

**RAFTER J RANCH HOMEOWNER'S ASSOCIATION**  
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**Email: Office@RafterJ.Org website: www.RafterJ.org**

April 8, 2010

Subject: River Crossing Final Development Plan and Request for Variance

References: Permit # DEV2009-0021 and VAR2009-0012

Dear Board of County Commissioners,

As the Directors of the Rafter J Ranch HOA, it is our responsibility to enforce the CC&R's and to protect the interest of the residents of Rafter J. We appreciate you taking the time to read our comments on the application from the Jackson Hole Christian Center (aka River Crossing), Permit # DEV2009-0021 and VAR2009-0012.

**BUILDING HEIGHTS:**

The applicant is proposing to erect three new buildings, one of which has a height of 30' the other two having heights of 28'. As you may be aware, Rafter J has a height limit of 20'. As of the writing of this letter, the applicant has not applied to the Rafter J Design Review Committee and has not obtained a variance for these height encroachments. We understand that the County does not administer Subdivision regulations, but we would respectfully request that, should the Board of County Commissioners ultimately approve this application, it condition the approval with the following language:

*Prior to a Development Permit being issued, the applicant shall provide a letter of approval from the Rafter J Homeowners Association or its Design Committee for the building heights to exceed 20 feet.*

This is the identical language that the Board of County Commissioners imposed as the first condition of approval for the Children's Learning Center, located in Rafter J, on Aug 26, 2008 Dev 2008-0009 and CUP 2008-0002.

One could argue that the existing sanctuary is ~30' tall and sets a precedent. If a Rafter J variance was granted back when the existing sanctuary was built, that variance was specific to that building, and not a global variance for any other building(s) on the property. It should also be pointed out that the approved 1992 Master Plan only contained two buildings (one being 30', the other being 28') which would exceed the 20' height limit. The current application before you calls for three (3) additional buildings that exceed the Rafter J height limitation.

## SIZE OF BUILDINGS

The 1992 Master Plan, per the applicant, approved a total of 47,348<sup>1</sup> square feet to be built. The current plan proposed by the applicant is requesting 59,900 square feet of total Floor Area for this site. This additional square footage adds another 26.5% (48% if the approved 1992 Floor Area total is 40,415 sf – see footnote #1) to the approved 1992 master plan. Our position is that the Board of County Commissioners should not exceed the Total Floor Area square footage thresholds established by the 1992 Master Plan (which included a housing component).

Without the benefit of the applicant providing a schematic floor plan for the remodel of the existing sanctuary (which will be converted into a Family Life Center / Administration building including “classrooms, fellowship hall, offices and storage”) it’s difficult to assess if there is a need for this substantial increase in square footage. It is also unclear as to whether the existing sanctuary will be converted into a two floor building, or will remain as a single story structure. Given its 30’ height a second floor could easily be added within the shell of the existing building.

Examining the proposed floor plan for the new Sanctuary, there seems to be a large amount of square feet and functions that could be placed within the shell of the existing building. This would help reduce the need for additional square footage from the approved 1992 plan and reduce the need for additional parking (which translates into a need for more impervious surface).

## TRAFFIC & PARKING

The Rafter J Board of Directors is concerned about the impact such a large facility will have on traffic. Although the traffic study concludes that:

The vehicular trip generation associated with the proposed development, when compared with existing traffic volumes on Highway 89, is not sufficient to significantly negatively impact the operation of the intersection of Highway 89 and Big Trails Drive, primarily because the sizable development-generated impacts occur in off-peak hours.

We feel it prudent to set up some sort of monitoring system. Should Rafter J traffic and the intersection of Big Trails Drive be significantly impacted, how will this be mitigated in the future?

There are 658 permanent fixed seats within the new Sanctuary (with additional room for “collapsible” seats). Walk Festival Hall in Teton Village has 675 permanent seats. The Center for the Arts in Jackson has 525 permanent seats. One can justifiably be concerned with traffic

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<sup>1</sup> We are concerned that the applicants “Table 2: Floor Area and Impervious Surface”, may be a bit generous in terms of the “Approved Under 1992 Land Development Permit (Total)” square feet for Floor Area. The Family Life Center floor plans approved in 1992 had a gymnasium, open to the second floor. This resulted in the first floor being 12,000 sf and the second floor being +/-7,900 sf for a total of 19,900 (whereas the applicant has indicated that the building was 24,000sf). The “Administration Building” has an impervious surface of 3,080 sf, and the applicant indicates that the Floor Area to be twice that, or 6,160 sf, implying that there were two floors to the proposed “Administration Building”. In fact, looking at the approved architectural drawings from 1992, there is a second floor, but it is only 248 sf. This means the Administration Building only had 3,328 sf of Floor Area approved in 1992. The total floor area approved in 1992, by our calculations, was 40,415 and not 47,348 as suggested by the applicant.

not only in Rafter J, but turning north onto Highway 89/191 where no traffic light exists. Anyone having attended a summer concert at Walk Festival Hall realizes the increased traffic flow between Teton Village and the Town of Jackson and the impacts associated with the conclusion of a performance.

It would appear from the applicant's narrative that the parking requirements have been based on the lowest use. Since the new Performing Arts Center/Sanctuary will have two functions, why take the function with the least impact to calculate the parking requirements? With up to 90 "performances" planned for the year (approximately two per week) it seems that there should at least be consideration given to this use.

The "Land Development Regulations" that were in place in 1992, as well as Table 4240 of the current Land Development Regulations, indicate that a Church generates parking spaces at a rate of "1 space per 4 seats or 1 space per 30 sf of floor area used for seating in the main sanctuary, whichever is greater". The applicant has not indicated the square footage for the seating area, making it impossible to discern which calculation generates the greatest number of spaces required. However, a rough calculation of the architectural floor plans provided in the application would suggest that the "area used for seating in the main sanctuary" to be approximately 7,700 sf. Based on this square footage and use, this would translate into a requirement of 256 parking spaces (where 194 are provided in the application).

Given that the new "Sanctuary" space shall also be used as a Performing Arts Center, and that this use generates parking spaces at a rate of (under the 1992 LDR heading "Place of public assembly, including theater" or the current LDR Theatres/Assembly Rooms) "0.33 per seat if seats are fixed, or 1 per 30 sf of floor area of assembly rooms", it would seem logical to use this calculation to generate the required number of parking spaces. Using Theatres/Assembly Rooms as the basis for calculating parking spaces (0.33 parking spaces per seat), the required number of spaces for this building only should be 217, where the applicant has only provided 194 spaces for this use.

THE 1992 APPROVED MASTER PLAN WAS APPROVED WITH A TOTAL OF 250 PARKING SPACES AND 40,415 SQUARE FEET OF FLOOR AREA. THE APPLICANT IS CURRENTLY REQUESTING 59,900 SQUARE FEET OF FLOOR AREA WITH A TOTAL OF 227 PARKING SPACES: NEARLY 20,000 MORE SQUARE FEET OF TOTAL BUILDING AREA WITH 23 LESS PARKING SPACES.

We are concerned that overflow parking will end up on our narrow two-lane roadways, which by regulations, is not allowed. Making sure that the development provides sufficient parking spaces now is imperative to avoid any issues in the future. Should the applicant require additional parking capacity in the future, wouldn't it be advisable to require a modified parking plan that provides for additional parking spaces today? The Land Development Regulations in place in 1992 when the Master Plan was approved, clearly states in Section 23.e. that:

Any development permit may include as a condition of approval, that, should approved parking become inadequate, additional parking may be required by the Board of County Commissioners at a later date.

We are also questioning why the other uses (Family Life Center, Classrooms, Resource Center) are not generating parking requirements and seem to be “included” in the “Chapel/Sanctuary” calculations (see page 10, “Table 4 Parking” of the November 20, 2009 “River Crossing Master Plan Amendment – Final Development Plan Amendment”). Not knowing how the current 12,000 sq.ft. building will be divided, and what type of traffic/parking requirements the different uses will generate, it’s difficult to assess this application. Would it not be sensible to have the applicant provide a sketch of how the existing building will be modified so that proper traffic study and parking requirement can be assessed? Again, the Land Development Regulations in place in 1992 when the Master Plan was approved, clearly states in Section 23.e:

In addition, where a structure or site contains multiple uses, parking requirements for each use structure or site contains multiple uses, parking requirements for each use shall be applied...

The applicant has assigned 1.5 parking spaces per bedroom for the Employee Housing Units. Under Section 23 “Off Street Parking Requirements” of the Land Development Regulations that were in place in 1992, under the Residential use, a “Townhouse or Apartment” is required to provide “2.5 spaces per unit or 1.5 spaces per bedroom, whichever is greater”. Since there are 14 units within the Employee Housing Building, it would seem logical that this use would generate 35 parking spaces. There is another designation that might apply - “Boarding or lodging house”, which requires 1.5 spaces per lodger. The architectural floor plans would suggest that each unit can house two lodgers, given that there are two closets, two sink in the bathrooms and plenty of room for two beds. The “Boarding or lodging house” category would then generate 42 parking spaces.

Simply using the parking requirements for the Sanctuary/Performing Arts Center (256 parking spaces) and the Employee Housing (35 parking spaces), and not factoring in the Family Life Center, Classrooms and Resource Center, the required number of parking spaces is 291, where only 227 are being proposed by the applicant.

## **IMPERVIOUS SURFACE AND IMPACT TO FLAT CREEK**

Rafter J Ranch HOA would also like to address the issue of the proposed impervious surface and potential impacts to Flat Creek. In 2006, Flat Creek in Teton County, Wyoming was listed on Table C of the Wyoming Department of Environmental Quality’s (WDEQ) 305(b) “Threatened” list. WDEQ required either a locally led watershed management planning effort or a Total Maximum Daily Load (TMDL) be written by WDEQ to address degradation of the creek. WDEQ identified Flat Creek’s aquatic life use support as threatened due to habitat degradation and urban stormwater runoff. Faced with the potential of a state TMDL regulation, Teton County Commissioners committed, along with other agencies and organizations (Watershed Committee), to prepare and implement a Watershed Management Plan.

In 2007, the Flat Creek Watershed Plan was signed and submitted by the Watershed Committee to WDEQ and subsequently approved by the US EPA. The Watershed Plan identified stormwater runoff from impervious surfaces as the number one priority issue contributing to degradation of Flat Creek. The 1992 Land Use Development Regulations allowed up to 6% impervious surface. The proposed Jackson Hole Christian Center buildings, parking areas and paths will create approximately 54% impervious surfaces for Lot A (27% for Lots A & B

combined). We are concerned that this development will have negative impacts on Flat Creek and Tanner Springs (a tributary of Flat Creek which receives the same WDEQ listing status and protection level).

- Should a variance for a 450% increase in allowable impervious surface be approved for a development adjacent to the “degraded and threatened” Flat Creek?
- Have the cumulative impacts of stormwater runoff from future development to the north and south of Rafter J been considered?
- Is this development consistent with the Flat Creek Watershed Plan’s -Implementation Plan?
- Will this development trigger a TMDL written and implemented by WDEQ for the Flat Creek Watershed?

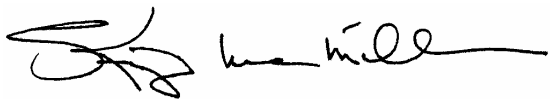
### **CHARACTER OF RAFTER J**

This Homeowners Association Board has worked continuously towards community improvement for three decades. Simple maintenance of facility is not enough. This Homeowner’s Board, with continuous membership changes, has remained consistent in holding community improvement as a primary purpose. The Rafter J community and the Board of County Commissioners have worked together at key times to advance the purposes of Rafter J and the larger community of the County. It is with recognition and respect for these past efforts that we ask you to examine this proposed project closely, and conclude it is excessive in size and impact.

We conclude the present application is an unacceptable intrusion on our residential neighborhood. The larger idea of perpetual community improvement and this proposed project are at odds. To that purpose, we ask you to deny this application as currently proposed.

We thank the Board of County Commissioners for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Kip MacMillan", with a stylized flourish at the end.

Kip MacMillan, President  
Rafter J Ranch Homeowner’s Association

Vernon E. Martin, Vice President  
Joe Greene, Secretary  
Brian Remlinger, Treasurer  
Paul Boillot, Director