



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: SEPTEMBER 27, 2018
MEETING DATE: OCTOBER 1, 2018

SUBMITTING DEPARTMENT: PLANNING DEPARTMENT
DEPARTMENT DIRECTOR: TYLER SINCLAIR
PRESENTERS: BRENDAN CONBOY

SUBJECT: (P18-046) A REQUEST FOR WAIVER OF REVIEW FEES ASSOCIATED WITH A REQUEST FOR A NEW EDUCATIONAL CENTER FOR CENTRAL WYOMING COLLEGE

OWNER: CENTRAL WYOMING COLLEGE

APPLICANT: BRENDAN SCHULTE, JORGENSEN ASSOCIATES

STATEMENT/PURPOSE

The applicant has requested a fee waiver on behalf of Central Wyoming College, a governmental educational entity, for the development review fees associated with an application for Sketch Plan/Conditional Use Permit/Zoning Map Amendment for a new educational center for Central Wyoming College. The applicant has submitted this request pursuant to Ordinance 939 of the Town of Jackson and Municipal Code section 15.04.090.

The requested fee waiver would apply to a property located at 235 and 255 Veronica Lane.

BACKGROUND

Pursuant to Ordinance 939 the Town Council may reduce, defer or waive application fees upon the request of an applicant if the proposed project advances significant community goals, which include, but are not limited to the following:

1. *A project that is sponsored by a governmental entity or a project that receives public funding.*
2. *A project that provides extraordinary charitable, civic, educational, or similar benefits to the community.*

Should Town Council make the determination that this proposal advances significant community goals as described above, a motion has been provided below for the waiver of the fees.

The applicant has proposed to develop a two-story, 17,358 square foot building to house Central Wyoming College's Jackson Outreach Center for which a Zoning Map Amendment, Sketch Plan, and Conditional Use Permit have been applied for (P18-047, 48, & 49).

ATTACHMENT

Fee waiver request from applicant

FISCAL IMPACT

The approval of a fee waiver for this development review would result in the Town not receiving \$4,500 (\$2,500 Sketch Plan; \$500 Conditional Use Permit; \$1,500 Zoning Map Amendment).

STAFF IMPACT

None identified.

LEGAL REVIEW

Not Applicable.

RECOMMENDATION

No recommendation has been provided by the Planning Director given the nature of this request. Please note that the Council has the option to reduce, defer, or waive such application fees if desired.

SUGGESTED MOTION

I move to **approve** Item P18-046, a request to waive the \$4,500 fee for Brendan Schulte/Jorgensen Associates for the development review fees associated with an application for Sketch Plan/Conditional Use Permit/Zoning Map Amendment to develop the Central Wyoming College Jackson Outreach Center per Ordinance 939.



PLANNING PERMIT APPLICATION
Planning & Building Department
Planning Division

150 E Pearl Ave. | ph: (307) 733-0440
 P.O. Box 1687 | fax: (307) 734-3563
 Jackson, WY 83001 | www.townofjackson.com

| | | |
|----------------------------|-------------------|------------|
| For Office Use Only | | |
| Fees Paid _____ | | |
| Check # _____ | Credit Card _____ | Cash _____ |
| Application #s _____ | _____ | _____ |

PROJECT.

Name/Description: Central Wyoming College

Physical Address: 235 & 255 Veronica Lane

Lot, Subdivision: LOT 3 & 6, STOCKHOUSE-PATTERSON ADDITION PIDN: 22-41-32-4-29-003 & 22-42-16-32-4-29-006

OWNER.

Name: Central Wyoming College Phone: _____

Mailing Address: 2660 Peck Ave, Riverton, WY ZIP: 82501

E-mail: _____

APPLICANT/AGENT.

Name: Jorgensen Associates, P.C. Phone: 307-733-5150

Mailing Address: P.O. Box 9550 ZIP: 83002

E-mail: bschulte@jorgensenassociates.com

DESIGNATED PRIMARY CONTACT.

_____ Owner Applicant/Agent

TYPE OF APPLICATION. *Please check all that apply; see Fee Schedule for applicable fees.*

| | | |
|--|---|--|
| Use Permit <input type="checkbox"/> Basic Use <input type="checkbox"/> Conditional Use <input type="checkbox"/> Special Use | Physical Development <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Development Plan | Interpretations <input checked="" type="checkbox"/> <i>Rel waiver</i> <input type="checkbox"/> Formal Interpretation <input type="checkbox"/> Zoning Compliance Verification |
| Relief from the LDRs <input type="checkbox"/> Administrative Adjustment <input type="checkbox"/> Variance <input type="checkbox"/> Beneficial Use Determination <input type="checkbox"/> Appeal of an Admin. Decision | Development Option/Subdivision <input type="checkbox"/> Development Option Plan <input type="checkbox"/> Subdivision Plat <input type="checkbox"/> Boundary Adjustment (replat) <input type="checkbox"/> Boundary Adjustment (no plat) | Amendments to the LDRs <input type="checkbox"/> LDR Text Amendment <input type="checkbox"/> Zoning Map Amendment <input type="checkbox"/> Planned Unit Development |

PRE-SUBMITTAL STEPS. Pre-submittal steps, such as a pre-application conference, environmental analysis, or neighborhood meeting, are required before application submittal for some application types. See Section 8.1.5, Summary of Procedures, for requirements applicable to your application package. If a pre-submittal step is required, please provide the information below. If you need assistance locating the project number or other information related to a pre-submittal step, contact the Planning Department. If this application is amending a previous approval, indicate the original permit number.

Pre-application Conference #: P17-134 Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: February 15, 2018

SUBMITTAL REQUIREMENTS. Twelve (12) hard copies and one (1) digital copy of the application package (this form, plus all applicable attachments) should be submitted to the Planning Department.. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant.

Have you attached the following?

- NA **Application Fee.** Fees are cumulative. Applications for multiple types of permits, or for multiple permits of the same type, require multiple fees. See the currently adopted Fee Schedule in the Administrative Manual for more information.
- X **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. If the owner is a partnership or corporation, proof that the owner can sign on behalf of the partnership or corporation is also required. Please see the Letter of Authorization template in the Administrative Manual for a sample.
- NA **Response to Submittal Checklist.** All applications require response to applicable review standards. These standards are outlined on the Submittal Checklists for each application type. If a pre-application conference is held, the Submittal Checklists will be provided at the conference. If no pre-application conference is required, please see the Administrative Manual for the applicable Checklists. The checklist is intended as a reference to assist you in submitting a sufficient application; submitting a copy of the checklist itself is not required.

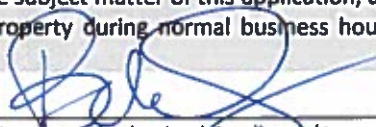
FORMAT.

The main component of any application is demonstration of compliance with all applicable Land Development Regulations (LDRs) and Resolutions. The submittal checklists are intended to identify applicable LDR standards and to outline the information that must be submitted to sufficiently address compliance with those standards.

For some submittal components, minimum standards and formatting requirements have been established. Those are referenced on the checklists where applicable. For all other submittal components, the applicant may choose to make use of narrative statements, maps, drawings, plans and specifications, tables and/or calculations to best demonstrate compliance with a particular standard.

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

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



Signature of Owner or Authorized Applicant/Agent
Brendan Schulte

Name Printed

February 16, 2018

Date
Senior Planner

Title

| | |
|------------|-------------------------------------|
| RELEASED | <input checked="" type="checkbox"/> |
| INDEXED | <input checked="" type="checkbox"/> |
| ABSTRACTED | <input checked="" type="checkbox"/> |
| SCANNED | <input checked="" type="checkbox"/> |

WARRANTY DEED

Minichristel II LLC, a Wyoming limited liability company, of Teton County, Wyoming, GRANTOR, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, as an Internal Revenue Code Section 1031 tax deferred exchange, CONVEYS AND WARRANTS unto Fremont County Community College dba Central Wyoming College, whose address is 2660 Peck Avenue, Riverton, Wyoming 82501, GRANTEE, the following-described property situated in the County of Teton, State of Wyoming, to-wit:

Lot 6 of the Stockhouse-Patterson Addition to the Town of Jackson, Teton County, Wyoming, according to Plat No. 822 recorded in the Office of the Teton County Clerk on October 7, 1994,

including and together with all and singular the tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, and all furnishings and appliances therein, and any rights of grantor to minerals thereunder, but subject to taxes, assessments, covenants, conditions, restrictions, reservations, rights-of-way, easements and other encumbrances of sight or record.

Parcel Identification No. 22-41-16-32-4-29-006,

hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State of Wyoming, for purposes of this conveyance.

WITNESS the due execution and delivery of this instrument effective as of the

29th day of June, 2017.



**First American Title
Insurance Company**

Minichristel II LLC
A Wyoming limited liability company

By: John Michael Cottingham
John Michael Cottingham, Manager

By: Helen M. Cottingham
Helen M. Cottingham, Manager

1
GRANTOR: MINICHRISTEL II LLC
GRANTEE: FREMONT COUNTY COMMUNITY COLLEGE DBA
Doc 0931170 Filed At 14:16 ON 07/05/17
Sherry L. Daigle Teton County Clerk fees: 15.00
By Mary D. Antrabus Deputy



WARRANTY DEED

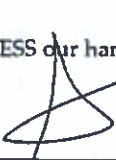
**First American Title
Insurance Company**

Scott Kirkpatrick and Carrie F. Kirkpatrick, husband and wife, GRANTORS, of Teton County, Wyoming, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, and pursuant to an I.R.C. § 1031 tax deferred exchange for benefit of Grantors, CONVEY and WARRANT to Fremont County Community College District dba Central Wyoming College, GRANTEE, whose address is 2660 Peck Avenue, Riverton, Wyoming 82501, the following described real estate, situate in the County of Teton, State of Wyoming, hereby waiving and releasing all rights under and by virtue of the homestead exemption laws of the State of Wyoming, to-wit:

Lot 3 of the Stockhouse-Patterson Addition to the Town of Jackson, Teton County, Wyoming according to that plat filed in the office of the Teton County Clerk on October 7, 1994 as Plat No. 822.

PIN: 22-41-16-32-4-29-003

Together with and including all improvements thereon and all appurtenances and hereditaments thereunto belonging. Subject to all covenants, conditions, restrictions, easements, reservations, and rights-of-way of record.

WITNESS our hands this 5 day of July, 2017.


Scott Kirkpatrick



Carrie F. Kirkpatrick

STATE OF Wyoming
COUNTY OF Teton

The foregoing instrument was acknowledged before me this 5th day of July, 2017 by Scott Kirkpatrick and Carrie F. Kirkpatrick.

WITNESS my hand and official seal.



Notary Public
My Commission Expires: _____



GRANTOR KIRKPATRICK SCOTT ET UX
GRANTEE FREMONT COUNTY COMMUNITY COLLEGE
Doc 0931149 Filed At 12:15 ON 07/05/17
Sherry L. Daigle Teton County Clerk fees: 12.00
By Mary D. Antrobus Deputy


| | |
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| RELEASED | <input checked="" type="checkbox"/> |
| INDEXED | <input checked="" type="checkbox"/> |
| ABSTRACTED | <input checked="" type="checkbox"/> |
| SCANNED | <input checked="" type="checkbox"/> |

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

On the 29 day of June, 2017 before me personally came **John Michael Cottingham** and **Helen M. Cottingham**, to me known, who, being by me duly sworn, did depose and say that they are the Managers of **Minichristel II LLC**, a Wyoming limited liability company described in the foregoing instrument and who executed the foregoing instrument, and that they signed their names thereto on behalf of said Company, and acknowledged that this instrument is duly executed as the free act and deed of said Company.

WITNESS my hand and official seal.




Notary Public

(Seal)
My commission expires:



February 16, 2018

Mr. Paul Anthony
Town of Jackson Planning Dept.
P.O. Box 1687
150 East Pearl Avenue
Jackson, WY 83001

-Hand Delivered-

RE: Sketch Plan, Zoning Map Amendment, and Conditional Use Permit applications for Central Wyoming College - Jackson Center

Dear Paul,

Enclosed you will find the necessary materials for a Sketch Plan, Zoning Map Amendment, and Conditional Use Permit applications and for an educational building that we are submitting on behalf of Central Wyoming College. The property is located at 255 & 235 Veronica Lane in Jackson, Wyoming and is owned by the applicant, Fremont County Community College District D.B.A. Central Wyoming College, a governmental entity in the State of Wyoming.

Included with this transmittal you will find the following:

- Fee Waiver Request
- Sketch Plan Application (SKC);
- Zoning Map Amendment (ZMA);
- Conditional Use Permit (CUP);
- A Jorgensen Associates Check No. 45420 for \$4,500 for:
 - Sketch Plan - \$2,500
 - Zoning Map Amendment - \$1,500
 - Conditional Use Permit - \$500

Please contact me with any questions or comments.

Sincerely,

JORGENSEN ASSOCIATES, P.C.

Brendan Schulte
Senior Planner



February 16, 2018

Mr. Paul Anthony
Town of Jackson Planning Dept.
P.O. Box 1687
150 East Pearl Avenue
Jackson, WY 83001

-Hand Delivered-

RE: Fee Waiver Request for Sketch Plan, Zoning Map Amendment, and Conditional Use Permit applications for Central Wyoming College - Jackson Center

Dear Paul,

Enclosed you will find the necessary findings for a Fee Waiver Request for a Sketch Plan, a Zoning Map Amendment, and a Conditional Use Permit for Central Wyoming College - Jackson Center (CWC-Jackson). The property is located at 255 & 235 Veronica Lane in Jackson, Wyoming and is owned by the applicant, Fremont County Community College District D.B.A. Central Wyoming College, a governmental entity in the State of Wyoming.

According to the Town of Jackson Resolution 15-03, the Town Council may reduce, defer, or waive application fees upon request if the proposed project advances significant community goals, which include but are not limited to, the following:

1. A project that is sponsored by a governmental entity, or a project that received public funding.
2. A project that provides extraordinary charitable, civic, educational, or similar benefits to the community.

The CWC-Jackson project is both a governmental entity, and a project that has received public funding via the Special Excise Tax (SPET) in May of 2017 with overwhelming support from the community. The project also provides educational benefits to the community by offering a unique campus in the Town of Jackson for Adult Basic Education, High School Equivalency, and accredited courses in Nursing and Health Sciences, Business and Entrepreneurial Success, Hospitality, and the Culinary Arts. We believe that the CWC-Jackson project advances significant community goals and meets the criteria for granting a Fee Waiver Request.

Please contact me with any questions or comments.

Sincerely,

JORGENSEN ASSOCIATES, P.C.

Brendan Schulte
Senior Planner