



PLANNING PERMIT APPLICATION
Planning & Building Services Department
Planning Division

200 S. Willow St. | ph: (307) 733-3959
 P.O. Box 1727 | www.tetoncountywy.gov
 Jackson, WY 83001

For Office Use Only

Fees Paid \$5500
 Check # 1718 Credit Card _____ Cash _____
 Application #s CUP2021-0005 PUD2021-0001 _____

PROJECT

Name/Description: _____
 Physical Address: _____
 Lot, Subdivision: _____ PIDN: _____

OWNER

Name: _____ Phone: _____
 Mailing Address: _____ ZIP: _____
 E-mail: _____

APPLICANT/AGENT

Name: _____ Phone: _____
 Mailing Address: _____ ZIP: _____
 E-mail: _____

DESIGNATED PRIMARY CONTACT

_____ Owner _____ Applicant/Agent

TYPE OF APPLICATION Check all that apply; see the applicable application submittal checklists and Planning Fee Schedule online.

Use Permit

_____ Basic Use
 _____ Conditional Use
 _____ Special Use

Physical Development

_____ Sketch Plan
 _____ 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 #: _____ 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.*

- _____ **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 Planning Fee Schedule on the county website for more information.
- _____ **Electronic Submittal** A complete digital file of the application with attachments/plans.
- _____ **Hard Copy Submittal** A complete printed file of the application with attachments/plans.
- _____ **Notarized Letter of Authorization** A notarized letter of consent from the landowner is required if the applicant is not the owner. Please see the Letter of Authorization template on the county website for a sample.
- _____ **Corporations and Partnerships** If the owner is a partnership or corporation, proof that the owner can sign on behalf of the partnership or corporation.
- _____ **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 website 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.

Hal Hutchinson

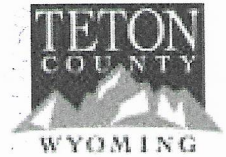
Signature of Owner or Applicant/ Authorized Agent

Date

Name Printed

Title/Role

Teton County Planning and Building Department
200 S. Willow, P.O. Box 1727
Jackson, WY 83001
Phone (307)733-7030



LETTER OF AUTHORIZATION BY OWNER

THE LETTER OF AUTHORIZATION IS TO BE SUBMITTED ONLY IF THE APPLICANT/AGENT IS NOT THE RECORDED OWNER OF THE PROPERTY. THE RECORDED OWNER MUST SIGN THE LETTER OF AUTHORIZATION AND HAVE IT NOTARIZED.

OWNER, CO-OWNER, OR CORPORATE OWNER:

Name: Stage Stop, Inc
Physical Address of Property: 3000W Big Trail Drive
Mailing Address: PO Box 1677, Jackson, WY
Zip code: 83001 Phone: _____
Email: _____

AGENT OR CONTRACTOR: (If authorizing Agent and Contractor, fill out a form for each)

Name: Hal Hutchinson, HH Land Strategies, LLC
Mailing Address: PO Box 1902, Wilson, WY
Zip code: 83014 Phone: 307-699-0265
Email: Hal@hhlandstrategies.com

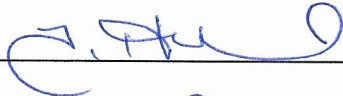
Owner, Co-Owner, or Corporate Owner, ("Owner") which property is specifically described as Lot 333, Rafter J Ranch

hereby authorizes Agent or Contractor, as stated above, to represent and/or act for Owner in making application for, receiving, and accepting on Owner's behalf, any permits or other action by the Teton County Commissioners, Planning and Development, Building, and/or Engineering Departments relating to Owner's Property in Teton County, and the modification, development, planning, platting, replatting, improvements, use or occupancy of land, or energy mitigation in Teton County. Owner acknowledges and agrees to be bound and must abide by the written terms or conditions of issuance of any such named Agent or Contractor, whether actually delivered to Owner or not. Owner agrees that no modification, development, planning, platting or replatting, improvements, use or occupancy of land, or energy mitigation involved in any application, as it relates to Owner's Property, shall take place until approved by the appropriate official(s) of Teton County, in accordance with all applicable codes and regulations. Owner agrees to pay any fines and/or mitigation fees to Teton County and will 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, and/or regulations applicable to the action sought to be permitted by the application authorized herein. Owner agrees and authorizes Agent or Contractor to pay any fines and/or mitigation fees to Teton County and for the Agent or Contractor to accept and receive any reimbursement or fee payments due to Owner from Teton County, including but not limited to energy mitigation fees.

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, CO-OWNER, CORPORATE OWNER:

Print Name: JAAFAR DARWICHE

Signature: 

Title: Treasurer of the Stage Stoppie

STATE OF Wyoming

SS.

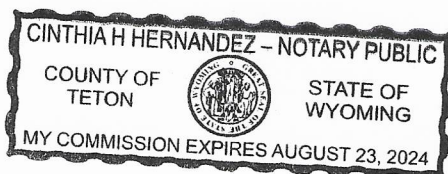
COUNTY OF Teton

Subscribed and sworn to before me by Jaafar H Darwiche this
12th day of May, 2021.

WITNESS my hand and official seal.


Notary Public

My commission expires: August 23rd 2024



LEGACY LODGE

APPLICATION FOR

Planned Unit Development (PUD) Amendment

and

Conditional Use Permit

STAGE STOP, INC

Submitted: October 5, 2021

Parcel 22-40-16-17-2-03-001

Owner:

Stage Stop, INC
PO Box 1677
Jackson, WY 83001

Applicant

HH Land Strategies, LLC
PO Box 1902
Wilson, WY 8301
307-699-0265

1. Project Introduction, Goals, Property Descriptions, Applications

1.1 Introduction:

On behalf of Stage Stop, Inc, owner of Lot 333, Rafter J Ranch located at 3000 W Big Trail Drive, we are submitting two (2) planning applications for consideration by Teton County. These include 1) Planned Unit Development Amendment Application (PUD), to amend the Rafter J PUD to allow a residential use on the subject parcel; and 2) Conditional Use Permit that will serve to govern the intensity and operational characteristics of the proposed residential use. In conjunction with these two applications the applicant will submit, as a separate application a request of an Environmental Analysis Exemption. A vicinity map of the subject parcel is included in **Exhibit A** to this application.

1.2 Description of Property, Project Goals, and Applications

A. Property Description:

The Legacy Lodge property (Rafter J Ranch Lot 333) was created in 1978 as part of the Rafter J Planned Unit Development. As part of the Rafter J PUD, the property was established under the 1978 Teton County Land Development Regulations. Unlike more recent Planned Unit Developments, there is no “Maser Plan” that governs how Lot 333 can be developed and used. On the Rafter J Ranch Subdivision Plat 330, Lot 333 is identified as the “Ranch Headquarters and Local Commercial” lot and is 5.37 acres in area.

Pursuant to a Zoning Compliance Verification (ZCV2021-0012) the regulations that govern the permitted use and development of Lot 333, Rafter J PUD is the 11th Printing of the 1978 Teton County LUDRs.

Based on the 1978 PUD approvals, and the 11th printing of the 1978 LUDRs the property is zoned Local Convenience Commercial (CL). CL zoning allows for a wide range of uses, including uses under the following use classifications: 1) Residential Uses (limited to a caretakers residence and residential accessory units); Recreational Uses (including community center, parks, recreational buildings, spectator sports facility, and health clubs); Retail Commercial Uses (including convenience store, drug store, food stores, hardware store and liquor store); Service Commercial Uses (including banks, bars, gas service station, and restaurants); Office and Professional Uses (including individual small business offices, medical, legal, engineering and other types of professional offices); Industrial Uses (including asphalt and concrete plants and contractor shops); and Public Institutional Uses (including churches, day care, hospital, private schools and colleges, and nursing homes).

Under the 1978 LUDRs, there is no limitation on the overall floor area of the property. The scale and intensity of development permitted on the property is mainly governed by limits on impervious surface and required setbacks. Lot 333 has an impervious surface limitation of .60, or approximately 140,000 s.f. of impervious surface. A rough calculation of the existing

impervious surface on the property based on GIS information reveals that the existing impervious surface on the property is approximately 82,000 s.f.. Based on this, approximately 52,000 s.f. of impervious surface is available on the property.

The subject property was developed as an assisted living facility which was approved under a Conditional Use Permit (CUP 98-0008) and a Development Permit (DEV00-0002). The existing development on Lot 333 contains a 57 unit assisted living facility located in a single building that includes common areas, dining facilities and common amenities for assisted living facilities. The property includes an outbuilding east of the main lodge that contains mechanical and utility equipment serving the main lodge building. The overall floor area of the buildings total approximately 51,750 s.f.

In early 2021, Legacy Lodge closed its doors, ceasing operations and use of the property as an assisted living facility. The property has since been sold to the current owner, Stage Stop, Inc. As long-time business owners and property owners in Jackson Hole, the new owners of Legacy Lodge understand the difficulty the community is experiencing in housing community members and employees. Understanding this difficulty firsthand, Stage Stop, Inc is seeking to alleviate this community housing challenge by leasing the exiting units within the facility as employee housing. This use of the facility for employee housing will provide a significant benefit to the community through a private venture, costing the community nothing.

B. Project Goals:

The existing building was developed for assisted living and can easily be converted to an alternative use, including many of the uses permitted under the CL Zone district, including a school, day care, medical offices, a hospital, restaurant, or a mix of these permitted uses. The building can also easily be converted to a commercial residential use. In considering how the building can be best put into use, the applicant considered a commercial apartment use to be the most appropriate and would provide the community with the greatest benefit.

The lack of workforce housing in the community is possibly the single biggest challenge facing Teton County. Conversion of the Legacy Lodge building into workforce housing will provide 57 units of workforce housing at no cost to the public. Because the building already exists and converting the 57 units into workforce housing would require minimal work, these units can be put to use almost immediately. Furthermore, the conversion of Legacy Lodge into workforce housing would not require any additional development in a community that is facing traffic and employee generation challenges resulting from significant development pressures.

As part of this application, it is important to address exactly how the workforce apartment would function. The owner plans to offer the units with commercial master leases to employers in blocks who can in turn offer subleases to employers for individual units at affordable rates for their specific employees. At this time, the owners have not identified specific employers that may be interested in leasing blocks of units, but they are contacted

regularly by employers seeking housing opportunities for their employees. There is no shortage of interest.

C. Proposed Use Provide Public Benefits Similar to Permitted Institutional Uses

The Legacy Lodge property is unique in Teton County. The use, density and intensity of the property is governed by the 1978 LUDRs. However, the community has changed a great deal since the adoption of those LUDRs. Issues such as development pressure, traffic, real estate values, and with it, workforce housing, have become far more prevalent than they were then.

Despite these changes, the use of the Legacy Lodge property is limited under the PUD approval and the 1978 LUDRs to specifically address issues that were prevalent at the time, and excludes residential apartment uses, and with it, workforce housing.

However, when considering the previous use of the property, and the proposed workforce housing use, they are not really that different, and the proposed use is far less of an impact than many of the by right and uses. With the appropriate controls and assurances, the impacts of the proposed use can differ little from the previous use while addressing current community workforce housing challenges.

As originally constructed and used, the Legacy Lodge facility provided residential living units to community members. Legacy Lodge residents may or may not have required some level of assistance in the “Activity of Daily Living”. It was not a requirement that a resident need assistance in the “Activity of Daily Living” to lease and live in one of the units. As an assisted living facility, the goal of the facility was to provide residential accommodation to individuals in a manner that provides them with the highest level of independence as possible while providing assistance if needed. This assistance included providing meals, health care and other assistance such as entertainment, exercise, group transportation and other personal care.

In essence, as an assisted living facility, Legacy Lodge was a residential facility that provided amenities to allow for the safety and convenience of the residences. It was considered an Institutional Use under the 1978 LUDRs because it provided a service to the community – or relieved a public burden - specifically providing a residential use for persons that may need some level of help while going about their daily lives. At the time the category of Institutional Use was developed under the 1978 LUDRs, workforce housing was not a community issue. If it had been, providing workforce housing as a service to the community would arguably have been considered an Institutional Use because it would have provided a service to the community. Furthermore, if not considered an Institutional Use, workforce housing would have been a permitted use in the CL Zone district if workforce housing were anywhere near the critical issue in 1978 as it is today. Essentially, if Rafter J were developed today, some form of workforce housing would have been required. And, that workforce housing would likely have been located on the site of the Legacy Lodge.

According to the current LDRs, workforce housing is a defining feature of the community's character. LDR Section 6.3.1.B.1 states: "An essential component of the community character and social, economic, and political fabric of Teton County and the Town of Jackson over the years is the presence of those persons and families that work in the community, live in the community, attend schools in the community, worship in the community, and vote in the community."

Furthermore, it is clear that the supply of workforce housing is severely limited. Due to affordability of housing and the decline in available workforce housing the result is the deterioration of our community character. In short, providing workforce housing is a meaningful social and economic need in the community.

Recognizing this, the government has supported the creation of workforce housing in a variety of ways. Land has been donated, units have been constructed for government employees, land and homes have been purchased with public funds, a 2:1 tool allows for more density to provide workforce and other housing, tax incentives are given, and an entire government department has been created and devoted to providing workforce housing. Therefore, workforce housing is a valuable public benefit and because of this private/public benefit it is easily recognized that had workforce housing be as much of a community issue as it is today, it would have been a permitted use under the CL Zone District.

The contemplated use of the Legacy Lodge facility is to provide a significant amount of workforce housing in a manner that will provide meaningful benefit to the community. The facility contains 57 units that can be easily utilized as workforce housing with minimal work to bring the units online.

By providing this workforce housing in Legacy Lodge, this existing community facility will be providing a significant social benefit. This benefit will not only be to the institutions like the hospital, local businesses, and non-profits by providing them with more stable and reliable employees, but it assists the individual occupant of the unit with the stability and safety in living situations that they need to be good employees and good community members.

Just like an assisted living facility, with its a residential use that provides the opportunity for assistance to its residents, and benefits the community in general, the proposed use of Legacy Lodge as workforce housing provides assistance to residents in the form of a decent place to live while benefiting community in general. Legacy Lodge as workforce housing will provide institutions and businesses with an opportunity to house their employees, employees that provide a community service, from serving coffee, to repairing a vehicle, to providing nursing care.

As contemplated, the facility will be a privately operated use of a semipublic type as defined by the 1978 LUDRs. It will provide a public service by a private entity as defined by the current LDRs . While not listed specifically in the 1978 LUDRs, workforce housing serves a community need, and that community need can easily be considered a "similar type" of establishment as a

church, day care center or assisted living facility. Assisted living, as permitted within the Legacy Lodge facility, is a residential use providing a community service, and the use of Legacy Lodge as workforce housing is no different.

The Legacy Lodge property, under the CL zoning, has the right to contain uses that have a far greater intensity than the pre-existing, or proposed use. These include uses such as a concrete and asphalt plant, a bar and restaurant, convenience store, service station, health club, theatre, and equipment/contractor yard.

However, the proposed use of Legacy Lodge for workforce housing will not increase the size of the facility. Furthermore, operations, impacts and other characteristics of the proposed use can, and should be considered under the provisions of a Conditional Use Permit.

Based on the above description of how the previous assisted living use differs little from the proposed workforce housing use, while addressing current issues, we ask that Teton County take this into consideration when considering the PUD amendment application as well as the Conditional Use permit application.

D. Applications:

To allow a residential use on the property and amendment to the Rafter J PUD is required. However, the uses permitted within the Rafter J PUD are based on the 11th Printing of the 1978 LUDRs. As such, an amendment to the PUD is accomplished by amending the governing document - the 1978 LUDRs – to include “Apartment” uses as a permitted use under the CL Zone District. As part of this application, we are proposing that an “Apartment” use under the CL Zone District in the 1978 LUDRs be a Conditional Use. Therefore, should an amendment to the Rafter J PUD, accomplished through amending the 1978 LUDRs, be approved, the Apartment use would require a Conditional Use Permit. In an effort to support the proposed PUD amendment, and justify its suitability under the standards of amending a PUD, we are including an application for a Conditional Use Permit for Apartment use. The Conditional Use Permit application is intended to address the operational characteristics of the proposed use in an effort to minimize impacts to the Rafter J neighborhood, and the Teton County infrastructure.

2. Application 1: Planned Unit Development Amendment

Section 2.1 – Response to Submittal Checklist

A. Planning Permit Application

Please see completed application form included in the application packet.

B. Notarized Letter of Authorization

Please see notarized letter of authorization included in the overall application packet.

C. Application fees

Included with the overall application is payment of application fees as follows: PUD amendment application fee of \$5,000; CUP application fee of \$500. Total application fees = \$5,500.

D. Mailed Notice Fee

Teton County will bill the applicant as necessary based on LDR Section 8.2.14.C.2.

E. Narrative Description of Proposed Use

The general description of the proposed PUD Amendment to allow residential (Apartment) use is described above under Section 1.2 “Description of Property, Project Goals and Applications”.

Specifically, the proposed PUD amendment seeks to amend the 11th Printing of the 1978 LUDRs to allow “Apartment” use as a Conditional Use in the CL Zone District. Because land uses within the PUD are governed by the 1978 LUDRs, this amendment to the LUDRs will result in an amendment to the PUD.

This application seeks to amend the PUD by amending the following sections of the 1978 LUDRs as follows:

LUDR Page x includes a definition of the CL Zone District as follows:

“CL. Local Convenience Commercial District: Retail business, office, and personal service establishments of the type primarily intended to provide the day-to-day needs of local residents. Intended to be located within commercial centers”

This application proposed to amend this language as follows:

“CL. Local Convenience Commercial District: Retail business, office, and personal service establishments. of the type primarily intended to provide the day-to-day needs of local residents, including the provision of workforce housing to support the provision of day to day needs of local residents. Intended to be located within commercial centers”

LUDR Chapter II – Land Use Districts and Authorized Uses, Section 1 – Land Use Districts includes a list of Land Use Districts, includes the following language:

“CL Local Convenience Commercial”

This application seeks to amend this language as follows:

"CL Local Convenience Commercial - if workforce housing, density determined based on dimensional limitations and Conditional Use Permit Standards.

LUDR Chapter II – Land Use Districts and Authorized Uses, Section 6 Authorized Uses, Table of Authorized Uses Under the Residential Use Category, is a list of various residential uses. This application proposes to add the following line within this section:

Apartment

LUDR Chapter IV – Performance Standards, Section 23 – Off Street Parking of Loading Standards includes the following language:

“Townhouse or apartment 2.5 spaces per unit or 1.5 spaces per bedroom, which-ever is greater.”

This application seeks to amend this language to read as follows:

“Townhouse or apartment 2.5 spaces per unit or 1.5 spaces per bedroom, which-ever is greater. If townhouse or apartment building units are dedicated for workforce housing, total number of parking spaces required shall be determined pursuant to Conditional Use Standards.”

No other amendments to the 1978 LUDRs are proposed by this application.

F. Site Plan

No changes to the existing improvements on the subject property are being requested by this application. An aerial photo of the existing site development on the property is included with this application as Exhibit B.

G. Floor Plans

No changes to the floor plans for the existing building are being proposed by this application. Floor plans for the existing building are as shown in the building's building permit plans on file with Teton County.

H. Neighborhood Meeting

A neighborhood meeting was held on Monday, July 19, 2021 at the Legacy Lodge facility. The neighborhood meeting was attended by approximately 180 community members. The applicant made a presentation and fielded questions. In addition, the applicant handed out questionnaires to attendees. The questionnaires asked the following questions:

1) Do you support private efforts to provide workforce housing in Teton County, Yes or No?

2) Do you support the use of the Legacy Lodge for Workforce Housing, Yes or No?

If yes, what issues or concerns, if any, do you have about the use of the Legacy Lodge for workforce housing?

If no, why?

We collected 47 completed questionnaires. The following is a tabulation of the responses received.

Answering the question “Do you support workforce housing at Legacy Lodge?”

22 responded YES

13 responded MAYBE, Need more information

10 responded NO

2 responded blank

I. Structure location and mass, scale of development, site development

No changes to the existing structure location and mass, scale of development or site development are being proposed by this application.

J. Environmental Standards

An Environmental Analysis is required for a PUD amendment unless exempted. The property that is the subject of this PUD amendment is developed and contains no natural resources protected by the LDRs. Based on this, the application has submitted an EA Exemption application, under separate cover, in conjunction with this PUD amendment application.

J. Allowed Uses:

This proposal seeks to amend the list of allowed uses to include Apartment use in the CL Zone District. No other changes to allowed uses are being proposed. See above proposed amendments to the LUDRs described under Section 2.1.E – Narrative Description of Project.

K. Use Requirements:

- 1. Parking** - This application seeks to amend the 1978 LUDRs to allow flexibility to parking requirements for apartments under the 1978 LUDRs to allow the overall parking requirements for an apartment use that provides workforce housing to be determined at the time of a Conditional Use Permit for the apartment use. See above proposed amendments to the LUDRs described under Section 2.1.E – Narrative Description of Project.
- 2. Employee Housing** – This application seeks to amend the Rafter J PUD to allow the existing Legacy Lodge facility to provide employee housing. No deed restrictions for the property are being proposed by this application. To ensure the units are used as workforce housing, this requirement will be included within all master leases to employers.

L. Maximum Scale of Use:

Lot 333, Rafter J PUD has no limitation on density or intensity of use based on the 1978 LUDRs. This application seeks to allow an apartment use for workforce housing to follow the standards of the density standard of the LUDRs and 1978 PUD. Density is further limited by height, and setback restrictions as well as minimum living unit standard sizes.

M. Operational Standards.

This application for an amendment to the Rafter J PUD does not propose any operational standards for the property. This will be addressed under Application 2, Conditional Use Permit.

2.2 – Response to PUD Amendment Review Standards

A. LDR Section 8.2.13.D.2 PUD Option No Longer Available

An amendment to an existing PUD or other special project identified in 1.8.2.C for which the original PUD option is no longer available shall meet the following standards:

1. Improve the implementation of the desired future character of the area identified in the Jackson/Teton County Comprehensive Plan

The property that is the subject of this PUD amendment is within Comprehensive Plan District 10: South Park, Sub Area 10.1 Southern South Park.

The desired future character of this sub area is to maintain existing development patterns, preserve the resident workforce character of the subarea, and maintain and enhance wildlife habitat connectivity and permeability. This application, that propose no new development, has no impact on wildlife connectivity and permeability and

maintains existing development patterns. Furthermore, by providing for workforce housing, the application preserves and enhances the workforce character of the area.

2. Comply with the requirements of the underlying base zone to the maximum extent practicable;

The underlying base zone district is Local Convenience Commercial as defined by the 1978 LUDRs. The Local Convenience Commercial zone district is intended to provide retail business, office and personal service primarily intended to provide for the day to day needs of local residents. The proposed PUD amendment to allow workforce housing within the facility will achieve this purpose.

Local businesses, including retail, office, and personal service businesses intended to provide the day to day needs of local residents are struggling to remain open because there is a lack of available employees to work in these businesses. This is evidenced by the huge number of help wanted ads and signs throughout the community and the fact that businesses have a hard time keeping open on a regular schedule because they do not have enough employees.

By leasing blocks of units to local retail, office, and service businesses, allowing them to house their employees within leased units, these businesses can remain open, and more effectively serve the day to day needs of local residents.

3. Complies with the standards of the natural resource overall (NRO) and Scenic Resource Overlay (SRO), if applicable;

The subject property is not within either the NRO or the SRO and therefore this standard is not applicable. Regardless, a PUD amendment requires an EA unless exempted. An EA Exemption request has been submitted in conjunction with this application.

4. Not adversely impact public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire, and EMS facilities;

The proposed PUD amendment seeks only to allow for a change of use for an existing physical development. The impacts to public facilities, services, including transportation, potable water, and wastewater facilities, parks, schools, police, fire and EMS facilities were addressed at the time the existing facility was developed. Allowing for the change of use of the existing facility from an assisted living facility to employee housing will not have an adverse impact to these public services and facilities. On the contrary, providing up to 57 units of workforce housing has the potential to reduce the pressures on these public facilities and services by providing housing for employees that support these facilities and services.

3. Application 2: Conditional Use Permit

Section 3.1 – Response to Submittal Checklist

A. Planning Permit Application

Please see completed application form included in the application packet.

B. Notarized Letter of Authorization

Please see notarized letter of authorization included in the overall application packet.

C. Application fees

Included with the overall application is payment of application fees as follows: PUD amendment application fee of \$5,000; CUP application fee of \$500. Total application fees = \$5,500.

D. Mailed Notice Fee

Teton County will bill the applicant as necessary based on LDR Section 8.2.14.C.2.

E. Narrative Description of Proposed Use

The general description of the proposed use is described above under Section 1.2 “Description of Project Goals, Property and Applications”.

In addition to this general description, we offer the following details of the proposed Conditional Use.

All units within the facility will be leased under a master lease. All master leases will be between the property owner and an employee dependent institution within the community, such as government entities, like the hospital or Town and County departments, business such as restaurants, service stations, or construction companies, or non-profits.

The Legacy Lodge facility will be managed by a professional project management company hired by the owners. This property management company will be responsible for ensuring the lease terms are enforced. They will also be responsible for the day-to-day maintenance, repair and improvements to the property. Additionally, the property management company will be responsible for the facility’s daily and consistent with all operational standards required within a lease, or required by any potential County approval. This will include an onsite property management presence on the property at all times.

The maximum number of occupants within any single unit within legacy Lodge will not exceed two unrelated family members.

There are currently 36 parking spaces on the property. All existing parking on the property will be leased, in conjunction with master leases to individual master lease holders. Parking spaces will be assigned, and reserved. This will serve to limit the number of cars that can be parked on the property at any one time.

F. Structure location and mass, scale of development, site development

No changes to the existing structure location and mass, scale of development or site development are being proposed by this application.

G. Site Plan

No changes to the existing improvements on the subject property are being requested by this application. An aerial photo of the existing site development on the property is included with this application as Exhibit B.

H. Floor Plans

No changes to the floor plans for the existing building are being proposed by this application. Floor plans for the existing building are as shown in the building's building permit plans on file with Teton County.

I. Allowed Uses:

This proposal seeks to amend the list of allowed uses to include Apartment use in the CL Zone District. No other changes to allowed uses are being proposed. See above proposed amendments to the LUDRs described under Section 2.1.E – Narrative Description of Project.

H. Use Requirements:

This application seeks to amend the 1978 LUDRs to allow flexibility to parking requirements for apartment under the 1978 LUDRs to allow the overall parking requirements for an apartment use, that provides workforce housing to be determined at the time of a Conditional Use Permit for the apartment use. See above proposed amendments to the LUDRs described under Section 2.1.E – Narrative Description of Project and the Conditional Use Permit "Narrative Description of Proposed Use".

The units within the Legacy Lodge will be leased through a master lease between the employer and the owner of the facility. These master leases will impose specific limitations on how many and what persons can occupy an individual unit. All leases will restrict occupancy to only

employees of the institution leasing the units. All employees will be required to work at least and average of 30 hours per week in Teton County. No unit will be permitted to contain more than two occupants. Both the Rafer J HOA and Teton County will be provided with drafts of all master leases to ensure compliance with these standards.

I. Maximum Scale of Use:

Under the 1978 LUDRs there is no limitation on the density or intensity of use of the property. Instead, this is controlled by dimensional limitations, such as site development and setbacks. Consistent with this 1978 LUDR approach for limiting the amount and type of development, this application proposed no specific limitation on density or intensity of use beyond the existing limitation on the property imposed by the 1978 LUDRs.

J. Operational Standards.

1. **Outside Storage:** Designated storage areas for bicycles and other gear will be designed, built and provided for the residents.
2. **Refuse and Recycling:** a minimum of two typical sized dumpsters will be provided on the property. The property management company will be responsible for emptying, or causing to empty, at least one dumpster at a minimum of 5 days per week. Recycling facilities will be provided throughout the facility and at a central location. All recycling will be emptied and taken to the County recycling facility at least twice a week. All refuse and recycling facilities will be enclosed.
3. **Noise:** The constant presence of an on-site property management representative will ensure any noise levels will be kept to a minimum to limit noise impact to neighboring residents and Legacy Lodge residents alike.

3.2 – Response to Conditional Use Permit Review Standards

A. A conditional use permit shall be approved upon finding the application:

1. Is compatible with the desired future character of the area;

The property that is the subject of this PUD amendment is within Comprehensive Plan District 10: South Park, Sub Area 10.1 Southern South Park.

The desired future character of this sub area is to maintain existing development patterns, preserve the resident workforce character of the subarea, and maintain and enhance wildlife habitat connectivity and permeability. This application, that propose no new development, has no impact on wildlife connectivity and permeability and

maintains existing development patterns. Furthermore, by providing for workforce housing, the application preserves and enhances the workforce character of the area.

2. Complies with the use specific standards of Div. 6.1. and the zone;

This application is submitted in conjunction with a PUD amendment application that seeks to permit residential apartment uses on the property by amending the 1978 LUDRs. Should that PUD amendment be approved, this standard will have been met.

3. Minimizes adverse visual impacts;

The proposed conditional use permit includes no additional physical development. Unless Teton County chooses to condition the application to include additional physical development, such as providing for additional parking or resident storage facilities, there will be no additional visual impacts. Should conditions be placed on the application that necessitate additional physical development, it can be screened, or otherwise located to minimize visual impacts.

4. Minimizes adverse environmental impacts;

The proposed Conditional Use Permit includes no additional physical development and therefore will have no additional environmental impacts to the development on the property that already exists.

5. Minimizes adverse impacts from nuisances;

Nuisances are addressed within both County LDRs and HOA requirements. Nuisances associated with a commercial residential use will be minimal when compared to other uses permitted on the property such as restaurant/bar, contractor yards, and asphalt and concrete plants.

6. Minimizes adverse impacts on public facilities;

The proposed PUD amendment seeks only to allow for a change of use for an existing physical development. The impacts to public facilities, services, including transportation, potable water, and wastewater facilities, parks, schools, police, fire and EMS facilities were addressed at the time the existing facility was developed. Allowing for the change of use of the existing facility from an assisted living facility to employee housing will not have an adverse impact to these public services and facilities. On the contrary, providing up to 57 units of workforce housing has the potential to reduce the pressures on these public facilities and services by providing housing for employees that support these facilities and services.

7. Complies with all other relevant standards of these LDRs and all other County Resolutions; and

The applicant is not aware of any additional LDR standards or county resolutions that have not been addressed by this application.

8. Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.

Upon approval of the proposed PUD amendment associate with this application and the associated amendment to the 1978 LUDRs, this application will be in substantial conformance with standards and conditions of prior permits and approvals.

Exhibit A – Vicinity Map



Exhibit B – Existing Site Development

