



TOWN OF JACKSON PLANNING & BUILDING DEPARTMENT

TRANSMITTAL MEMO

Town of Jackson

- Public Works/Engineering
- Building
- Title Company
- Town Attorney
- Police

Joint Town/County

- Parks and Recreation
- Pathways
- Housing Department

Teton County

- Planning Division

- Engineer
- Surveyor- *Nelson*
- Assessor
- Clerk and Recorder
- Road and Levee

State of Wyoming

- Teton Conservation
- WYDOT
- TC School District #1
- Game and Fish
- DEQ

Federal Agencies

- Army Corp of Engineers

Utility Providers

- Qwest
- Lower Valley Energy
- Bresnan Communications

Special Districts

- START
- Jackson Hole Fire/EMS
- Irrigation Company

Date: July 1, 2019

Item #: P19-169

Planner: Tyler Valentine

Phone: 733-0440 ext. 1305

Fax: 734-3563

Email: tvalentine@jacksonwy.gov

Owner:

Jackson Hotel, LLC
c/o MIG Real Estate
660 Newport Center Dr. Suite 1300
Newport Beach, CA 92660

Applicant:

Tiffany Golson
1300 South Meridian Ave Suite 400
Oklahoma City, OK 73104

REQUESTS:

The applicant is submitting a request for a Zoning Compliance Verification for 350 South Highway 89, legally known as LOT 1, MACINTYRE ADDITION.

For questions, please call Tyler Valentine at 733-0440, x1305 or email to the address shown below. Thank you.

Please respond by: **July 15, 2019 (Sufficiency)**
July 22, 2019 (with Comments)

RESPONSE: For Departments not using Trak-it, please send responses via email to:
tstolte@jacksonwy.gov



PLANNING PERMIT APPLICATION
Planning & Building Department

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

For Office Use Only

Fees Paid _____

Date & Time Received _____

Application #s _____

Please note: Applications received after 3 PM will be processed the next business day.

PROJECT.

Name/Description: Hampton Inn Jackson
Physical Address: 350 US Hwy 89 South
Lot, Subdivision: Lot 1, MacIntyre Addition PIDN: 22-41-16-32-4-19-004

PROPERTY OWNER.

Name: JACKSON HOTEL, LLC C/O MIG REAL ESTATE Phone: _____
Mailing Address: 660 NEWPORT CENTER DR STE 1300 ZIP: 92660
E-mail: _____

APPLICANT/AGENT.

Name: Tiffany Golson Phone: 800-344-2944 ext. 4403
Mailing Address: 1300 S. Meridian Avenue, Suite 400 ZIP: 73108
E-mail: Tiffany.Golson@PZR.com

DESIGNATED PRIMARY CONTACT.

Property Owner XXX Applicant/Agent

TYPE OF APPLICATION. Please check all that apply; review the type of application at www.townofjackson.com/200/Planning

Use Permit	Physical Development	Interpretations
<input type="checkbox"/> Basic Use	<input type="checkbox"/> Sketch Plan	<input type="checkbox"/> Formal Interpretation
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Development Plan	<input checked="" type="checkbox"/> Zoning Compliance Verification
<input type="checkbox"/> Special Use	<input type="checkbox"/> Design Review	Amendments to the LDRs
Relief from the LDRs	Subdivision/Development Option	<input type="checkbox"/> LDR Text Amendment
<input type="checkbox"/> Administrative Adjustment	<input type="checkbox"/> Subdivision Plat	<input type="checkbox"/> Map Amendment
<input type="checkbox"/> Variance	<input type="checkbox"/> Boundary Adjustment (replat)	Miscellaneous
<input type="checkbox"/> Beneficial Use Determination	<input type="checkbox"/> Boundary Adjustment (no plat)	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Appeal of an Admin. Decision	<input type="checkbox"/> Development Option Plan	<input type="checkbox"/> Environmental Analysis

PRE-SUBMITTAL STEPS. To see if pre-submittal steps apply to you, go to www.townofjackson.com/200/Planning and select the relevant application type for requirements. Please submit all required pre-submittal steps with application.

Pre-application Conference #: _____

Environmental Analysis #: _____

Original Permit #: _____

Date of Neighborhood Meeting: _____

SUBMITTAL REQUIREMENTS. Please ensure all submittal requirements are included. The Planning Department will not hold or process incomplete applications. Partial or incomplete applications will be returned to the applicant. Go to www.townofjackson.com/200/Planning and select the relevant application type for submittal requirements.

Have you attached the following?

Application Fee. Fees are cumulative. Go to www.townofjackson.com/200/Planning and select the relevant application type for the fees.

Notarized Letter of Authorization. A notarized letter of consent from the landowner is required if the applicant is not the owner, or if an agent is applying on behalf of the landowner. Please see the Letter of Authorization template at www.townofjackson.com/DocumentCenter/View/102/Town-Fee-Schedule-PDF.

Response to Submittal Requirements. The submittal requirements can be found on the TOJ website for the specific application. If a pre-application conference is required, the submittal requirements will be provided to applicant at the conference. The submittal requirements are at www.townofjackson.com/200/Planning under the relevant application type.

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

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

Tiffany Golson

Signature of Property Owner or Authorized Applicant/Agent

Tiffany Golson

Name Printed

06/12/2019

Date

Information Specialist

Title

LETTER OF AUTHORIZATION

Jackson Horne, LLC, "Owner" whose address is: 660 Newport
Centennial, Ste 1300, Newport Beach, CA 92665

(NAME OF ALL INDIVIDUALS OR ENTITY OWNING THE PROPERTY)

MIC HOSPITALITY CAPITAL II, LLC, as the owner of property
more specifically legally described as: Exhibit A

(If too lengthy, attach description)

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

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

OWNER:

(SIGNATURE) (SIGNATURE OF CO-OWNER)

Title: Authorized Officer

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

STATE OF _____

)

)SS.

COUNTY OF _____

)

see attached

The foregoing instrument was acknowledged before me by _____ this _____ day of _____, 20____.

WITNESS my hand and official seal.

(Seal)

(Notary Public)

My commission expires:

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California ORANGE
County of _____)

On JUNE 17, 2019 before me, RACHAEL M. KAPELL, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared LEE BURCKLE,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Rachael KADELL (Seal)

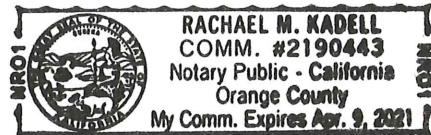


EXHIBIT A

LEGAL DESCRIPTION

Lot 1 of the Macintyre Addition to the Town of Jackson, Teton County, Wyoming, according to that plat recorded on May 9, 1991 as Plant No. 722 in the Office of the County Clerk of Teton County, Wyoming.

PIN: 22-41-16-32-4-19-004



PLANNING & BUILDING DEPARTMENT

August 3, 2011

The Planning & Zoning Resource Corporation
Attn: Jessica Edge
100 NE 5th Street
Oklahoma City, OK 73104

RE: P11-034

**Zoning Compliance Verification – 350 S. Highway 89
Lot 1, MacIntyre Addition to the Town of Jackson**

Dear Ms. Edge:

After reviewing the files for the property referenced above and your letter dated July 13, 2011, the following information was obtained to determine the status of the Property:

1. The property is located in the Auto-Urban Commercial (AC) zone
2. Abutting properties are all designated AC zoning
3. The property was not developed as a PUD
4. This property is not within any restrictive or overlay districts; however, it is a lodging use that occurs outside of the Town of Jackson designated Lodging Overlay.
5. The site is not in compliance with the current Zoning Ordinance. The building was developed in 1989 prior to the current Town of Jackson Land Development Regulations (LDRs) adopted in 1994.
6. The property contains a legally non-conforming use and a legally non-conforming structure. As mentioned above, the property is located outside of the Town of Jackson Lodging Overlay. That circumstance is the basis for the property's status as a legally non-conforming use. As a legally non-conforming use, lodging

operations may continue on the property as governed by the attached provisions of Division 7100 *Non-Conforming Uses* of the Town of Jackson LDRs.

Although there may be other non-conforming dimensions of the structure not outlined in this letter, the building's status as a legally non-conforming structure is primarily due to a Floor Area Ratio that is greater than what is allowed in the AC zone. The structure has an FAR of 0.45462 in a zone where a 0.25 FAR is allowed. The approximate existing square footage is of the building is 38,452 sf, whereas, 21,145 sf of floor area is allowed. As a legally non-conforming structure, this building is allowed to remain as currently constructed per the regulations of Division 7200 (see attached) which govern the continued use of non-conforming structures.

Please refer to the attached Section 3530.B of the Town of Jackson LDRs governing existing lodging uses outside of the Lodging Overlay.

7. On August 20, 1997, the Jackson Board of Adjustment approved the following Variance:
 - a. A Variance to allow a 52 square foot expansion of a non-conforming lodging use in the AC zone.

This Variance was established by the approval of a building permit issued on September 25, 1997.

8. On November 19, 2008, the Jackson Board of Adjustment approved the following Variances:
 - a. A Variance to allow a maximum of 53.4 rooms per acre on 1.79 acres in the AC zoning district where the Land Development Regulations require a Maximum Gross Density of 30 rooms per acre.
 - b. A Variance to allow an additional 747 square feet of floor area or 0.54 FAR where the LDRs allow 0.25.

These Variances are set to expire on November 19, 2011, if no building permit or sufficient Final Plat application has been submitted to authorize these approvals. These variances were approved with consideration to the approved change in use from Lodging to Institutional Residential. These Variances are not applicable to the existing lodging use.

9. On December 15, 2008, the Jackson Town Council approved a Conditional Use Permit to allow an Institutional Residential use in the Auto Urban Commercial zoning district and approval of a Final Intermediate Development Plan for a change of use from Lodging to Institutional Residential for 91 employee housing units.

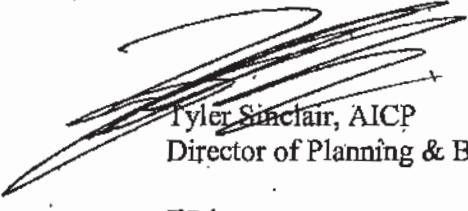
These approvals are set to expire on December 15, 2011, if no building permit or sufficient Final Plat application has been submitted to authorize these approvals.

10. There are no known zoning code violations at this time.

The prospective buyer has indicated that they would like to construct changes to the exterior of the building. Please bear in mind that exterior changes will require a building permit and must be presented to the Design Review Committee for review and approval. These changes must also adhere to the above regulations governing floor area.

If you should have any further questions, please contact Lindsay Travis at 733-3932, ext. 1302.

Sincerely,



Tyler Sinclair, AICP
Director of Planning & Building

TS:lt

Enclosures:

Division 7100 Non-Conforming Uses
Division 7200 Non-Conforming Structures
Division 3500 Lodging Overlay (LO) District



The Planning & Zoning Resource Company

1300 South Meridian Avenue, Suite 400, Oklahoma City, OK 73108

Telephone (405) 840-4344 · Fax (405) 840-2608

Toll Free (800) 344-2944

Ext:4403

Please fax to my direct fax number 405-384-8324

To: Tiffany Stolte
Fax: 307-734-3563
Email: tstolte@jacksonwy.gov
Date: 06/18/2019
Subject: Zoning Verification Letter
Ref. Number: 130330-3
RE: Hampton Inn Jackson, 350 South US Highway 89, Jackson, Wyoming

Add'l Info:

Attached is our request for property information on the above-mentioned property. Please copy it onto your letterhead, provide the requested information, sign and return to me via either my direct fax, shown above, or via email to Tiffany.Golson@PZR.com.

It is my understanding that there will be fees associated with this request. Please be advised that the total fees are not to exceed \$500.00 without my approval. If you should expect the fees to exceed this amount, please notify me as soon as possible. Furthermore, any additional costs associated with this request must be approved, in writing, prior to their incurrence.

Thank you in advance for your time and consideration on the above matter. If there are any questions you are unable to answer please let me know who I should contact. If you have any questions or concerns, do not hesitate to contact me at the toll free number 800-344-2944, extension 4403. You may also reach me by email at: Tiffany.Golson@PZR.com.

Sincerely,
Tiffany Golson

(PLEASE COPY ONTO YOUR LETTERHEAD)

**The Planning & Zoning Resource Company
1300 South Meridian Avenue, Suite 400
Oklahoma City, OK 73108**

06/18/2019

ATTN: Tiffany Golson
Ref. No. 130330-3
RE: Hampton Inn Jackson, 350 South US Highway 89, Jackson, Wyoming

Add'l Info.

Please only provide copies of any Certificates of Occupancy, variances, speical or conditional use permits, or exceptions issued since August 2011.

The current zoning classification for the subject property is: _____

Adjacent property zoning designations:

North: _____

South: _____

East: _____

West: _____

Is the subject property part of a Planned Unit Development?

_____ Yes, part of a PUD (See comment)

_____ No, not part of a PUD

Comment: _____

Is the subject property part of an Overlay District?

_____ Yes, within an Overlay District

_____ No, not within an Overlay District

Comment: _____

The subject property is currently regulated by:

_____ Section _____ of the Zoning Ordinance

_____ Planned Unit Development Ordinance No. _____ (copy attached)

_____ Site Plan Approval Case No. _____ (copy of plan and case attached)

Comment: _____

According to the zoning ordinances and regulations for this district, the use of the subject property is a:

- Permitted Use by Right
- Permitted Use by Special/Specific Use Permit
- Copy Attached
- Copy Not Available (see comment)
- Legal Non-Conforming Use (no longer permitted by right due to amendments, re-zoning, variance granted or other changes. See comments)
- Non-Permitted Use

Comment: _____

The subject structure(s) was developed:

- In accordance with Current Zoning Code Requirements and is
- Legal Conforming
- Non-Conforming (see comments)
- In accordance with Previous Zoning Code Requirements (amendments, rezoning, variance granted) and is Legal Non-Conforming to current zoning requirements
- Prior to the adoption of the Zoning Code and is
- Grandfathered/Legal Non-conforming to current zoning requirements.
- In accordance with Approved Site Plan and is Legal Conforming to approved site plan. If any nonconforming issues exist with respect to current zoning requirement; the subject property would be considered legal non-conforming.

Comment: _____

Information regarding variances, special permits/exceptions, ordinances or conditions:

- There do not appear to be any variances, special permits/exceptions, ordinances or conditions that apply to the subject property.
- The following apply to the subject property (see comments):
 - Variance - Documentation attached or is otherwise, no longer available (see comment)
 - Special Permit/Exception Documentation attached or is otherwise, no longer available (see comment)
 - Ordinance Documentation attached or is otherwise, no longer available (see comment)
 - Conditions Documentation attached or is otherwise, no longer available (see comment)

Comment: _____

Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:

- May be rebuilt in the current form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable.
- May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations, or requirements.
Please see section _____ of the current zoning code/ordinance for details.

Comment: _____

To the best of your knowledge, do your records show any unresolved zoning code violations?

- Yes, there are open violations on file in our records. (See attached list and/or copies/cases)
- No, there are no open violations on file in our records.

*Please note, this request is for open violations of which you are aware. PZR is not requesting an inspection be made.

To the best of your knowledge, do your records show any unresolved building code violations and/or complaints?

- Yes, there are open violations on file in our records. (See attached list and/or copies/cases)
- No, there are no open violations on file in our records.

*Please note, this request is for open violations of which you are aware. PZR is not requesting an inspection be made.

To the best of your knowledge, do your records show any unresolved fire code violations and/or complaints?

- Yes, there are open violations on file in our records. (See attached list and/or copies/cases)
- No, there are no open violations on file in our records.

*Please note, this request is for open violations of which you are aware. PZR is not requesting an inspection be made.

Were Certificates of Occupancy issued? If so, please provide all available copies. If copies are unavailable, please fill out our attached form letter.

Please call the undersigned at _____, extension _____ if you have questions or concerns.

Sincerely:

Name: _____ Department: _____
Title: _____ Email: _____

(PLEASE COPY ONTO YOUR LETTERHEAD)

6/18/2019

Ref. No. 130330-3

RE: Hampton Inn Jackson, 350 South US Highway 89, Jackson, Wyoming

Add'l Info:

Based on our records [choose one]:

- A valid final certificate of occupancy has been issued and is in effect for the Project. To the best of our knowledge, all required Certificates of Occupancy have been issued. The absence of a certificate of occupancy for the Project is not a violation and will not give rise to any enforcement action affecting the Project. (See Attached Copy Issued)
- Certificates of Occupancy are not required. Final Building Permits have been issued and are now outstanding for the Project. (See Attached Copy Issued)
- Certificates of Occupancy for projects constructed prior to the year _____ are no longer on file with this office. The Project was constructed in _____. The absence of a certificate of occupancy for the Project is not a violation and will not give rise to any enforcement action affecting the Project. To the best of our knowledge, all required Certificates of Occupancy have been issued. A certificate of occupancy for the Project will only be required to the extent of any construction activity (such as restoring, renovating or expanding the Project or any part thereof).
- We are unable to locate a certificate of occupancy for the Project from our records. We have evidence in our records, however, one was issued and has been subsequently lost or misplaced. The absence of a certificate of occupancy for the Project is not a violation and will not give rise to any enforcement action affecting the Project. To the best of our knowledge, all required Certificates of Occupancy have been issued. A certificate of occupancy for the Project will only be required to the extent of any construction activity, restoring, renovating or expanding the Project or any part thereof.
- This site is still being constructed. The absence of a certificate of occupancy for the Project will not give rise to any enforcement action affecting the Project. A certificate of occupancy for the Project will be issued when all final inspections have been passed.
- There are no records of a certificate of occupancy in any of our files; however, we consider the structures to be legally occupied.

Please call the undersigned at _____, extension _____ if you have questions or concerns.

Sincerely:

Name: _____

Title: _____