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pierson land works LLC
www.piersonlandworks.com

January 16, 2015

Town of Jackson
Planning and Building Department
P.O. Box 1687
Jackson, WY 83001

RE: Planning Permit Application for a Development Plan
Dear Planning,

Attached are submittal materials for a Development Plan for a Planned Unit Development we are submitting on behalf of Big Mountain Enterprises, LLC. The properties are located at 115 E. Pearl and 50 S. King Street.

Included for your review are the following:

1. Completed Planning Permit application
2. Application fee for $2,500.00.
3. Most recent Warranty Deed and Letter of Authorization
4. Copy of the recorded Affidavit and Agreement approving extension of time to July 29, 2016
5. Narrative Description

We look forward to hearing from you upon your sufficiency determination.

Sincerely,

Jim Barlow
Pierson Land Works LLC

Enclosures:

wyoming office po box 1143 180 south willow street jackson, wy 83001 tel 307.733.5429 fax 307.733.9669
idaho offices 151 n. ridge ave., suite 117, idaho falls, id 83402 tel 208.529.5429 | po box 680 driggs, id 83422 tel 208.354.5429

PLANNING PERMIT APPLICATION

Planning & Building Department
Planning Division

150 E Pearl Ave.
P.O. Box 1687
Jackson, WY 83001

ph: (307) 733-0440
fax: (307) 734-3563
www.townofjackson.com

For Office Use Only

Fees Paid_____

Check # _____ Credit Card_____ Cash_____

Application #s _____ _____ _____

PROJECT.

Name/Description: Big Mountain Enterprises - PUD

Physical Address: 115 E. Pearl and 50 South King

Lot, Subdivision: Lot 15, Blk 2, Cache 1st Addition PIDN: 22-41-16-34-2-04-010

N80' LOt 16, Blk 2, Cache 1st Addition 22-41-16-34-2-004-007

OWNER.

Name: Big Mountain Enterprises, LLC Phone: 307.733.9155

Mailing Address: PO Box 3157, Jackson, WY ZIP: 83001

E-mail: kelly.lockhart@wellsfargoadvisors.com

APPLICANT/AGENT.

Name: Pierson Land Works LLC Phone: 307.733.5429

Mailing Address: PO Box 1143, Jackson, WY ZIP: 83001

E-mail: jbarlow@piersonlandworks.com

DESIGNATED PRIMARY CONTACT.

_____Owner X Applicant/Agent

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

Use Permit

_____Basic Use

_____Conditional Use

_____Special Use

Physical Development

_____Sketch Plan

X Development Plan

Interpretations

_____Formal Interpretation

_____Zoning Compliance Verification

Relief from the LDRs

_____Administrative Adjustment

_____Variance

_____Beneficial Use Determination

_____Appeal of an Admin. Decision

Development Option/Subdivision

_____Development Option Plan

_____Subdivision Plat

_____Boundary Adjustment (replat)

_____Boundary Adjustment (no plat)

Amendments to the LDRs

_____LDR Text Amendment

_____Zoning Map Amendment

_____Planned Unit Development

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 #: Item.P08-031 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?

X **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.

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

X **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: 16 Jan 2015

Name Printed: JIM BARLOW — Title: Planner

LETTER OF AUTHORIZATION

Big Mountain Enterprises, LLC ,"Owner" whose address is: PO Box 3157
Jackson, WY 83001

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)
Kelly Lockhart and Elizabeth Lockhart, as the owner of property more specifically legally described as: Lot 15, Block 2, Cache 1st Addition and N80" Lot 16 Block 2, Cache 1st Addition

(If too lengthy, attach description)

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

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

OWNER: [signature]

(SIGNATURE) (SIGNATURE OF CO-OWNER)

***Title*:** Trustee

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

STATE OF Wyoming)
)SS.
COUNTY OF Teton)

The foregoing instrument was acknowledged before me by Kelly Lockhart this 15 day of January, 2015

WITNESS my hand and official seal.

[signature]

(Notary Public)

My commission expires: 10/22/18

(Seal)

LORI BOYT - NOTARY PUBLIC
COUNTY OF TETON STATE OF WYOMING
MY COMMISSION EXPIRES 10/22/2018

Quitclaim Deed

RELEASED	
INDEXED	✓
ABSTRACTED	✓
SCANNED	

Know all persons by these presents that Elizabeth Lockhart, a married woman dealing with her sole and separate property, whose address is PO Box 3157 Jackson, Wyoming 83001, (the "Grantor"), for and in consideration of ten dollars ($10.00) and other good and valuable consideration, in hand paid, receipt of which is hereby acknowledged, does hereby Convey and Quitclaim unto Big Mountain Enterprises, LLC, with a principal mailing address of PO Box 3157 Jackson, Wyoming 83001, (the "Grantee"), all of Grantors' right, title and interest now owned or hereafter acquired in and to the following described real estate, situate in the County of Teton, State of Wyoming, hereby waiving and releasing all rights under and by virtue of the homestead exemption laws of the State of Wyoming, to-wit:

GRANTOR: LOCKHART, ELIZABETH
GRANTEE: BIG MOUNTAIN ENTERPRISES LLC
Doc 0719573 bk 686 pg 452-453 Filed At 12:32 ON 12/21/07
Sherry L. Daigle Teton County Clerk fees: 26.00
By Mary Smith Deputy

Property # 1:

Lots 9, 10, 11, 12 and 13 of Block 8 of the Second Cache Creek Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the office of the County Clerk, Teton County, Wyoming, on October 14, 1913, as Plat Number 109.

PIN: 22-41-16-34-2-15-009; &
22-41-16-34-2-15-008.

Including and together with all and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, covenants, encroachments, conditions, restrictions, rights-of-way and easements of sight and of record.

Property # 2:

Lots 1 and 2 of Block 8 of the Original Townsite of Jackson, Teton County, Wyoming, according to that recorded in the office of the County Clerk, Teton County, Wyoming, on July 18, 1901, as Plat Number 100.

PIN: 22-41-16-28-4-15-001; &
22-41-16-28-4-15-003.

Including and together with all and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, covenants, encroachments, conditions, restrictions, rights-of-way and easements of sight and of record.

Property # 3:

Lots 1 and 2 of Block 1 of the W. W. Smith Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the office of the County Clerk, Teton County, Wyoming, on August 26, 1912 as Plat No. 105.

PIN: 22-41-16-27-3-12-007; &
22-41-16-27-3-12-008.

Including and together with all and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, covenants, encroachments, conditions, restrictions, rights-of-way and easements of sight and of record.

Property # 4:

Lot 15 of Block 2 of the Cache Creek Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the office of the County Clerk, Teton County, Wyoming, on July 18, 1905, as Plat Number 102.

PIN: 22-41-16-34-2-04-010.

Including and together with all and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, covenants, encroachments, conditions, restrictions, rights-of-way and easements of sight and of record.

Property # 5:

Lots 1, 2 & 3 of Block 5 of the First Cache Creek Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded in the office of the County Clerk, Teton County, Wyoming, on July 18, 1905, as Plat Number 102.

PIN: 22-41-16-34-2-07-002; &
22-41-16-34-2-07-001.

Including and together with all and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, covenants, encroachments, conditions, restrictions, rights-of-way and easements of sight and of record.

Property # 6:

Lots 1, 10, 11, 12, 15, 41, 43, 49, 50, 51, 52 and 53 of the Owl Creek Subdivision of Teton County, Wyoming, according to that plat recorded in the office of the County Clerk, Teton County, Wyoming, on December 5, 1991, as Plat Number 736.

PIN: 22-42-16-15-3-07-009;
22-42-16-15-2-06-013;
22-42-16-15-2-06-014;
22-42-16-15-2-07-007;
22-42-16-15-2-07-006;
22-42-16-15-2-06-002;
22-42-16-15-2-06-003;
22-42-16-15-2-07-019;
22-42-16-15-2-07-018;
22-42-16-16-1-01-006;
22-42-16-16-1-01-005; &
22-42-16-16-1-01-004.

Including and together with all and singular tenements, hereditaments, appurtenances and improvements thereon or thereunto belonging, but subject to taxes, reservations, covenants, encroachments, conditions, restrictions, rights-of-way and easements of sight and of record.

Furthermore, know all persons by these presents that the Grantor's Spouse, namely Kelly D. Lockhart, does hereby waive and release any and all rights that he may have in the above described real property by virtue of or arising under the homestead laws of the state of Wyoming.

Elizabeth Lockhart, Grantor

Kelly D. Lockhart, for Homestead Waiver

STATE OF WYOMING }
ss.
County of Teton }

The foregoing instrument was acknowledged before me by Elizabeth Lockhart, the Grantor, and by Kelly D. Lockhart, for Homestead Wavier, on this 20th day of December, 2007.

Witness my hand and official seal.

PATRICIA R. RANDALL - NOTARY PUBLIC
County of Teton
State of Wyoming
My Commission Expires 10-18-08

Patricia R Randall
Notary Public for the State of Wyoming
My Commission Expires: October 18, 2008

we define, design & deliver
the places where you play, live & work

pierson land works LLC
www.piersonlandworks.com

BIG MOUNTAIN

Planned Mixed Unit Development
Development Plan Application

115 East Pearl Avenue and 50 South King Street
Jackson Wyoming

Submitted on:

January 16, 2015

Submitted to:

Town of Jackson Planning Department

Prepared for:

Big Mountain Enterprises, LLC

Represented by:

Gilday Architects
Pierson Land Works
Nelson Engineering

wyoming office po box 1143 180 south willow street jackson, wy 83001 tel 307.733.5429 fax 307.733.9669
idaho offices 151 n. ridge ave., suite 117, idaho falls, id 83402 tel 208.529.5429 | po box 680 driggs, id 83422 tel 208.354.5429

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- Architectural Plans and Elevations ATTACHMENT #1
- Engineering Plans ATTACHMENT #2
- Extension Affidavits ATTACHMENT #3

I. PROJECT SUMMARY:

The Big Mountain redevelopment project is a Planned Mixed Use Development located at 115 East Pearl Avenue and 50 South King Street. The project seeks to provide infill redevelopment fronting Pearl Avenue that will harmonize with the context of the block and will result in an infill building that enhances neighborhood character.

The surrounding neighborhood is an attractive mixture of commercial, office, and residential uses. By providing a small commercial retail use on the first floor, office uses on the second floor, and modest residential units, including an employee housing unit, on the third floor this project will serve to compliment and enhance this existing mixture of uses.

By providing commercial storefront architectural elements at street level the project will create visual interest and enhance the pedestrian experience in the neighborhood. Access to parking for the project is from the alley, relegating the vehicle to a secondary status. Additionally, the proposed building will be set back

from the property line by two feet, allowing for a 12 foot sidewalk fronting the project and inviting pedestrian activity.

The project includes 1,315 s.f. of commercial retail space on the first floor and 6,040 s.f. of office space on the second floor. The third level is meaningfully setback from the front and rear lot lines to minimize the presence of the third level as seen from the street level. This third level contains one 1,130 s.f. residential unit and a 450 s.f. employee housing unit at the rear and a 1,470 s.f. residential unit at the front. Located between these units is 430 s.f. of unenclosed deck space, providing access to light and air for the employee housing unit. The two free market units have access to substantial third floor deck space at the front and rear of the building. In total, the project consists of 13,725 s.f. of newly constructed floor area.

This project was approved in May of 2008 as a Master Plan and approved as a Final Development Plan in October of 2008 and approved for extension until July 29 2016 as per the attached Affidavits.

II. PROJECT TEAM

Owners	Big Mountain Enterprises, LLC PO Box 3157 Jackson, WY 83001
Architect	Gilday Architects 80 West Broadway PO Box 4735 Jackson WY 83001 307 733 7303
Engineering	Nelson Engineering PO Box 1599 430 South Cache Street Jackson, WY 83001 (307) 733-2087
Land Planning/ Development Consultant	Jim Barlow Pierson Land Works Inc. PO Box 1143 180 S. Willow Street Jackson, WY 83001 (307) 733-5429 jbarlow@piersonlandworks.com

Project Site 115 E. Pearl & 50 S. King

Vicinity Map No Scale - North

III. DETAILED PROJECT DESCRIPTION

The Big Mountain Planned Mixed Use Development project is located in the Urban Commercial zone district and is within the Lodging Overlay. The property fronts Pearl Avenue to the south and King Street to the west. It is bordered to the north by a Town alley. Existing development borders the project to the west and east. The design concept is to utilize infill development to create a strong street presence, reflective of the traditional downtown character, to harmonize the new project with surrounding development and to provide a visually interesting storefront presence that enhances the pedestrian experience along this block of Pearl Avenue.

Located on Lot 15, Block 2, Cache Creek addition, otherwise known as 115 East Pearl Avenue, and including the property described as the North 80' of Lot 16, Block 2, Cache Creek Addition, otherwise known as 50 South King Street. No major alterations to the existing building at 50 South King Street is being proposed as part of

this application, however, it is being included in this application because this property is owned, in part, by the owner of 115 East Pearl, and because by including this property, efficiencies in construction and parking can be achieved. The new construction is proposed to be located entirely on 115 East Pearl Avenue.

The project seeks to enhance the existing mixture of office, commercial retail and residential development that exists in the immediate vicinity, enriching the vibrant character of this portion of town. The proposed mix of uses includes 1,460 square feet of commercial retail on the ground floor level, 6,040 square feet of office space on the second level and three residential units, one of which is employee housing, on the third level. The third level contains 3,752 square feet of net floor area, which includes the 450 square feet of floor area dedicated to employee housing. Floor area dedicated to specific uses notwithstanding, the project proposes 13,725 square feet of total floor area, resulting in a floor area ratio of 1.83, which meets the Floor Area Ratio limitation found in LDR Table 2325.A "Development Standards for Planned Mixed Use Development Option".

Setbacks proposed in the attached plans show 0' side yard setbacks for all levels. On the first floor the front yard setback is 10' and the rear yard setback if 5' to the rear stair circulation. This significant first floor front yard setback, which works in conjunction with the 10' wide sidewalk provided in front of the property, is intended to encourage pedestrian use of the public space in front of the building.

On the second level the front yard setback is 6" and at the rear the second floor setback is 0'. On the third level, the enclosed floor area is setback 20'-11 ½" from the front property line and 20'-2" from the rear property line. This increased setback at the third level serves to minimize the overall mass and scale of the building.
The proposed building is 42 feet in height, as measured to the top of the parapet that forms the top roof edge. This is consistent with the limitations found LDR Table 2325.A "Development Standards for Planned Mixed Use Development Option".

The project provides a total of nine parking spaces that are accessed from the alley. By providing vehicular access from the alley, the need for vehicular access to the site from Pearl Avenue, which would dramatically erode the quality of pedestrian experience on Pearl Avenue, is eliminated. The project is within the Downtown Special Parking District, which allows some relief from the strict application of Town parking standards, recognizing that this relief from strict parking standards encourages a vibrant, pedestrian oriented downtown. By utilizing the provisions of the Downtown Special Parking District, and taking advantage of the parking that exists in the 50 South King Street property, the parking provided for the project is adequate to serve the uses within the building while still allowing for a first floor

commercial retail space that provides visual interest and encourages pedestrian activity.

Employee housing is proposed to be located on site in a 450 square foot unit. This unit also includes direct access to a private exterior third floor deck measuring 430 s.f. The affordable housing requirement for this project is less than a full unit and therefore will be provided as a fee-in-lieu. .

Project Goals

The master plan being submitted has been developed to achieve the following:

- Encourage flexibility, innovation of design and variety of development types in order to promote the most suitable use of a site.
- Facilitate efficient provision of streets, utilities and municipal services.
- Achieve a compatible land use relationship with the surrounding area.
- Encourage the conservation of energy.
- Create highly flexible, functional units, both residential and commercial configurations to meet the needs of local community.
- Provide adequate, functional covered parking
- Achieve a similar scale and 'eclectic' character of the existing neighborhood
- Achieve a high standard of construction and design.

VI. PLANNED MIXED USE DEVELOPMENT APPLICATION

VI.A. APPLICATION REVIEW REQUIREMENTS

The property for which we are submitting this PMD Final Development Plan application is located entirely within the Urban Commercial zone district and is also within the Lodging Overlay. LDR section 2325.C describes the procedure required for a PMD review. This section requires the public review and approval of a PMD Final development Plan, which follows the procedures set forth for Final development Plan applications found in LDR Section 52100 – Development Plan. No Final Development Plan shall be approved unless the proposal is consistent with the PMD Master Plan.

PLANNED MIXED-USE DEVELOPMENT REVIEW STANDARDS

The following is an assessment of how the proposal meets and exceeds applicable PMD development standards and the review criteria and standards that apply to the application.

VI.C. ASSESSMENT OF COMPLIANCE WITH PMD DEVELOPMENT STANDARDS

STANDARDS APPLYING TO ALL PLANNED MIXED USE DEVELOPMENTS

Section 2325.D.1 - Consistency with Comprehensive Plan.

The proposed Big Mountain PMD Final Development Plan conforms to the Jackson – Teton County Comprehensive Plan (hereinafter referred to as the Plan) and furthers the goals, objectives, policies and recommendations of the Plan in a number of ways. The vision statement of the Plan foresees development as supportive of "architectural design" and "commercial buildings which reflect Jackson's heritage, character, and design."

Specific goals and objectives of the Plan are to:

- Preserve the character of some existing neighborhoods and commercial centers and enhance others through redevelopment.
- Achieve commercial development which is sensitive to the scale and character of Teton County and minimizes disruption of existing neighborhoods.
- Be consistent with community character, natural resources, and affordable housing developments.
- Control sprawl and strip commercial development.

Section 2325.D.2 – Development Standards

Front Setbacks (Street yards): We are proposing a minimum six inch street yard setback, which is proposed only on the second floor. The first floor street yard setback is 10' and the third floor street yard setback is 20'-11 ½". In all cases this exceeds the minimum setback of 0'. As proposed the setbacks allow for a minimum 10' wide sidewalk

fronting the property and, due to the recessed commercial retail space, encourages pedestrian circulation fronting the property. By recessing this first floor retail space the project provides an area of refuge from weather that is commonly achieved by boardwalk overhangs, but without the problems created by encroachment into the Town right-of-way these overhangs commonly represent. The significant third floor setback at the front and rear minimizes the perceived mass and scale of the building, creating a pleasing human scale to the project.

Side and Rear Setbacks: The side yard setback is 0' and the rear yard setback is 5' at the first level, 0' on the second level, and 20'-2" at the third level. These setbacks are consistent with the zoning district regulations and are typical of those found in commercial and mixed-use developments in the surrounding vicinity.

Density: As designed, the project will contain two free market residential units, one employee-housing unit, 1,315 s.f. first floor commercial retail space and 6,040 s.f. of office space. The remaining floor area within the building is attributable to entry and circulation space. The total floor area is 13,725 s.f. These densities of commercial floor area and residential units are well within what is allowed in the underlying zone district. Furthermore, when considering the uses and densities within the surrounding neighborhood, it is clear that the development proposed is appropriate and compatible with the existing neighborhood.

Height: The maximum height allowed within the base PMD development standards for the Urban Commercial zone district is 42 feet. As proposed, the building is 42 feet in height as measured from adjacent grade, thereby complying with the regulations.

Development Standards: The PMD Development Standards require that the Floor Area Ratio, Height, Landscape Surface Ratio and Lot area for PMD development within the AC zoning district are limited to those found in LDR Table 2325.A "Development Standards for Planned Mixed Use Development Option". The following table identifies these standards, and how the Goal PMD project compares to these limitations: These calculations are based on a gross site area and Base Site Area of 11,500 s.f.

	Development Standards for PMD Option	Existing Development to Remain	Proposed Development	Total
FAR	1.83% of BSA (21,045 s.f.)	7,253 s.f.	13,725 s.f	20,978 s.f.
LSR	0% of BSA (0 s.f.)	0 s.f.	0 s.f.	0 s.f.
Height	42'	36'	42'	42' maximum
Min Site Area	22,500 s.f.	4,000 s.f.	7,500 s.f.	11,500 s.f.*

* This deviation from the minimum site area was allowed by Town Council through approval of a Preliminary Determination application for this project.

Section 2325.D.3 – Statement of Purpose:

The purpose of the Planned Mixed-Use Development option is to provide flexibility in encouraging mixed-use commercial, office, and residential development, which will, through an overall unified approach, achieve results superior to those produced when development occurs lot by lot and adheres to rigid standards. This option presents the opportunity to integrate a mix of commercial, office, and residential uses, structural mass, vehicular access and circulation, pedestrian use, pedestrian streetscape and architectural space in order to respond creatively to a broad array of community issues and development situations in furtherance of the health, safety and general welfare of the citizens.

By including interesting and engaging street level commercial uses, coupled with second level office space, third level residential uses and parking incorporated into the building and accessed from the alley the project provides functional, pedestrian friendly areas for residents, visitors, and commercial patrons.

Section 2325.D.4 – Master Site Plan

Please refer to the attached existing conditions plan and architectural plans and elevations

Section 2325.D.5 – Dimensional Limitations Plan

OSR/LSR	Density	Uses	Floor Area*	Street Yard	Side Yard	Rear Yard	Height
0 s.f..	3 Units	Varies	New: 13,725 s.f. Total: 20,978 s.f. 1.83 FAR	6 inches	0'	0 feet First Floor: 20 feet	42 feet

* Total Floor Area excludes employee housing floor area provided on site.

Section 2325.D.6 – Design Element

This PMD Development Standard requires that a PMD include detailed design guidelines that establish design parameters for buildings, open spaces, and landscape areas. Because the proposed project will be built and landscaped all by the same developer and done as a single construction project, the Master Plan approval does not require design guidelines for the project. As required by the LDRs, the project will apply for and receive approval from the Town Design Review Committee. Therefore, the project will apply existing Town *"Design Guidelines"* and will fully comply with the provisions therein.

Furthermore, although preliminary, the project design complies with the Design Element provisions of the PMD regulations. This is evidenced by providing ground level commercial spaces to create an engaging and interesting street front for pedestrians, by providing sidewalks, by minimizing pedestrian and vehicle conflicts, and by designing the required parking to be accessed from the alley.

Signs for the project have not yet been developed. The requirements for these features will be addressed through a sign permit for the property.

Section 2325.D.7 – Transportation Element

The Big Mountain Planned Mixed Use Development project will not produce vehicular traffic that undermines the community's character, and will not result in unacceptable noise, air, quality or traffic impacts. The Master Plan presented in this application will provide an optimum mix of automobile, transit, and sidewalk and pathway facilities.

Currently, the property contains a curb cut on Pearl Avenue that restricts pedestrian movement along the Pearl Avenue pedestrian

corridor. The proposed plan will improve the existing situation by eliminating the existing curb cut that interrupts the pedestrian movement in front of the project site.

For more information please refer to the "Parking and Traffic Analysis" and associated "Proposed Development Vehicular Trip Generation" Attachments to this report.

Section 2325.D.7.c - Parking and Loading

In accordance with the requirements of the PMD parking and loading standards, as well as the allowances of the "Downtown Special Parking District", the Big Mountain Planned Mixed Use development application provides parking and loading areas of sufficient amount and type to accommodate the plan's projected demand.

The Parking and Loading section of the Planned Mixed Use Development regulations (Section 2325.D.7.c) states:

"The PMD Master Plan shall provide parking and loading areas of sufficient amount and type to accommodate the plan's projected demand including parking for visitors and lodging guests, waiting and loading areas for transit vehicles and their passengers, and loading areas for delivery vehicles. ***Parking shall be designed to encourage non-motorized transportation; transit and high occupancy vehicle use and discourage single occupancy vehicle use. Scenarios that share parking between compatible uses is encouraged."*** *(Emphasis added)*

The amount and type of parking provided within the Big Mountain project meets this Planned Mixed Use Development Standard. It provides parking in a sufficient amount to the projected demand for the project, encourages non-motorized transportation, transit use, and high-occupancy use, and shares parking between compatible uses, as encouraged by the PMD Parking standard.

The following parking demand calculations are based on the Town Land Development Regulations parking requirements:

Non Residential Uses	Floor Area	Parking Ratio/1,000 s.f.	Parking
Flex Space (1st Floor)	1,460 s.f.	3.5	5.1
Office Space (2nd floor)	5,825 s.f.	3.3	19.2
Downtown parking credit			-12.2
On-street parking credit			-2
Total Non-residential Parking			**10.1**
Residential Uses			Parking
2 Bedroom Unit			2
1 Bedroom Unit			1.75
Studio Unit			1.25
Shared Parking Credit			-3.75
Total Residential Parking			**1.25**
Total Parking (10.1 + 1.25)			**11.35**

Based on the above calculations, the Land Development Regulation Parking Standards require 11.35 parking spaces be provided within the project. The Big Mountain PMD is providing 9 parking spaces, a shortfall from the base parking standards of 2.35 spaces. However, because we are applying under the Planned Mixed Use Development Standards, the parking within the project must meet the PMD parking standards quoted above.

The Big Mountain project will meet the PMD parking standard of providing parking in a sufficient amount to the projected demand for the project, encouraging non-motorized transportation, transit use, and high-occupancy use, and sharing parking between compatible uses, as encouraged by the PMD Parking standard, in the following ways:

First, visitors and users of the building will be allowed to park in the spaces located at the 50 South King property. This will further encourage shared parking between compatible uses as encouraged in the PMD parking standard.

Second, the project is located in reasonable walking proximity to the Town's Home Ranch parking lot and the Town parking

structure, allowing visitors and users of the of the building a parking alternative as encouraged by the PMD parking standard. .

Third, the project is in close proximity to transit services, thereby encouraging transit use as encouraged by the PMD parking standard.

Fourth, the project included space for bicycle storage, thereby encouraging alternative forms of transportation as encouraged by the PMD parking standard.

Fifth, the project is ideally located in close proximity to Town services, shops, restaurants and recreation facilities, allowing for walking as an attractive and reasonable alternative to driving and alleviating the need to drive to these amenities.

Sixth, the PMD Master Plan approval has recognized that this parking shortfall is acceptable and that a parking in lieu fee will be provided in accordance with the PMD Master Plan approval.

All of these methods and characteristics for mitigating the based parking regulation shortfall are consistent with the purpose and intent of the PMD parking standard, as well as the purpose and intent of the PMD development tool.

The purpose of the PMD is to

"permit development that will result in improved living and working environments, promote more efficient development, encourage a variety of types of residential dwellings, encourage ingenuity and originality in total development and individual site design, and allow for denser clustering of development where appropriate."

Because the amount of parking that can reasonably be provided on the site is limited to nine spaces, should the project be required to meet base parking requirements, the only alternative remaining is to revise the overall program for the project. This includes alternatives such as the elimination of one of the two free market residential spaces, and reduction in the first floor flex space. This will be contrary to the intent and purpose of the PMD, including promoting efficient development, encouraging a variety of

dwelling types, improvement of living and working environments, and allowing a denser clustering of development.

Furthermore, however, it is the intent of this development to provide a high quality mixed use development that provides housing and commercial spaces that enhance the vibrancy and social character of the immediate vicinity. The amount of parking that is required by base parking standards necessarily limits the ability of this project to achieve these goals. The base parking requirement within the Town Land Development Regulations establish parking minimums, which are generic requirements based on the maximum parking demand, rather than an average parking demand.

These requirements necessarily result in the provision of excess parking spaces, which in turn consumes valuable space that could otherwise be used to encourage vibrant living and working spaces. More importantly, however, by requiring more parking than is reasonably necessary, the parking regulations encourage personal automobile use by making parking so readily available that driving becomes (or remains) the preferred transportation alternative, even when other transportation choices, such as transit, bicycling and walking, are readily available as they are in the vicinity of this development.

Because the PMD parking standard encourages non-motorized transportation; transit and high occupancy vehicle use and discourages single occupancy vehicle use, the amount and type of parking being provided by the Big Mountain PMD project is consistent with this standard. Furthermore, by sharing parking between uses within the project, as well as sharing parking with the 50 South King Street building the project meets the PMD parking standard, which encourages scenarios that share parking between compatible uses.

Section 2325.D.8 – Capital Improvements Element

Please refer to the attached engineering plans.

Section 2325.D.9 – Housing Element

Affordable Housing: Section 49400 Town Land Development Regulations require that new residential developments include a

reasonable supply of Affordable Housing, and sets forth standards for the provision of affordable housing in conjunction with market rate residential development.

Section 49430 of the Town Land Development Regulations allows exemptions to these standards. Included in these exemptions is Section 49430.A – Redevelopment of preexisting uses, which states: "Redevelopment or remodeling of a use existing prior to the effective date of this division is exempt from the standards of this Division, provided no additional residential units are created by the redevelopment or remodeling activity. In the event new residential units are created, only the number of units that existed prior to the redevelopment or remodeling shall be exempt from the standards of this division."

Based on the redevelopment plans for the project, and on the above exemptions allowed to the Affordable Housing Standards, the Town Affordable Housing Standards for the project require affordable housing based on the following calculations:

PMD Affordable Housing Requirements

	Unit Type	Number of Units	Number of Bedrooms	Projected Population (based on Persons housed per unit factor)	Persons Required to be Housed (projected population x .15)
Free Market Residential Units	1 Bedroom	1	1	1.75	.2625
	2 Bedroom	1	2	2.25	.3375
Total Existing Residential Units (Exemptions)	2 Bedroom	1	2	2.25	-.3375
Total Affordable Housing Requirement					.2625 persons

Employee Housing: Section 49500 Town Land Development Regulations require the new commercial development include a reasonable supply of affordable, attainable housing suitable for the needs of the seasonal workforce in Teton County, and sets forth

standards for the provision of employee housing in conjunction with commercial development.

Based on the redevelopment plans for the project, the Town Employee Housing Standards for the project require affordable housing based on the following calculations:

	Type of Non Residential Use	Floor area per Use	Sq Ft Ratio	Sq ft of employee housing
Proposed Uses	Ground floor flexible space	1,315 s.f.*	250	328.75 s.f.
	Second Floor Office Space	6040 s.f.	12	72.5 s.f.
Total Employee Housing Requirement				401.25 s.f.

* This 1,315 s.f. of ground floor flexible space is less than the 1,460 s.f. that was shown in the PMD Master Plan application. This is due to the property owner requirements and associated building code requirements for a second, dedicated stair accessing the second floor office space. Although this results in a decreased employee housing requirement, the Final Development Plan application proposes no reduction or change in the in the amount of employee housing being provided. If building codes and programmatic requirements allow, the owner is interested in expanding the ground floor flex space back to the 1,460 s.f. approved under the Master Plan. If this is achievable, the employee housing requirement will remain less than what is being provided in the project.

<u>Affordable Housing Mitigation Plan:</u>

Affordable Housing
Because the total affordable housing requirement is less than 1 person, we propose to provide affordable housing mitigation as a fee-in-lieu.

Employee Housing
For compliance with the Employee Housing mitigation requirements for this project we propose to provide an employee housing unit on the third floor of the proposed building. This unit is 450 s.f., exceeding the employee housing requirement of 401.25 s.f. In addition, the employee housing unit includes a private exterior deck measuring 430 s.f. of area, which provides an opportunity to access the outdoors directly from the unit, and provides increased livability of the unit.

Section 2325.D.10 – Phasing Element

The project will be constructed and completed in a single phase.

We anticipate the following construction timeline for the project:

June, 2008	Final Development Plan Submittal
Summer 2008	Construction projected
Summer/Fall 2009	Plat Approval—Construction finish

Section 2325.D.11 Conformance with other applicable regulations

Compliance with all applicable regulations will be ensured through Final Development Plan approval.

Section 2325.D.12 – Uses Permitted

Uses within a PMD project include those uses permitted in the UC zone district. As proposed, the project will contain residential and commercial uses that are allowed by right.

Section 2325.D.13 – Multiple or Mixed Uses

This section requires that no non-residential use (commercial use) may occupy more than 70% of the gross floor area of the project. Sixty seven percent of the project is non-residential, while thirty three percent is residential. This includes the basement in the 115 East Pearl building, which will, in accordance with Master Plan approval, be dedicated exclusively for the use of the residential uses in the building.

VI.D. CONFORMANCE WITH APPLICABLE FINDINGS

1. Consistency with Comprehensive Plan. The PMD Master Plan is consistent with the goals and objectives of the Jackson/Teton County Comprehensive Plan and the Transportation Plan with its Town as Heart of the Region policy.

The proposed Final Development Plan conforms to the Jackson – Teton County Comprehensive Plan (hereinafter referred to as the Plan) and furthers the goals, objectives, policies and recommendations of the Plan in a number of ways. The vision statement of the Plan foresees development at is supportive of "architectural design" and "commercial buildings which reflect Jackson's heritage, character, and design."

Specific goals and objectives of the plan are to:

- Preserve the character of some existing neighborhoods and commercial centers and to enhance others through redevelopment.
- Achieve commercial development which is sensitive to the scale and character of Teton County and which minimizes disruption of existing neighborhoods.
- Be consistent with community character, natural resources, and affordable housing developments.
- Control sprawl and strip commercial development.

2. Consistency with purpose and intent. The PMD Master Plan is consistent with the purpose and intent of this Section, as set forth in subsection A, Purpose and intent.

The purpose of the Planned Mixed-Use Development option is to provide flexibility in encouraging mixed-use commercial, office, and residential development, which will, through an overall unified approach, achieve results superior to those produced when development occurs lot by lot and adheres to rigid standards. This option presents the opportunity to integrate a mix of commercial, office, residential uses, structural mass, vehicular access and circulation, pedestrian use, pedestrian streetscape and architectural space in order to respond creatively to a broad array of community issues and development situations in furtherance of the health, safety and general welfare of the citizens.

As discussed elsewhere in this report, and repeated here, the project meets this purpose and intent by undertaking infill development to create a strong street presence, reflective of the traditional downtown character, by harmonizing the new project with surrounding development and by providing a visually interesting storefront presence that enhances the pedestrian experience along this block of Pearl Avenue.

By providing commercial storefront architectural elements at street level the project will create visual interest and enhance the pedestrian experience in the neighborhood. Access to parking for the project is from the alley, relegating the vehicle to a secondary status. Additionally, the proposed building will be set back from the property line by two feet, allowing for a 12 foot sidewalk fronting the project and inviting pedestrian oriented activity.

Furthermore, the surrounding neighborhood is an attractive mixture of commercial, office, and residential uses. By providing within the

project a small commercial retail use on the first floor, office uses on the second floor, and modest residential units, including an employee housing unit, on the third floor, this project will serve to compliment and enhance this existing mix of uses.

3. Design guidelines. The PMD Master Plan contains design guidelines that:

a. **Establish standards for buildings, open spaces, landscape areas, signs, and lighting within the Plan;**
b. **Promote the design concepts set forth in subsection D.5, Design element and**
c. **Establish a method for consistent implementation of the guidelines.**

The project is being designed and constructed in a single phase. As such, the site planning and architectural plans developed as part of the Final Development Plan will be approved by the Town Design Review Committee. Therefore, it is not necessary to provide design guidelines for the project. Furthermore, as discusses under the "Design Element" section of this report, the project as presented meets the PMD design guidelines.

4. Transportation element. The PMD Master Plan contains a Traffic Impact Analysis and Transportation Demand Management Plan that promotes alternative forms of transportation consistent with the transportation goals of the Jackson/Teton County Comprehensive Plan.
The project promotes alternative forms of transportation dues to the location of the project, the provision of pedestrian friendly sidewalks and the provision of bike racks.

5. Affordable and employee housing. The PMD Master Plan ensures a supply of affordable and employee housing that is in accordance with the requirements for housing created by development within the plan.
The project will comply with and exceed all affordable housing requirements found within Land Development Regulations.

6. Capital improvement plan. The PMD Master Plan contains a capital improvement plan that ensures infrastructure and essential services will be provided in an efficient and timely manner to accommodate projected plan demands.
The population generated as a result of this development is no greater than that anticipated by the underlying zoning of the site. School, park, utility and other public service needs are based, in part, on

development potential allowed by zoning. Therefore, development of this site, based on its zoning, has been anticipated and planned. This site is appropriate for the proposed development as it is served by all municipal services and utilities, and is proximate to schools, parkland, the Town Square, shopping, post office, rec. center, and a major arterial. Increased density in town allows for more efficient use of infrastructure and resources.

7. Phasing plan. The PMD Master Plan contains a Phasing Plan that ensures development of the plan, its amenities, and public facilities necessary to serve the Plan, occur in logical sequence.
The phasing plan for this project is limited to a single phase on construction for the entire project. Therefore, all amenities and public facilities necessary to serve the project will be completed and in place as a part of the building permitting process.

8. Development standards The PMD Master Plan meets the required criteria in subsection D.2 Development Standards, and includes design and/or use features, which substantially advance the goals of the Transportation Plan with its Town as Heart of the Region policy.
As discussed throughout this report, the project is consistent with all the PMD Master Plan development standards.

AFFIDAVIT AND AGREEMENT BETWEEN THE TOWN OF JACKSON, TETON COUNTY, WYOMING AND THE UNDERSIGNED APPLICANTS RELATING TO A PLANNED MIXED USE DEVELOPMENT MASTER PLAN

STATE OF WYOMING)
)ss.
COUNTY OF TETON)

RELEASED	
INDEXED	✓
ABSTRACTED	✓
SCANNED	

SUBJECT PROPERTY Lot 15, Block 2, Cache Creek Addition to the Town of Jackson, Plat 102, and the North 80' of Lot 16, Block 2, Cache Creek Addition to the Town of Jackson, Plat 102. The properties are addressed as 115 East Pearl Avenue and 50 South King Street respectively. 115 East Pearl has Teton County **PIDN #22-41-16-34-2-04-010** and 50 South King Street has Teton County **PIDN# 22-41-16-34-2-04-007.**

This Affidavit and Agreement is executed by Mark Barron, as Mayor of the Town of Jackson and by Big Mountain Enterprises, LLC, owner of Lot 15, Block 2, Cache Creek Addition to the Town of Jackson, Plat 102, and by 50 King Street Partnership, owner of the North 80' of Lot 16, Block 2, Cache Creek Addition to the Town of Jackson, Plat 102.

This Affidavit and Agreement is made and recorded pursuant to Section 2325.C.2.a(3) of the Town of Jackson Land Development Regulations as adopted by the Town Council of the Town of Jackson in Ordinance No. 680. The undersigned being first duly sworn upon their oaths agree and state the following:

1. The undersigned are adults, competent to testify, and have personal knowledge concerning the subject property as more fully defined herein, and this Affidavit and Agreement relates to the above Subject Property being real property located in the Town of Jackson, County of Teton, State of Wyoming.

2. On May 19, 2008, the Town Council of the Town of Jackson voted to approve a Planned Mixed Use Development Master Plan for the subject property pursuant to Section 2325-Planned Mixed Use Development of the Town's Land Development Regulations, as shown within the application titled Big Mountain Planned Mixed Use Development Master Plan Application submitted on February 29, 2008, with revisions submitted on April 29, 2008, including architectural plans and elevations completed by Gilday Architects.

3. The "Approval Confirmation Letter" dated July 15, 2008, from Tyler Sinclair, Director of Planning and Building for the Town of Jackson, a true and correct copy attached hereto and made part hereof as Exhibit A, sets forth two (2) conditions of approval of said Planned Mixed Use Development Master Plan. Exhibit A sets forth the Town's approval of the Master Plan and imposes certain limits and conditions to that Master Plan as more fully described in the architectural plans and elevations, completed by Gilday Architects, and the "Big Mountain Redevelopment Planned Mixed Use Development Master Plan and Certificate of Standards and Conditions" recorded in the Teton County Office of Land Records at Book 705 Page 203.

GRANTOR: TOWN OF JACKSON ET AL
GRANTEE: THE PUBLIC
Doc 0838928 bk 847 pg 30-39 Filed At 11:43 ON 06/26/13
Sherry L. Daigle Teton County Clerk fees: 35.00
By Mary Smith Deputy

4. By the "Approval Confirmation Letter" for Final (Major) Development Plan dated October 15, 2008 from Tyler Sinclair, attached hereto and made part hereof as Exhibit B, there are two (2) additional conditions of approval of said Planned Mixed Use Development Master Plan. On September 2, 2008, the Master Plan in question was approved and set to expire on July 29, 2013. Exhibit B sets forth a true and correct copy of the Town's approval of the Master Plan and imposes certain limits and conditions to that Master Plan.

6. By the "Master Plan Extension Letter" dated May 10, 2013 from Tyler Sinclair, attached hereto and made a part hereof as Exhibit C. On May 6, 2013, the Master Plan in question was approved for extension until July 29, 2016 with the condition that this Affidavit and Agreement be recorded within sixty (60) days of the Town Council's approval of the extension.

7. By their signature below, the undersigned owners of the Subject Property consent to each and every term and condition of the approved Master Plan and each of the Exhibits to this Affidavit and Agreement referenced above.

8. The parties agree that this document and each of its attachments and Exhibits are intended to set forth in detail the Planned Mixed Use Development Master Plan, the conditions of approval, and the development standards to be applied within the Planned Mixed Use Development Master Plan as well as other standards, conditions and agreements pertaining to future development and/or responsibilities within the Planned Mixed Use Development.

9. It is agreed that this document and each of the Exhibits attached hereto, pursuant to Section 2325 of the Town of Jackson Land Development Regulations, be recorded in the land records of Teton County, Wyoming and in the Town of Jackson, Wyoming Clerk's Office.

Dated this 24th day of June, 2013

TOWN OF JACKSON

By:
Mark Barron, Mayor

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing Affidavit and Agreement was acknowledged before me by Mark Barron, as Mayor of the Town of Jackson on this 24th day of June, 2013

Witness by my hand and official seal.

ROXANNE DEVRIES ROBINSON - NOTARY PUBLIC
SEAL County of Teton State of Wyoming
MY COMMISSION EXPIRES 6/17/17

Notary Public
My Commission expires 6/17/17

ATTEST

By: _____
Olivia Goodale, Town Clerk

THE TOWN OF JACKSON INCORPORATED SEAL 1914 TETON COUNTY, WYOMING

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

The foregoing Affidavit and Agreement was acknowledged before me by Olivia Goodale, as Town Clerk of the Town of Jackson this 24th day of June, 2013

Witness by my hand and official seal

ROXANNE DEVRIES ROBINSON - NOTARY PUBLIC
SEAL County of Teton State of Wyoming
MY COMMISSION EXPIRES 6/17/17

_____
Notary Public
My Commission expires 6/17/17

OWNER
Big Mountain Enterprises, LLC

By: _____
Kelly Lockhart, Managing Member

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

On this 7th day of June, 2013, before me, the undersigned Notary Public, personally appeared Kelly Lockhart for Big Mountain Enterprises, LLC, a Wyoming limited liability company, and known to me to be the Managing Member of the company that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the company, by authority of Statute, its articles of organization or its operating agreement, for

the uses and purposes therein mentioned, and on oath stated that he or she is authorized to execute said instrument on behalf of the limited liability company.

Witness by my hand and official seal.

SEAL BALLO - NOTARY PUBLIC
COUNTY OF LINCOLN STATE OF WYOMING
MY COMMISSION EXPIRES: 03/09/14

Notary Public
My commission expires: 3/9/2014

BALLO NOTARY PUBLIC LINCOLN COUNTY

OWNER

50 King Street Partnership

By: Harold N. Leavell, General Partner

Kelly Lockhart, General Partner

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

On this 7th day of June, 2013, before me, the undersigned Notary Public, personally appeared Harold N. Leavell and Kelly Lockhart for 50 King Street Partnership, a Wyoming general partnership, and known to me to be the general partners of the partnership that executed the foregoing instrument and acknowledged said instrument to be the free and voluntary act and deed of the Partnership, by authority of Statute and its partnership agreement, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument on behalf of the partnership.

Witness by my hand and official seal.

SEAL

BALLO - NOTARY PUBLIC
COUNTY OF LINCOLN STATE OF WYOMING
MY COMMISSION EXPIRES: 03/09/14

Notary Public
My commission expires: 3/9/2014

BALLO NOTARY PUBLIC LINCOLN COUNTY

EXHIBIT
A

PLANNING & BUILDING DEPARTMENT

July 15, 2008

Big Mountain Enterprises, LLC
P.O. Box 3157
Jackson, WY 83001

RE: Item P08-031
115 W. Pearl Avenue & 50 S. King Street

Ladies and Gentlemen:

This letter is to confirm that on May 19, 2008, the Jackson Town Council voted to approve your request for a Planned Mixed-Use Development Master Plan, hereinafter referred to as the Big Mountain PMD.

The approved Planned Mixed-Use Development Master Plan shall consist of a three-story building composed of retail, office, flexible commercial space and residential uses with a total of approximately 20,953 square feet.

This approval is subject to the following conditions:

1. The basement storage area shall be for the exclusive use of the residents of the building located at 115 West Pearl Avenue.
2. At lease one (1) parking space shall be reserved for the sole use of each residential unit, including the employee housing unit located at 115 West Pearl Avenue.

In addition, all comments on the enclosed Project Reviews shall be addressed prior to building permit issuance.

Please be advised that the Planned Mixed-Use Development Master Plan approval **shall expire three years from the date of its recordation,** which shall be no later than July 18, 2008, unless extended by the Planning Director.

Should you have any questions, please contact Shawn Hill at 733-0440, Ext. 1303.

Respectfully,

Tyler Sinclair, AICP
Director of Planning & Building

TS:ad

Enclosure

P.O. Box 1687 • Jackson, Wyoming 83001 • 307-733-0440 or 0520 Fax 307-734-3563 www.townofjackson.com

EXHIBIT
B

PLANNING & BUILDING DEPARTMENT

October 15, 2008

Big Mountain Enterprises, LLC
P.O. Box 3157
Jackson, WY 83001

RE: Item P08-090 – Final (Major) Development Plan – Big Mountain PMD
115 E. Pearl Avenue & 50 S. King Street

Ladies and Gentlemen:

This letter is to confirm that on September 2, 2008, the Jackson Town Council voted to approve your request for a Final (Major) Development Plan under the Planned Mixed-Use Development option for an approximate 18,855 gross SF building containing retail/service, office, and residential uses located at 115 W. Pearl Avenue and 7,253 SF of existing retail and office uses located at 50 S. King Street, subject to the following conditions:

1. The "flex space" shall be designated as retail/service in the building permit submittal and exclude restaurant uses.

2. The applicant shall hold a pre-construction meeting with the Public Works Department and surrounding property owners prior to building permit issuance to discuss the applicant's construction management plan. The construction management plan shall then be required obtain Town Council approval.

In addition, all comments on the enclosed Project Reviews shall be addressed prior to building permit issuance.

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

Based upon these actions, the Final Development Plan approval **shall expire on July 29, 2013,** if no building permit has been filed with the Building Department for new development on site to establish the use authorized.

Respectfully,

Shawn W. Hill, AICP
Associate Planner

SH:ad

Enclosure

pc: Hal Hutchinson, Pierson Land Works, Inc.
Kelly Bowlin, Development Coordinator

EXHIBIT
C

PLANNING & BUILDING DEPARTMENT

May 10, 2013

Big Mountain Enterprises, LLC
Attn: Kelly Lockhart
P.O. Box 3157
Jackson, WY 83001

RE: Item P13-011
Big Mountain Master Plan Extension
115 E Pearl Avenue
50 South King Street

Dear Mr. Lockhart:

This letter is to confirm that on May 6, 2013, the Jackson Town Council voted to approve your request for an Extension of the Big Mountain Planned Mixed Use Development (PMD) Master Plan of three years, subject to one condition of approval:

1. An Affidavit and Agreement shall be reviewed and approved by staff and the Town Attorney and recorded in the Teton County Clerk's Office within sixty (60) days of Town Council approval, unless extended with the approval of the Planning Director establishing the following:
   - The PMD Master Plan expiration date as **July 29, 2016** and that within that time period a Final Development Plan (FDP) would be approved by the Town, an associated Building Permit for the FDP would be submitted and upon issuance the applicant would commence construction within sixty (60) days of issuance of the building permit with continuous progress to completion. Should at any time the conditions of the extension not be satisfied, the Master Plan would expire and all unvested and unexercised rights established by the Master Plan would lapse and all the remaining lands would thereafter be subject to the then applicable Land Development Regulations.

Should you have any questions or require further information on this matter please feel free to contact me at 307-733-0440, Ext. 1301.

Respectfully,

Tyler Sinclair, AICP
Director of Planning & Building

TS:sth

Town of Jackson
Project Reviews

Project Number	P08-090		**Applied**	6/10/2008	AD
Project Name	Big Mountain PMD		**Approved**		
Type	FDP MAJOR		**Closed**		
Subtype	PMD		**Expired**		
Status	TOWN COUNCIL		**Status**	9/2/2008	AD
Applicant	Big Mountain Enterprises, LLC	**Owner**	BIG MOUNTAIN ENTERPRISES, LLC		

Site Address	City	State	Zip
115 E Pearl Avenue & 50 S. King	Jackson	WY	83001

Subdivision	Parcel No
CACHE CREEK	22411634204010

Type of Review / Notes	Status	Dates: Sent	Due	Received	Remarks
Building	APPROVED W/COND	6/11/2008	6/11/2008	6/18/2008	

Prior to application for the building permit please address the following.

Due to the slope in the east to west direction of the property adjacent to Pearl Street, the applicant must provide a public sidewalk on the south side of the property within the public way that does not exceed a slope of 1 unit vertical rise in 20 units horizontal. At the transition to the existing stairs on the west property line, additional stairs must be provided in order to maintain the maximum slope of the new public sidewalk. The stairs shall be provided with handrails and/or guards as required. The stair rise and tread depth shall meet the minimum requirements as referenced in Chapter 10 of the International Building Code.

The building shall be designed and constructed in accordance with the 2006 International Energy Conservation Code.

Fire	APPROVED W/COND	6/11/2008	6/11/2008	6/16/2008	

Kathy Clay, Fire Inspector
Jackson Hole Fire/EMS
733-4732

1. A Knox Box shall be installed in an approved location.
2. Building shall be sprinklered to appropriate NFPA standards.
3. A Class III standpipe shall be installed throughout the building if the highest story is located more than 30 feet above the lowest level of access.
4. Smoke detection shall be installed throughout.
5. Building shall be equipped with a full alarm system per NFPA 72.
6. Elevator shall be subject to recall.
7. Underground parking ventilation shall be subject to the International Mechanical Code.
8. Carbon monoxide detection shall be required in underground parking area.

Legal	APPROVED	6/11/2008	6/11/2008	6/24/2008	
Planning	APPROVED W/COND	6/11/2008	6/11/2008	7/8/2008	

1. The condo plat and CCRs shall designate the cellar level as storage for the residential units.

2. The CCRs shall identify which parking spaces are reserved for the residential units.

3. A $25,500 parking fee-in-lieu contribution (for 3 spaces) shall be submitted prior to building permit issuance.

Police	APPROVED	6/11/2008	6/11/2008	6/17/2008	No new concerns

Type of Review / Notes	Status	Dates: Sent	Due	Received	Remarks
Public Works	APPROVED W/COND	6/11/2008	6/11/2008	6/12/2008	

The design of the parking stalls shall be revised to provide the standard parking space of 22 feet for spaces accessing from the alley.

Please be advised that the applicant shall be required to hold a public meeting to review the construction-staging plan with affected adjacent/properties owners.

Prior to building permit approval, a completed and detailed project construction/phasing plans shall be submitted and approved by Town Council. This shall include detailed work and staging sequencing plan, pedestrian and traffic mitigation plans, access plan(s), material staging plan, underground construction plan (to include soils report and if any vertical cut exceeds 4 feet then a shoring plan will be required), material loading plans, clear indication areas of right-of-way use, project timing and other elements that could effect the public and private property.

START	APPROVED	6/11/2008	6/11/2008	6/25/2008	No comments

TC Housing Authority	APPROVED W/COND	6/11/2008	6/11/2008	7/1/2008

Emily Van Engel, Associate Planner
Teton County Housing Authority
732-0867

TCHA staff's review is based on TCHA Guidelines and Section 2325 and Divisions 49400 and 49500 of the Town of Jackson LDRs. This proposal requires affordable and employee housing.

AFFORDABLE HOUSING MITIGATION PLAN (Section 49460)

1. REQUIREMENT CALCULATIONS. The applicant's calculations are incorrect. Because the applicant has proposed to meet the requirement off-site with a fee-in-lieu, the applicant must account for this off-site mitigation as part of the total population generated by this proposal. Fifteen percent of the total population is 0.31, so the applicant is required to mitigatie for 0.31 persons. This requirement is small because it includes an exemption, due to an existing one-bedroom home on-site.

2. METHOD. The applicant has proposed a fee-in-lieu to meet the requirement. Since the requirement is to house less than one person, the Town may find that the fee-in-lieu is an appropriate method.

3. FEE CALCULATIONS. The fee-in-lieu is $4,629.33.

EMPLOYEE HOUSING MITIGATION PLAN (Section 49560)

1. REQUIREMENT CALCULATIONS. The applicant's calculations are correct. There is a requirement of 401.25 square feet of employee housing. Because the applicant is not proposing bonus PMD standards, there is not a requirement to provide 20 percent additional employee housing.

2. METHOD. The applicant has proposed on-site housing, which is the preferred method. The applicant has proposed a 450 square foot studio, which meets the minimum requirement for the amount of housing.

3. UNIT DESCRIPTIONS. The studio meets the minimum square footage requirements from TCHA guidelines. The TCHA board of directors recently approved a new policy regarding rental rates for employee units, which is to use fair market rents established by the Department of Housing and Urban Development. The deed restriction (see below) will restrict rents to fair market rents.

4. PROPOSED DEED RESTRICTIONS. The applicant shall record a deed restriction on the employee unit to ensure long-term affordability. TCHA staff will provide the applicant with a sample deed restriction, and the applicant should record it prior to Final Plat recordation.

LEGEND

- Indicates a steel T-stake with chrome cap inscribed "PE & LS 2612" found this survey
- Indicates a steel T-stake with chrome cap inscribed "RLS 164" found this survey
- Catch Basin
- 4" Diameter Water Valve
- 3" Diameter Vent Pipe
- Power Pole
- Telephone Pad
- Fire Plug
- Meter/Fuse Box
- 6236.4 Spot Elevation (Typical)
- Willow

- Lot Boundary Line
- Adjacent Lot Boundary Line
- Existing Building
- Building Eave/Porch
- Edge of Gravel
- Edge of Concrete
- Wood Boardwalk
- Flowline of Gutter
- Fenceline

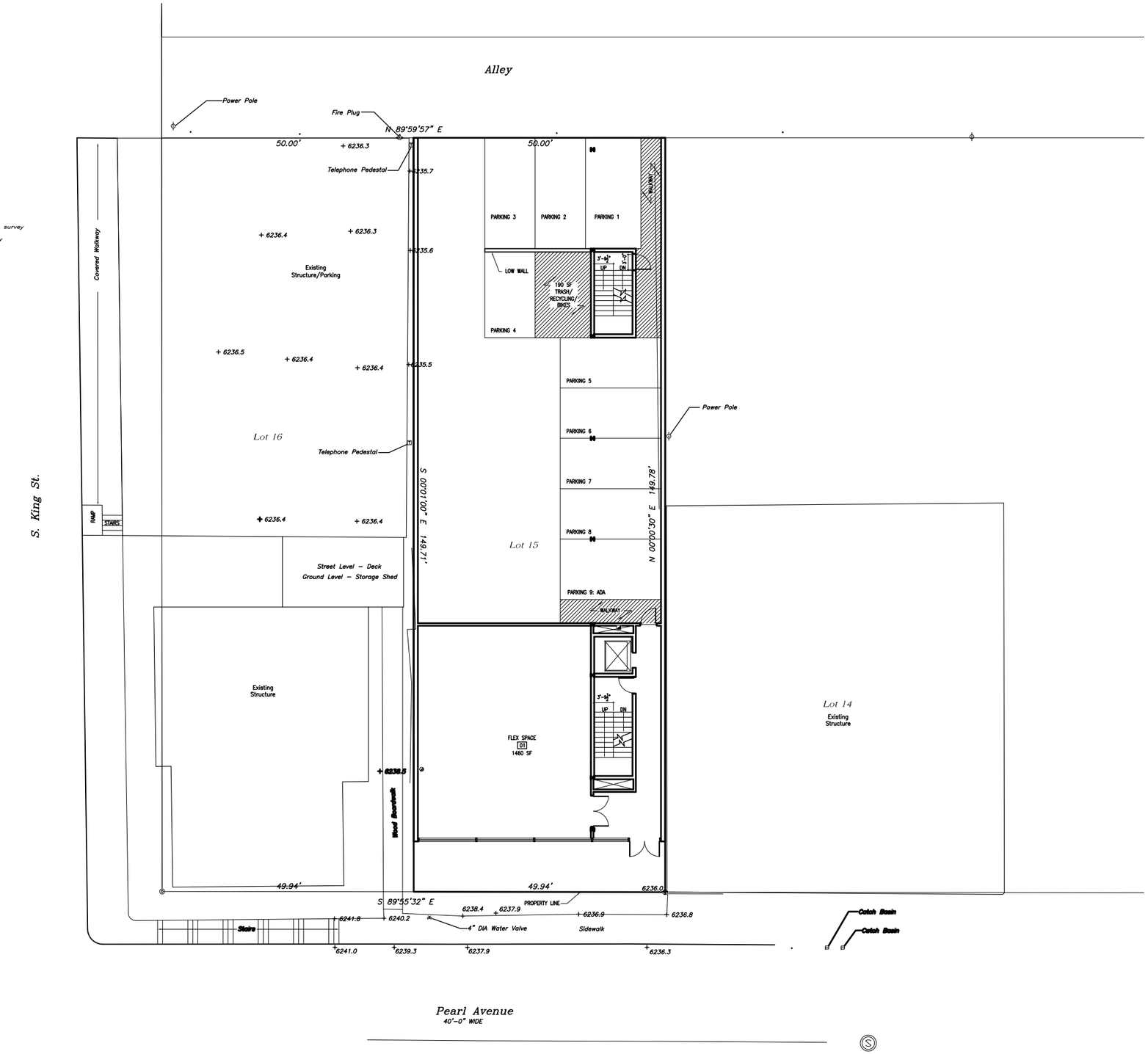
NOTES:

Base Elevation = 6234.02' (NGVD29) at NGS benchmark V40 located at the NW corner of Town Square.

Topographic features represented on this map show conditions determined by a field survey made on December 6, 2007, and may not reflect changes made subsequent to that date.

Lot dimensions shown hereon are based on a boundary survey performed under Raymond S. Scott, Wyoming PLS No. 10821.

Spot elevations shown on Lot 16 are on the concrete pad of the parking garage of the 50 S. King St. building.



SITE PLAN

NTS

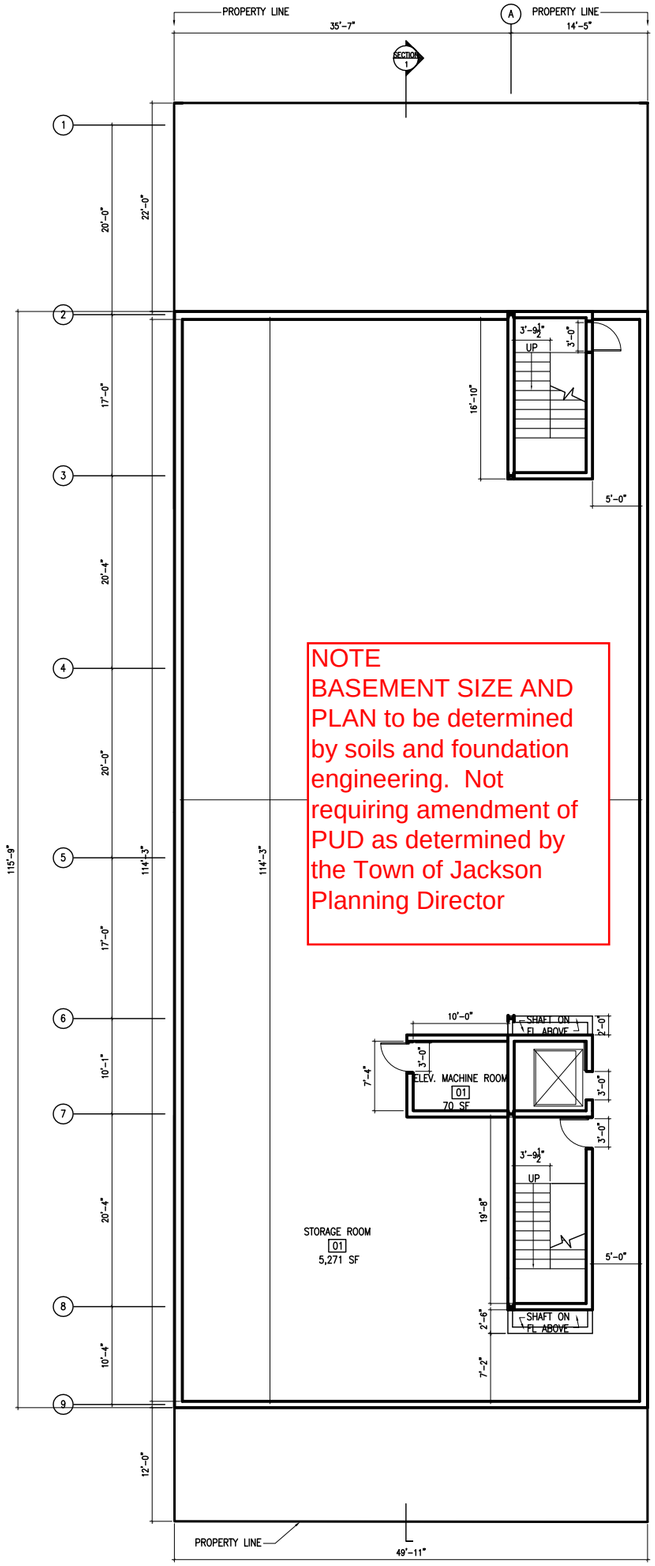
Architect
GILDAY ARCHITECTS
P.O. Box 4735
Jackson, Wyoming 83001

Drawing Scale
NTS

Date
29 February 2008

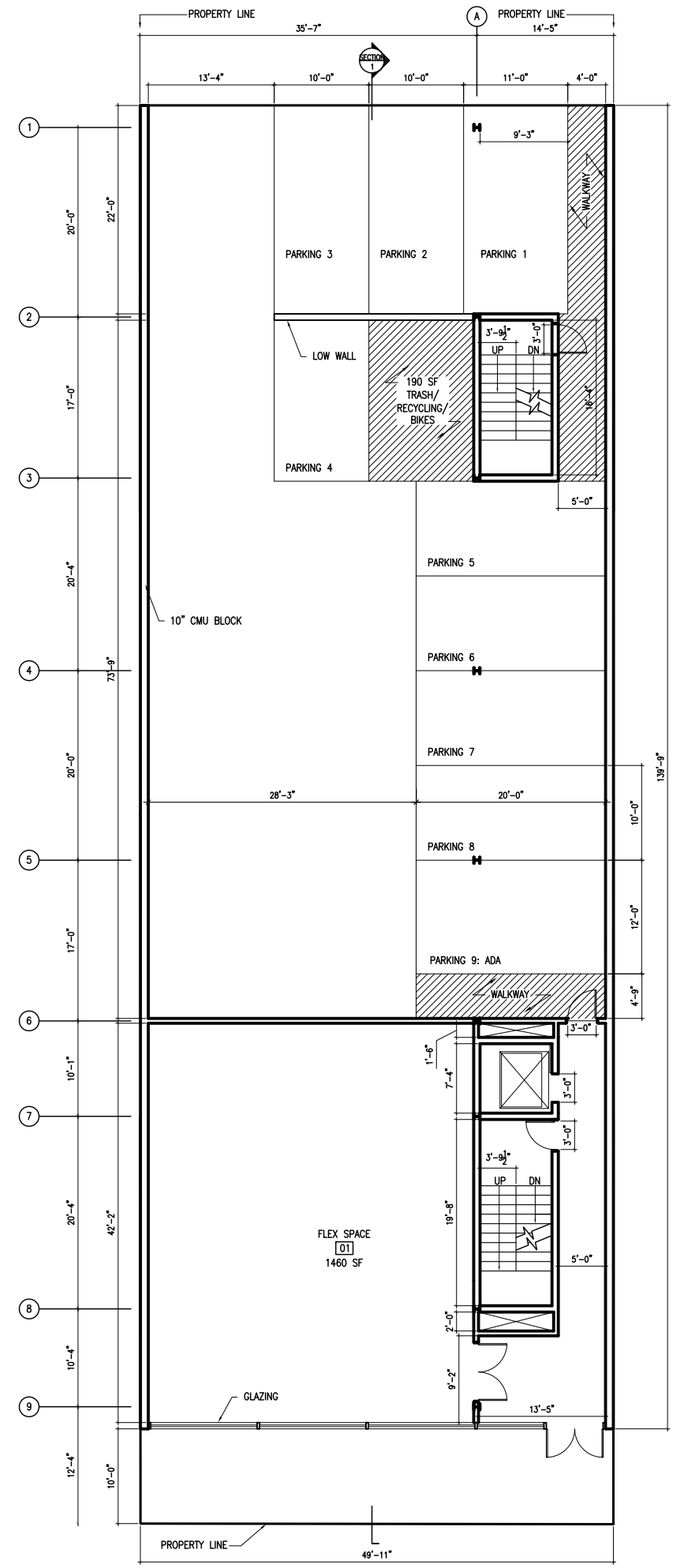
Project
BIG MTN. ENTERPRISES LLC.
Jackson, Wyoming

L1.0



BASEMENT PLAN

1/16" = 1'-0"



STREET LEVEL

1/16" = 1'-0"

FLOOR AREA CALCULATION

7,480 SF LOT SIZE

2,300 SF GROUND FL
7,430 SF 2ND FL
3,970 SF 3RD FL (NOT INCLUDING 450 SF EMPLOYEE HOUSING)

13,700 SF MAX SF

13,700/7,480 = 1.83 FAR

Architectural Consultant
MICHIELLI + WYETZNER
143 West 29th Street, Suite 6A
New York, New York 10001

Architect
GILDAY ARCHITECTS
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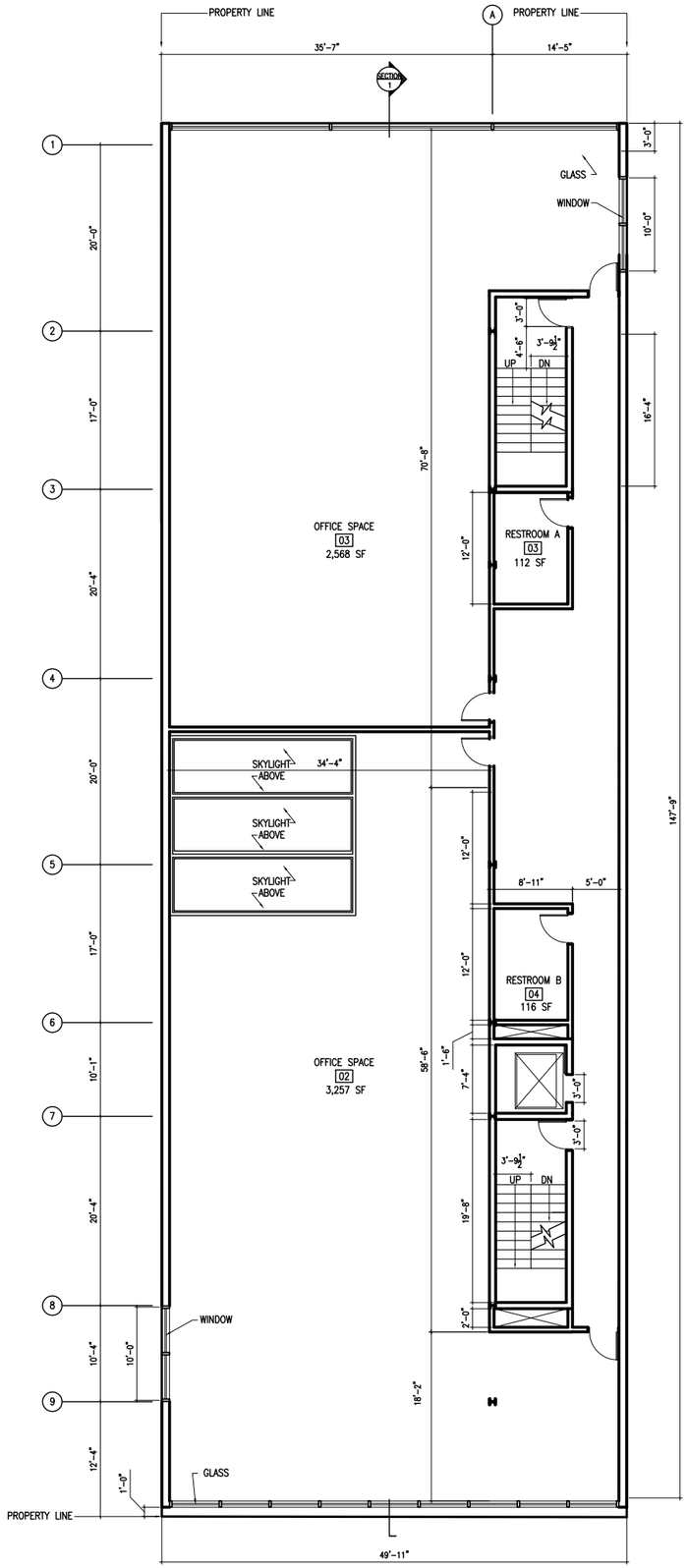
Jackson, Wyoming 83001

Date
04 April 2008

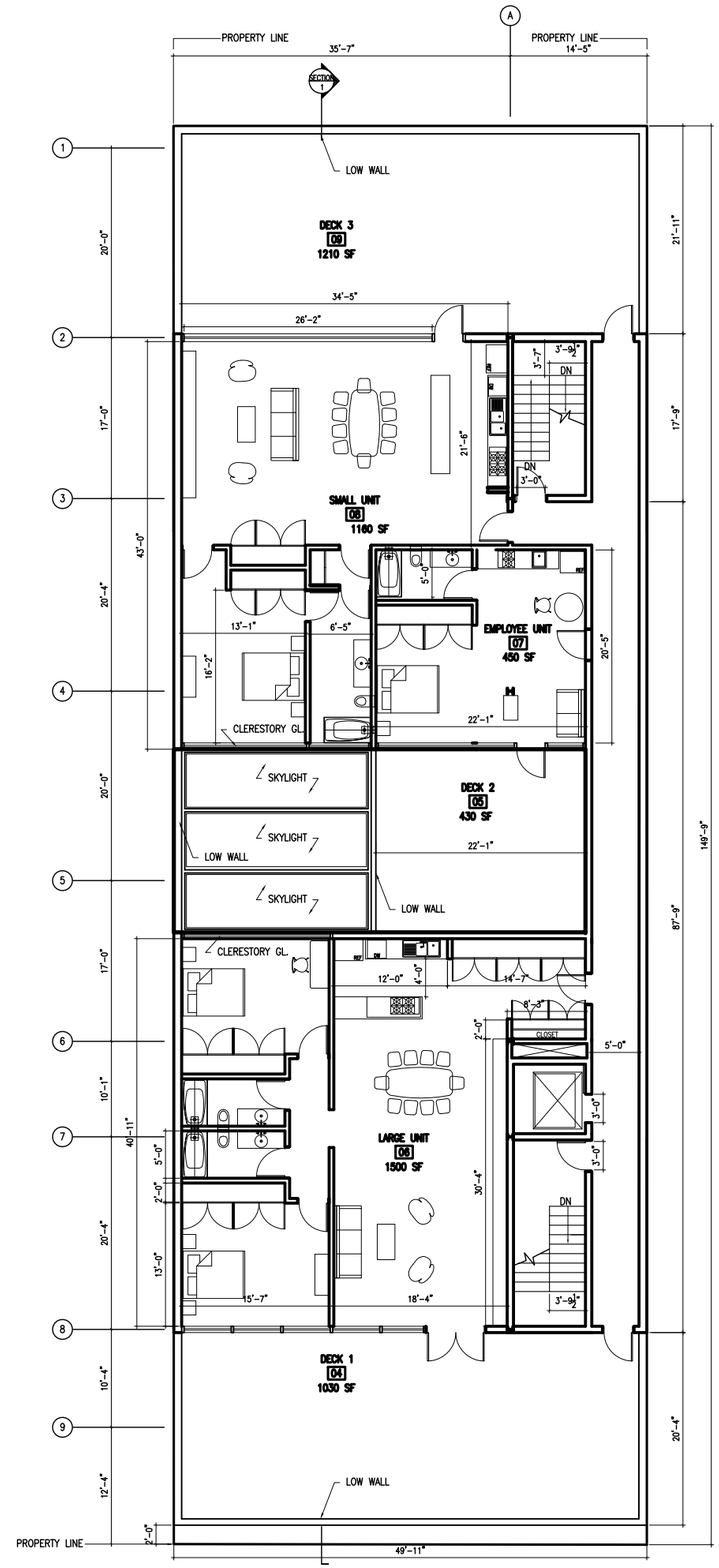
Project
BIG MTN. ENTERPRISES LLC.
Jackson, Wyoming

A1.0



SECOND FLOOR

1/16" = 1'=0"



THIRD FLOOR

1/16" = 1'=0"

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Date
04 April 2008

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Jackson, Wyoming

A1.1

Street Elevation

3/16" = 1'-0"

Archi tectural Consultant
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Date
4 April 2008

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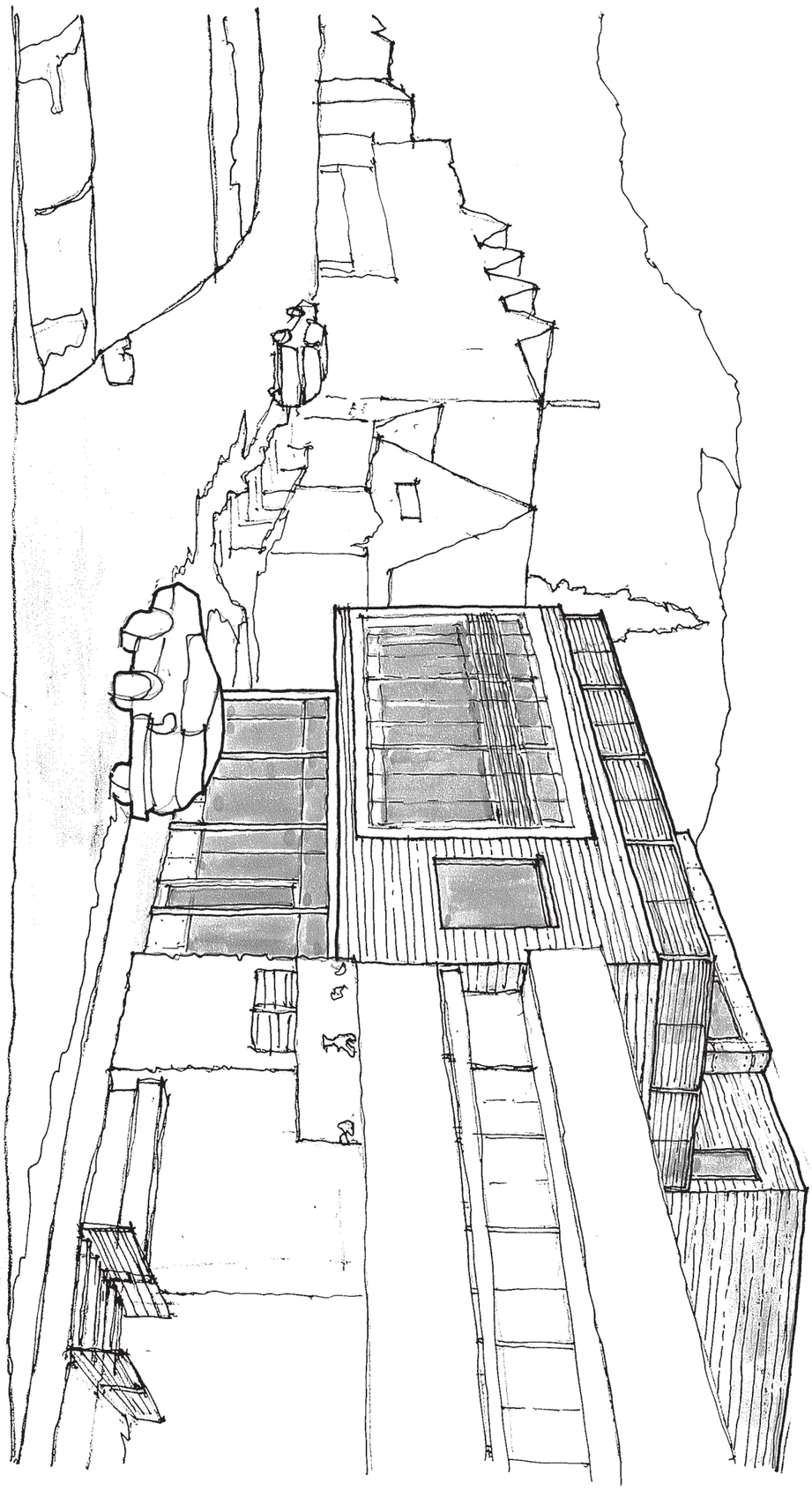
Jackson, Wyoming

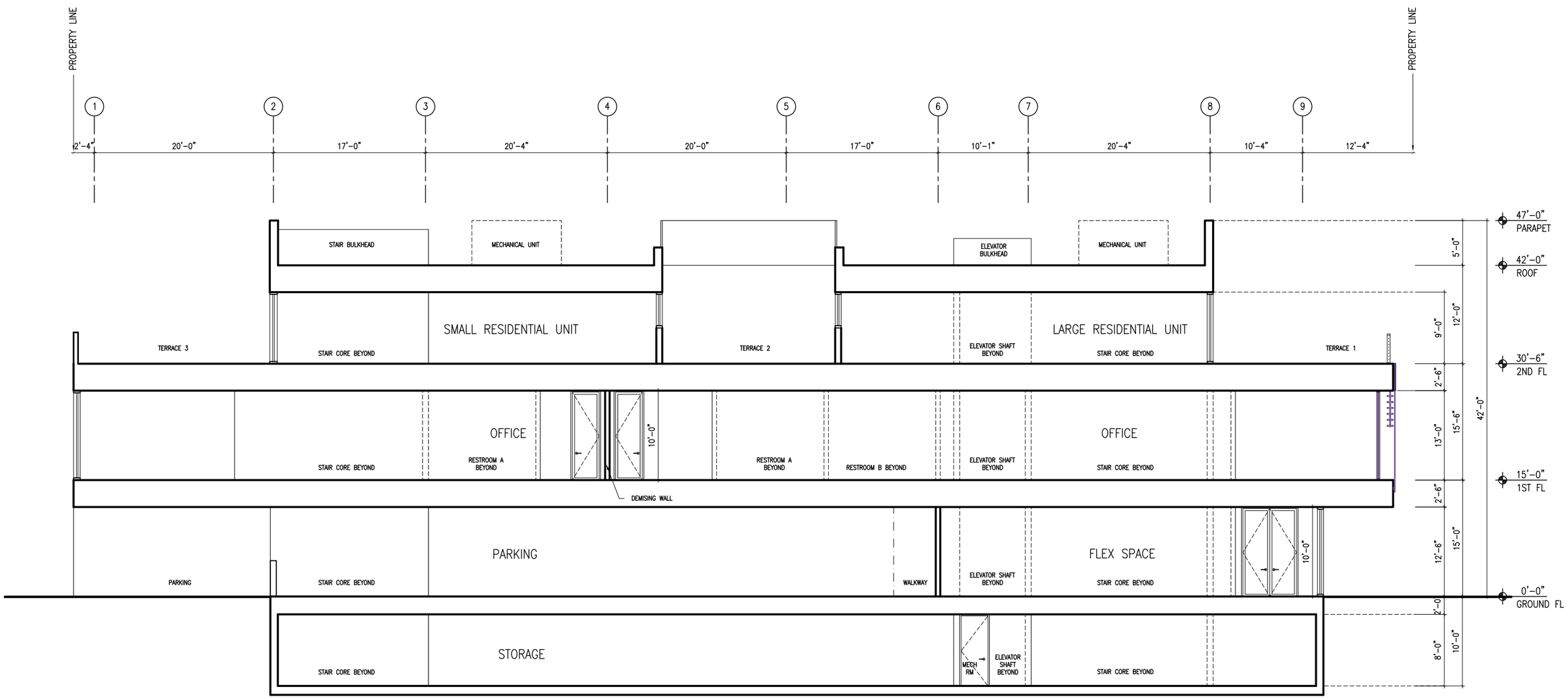
A3.0



Street Perspective

n.t.s.

A3.1	Project BIG MTN. ENTERPRISES LLC. Jackson, Wyoming	Date 4 April 2008	Architect GILDAY ARCHITECTS P.O. Box 4735 Jackson, Wyoming 83001	Architectural Consultant MICHIELLI + WYETZNER 143 West 29th Street, Suite 6A New York, New York 10001



NOTE
BASEMENT SIZE AND PLAN to be determined by soils and foundation engineering. Not requiring amendment of PUD as determined by the Town of Jackson Planning Director

Building Section

NTS

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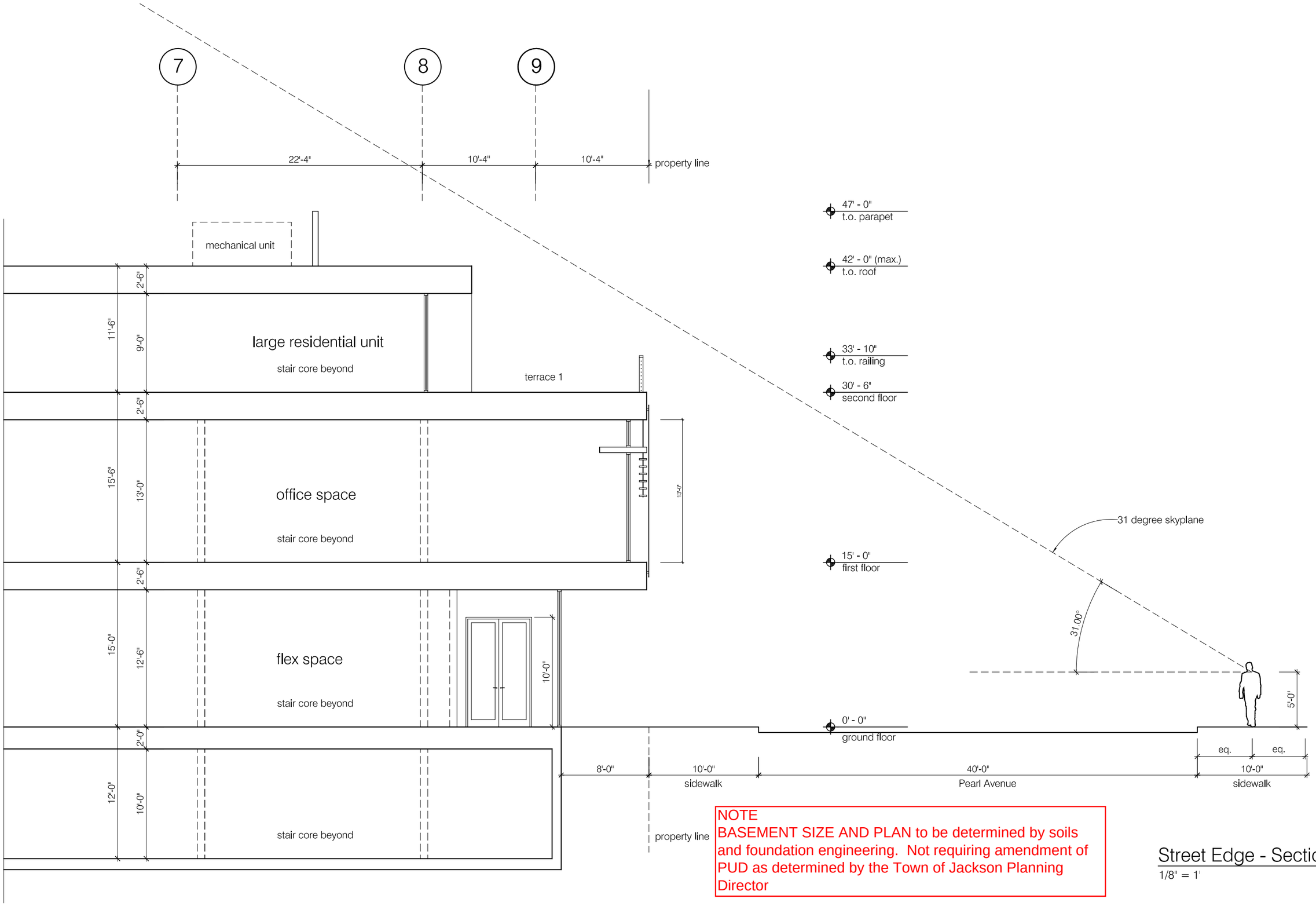
Architect
GILDAY ARCHITECTS
P.O. Box 4735
Jackson, Wyoming 83001

Date
4 April 2008

Project
BIG MTN. ENTERPRISES LLC.
Jackson, Wyoming

A4.0



NOTE
BASEMENT SIZE AND PLAN to be determined by soils and foundation engineering. Not requiring amendment of PUD as determined by the Town of Jackson Planning Director

Street Edge - Section

1/8" = 1'

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Date
4 April 2008

Project
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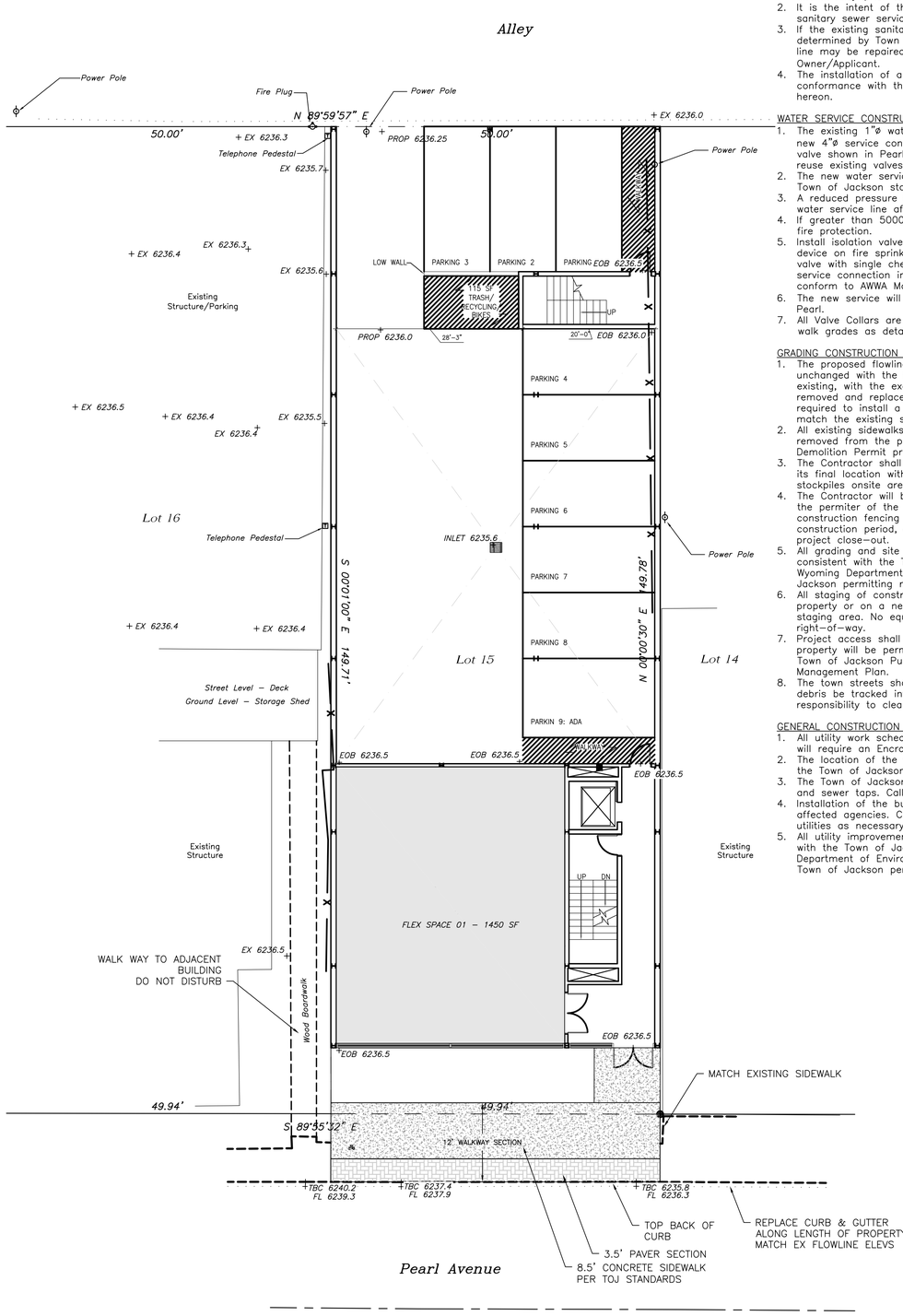
Jackson, Wyoming

A4.1



PROPOSED SITE IMPROVEMENT PLAN

SANITARY SEWER SERVICE CONSTRUCTION NOTES:

1. Contractor shall pothole and verify integrity of the sanitary main line in Alley prior to commencing with construction.
2. It is the intent of this project to use the existing 8" diameter CLAY sanitary sewer service line in the Alley
3. If the existing sanitary service line is in a compromised condition as determined by Town of Jackson Public Works staff, the existing main line may be repaired by the Town of Jackson at no cost to the Owner/Applicant.
4. The installation of a new service line shall be completed in conformance with the Town of Jackson standards, and as shown hereon.

WATER SERVICE CONSTRUCTION NOTES:

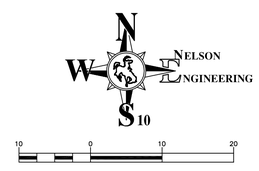
1. The existing 1"ø water service line will be removed to valve. The new 4"ø service connection will be installed from the existing 4"ø valve shown in Pearl Ave. Pothole to verify service connection & reuse existing valves if possible
2. The new water service installation shall be in conformance with the Town of Jackson standards.
3. A reduced pressure backflow preventer shall be installed on the water service line after the meter as approved by the Town.
4. If greater than 5000 SF the proposed project will require internal fire protection.
5. Install isolation valve and double check valve backflow prevention device on fire sprinkler supply line inside building, and an isolation valve with single check backflow prevention device on domestic service connection inside building. Backflow prevention devices shall conform to AWWA Manual of Practice M–14 requirements.
6. The new service will connect to the existing 8" dia DI water main in Pearl.
7. All Valve Collars are to be adjusted as necessary to match new side walk grades as detailed on C1.4 and C1.6.

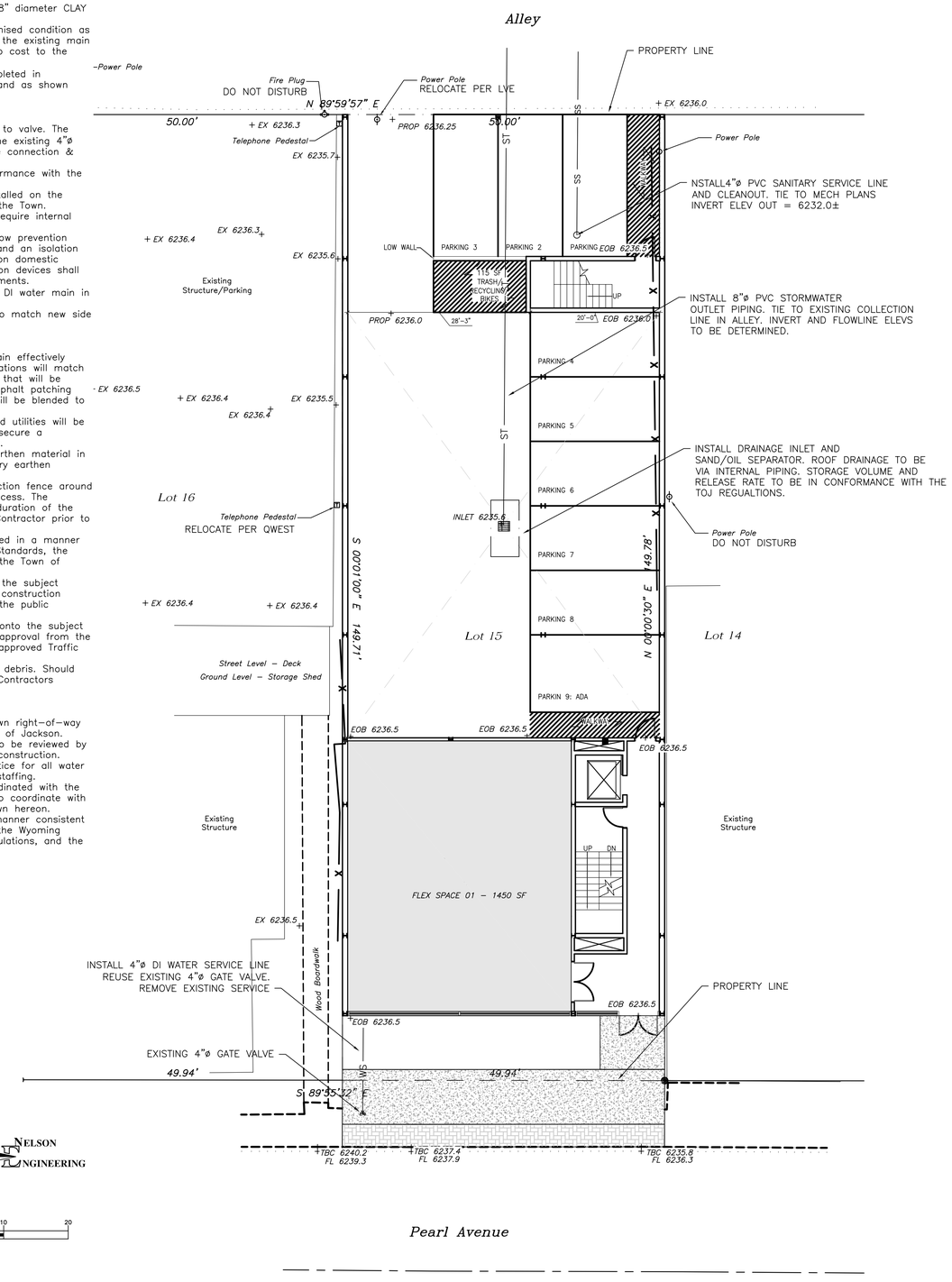
GRADING CONSTRUCTION NOTES

1. The proposed flowline along Pearl Aveenue will remain effectively unchanged with the Big Mountian Development. Elevations will match existing, with the exception of the current driveway that will be removed and replaced with curb and gutter. The asphalt patching required to install a new curb and gutter section will be blended to match the existing surface of Pearl Avenue.
2. All existing sidewalks, gravel surfacing, buildings, and utilities will be removed from the project site. The Contractor will secure a Demolition Permit prior to any construction activites.
3. The Contractor shall endeavor to place imported earthen material in its final location without stockpiling onsite. Temporary earthen stockpiles onsite are discouraged.
4. The Contractor will be required to install a construction fence around the permiter of the site to prevent unauthorized access. The construction fencing shall remain in place for the duration of the construction period, and shall be removed by the Contractor prior to project close–out.
5. All grading and site improvements shall be completed in a manner consistent with the Town of Jackson Improvement Standards, the Wyoming Department of Environmental Quality, and the Town of Jackson permitting requirements.
6. All staging of construction activities shall occur on the subject property or on a negotiated and approved off–site construction staging area. No equipment shall be parked within the public right–of–way.
7. Project access shall be from the alley. No access onto the subject property will be permitted from Pearl without prior approval from the Town of Jackson Public Works Department and an approved Traffic Management Plan.
8. The town streets shall remain clear of construction debris. Should debris be tracked into the streets, it shall be the Contractors responsibility to clean up at no cost to the Owner.

GENERAL CONSTRUCTION NOTES:

1. All utility work scheduled to occur inside of the Town right–of–way will require an Encroachment Permit from the Town of Jackson.
2. The location of the water and sewer services are to be reviewed by the Town of Jackson Public Works Depart prior to construction.
3. The Town of Jackson requires two working days notice for all water and sewer taps. Call 733–3079 to schedule Town staffing.
4. Installation of the buried wire utilities shall be coordinated with the affected agencies. Contractor shall be responsible to coordinate with utilities as necessary to complete the work as shown hereon.
5. All utility improvements shall be constructed in a manner consistent with the Town of Jackson Improvement Standards, the Wyoming Department of Environmental Quality Rules and Regulations, and the Town of Jackson permitting requirements.





PROPOSED SITE UTILITY PLAN

SITE SURVEY INFORMATION AND MAPPING COMPLETED AND PREPARED BY PIERSON LAND WORKS, 2008

		REV.
DATE	2/28/08	
SURVEYED	PLS	
ENGINEERED	HJP	
DRAWN		
CHECKED		
APPROVED		

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

DRAWING TITLE
Proposed Site Improvement and Utility Plans

JOB TITLE
Big Mountain Master Plan Submittal

DRAWING NO C 1

JOB NO 08–021–01

S:\Proj2008\021-01 (Traffic & Parking Analysis for PMUDINE_Boardwalk (22x34 or 11x17) - Feb 27 2008 03:38:59 pm PLOTTED By: pratt