



# 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

<p>Date: August 5, 2021</p> <p>Item #: P21-213</p> <hr/> <p>Planner: Katelyn Page</p> <p>Phone: 733-0440 ext. 1302</p> <p>Email: <a href="mailto:kpape@jacksonwy.gov">kpape@jacksonwy.gov</a></p> <hr/> <p><b>Owner</b> Sage Properties Inc. PO Box 1196 Jackson, WY 83001</p> <hr/> <p><b>Applicant</b> Brett McPeak PO Box 7642 Jackson, WY 83002</p>	<p style="text-align: center;">REQUESTS:</p> <p>The applicant is submitting a request for a Zoning Compliance Verification at the property located at 180 Center St. Legally known as OFF CENTER SQUARE CONDOMINIUM ADDITON TO THE TOWN OF JACKSON PIDN: 22-41-16-27-3-21-004</p> <p>For questions, please call Katelyn Page at 733-0440, x1302 or email to the address shown below. Thank you.</p>
<p><b>Please respond by:</b>    <b>August 19, 2021 (Sufficiency)</b>  <b>August 26, 2021 (with Comments)</b></p>	

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

# HAWKS & ASSOCIATES, LC

ATTORNEYS AT LAW

August 4, 2021

VIA EMAIL AND HAND DELIVERY

Paul Anthony  
Town of Jackson Planning Director  
150 East Pearl Avenue  
Jackson, WY, 83001  
[panthony@jacksonwy.gov](mailto:panthony@jacksonwy.gov)

RE: REQUEST FOR ZONING COMPLIANCE VERIFICATION

Dear Paul:

Pursuant to Section 8.6.3 of the Town of Jackson Land Development Regulations (the “LDR”), I have been authorized by Sage Properties Incorporated to submit this request for zoning compliance verification (“ZCV”). This ZCV concerns the real property described as Units 1, 2, 3, and 4 of the Off Center Square, Condominium Addition to the Town of Jackson, Teton County, Wyoming according to that plat recorded in the Office of the Teton County Clerk on November 1, 1985 as Plat No. 597 (the “Property”). I respectfully request your confirmation and responses to the following statements:

1. Please confirm that the Property is in substantial conformance with all relevant standards of the LDRs and other Town of Jackson Resolutions and that no additional permits or regulations apply to the Property.
2. Please confirm that the Property complies with all standards and/or conditions of any prior applicable permits or approvals.
3. Please confirm the Zoning District for the Property and described the allowed uses in that District.
4. Please confirm the Maximum Gross Floor Area for the Property and confirm both the habitable and uninhabitable maximums.
5. Please confirm whether the “Deed restricted housing exemption” and/or the “Workforce housing floor area bonus” is applicable to the subject property.
6. Please confirm that the Property is in the Lodging Overlay and that short-term rental of residential units along with appurtenant lodging support uses such as restaurant, bar, athletic workout facilities, spa, conference and meeting space, and the like, are permitted uses on the Property and only subject to the requirements of a Basic Use Permit. Please additionally confirm that short-term rental of residential units on the Property would not

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constitute a commercial use of the Property (notwithstanding that other uses described above may constitute a commercial use).

7. Please confirm that a Short-term Rental Unit is a stand-alone residential use and is not dependent on, or otherwise classified as any other use, such as an Accessory Residential Unit or the like.
8. Please confirm that a two or three bedroom Short-term Rental Unit with a one-bedroom lock-off unit will be treated as a single two- or three-bedroom unit and that the lock-off unit will not be considered a separate residential unit for purposes of parking or other exactions or mitigation.
9. We have some different sample massing and configurations of the 32,000 sq.ft. of FAR, but as it relates to parking can you confirm we're interpreting the LDRs correctly where, by way of example, if roughly 20,000 sq.ft. of the 32,000 FAR were allocated toward short-term lodging and (a) the 20,000 sq.ft. of short-term lodging were divided into 20 two-bedroom units (or 20 Dwelling Units) of 1,000 sq.ft each, the parking requirement for this model would be 30 parking spaces (or 1.5/DU) and 8.16 Affordable Workforce Housing Units (or  $0.204 \times 40$  bedrooms). Conversely, if the 20,000 sq.ft. were allocated toward (b) 10 three-bedrooms units (or 10 Dwelling Units) of 2,000 sq.ft each, the parking requirement for this model would be 15 parking spaces (or 1.5/DU) and 6.12 Affordable Workforce Housing Units (or  $0.204 \times 30$  bedrooms).
10. Please confirm that the Property has 42.54 parking credit and please further confirm that those credits may be applied to the uses described in Paragraph 6 above.
11. Please confirm the number of Affordable Workforce Housing Credits applicable to the Property and that such credits may be applied to the uses described in Paragraph 6 above.
12. Without regard to the west wall of the Gayle Building or other easements that may be needed, please confirm that the property may be accessed via the easement conveyed to the Town of Jackson and recorded in the Teton County Clerk's Office in Book 839 of Photo at Pages 72 to 80.
13. Please confirm that in the TS-2 Zone, separate buildings may adjoin each other provided they are separated by a three-hour fire wall and that they are architecturally different from each other.
14. Please confirm that if buildings on the property are physically separated, they may be connected via an above grade walkway or "sky bridge".
15. Please confirm whether the (i) the Property owner could do heated concrete sidewalks on the Property, (ii) whether the property owner could build an eve or canopy over the

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sidewalks (heated or not) and whether the Property owner could heat exterior hardscape surfaces. Please additionally confirm whether the Town of Jackson will impose an energy mitigation fee in connection with any heated hardscape surfaces.

Thank you for your time and consideration. I look forward to your timely determination of sufficiency and final response. We also ask for the opportunity to meet with you to discuss this ZCV application and the supporting research and documentation that we have assembled to date.

Sincerely,

A handwritten signature, likely of Christopher Hawks, is written in black ink. The signature is stylized and enclosed within a hand-drawn oval.

Christopher Hawks, P.C. by Brett McPeak  
Hawks & Associates LC

cc: Richard Fertig  
Brett McPeak

CHRISTOPHER HAWKS, PC

199 EAST PEARL AVENUE • SUITE 103 • P.O. Box 4430 • JACKSON, WY 83001 • 307.733.9437 • FAX 866.220.6681



**PLANNING PERMIT APPLICATION**  
Planning & Building Department

150 E Pearl Ave. | ph: (307) 733-0440  
P.O. Box 1687 | [www.townofjackson.com](http://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: 180 Center Street, Jackson, WY  
Physical Address: 180 Center Street, Jackson, WY  
Lot, Subdivision: 0.41 acres according to that plat recorded in the Office of the Teton County Clerk as Plat No. 597 PIDN: 22-41-16-27-3-21-004

**PROPERTY OWNER.**

Name: Sage Properties, Inc. Phone: (307) 690-6723  
Mailing Address: PO BOX 1196, Jackson, WY ZIP: 83001  
E-mail: DeNesha@c21jh.com

**APPLICANT/AGENT.**

Name: Brett McPeak Phone: 307.690.4335  
Mailing Address: PO Box 7642, Jackson, WY ZIP: 83002  
E-mail: BMcPeak@Wyoming.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](http://www.townofjackson/200/Planning)

<b>Use Permit</b>	<b>Physical Development</b>	<b>Interpretations</b>
<input checked="" type="checkbox"/> Basic Use	____ Sketch Plan	____ Formal Interpretation
<input checked="" type="checkbox"/> Conditional Use	____ Development Plan	<input checked="" type="checkbox"/> Zoning Compliance Verification
____ Special Use	____ Design Review	<b>Amendments to the LDRs</b>
<b>Relief from the LDRs</b>	<b>Subdivision/Development Option</b>	____ LDR Text Amendment
____ Administrative Adjustment	____ Subdivision Plat	____ Map Amendment
____ Variance	____ Boundary Adjustment (replat)	<b>Miscellaneous</b>
____ Beneficial Use Determination	____ Boundary Adjustment (no plat)	<input checked="" type="checkbox"/> Other: <u>See Attached</u>
____ 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](http://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 #: \_\_\_\_\_ Environmental Analysis #: \_\_\_\_\_  
Original Permit #: \_\_\_\_\_ Date of Neighborhood Meeting: \_\_\_\_\_

**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](http://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](http://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 <http://www.townofjackson.com/DocumentCenter/View/845/LetterOfAuthorization-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](http://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  
**Brett McPeak**  
\_\_\_\_\_  
Name Printed

**8/4/2021**  
\_\_\_\_\_  
Date  
**Agent**  
\_\_\_\_\_  
Title

# LETTER OF AUTHORIZATION

Sage Properties, Inc. \_\_\_\_\_, "Owner" whose address is: 180 Center Street  
Jackson, WY \_\_\_\_\_

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

James Anderson and Jay Anderson \_\_\_\_\_, as the owner of property

more specifically legally described as: \_\_\_\_\_

(0.41 acres according to that plat recorded in the Office of the Teton County Clerk as Plat No. 597 along with all existing improvements)

(If too lengthy, attach description)

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

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

OWNER:

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: Director / President

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

STATE OF Wyoming )

COUNTY OF Teton )

)SS.

The foregoing instrument was acknowledged before me by James Anderson this 2 day of

August, 2021

WITNESS my hand and official seal.

(Notary Public)

My commission expires:

(Seal)

