



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: OCTOBER 12, 2016
MEETING DATE: OCTOBER 17, 2016

SUBMITTING DEPARTMENT: PLANNING
DEPARTMENT DIRECTOR: TYLER SINCLAIR
PRESENTER: TYLER VALENTINE

SUBJECT: **ITEMS P16-001 & P16-085:** DEVELOPMENT PLAN & HILLSIDE CONDITIONAL USE PERMIT (CUP) TO DEVELOP 20 RESIDENTIAL UNITS AT 1255 WEST HIGHWAY 22.

APPLICANT: JORGENSEN ASSOCIATES - REED ARMIJO

OWNER: FSD INVESTMENTS - ERIC GROVE & CHARLIE SCHWARTZ

REQUESTED ACTION

The applicant is requesting approval of a Development Plan (P16-085) and Hillside CUP (P16-001) to develop 20 residential units located at 1255 West Highway 22.

APPLICABLE REGULATIONS

Section 8.3.1 Development Plan
Section 8.4.2 Conditional Use Permit
Section 5.4.1 Steep Slopes

LOCATION

The property is located at 1255 W Hwy 22, legally described as PT SW1/4NE1/4, Section 32, Township 41, Range 116. An aerial photo and zoning map are shown below:



BACKGROUND

1. Sketch Plan - Item P16-096:

The Town Council approved a Sketch Plan for this project to develop 20 residential units at 1255 West Highway 22 on May 16, 2016. The Sketch Plan was approved with the following conditions:

- 1) The applicant shall apply and be approved for a Basic Use Permit for the Attached Single-Family use prior to the occupancy of the proposed units.
- 2) Applicant shall obtain an access easement and/or formal permission from Teton County to utilize Batch Plant Road to access the upper units prior to submittal of the Development Plan.
- 3) The applicant shall submit a Landscape Plan prepared by a Wyoming licensed landscape architect that specifically addresses staff concerns related to screening the parking lot and buildings contained in this staff report.
- 4) The applicant shall submit a detailed, reconnaissance-level soil and subsurface investigation of the project site for review by a third-party independent engineer and approval by the Town Engineer prior to submittal of the Development Plan.
- 5) The applicant shall revise the site plan to show a back-up area for western unit in Pod 4 that complies with the LDRs prior to approval of the Development Plan. In addition, the revised site plan shall demonstrate compliant back-out areas for all units in the project.
- 6) In order to address the pedestrian access, the applicant shall include in the site plan for the Development Plan access between the lower and upper pads through use of the existing (or new) stair case.
- 7) The applicant shall work with the Pathways Director and Town Engineer to identify and provide a safe pedestrian facility on their property prior to Development Plan approval.

2. Planned Unit Development, Zoning Map Amendment & LDR Text Amendment - Item P16-017:

The Town Council approved a Planned Unit Development (UR-PUD), Zoning Map Amendment and LDR Text Amendment for this project to develop 20 residential units at 1255 West Highway 22 on May 16, 2016.

3. Hillside Conditional Use Permit (CUP) - Item P16-001:

The Town Council continued this item to run concurrently with this Development Plan.

PROJECT DESCRIPTION

The project has no significant changes from its last appearance at Sketch Plan. Since the applicant has received Sketch Plan approval, the final step as required by the LDRs is to obtain Development Plan approval. In addition to the Development Plan, the applicant is requesting approval of a previously continued Hillside CUP. The reason the Hillside CUP was continued was because the final geotechnical investigation report had not been performed, thus the Council did not feel comfortable reviewing the CUP until such information was presented. The applicant has since provided the final geotechnical report along with the third party review (see Hillside CUP section below).

As a recap, the applicant is proposing to construct 20 residential units within a 1.1 acre lot which was recently rezoned to UR-PUD. The proposal consists of 6 buildings (pods) with a total of 22,560 SF of habitable space. The proposal is to construct sixteen (16), 960 SF two-bedroom residential units within four (4) pods on the lower building pad which are accessed from Highway 22. These units will be rental (apartments) units but the applicant has reserved the right to subdivide for individual ownership. All sixteen units on the lower pad will be deed restricted employee units which is above and beyond the requirements of

the LDRs (Please see Affordable/Employee Housing discussion below). Each of the four pods is 3-stories with parking on the ground level (tandem) and four (4) units above. Each unit has outdoor balconies, two garaged parking spaces and there are fifteen (15) surface guest spaces. As shown on the site plan, the buildings on the lower pad are configured in a U-shape with circulation and parking in the middle. The applicant has also provided a 6' wide pedestrian walkway that leads from the center of the site's parking lot toward the southern corner of the property where it connects to the existing cyclepath.

The upper pad, proposed to have access from Batch Plant Road, consists of four (4), 1,800 SF units within two (2) pods. All four upper units are proposed to be ownership units which will eventually require a Subdivision Plat. Each pod is also 3-stories with parking on the ground level with two (2) units above. Each unit also has outdoor balconies and two garaged parking spaces. There are also a few informal guest parking spaces located in front of a few of the garages. Total guest parking for the entire site ranges from 15-18 spaces. The applicant currently has a Road Exception Request (RER) submitted to the Teton County Engineering Department for the use of Batch Plant Road and it is anticipated that some road improvements will need to be made provided the County grants access. Finally, pedestrian access between the upper and lower pads will be taken from a new stair case located along the southeast (side) property line.

The following table shows the approved and proposed development standards:

Approved Master Plan			
Development Standard	Approved (Sketch Plan)	Proposed	Complies
FAR	48% (20,934 sf)	52% max. (22,560 sf) ¹	Yes
LSR	55% min. (23,879 sf)	55% min. (23,879 sf)	Yes
Plant Units	23 units	22 units ²	Yes
Maximum Lot Coverage	24% max (10,496 sf)	24% max (10,496 sf)	Yes
Height	35' max.	35' max.	Yes
Stories	3 max.	3 max.	Yes
Density	20 units max.	20 units max.	Yes
Parking	40 spaces + approximately 27 guest spaces (67 total)	40 spaces + approximately 15-18 guest spaces (55-58 total) ³	Yes
Front Yard Setback	20' min.	20' min.	Yes
Rear Yard Setback	24' min.	24' min.	Yes
Lower Level Yard Setback (both sides)	5' – 15' min.	5' min.	Yes
Upper Level Side Setback (north)	5' – 16' min.	5' min	Yes
Upper Level Side Setback (south)	5 – 10' min	5' min.	Yes
Any development standards not included above will be applied as allowed or required in Sec. 2.3.4 Urban Residential (UR)	See UR standards		
Allowed Uses	Allowed/Proposed	Proposed	Complies
Residential			

Attached Single-family Unit (condominiums / townhouses)	B	B	Yes
Apartment	B	B	Yes
Transportation/Infrastructure			
Utility Facility	C	C	Yes
Accessory Uses			
Home Occupation	B	B	Yes

1. FAR increase is explained below under 'Development Plan.'
2. One plant unit was eliminated based on the reduction in overall surface parking. See 'Open Space & Landscaping' discussion below.
3. The overall guest parking was reduced as a result of shifting buildings further out of the hillside. See 'Parking' discussion below.

STAKEHOLDER ANALYSIS

Conformance with the Comprehensive Plan

This site is located within District 4, specifically Subarea 4.2 - Northern Hillside which is a transitional area sought to have redevelopment with mixed use and residential development. As stated in the Staff Findings section below, staff finds that the proposed project is in conformance with the Comprehensive Plan. The proposed development meets many of the goals of the Comprehensive Plan related to Community Vision, Natural and Scenic Resources, Transportation and the provision of Affordable Housing.

Development Plan

The purpose of the Development Plan is to ensure consistency with the previously approved Sketch Plan and with the standards approved with the PUD. As shown in the applicant's submittal and in the table above, the proposed layout and site plan is generally consistent with the previously approved plans and meets all applicable regulations related to setbacks, height restriction and FAR, and in some areas exceeds the requirements. There are no major changes in the Development Plan that are not consistent with past approvals, however some minor changes have been made which are discussed below under each specific heading. One change that staff would like to highlight is the change in exterior colors. The previous design was a grey metal for the exterior siding and roof. The proposed materials have remained the same but have a brown earth-tone color and changes from a vertical metal design versus the previous flat panel design. Staff is seeking feedback regarding these changes.

In regards to conditions of approval, the applicant was required to address seven (7) conditions associated with the Sketch Plan and one (1) condition with the Hillside CUP. The condition for the Hillside CUP has been met as the applicant provided the final geotechnical investigation report along with a third party review from Landslide Technology (Please see the Hillside CUP section below for a full analysis). Regarding the Sketch Plan, the applicant has met all conditions except for Condition #2 which requires the applicant to prove legal access to Batch Plan Road. The Teton County Engineering Manager has stated that the Road Exception Request (RER) will be approved once the final conditions have been worked out with fire and Search and Rescue (SAR) (Please see the 'Access/Circulation/Traffic' discussion below for more details).

FAR (Floor Area Ratio)

There is also a slight increase in the overall FAR by approximately 1,600 SF on the upper four (4) units. The total allowed FAR for a UR-PUD based on the size of the lot is a .65 FAR (28,207 SF), of which the applicant only proposed to use a .48 (20,934 SF) at the time of Sketch Plan. The proposed FAR in this Development Plan is a .52 (22,560 SF). Staff finds that the additional square footage is not significant enough

to require the applicant to amend the Sketch Plan or PUD because the square footage doesn't present a significant change in bulk and scale and does not increase density, reduce setbacks, or increase stories and height.

Open Space & Landscaping

Open space: Staff finds the proposed open space is consistent with the approved Sketch Plan and generally limits site disturbance protecting the existing hillside vegetation. As shown on the site plan, the applicant has provided substantially more than the required amount of Landscape Surface Ratio, approximately 10,000 sf more. Previously with the Sketch Plan, ideas were thrown around as to what to do with the open space between the lower buildings and the roadway. It was discussed that this 40'+ area should be well landscaped and possibly include a pedestrian sidewalk that connects with the one directional cycletrack. The applicant has modified this area to now serve as a focal point with the inclusion of a public art piece within a circular pad surrounded by benches and landscaping. The plan also includes a 6' sidewalk adjacent to a 4'-6' sound screening retaining wall. Staff finds that these changes are an improvement and serve as a useful design of this space. Some landscaping is proposed within the WYDOT ROW and will require an encroachment permit from WDOT but they are usually supportive of such permits when only landscaping is involved. Staff has added a condition of approval that prior to building permit submittal, all necessary permits must be obtained through WYDOT for work in the ROW. Staff finds that the changes made improve the use of this space visually and functionally.

Landscaping: A landscape plan prepared by a Wyoming Licensed Landscape Architect has been submitted which satisfies Condition #3 from the previously approved Sketch Plan. Previously, the applicant was required to provide 23 plant units based on the number of residential units and surface parking. Since some of the surface parking was reduced by shifting two of the upper pods further out of the hillside, the plant requirement was reduced to 22. Two of the 22 plant units have been substituted out and replaced with alternatives; benches, bike racks and public art. The LDRs (Section 5.5.3.E.4) allow substitution of 1 canopy tree for a two-person bench, 1 canopy tree for a 6-bicycle bike rack, and also allows for flexible substitutions for public art. Based on providing three (2-person) benches and five bike racks (6-bicycle capacity), staff finds that a one plant unit reduction is reasonable. Regarding the art piece, staff doesn't have a rendering of the proposed piece, but the applicant described it as a fishing theme. Based on the location and cost of the art, staff finds that a one plant unit reduction is reasonable, especially considering that 20 plants units is a sufficient amount of plantings, if used properly, to screen and soften the development.

Previously with the Sketch Plan, the preliminary landscape plan depicted general locations of plantings with recommendations to properly screen the parking lot, the lower buildings, and portions of the exposed concrete of the upper units. The proposed landscape plan now shows a combination of trees and shrubs screening the exposed concrete portions of the upper units which is consistent with staff's recommendation. Because these plantings are on the steep hillside, they will need to be irrigated and care will need to be taken to ensure that adding water to the hillside will not compromise the stability of the slope. With the lower units, there are three clusters of plantings between the street and the development which address staff concerns for screening the parking lot and buildings.

Staff finds that the proposed landscape plan, along with the berm and retaining wall, will adequately screen the parking lot while softening the site's appearance.

Access/ Circulation/Traffic

Access to lower building pad: No changes in accessing the lower building pad have been presented. The plan is to eliminate one of the two existing accesses (i.e., the one closest to Town) and shift the northern access to the South about 40 feet. Public Works and WYDOT have reviewed and commented on the proposed access

and at this time do not have any significant circulation or access concerns regarding the lower building pad. WDOT, along with Police Chief Todd, did express concern that left turns out of either access would be difficult at certain times of day and year. However, neither WYDOT nor the Town Engineer are recommending any turning movement improvements or traffic controls to address left turns from the lower site (see discussion of traffic analysis below that estimates that the proposed project will create significantly less traffic than the existing car rental operation or past uses).

Access to upper building pad: No changes in accessing the upper building pad have been presented. The upper building pad is proposed to be accessed through Batch Plant Road, which is a County road located approximately 500' north of the subject site. Previously with the Sketch Plan, a condition of approval (Condition #2) was added requiring the applicant to have formal permission from the County to use Batch Plant Road to access the upper four units. This was due in part to some deficiencies in the width of the road and the entrance/exit turning radius. Teton County Search and Rescue previously received approval for an RER for their facility and use of the road and it was understood that any new development would trigger road improvements. At this time the applicant has submitted their RER with Teton County which should be approved shortly once the final conditions are worked out amongst the fire department and SAR. Amy Ramage, Teton County engineering Manager, has provided a written response to staff (email attached) stating that the request will receive approval. Staff is comfortable with the response that Teton County has provided knowing that the applicant is responsible to meet all conditions placed on the RER approval. Specifically the RER will allow legal access on Batch Plant Road and detail what improvements need to be made and allocation of cost.

Circulation for lower building pad: No significant changes have been made to the circulation on the lower pad. Access to the site is consolidated into one access point, which will improve turning movements entering and exiting the site. Internal circulation will be provided by a two-way drive aisle that will provide direct access to all of the lower garages and guest parking located on the west side of the parking/drive area. The applicant has addressed a previous condition of approval (Conditions #5) requiring the back-up area for the western unit in Pod 4 be modified in the site plan to meet the LDRs. As shown on the site plan the back-up area for POD #4 meets the minimum 24' back out distance.

Circulation for upper building pad: Circulation to the upper units will be provided by Batch Plant Road which will function as a dead end road providing access to and from the upper units (i.e., residents will be required to back out of their garages and exit the way they came). According to the site plan, there is adequate back-up space between the buildings and the rear property line which is consistent with the minimum 24' requirements according to the LDRs.

Bike Access: An existing one-way cycletrack heading west crosses the applicant's property adjacent to Hwy 22. A 10'-wide multi-use pathway will be completed on the opposite side of the highway likely this summer. Thus the site has excellent bike access. Brian Schilling, Director of the Pathways Department, however, has concerns that the cycletrack will not function safely if pedestrian traffic is added to it. To address these concerns, the applicant has added a separate pedestrian sidewalk which provides a segment of safe walkability toward Town amenities and transportation. (See section below on 'pedestrian access' for more discussion on this topic). It should be noted that until such improvements are completed between the subject site and the Y-intersection, pedestrians will not have a safe functional method of access toward Town. Staff is looking for feedback on whether 1) a condition of approval should be added requiring the applicant to provide the necessary off-site pedestrian improvements to connect the subject property to the Y-intersection, 2) whether the Town should pay for the off-site improvements, or 3) do nothing and allow each property to provide the improvements as they develop over time.

Streetscapes

The applicant is still proposing to create a large landscape buffer strip of approximately 40 feet (20' on the applicant's property and 20' in WDOT ROW), where only a partial, 20+' strip of mostly unmaintained dirt currently exists. Thus, the project will constitute a significant upgrade over current conditions. The proposed landscape plan identifies a variety of tree and shrub plantings between the highway and the development, most of which are located on the applicant's property. In addition to the landscaping, a 3'-4' berm, 4'-6' retaining wall and pedestrian sidewalk have been proposed which is anticipated to enhance the visual appearance and functionality of this area. Staff finds that the proposed plan is a significant improvement from the current condition and will adequately buffer the development from the busy highway. Furthermore, the applicant has proposed to add an art piece in the middle of a circular gathering space access from the pedestrian path. The Public Art Task Force is currently not involved in the designing of the art piece. Staff finds that the proposed project, as conditioned, is consistent with the Sketch Plan and PUD.

Parking

The applicant is proposing to construct a total of 55 parking spaces: 40 garage spaces (2 spaces per unit) plus 15 guest parking spaces. The majority of the 15 guest spaces are informal guest parking spaces located in front of garage doors of many of the lower units and won't interfere with the required drive aisle width. Previously the design showed a total of 27 informal parking spaces, however many of those spaces did not technically meet the minimum dimensional requirements and back out distances. The reduction in parking was a result of the applicant shifting the upper units further out of the hillside toward the rear property line, thus reducing the space for guest parking. Ultimately the tradeoff is less hillside disturbance with less guest parking. At 55 spaces for 20 units, the result is 2.75 parking spaces per unit which is still greater than the standard requirement of 2.5 spaces per unit. Staff finds that 2.75 spaces per unit is sufficient to meet the off-street demands of the two-bedroom and three-bedroom units. There is still room for a few informal parking spaces on the upper level that were not called out on the site plan. Staff anticipates that 3-4 informal guest spaces are available based on the width in certain areas. One minor change that needs to be addressed in the parking layout on the lower pad, is that the parking space adjacent to where the pedestrian path connects to the parking lot. This needs to be modified to ensure that a parked car does not encroach into the drive aisle. Staff has added a condition of approval that this be revised prior to submittal of Building Permit.

Pedestrian Access

Previously with the Sketch Plan, a condition of approval (Condition #7) was added related to addressing how residents would safely walk from the site to Town. As previously discussed with the Sketch Plan, there are a variety of desirable locations to access by walking, such as the grocery store, a bar, a few restaurants, local services, and a START stop just south of Broadway/Hwy 89 on Buffalo Way. The outstanding concern was that pedestrians would use the one-way (to the West) cycletrack which is not the intended use of the cycletrack and is not a safe situation. Brian Shilling, Director of the Pathway Department, previously brought up a few options, one being to add a 6' sidewalk separated from the cycletrack by a few feet. The applicant ultimately chose to add the detached 6' sidewalk which is shown on the site plan. Brian Schilling has provided comments on the proposal and is satisfied that a sidewalk was added, but further recommends that the sidewalk run immediately adjacent to the cycletrack rather than having it angle toward the center of the site. Staff finds that because this development is at the edge of Town, it makes practical sense that a sidewalk would end at this development and not continue west. Staff finds that the sidewalk as proposed adequately serves the site and transports residents through the site rather than forcing them to walk through the driveway entrance to access the sidewalk. Furthermore, staff finds that Condition #6 has been met with the addition of a stair case providing pedestrian access between the upper and lower pads.

Steep Slopes and Hillside Conditional Use Permit (CUP)

Steep Slopes: Section 5.4.1. Steep Slopes of the LDRs prohibits the physical development of *natural* slopes greater than 25%. It states that *manmade* slopes in excess of 25% may be developed, provided the final grade otherwise complies with our grading and other standards. Thus, because the primary slope on the site is approximately 30%, it needs to be determined whether this slope is manmade. According to the geotechnical report submitted by the applicant, the slope in question is nearly all the product of human activity, most likely fill pushed down the hillside to create the upper building pad. The bulk of this work was done in the 1950s and 1960s. Aerial photographs on the Town GIS system seem to verify this conclusion. Even so, it is staff's position that the exception for manmade slopes only applies where the original, natural slope was less than 25% (i.e., if the original, natural slope was more than 25% then it should not become "developable" simply because it was manipulated into an even steeper slope). Staff asked the applicant to provide a reasonable estimate of the grade of the natural slope before it was developed. The applicant provided an analysis using available data to conclude that the original natural slope was 24%. Obviously, this is very close to the 25% threshold, but staff finds the analysis credible and accepts it. The result is that the applicant is not required to get a variance or administrative adjustment to allow, for example, some of the lower buildings to be built into the hillside.

Hillside CUP: Under Sec. 5.4.1.D Standards for Hillside Areas, any lot of record with an average cross-slope of 10% requires a Hillside CUP to allow any terrain disturbance, even if the proposed development would not disturb any slope of greater than 10%. Single-family detached homes are exempted. The applicant's site requires a Hillside CUP for development.

The following standards and criteria are required to be met for approval of Hillside CUP:

1. *The amount of terrain disturbance related to the otherwise allowable or conditioned uses for the property and the proposed mitigation efforts;*

The primary terrain disturbance associated with the project is related to the decision to build some of the lower buildings into the hillside up to about 25 feet. The upper units are located on relatively flat ground and, compared to the Sketch Plan, the units disturb less of the hillside and have been shifted several feet toward the rear property line. While the applicant could certainly reduce the amount of land disturbance by moving the units closer to the road and/or reducing the number of units, staff finds that the amount of proposed land disturbance does not appear to be excessive based on the preliminary slope stability study that indicates that any negative impacts should be able to be mitigated through proper building and site design. The fact that the proposed buildings are embedded into the hillside and will act to support the hillside (rather than leaving an exposed and unsupported slope), will likely help maintain the long-term integrity of the slope. Furthermore, any site disturbance will need to meet all of the grading requirements to the satisfaction of the Town Engineer. Finally, as noted below in more detail, staff finds that based on the final slope analysis provided in the geotechnical report, that the amount of soil disturbance does not create any potential hazards provided the recommended construction methods are followed according to the report.

2. *Retention or replacement of native, existing vegetation consistent with any proposed lawful use of the property;*

Because the vast majority of slope is a manmade fill slope, the vegetation on the slope is largely disturbed and compromised, with little native grassland vegetation. Only a small area of native xeric

shrub exists on the upper level. Given these conditions, the amount of vegetation proposed to be impacted will be consistent with any proposed lawful use of the property as conditioned by staff.

3. *Mitigation measures for mitigating impacts on wildlife or crucial winter range; and*

The applicant has provided an environmental report from Biota Research and Consulting that analyses the potential impacts to wildlife from the proposed project. The report states that the project site is located within mapped crucial winter range for mule deer but that there have not been any direct observations of deer on the site from field surveys. However, deer tracks in the snow were observed by the consultant on a recent site visit. It appears then that the site is mostly used as a movement corridor for deer to travel to other locations. The site is not crucial winter range for elk or moose. The report concludes that because the site has little forage suitable for deer, is used by deer mostly as an infrequent movement corridor, and that the proposed project is confined mostly to previously disturbed areas, that “no negative impacts to mule deer, their crucial habitat, or crucial movement corridors are expected to result from the proposed action.” Staff finds that the project is consistent with this Hillside CUP standard.

4. *Mitigation measures for avoiding or minimizing visual impacts, subsurface, and any other natural hazards associated with hillside development.*

Visual analysis: The applicant has provided a visual analysis of the proposed development. On the lower level, the units will be set into the base of the hillside in a manner that the rising hillside behind them will help minimize their perceived mass. For the upper units, while they will be elevated approximately 35’ above the lower building pad, they do not skyline and will have the large hillside behind them as a backdrop to minimize their perceived mass. Also, because the lower units are proposed to be approximately 35’ in height, it appears that the first story of the upper units may be largely blocked by the lower units as viewed from the street, further reducing the visual impact of the upper units. In addition, proposed landscaping along the landscape berm and on the hillside will help to soften the visual impacts of the proposed buildings.

Geotechnical study: Jorgensen Associates provided a final geotechnical and slope stability analysis of the proposed site. Prior to commencing the site-specific testing, the applicant met with Landslide Technology to ensure the methodology and scope of work was sufficient in its approach and thoroughness. The study provided site-specific data estimating the likely slope stability, seismic, and other associated risks of developing the applicant’s property. The study’s conclusion is that the slopes do not present any ‘red flags’ or obviously high risks to developing the site. In addition, no landslide conditions were evident. Jorgensen Associates has since reviewed the third-party comments and provided a response to the Town resulting in an addendum to the original report to fix any needed changes/recommendations. The response from Jorgensen (attached) was reviewed by the Town of Jackson Engineering Department who further provided a written confirmation of their satisfaction and comfort with the level of detail and proposed addendum.

Staff finds that the project, as conditioned by staff, is consistent with this Hillside CUP standards for visual and geotechnical impacts for Development Plan.

Utilities & Infrastructure – Sewer and Water

At the September 19th and October 3rd, 2016, Town Council workshop, staff presented a request from the applicant requesting that the Town of Jackson pay for and install off-site water and sewer infrastructure for the proposed development (October 3, 2016 staff report attached). At these meetings, staff provided an overview of the project, existing Town utilities, and necessary improvements to bring Town sewer and water

to the site. In addition, staff provided an overview of the affordable/employee housing requirements for the development as well as the applicant's proposal to meet/exceed their affordable/employee housing requirements.

The applicant is requesting that the Town pay approximately \$371,250.00 to install off-site sewer (\$245,625) and water (\$125,625) infrastructure associated with the Westview Townhomes development prior to issuance of a certificate of occupancy for any portion of the development (approximately September 1, 2017). The money would come from the Town's water and sewer funds. After a lengthy discussion at the October 3, 2016 Town Council workshop, the Council generally agreed that the Town is responsible to bring water to the site and directed staff (Public Works) to go ahead and move forward with the necessary surveying for the water portion of the improvements. Approval of this application will direct staff to work with the applicant to prepare a development agreement which will be presented before the Town Council for review at a later time.

The development agreement will also include sewer improvements, however the outcome of that discussion has not yet been concluded. The sewer discussion was not resolved because the site currently is served by a forced main which some of the Council felt was sufficient for the applicant to connect to. Knowing that the applicant preferred a gravity fed system, the remaining question was whether a new gravity line should be installed knowing that the new system will adequately serve adjacent properties too as they redevelop in the future. The Council entertained the idea of doing a cost share agreement with the applicant for a new gravity system, but no formal recommendation was made. If the Council is not willing to cost share for a new gravity system, the applicant will need to invest a minimum of \$50,000 toward the on-site 'storage and dosing' system that would allow use of the existing forced main. Rather than spend that money on infrastructure to use the existing system, the applicant prefers to put that money toward a new gravity line provided the Town agrees to cover the remainder of the cost. This would bring the Town's portion of the cost down from the original \$245,625 to approximately \$195,625. Staff is seeking direction on this matter of whether the Town is willing to accept the \$50,000 from the applicant and move forward with a cost share arrangement for a new gravity sewer system. Acceptance of a cost share agreement will be addressed in the development agreement which will come before the Town Council for review at a later time. It should be noted that regardless of whether the applicant uses the existing system or a new one, the applicant will be responsible to pay between \$80,000 & \$100,000 in sewer capacity fees.

Options:

Option #1

- Council chooses to pay all off-site infrastructure costs for water which is approximately \$125,625.00, determining that it is the responsibility of the Town to provide Town water to all properties located in the Town corporate limits, based upon the level of development allowed through Town zoning.
- However, the applicant will be responsible to either utilize the existing forced main or pay all off-site infrastructure costs for a new gravity sewer system which is approximately \$245,625.00.

Option #2

- Council chooses to pay all off-site infrastructure costs for water which is approximately \$125,625.00, determining that it is the responsibility of the Town to provide Town water to all properties located in the Town corporate limits, based upon the level of development allowed through Town zoning.
- Furthermore, the Council chooses to accept the \$50,000.00 from the applicant and pay the remaining balance which is approximately \$195,625.00.

A condition of approval has been added which directs staff to work with the applicant to prepare a Development Agreement based on which option the Council chooses that will be presented to Council at a later time.

Affordable/Employee Housing

The Teton County/Jackson Housing Department (TCJHD) has worked with the applicant and is supportive of the proposed housing plan to restrict more units rather than restrict the typical 25%. The result is the Town gets more units at a lesser affordability rather than less units at a higher affordability. Although the applicant is reserving the right to future subdivision (ownership), whether that be by subdividing each building POD or by subdividing individual units within each POD, the 16 units will always be subject to the restriction placed on them which requires them to be rentals and restricts owners from occupying them. The end user is not affected either way.

The following was taken directly from the Jackson Teton County Housing Department (JTCHD) comments:

According to the Jackson Teton County Housing Department (JTCHD), the proposed development of 20 condominium units will require deed-restricted housing for 9.6 persons. The 9.6 persons would normally be required to be housed in Category 1, 2, and 3 ownership units evenly distributed over the categories. However, the applicant has indicated they plan on restricting all (16) of the lower section 2-bedroom units for employee housing rentals. These 16 units will house 36 people, which is 26.4 more than the requirement. The applicant is proposing a new model with the intention of getting employers involved in housing the workforce. The restriction will not be the same as a standard Employee Housing rental unit. Rather, it will include the following:

- *The restriction shall apply to the lower 16, 2-bedroom units only.*
- *Restricted units will be master leased to businesses to be used as housing for their employees or other employees working in Teton County.*
- *No more than 3 unrelated people in a 2 bedroom unit per TOJ regulations.*
- *Master Leases to businesses shall be market rate.*
- *Rents shall be determined & negotiated by the Owner and the Employer based on local market rate rents.*
- *The business holding the master lease shall be responsible for meeting the Employee workforce regulations of the units.*
- *At least 1 person occupying the unit must be employed full time in Teton County.*
- *Rents charged to Employees (occupants) may not exceed the rents being charged to the business holding the master lease.*
- *Owners of the business who master lease the units shall not occupy the rental units.*
- *Businesses who master lease the units will keep records of employees occupying the units for 2 years.*
- *This Restriction can be modified with the approval of the Housing Department & Planning department without Town Council Approval.*

The terms of the new Employee Deed Restriction will not include the following;

- *Rent rates shall not be regulated by the Housing Department or HUD.*
- *This restriction does not apply to the upper 3-bedroom units.*

Development Exactions

The applicant has stated their intent to subdivide for individual ownership, however the park & school exaction requirements do not apply at this time. If in the future the applicant/owner chooses to subdivide the

units, then the property will be subject to the park and school exactions in Section 7.5.2: Park Exactions and Section 7.5.3: School Exactions.

PUBLIC COMMENT

Staff has received public comment (see attached letter) from a property owner with concerns related to the density of the project, traffic and access.

PLANNING COMMISSION

The Planning Commission met on September 21, 2016 to review the proposed Development Plan and Hillside CUP and unanimously recommended approval to Town Council. There were no conditions of approval added beyond what staff presented, and the conditions that were presented were found to be satisfactory in addressing any major concerns. During the meeting, the Commissioners felt that the applicant had adequately addressed the previous conditions of approval and overall were satisfied with the final product. There was a discussion related to the amount of parking that was reduced and whether 15-18 spaces was enough to accommodate the entire site. The trade-off of less parking for less hillside disturbance was found to be a good decision by the developer even though some reservations about parking remained. Other points of discussion included the change in exterior color of the buildings from a grey metal to a brown earth-tone metal. Generally the Commissioners favored the grey over the brown but added no conditions of approval to change it. Pedestrian access was also brought up as it was, and is, a remaining concern for how pedestrians will safely walk to and from the site with the limited off-site improvements. The Commissioners agreed with staff that this situation is a safety concern, but also recognized that the responsibility of the property owner was limited to making such improvements only on the subject site.

STAFF FINDINGS

Item A: Development Plan. All Development Plan proposals may be approved only if all of the following findings are made:

1. *The proposed project is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan.*

Complies. The proposed application is located in Character District #4 Midtown, specifically Sub-area 4.2 Northern Hillside of the 2012 Comprehensive Plan. In order to review the application for conformance with the Comprehensive Plan, staff has reviewed the Policy Objectives for District 4 as follows:

Common Value 1: Ecosystem Stewardship

Policy 1.1.c: Design for wildlife permeability

Complies. Staff finds that the proposed project is designed for wildlife permeability based on the Environmental Analysis conducted by Biota Research and Consulting. The research and analysis addressed any/all potential environmental concerns in the site plan and it is not anticipated to have significant adverse impacts on the ability of deer to move through the site.

Common Value 2: Growth Management

Policy 4.1.b: Emphasize a variety of housing types, including deed-restricted housing

Complies. As conditioned, staff finds that by providing a combination of ownership and deed restricted employee units, the project is providing a much-needed type of housing product lacking in the community. In addition, the applicant has committed to deed restricting 16 of the 20 units as employee housing which is above and beyond the requirements of the LDRs and further addresses a critical affordable housing need in the community.

Policy 4.1.d: Maintain Jackson as the economic center of the region

Not applicable.

Policy 4.2.c: Create vibrant walkable mixed use subareas

Complies. Although the property is located on the outer edge of Town not close to major pedestrian corridors, the project is envisioned to have some pedestrian use and need to access nearby amenities, such as START, the grocery store, restaurants, and services. Based on a previous condition of approval, the applicant has worked with Pathways to find a solution toward the absence of safe, walkable access between the site and the Y-intersection. The applicant is providing a 6' wide pedestrian sidewalk connecting from the site's parking lot to the southeast corner of the property where it meets up adjacent to the existing one-way cycletrack. Pathways has reviewed the proposal and is satisfied that the 6' wide detached sidewalk was added.

Policy 4.3.a: Preserve and enhance stable areas

Not applicable.

Policy 4.3.b: Create and develop transitional areas

Complies. As conditioned, staff finds that the proposed development will revitalize a currently underdeveloped site in a prominent entry location to the Town. The proposed project is located within a transitional area and staff finds the development to be consistent with the desired future vision described for Subarea 4.2 by adding needed housing to the community.

Policy 4.4.b: Enhance Jackson gateways

Complies. The proposed development will enhance Jackson's gateways through redevelopment of a site that has for many years been underdeveloped and visually unimpressive. This is one of the first and most visible sites as you enter the Town from Highway 22 and the proposed development will significantly improve the visual appearance from its existing condition as a car rental site. Staff finds that the quality design and the placement of the buildings provides an aesthetically pleasing look and feel, especially as two of the PODs are pushed up toward the highway creating a semi-street wall which is helpful for traffic calming.

Policy 4.4.d: Enhance natural features in the built environment

Complies. Staff finds that the proposed development does enhance natural features in the built environment. Specifically staff is able to make the necessary finding required for a Hillside CUP which is designed to protect our steep slopes from the impacts of development.

Common Value 3: Quality of Life

Policy 5.2.d: Encourage deed-restricted rental units

Complies. The proposed project has gone above and beyond by deed restricting a total of 16 units which houses 26.4 more people than the minimum requirement.

Policy 5.3.b: Preserve existing workforce housing stock

Not applicable.

Policy 6.2.b: Support businesses located in the community because of our lifestyle

Not applicable.

Policy 6.2.c: Encourage local entrepreneurial opportunities

Not applicable.

Policy 7.1.c: Increase the capacity for use of alternative transportation modes

Complies. Staff finds that the proposed project does increase the capacity for use of alternative transportation modes such as pathways and the START bus. A bike path runs adjacent to Highway 22 and the closest bus stop at Buffalo Junction is approximately .3 miles away. The site is also located within walking distance to banking, restaurants, a grocery store and the post office. In addition, the proposed 6' sidewalk is one step in the right direction toward encouraging a safe means of pedestrian access to the Y-intersection.

Policy 7.2.d: Complete key Transportation Network Projects to improve connectivity

Not applicable.

Policy 7.3.b: Reduce wildlife and natural and scenic resource impacts

Complies. According to the Environmental Analysis done for the site, no significant negative impacts to mule deer, their crucial habitat, or crucial movement corridors are expected to result from the proposed action. No significant impacts to other natural resources, such as wetlands, watercourses, are anticipated either. Furthermore, based on the submitted visual analysis, the proposed project should not have any skylining impacts or other major adverse visual impacts given the hillside location. Staff finds the proposed project is consistent with this policy.

In addition, staff finds that the application should be reviewed for consistency specifically with subarea 4.2 Northern Hillside which states as follows as the desired vision for the subarea:

This TRANSITIONAL Subarea must strike a delicate balance between allowing some mixed use and residential development while maintaining wildlife permeability and the natural form of the undeveloped hillsides. A key to successful future development will be to sensitively place development in harmony with the existing terrain in order to minimize land disturbance. Development intensity in this area should be less than that found within the adjacent Midtown Highway Corridor (Subarea 4.1). Structures will be allowed up to two stories and may be configured in a variety of layouts with attached and detached units blending into the natural surroundings. Smaller building footprints will be encouraged in order to provide adequate open and/or landscaped areas. A variety of residential types, including live/work, multifamily, and duplexes, may be appropriate in this area depending on

the specific characteristics of a site and its existing topography. Low density single family housing may continue to be appropriate at the edges of this area, particularly when adjacent to existing undisturbed hillsides. Future development should address wildlife permeability and assist in guiding wildlife movement to future roadway crossings.

Complies. As conditioned, staff finds that the proposed project design, density, and quality of design is consistent with the desired vision for this transitional subarea. Although this particular development is purely residential, the subarea overall would benefit from a balance of uses. Specifically, the adjacent sites to the southeast are commercial in nature, thus by adding a residential development the overall subarea would benefit from the mixture of uses. The Comprehensive Plan also envisions the use of smaller building footprints which the applicant has done by placing multiple pods throughout the site to break up the bulk and mass. In regards to hillside sensitivity, the vision states that the placement of development should be located in such a way to reduce hillside disturbance. Staff has received the conclusions of the final slope stability analysis as part of the final Development Plan along with a third party review. No slope stability issues were found based on the proposed design. In terms of the development intensity being lesser than the adjacent Highway Midtown subarea (primarily AC zoning), staff finds that a residential use of this site will be less intense in terms of use than many of the commercial sites along the highway subarea and also less intense than the previous use of the subject site in terms of traffic generation. When comparing development intensity, staff finds that the lot coverage (building footprints) and paved surfaces is less than that of a typical AC lot. In addition, the amount of LSR provided is substantially beyond what is required on an AC zoned development. Finally, while not in the NRO, an environmental analysis was conducted and found the development to not have significant negative impacts on wildlife, their habitat or crucial movement corridors.

2. *The proposed project achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO).*

Not applicable.

3. *The proposed project does not have a have a significant impact on public facilities and services, including transportation, portable water and wastewater facilities, parks, schools, police, fire, and EMS facilities.*

Complies. As conditioned, staff finds that the proposed project is not anticipated to have adverse impacts on public facilities including Police, Fire and EMT. The applicant is coordinating with the Town Engineer to properly address stormwater runoff and to identify the necessary water and sewer service improvements to ensure available capacity to serve the development. In regards to traffic impact, one of the site's accesses will be eliminated to reduce impacts on Highway 22. A traffic analysis was conducted based off of previous uses of the property and concluded that the effects of the proposed development will not increase traffic volumes compared to existing and previous uses. A final outstanding issue regards the use of Batch Plant Road for access to the upper units and this has been addressed with a condition of approval that the applicant will need to gain the proper permits to approve this access, which may require physical improvements to the road.

4. *The proposed project complies with the Town of Jackson Design Guidelines, if applicable.*

Not applicable.

5. *The proposed project complies with all relevant standards of these LDRs and other Town Ordinances*

Complies. As conditioned, staff finds that the proposed project complies with the standards of these LDRs as the request meets all requirements such as FAR, LSR, setbacks, height, etc. In addition the project is in compliance with all other Town Ordinances.

6. *The proposed project is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.*

Complies. As conditioned, staff finds that the proposed project is in substantial conformance with the previously approved Sketch Plan and PUD.

Item B: Pursuant to Section 5.4.1.D.5 Findings for Hillside Areas of the Land Development Regulations, the following finding shall be made for the approval of a Conditional Use Permit.

1. ***Findings.** The following finding shall be made before granting a Conditional Use Permit for hillside areas: that the mitigation measures identified will be effective in mitigating any adverse impacts identified, and associated with the proposed physical development, uses, development option, or subdivision.*

Complies. Staff finds that, as conditioned for the Development Plan, the proposed mitigation measures will be effective in mitigating any adverse impacts identified with the proposed physical development and use. The final slope stability report provided by Jorgensen Associates found that the site did not present landslide or slope stability concerns. The study also received a satisfactory third party review which provided additional alternatives and recommendations for best practices related to site disturbance and installation of foundations.

In addition, Pursuant to Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations, a Hillside CUP requires that the following regular CUP findings shall be made for the approval of a Hillside CUP.

1. *The proposed project is compatible with the desired future character of the area.*

Complies. Staff finds the proposed project is compatible with the desired future character of the area as stated above in **Item A**, finding #1.

2. *The proposed projects complies with the use specific standards of Division 6.1.*

Complies. Staff finds that the proposed project complies with the use specific standards of Division 6.1. The proposal is for Attached Single-Family Residential and Apartments which are allowed uses within the UR-PUD zone.

3. *The proposed project minimizes adverse visual impacts.*

Complies. Staff finds that based on the submitted visual analysis that the proposed project will minimize adverse visual impacts through the site design and the proposed landscaping. The proposed project will constitute a major visual improvement compared to the existing site development.

4. *The proposed project minimizes adverse environmental impacts.*

Complies. Staff finds the proposed project to minimize adverse environmental impacts. An Environmental Report was prepared for the parcel and no negative impacts to wildlife are expected to

result from the project. Any potential adverse impacts have been considered and addressed with the proposed site plan.

5. *The proposed project minimizes adverse impacts from nuisances.*

Complies. Compared to the existing commercial use of the property, the proposed residential development is not anticipated to have any nuisances. In addition, noise and other impacts are anticipated to be far less than the adjacent commercial operations (rental car business, fuel storage yard, etc.).

6. *The proposed project minimizes adverse impacts on public facilities.*

Complies. Staff finds that the proposed project is not anticipated to have adverse impacts on public facilities including Police, Fire and EMT. The applicant is coordinating with the Town Engineer to properly address stormwater runoff and to identify the necessary water and sewer service improvements to ensure available capacity to serve the development. In regards to traffic impact, one of the site's accesses will be eliminated to reduce impacts on Highway 22. The site also is served by pathways, is within walking distance to START service and close to a grocery store, restaurants and banks. However, given existing deficiencies in Batch Plant Road (which is a County road), staff has conditioned the approval of the Development Plan that the applicant shall obtain an access easement and/or formal permission from Teton County to utilize Batch Plant Road to access the upper units prior to Town Council review.

7. *The proposed project complies with all other relevant standards of these LDRs and all other Town Ordinances.*

Complies. Staff finds that the proposed project complies with Town Ordinances and all relevant standards of these LDRs including use and physical development (setbacks, FAR, LSR, etc.).

8. *The proposed project is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.*

Complies. As conditioned, staff finds that the proposed project is in substantial conformance with the previously approved Sketch Plan and PUD.

ATTACHMENTS

Department Reviews
Batch Plant Road Correspondence
Infrastructure (Sewer & Water) Documents
Applicant Submittal – Hillside CUP
Applicant Submittal – Development Plan

FISCAL IMPACT

Water Improvements – Approximately \$125,625
Sewer Improvements – Approximately \$195,625 - \$50,000 (applicant's contribution) = \$195,625

STAFF IMPACT

Staff impact is typical of a development of this size.

LEGAL REVIEW

Completed.

RECOMMENDATIONS/ CONDITIONS OF APPROVAL

Item A: The Planning Director and Planning Commission recommend **approval** of a Hillside Conditional Use Permit to develop 20 residential units for the property located at 1255 W. Highway 22 subject to the department reviews and the following condition of approval:

- 1) Prior to issuance of a Grading & Erosion Control Permit & Building Permit, the applicant shall adequately address all concerns and recommendations as presented in the Geotechnical Investigation report and third-party review.

Item B: The Planning Director and Planning Commission recommend **approval** of a Development Plan to develop 20 residential units for the property located at 1255 W. Highway 22 subject to the department reviews and the following conditions of approval:

- 1) Prior to issuance of a Building Permit, the applicant shall provide a landscape bond to the Town of Jackson in the amount of 125% of the total cost for the proposed landscaping.
- 2) Prior to issuance of a Building Permit, the applicant shall obtain the necessary permit from WYDOT for all work done within the right-of-way.
- 3) Prior to issuance of Certificate of Occupancy, the applicant shall work with the Jackson Teton County Housing Department and record employee deed restrictions against the property for the proposed 16 rentals units on the lower building pad.
- 4) Prior to submittal of a Building Permit, the applicant shall revise the site plan so that the parking space located adjacent to the pedestrian path does not encroach into the drive aisle.
- 5) Prior to issuance of any development permits for the site or associated infrastructure, the applicant shall enter into a Development Agreement to provide water and sewer based upon option# ____ to be presented to Council at a later time.

SUGGESTED MOTIONS

Item A: Based upon the findings as presented in the staff report and as made by the applicant for Item P16-001, I move to make findings 1-8 as set forth in Section 8.4.2.C (Conditional Use Permit Standards) of the Land Development Regulations relating to 1) Compatibility with Future Character; 2) Use Standards; 3) Visual Impacts; 4) Minimizes adverse environmental impact; 5) Minimizes adverse impacts from nuisances; 6) Impact on Public Facilities; 7) Other Relevant Standards/LDRs; and 8) Previous Approvals for a Conditional Use Permit; and findings required by Sec. 5.4.1 Steep Slopes regarding hillside mitigation measures for a Hillside Conditional Use Permit at the property addressed at 1255 W Highway 22, subject to the department reviews attached hereto and the following condition of approval:

- 1) Prior to issuance of a Grading & Erosion Control Permit & Building Permit, the applicant shall adequately address all concerns and recommendations as presented in the Geotechnical Investigation report and third-party review.

Item B: Based upon the findings as presented in the staff report and as made by the applicant for Item P16-085, I move to make findings 1-6 as set forth in Section 8.3.2.C (Development Plan) of the Land Development Regulations relating to 1) Consistency with the Comprehensive Plan; 2) Achieves purpose of NRO & SRO overlays; 3) Impact of public facilities & services; 4) Complies with the Town's Design

Guidelines; 5) Compliance with LDRs & Town Ordinances; 6) Conformance with past permits & approvals to develop 20 residential units at the property addressed at 1255 W Highway 22, subject to the department reviews attached hereto and following conditions of approval:

- 1) Prior to issuance of a Building Permit, the applicant shall provide a landscape bond to the Town of Jackson in the amount of 125% of the total cost for the proposed landscaping.
- 2) Prior to issuance of a Building Permit, the applicant shall obtain the necessary permit from WYDOT for all work done within the right-of-way.
- 3) Prior to issuance of Certificate of Occupancy, the applicant shall work with the Jackson Teton County Housing Department and record employee deed restrictions against the property for the proposed 16 rentals units on the lower building pad.
- 4) Prior to submittal of a Building Permit, the applicant shall revise the site plan so that the parking space located adjacent to the pedestrian path does not encroach into the drive aisle.
- 5) Prior to issuance of any development permits for the site or associated infrastructure, the applicant shall enter into a Development Agreement to provide water and sewer based upon option# ____ to be presented to Council at a later time.

Project Number P16-085 **Applied** 8/2/2016 **JC**
Project Name 1255 W Highway 22 **Approved**
Type DEVPLAN **Closed**
Subtype PHYSICAL DEVELOPMENT **Expired**
Status STAFF REVIEW **Status**
Applicant Jorgensen Associates, P.C. **Owner** F.S.D. INVESTMENTS, LLC
Site Address **City** **State** **Zip**
 1255 W HIGHWAY 22 JACKSON WY 83001
Subdivision **Parcel No** **General Plan**
 22411632100008

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Building Steve Haines	APPROVED W/CONDITI	8/1/2016	8/23/2016	8/16/2016	

Project has not been reviewed for compliance with the Building and/or Fire Codes adopted by the Town of Jackson. Approval of documents for planning department application does not indicate compliance with the applicable local codes and ordinances or State Law.

Contact the Building Official for additional information as needed.

Steve Haines
Building Official
Jackson, Wyoming

Fire 8/1/2016 8/15/2016
None

Legal 8/1/2016 8/15/2016
A Cohen-Davis

Parks and Rec 8/1/2016 8/15/2016
None

Pathways APPROVED W/CONDITI 8/1/2016 8/15/2016 9/14/2016
Brian Schilling
(9/1/2016 11:38 AM TV)

The sidewalk connection looks good. They've added bike parking as well. I offered to provide some No Idling signs and requested that we make sure the short sidewalk segment connects logically to the cycle track but that the main leg also be aligned essentially parallel to the cycle track so that a future extension would be a straight shot.

Thanks,
Brian
Brian Schilling
bschilling@tetonwyo.org
307.690.9896

Type of Review Contact Notes	Status	Dates			Remarks
		Sent	Due	Received	
Planning Tyler Valentine (9/1/2016 11:38 AM TV) See staff report	APPROVED W/CONDITI	8/1/2016	8/15/2016	9/14/2016	
Police None Was surprised to hear WYDOT would allow a left turn out of the development, otherwise no concerns by me.	APPROVED W/CONDITI	8/1/2016	8/15/2016	8/9/2016	
Todd Smith					
Public Works Jeremy Parker (8/31/2016 4:32 PM JP) Plan Review Comments – APPROVED W/ CONDITIONS	APPROVED W/CONDITI	8/1/2016	8/15/2016	8/31/2016	
P16-085 Development Plan Jorgensen Associates (Owner: FSD Investments, LLC) 1255 West Highway 22					
August 31, 2016 Jeremy Parker, 733-3079 x1412					
<p>Please be advised that infrastructure improvements necessary to extend the existing Town of Jackson water system to the property are the responsibility of the developer and must be constructed to Town of Jackson and WYDEQ standards. Future upgrades to the Town of Jackson's water system to address the existing 6" water main from the connection point, back to the tie-in with the 12" water main will be the responsibility of the Town of Jackson, and completed at a later date.</p> <p>Please be advised that ongoing discussions between Town of Jackson and Spring Creek regarding the existing sanitary sewer system and the proposed connection for the development have yet to be finalized. Further discussion of this matter with Town staff is encouraged. Given the expected timeline of improvements necessary for transfer of ownership from Spring Creek to the Town of Jackson, and the determination from Spring Creek not to allow connection of the proposed development to the existing system, the Developer would be responsible for completing necessary improvements for sanitary sewer service connection if the desired timeline for completion cannot be met by Spring Creek and Town of Jackson.</p> <p>Prior to Building Permit approval, a preliminary irrigation system design (if applicable) with backflow system plan shall be provided on the plans consistent with the LDR's.</p> <p>Prior to Building Permit approval, a complete and detailed landscaping plan shall be required.</p> <p>Prior to Grading & Excavation Permit and/or Building Permit approval, a pedestrian corridor plan shall be provided for review. This shall include all dimensions and elevations in relation to existing curb and future development together with ADA compliance.</p> <p>Prior to Grading & Excavation Permit and/or Building Permit approval, all work to be completed that will connect or integrate with Town of Jackson utility systems and surface infrastructure shall be specifically addressed.</p> <p>All onsite power shall be shown as underground and location(s) of transformers indicated.</p> <p>Please be advised that failure to commence with construction activities and/or show reasonable progress within two (2) years of Building Permit approval shall result in pulling of appropriate bonds in order to abandon utility connections to Town of Jackson utility systems (Water, Wastewater, Storm Drainage) and/or repair impacted areas of the Town right-of-way or surface infrastructure.</p>					
START Janice Sowder START would like to be involved in how Public Transit would be serviced for this project (i.e. bus stop/pullouts/etc.)	APPROVED W/CONDITI	8/1/2016	8/15/2016	8/4/2016	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact TC Housing Authority Notes None To: Tyler Valentine Associate Planner, Town of Jackson Planning and Building From: Valerie Adams Housing Specialist, Teton County Housing Authority Re: Development Plan, Physical Development (P16-085) 1255 W. Highway 22 Date: August 24, 2016	APPROVED W/CONDITI	8/1/2016	8/15/2016	8/24/2016	

The applicant is requesting a Development Plan, Physical Development, specifically 20 town home units for the property located on 1255 w. Highway 22, legally known as PT SW1/4/NE1/4/, SEC.32, TWP.41, RNG.116. Jackson Teton County Affordable Housing Department (Housing Department) staff's review is based on Division 7.4 of the Town of Jackson Land Development Regulations (LDRs).

TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REVIEW

AFFORDABLE HOUSING MITIGATION PLAN (DIVISION 7.4): This project will consist of (16) sixteen, 960 sf, 2-bedroom units on the lower section of the property, as well as (4) four 1500 sf 3-bedroom units on the upper portion of the property.

Housing Requirement: Section 7.4.2.E of the LDRs states the affordable housing standards for all residential development including condominium and townhouses shall consist of at least a 1:4 ratio of affordable housing to free market housing, as determined by the following formula.

Section 7.4.2.E.1 of the LDRs indicates that a two-bedroom unit houses 2.25 persons and a three-bedroom unit houses 3 persons.
 16 (number of 2-bedroom units proposed) X 2.25 (number of persons to be housed requirement) = 36 (projected population).
 4 (number of 3-bedroom units proposed) X 3.00 (number of persons to be housed requirement) = 12 (projected population).
 Total projected population = 36 + 12 = 48 X .20 (multiplier) = 9.6 persons (required to be housed).

The 9.6 persons would normally be required to be housed in Category 1, 2, and 3 ownership units evenly distributed over the categories. However, the applicant has indicated they plan on restricting all (16) of the lower section 2-bedroom units for employee housing rentals. These 16 units will house 36 people, which is 26.4 more than the requirement. While the community has a high need for Category 1, 2, and 3 ownership units, there is also a high need for rental units. The applicant is proposing a new model with the intention of getting employers involved in housing the workforce. The restriction will not be the same as a standard Employee Housing rental unit. Rather, it will include the following:

- The restriction shall apply to the lower 16 2-bedroom units only.
- Restricted units will be master leased to businesses to be used as housing for their employees or other employees working in Teton County.
- No more than 3 unrelated people in a 2 bedroom unit per TOJ regulations.
- Master Leases to businesses shall be market rate.
- Rents shall be determined & negotiated by the Owner and the Employer based on local market rate rents.
- The business holding the master lease shall be responsible for meeting the Employee workforce regulations of the units.
- At least 1 person occupying the unit must be employed full time in Teton County.
- Rents charged to Employees (occupants) may not exceed the rents being charged to the business holding the master lease.
- Owners of the business who master lease the units shall not occupy the rental units.
- Businesses who master lease the units will keep records of employees occupying the units for 2 years.
- This Restriction can be modified with the approval of the Housing Department & Planning department without Town Council Approval.

The terms of the new Employee Deed Restriction will not include the following;

- Rent rates shall not be regulated by the Housing Department or HUD.
- This restriction does not apply to the upper 3-bedroom units.

Type of Review	Status	Dates			
		Sent	Due	Received	Remarks
Contact					
Notes					
It is important to note that the owners reserve the right to sell the property in part as individual units, buildings or as a whole in the future. The Special Restriction will be recorded and stay attached to the property in perpetuity.					
Section 7.4.2.H.1.b of the LDRs allows an applicant to submit an independent calculation requesting modification to the mix of affordable housing to be provided by the development pursuant to F.1.d.ii.					
Section 7.4.2.H.1.b states that the independent calculation shall be supported by local data and analysis, surveys, and/or other supporting materials that provide competent substantial evidence supporting the proposed modifications.					
The community has several reports and studies that have been done stating that the community has a need for workforce rental housing.					
The housing department sees this model as a good way to get workforce rental housing on the ground, which is more than the normal requirement. It is also good for the community because it is a way for employers to become involved with housing their employees. It is also in line with newly adopted Housing Action Plan which calls for a variety in housing mitigation. It is a new model so it will need to be monitored to measure how it is working. The housing department will work with the applicant to finalize the restriction for these units.					
Thank you for the opportunity to review this application. Please contact me with any questions.					
WYDOT	APPROVED W/CONDITI	8/1/2016	8/15/2016	9/13/2016	
<none>					
(9/7/2016 8:53 AM TV)					
Tyler,					
Thank you for the opportunity to comment. WYDOT has no objections for the proposed development but offer the following comments:					
For any work within the WYO 22 right-of-way; i.e. landscaping, utility, access etc. will require the appropriate permit. More detail shall be provided for review; details on pathway modifications, driveway width, and landscaping that does not obstruct roadway signs and/or driveway sight distance. Permits will be issued after approval of the development.					
If a traffic study is required, it shall be in accordance with WYDOT's Traffic Impact Study minimum requirements or equal. Any costs for performing the study and traffic mitigation measures as a result of the study shall be the responsibility of the developer. The TIS shall be submitted by a licensed professional engineer in the state of Wyoming with experience in the field of traffic/transportation engineering. One issue that may need to be addressed, but not necessarily mitigated; it is expected that residents will face relatively high traffic volumes and minimal gap availability in the traffic stream while entering/exiting WYO 22. This may mean the investigation of alternative internal means of access via adjacent landowners or via other public rights-of-ways.					
If you have any questions or concerns, please contact me.					
Darin Kaufman, P.E., PTOE WYDOT District 3 Traffic Engineer 3200 Elk Street Rock Springs, WY 82902 Office: 307.352.3034 Cell: 307.389.0235					

Project Number	P16-001	Applied	1/7/2016	JC
Project Name	1255 W Hwy 22 Westview Townhomes	Approved		
Type	CUP	Closed		
Subtype	APARTMENT	Expired		
Status	STAFF REVIEW	Status		
Applicant	Jorgensen Associates, P.C.	Owner	F.S.D. INVESTMENTS, LLC	
Site Address		City	State	Zip
1255 W HIGHWAY 22		JACKSON	WY	83001
Subdivision		Parcel No	General Plan	
		22411632100008		

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes Building Steve Haines	APPROVED W/CONDITI	1/7/2016	1/28/2016	1/29/2016	

Project has not been reviewed for compliance with the Building and/or Fire Codes adopted by the Town of Jackson. Approval of documents for planning department application does not indicate compliance with the applicable local codes and ordinances or State Law.

Contact the Building Official for additional information as needed.

Steve Haines
 Building Official
 Jackson, Wyoming

Fire	APPROVED	1/7/2016	1/28/2016	1/7/2016	
None					
MEMO					

TO: Tyler Valentine, Associate Planner
 Steve Haines, Building Official

FROM: Kathy Clay, Fire Marshal

DATE: January 7, 2016

SUBJECT: Conditional Use Permit
 1255 W. Highway 22
 P16-001

This office has received the CUP for development on a parcel with slopes in excess of 10% grade.

No further comments at this time.

Please feel free to contact me if you have any further questions at kclay@tetonwyo.org 307-733-4732.

Legal	APPROVED	1/7/2016	1/28/2016	1/27/2016	
A Cohen-Davis					

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes Parks and Rec None		1/7/2016	1/28/2016		
.....					
Pathways Brian Schilling P16-001 1255 W. Highway 22 The sidewalk connection looks good. They've also added bike parking. I offered to provide some No Idling signs and requested that we make sure the short sidewalk segment connects logically to the cycle track but that the main leg also be aligned essentially parallel to the cycle track so that a future extension would be a straight shot. Thanks, Brian Brian Schilling bschilling@tetonwyo.org 307.690.9896	APPROVED W/CONDITI	1/7/2016	1/28/2016	1/22/2016	
.....					
Planning Tyler Valentine (4/13/2016 3:07 PM TV) See staff report.	APPROVED W/CONDITI	1/7/2016	1/28/2016	4/13/2016	
.....					
Police None Was surprised to hear WYDOT would allow a left turn out of the development, otherwise no concerns by me. Todd Smith	APPROVED W/CONDITI	1/7/2016	1/28/2016	1/19/2016	
.....					
Public Works Jeremy Parker	APPROVED W/CONDITI	1/7/2016	1/28/2016	1/29/2016	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact Notes (8/31/2016 4:32 PM JP) Plan Review Comments – APPROVED W/ CONDITIONS P16-001 Conditional Use Permit Jorgensen Associates (Owner: FSD Investments, LLC) 1255 West Highway 22 Jeremy Parker, 733-3079 x1412					
<p>Please be advised that infrastructure improvements necessary to extend the existing Town of Jackson water system to the property are the responsibility of the developer and must be constructed to Town of Jackson and WYDEQ standards. Future upgrades to the Town of Jackson's water system to address the existing 6" water main from the connection point, back to the tie-in with the 12" water main will be the responsibility of the Town of Jackson, and completed at a later date.</p> <p>Please be advised that ongoing discussions between Town of Jackson and Spring Creek regarding the existing sanitary sewer system and the proposed connection for the development have yet to be finalized. Further discussion of this matter with Town staff is encouraged. Given the expected timeline of improvements necessary for transfer of ownership from Spring Creek to the Town of Jackson, and the determination from Spring Creek not to allow connection of the proposed development to the existing system, the Developer would be responsible for completing necessary improvements for sanitary sewer service connection if the desired timeline for completion cannot be met by Spring Creek and Town of Jackson.</p> <p>Prior to Building Permit approval, a preliminary irrigation system design (if applicable) with backflow system plan shall be provided on the plans consistent with the LDR's.</p> <p>Prior to Building Permit approval, a complete and detailed landscaping plan shall be required.</p> <p>Prior to Grading & Excavation Permit and/or Building Permit approval, a pedestrian corridor plan shall be provided for review. This shall include all dimensions and elevations in relation to existing curb and future development together with ADA compliance.</p> <p>Prior to Grading & Excavation Permit and/or Building Permit approval, all work to be completed that will connect or integrate with Town of Jackson utility systems and surface infrastructure shall be specifically addressed.</p> <p>All onsite power shall be shown as underground and location(s) of transformers indicated.</p> <p>Please be advised that failure to commence with construction activities and/or show reasonable progress within two (2) years of Building Permit approval shall result in pulling of appropriate bonds in order to abandon utility connections to Town of Jackson utility systems (Water, Wastewater, Storm Drainage) and/or repair impacted areas of the Town right-of-way or surface infrastructure.</p>					
START Janice Sowder (9/14/2016 4:37 PM TV) START would like to be involved in how Public Transit would be serviced for this project (i.e. bus stop/pullouts/etc.)	APPROVED W/CONDITI	1/7/2016	1/28/2016	9/14/2016	
TC Housing Authority None	APPROVED W/CONDITI	1/7/2016	1/28/2016	1/29/2016	

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact					
Notes					
To: Tyler Valentine					
Associate Planner, Town of Jackson Planning and Building					
From: Valerie Adams					
Housing Specialist, Teton County Housing Authority					
Re: Conditional Use Permit (P16-001)					
1255 W. Highway 22					
Date: August 24, 2016					

The applicant is requesting a Development Plan & CUP, specifically 20 town home units for the property located on 1255 w. Highway 22, legally known as PT SW1/4/NE1/4/, SEC.32, TWP.41, RNG.116. Jackson Teton County Affordable Housing Department (Housing Department) staff's review is based on Division 7.4 of the Town of Jackson Land Development Regulations (LDRs).

TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REVIEW

AFFORDABLE HOUSING MITIGATION PLAN (DIVISION 7.4): This project will consist of (16) sixteen, 960 sf, 2-bedroom units on the lower section of the property, as well as (4) four 1500 sf 3-bedroom units on the upper portion of the property.

Housing Requirement: Section 7.4.2.E of the LDRs states the affordable housing standards for all residential development including condominium and townhouses shall consist of at least a 1:4 ratio of affordable housing to free market housing, as determined by the following formula.

Section 7.4.2.E.1 of the LDRs indicates that a two-bedroom unit houses 2.25 persons and a three-bedroom unit houses 3 persons.
 $16 \text{ (number of 2-bedroom units proposed)} \times 2.25 \text{ (number of persons to be housed requirement)} = 36 \text{ (projected population)}$
 $4 \text{ (number of 3-bedroom units proposed)} \times 3.00 \text{ (number of persons to be housed requirement)} = 12 \text{ (projected population)}$
 $\text{Total projected population} = 36 + 12 = 48 \times .20 \text{ (multiplier)} = 9.6 \text{ persons (required to be housed)}$.

The 9.6 persons would normally be required to be housed in Category 1, 2, and 3 ownership units evenly distributed over the categories. However, the applicant has indicated they plan on restricting all (16) of the lower section 2-bedroom units for employee housing rentals. These 16 units will house 36 people, which is 26.4 more than the requirement. While the community has a high need for Category 1, 2, and 3 ownership units, there is also a high need for rental units. The applicant is proposing a new model with the intention of getting employers involved in housing the workforce. The restriction will not be the same as a standard Employee Housing rental unit. Rather, it will include the following:

- The restriction shall apply to the lower 16 2-bedroom units only.
- Restricted units will be master leased to businesses to be used as housing for their employees or other employees working in Teton County.
- No more than 3 unrelated people in a 2 bedroom unit per TOJ regulations.
- Master Leases to businesses shall be market rate.
- Rents shall be determined & negotiated by the Owner and the Employer based on local market rate rents.
- The business holding the master lease shall be responsible for meeting the Employee workforce regulations of the units.
- At least 1 person occupying the unit must be employed full time in Teton County.
- Rents charged to Employees (occupants) may not exceed the rents being charged to the business holding the master lease.
- Owners of the business who master lease the units shall not occupy the rental units.
- Businesses who master lease the units will keep records of employees occupying the units for 2 years.
- This Restriction can be modified with the approval of the Housing Department & Planning department without Town Council Approval.

The terms of the new Employee Deed Restriction will not include the following;

- Rent rates shall not be regulated by the Housing Department or HUD.
- This restriction does not apply to the upper 3-bedroom units.

It is important to note that the owners reserve the right to sell the property in part as individual units, buildings or as a whole in the

Type of Review	Status	Dates			Remarks
		Sent	Due	Received	
Contact					
Notes					
					future. The Special Restriction will be recorded and stay attached to the property in perpetuity.
					Section 7.4.2.H.1.b of the LDRs allows an applicant to submit an independent calculation requesting modification to the mix of affordable housing to be provided by the development pursuant to F.1.d.ii.
					Section 7.4.2.H.1.b states that the independent calculation shall be supported by local data and analysis, surveys, and/or other supporting materials that provide competent substantial evidence supporting the proposed modifications.
					The community has several reports and studies that have been done stating that the community has a need for workforce rental housing.
					The housing department sees this model as a good way to get workforce rental housing on the ground, which is more than the normal requirement. It is also good for the community because it is a way for employers to become involved with housing their employees. It is also in line with newly adopted Housing Action Plan which calls for a variety in housing mitigation. It is a new model so it will need to be monitored to measure how it is working. The housing department will work with the applicant to finalize the restriction for these units.
					Thank you for the opportunity to review this application. Please contact me with any questions.
WYDOT	APPROVED W/CONDITI	1/7/2016	1/28/2016	1/29/2016	
<none>					
					(1/29/2016 10:39 AM TV)
					Tyler,
					Thank you for the opportunity to comment. WYDOT has no objections for the proposed development but offer the following comments:
					For any work within the WYO 22 right-of-way; i.e. landscaping, utility, access etc. will require the appropriate permit. More detail shall be provided for review; details on pathway modifications, driveway width, and landscaping that does not obstruct roadway signs and/or driveway sight distance. Permits will be issued after approval of the development.
					If a traffic study is required, it shall be in accordance with WYDOT's Traffic Impact Study minimum requirements or equal. Any costs for performing the study and traffic mitigation measures as a result of the study shall be the responsibility of the developer. The TIS shall be submitted by a licensed professional engineer in the state of Wyoming with experience in the field of traffic/transportation engineering. One issue that may need to be addressed, but not necessarily mitigated; it is expected that residents will face relatively high traffic volumes and minimal gap availability in the traffic stream while entering/exiting WYO 22. This may mean the investigation of alternative internal means of access via adjacent landowners or via other public rights-of-ways.
					If you have any questions or concerns, please contact me.
					Thanks and Happy Holidays,
					Darin Kaufman, P.E., PTOE WYDOT District 3 Traffic Engineer 3200 Elk Street Rock Springs, WY 82902 Office: 307.352.3034 Cell: 307.389.0235

Tyler Valentine

From: Amy Ramage <aramage@tetonwyo.org>
Sent: Wednesday, October 12, 2016 5:03 PM
To: Tyler Valentine
Cc: Reed Armijo; Sean O'Malley
Subject: Re: Batch Plant Road

Tyler
I will be issuing the RER soon that will be approval with several conditions as I still have things to work out with fire and SAR.

Unfortunately I am dealing with a serious health issue with my husband and have had to make an emergency trip to salt lake so it won't be completed before next week. Hopefully this gives you enough info to go on for the moment. Sorry for the delay.

Amy

On Oct 7, 2016, at 9:10 AM, Tyler Valentine <TV Valentine@townofjackson.com> wrote:

Thank you Amy. I look forward to seeing it when it comes in.

-Tyler V

From: Amy Ramage [<mailto:aramage@tetonwyo.org>]
Sent: Thursday, October 06, 2016 3:36 PM
To: Tyler Valentine <TV Valentine@townofjackson.com>
Subject: RE: Batch Plant Road

Just got comments back late yesterday from plan review committee. I'll get it to you ASAP, but can't promise exactly when. About 50 brushfires on my plate...

From: Tyler Valentine [<mailto:TV Valentine@townofjackson.com>]
Sent: Thursday, October 06, 2016 11:54 AM
To: Amy Ramage <aramage@tetonwyo.org>
Subject: Batch Plant Road

Hey Amy,

I am just putting my staff report together for the Westview Townhomes which is due Wednesday next week. Just checking in to see what the status is for the Road Exception Request on the good ol Batch Plant Road!

Thanks,

TYLER VALENTINE
ASSOCIATE PLANNER
TOWN OF JACKSON
P.O. Box 1687
JACKSON, WYOMING 83001

(P) (307)733-0440

(F) (307)734-3563

TVALENTINE@TOWNOFJACKSON.COM

WWW.TOWNOFJACKSON.COM

<image001.jpg>



TOWN OF JACKSON TOWN COUNCIL AGENDA DOCUMENTATION

PREPARATION DATE: September 26, 2016 **SUBMITTING DEPARTMENT:** Planning / Public Works
MEETING DATE: October 3, 2016 **DEPARTMENT DIRECTOR:** Larry Pardee / Tyler Sinclair
PRESENTER: Larry Pardee / Tyler Sinclair

SUBJECT: Westview Townhomes Development (1255 West Highway 22) Utility Request

STATEMENT/PURPOSE

To consider a request for the Town to pay for (from the Town Water and Sewer funds) and install approximately \$371,250.00 of off-site sewer and water infrastructure associated with the Westview Townhomes development located at 1255 West Highway 22 prior to issuance of a certificate of occupancy for any portion of the development (approximately September 1, 2017).

BACKGROUND/ALTERNATIVES

At the September 19, 2016, Town Council workshop this item was presented for Council consideration. Staff provided an overview of the existing Town and private utilities in the vicinity of the project and options for providing the development with sewer and water. Council made a motion to direct staff to bring back an analysis of the proposed type and amount of restricted housing for the site. In addition, Council also discussed how best to compare different projects making similar requests of the Town.

Following, staff has provided again an overview of the project, and existing Town utilities and necessary improvements to bring Town sewer and water to the site. In addition, staff has provided an overview of the affordable/employee housing requirements for the development as well as the applicant's proposal to meet/exceed their affordable/employee housing requirements. Finally staff has provided some direction on how to evaluate this request and possible options for consideration.

Project Overview

Westview Townhomes is a proposed residential Planned Unit Development (PUD) consisting of 20-townhome units on 1.1 acres located on the periphery of the corporate limits to the Town of Jackson. Staff finds that the property owner is entitled to connection to Town of Jackson potable water and sanitary sewer utility systems as part of the development. The Planning application (Development Plan) for final consideration by Council is scheduled for Council review on October 17, 2016.

Water System

The Town of Jackson's potable water system currently runs along the north side of West Broadway Avenue (US Hwy 26, 89, 189, 191) and around the corner along West Highway 22 to a point approximately 335 feet southeast of the property corner. This is the proposed connection point for extension of the water main to the development. The existing water main is 6" ductile iron pipe and is a "dead-end" main line. The development proposal, in its current form, is able to temporarily meet fire flow demand at an acceptable level through provision of new fire hydrants and use of fire sprinklers within the buildings. Future capacity upgrades to the Town of Jackson's water system to address the existing 6" water main from the connection point, back to the tie-in with the 12" water main, approximately 1125' east along the highway, will be the responsibility of the

Town of Jackson and completed at a later date. These improvements will be necessary to meet DEQ and fire flow requirements. A potential opportunity may also exist for a future connection of the existing system terminus through Budge Drive, allowing the water system to “loop”. This would be the desired outcome if the opportunity were to present itself and if utility easements were to be granted by property owners.

The necessary water system improvements to bring Town water to the property line would cost approximately \$245,625.00.

Sewer System

The Town of Jackson’s sanitary sewer system currently runs along the north side of West Broadway (US Hwy 26,89,189,191) and around the corner along West Highway 22, to a manhole located approximately 655 feet southeast of the property corner. The applicant is requesting that the gravity system be extended to the property from the manhole located 655 linear feet southeast, thus eliminating the need for an on-site “storage and dosing” system. Potential benefits of this proposal would be greater ability to maintain and clean the sewer mains, opportunity for future development of nearby properties to connect to the sewer main, and the potential to eliminate a downstream section of the existing force main.

As previously discussed at the September 19 workshop, there is also a “force main”, owned by Spring Creek Ranch, which conveys wastewater from Spring Creek Ranch, Amangani, and Jackson Golf and Tennis (with proposed future connection of the Airport) past the frontage of the property. The property is currently connected to this force main belonging to Spring Creek Ranch. The Town of Jackson and Spring Creek Ranch have agreed through an MOU regarding transfer of ownership of the force main and associated sections of the sanitary sewer system in the vicinity once improvements have been completed. The Town of Jackson will be taking ownership of the force main as per the approved MOU, the proposed development could utilize the existing connection to the force main through use of an on-site “storage and dosing” system. The applicant is no longer requesting connection to this system at this time.

The necessary sewer system improvements to bring the Town gravity sewer system to the property line would cost approximately \$125,625.00.

Staff notes that in order for the Town to complete the necessary surveying, design work, bid documents, bid procedures and actual construction of the improvements prior to September 1, 2017, staff would request Council direction and funding as soon as possible. Alternatively the applicant could construct the required infrastructure to Town standards and request that the Town accept them as Public utilities and taken on maintenance and upkeep or the applicant could construct the required infrastructure as private.

Affordable/Employee Housing

The proposed development of 20 condominium units requires the applicant to provide affordable deed-restricted housing for 9.6 persons. The 9.6 persons would normally be required to be housed in Category 1, 2, and 3 ownership units evenly distributed over the categories. The applicant has proposed an independent calculation as allowed under the Land Development Regulations requesting a modification to the number of occupants, housing mix and percent of set aside. Specifically the applicant is proposing to restrict 16, 2-bedroom units for employee housing rentals. These 16 units will house 36 people, which is 26.4 more than the requirement. Please see below a comparison of the standard 25% affordable housing requirement and the applicant’s independent calculation.

	Affordable 25% Requirement	Applicant’s Independent Calculation
Person Housed	9.6	36
Type of Restriction	Affordable	Employee Rental
Affordability	Category 1, 2 & 3 50% to 120% AMI	No rental price maximum, see requirements below No AMI restrictions

The applicant is proposing a new housing model with the intention of getting employers involved in housing the workforce. The proposed restriction will not be the same as a standard Employee Housing rental unit. Rather, it will include the following:

- The restriction shall apply to 16, 2-bedroom units only.
- The restricted units will be master leased to businesses to be used as housing for their employees or other employees working in Teton County.
- No more than 3 unrelated people will be allowed in a 2 bedroom unit per TOJ regulations.
- Master Leases to businesses shall be at market rate.
- Rents shall be determined & negotiated by the Owner and the Employer based on local market rate rents.
- The business holding the master lease shall be responsible for meeting the Employee Workforce regulations of the units.
- At least 1 person occupying the unit must be employed full time in Teton County.
- Rents charged to Employees (occupants) may not exceed the rents being charged to the business holding the master lease.
- Owners of the business who master lease the units shall not occupy the rental units.
- Businesses who master lease the units will keep records of employees occupying the units for 2 years.
- This Restriction can be modified with the approval of the Housing Department & Planning Department without Town Council Approval.

The terms of the new Employee Deed Restriction will not include the following;

- Rent rates shall not be regulated by the Housing Department or HUD.
- This restriction does not apply to the 4, 3-bedroom units.

The Jackson/Teton County Housing Department (TCJHD) has worked with the applicant and is supportive of the proposed housing mitigation plan – independent calculation to restrict more employee units (less affordable) rather than restrict the typical 25%, Category 1, 2, & 3 units which would be more affordable. The result is the Town gets more units at a lesser affordability rather than less units at a higher affordability. Although the applicant is reserving the right to future subdivision (ownership), whether that be by subdividing each building or by subdividing individual units within each building, the 16 units will always be subject to the deed restriction placed on them which requires them to be rentals and restricts owners from occupying them. The end user is not affected either way.

At this time staff is not able to provide Council will a standardized comparison matrix to analyze workforce housing projects requesting Town funding. Staff will be working over the next few months to develop such a tool that will likely include categories such as cost per square foot per person housed, affordability, number of units, livability, location, date to completion, etc. At this time staff recommends that Council analyze each project requesting Town funding on a case by case basis to determine whether this is a good use of Town funds. In this instance staff notes that the decision to fund off-site infrastructure costs could be made separately from a workforce housing subsidy consideration on the basis that it is the Town's responsibility to provide sewer and water to the property.

Request

The applicant is requesting that the Town pay for (from the Town Water and Sewer funds) and install approximately \$371,250.00 of off-site sewer and water infrastructure associated with the Westview Townhomes development located at 1255 West highway 22 prior to issuance of a certificate of occupancy for any portion of the development (approximately September 1, 2017)..

Options

#1. Council could choose to pay all off-site infrastructure costs approximately \$371,250.00, determining that it is the responsibility of the Town to provide Town sewer and water to all properties located in the Town corporate limits, based upon the level of development allowed through Town zoning.

#2. Council could choose to pay for all off-site infrastructure costs approximately \$371,250.00, determining that the proposed housing mitigation plan – independent calculation is above and beyond the standard 25% affordable housing requirement.

#3. Council could choose to not pay for any off-site infrastructure costs determining that it is the responsibility of the property owner to pay for said improvements not the Town.

#4. Council could choose to share in the cost of the off-site infrastructure with the property owner.

#5. Other

In addition, to considering the above options Council will need to consider who will install the infrastructure and whether the infrastructure once completed will be public or private.

STAKEHOLDER ANALYSIS

The stakeholders identified include the developer, the community and the Town of Jackson. This project has the potential to help achieve one of our community's highest priorities which is deed restricted housing units.

ATTACHMENTS

Westview Townhomes Utility Request Letter, dated September 26, 2016
Town of Jackson Vicinity Utilities Plan

FISCAL IMPACT

The current Town of Jackson Capital Improvement budget for FY-2017 does not include funding to complete proposed improvements to extend existing potable water or sanitary sewer systems to the property line of the development.

Water System

The point of connection to the Town's existing water system from the corner of 1255 West Highway 22 is approximately 335 linear feet. At a cost of approximately \$300 per linear foot to construct and extend a new waterline given the location, anticipated challenges, and a 25% contingency for design and inspection, the expected construction cost would be approximately \$125,625.00.

Sewer System

The point of connection to the Town's existing gravity sewer system from the corner of 1255 West Highway 22 is approximately 655 linear feet. At a cost of approximately \$300 per linear foot to construct and extend a new gravity sewer main given the location, anticipated challenges, and a 25% contingency for design and inspection, the expected construction cost would be approximately \$245,625.00.

The total cost of improvements to the Town could be approximately \$371,250.00.

STAFF IMPACT

Public Works staff impact for any of the options having Town responsibility for installation of off-site improvements in the timeframe proposed would be significant.

LEGAL REVIEW

None at this time.

RECOMMENDATION

Staff makes no recommendations at this time.

SUGGESTED MOTION

I move to direct staff to draft a Development Agreement for the provision of public, and/or private off site infrastructure improvements based upon option _____ for Town Council consideration at a later date.

Synopsis for PowerPoint (120 words max):

Purpose:

Background:

Fiscal Impact:

September 26, 2016

Mr. Tyler Sinclair, Planning Director
Town of Jackson
P.O. Box 1687/ 150 East Pearl Avenue
Jackson, Wyoming 83001

Via email: tsinclair@ci.jackson.wy.us

RE: Westview Town Homes, 1255 West Highway 22
Town of Jackson Water and Sewer Service Request
JA Project No. 09040.03

Dear Mr. Sinclair,

On behalf of the applicant for the Westview Town Home Project, this letter serves as an update to the September 19, 2016 Statement of Request for the Town of Jackson to serve the property located at 1255 West Highway 22 with Town of Jackson water and sewer service.

The Statement of Request was heard by the Town Council at their workshop on September 19, 2016. Subsequent to that meeting, Jorgensen has coordinated further with Town staff and is pleased to provide this updated letter.

Jorgensen and Town Public Works staff have coordinated to confirm the distance and estimated costs of water and sewer improvements. It is important to make the distinction that this is not a request to upgrade existing water and sewer mains that serve the Westview parcel. Rather, it is a request to extend the existing mains to the subject parcel where none currently exist (the parcel is currently provided water by a domestic well and wastewater is served by the Spring Creek Ranch private pressurized sewer), a typical responsibility of the municipality. The mainline extensions and estimated costs are summarized below:

Water: 655-feet of 12-inch main @ \$300/lf	= \$245,625
Sewer: 335-feet of 8-inch main @ \$300/lf	= \$125,625
<u>Contingency (25%)</u>	<u>= \$ 74,250</u>
Total	= \$371,250

According to the Jackson Teton County Housing Department (JTCHD), the proposed development of 20 units will require deed-restricted housing for 9.6 persons. The Westview Project proposes 16 deed-restricted units that will house 36 people, a total of 26.4 more than the requirement. Utilizing the estimate above, 26.4 more people will be housed for a public expenditure of approximately \$14,062 per person. We believe this is a very fair exchange for the Town to provide service for water and sewer,

especially considering future development potential in the vicinity in an area that is not currently served with Town utilities. In addition, all of these units will be paying tap fees and monthly usage fees.

Public Works has indicated that this may be accomplished by a reprioritization of the Capital Improvement Program, and therefore will require no additional financial outlay than is currently budgeted. In considering opportunities for getting additional deed restricted housing on the ground, Westview definitely represents a least cost per unit/person opportunity for the Town of Jackson.

On behalf of the applicant, we appreciate the Town's consideration of this request. Please contact me if you have any further questions.

Sincerely,
JORGENSEN ASSOCIATES, P.C.

A handwritten signature in cursive script, appearing to read "Reed Armijo".

Reed Armijo, P.E.
Principal Engineer

cc: Larry Pardee, Town of Jackson Public Works Director
Tyler Valentine, Town of Jackson Associate Planner



TOWN OF JACKSON WATER & SEWER INVESTMENT

Est. Infrastructure Cost to TOJ		\$371,000			\$271,360
WEST VIEW PROPERTY			NATIONAL PROPERTY (6.7 ACRES)		
Water Meter Cost			Water Meter Cost		
1-inch meter/unit	\$583		1-inch meter/unit	\$583	
Units	20		Units	100	
Total Fees to Town	\$11,660	-\$11,660	Total Fees to Town	\$58,300	-\$58,300
Water Meter Capacity Fee			Water Meter Capacity Fee		
1-inch meter/unit	\$1,227		1-inch meter/unit	\$1,227	
Units	20		Units	100	
Total Fees to Town	\$24,540	-\$24,540	Total Fees to Town	\$122,700	-\$122,700
Fire Line Capacity Fee			Fire Line Capacity Fee		
2-inch line/unit	\$1,000		2-inch line/unit	\$1,000	
Units	20		Units	100	
Total Fees to Town	\$20,000	-\$20,000	Total Fees to Town	\$100,000	-\$100,000
Wastewater Capacity Fee			Wastewater Capacity Fee		
cost/unit	\$2,172		cost/unit	\$2,172	
Units	20		Units	100	
Total Fees to Town	\$43,440	-\$43,440	Total Fees to Town	\$217,200	-\$217,200
NET TO TOWN AFTER HOOKUP FEES			NET TO TOWN AFTER HOOKUP FEES		
		\$271,360			-\$226,840
MONTHLY WATER/SEWER FEES			MONTHLY WATER/SEWER FEES		
ESTIMATED TO BE \$50/MO	\$50		ESTIMATED TO BE \$50/MO	\$50	
UNITS	20		UNITS	100	
ESTIMATED MONTHLY REVENUE	\$1,000		ESTIMATED MONTHLY REVENUE	\$5,000	
ESTIMATED ANNUAL REVENUE	\$12,000		ESTIMATED ANNUAL REVENUE	\$60,000	
ESTIMATED 5 YEAR REVENUE	\$60,000		ESTIMATED 5 YEAR REVENUE	\$300,000	
ESTIMATED 10 YEAR REVENUE	\$120,000		ESTIMATED 10 YEAR REVENUE	\$600,000	