips** are only required to complete this Statement; however Town Staff may require additional analysis up to a full TIS for projects generating fewer than 30 net new PM peak hour trips if safety, frontage, or impact concerns exist.

Instructions for Applicants

Submit this completed Statement and attachments to the Town of Jackson Planning Department (electronic PDF via the Town's permit portal or email). If you are unsure about which ITE land use code to use or how to apply pass-by/internal capture, indicate the assumptions in the Notes column and staff will advise on acceptable methodology or required local adjustments.



Project / Applicant Information

Project Name: _____

Project Address / Parcel: _____

Applicant / Contact Name: _____

Phone / Email: _____

Date Submitted: ____ / ____ / ____

Project Narrative/Description

Project Land Uses

For each type of use, describe the size of use by gross floor area, number of units, or number of rooms as indicated by the ITE Trip Generation Rate Table on page 6 of this document.

Existing use:

Use: _____ Gross Floor Area or Number of Units/Rooms: _____
(sf/units/rooms)

Use: _____ Gross Floor Area or Number of Units/Rooms: _____
(sf/units/rooms)

Use: _____ Gross Floor Area or Number of Units/Rooms: _____
(sf/units/rooms)

On-site parking currently provided: _____ spaces

Proposed use:

Use: _____ Gross Floor Area or Number of Units/Rooms: _____
(sf/units/rooms)

Use: _____ Gross Floor Area or Number of Units/Rooms: _____
(sf/units/rooms)



Use: _____ Gross Floor Area or Number of Units/Rooms: _____
(sf/units/rooms)

New onsite parking required by Town Land Development Regulations: _____ spaces

New onsite parking proposed: _____ spaces

Project Trip Generation

Using the trip generation rates on page 6 of this worksheet, compute your project's net new PM expected peak hour trip generation. This is to be determined by calculating a range consisting of the average to the maximum expected generation for each discrete land use type, and summing these for a range of the total project net new PM expected peak hour trip generation. An example calculation is shown on page 7. If your project is not categorizable by the trip generation rates on page 6, consult the latest edition of the ITE Trip Generation Manual or contact Town Staff for guidance.

Land Use / ITE Code	Net Quantity Units (sf, units, rooms)	PM Peak Hour Average Trip Generation	PM Peak Hour Maximum Trip Generation	PM Peak Hour Trips Range (Average - Maximum)	Notes
Net New Peak-Hour Trips				_____ Total Net New PM Peak-Hour Trips	

Directional Distribution & Site Assignment

Summary of expected directional distribution (e.g., 65% northbound on Cache St, 35% southbound) and primary access points:

Nearest intersections / major street frontage and estimated impact to facilities:



Parking, Loading, & Access Improvements

[Note that the Town may require additional parking analysis per Land Development Regulations]

On-site parking supply - total vehicle spaces and access location:

Improvements to streets fronting the project and/or other site access improvements:

Typical employee shifts, customer hours, and expected peak occupancy:

Loading / delivery frequency, typical vehicle type (delivery truck, van), and site access location:

Multimodal Access

Existing walk, bicycle, and transit infrastructure allowing multimodal access to the site:

Proposed walk, bicycle, and transit considerations and improvements to the site:

Estimated mode share and number of trips for people walking, bicycling, or taking transit to the proposed development:



Transportation Demand Management Measures

TDM measures can reduce external automobile trips by mixing land uses, reducing the need to make trips to the development, and/or encouraging walking, biking, transit, or carpooling. List and describe any TDM measures being incorporated into the project (See Appendix C, Reference D for a list of example measures):

Site Plan & Frontage

Please attach the following documents when submitting this worksheet (PDF or scaled plan):

1. Site plan showing building footprint, parking layout, driveway(s), pedestrian connections, and location of loading areas. [Required]
2. Frontage exhibit (plan view or annotated photo) showing frontage improvements, curb/gutter, sidewalk, travel lane widths, and distance to nearest signalized or unsignalized intersection. [Required]
3. Photographs of the site frontage and adjacent intersections [optional].

Check when attached: ☐ Site plan ☐ Frontage exhibit ☐ Photos

Applicant Statement & Certification

I hereby certify that the information and calculations in this worksheet are, to the best of my knowledge, accurate and represent the project as proposed. I understand Town Staff may request additional information or a full Transportation Impact Study if the net new trips exceed the jurisdictional threshold or if safety or operational concerns are identified.

Applicant Signature: _____ Date: ____ / ____ / ____

Printed Name: _____



Staff Use Only

Reviewer(s): _____ Date: ____ / ____ / ____

Net New Peak-Hour Trips (PM): _____

Threshold exceeded? ☐ Yes ☐ No

Determination:

- ☐ No further study required
- ☐ Additional impact analysis memo required – specified contents to be provided to applicant
- ☐ Full TIS required

If mitigation recommended (list measures):

Notes / scope for full Transportation Impact Study (if required):



ITE Trip Generation Rate Table

Figures displayed are trip generation for the weekday peak hour of adjacent street, from the ITE Trip Generation Manual, 12th Edition.

ITE Code	Land Use Description	Quantity Unit	PM Peak Hour Average	PM Peak Hour Maximum
151	Mini-Warehouse/Self-Storage Facility	Per 1,000 sq ft GFA	0.14	0.64
210	Single-Family Detached Housing	Per dwelling unit	0.93	2.98
215	Single-Family Attached Housing	Per dwelling unit	0.51	1.25
220	Multifamily Housing (Low-Rise)	Per dwelling unit	0.52	1.04
223	Affordable Housing	Per dwelling unit	0.46	1.22
230	Low-Rise Residential with Ground-Floor Commercial	Per dwelling unit	0.36	0.44
310	Hotel	Per room	0.47	1.06
320	Motel	Per room	0.37	0.83
492	Health/Fitness Club	Per 1,000 sq ft GFA	3.77	8.37
710	General Office Building	Per 1,000 sq ft GFA	1.18	2.59
720	Medical-Dental Office Building	Per 1,000 sq ft GFA	3.42	8.86
822	Strip Retail Plaza	Per 1,000 sq ft Gross Leasable Area	6.29	17.72
850	Supermarket	Per 1,000 sq ft GFA	8.79	20.30
851	Convenience Store	Per 1,000 sq ft GFA	48.30	98.18
911	Walk-in Bank	Per 1,000 sq ft GFA	12.13	24.15
930	Fast-casual restaurant	Per 1,000 sq ft GFA	14.35	27.40
931	Fine-dining restaurant	Per 1,000 sq ft GFA	8.10	18.68



Project Trip Generation - Example Calculation

In this example, an existing 12 unit hotel is being redeveloped into a 24 unit hotel with 6 condo residences.

Land Use / ITE Code	Net Quantity Units (sf/unit/room)	PM Peak Hour Average Trip Generation	PM Peak Hour Maximum Trip Generation	PM Peak Hour Trips Range (Average - Maximum)	Notes
Hotel - ITE 310	[-12 rooms (existing)] + [24 rooms (proposed)] = 12 rooms	12 rooms x (0.47 trip gen rate) = 5.64	12 rooms x (1.06 trip gen rate) = 12.72	5.64 - 12.72	
Condo Apartments - ITE 220	6 units	6 units x (0.52 trip gen rate) = 3.12	6 units x (1.04 trip gen rate) = 6.24	3.12 - 6.24	
Net New Peak-Hour Trips		8.76 Net new PM peak hour trips	18.96 Net new PM peak hour trips	8.76 - 18.96 Net new PM peak hour trips	

Net new PM peak hour trip generation Average - Maximum Range (total for development): **8.76 - 18.96** Net new PM peak hour trips





Date: May 19, 2026

Subject: P25-210 750 W Broadway Development Plan Transportation Comments

Dear Mr. Valentine,

The Joint Town of Jackson and Teton County Transportation Manager has reviewed the the traffic memorandum from Chris Fasching, and I appreciate the opportunity to give input.

We offer the following comments:

Below is the same comment provided on January 23, 2026:

1. *Follow the Teton County Draft Traffic Impact Study and Travel Demand Management Guidelines which begin on page 7 at [this link](#).¹*

These guidelines reflect best practices, community priorities, our Comprehensive Plan, and direction from elected officials. They provide a consistent starting point for development applicants. With 32 new apartment units, this project is likely above the 'Major Project' threshold of 30 net new trips in the peak hour, and the developer should plan to assess the development's trip generation towards submitting appropriate documentation and future monitoring to staff per the guidelines. Transportation staff are available to provide guidance or assistance to the applicant regarding traffic impact study planning and monitoring expectations. We encourage the applicant to highlight how a pedestrian will navigate the parking areas to walk to nearby destinations; the current parking lot and building layout prioritizes vehicle movement and storage over pedestrian access to the nearby library, gym and restaurants, which is likely to increase the number of vehicle trips generated by the site.

The memorandum states this is 'attainable housing' and then uses trip generation rates for 'affordable housing'. Please clarify the difference in terms of vehicular trip generation as well as the Housing Authority's definitions of housing types. This memorandum does not speak to pedestrian, bicyclist, or transit access to this site. The ITP and Comprehensive Plan emphasize designing and building for modes other than driving alone.

2. Attached is a Trip Generation Memorandum that staff are recommending to Town Council for adoption in the LDRs, with the first hearing at Town Council on June 1. As requested in January, the applicant should review the questions related to Travel Demand Management and multimodal access and ensure the site is responsive to the adopted goals and strategies of the Comprehensive Plan.

Thank you for the opportunity to comment. I am available for questions.

Charlotte Frei CFrei@tetoncountywy.gov

307-732-8498

MINUTES
BOARD OF ADJUSTMENT SPECIAL MEETING
TOWN OF JACKSON, WYOMING
May 20, 2026
UNAPPROVED

The Board of Adjustment met in special session on May 20, 2026 in the Town Council Chambers located at 150 E. Pearl Ave. in Jackson, at 5:30 pm. This meeting was held in person.

Upon roll call the following were found to be present:

BOARD: Eliska Garcia, Katie Wilson, Laura Bonich, Thomas Smits & Georgie Stanley appeared in person. Steph Wise & Megan Jennings are not present. A quorum is established.

Docket No. 2026-BoA-01

Morgan Barry and Ben Mackay, Contestants

v.

Planning Director of the Town of Jackson, Wyoming, Contestee

5:33 PM: Opening Statement by Lea Colasuonno, Town Attorney. Ms. Colasuonno reviews the findings required to approve an administrative adjustment and the requirements for repair, maintenance, and restoration of historic properties per LDR 5.9.7. Ms. Colasuonno submits that the Planning Director correctly evaluated the application at issue.

5:34 PM: Opening Statement by Morgan Barry. Ms. Barry gives a background of the property in question and outlines future plans for the property. The property owners disagree that the work proposed on the property rises to the level of repairs which require the building to be brought into compliance with the LDRs. Additionally, property owners argue that the setback requirements are in conflict with the spirit of the historic preservation program, and the requirements of the planning department disincentivize participation in the historic preservation program.

5:37 PM: Ms. Colasuonno calls Paul Anthony, Planning and Building Director for the Town of Jackson. Mr. Anthony reviews the findings for an administrative adjustment. Mr. Anthony reviews the original application and site specifics along with adjustments available to historic structures as it relates to the LDRs.

6:12 PM: Cross examination by Morgan Barry regarding historic structures on other properties.

6:15 PM: Morgan Barry & Ben Mackay testify for the Contestant. The property owners argue that the proposed work on the structures is a maintenance project as defined in LDR 1.9.2.B.2 and without the maintenance, the structure will fail. They believe there is discrepancy in the LDRs as it relates to requirements for historic structures versus new development and there is little incentive to place structures on the historic preservation list if those properties are then required to conform with the LDRs. They argue that the designation of the structures as historic allows their exemption to the setback requirements of the NL-5 zone.

6:19 PM: Ms. Barry calls Katherine Wonson, Historic Preservation Educator & Consultant. Ms. Wonson explains the importance of foundations to structures and points out that the LDR requirements can sometimes appear to be in conflict with each other.

6:37 PM: Closing Statement by Ms. Colasuonno. Ms. Colasuonno submits that the Town correctly applied the findings required for an administrative adjustment and the scope of the proposed work triggers the requirements of LDR 5.9.7

6:41 PM: Closing Statement by Morgan Barry and Ben Mackay. The Contestants agree that the findings were not made inappropriately. The Contestants argue that the proposed work does not rise to the level required to bring the buildings into compliance as required by the LDRs and there is conflict between LDR 5.9.7 and LDR 1.9.2.

6:48 PM: Adjourn

Note: The audio for the hearing was not recorded due to a technical error. These minutes are reproduced from memory.

minutes:mt