



# 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: September 13, 2022</p> <p>Item #: P22-231</p> <p>Planner: Katelyn Page</p> <p>Phone: 733-0440 ext. 1302</p> <p>Email: <a href="mailto:kpage@jacksonwy.gov">kpage@jacksonwy.gov</a></p> <p><b>Owner:</b> Jackson Karns Hillside Assoc. 430 E State St. Ste 100 Eagle, ID 83616</p> <p><b>Applicant:</b> Givens Pursley LLP 601 Bannock St. Boise, ID 83702</p>	<p style="text-align: center;"><b>REQUESTS:</b></p> <p>The applicant is submitting a request for a Zoning Compliance for the property located at 550 Rodeo Dr. and 665 Flat Creek Dr. legally known as PT. SW1/4NE1/4 &amp; PT. NW1/SE1/4, SEC. 33, TWP. 41, RNG. 116 PIDN 22-41-16-33-1-00-031 and PT. SW1/4NE1/4 &amp; PT. NW1/SE1/4SEC. 33, TWP. 41, RNG. 116 PIDN: 22-41-16-33-1-00-026</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: September 27, 2022 (Sufficiency)</b> <b>October 4, 2022 (with Comments)</b></p>	

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



**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: \_\_\_\_\_  
Physical Address: \_\_\_\_\_  
Lot, Subdivision: \_\_\_\_\_ PIDN: \_\_\_\_\_

**PROPERTY OWNER.**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**APPLICANT/AGENT.**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ ZIP: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**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)

**Use Permit**

\_\_\_\_\_ Basic Use  
\_\_\_\_\_ Conditional Use  
\_\_\_\_\_ Special Use

**Relief from the LDRs**

\_\_\_\_\_ Administrative Adjustment  
\_\_\_\_\_ Variance  
\_\_\_\_\_ Beneficial Use Determination  
\_\_\_\_\_ Appeal of an Admin. Decision

**Physical Development**

\_\_\_\_\_ Sketch Plan  
\_\_\_\_\_ Development Plan  
\_\_\_\_\_ Design Review

**Subdivision/Development Option**

\_\_\_\_\_ Subdivision Plat  
\_\_\_\_\_ Boundary Adjustment (replat)  
\_\_\_\_\_ Boundary Adjustment (no plat)  
\_\_\_\_\_ Development Option Plan

**Interpretations**

\_\_\_\_\_ Formal Interpretation  
\_\_\_\_\_ Zoning Compliance Verification

**Amendments to the LDRs**

\_\_\_\_\_ LDR Text Amendment  
\_\_\_\_\_ Map Amendment

**Miscellaneous**

\_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_ 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?

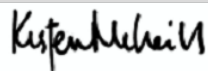
\_\_\_\_\_ **Application Fee.** Fees are cumulative. Go to [www.townofjackson.com/200/Planning](http://www.townofjackson.com/200/Planning) and select the relevant application type for the fees.

\_\_\_\_\_ **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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Title



Town of Jackson  
150 E Pearl Avenue  
PO Box 1687, Jackson, WY 83001  
P: (307)733-3932 F: (307)739-0919  
www.jacksonwy.gov

Date:

## LETTER OF AUTHORIZATION NAMING APPLICANT AS OWNER'S AGENT

**PRINT** full name of property owner as listed on the deed when it is an individual OR print full name and title of President or Principal Officer when the owner listed on the deed is a corporation or an entity other than an individual

Being duly sworn, deposes and says that Jackson Karns Hillside Associates is the owner in fee of the premises located at:

Name of property owner as listed on deed

Address of Premises: 665 Flat Creek Drive, Jackson, WY 83001 and 550 Rodeo Rd, Jackson, Wyoming 83001

Legal Description: See attached.

Please attach additional sheet for additional addresses and legal descriptions

And, that the person named as follows: Name of Applicant/agent: Givens Pursley LLP / Black Cat Ventures, LLC

Mailing address of Applicant/agent: Givens Pursley LLP - 601 W Bannock Street Boise, ID 83702

Email address of Applicant/agent: Kristen McNeill - kristenmcneill@givenspursley.com

Phone Number of Applicant/agent: Kristen McNeill - (208) 388-1276

Is authorized to act as property owner's agent and be the applicant for the application(s) checked below for a permit to perform the work specified is this(these) application(s) at the premises listed above:

- ☐ Development/Subdivision Plat Permit Application    ☐ Building Permit Application  
☐ Public Right of Way Permit    ☐ Grading and Erosion Control Permit    ☐ Business License Application  
☐ Demolition Permit    ☐ Home Occupation    ☒ Other (describe) Zoning Compliance Verification

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.

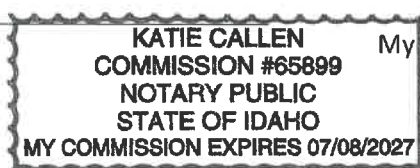
Property Owner Signature  
Manager

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

STATE OF Idaho )  
 ) SS.  
COUNTY OF Ada )

The foregoing instrument was acknowledged before me by Caleb Roope this 9th day of September, 2022. WITNESS my hand and official seal.

Notary Public



My commission expires: 7/8/27

## Legal Description

665 Flat Creek Drive , Jackson, WY 83001 and 550 Rodeo Rd, Jackson, Wyoming 83001

The land hereinafter referred to is situated in the City of Jackson, County of Teton, State of WY, and is described as follows:

A parcel of Land located in the SW¼NE¼ and the NW¼SE¼ of Section 33, Township 41 North, Range 116 West, 6th P.M., Town of Jackson, Teton County, Wyoming, being more particularly described as follows:

Beginning at the Northwest Corner of the Revised Sage Subdivision, Plat No. 156 as recorded in the office of the Teton County Clerk;

Thence N.08°00'29"E., 50.56 feet to a tangent, horizontal, circular curve to the left;

Thence along said curve, having a radius of 100.00 feet, a chord of 46.19 feet bearing N.95°20'37"W., through a central angle of 26°42'10", an arc distance of 46.61 feet to a point;

Thence N.18°41'42"W., 29.25 feet to a point on the Southerly right-of-way line of Snow King Avenue as described in Book 181 of Photo, Pages 894-897, records of Teton County, Wyoming.

Thence along said Southerly right-of-way line, N.62°23'38"E., 143.59 feet to a tangent horizontal, circular curve to the right;

Thence along said curve having a radius of 470.00 feet, a chord of 257.85 feet bearing N.78°18'53"E., through a Central angle of 31°50'31" an arc distance of 261.20 feet to a point on the Westerly right-of-way line of Flat Creek Drive as described in Book 14 of Photo, pages 435-436, records of Teton County, Wyoming;

Thence along said Westerly right-of-way line, S.09°31'W., 73.3 feet to a point;

Thence continuing along said Westerly right-of-way line, S.00°45'W., 17.4 feet to a point;

Thence continuing along said Westerly right-of-way line along the Easterly boundary of that parcel described in Book 40 of Photo, Page 425, records of Teton County, S.00°13'W., 154.2 feet, more or less, to a point on the Northerly boundary line of said Revised Sage Subdivision;

Thence along said Northerly boundary line; N.89°47'23"W., 360.23 feet to the Corner of Beginning.

PIDN: 22-41-16-33-1-00-031

PIDN: 22-41-16-33-1-00-026

# GIVENS PURSLEY LLP

Attorneys and Counselors at Law

601 W. Bannock Street  
PO Box 2720  
Boise, ID 83701  
Telephone: 208-388-1200  
Facsimile: 208-388-1300  
www.givenspursley.com

Gary G. Allen  
Charlie S. Baser  
Christopher J. Beeson  
Jason J. Blakley  
Clint R. Bolinder  
Jeff W. Bower  
Preston N. Carter  
Chynna K. Castoro  
Jeremy C. Chou  
Michael C. Creamer  
Amber N. Dina  
Bradley J. Dixon  
Thomas E. Dvorak  
Morgan D. Goodin  
Donald Z. Gray  
Brian J. Holleran

Kersti H. Kennedy  
Elizabeth A. Koeckeritz  
Neal A. Koskella  
Michael P. Lawrence  
Franklin G. Lee  
David R. Lombardi  
Lars E. Lundberg  
Kimberly D. Maloney  
Kenneth R. McClure  
Alex P. McLaughlin  
Melodie A. McQuade  
Christopher H. Meyer  
L. Edward Miller  
Judson B. Montgomery  
Deborah E. Nelson  
W. Hugh O'Riordan, LL.M.

Samuel F. Parry  
Randall A. Peterman  
Blake W. Ringer  
Michael O. Roe  
Danielle M. Strollo  
Robert B. White  
Michael V. Woodhouse

William C. Cole (Of Counsel)

Kenneth L. Pursley (1940-2015)  
James A. McClure (1924-2011)  
Raymond D. Givens (1917-2008)

September 1, 2022

Paul Anthony  
Planning Director  
Town of Jackson Wyoming  
Planning Department  
150 E Pearl Avenue  
Jackson, WY 83001

Dear Mr. Anthony,

On behalf of Black Cat Ventures, LLC, a Delaware limited liability company (the “**Applicant**”), we would like to request Zoning Compliance Verification (“**ZCV**”) for the Snow King Apartments, located at 665 Flat Creek Drive, Jackson, WY 83001 and 550 Rodeo Rd, Jackson, Wyoming 83001 and identified by PIDN numbers 22-41-16-33-1-00-031; 22-41-16-33-1-00-026 (collectively, the “**Property**”)

The Applicant is under contract with Jackson Karns Hillside Associates (the “**Owner**”) to purchase the Property. Authorization from the Owner to submit the ZCV is included with this application along with a completed Planning Permit Application.

We would like the ZCV to include the following information:

- whether the Property is in compliance with the terms and conditions as contained in the Planned Unit Development Certificate of Standards for 550 Rodeo Drive, filed with the Teton County Clerk on October 11, 2004 in book 567, pages 380-383, a copy of which is attached as Exhibit A.
- the zoning of the property;
- any prior entitlement approvals associated with the property;
- the zoning designations of the surrounding properties;
- confirmation that the use of the property is a conforming use;
- whether there are currently any code compliance or building violations on the Property;

September 1, 2022

Page 2

- the history of any code compliance or building violations on the Property and whether they were satisfactorily resolved; and;
- any other information you deem relevant to this request.

Thank you for your assistance with this matter. Please contact Kristen McNeill via email at [kristenmcneill@givenspursley.com](mailto:kristenmcneill@givenspursley.com) or by phone at 208-388-1276 with any questions..

Sincerely,

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

Kristen McNeill, Paralegal

## Exhibit A

### Planned Unit Development Certificate of Standards for 550 Rodeo Drive

#### Certificate of Standards For 550 Rodeo Drive - Planned Unit Development

Pursuant to Section 2170 L of the Town of Jackson Land Development Regulations, this document shall be and shall constitute the Certificate of Standards for Pacific Communities of Idaho's PUD known as the Snow King Apartments. The subject property is described as Part of the SW¼NE¼ and part of the NW¼SE¼, Section 33, Township 41 North, Range 116 West, 6<sup>th</sup> P.M., addressed as 550 Rodeo Drive and located in the Auto-Urban Residential (AR) zoning district. **22-41-16-33-1-00-031**

The project is comprised of twenty-four affordable housing units in four (4) detached structures containing six units each on a 1.69 acre site as per Section 2170 Planned Unit Development of the Land Development Regulations.

A Final (Major) Development Plan - Item No. 00-04.4 was approved by the Town Council on July 7, 2003 with the following conditions of approval:

**The Town Building Official has required the following conditions of approval:**

1. The applicant shall fully fire sprinkler all structures in excess of 5,000 square feet in accordance with the Teton County/Town of Jackson fire sprinkler ordinance.
2. The applicant shall ensure that all ground floor unit be designed as Type B dwelling units as required by Chapter 11 of the 1997 Uniform Building Code.
3. The applicant shall provide as part of the building permit submission plans to provide a guardrail on the top of the retaining wall located on southern edge of the site. Said plans shall be reviewed and approved by the Building Official prior to the issuance of a building permit for the project.

**The Town Planning Director has required the following conditions of approval:**

4. Prior to the issuance of a building permit, a landscape plan and cost estimate, prepared by a registered landscape architect, shall be submitted to and approved by the Planning Department. The applicant is required to provide 24 plant units. The applicant shall be responsible to provide a bond, cashiers check, or letter of credit for 125% of the estimated cost of the landscaping prior to the issuance of any building permit for the project.
5. Prior to the issuance of the building permit, the dumpster location and appropriate screening meeting Section 4560.D Trash and Recycling Enclosures of the Land Development Regulations shall be subject to the review and approval of the Planning Department. The applicant shall construct a trash enclosure that is similar in material and color to the buildings. Trash enclosure is to be entirely enclosed with a gate for access to the dumpster.
6. Prior to the issuance of a building permit for the project, an agreement for securing affordable housing pursuant to Division 49400, Residential Affordable Housing Standards of the Land Development Regulations of the Town of Jackson Land Development Regulations shall be executed and the agreement shall be recorded with the Teton County Office of the County Clerk.
7. The applicant shall provide as part of the building permit submission plans to stain the proposed retaining wall on the southern edge of the site to match the color of the adjacent building. Said plans shall be reviewed and approved by staff prior to the issuance of a building permit for the project.

RELEASED	
INDEXED	
ABSTRACTED	
SCANNED	✓

Pacific Communities of Idaho; Snow King Apartment  
Page 1 of 4

Grantor: GALLINA, CHARLENE P PLANNING  
Grantee: THE PUBLIC  
Doc 0635057 bk 561 pg 380-383 Filed at 4:18 on 10/11/04  
Sherry L Daigle, Teton County Clerk fees: 11.00  
By ANH SCHROEDER Deputy



- 8 Prior to the issuance of a building permit, an exterior lighting plan including a photometric map and cut sheets of all proposed exterior light fixtures shall be submitted to and approved by the Planning Department.
- 9 There shall be no open storage of boats, tents, recreational vehicles, trailers, snow machines, nor any other open storage allowed on-site.
10. Prior to issuance of a building permit, the applicant shall comply with the requirements of Paragraph L / Certificate of Standards in Section 2170 of the Land Development Regulations.

**The Town Engineer has required the following conditions of approval:**

11. The Council should be aware that as part of this development the proponent shall be required to relocate the onsite 36" stormwater conveyance pipe to a location within Snow King Drive. As such, prior to approval of this construction work, the proposed timing and method of construction within the Snow King right-of-way shall be reviewed and approved by the Town Engineer. The Town Council shall accept the improvement schedule and proposed work.
12. Prior to building permit approval, a complete stormwater system design shall be provided and approved by the Town Engineer. This information shall include all pipe and structure elevation together with associated drainage information as is necessary to verify proper system operation
13. Prior to building permit approval, the applicant shall be required to completely satisfy DEQ plan review comments concerning the relocation of the onsite sewer and water mains. In addition, the Town Engineering Department shall provide comment on these relocation designs as part of the building permit review process. At that time, a complete review of the utility modifications shall be completed and the applicant shall be required to fully address system design modifications as required by the Town Engineer.
14. Prior to building occupancy, the applicant shall be required to provide and record a 30-foot onsite water main easement and a 30-foot onsite sewer easement. These easements shall be reviewed and approved by the Town Engineer and Town Attorney prior to recording.
15. The relocation of the Rodeo Drive site access appears to have created a driving lane, which shall be impacted by the first parking stall of building #1. As such, prior to building occupancy the applicant shall verify thru lease restrictions that the parking space fronting building one shall be not be used at any time. In addition, the final construction drawings shall provide information on method of delineating same.
16. Prior to building permit approval, the applicant shall provide a detailed stormwater master plan for the site, which is consistent with all applicable Town standards. This information shall include but not be limited to: location and size of detention systems, water quality treatment unit design, proposed conveyance piping, discharge locations of developed storm water flows, relocation of the Rodeo Drive culvert, surface runoff grading together with foundation, roof and retaining wall drainage systems. Please be advised that we have specific concerns with the stormwater connection to the Town's transmission system and the currently proposed site elevations.
17. Prior to building permit approval, a detailed design regarding the bollard within the Flat Creek Drive access shall be provided for review and approval by the Engineer and Fire departments.
18. Prior to occupancy, the applicant shall provide all necessary easements for all sidewalks and irrigation systems along Snow King Avenue and Flat Creek Drive.

19. Per Town ordinance, cutting into asphalt is not allowed during the five years following a major reconstruction project. Snow King Avenue falls into this category and Council approval will be necessary to allow the proposed construction. This shall be completed prior to final development plan approval.

**The Parks and Recreation Department has required the following conditions of approval:**

20. The applicant shall substitute the proposed Norway Maple and Norway Spruce for more hardy plant material varieties. Shade tree varieties in this area are typically limited to the following: Aspen, multiple varieties of Cottonwoods, and Patmore Ash. Conifer varieties are typically limited to the following: Colorado Spruce, Douglas Fir, Lodgepole Pine, Scotch Pine, and Limber Pine.
21. The applicant shall ensure that the proposed playground facility meet all industry standards for safety and layout, as per ASTM 1487 and ASTM 1292.

Please note than any revision to the Final Development shall be reviewed and approved by the Planning Director. Approval of any changes to the Final Development Plan shall be in accordance with Section 51200 J Minor Deviations, and 51200.K. Amendment to a Development Plan permit of the Town of Jackson Land Development Regulations.

**Program Summary:**

Description of Development Standards	Base & Flexible Development Standards for a PUD in the AR Zoning District	Standards Approved by the Jackson Town Council
Minimum Site Area	22,500 SF	73,857 SF
Maximum FAR	0.40	0.31
Minimum LSR	0.45	0.45
Maximum Lot Coverage	0.30	0.30
Front Setback (North)*	Flexible	21 ft.
Rear Setback (South)*	Flexible	22 ft.
Side Setback (West)*	Flexible	20 ft.
Side Setback (East)*	Flexible	15 ft.
Building Height	Flexible (35 ft Max.)	31 ft.
Parking	Flexible	60 spaces (See Notes 1 & 2 below)

**Notes:**

- Each unit will be assigned one garage space.
- The remaining parking spaces will be provided in tandem behind the proposed garages or elsewhere on the site.
- 12 parking additional spaces will be available for visitors.

**Project Site Plan:**

On file in the Town of Jackson Planning Department.

September 1, 2022

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ATTESTATION:

Charlene P. Gallina, the Planning Director of the Town of Jackson, Jackson, Wyoming, does hereby attest to the accuracy of all standards and references contained in this Certificate of Standards, Pacific Communities of Idaho, 550 Rodeo Drive; Planned Unit Development.

DATED this 8<sup>th</sup> day of October, 2004

Charlene P. Gallina  
Charlene P. Gallina  
Planning Director

The foregoing Certificate of Standards was acknowledged before me by Charlene P. Gallina, Planning Director, Town of Jackson, Jackson, Wyoming, this 8<sup>th</sup> day of October, 2004.

Witness my hand and official seal.

Donna M. Baur  
Notary Public

My commission expires: 6/15/2005

