



# 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
- ☒ Housing Department

### 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

<p>Date: April 16, 2020</p> <p>Item #: P20-072, 073, 074</p> <p>Planner: Brendan Conboy</p> <p>Phone: 733-0440 ext. 1302</p> <p>Fax: 734-3563</p> <p>Email: bconboy@jacksonwy.gov</p> <p><b>Owner:</b> Café G, LLC PO Box 7372 Jackson, WY 83002</p> <p><b>Applicant:</b> Cirque Consulting, George Putnam PO Box 7775 Jackson, WY 83002</p>	<p style="text-align: center;"><b>REQUESTS:</b></p> <p>The applicant is submitting: P20-072 – Belle Cose - Encroachment Agreement P20-073 – Persephone – Encroachment Agreement P20-074 – Garden Home Design – Encroachment Agreement</p> <p>for the property located at 135, 175 E. Broadway Ave. legally known as, PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116 and PT SW1/4SW1/4, SEC. 27, TWP. 41, RNG. 116.</p> <p>For questions, please call Brian Lenz at 739-4547 or email to the address shown below. Thank you.</p>
<p><b>Please respond by:</b></p> <p style="text-align: center;"><b>May 7, 2020 (with Comments)</b></p>	

**RESPONSE:** For Departments not using Trak-it, please send responses via email to: [tstolte@jacksonwy.gov](mailto:tstolte@jacksonwy.gov)



## **ENCROACHMENT AGREEMENT 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

#### **OWNER OF PROPERTY:**

Name: Cafe G, LLC Phone: 733-7057  
Mailing Address: PO Box 7372 Jackson, WY ZIP: 83002  
E-mail: rlevy@jhattorneys.com

#### **APPLICANT/AGENT:**

Name: Cirque Consulting, LLC Phone: 307-413-5424  
Mailing Address: PO Box 7775 Jackson, WY ZIP: 83002  
E-mail: gputnam@cirqueconsulting.com

#### **DESIGNATED PRIMARY CONTACT:**

Owner \_\_\_\_\_ Applicant/Agent X

#### **PROPERTY:**

Physical Address of Property: 135 E. Broadway Ave.  
Lot, Subdivision: PT. SW1/4 SW1/4 Sec. 27 T41N, R117W, Teton County, WY  
PIDN: 22-41-16-27-3-00-010  
Description of Public Right-of Way: E. Broadway Ave. & E. Deloney Ave.

**SUBMITTAL REQUIREMENTS.** Three (3) 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?

N/A **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.

10/29/15

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.

X **Narrative Description of the Request.** Provide a detailed narrative description explaining the use of the noted public right-of-way.

X **Exhibit.** Provide an exhibit (picture, drawings, maps, plans) of the use of the noted public right-of-way including dimensions of requested encroachment.

**FORMAT:**

The main component of any application is demonstration of compliance with all applicable Land Development Regulations (LDRs) and Resolutions.

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. 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 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 the Town of Jackson to enter upon the abovementioned 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

George Putnam, Cirque Consulting, LLC

Name Printed

4/15/2020

Date

Principal

Title



PO Box 7775  
Jackson, WY 83002 307-413-5424

April 15, 2020

Brendan Conboy  
Town of Jackson Planning and Building  
PO Box 1687  
Jackson, WY 83001

**RE: Genevieve Block Development Encroachment Agreement Application**

Dear Brendan,

On behalf of the applicant/owner, Café G, LLC, please accept this letter and the accompanying materials as a formal request for an Encroachment Agreement within the Town of Jackson for property located at 135 E. Broadway Ave. This submittal follows the application for Final Plat for the Genevieve Block Addition to the Town of Jackson in accordance with the approved Development Plan P19-249.

Included for your review are the following:

- Encroachment Agreement Application
- Narrative Description of Request
- Exhibit Map

I understand this request will be brought before the Town Council for consideration and that a draft encroachment agreement will be provided to the owner which will be subject to final approval by the Town. Please forward the draft document as soon as it can be available and let me know when this will be heard by the Council.

Please do not hesitate to contact me at (307) 413-5424 should you have any questions with this submittal.

Sincerely,

George Putnam  
Cirque Consulting, LLC



PO Box 7775  
Jackson, WY 83002 307-413-5424

### **Narrative Description of Request:**

The applicant, Café G, LLC, owns property located at 135 E. Broadway that currently has five separate structures with individual businesses located on it. Three businesses: Belle Cose, Café Genevieve, and Persephone have frontage on E. Broadway Ave. and two, Garden Home Design and Workshop have frontage on E. Deloney Ave..

All five of these structures have been in this location since at least the early 1990's and pre-date the current owner. According to a site survey conducted in 2019, portions of three of these structures, or their access staircases and/or decks associated with the current buildings lie over the parcel boundary into the Town right-of-way. According to discussions with the Town Engineer, three encroachments will require consideration for an Encroachment Agreement with the Town of Jackson in conjunction with the pending Final Plat of the Genevieve Block Addition to the Town of Jackson.

The three encroachment areas are as follows:

#### Broadway Ave.

1. Belle Cose, covered boardwalk and support columns – 7.6'x 37.3'
2. Persephone, stairs and entry deck – 1.7'x 44.3'

#### Deloney Ave.

3. Garden Home Design, staircase - .85'x 7.3'



# NOTES

Subject Property has a physical address of 135 & 175 East Broadway Avenue, Jackson WY.

Gross Land Areas of Deloney Street, LLC parcel and BWD Street, LLC parcel are 1.38 acres and 0.46 acres, respectively, as calculated from found survey monuments from a field survey conducted by Y2 Consultants, February 2019.

Access to subject property is via East Broadway Avenue and Deloney Avenue.

Topographic features on this map show conditions determined by a field survey made during February, March, and May of 2019, and may not reflect changes made subsequent to that date. Approximately 12"-36" of snow was present on the ground at the time of this survey in February and March. Features obscured by snow cover were located during subsequent field work.

Exterior property dimensions shown hereon were resolved based on found survey monuments and boundary resolution principles. Record bearings and distances are from Map T-20K recorded in the Office of the Clerk of Teton County, Wyoming. Boundaries of adjacent properties are shown for reference only.

The Basis of Bearings for this site plan is referenced to a direct GPS measurement and is considered geodetic, resulting in a bearing of S 89°32'42" E between the NW corner of the Deloney Street, LLC parcel and the NE corner of the BWD Street, LLC parcel as shown hereon.

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, Geoid 12B. The project scale factor is 1.0003218189.

Building footprints shown hereon represent field measurements mapped as part of this survey and are not intended to represent architectural dimensions. Roof eaves and awnings were not mapped as part of this survey except where specifically indicated.

Current Zoning for Proposed Lots 2, 3, pt. Lot 4, Lot 6 = UC: Urban Commercial

Current Zoning for Proposed Lot 1 and pt. Lot 4 = DC: Downtown Core  
For applicable setback and height regulations reference Section 2.2.10.B Downtown Core Zoning and Section 2.3.2.B Urban Commercial Zoning of the Town of Jackson Land Development Regulations, effective July 18, 2018, as amended.

Detached Single Family Unit:

Street Setback = 12'  
Side Setback = 5'  
Rear Setback = 20'  
Max Height = 28'

Other Principle Use:

Street Setback = 0'  
Side Setback = 0'  
Rear Setback = 0'  
Max Height = 35'

Detached Accessory Structure:

Street Setback = 30'  
Side Setback = 5'  
Rear Setback = 5'  
Max Height = 28'

The Town of Jackson plans to relocate the Cache Creek Tube and relocate the existing stormwater channel into such enclosed tube off the Genevieve block project, therefore there is no setback from this channel.

Existing above ground utilities proposed to be relocated underground. See construction drawings for complete existing and proposed utility plans.

# LEGEND

- ⊙ Indicates a washer inscribed "PLS 8469" found this survey
- Indicates an aluminum cap inscribed "PLS 8469" found this survey
- ⊙ Indicates an aluminum cap inscribed "PLS 16012" found this survey
- ⊙ Indicates a brass cap inscribed "RLS 164" found this survey
- ⊙ Calculated point - nothing found or set this survey
- ⊙ Electrical Meter
- ⊙ Electrical Outlet
- ⊙ Water Spigot
- ⊙ Utility Pole with Street Light
- ⊙ Utility Pole
- ⊙ Air Conditioning Unit
- ⊙ Metal Stand Pipe
- ⊙ Communications Access Panel
- ⊙ Cleanout
- ⊙ Irrigation Control Valve
- ⊙ Gas Valve
- ⊙ Sewer Manhole
- ⊙ Storm Sewer Manhole
- ⊙ Catch basin
- ⊙ Water Valve
- ⊙ Gas Meter
- ⊙ Street Sign
- ⊙ Fire Hydrant
- ⊙ Wooden Post
- ⊙ Satellite Dish
- ⊙ Spot Elevation
- 12" Cottonwood Tree - Approx. Trunk Diameter Shown
- 12" Spruce Tree - Approx. Trunk Diameter Shown
- 12" Aspen Tree - Approx. Trunk Diameter Shown
- 12" Willow Tree - Approx. Trunk Diameter Shown

- Proposed Lot Line
- Record Parcel Boundary Line
- Adjoining Property Boundary
- Existing Building
- Building on Adjoining Property
- Parking Space Paint Line
- Centerline of Road
- Top of Bank of Cache Creek Channel
- Edge of Water (May 15, 2019)
- Record Easement
- Fence Line
- Overhead Wire
- Sanitary Sewer Line
- Storm Sewer Line
- Edge of Wooden Deck
- Edge of Wooden Wall
- Top Back of Curb
- Flowline - Curb and Ditch
- Wooden Curb & Landscape Feature
- Building Eave
- Concrete
- Asphalt
- Gravel
- Crushed Stone
- Boardwalk
- N 89°37'59" W 918.02' Proposed Lot Bearing and Distance

# PROJECT CONTACT INFORMATION

Owner/Applicant:  
Café G, LLC  
P.O. Box 7372  
Jackson WY, 83002  
Ph: 307-733-7057

Agent:  
Cirque Consulting, LLC  
P.O. Box 7775  
Jackson, WY 83002  
Ph: 307-413-5424

Project Engineer:  
The Land Group, Inc.  
482 E. Shore Dr. Ste. 100  
Eagle, ID 83616  
Primary Contact: Jim Gute, PE  
Ph: 208-939-4041

Submission Date: November 1, 2019

# PROPOSED LOT SUMMARY

GROSS ACREAGE:  
135 E. Broadway - 1.38 ac.  
175 E. Broadway - 0.46 ac.  
Total: 1.84 ac. (80,188 sf.)

PROPOSED LOT ACREAGE:  
LOT 1: 0.65 ac. (28,270 sf.)  
LOT 2: 0.15 ac. (6,562 sf.)  
LOT 3: 0.15 ac. (6,411 sf.)  
LOT 4: 0.52 ac. (22,475 sf.)  
LOT 5: 0.15 ac. (6,470 sf.)  
LOT 6: 0.23 ac. (10,000 sf.)

# TITLE REPORT NOTES

The following information is provided from that Ownership & Encumbrance Report No. W-20934 issued by Wyoming Title & Escrow, Inc. with an effective date of September 12, 2019.

ALL ITEMS EXCEPT THOSE LISTED BELOW ARE NOT PERTINENT TO, DISCERNIBLE BY, OR ABLE TO BE SHOWN ON THIS SITE PLAN. THIS INCLUDES ITEMS 1-3, 6-9, 12.

- ④ An easement over said land for electric distribution circuits and incidental purposes, as granted to Lower Valley Power and Light, Inc., recorded November 13, 1992, as [Document No. 0340619], Official Records.
- ⑤ An easement over said land for electric distribution circuits and incidental purposes, as granted to Lower Valley Power and Light, Inc., recorded January 22, 1996, as [Document No. 0410678], Official Records.
- ⑩ Encroachment Agreement by and between Foam Capital, LLC, a Wyoming limited liability company and Deloney Street, LLC, a Wyoming limited liability company, setting forth terms, recorded August 16, 2019, as (instrument) 0975460, Official Records.
- ⑪ Encroachment Agreement by and between Soleil Holding Company, LLC, a Wyoming limited liability company and Deloney Street, LLC, a Wyoming limited liability company, setting forth terms, recorded August 16, 2019, as (instrument) 0975461, Official Records.

Document numbers were added in brackets to Title Report Notes to replace book and page numbers.

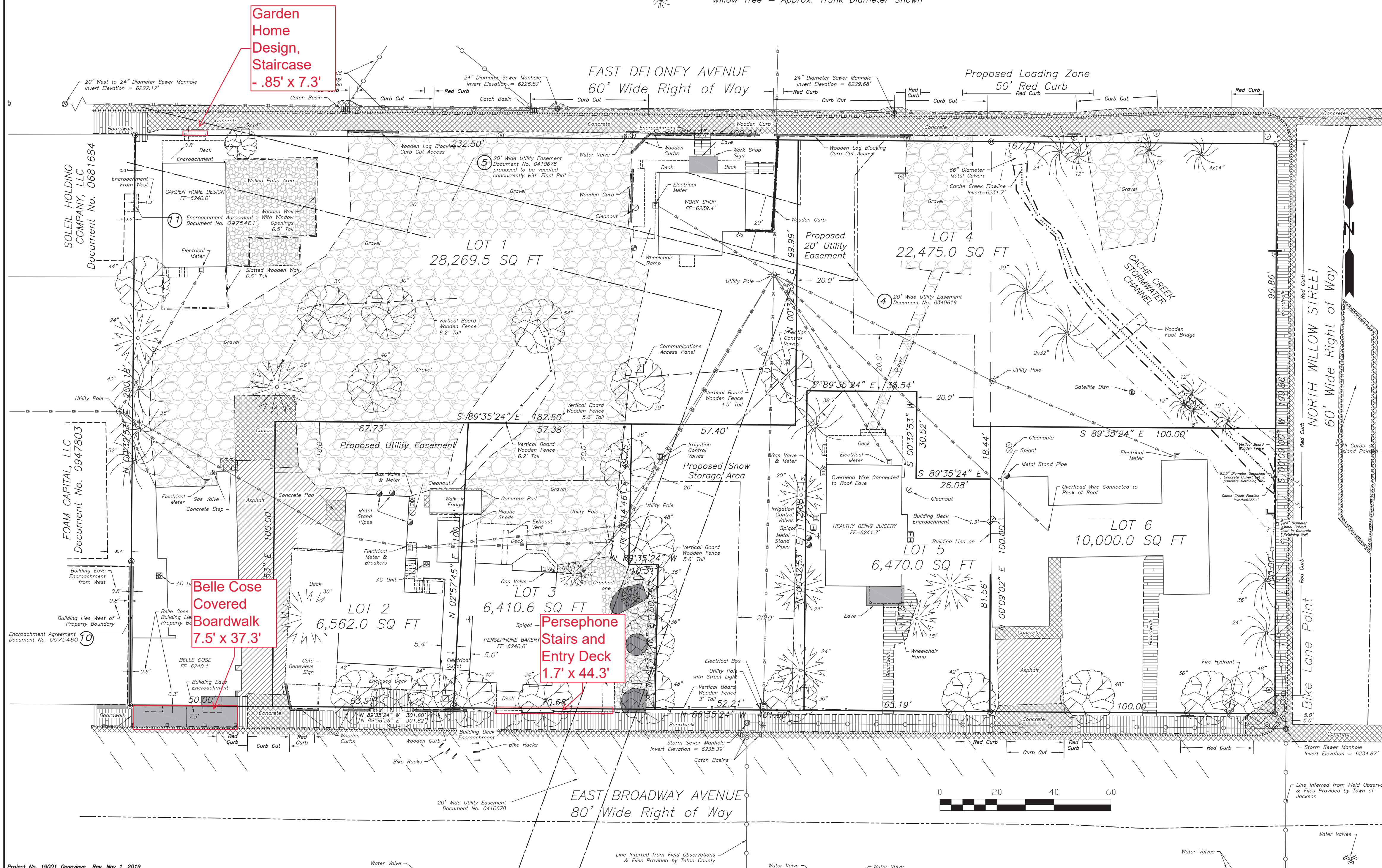


Exhibit Map  
to accompany  
Encroachment Agreement  
Application  
4/15/2020

Site Plan  
Genevieve Block  
Final Development Plan  
being part of  
SW1/4 SW1/4 Sec. 27 T41N, R117W, 6th P.M.  
Town of Jackson, Teton County, Wyoming