

BEFORE THE BOARD OF COUNTY COMMISSIONERS

TETON COUNTY, WYOMING

IN THE MATTER OF: Development Plan (DEV2022-0001)

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER GRANTING APPROVAL
OF A DEVELOPMENT PLAN**

THIS MATTER came before the Teton County Board of County Commissioners (hereafter “Board” or “Board of Commissioners”) for public hearing on May 17, 2022, upon the application of Northworks Architects & Planners on behalf of Teton Pines Limited Liability Company for a Development Plan, pursuant to Section 8.3.2., Development Plan, of the Teton County Land Development Regulations (LDRs), to Amend the previously approved DEV2020-0005 for changes to the Teton Pines activity barn. The Board considered a presentation from staff. The Board of Commissioners, being fully advised herein, finds, concludes and orders as follows:

FINDINGS OF FACT

1. The property, Lot 2 of the Jackson Hole Racquet Club Resort Commercial Area 3rd Amendment, owned by Teton Pines, LLC, which is located at 3450 Clubhouse Drive, and consisting of 10.69 acres in size. The property is zoned Planned Unit Development- Neighborhood Conservation (PUD-NC) and is partially within the Natural Resources Overlay (NRO). The site is immediately north and east of the Teton Pines Golf Course and west of Moose-Wilson Road (State Hwy 390)
2. The applicant has requested approval of a Development Permit DEV2022-0001, to amend DEV2020-0005 and increase the size of the proposed Teton Pines (Jackson Hole Racquet Club Resort, JHRCR) activity barn.
3. This application was brought before the Teton County Planning Commission on April 25, 2022 with a recommendation from the Planning Director for approval of DEV2022-0001 with one recommended condition.
 - a. Condition 1: An affordable housing fee-in-lieu shall be paid to Teton County by the applicant prior to issuance of a building permit in accordance with the housing mitigation plan provided in the application.

4. On April 25, 2022, the Planning Commission voted 3-0 (Commissioners Mateosky and Rockey absent) resulting in a recommendation of approval of DEV2022-0001 with one condition to the Board of Commissioners.
 - a. Condition 1: An affordable housing fee-in-lieu shall be paid to Teton County by the applicant prior to issuance of a building permit in accordance with the housing mitigation plan provided in the application.
5. The public hearings of the Planning Commission, April 25, 2022, and the Board of Commissioners, May 17, 2022, were properly noticed pursuant to the Section 8.2.14.C. of the LDRs.
6. The application was brought before the Board of Commissioners on May 17, 2022.
7. A staff report was submitted to the Board of County Commissioners prior to the May 17, 2022 meeting for review regarding the Development Plan (DEV2022-0001) pursuant to Section 8.3.2., of the LDRs, to review the increase to the size of the activity barn.
8. As set forth in the May 17, 2022 staff report and as presented by Planning staff at the May 17, 2022, meeting, the recommendation from the Planning Director to the Board of County Commissioners was for approval of the Development Plan (DEV2022-0001) with the following two recommended conditions.
 - a. An affordable housing fee-in-lieu shall be paid to Teton County by the applicant prior to issuance of a building permit in accordance with the housing mitigation plan provided in the application.
9. The Board heard a presentation from staff.
10. The Board heard a presentation from the owner's representative, George Putnam.
11. The Chair closed public comment with no public comment given, and the Board discussed the application. The Board of County Commissioners reviewed the five findings for a Development Plan pursuant to Section 8.3.2. of the LDRs which are:
 - a. Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan;

- b. Achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable;
 - c. Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities;
 - d. Complies with all relevant standards of these LDRs and other County Resolutions; and
 - e. Is in substantial conformance with all standards or conditions of any prior applicable permits or approvals.
12. On May 17, 2022, the Board voted on the matter, which vote was 4 to 0 with all Commissioners in favor (Chairwoman Macker absent), resulting in the motion passing and the Board's approval of the Development Plan application (DEV2022-0001) with the following condition of approval:
- a. An affordable housing fee-in-lieu shall be paid to Teton County by the applicant prior to issuance of a building permit in accordance with the housing mitigation plan provided in the application.

CONCLUSIONS OF LAW

- I. Based on the presentation and staff report of the Planning Department, the information presented by the applicant, the application from Northworks Architects & Planners on behalf of Teton Pines, LLC, for a Development Plan does comply with all applicable provisions of the Teton County Comprehensive Plan.
- II. Based on the presentation and staff report of the Planning Department, the information presented by the applicant, the application from Northworks Architects & Planners on behalf of Teton Pines, LLC, for a Development Plan does comply with all applicable provisions of the Teton County Land Development Regulations.
- III. The Board concludes and hereby finds that the application dated March 3, 2022 for a Development Plan (DEV2022-0001) does comply with and meet all five (5) findings required pursuant to Section 8.3.2. of the LDRs for the proposed pool and activity barn redevelopment, as recommended by the Planning Commission and Planning Director for approval of the Development Plan, and specifically finds as follows:
 - 1. *Is consistent with the desired future character described for the site in the Jackson/Teton County Comprehensive Plan;*

Can be made. This development complies with the desired future character of the Aspens/Pines District. See Relationship to Character District in Staff Report for more details.

2. *Achieves the standards and objective of the Natural Resource Overlay (NRO) and Scenic Resources Overlay (SRO), if applicable;*

Can be made. The northern half of the property is within the Natural Resources Overlay. However, this development was exempted from requiring an environmental analysis through MSC2020-0018. The bases for this exemption are that the use and intensity proposed are within the same footprint of the existing development and there is no documented use of the site by protected species. The property is not within the SRO. Regardless, there are no concerns regarding the skyline or foreground standards in this development.

3. *Does not have significant impact on public facilities and services, including transportation, potable water and wastewater facilities, parks, schools, police, fire and EMS facilities;*

Can be made. The proposal is for a redesign of the previously approved activity barn with development recreation and restaurant facilities. The remodel will not have any significant impacts on public facilities and services. Potable water and wastewater facilities are overseen by the Aspens/Pines water and sewer district. There is no additional residential development proposed that could potentially impact parks and schools.

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

Can be made. All relevant standards of these LDRs have been met by this proposal. No County Resolutions are applicable to this project.

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

Can be made. The proposed development is in conformance with the approved Planned Unit Development Master Plat. It complies with the required types of usage and previous approvals including the shared parking variance and notes on Plat No. 741.

IV. These conclusions are based upon the analysis of the findings as detailed in the May 17, 2022 staff report, as well as the Board's analysis of the required findings for the Development Plan, that occurred at the May 17, 2022 public hearing on the matter.

IT IS HEREBY ORDERED:

The Board **APPROVES** the application for a Development Plan dated March 3, 2022, DEV2022-0001, for the amendments to the Teton Pines activity barn, with one

condition listed below, being able to make all five (5) findings of approval for a Development Plan pursuant to Section 8.3.2. of the Teton County Land Development Regulations as recommended by the Planning Director and the Planning Commission:

Condition:

1. An affordable housing fee-in-lieu shall be paid to Teton County by the applicant prior to issuance of a building permit in accordance with the housing mitigation plan provided in the application.

DATED this ____ day of June, 2022.

BOARD OF COUNTY COMMISSIONERS
TETON COUNTY, WYOMING

BY:

Luther Propst, Vice-Chair

ATTEST:

Maureen E. Murphy, County Clerk

CERTIFICATE OF SERVICE

I, Maureen E. Murphy, Teton County Clerk, do hereby certify that I sent a true and correct copy of the FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER GRANTING APPROVAL OF DEVELOPMENT PLAN, postage prepaid by U.S. Mail or other delivery as indicated below on this ____ day of June 2022, to the following addresses:

Teton Pines, LLC
PO Box 14090
Jackson, WY 83002

Keith Gingery, Deputy County Attorney
Teton County Attorney's Office
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Via Email Only or Hand Delivery Only

Chandler Windom, Senior Planner
Teton County Planning and Development
cwindom@tetoncountywy.gov
Via Email or Hand Delivery Only

Maureen E. Murphy, County Clerk