



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- Public Works/Engineering
- Building
- Title Company-*Wyoming Title & Escrow*
- Town Attorney
- Police

Joint Town/County

- Parks and Recreation
- Pathways

Teton County

- Planning Division

- Engineer
 - Surveyor- *Nelson*
 - Assessor
 - Clerk and Recorder
 - Road and Levee
 - Housing Authority
- State of Wyoming**
- Teton Conservation
 - WYDOT
 - TC School District #1
 - Game and Fish
 - DEQ

Federal Agencies

- Army Corp of Engineers

Utility Providers

- Qwest
- Lower Valley Energy
- Bresnan Communications

Special Districts

- START
- Jackson Hole Fire/EMS
- Irrigation Company

<p>Date: March 10, 2016</p> <p>Item #: P16-027</p> <hr/> <p>Planner: Tyler Valentine</p> <p>Phone: 733-0440 ext. 1305</p> <p>Fax: 734-3563</p> <p>Email: tvalentine@ci.jackson.wy.us</p> <hr/> <p>Buyer: Joe Openshaw PO Box 9001 Jackson, WY 83002 801-824-8603 Scooters.wholesale@yahoo.com</p> <hr/> <p>Applicant: Cornelius Kinsey, Kinsey, LLC PO Box 12258 Jackson, WY 83002 307-203-2852 kinseycornelius@yahoo.com</p>	<p style="text-align: center;">REQUESTS:</p> <p>The applicant is submitting a request for a Variance for slope side development for the property located at 310 East Kelly, legally known as PT SE1/4NW1/4, SEC. 34, TWP. 41, RNG. 116.</p> <p>For questions, please call Tyler Valentine at 733-0440, x1305 or email to the address shown below. Thank you.</p>
<p>Please respond by: March 24, 2016 (for Sufficiency) March 31, 2016 (with Comments)</p>	

RESPONSE: For Departments not using Trak-it, please send responses via email to:
jcarruth@ci.jackson.wy.us



PLANNING PERMIT APPLICATION
Planning & Building Department
Planning Division

150 E Pearl Ave. | ph: (307) 733-0440
P.O. Box 1687 | fax: (307) 734-3563
Jackson, WY 83001 | www.townofjackson.com

For Office Use Only

Fees Paid _____

Check # _____ Credit Card _____ Cash _____

Application #s _____

PROJECT.

Name/Description: _____

Physical Address: _____

Lot, Subdivision: _____ PIDN: _____

OWNER.

Name: _____ Phone: _____

Mailing Address: _____ ZIP: _____

E-mail: _____

APPLICANT/AGENT.

Name: _____ Phone: _____

Mailing Address: _____ ZIP: _____

E-mail: _____

DESIGNATED PRIMARY CONTACT.

_____ Owner _____ Applicant/Agent

TYPE OF APPLICATION. *Please check all that apply; see Fee Schedule for applicable fees.*

- | | | |
|------------------------------------|---------------------------------------|--------------------------------------|
| Use Permit | Physical Development | Interpretations |
| _____ Basic Use | _____ Sketch Plan | _____ Formal Interpretation |
| _____ Conditional Use | _____ Development Plan | _____ Zoning Compliance Verification |
| _____ Special Use | | |
| Relief from the LDRs | Development Option/Subdivision | Amendments to the LDRs |
| _____ Administrative Adjustment | _____ Development Option Plan | _____ LDR Text Amendment |
| _____ Variance | _____ Subdivision Plat | _____ Zoning Map Amendment |
| _____ Beneficial Use Determination | _____ Boundary Adjustment (replat) | _____ Planned Unit Development |
| _____ Appeal of an Admin. Decision | _____ Boundary Adjustment (no plat) | |

PRE-SUBMITTAL STEPS. *Pre-submittal steps, such as a pre-application conference, environmental analysis, or neighborhood meeting, are required before application submittal for some application types. See Section 8.1.5, Summary of Procedures, for requirements applicable to your application package. If a pre-submittal step is required, please provide the information below. If you need assistance locating the project number or other information related to a pre-submittal step, contact the Planning Department. **If this application is amending a previous approval, indicate the original permit number.***

Pre-application Conference #: _____ Environmental Analysis #: _____
Original Permit #: _____ Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. *Twelve (12) hard copies and one (1) digital copy of the application package (this form, plus all applicable attachments) should be submitted to the Planning Department.. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant.*

Have you attached the following?

_____ **Application Fee.** Fees are cumulative. Applications for multiple types of permits, or for multiple permits of the same type, require multiple fees. See the currently adopted Fee Schedule in the Administrative Manual for more information.

_____ **Notarized Letter of Authorization.** A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. If the owner is a partnership or corporation, proof that the owner can sign on behalf of the partnership or corporation is also required. Please see the Letter of Authorization template in the Administrative Manual for a sample.

_____ **Response to Submittal Checklist.** All applications require response to applicable review standards. These standards are outlined on the Submittal Checklists for each application type. If a pre-application conference is held, the Submittal Checklists will be provided at the conference. If no pre-application conference is required, please see the Administrative Manual for the applicable Checklists. The checklist is intended as a reference to assist you in submitting a sufficient application; submitting a copy of the checklist itself is not required.

FORMAT.

The main component of any application is demonstration of compliance with all applicable Land Development Regulations (LDRs) and Resolutions. The submittal checklists are intended to identify applicable LDR standards and to outline the information that must be submitted to sufficiently address compliance with those standards.

For some submittal components, minimum standards and formatting requirements have been established. Those are referenced on the checklists where applicable. For all other submittal components, the applicant may choose to make use of narrative statements, maps, drawings, plans and specifications, tables and/or calculations to best demonstrate compliance with a particular standard.

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

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

Signature of Owner or Authorized Applicant/Agent

Date

Name Printed

Title

310 E. Kelly Housing Development
Variance Request to Allow Development on Slopes in Excess of 25%

LDR Div. 5.4. Natural Hazard Protection Standards

5.4.1 Steep Slopes

A. Slopes in Excess of 25%

No physical development shall be permitted on natural slopes in excess of 25% except to provide essential access for vehicles and/or utilities when no other alternative access exists, and except in the NC-TOJ Zone.

LDR Div. 8.8.2 Variance

- A. The purpose of a variance is to allow a specific deviation from these regulations that is not contrary to the desired future character for the site when, due to special circumstances of the land, strict application of these regulations would result in undue and unique hardship.

A variance is sought to allow development on a natural slope in excess of 25% to construct affordable employee housing and to construct retaining walls and grades that will stabilize the existing slope and failing retaining wall. A failing concrete block retaining wall that bounds a part of the eastern property boundary and maintains the grade of the neighboring Clarks Knoll condominiums will be replaced and the slope stabilized by the proposed project. Although only 17% of the site area contains slopes in excess of the 25% maximum the location of the slopes in excess of 25% would result in 31% of the site area being unusable; please see drawing C2 – Slope Analysis. Denial of the variance would severely limit the available building square footage and therefore the viability of the project as affordable workforce housing.

C. Findings for Approval

1. There are special circumstances or conditions which are peculiar to the land or building for which the variance is sought that do not apply generally to the land or building in the neighbor hood;

The lot is 200 feet from east to west, the western 150 feet has slopes less than 25% while the eastern 50 feet of the site has some areas with slopes in excess of 25%. While it appears that the hill on the east side of the site was created by natural geological events it is also apparent that there has been some terrain altering activity on the hill, evidenced by an old retaining wall on site, the construction of the Clarks Knoll Townhomes to the east and the Vine Street Townhomes to the south, the previous homes and Clarks Ready Mix facilities on Clarks Knoll, and the construction of retaining walls along the south side of Kelly Avenue to facilitate the street and pedestrian walkway.

This site condition of slopes in excess of 25% on are peculiar to this site and do not apply to the land on the north, west, and east, and only generally apply to the Vine Street Townhouse site to the south which is already developed.

2. The special circumstances and conditions have not resulted from any willful modification of the land or building;

There has not been any willful modification of the land. There is some evidence that the land has been modified by previous developments to the east and south, and construction of Kelly Ave. on the north, however there is no indication that the modifications substantially changed the natural slope.

3. The special circumstances and conditions are such that the strict application of the regulation sought to be varied would create a hardship of the applicant far greater than the protection afforded to the community;

A strict application of the regulation would mean that the applicant would not be able to disturb 31% of the site resulting in a structure setback of 62 feet from the east boundary, equivalent to more than one AR lot. It should be noted that the side yard setback on adjacent developed properties is 10 feet. With the proposed development, the neighbors would benefit from a stabilized hillside and a 32 feet side yard setback on the east. Additionally the community will benefit from 56 affordable work force apartments.

4. The variance sought is the minimum variance necessary to provide balance between the purpose of the regulation sought to be varied and its impact on the applicant;

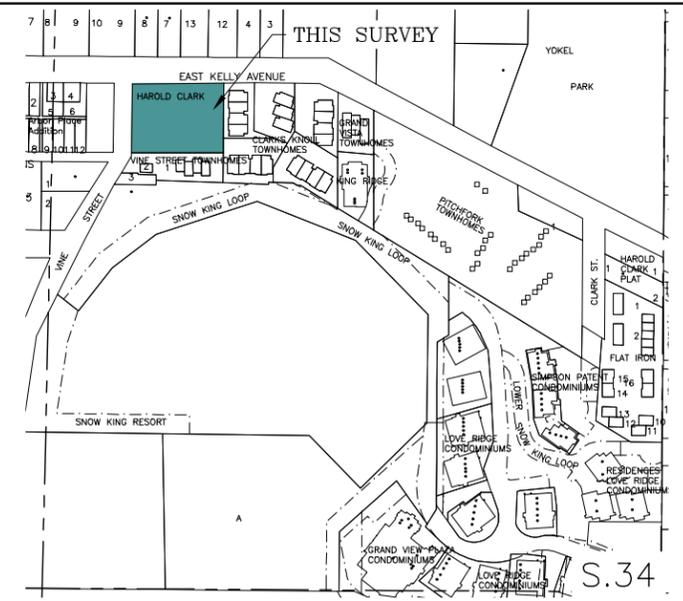
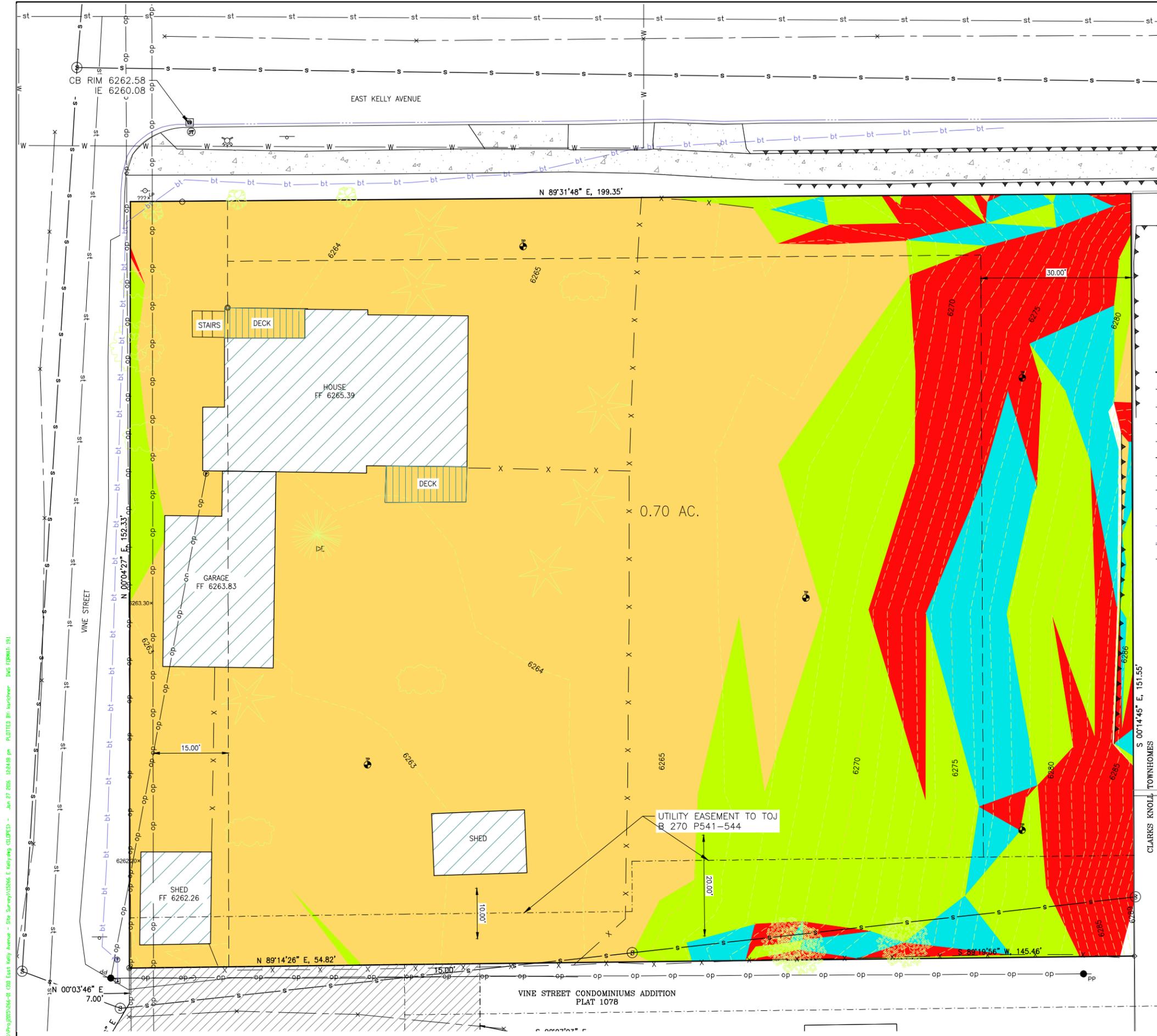
The variance sought is to allow disturbance of slopes greater than 25%. The proposed development will disturb most of the slopes over 25%, however the building will be set back 32 feet from the east boundary and soil nails and retaining walls will be constructed to stabilize the slope and allow revegetation of the resulting 3:1 or flatter slopes.

5. The granting of the variance will not be injurious to the neighborhood surrounding the land where the variance is proposed, and is otherwise not detrimental to the public welfare;

Granting the variance will not be injurious to the neighborhood surrounding the land. The proposed development will help stabilize the existing slopes in excess of 25%.

6. The granting of the variance is consistent with the general purpose and intent of these LDRs.

The purpose of the LDRs is to prevent developments on steep slopes that may cause unstable hillsides conditions and/or may create a burden on the public facilities serving the development. Granting this variance will in fact provide a more stable slope and will not have any impact on existing public facilities or the facilities serving this site.



VICINITY MAP
 SE 1/4 NW 1/4
 SECTION 34
 T41N R116W
 TOWN OF JACKSON
 TETON COUNTY, WY
 SCALE 1" = 200'

- LEGEND
- = PROPERTY BOUNDARY
 - - - = EASEMENT LINE
 - ▲-▲-▲- = RETAINING WALL
 - X - X - = FENCE LINE
 - - - - - = SETBACK LINE
 - s - s - = SANITARY SEWER LINE
 - st - st - = APPROXIMATE STORM SEWER LINE (FROM TOWN OF JACKSON GIS INFO.)
 - op - op - = OVERHEAD POWER LINE
 - W - W - = APPROXIMATE WATER LINE (FROM TOWN OF JACKSON GIS INFO.)
 - bt - bt - bt - = BURIED TELEPHONE LINE
 - = CURB LINE
 - = EDGE OF PAVEMENT
 - = CONCRETE SIDEWALK
 - ⊙ = SANITARY SEWER MANHOLE
 - ⊕ = TELEPHONE MANHOLE
 - ⊞ = TELEPHONE PEDESTAL
 - = POWER POLE
 - = GUY WIRE
 - ⊙ = LIGHT POLE
 - ⊞ = SIGN
 - ⊞ = FIRE HYDRANT
 - ⊞ = HOSE BIB
 - ⊞ = CATCH BASIN
 - ⊞ = TEST PIT
 - ⊙ = BUILDING COLUMN
 - ⊞ = POWER METER
 - ⊙ = COTTONWOOD TREE WITH TREE DIAMETER
 - ⊙ = SPRUCE TREE WITH TREE DIAMETER
 - ⊙ = ASPEN TREE WITH TREE DIAMETER
 - ⊙ = BUSH
 - ⊙ = DECIDUOUS TREE
 - ⊙ = FOUND SPIKE
 - ⊙ = FOUND REBAR WITH CAP
 - ⊙ = FOUND NE REBAR WITH CAP

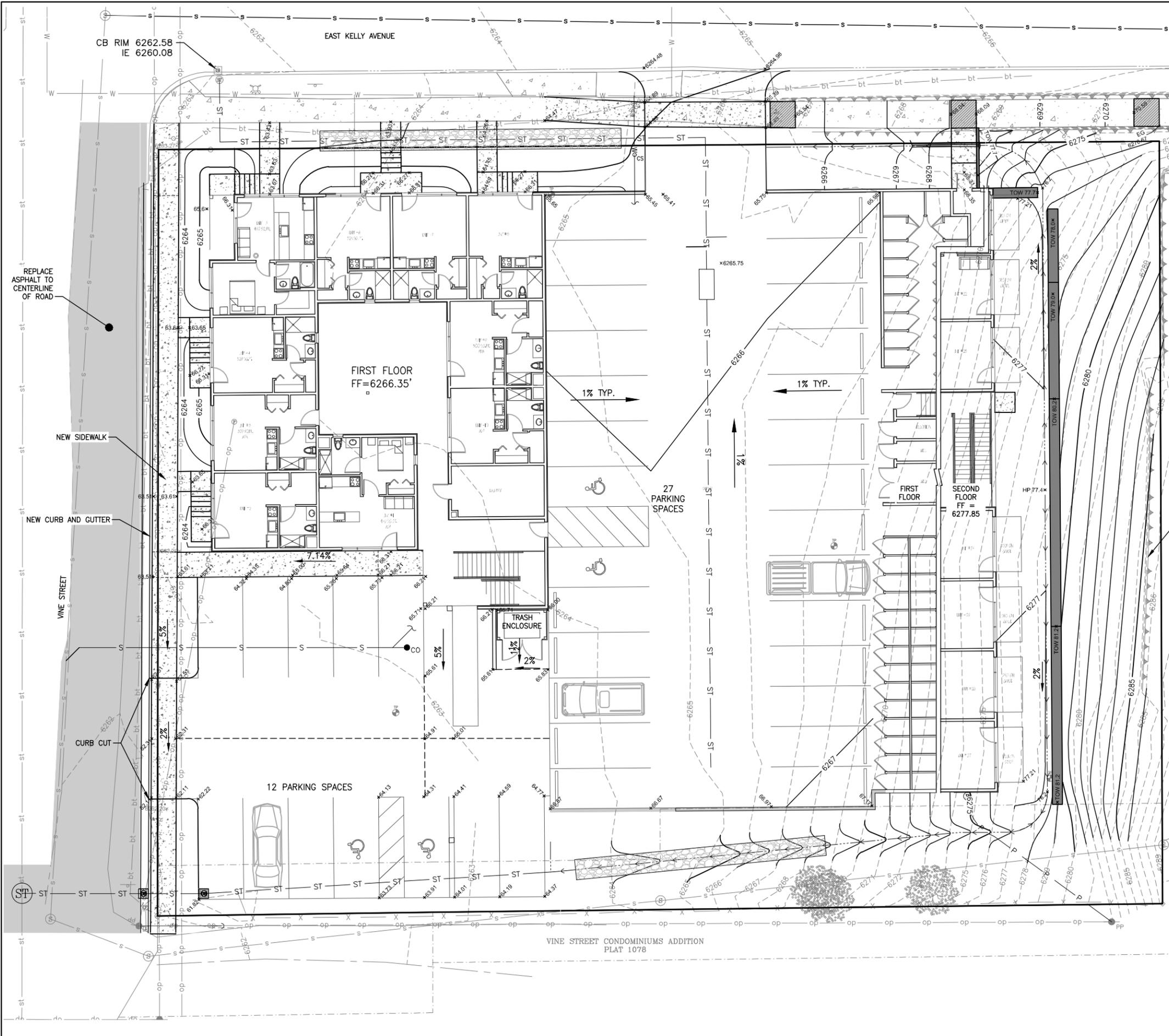
SLOPE TABLE				
NUMBER	MIN. SLOPE	MAX. SLOPE	COLOR	AREA
1	0.001%	10.000%		0.38 AC.
2	10.000%	25.000%		0.13 AC.
3	25.001%	30.000%		0.04 AC.
4	30.001%	70.000%		0.08 AC.

NOTE: Approximately .063 acres, 2725 sq. ft., not included in slope table, this area is under the buildings on the property, and should be treated as slopes under 10% for calculation purposes.

S:\Projects\310 Kelly Avenue - Site Survey\15266 E Kelly Ave GCPREV3 - Jan 27 2016 12:24:08 pm PLOTTED BY: kurchner DGC\FDM\H: 151

NELSON ENGINEERING P.O. BOX 1599, JACKSON WYOMING (307) 733-2087	DATE	1/27/2016	REV.	
	SURVEYED	NE	DRAWN	APPROVED
	ENGINEERED		CHECKED	
	JOB TITLE	310 Kelly Avenue Site and topographic survey		
DRAWING NO	C2			
JOB NO	15-266-01			

S:\Projects\3045-03 CB East Kelly Avenue - Civil Engineering\Drawings\Final Grading\CG3 SITE PLAN AND GRADING.plt - Mar 04 2016 05:09:29 pm PLOTTED BY: harschner DWG FORMAT: 191



PROPOSED LEGEND
 --- = EXISTING CONTOUR
 --- = FINISH CONTOUR
 x76.2 = FINISH GRADE SPOT ELEVATION

TOTAL LOT AREA = 30,346 SF
 BSA = 30,346 - 1/2 OVER 25% 2,769 SF = 27,577 SF
 ALLOWED FAR = .65 (22,546 SF) W/25% INCREASE
 PROPOSED LSR = (8,295 SF) = 30% OF BSA

PROPOSED ZONE: UR-PUD

TOTAL PROPOSED UNITS: 56
 18 ONE BEDROOM APARTMENTS
 38 STUDIO APARTMENTS

PARKING PROPOSED:

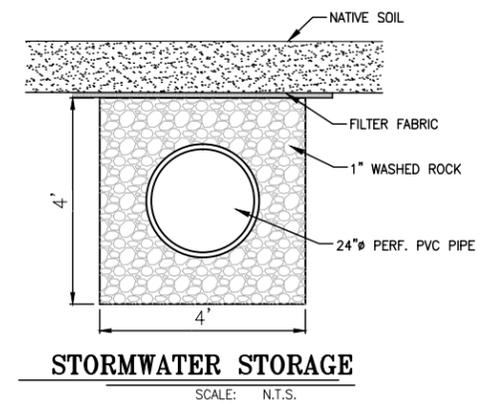
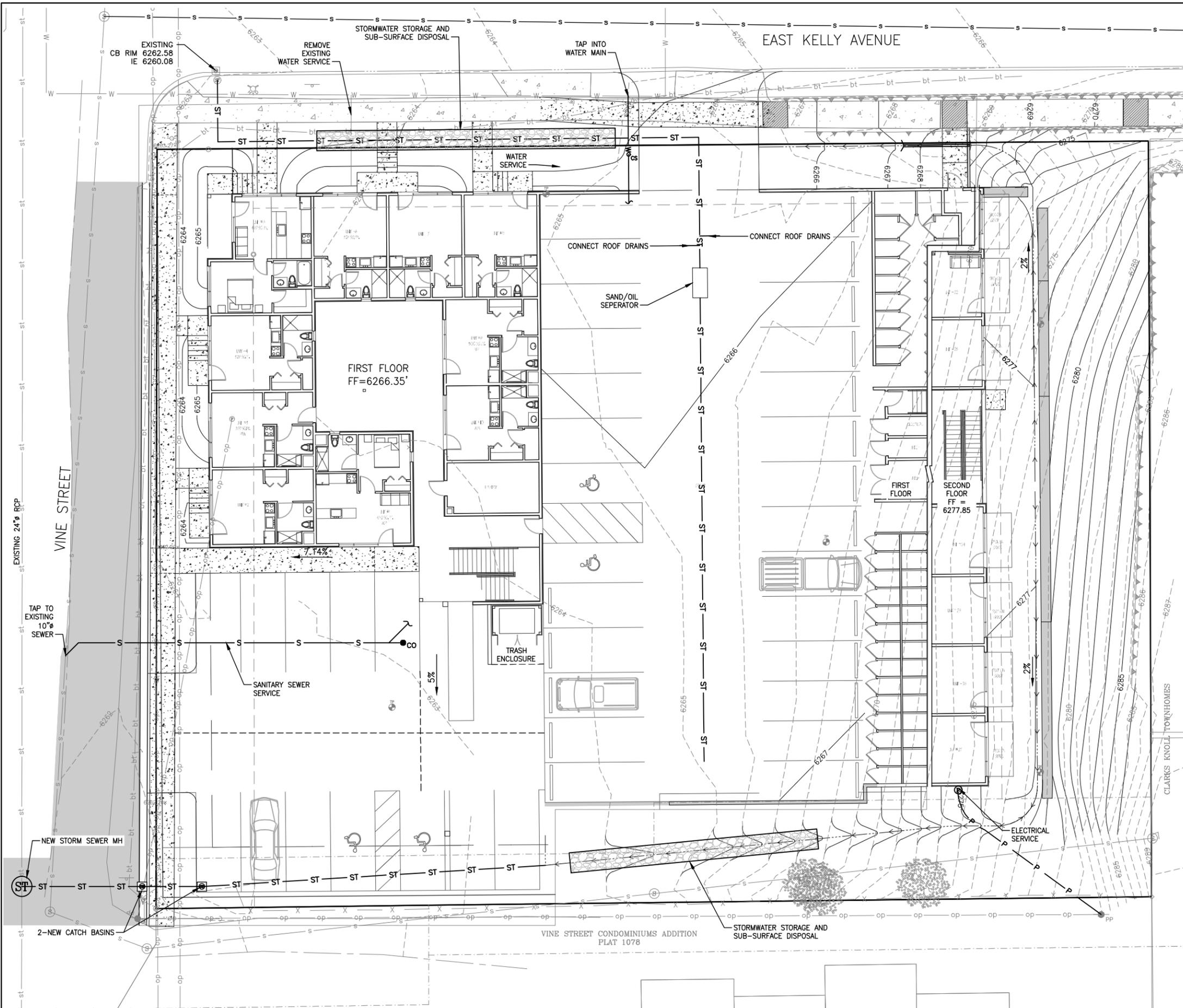
18- ONE BEDROOM APT. -	18 SPACES
(1 SPACE PER UNIT RESTRICTED PER CCRS)	
21- STUDIO APT. -	21 SPACES
(1 SPACE PER UNIT, RESTRICTED PER CCRS)	
17 - STUDIO APTS. -	0 SPACES
(NO PARKING, DEED RESTRICTED BY TCHA)	
TOTAL PARKING -	39 SPACES REQUIRED

ON-SITE PARKING - PARKING GARAGE 27 SPACES
 - OUTSIDE PARKING 12 SPACES
 TOTAL ON-SITE PARKING - 39 SPACES

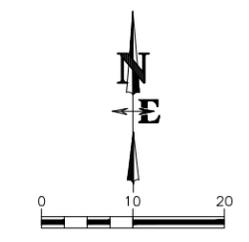
DRAWING NO C3	JOB NO 15-266-01	JOB TITLE 310 EAST KELLY AVENUE JACKSON, WY	DRAWING TITLE PROPOSED SITE PLAN AND GRADING PLAN	DATE	3/4/2016	REV.	
				SURVEYED	NE	ENGINEERED	FD/SK

NELSON ENGINEERING
 P.O. BOX 1599, JACKSON WYOMING (307) 733-2087

S:\Projects\364-03 030 East Kelly Avenue - Civil Engineering\Drawings\UTILITY.dwg UTILITY PLAN - No. 04 2016 05:03:08 pm PLOTTED BY: harschner INVG FORMAT: 131



- PROPOSED LEGEND**
- ST — ST — = STORM SEWER LINE
 - S — S — = SANITARY SEWER LINE
 - W — W — = WATER SERVICE LINE
 - P — P — = BURIED POWER LINE
 - ₈ = SANITARY SEWER CLEANOUT
 - _{CS} = WATER CURB STOP



DRAWING NO C4	JOB TITLE 310 EAST KELLY AVENUE JACKSON, WY	DRAWING TITLE PROPOSED UTILITY PLAN	DATE	REV.
			3/04/16	
JOB NO 15-266-01			SURVEYED	NE
			ENGINEERED	FD/SK
			CHECKED	RN
			APPROVED	

NELSON ENGINEERING
P.O. BOX 1599, JACKSON WYOMING (307) 733-2087