



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- ☒ Public Works/Engineering
- ☒ Building
- ☐ Title Company
- ☐ Town Attorney
- ☒ Police

Joint Town/County

- ☒ Parks and Recreation
- ☒ Pathways
- ☒ Joint Housing Dept

Teton County

- ☐ Planning Division

- ☐ Engineer
- ☐ Surveyor- *Nelson*
- ☐ Assessor
- ☐ Clerk and Recorder
- ☐ Road and Levee

State of Wyoming

- ☐ Teton Conservation
- ☐ WYDOT
- ☐ TC School District #1
- ☐ Game and Fish
- ☐ DEQ

Federal Agencies

- ☐ Army Corp of Engineers

Utility Providers

- ☐ Qwest
- ☐ Lower Valley Energy
- ☐ Bresnan Communications

Special Districts

- ☒ START
- ☒ Jackson Hole Fire/EMS
- ☐ Irrigation Company

Date: May 9, 2019	REQUESTS: The applicant is submitting a request for a Zoning Map Amendment at 105 E. Broadway Ave, legally know as PT. SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116. For questions, please call Tyler Valentine at 733-0440, x1305 or email to the address shown below. Thank you.
Item #: P19-114	
Planner: Tyler Valentine Phone: 733-0440 ext. 1305 Fax: 734-3563 Email: tvalentine@jacksonwy.gov	
Owner: FOAM Capital, LLC PO Box 1045 Jackson, WY 83001 Applicant: GYDE Architects – John Stennis PO Box 4735 Jackson, WY 83001	
Please respond by: May 23, 2019 (Sufficiency) May 30, 2019 (with Comments)	

RESPONSE: For Departments not using Trak-it, please send responses via email to:
tstolte@jacksonwy.gov



PLANNING PERMIT APPLICATION
Planning & Building Department

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

For Office Use Only

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

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

PROJECT.

Name/Description: 105 East Broadway Zoning Map Amendment
Physical Address: 105 East Broadway Avenue
Lot, Subdivision: PT. SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116 PIDN: 22-41-16-27-3-00-012

PROPERTY OWNER.

Name: FOAM Capital, LLC Phone: _____
Mailing Address: PO Box 1045 ZIP: 83001
E-mail: _____

APPLICANT/AGENT.

Name: John Stennis, GYDE Architects Phone: 307-733-7303
Mailing Address: PO Box 4735, 80 West Broadway, Jackson, WY ZIP: 83001
E-mail: js@gydearchitects.com

DESIGNATED PRIMARY CONTACT.

____ Property Owner ☒ Applicant/Agent

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

Use Permit	Physical Development	Interpretations
____ Basic Use	____ Sketch Plan	____ Formal Interpretation
____ Conditional Use	____ Development Plan	____ Zoning Compliance Verification
____ Special Use	____ Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	____ LDR Text Amendment
____ Administrative Adjustment	____ Subdivision Plat	<input checked="" type="checkbox"/> Map Amendment
____ Variance	____ Boundary Adjustment (replat)	Miscellaneous
____ Beneficial Use Determination	____ Boundary Adjustment (no plat)	____ Other: _____
____ Appeal of an Admin. Decision	____ Development Option Plan	____ Environmental Analysis

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

Pre-application Conference #: P19-037 Environmental Analysis #: n/a
Original Permit #: n/a Date of Neighborhood Meeting: 4/11/2019

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

Have you attached the following?

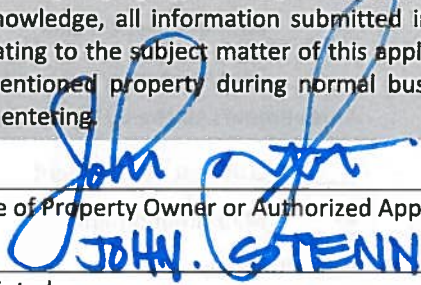
- ☒ **Application Fee.** Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.
- ☒ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at www.townofjackson.com/DocumentCenter/View/102/Town-Fee-Schedule-PDF.
- ☒ **Response to Submittal Requirements.** The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

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

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

Signature of Property Owner or Authorized Applicant/Agent

Name Printed


JOHN. STENNIS

07 May 2019

Date

Associate

Title

LETTER OF AUTHORIZATION

Foam Capital, LLC, "Owner" whose address is: _____

PO Box 1045, Jackson WY 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

_____, as the owner of property
more specifically legally described as: 105 E Broadway, Jackson WY 83001

(If too lengthy, attach description)

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

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

OWNER:

M. Jason Majors
(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: M. Jason Majors, Attorney and Authorized Agent
(if signed by officer, partner or member of corporation, LLC (secretary or corporate owner) partnership or
other non-individual Owner)

STATE OF Wyoming)
)SS.
COUNTY OF Teton)

The foregoing instrument was acknowledged before me by M. Jason Majors this 12th day of
February, 2019.

WITNESS my hand and official seal.

Gloria J. Geffre
(Notary Public)

My commission expires:

01/24/2023

(Seal)



07 May 2019

Tyler Sinclair, Planning Director
Town of Jackson Planning and Building Department
150 E Pearl Avenue
Jackson, WY 83001

- Hand Delivered -

Dear Mr. Sinclair,

GYDE Architects, an association with Hal Hutchinson of HH Land Strategies are pleased to submit the enclosed Zoning Map Amendment application for the property located at 105 East Broadway, Town of Jackson, Wyoming.

The purpose of the Zoning Map Amendment application is to secure approval of an amendment to the official Zone District Map for the subject property from Urban Commercial (UC) to Downtown Commercial (DC).

On April 11, 2019, the applicant held a Neighborhood Meeting, which was properly noticed in accordance with LDR requirements. Presenting at the Neighborhood Meeting were myself, John Stennis, from GYDE Architects and Hal Hutchinson, from HH Land Strategies. Together we presented the proposal to change zoning for the subject property and answered questions from the public in attendance. One result of this Neighborhood meeting was that a member of the Teton County Historic Preservation Board encouraged us to present the proposal to the Historic Preservation Board. This was done on April 16, 2019.

Enclosed please find the following application materials:

- Planning Permit Application Form;
- Signed and notarized Letter of Authorization from the owner;
- Application fee in the amount of \$1,500;
- Warranty Deed conveying the property to FOAM Capital, LLC;
- T-Map T-20J showing the property as surveyed and recorded;
- Narrative description of the proposed application;
- Zoning Map Amendment - DC Zoning Exhibits; and
- Zoning Map Amendment - UC Zoning Exhibits



It is our understanding, based on discussions with the Jackson Hole Land Trust team, that the adjacent 135 E. Broadway parcel is submitting a concurrent Zoning Map Amendment application for the same UC to DC zoning. We also understand that the Town has offered to expedite the process for this project. As we are seeking the same zoning change and are adjacent properties, we would like for our application to be reviewed concurrently with the 135 E. Broadway submission.

Please contact me with any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "John Stennis". The signature is fluid and cursive, with the first name "John" and last name "Stennis" clearly legible.

John Stennis

Associate, GYDE Architects PC

105 East Broadway, Town of Jackson, Wyoming

Application for:
Zoning Map Amendment

Submitted: May 7, 2019

Owner:

Foam Capital, LLC
PO Box 1045
Jackson, WY 83001

Applicant:

GYDE Architects
80 W Broadway, Suite 200
PO Box 4735
Jackson, WY 83001
307-733-7303

With

HH Land Strategies LLC
PO Box 1902
Wilson, WY 8301
307-699-0265



Description of Project Goals and Applications

Project Goals:

FOAM Capital, LLC, the owner of 105 East Broadway seeks approval of a Zoning Map Amendment application that would allow a change of zoning from Urban Commercial (UC) to Downtown Commercial (DC). The property is within the lodging overlay. No change to this overlay designation is currently being sought by this application. The purpose of the application is to allow greater flexibility to develop the subject property including utilizing incentives not currently available under current UC zoning for providing additional, voluntary, workforce housing on the property.

Property description

105 East Broadway Avenue is currently zoned UC and is within the Lodging Overlay. Properties to the North and South of the subject property are zoned DC. Properties to the West are zoned Town Square (TS) and properties on the same block to the East are zoned UC, although there is currently an application to rezone portions of these properties from UC to DC. The Town Lodging Overlay is located North, East and South of the subject property. Located on the North side of East Broadway, 105 East Broadway is bordered on the West by an alley.

The property is an irregular shaped lot, measuring approximately 42 feet along the South boundary fronting East Broadway. The total length of the lot is 150 feet. At a distance of approximately 50 feet from the South boundary, the lot projects West approximately 10 feet resulting in an increased width of approximately 52 feet along the Northern 100 feet of the lot. This increased width of 10 feet projects into the alley bordering the West side of the lot. See attached map (T-20J). The applicant is not aware of any easements or other public use rights that exist to provide for the use of this portion of the private land by the public.

In addition, a sewer line exists in the projection portion of the lot in a line approximately coincident with the west boundary of the 42-foot-wide portion of the lot. Similarly, the applicant is not aware of any easements permitting this public utility to be located within the lot. Overhead powerlines extend across the property in a North-South direction.



Unlike many other surrounding properties, the subject lot is not flat. The property slopes significantly from North to South, resulting in a difference in elevation from the Northwest corner of the property to the Southwest corner of the property of approximately 3 feet. 105 East Broadway is also lower in elevation than the properties West of the alley, which also front Town Square and are zoned Town Square.

Structures currently located on the property include a commercial building fronting Broadway. According to aerial photography found on the Teton County GIS, this commercial building was constructed sometime between 1967 and 1977. There also exists on the property a building located behind (North) of the commercial, storefront building. This utility (shed) building may have been present prior to 1967, although this is unclear from the aerial photography. After posting of the neighborhood meeting, the applicant sent an e-mail to the Historic Preservation Board on April 1, 2019 soliciting any comment or concerns they had about the shed. At that time, it was shared that the shed is in poor condition and would not be saved as part of a future project. The board did not return any communication to the applicant. The applicant then appeared before the Teton County/Town of Jackson Historic Preservation board on April 16, 2019. The applicant discussed the utility (shed) building with the board, who found that while the building may be historic, there is little significance to the building as it is mainly obstructed from public view and has little historic integrity. The Board did state, however, they would likely require a delay should demolition permit for this building be submitted to the Town of Jackson for consideration. The above statements strictly reflect the impression of the applicant based on their attendance at the meeting and does not reflect any documented discussion or meeting minutes of the Historic Preservation Board. Nevertheless, there currently exists no regulatory requirement within the Town of Jackson to preserve or otherwise retain historic structures.

Currently, the 105 East Broadway commercial retail space contains approximately 3,800 s.f. in a split-level configuration fronting East Broadway. The utility building (shed) is approximately 400 s.f.



Zoning Map Amendment Purpose:

Under the current UC zoning and with the property being within the Lodging Overlay, the property is permitted three stories within a 35' height limit. Based on discussions with Town planning staff, due to the sloped nature of the site, development on 105 East Broadway would be eligible for the allowance for "Overall Height of a Stepped Structure" which increases the height limitation by 110%, resulting in an overall height for development on the site of 38.5'. It is also permitted a FAR of 1.3. In addition, a "bonus" increase of 25% FAR is permitted for floor area that is devoted to on-site permanently affordable housing and/or employee housing. Under this zoning, the physical development for the property would include a three-story structure with a basement. This approach would utilize all of the 1.3 FAR permitted and employ the 25% bonus for deed restricted housing. This would be included within the allowable 38.5' height. It would also include a building that is setback 10' from the Broadway curb, as permitted by the UC zone district.

Under the proposed DC zoning, and the allowances within the Lodging Overlay, the physical development proposed for the property will include a three-story structure with a basement. This approach would utilize all of the 1.3 FAR permitted and employ the 50% bonus for deed restricted housing. This would be included within the allowable 42' height. It would also include a building that is setback 13' from the Broadway curb in accordance with DC zoning, as opposed to the 10' permitted under UC zoning. The third story is contemplated to be set back from Broadway in a manner that minimizes its visibility from the South.

Based on the above, the difference between the two physical development approaches under the current and proposed zoning is limited to an increase in height from 38.5' to 42', an increase in floor area dedicated only deed restricted housing, and an increase in the distance the building will be set back from the curb under the proposed zoning.

Considering the properties north and south of the subject property are zoned DC and permitted a 42' height, and considering the sloped condition of the site, this would result in a building that is entirely consistent with the context of the built environment in which it is located.



Under both approaches, parking would be located on the ground level along approximately 2/3rds of the Northern portion of the property and would be covered by the second level above. Based on a letter on file at the Planning Department dated 8/15/05 there are 16 parking credits allocated to the property. This is based on the overall square footage and use of the property in 1988. A change in zoning would have no effect on parking credits.

The proposed use of the property will include a mixture of retail space located on the ground level and residential and/or short-term rental space located on the second and third levels. There is a desire on the part of the owner to include a significant amount of workforce housing in the project. Therefore, we are considering employing the 25% (UC) or 50% (DC) floor area bonus for permanently deed restricted affordable or employee housing permitted by the Town LDRs.

During the rezoning effort for District 2: Commercial Core that was adopted in 2016, the subject property was proposed for Downtown Core (DC) zoning by staff. The intent was to be consistent with the Comprehensive Plan's general vision for the area and with certain nearby commercial properties, such as those across the street on Broadway. The Council decided to postpone new zoning, however, due to concerns that the two properties East of the subject property seemed different from other District 2 properties because of the historic structures, and that the Town's existing LDRs lack zoning tools to protect historic structures. The Council had similar concerns about the historic structures on the "Sweetwater" property at 85 South King Street, which are also in District 2.

More specifically, the Council did not believe that the primary current tool for protecting historic structures – i.e., the ability of the Historic Preservation Board to request from the Council a 90-day stay for a demolition permit on a historic structure – was enough to adequately protect our limited historic structures. Due to this context, the Council decided to keep the existing UC zoning for the East Broadway and King Street properties with the understanding that Town staff would look into possible new historic preservation LDR tools for consideration by the Council in the future. The apparent intent was that the Council wanted to have the benefit of knowing what, if any, historic preservation tools might be adopted before they gave final rezoning consideration to these two sites.



Considering that the purpose of delaying the adoption of new, DC zoning for the subject property was to consider the merits of protecting historic structures, and that the subject property does not contain historic structures that rise to the significance of those found on the properties to the East, the application to change the zoning for the subject property from UC to DC is consistent with the Comprehensive Plan, and Town Council's intent to allow the increased flexibility and availability of incentives that DC zoning permits.

LEGEND

- ⊠ Indicates a Brass Cap inscribed "RLS 164" found this survey
- ◆ Indicates a 2" diameter iron pipe found this survey
- ⊕ Indicates a Witness Corner PK nail with shiner inscribed "PLS 6193" found this survey
- ⊗ Indicates an aluminum cap inscribed "PLS 4270" found this survey
- ⊙ Indicates an aluminum cap inscribed "PLS 6447" found this survey
- ▲ Indicates a MAG nail set this survey for orientation and mapping purposes.
- Indicates a 5/8" diameter rebar with aluminum cap inscribed "PLS 16012" set this survey
- × Indicates a calculated point; nothing found or set this survey
- ⊙ Sewer Manhole

- Property Boundary Line
- Adjacent Boundary Line
- Existing Building
- - - - - Approximate Sewer Line

NOTES:

No underground utilities or subsurface improvements were mapped as part of this survey except where specifically indicated.

No Wetland Mapping was done as part of this survey.

Current Zoning = TOJ-UC (Town of Jackson—Urban Commerical)Residential.
For applicable setback and height regulations established by Town of Jackson Ordinance 1159 as passed on January 4, 2017 see Town of Jacks Land Development Regulations Section 2.3.2

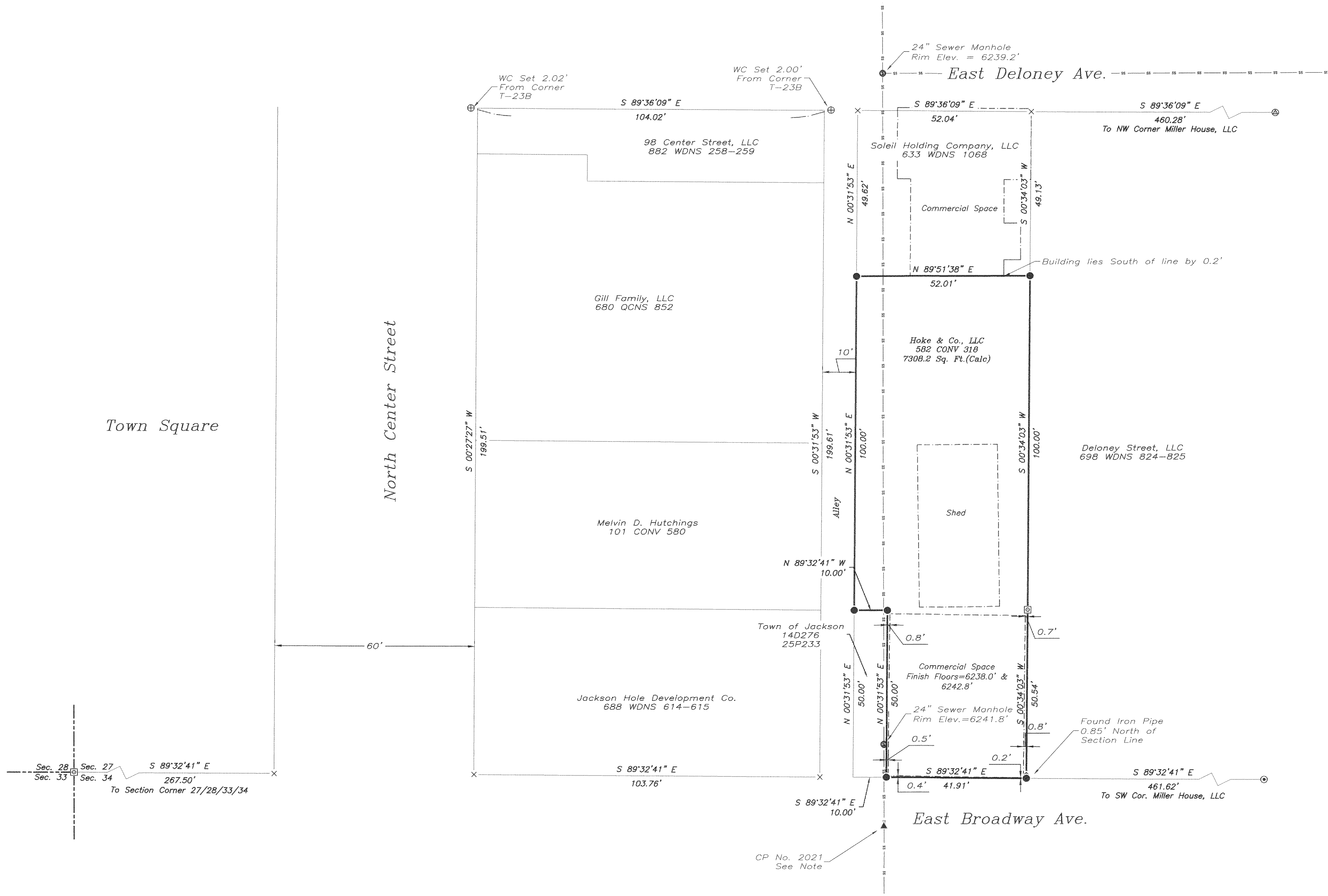
Elevations as shown hereon have been measured using US Survey Feet and are based on a RTK GPS measurement to a MAG nail as shown hereon (GPS Derived, NAVD88, Geiod 12B) (Base Elevation = 6240.7' at Y2 CP No. 2021).

The Basis of Bearings for this survey is referenced to a direct GPS measurement and is considered Geodetic (geodetic north using WGS 84, Nad83,CORS96,EPOCH2002.0000).

All horizontal measurements are in units of US Survey Feet, and are GPS derived ground measurements based on the Wyoming West (zone 4904) State Plane Coordinate System, (NAD 1983 (2012), EPOCH2010.0000) and a project scale factor of 1.0003217226.

Topographic features represented on this map show conditions determined by a field survey made in January of 2018 and may not reflect changes made subsequent to that date.

Easements of sight and record not shown hereon may exist.



CERTIFICATE OF SURVEYOR

State of Wyoming) ss
County of Teton)

I, Mark W. Fellermann, of Jackson, Wyoming, hereby certify that this map was made from notes taken during an actual survey made under my direction in January and February 2018, and from records on file with the Office of the Clerk of Teton County, and that it correctly represents the points and corners as set or found at the time of said survey.

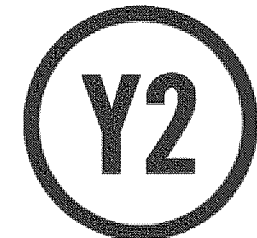
Mark W. Fellermann
Wyo PLS 16012



F-20J

GRANTOR: FELLERMANN, MARK W.SURVEYOR
GRANTEE: THE PUBLIC T-20J
Doc 0943404 Filed At 15:09 ON 02/05/18
Sherry L. Daigle Teton County Clerk fees: 50.00
By Mary Smith Deputy

GRAPHIC SCALE — FEET
Valid for 24"x36" Prints Only



Y2 Consultants
215 East Simpson
P.O. Box 2674
Jackson, WY 83001
Ph: 307-733-2999

Map of Survey

Project Number - 17461
Project Path - F:\2017\17461_Hoke\Survey\ACAD\17461_180110_BASE.dwg
Drawn By - MMF
Reviewed By - SRP/PWG
Drawing Date - January 23, 2018
Revision Date -

Client Name
Bland Hoke

Project Address
105 East Broadway
Avenue
Jackson, WY

Hoke & Co., LLC
Being a portion of
SW1/4SW1/4 Section 27
T. 41 N., R. 116 W., 6th P.M.
Teton County, Wyoming



Jackson Hole Title and Escrow
255 Buffalo Way/ PO Box 921
Jackson, Wyoming 83001



JACKSON HOLE
TITLE & ESCROW

307.733.3153

GRANTOR: HOKE & CO LLC
GRANTEE: FOAM CAPITAL LLC
Doc 0947803 Filed At 14:50 ON 04/30/18
Sherry L. Daigle Teton County Clerk fees: 18.00
By Mary Smith Deputy Clerk

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **663379JAC (mgm)**

Hoke & Co., LLC, a Wyoming limited liability company, GRANTOR(S), for Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, CONVEY(S) AND WARRANT(S) to

Foam Capital, LLC, a Wyoming limited liability company, GRANTEE(S),

whose mailing address is PO Box 1045, Jackson, WY 83001, the following described real estate, situated in the County of **Teton**, State of **Wyoming**, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Wyoming, to-wit: **Legal Description attached hereto as Exhibit A and by this reference incorporated herein.**

State Identification Number 22-41-16-27-3-00-012

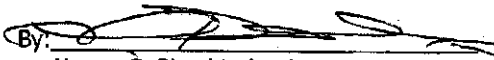

Including and together with all and singular the tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, covenants, encroachments, conditions, restrictions, rights-of-way and easements of record.

WITNESS the due execution and delivery of this Warranty Deed

this 24 day of April, 2018.

Hoke & Co., LLC, a Wyoming limited liability company

By: The G. Bland & Elizabeth S. Hoke Family Trust
(Schedules A & B), Managers

By: 
Name: G. Bland Hoke, Jr.
Title: Trustee
By: 
Name: Elizabeth S. Hoke
Title: Trustee

State of _____)
County of _____) ss.

The foregoing instrument was acknowledged before me by G. Bland Hoke, Jr. and Elizabeth S. Hoke, as Trustees of The G. Blank & Elizabeth S. Hoke Family Trust (Schedule A & B) as Managers of the Hoke & Co., LLC, a Wyoming limited liability company, this _____ day of April, 2018.

Witness my hand and official seal.

See attached notarial certificate.

Notary Public

My Commission expires:

EXHIBIT A

Legal Description
Hoke & Co., LLC
22-41-16-27-3-00-012

A parcel of land being a portion of the SW1/4SW1/4 of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming, being more particularly described as follows:

COMMENCING at the southwest section corner of said Section 27 as marked by a brass cap inscribed "RLS 164";

THENCE S 89°32'41" E, 451.26 feet along the south line of said Section 27 to a point marked by a 5/8-inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 16012" set this survey, said point being **THE POINT OF BEGINNING**;

THENCE N 00°31'53" E, 50.00 feet, departing said section line and continuing along the east line of that parcel described in Book of Deeds 14, Page 276 and Book of Photos 25, Page 233 as recorded in the Office of the Clerk of Teton County, Wyoming, to a point marked by a 5/8-inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 16012" set this survey;

THENCE N 89°32'41" W, 10.00 feet, along the north line of said parcel, to a point of intersection with the east line of a 10-foot-wide strip of land dedicated to the public as shown on Plat 105 as recorded in said Clerk's office and marked by a 5/8-inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 16012" set this survey;

THENCE N 00°31'53" E, 100.00 feet, along said east line, to a point coincident with the southwest corner of that parcel described that Warranty Deed recorded in Book of Photos 633, Page 1068 and marked by a 5/8-inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 16012" set this survey;

THENCE N 89°51'38" E, 52.01 feet, along the south line of said parcel to a point of intersection with the west line of that parcel described in described that Warranty Deed recorded in Book of Photos 698, Page 824-825 and marked by a 5/8-inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 16012" set this survey;

THENCE S 00°34'03" W, 100.00 feet, along said west line, to a point marked by a brass cap inscribed "RLS 164" found this survey;

THENCE S 00°34'03" W, 50.54 feet, continuing along said west line, to a point marked by a 5/8-inch diameter steel reinforcing bar with an aluminum cap inscribed "PLS 16012" set this survey;

THENCE N 89°32'41" W, 41.91 feet to **THE POINT OF BEGINNING**.

The basis of bearings is S 89°32'41" E along the south line of Section 27, T. 41 N., R. 116 W., 6th P.M., Teton County, Wyoming.

All in accordance with the map entitled "Hoke & Co., LLC-Map of Survey" as recorded in the Office of the Clerk of Teton County, Wyoming as T-20J.

Y2 Consultants, LLC

25 April 2018

PLW Project #17451 Prepared by AWWF

1 | Page

EXHIBIT _____

17451-180425-LEGAL.doc

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of SAN DIEGO }

On 4/24/2018 before me, Del Lau, Notary Public
(Here insert name and title of the officer)

personally appeared G. BLAND HOKKE JA & ELIZABETH S. HOKKE
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

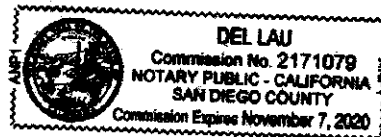
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages Document Date

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.



01 EXHIBITS

- 2 Vicinity and Zoning Map
- 3 Plat Map
- 4 Massing Study
- 5 Site Photos

CURRENT AND FUTURE ZONING

In 2012 Teton County and the Town of Jackson adopted a joint Comprehensive Plan. This Plan outlined new planning objectives for the community and over the past two years, the Town of Jackson has been working on a zone by zone basis to update the existing Land Development Regulations to better reflect the goals of the Comprehensive Plan. Although this was the goal; the interpretation of the Comprehensive Plan goals has led to changes in the LDR’s that are not necessarily envisioned in the plan. The property is currently in the **Urban Commercial (UC)** zone. The UC is a legacy zone meaning that it has not been updated and remains, as it was before the Comprehensive Plan was adopted. The property also falls under the lodging overlay which allows for the development of a third floor in the UC zone.

PARKING CREDITS

A memo to file from Liza Hoke dated 8/15/05 based on conversation with Anna Unger, intern for the Town planning and building department calculated grandfathered parking credits as follows:

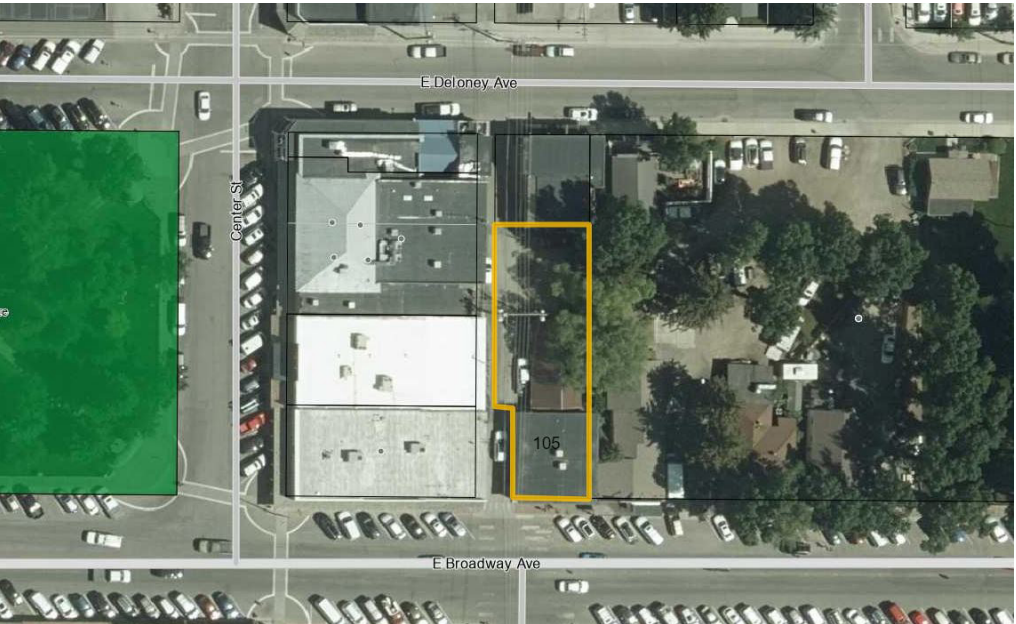
Based on the use and square footage of this property as of October 1988:

- Retail lower floor 1,824 SF
- Retail upper floor 1,920 SF
- 3,744 SF / 1 parking space per 250 SF = 15 parking credits
- Garage/shop space 400 SF = 1 parking credit

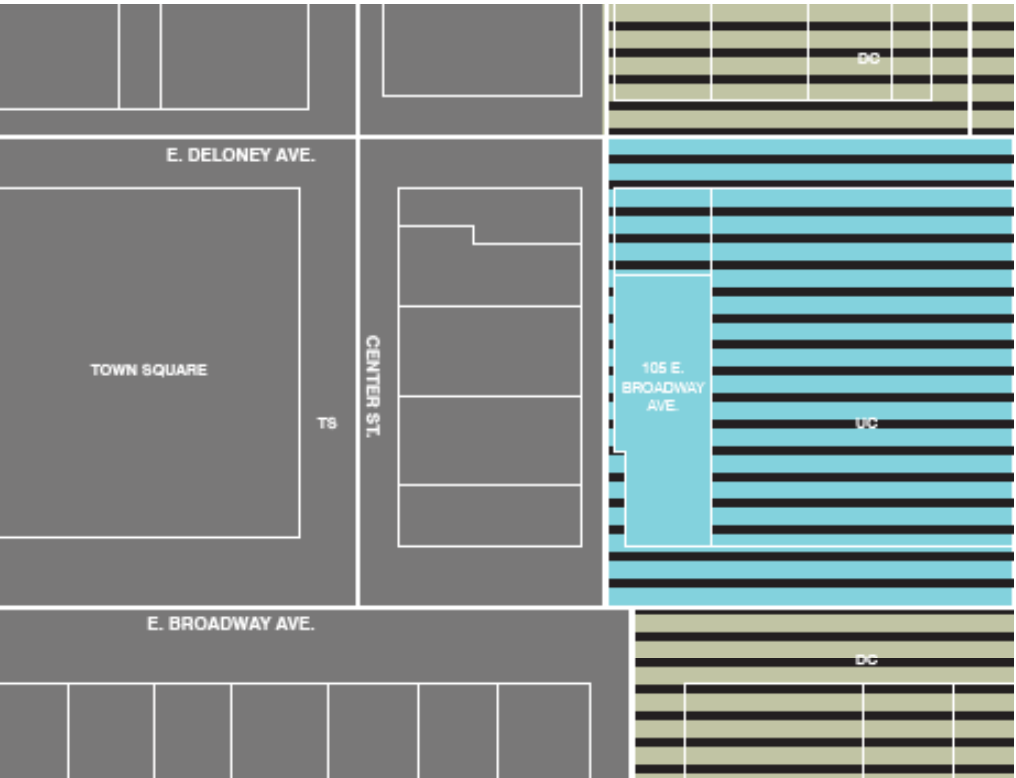
TOTAL = 16 parking credits.

	
Street Facade (Sec. 9.4.11.)	
Width of ground and 2nd story in primary street setback range	A
% of lot width (min)	80%
Length from street corner (min)	30'
Width of ground and 2nd story in secondary street setback range	B
% of lot width (min)	80%
Length from street corner (min)	30'
Building Height (Sec. 9.4.9.)	
Height (max) if roof pitch ≥ 5/12	46' C
Height (max) if roof pitch < 5/12	42' C
Stories (max)	3 C
Stories or Height (min) in any street setback range	2 or 24' D
Building Stepback (Sec. 9.4.12.)	
Stepback for any 3rd story street facade or street facade over 30' (min)	10' E
Encroachment in stepback (max % of overall facade width)	60% F
A building with only residential use that has at least 4 units is exempt from the stepback requirement	
Scale of Development	
Floor area ratio (FAR) (max) (E.3.)	1.3
Deed restricted housing exemption	(Sec. 7.8.3.)
Workforce housing floor area bonus	(Sec. 7.8.4.)

DC Zoning Requirements

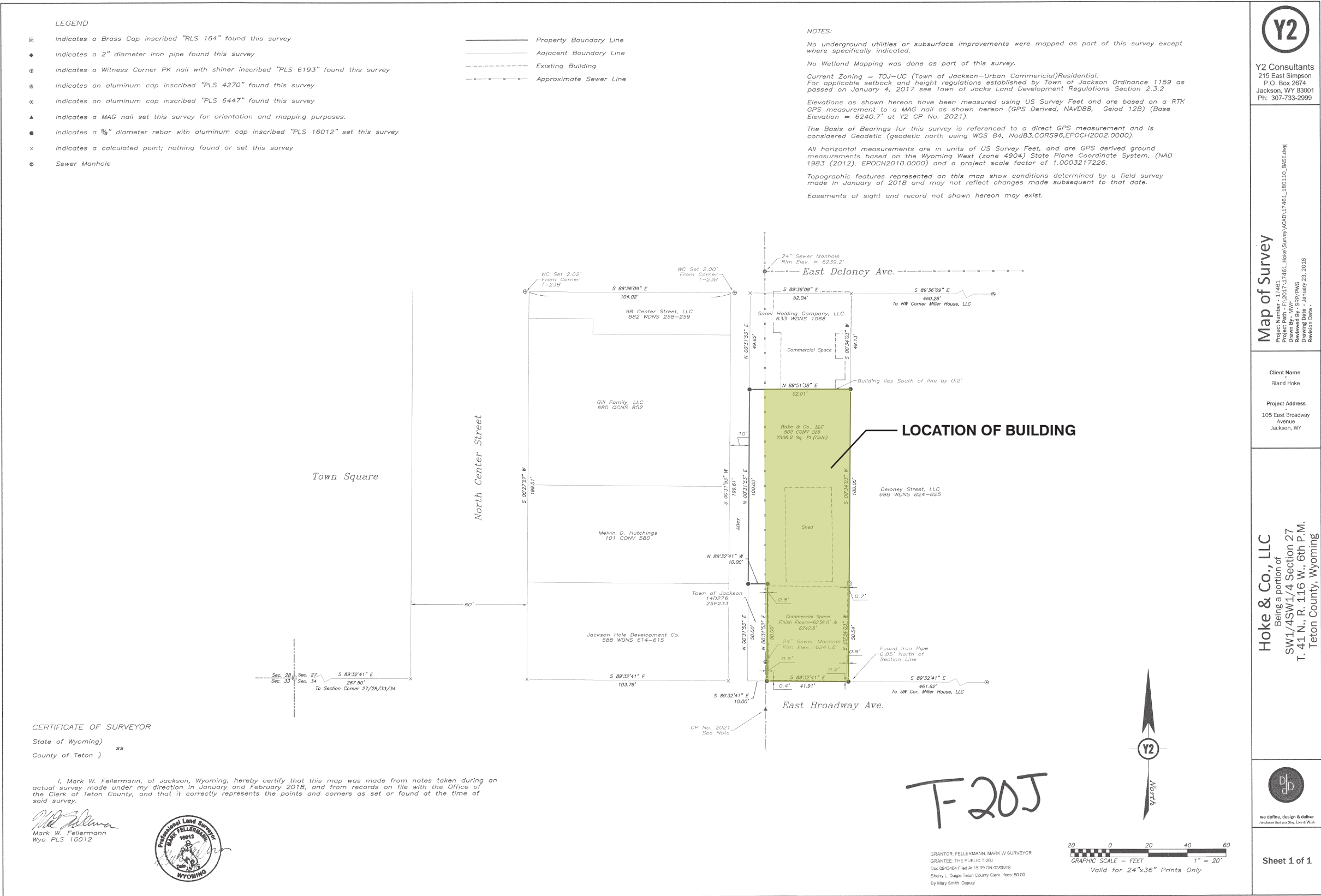


VICINITY MAP / 2017 AERIAL PHOTOGRAPHY



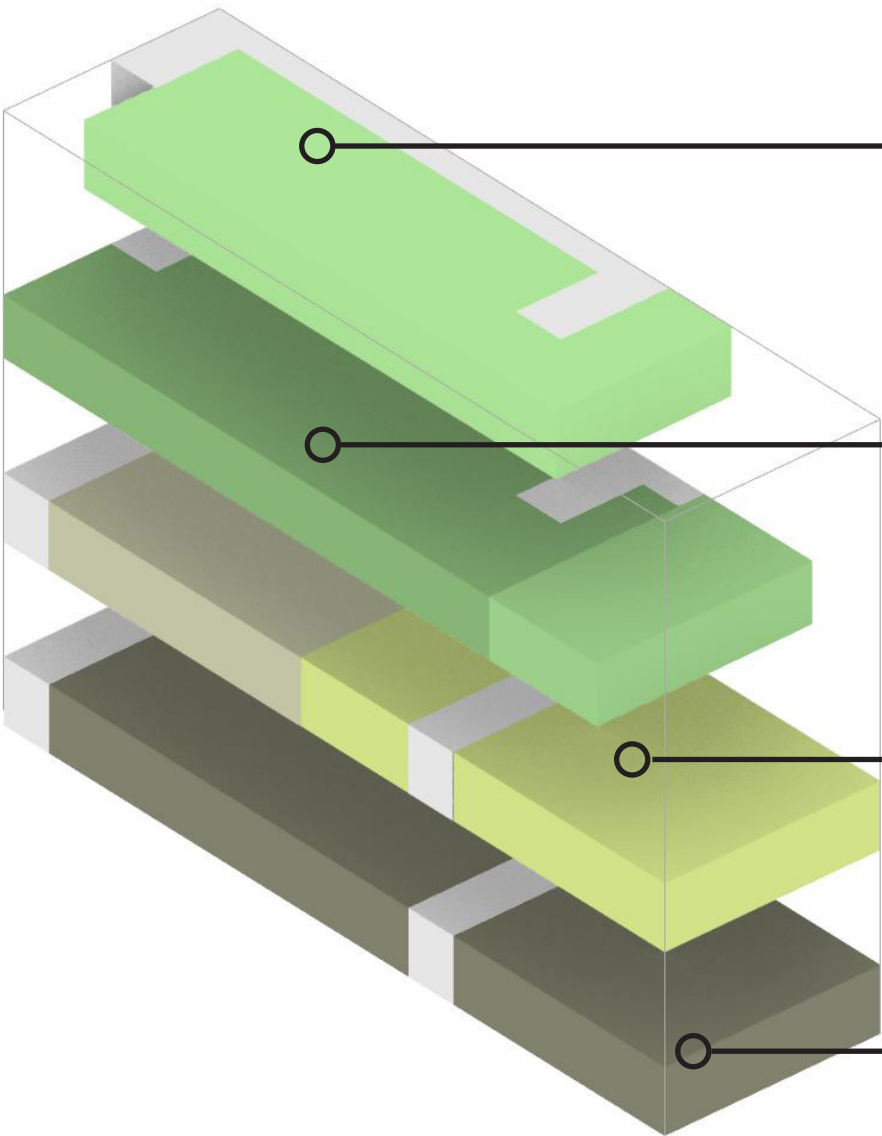
TOWN OF JACKSON ZONING

- TS - Town Square
- DC - Downtown Commercial
- UC - Urban Commercial
- LDG - Lodging Overlay



DEVELOPMENT SCENARIO

Utilizing the 50% housing bonus available in DC and backing out circulation for the housing component



LEVEL 3		
4,180 sf	residential	
720 sf	circulation	
1,400sf	exterior patio (not counted toward FAR)	

LEVEL 2		
1,000sf	residential	
4,030sf	deed restricted housing	
720 sf	circulation	
550 sf	exterior patios (not counted toward FAR)	

STREET LEVEL		
3,000 sf	retail	
600 sf	circulation	
200 sf	utility (not counted toward FAR)	
2,500 sf	parking (10-12 spaces, not counted toward FAR)	

BASEMENT		
5,400 sf	basement (storage and mechanical)	
600 sf	circulation	

TOTAL: 14,250 sf DEVELOPMENT POTENTIAL WITH DEED RESTRICTED HOUSING

Affordable Housing Requirement

This scheme proposes a building based on base development potential in the DC Zone with the use of the 50% affordable housing bonus for deed restricted housing which can be either affordable or employment based and a 3,000sf retail component. The following assumes that short term rentals would not be proposed which would be a larger housing requirement.

Affordable Housing Units Required		
Retail (3000 s.f.)		= 1.294 affordable housing units
Unrestricted Single-Family Housing Units (5,180 s.f.)		= 0.642 affordable housing units
TOTAL:		1.642 Affordable housing units
Breakdown of Required Affordability and Size		
Rental Units for 50% Median Income		0.642 units
This unit can be a minimum of a 1 Bed/Studio Apartment		
Since this is a partial requirement a fee-in-lieu can be paid which would be approximately \$201,888.		
Rental/Ownership Units for 120% Median Income		1.0 units
This unit must be a min. 2 Bedroom unit		

Parking Requirement:

Housing: 9,210 sf x 1.5 parking spaces per 1,000 sf = 13.8 = 14 spaces req'd
Commercial: 3,000 sf x 2.25 parking spaces per 1,000 sf = 6.75 = 7 spaces req'd

21 spaces would be required and about 10-12 could be achieved on site with ground level parking with a standard 9'x18' size. 16 parking credits exist so the remainder could most likely be applied to fulfill the parking requirement.



VIEW LOOKING NORTHEAST



BROADWAY STREET ELEVATION



ADJACENT ALLEYWAY



BACK OF BUILDING



SIDEWALK LOOKING EAST



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PARKING CREDITS

A memo to file from Liza Hoke dated 8/15/05 based on conversation with Anna Unger, intern for the Town planning and building department calculated grandfathered parking credits as follows:

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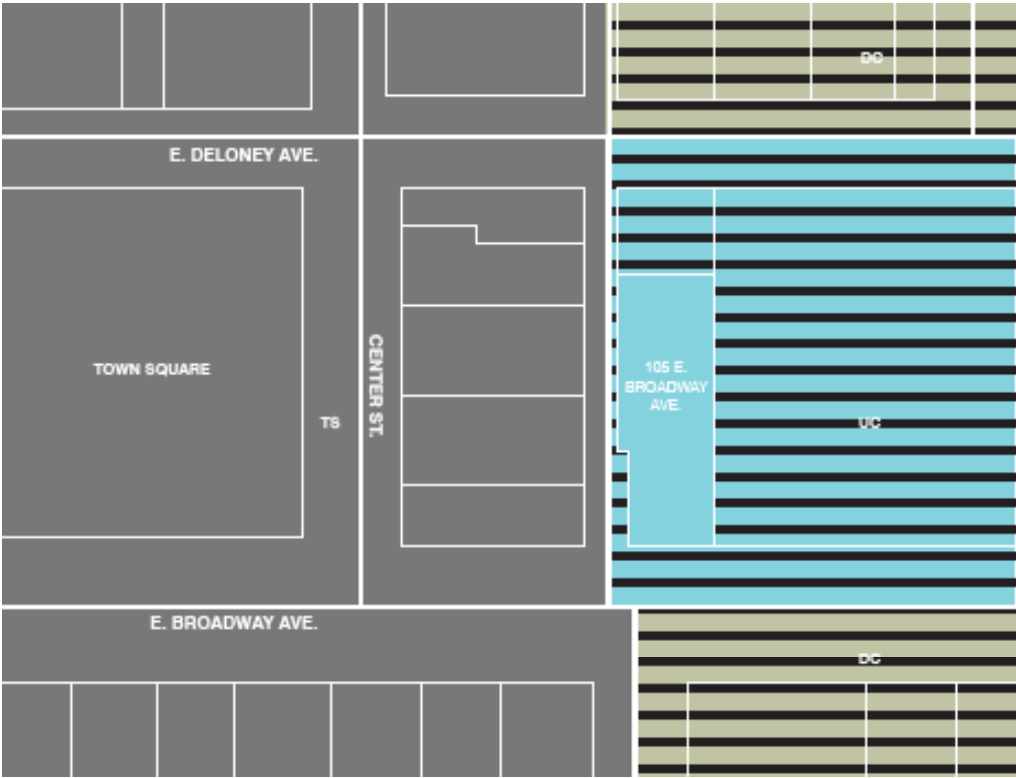
TOTAL = 16 parking credits.

	
Street Facade (Sec. 9.4.11.)	
Width of ground and 2nd story in primary street setback range	A
% of lot width (min)	80%
Length from street corner (min)	30'
Width of ground and 2nd story in secondary street setback range	B
% of lot width (min)	80%
Length from street corner (min)	30'
Building Height (Sec. 9.4.9.)	
Height (max) if roof pitch ≥ 5/12	46' C
Height (max) if roof pitch < 5/12	42' C
Stories (max)	3 C
Stories or Height (min) in any street setback range	2 or 24' D
Building Stepback (Sec. 9.4.12.)	
Stepback for any 3rd story street facade or street facade over 30' (min)	10' E
Encroachment in stepback (max % of overall facade width)	60% F
A building with only residential use that has at least 4 units is exempt from the stepback requirement	
Scale of Development	
Floor area ratio (FAR) (max) (E.3.)	1.3
Deed restricted housing exemption	(Sec. 7.8.3.)
Workforce housing floor area bonus	(Sec. 7.8.4.)

DC Zoning Requirements



VICINITY MAP / 2017 AERIAL PHOTOGRAPHY

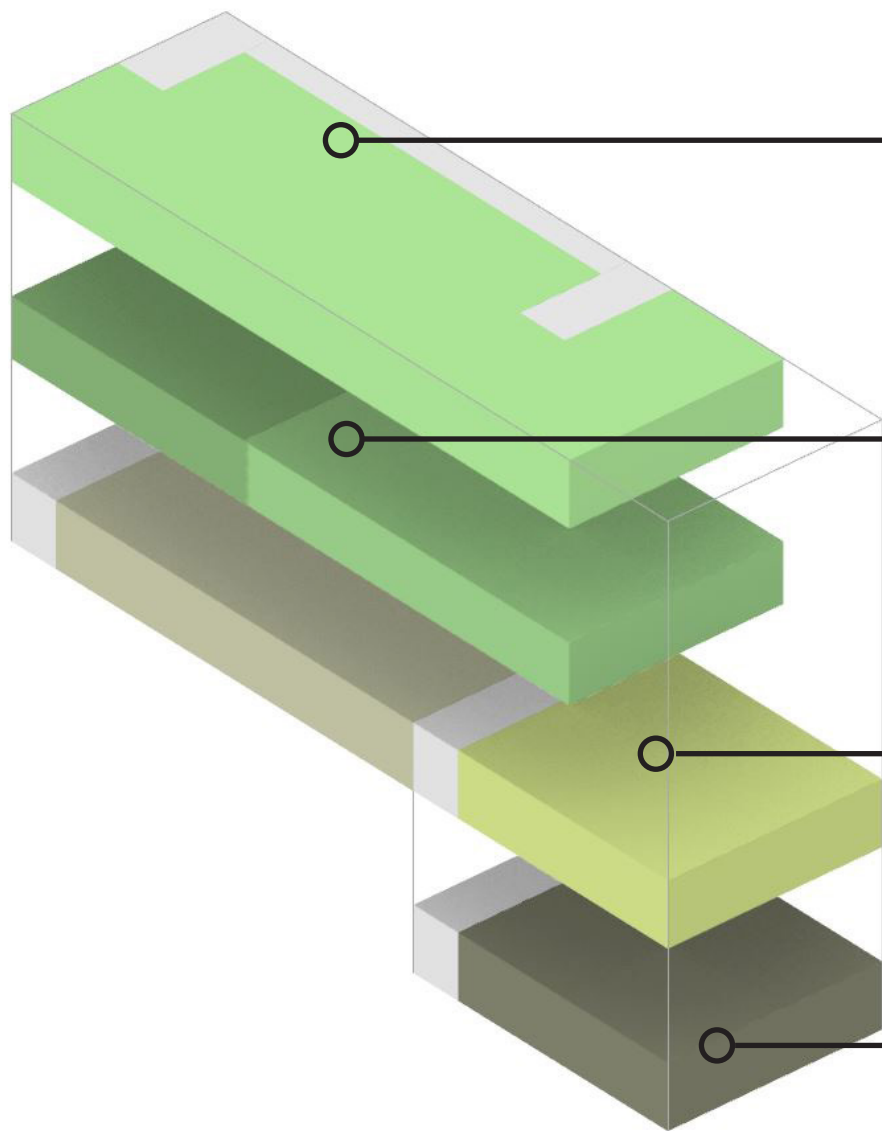


TOWN OF JACKSON ZONING

- TS - Town Square
- DC - Downtown Commercial
- UC - Urban Commercial
- LDG - Lodging Overlay

DEVELOPMENT SCENARIO 1 - DEVELOPMENT POTENTIAL WITH DEED RESTRICTED HOUSING

2,375 sf of employee or affordable housing added to the project.



LEVEL 3

3,980 sf	residential
720 sf	circulation
1,600 sf	exterior patio / pool (not counted toward FAR)

LEVEL 2

2,146 sf	residential
1,735 sf	deed restricted housing
720 sf	circulation
1,699 sf	exterior patios (not counted toward FAR)

STREET LEVEL

1,974 sf	retail
600 sf	circulation
200 sf	utility (not counted toward FAR)
3,400 sf	parking (16 spaces, not counted toward FAR)

BASEMENT

1,974 sf	basement
600 sf	circulation

TOTAL: 11,875 sf DEVELOPMENT POTENTIAL WITH DEED RESTRICTED HOUSING

Affordable Housing Requirement

In this scheme the Affordable Housing requirements are the same. The bonus housing is already affordable so it does not require any additional mitigation.

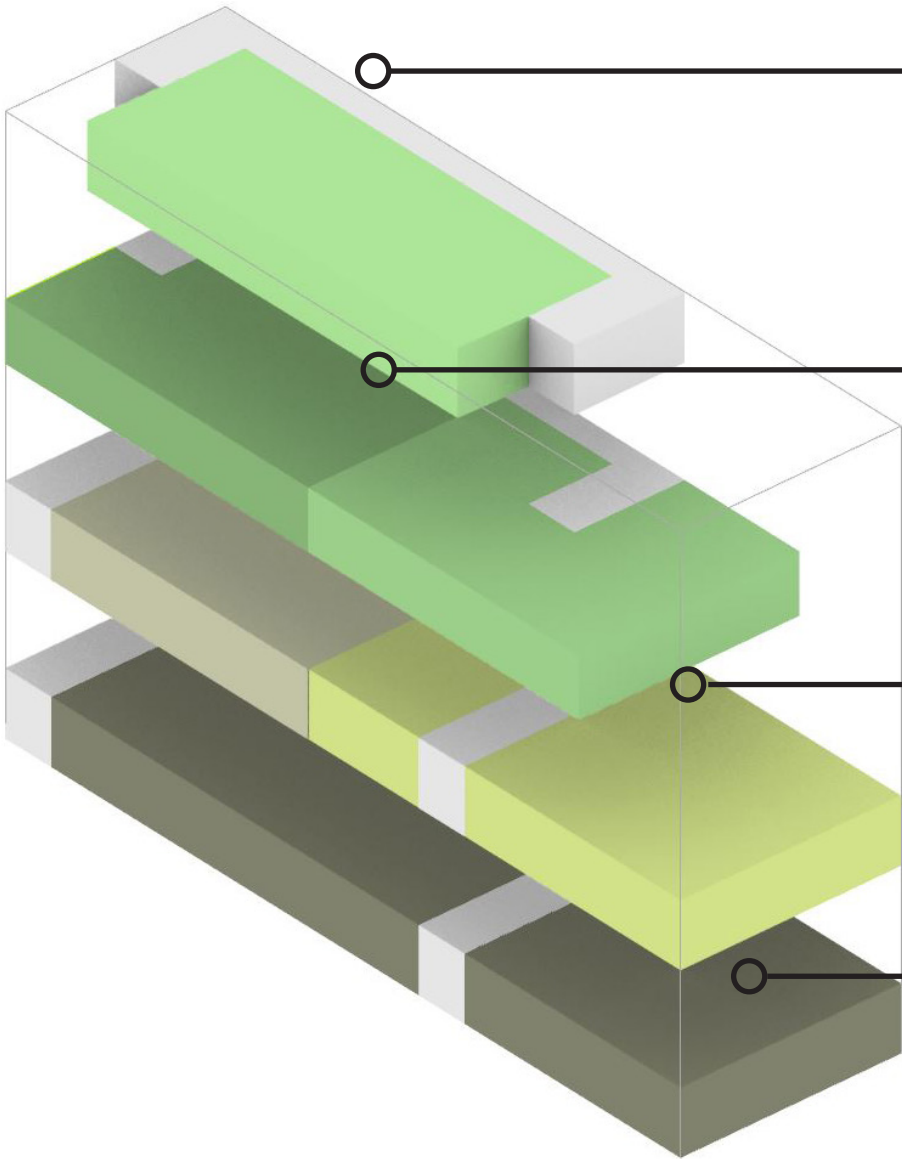
Parking Requirement:

Housing: 7,861 sf x 1.5 parking spaces per 1,000 sf = 11.78 = 12 spaces req'd
Commercial: 1,974 sf x 2.25 parking spaces per 1,000 sf = 4.5 = 5 spaces req'd

17 parking spaces are required. 16 ground level parking spaces can be achieved at a standard 9'x18' size on site leaving 1 parking space. One of the 16 parking credits that exist could be applied.

DEVELOPMENT SCENARIO 2 - LARGER RETAIL & FULL BASEMENT

2,375 sf of employee or affordable housing added to the project.



LEVEL 3

2,255 sf	residential
720 sf	circulation
4,700sf	exterior patio (not counted toward FAR)

LEVEL 2

2,205sf	residential
2,375 sf	deed restricted housing
720 sf	circulation
1,000sf	exterior patios (not counted toward FAR)

STREET LEVEL

3,000 sf	retail
600 sf	circulation
200 sf	utility (not counted toward FAR)
2,500 sf	parking (16 spaces, not counted toward FAR)

BASEMENT

5,400 sf	basement (storage and mechanical)
600 sf	circulation

TOTAL: 11,875 sf DEVELOPMENT POTENTIAL WITH DEED RESTRICTED HOUSING

Affordable Housing Requirement

This scheme proposes a building based on base development potential with the use of the affordable housing bonus for deed restricted housing which can be either affordable or employment based and a 3,000sf retail component. The following assumes that short term rentals would not be proposed which would be a larger housing requirement.

Affordable Housing Units Required		
Retail (3000 s.f.)	=	1.294 affordable housing units
Unrestricted Single-Family Housing Units (4,460 s.f.)	=	0.281 affordable housing units
TOTAL:		1.281 Affordable housing units
Breakdown of Required Affordability and Size		
Rental Units for 50% Median Income		0.575 units
<i>This unit can be a minimum of a 1 Bed/Studio Apartment</i>		
<i>Since this is a partial requirement a fee-in-lieu can be paid which would be approximately \$80,747.</i>		
Rental/Ownership Units for 120% Median Income		1.0 units
<i>This unit must be a min. 2 Bedroom unit</i>		

Parking Requirement:

Housing: 4,460 sf x 1.5 parking spaces per 1,000 sf = 6.7 = 7 spaces req'd
Commercial: 3,000 sf x 2.25 parking spaces per 1,000 sf = 6.75 = 7 spaces req'd

14 spaces would be required and about 10-12 could be achieved on site with ground level parking with a standard 9'x18' size. 16 parking credits exist. so 2-4 could be used to fulfill part of the parking requirement.



VIEW LOOKING NORTHEAST



BROADWAY STREET ELEVATION



ADJACENT ALLEYWAY



BACK OF BUILDING



SIDEWALK LOOKING EAST