Planning Commission - Staff Report

Meeting Date:	February 28, 2022	**Submitting Dept:**	Planning & Building Services
Presenter:	Chandler Windom	**Agent:**	Hal Hutchinson, HH Land Strategies
Property Owner:	Stage Stop, Inc.		
Subject:	CUP2021-0005 Legacy Lodge Workforce Apartments		

REQUESTED ACTION

A Conditional Use Permit pursuant to Section 8.4.2 of the Teton County Land Development Regulations (LDRs) to allow for Workforce Apartments at the Legacy Lodge.

BACKGROUND/DESCRIPTION

PROJECT DESCRIPTION

The proposal is to retrofit the vacant assisted living center at 3000 W Big Trail Drive, i.e., the Legacy Lodge, into an Apartment building for members of the Teton County Workforce. The site is Lot 333 of Rafter J Ranch and is subject to the Rafter J Planned Unit Development (PUD). Presented concurrent with this application is a proposal to amend the Rafter J PUD to allow for this workforce apartment use on Lot 333 (PUD2021-0002). Without the PUD amendment, apartments are not a permitted use on this site.

EXISTING CONDITIONS

The site contains the Legacy Lodge, which was an operational assisted living center from the completion of construction in 2004 until its closure in early Spring of 2021. Since the closure of the center the ~50,000 sf building has been vacant. The facility contains 57 residential units, which vary from studios to 2-bedrooms. Each unit contains a kitchenette, which lacks an oven and stovetop. The building includes a commercial kitchen, which was previously used to provide facility residents and their guests with meals. The building also includes several common areas and some spaces previously used as salons and medical offices for serving residents. The existing parking lot provides 37 parking spaces but there is room for 41 spaces if restriped.

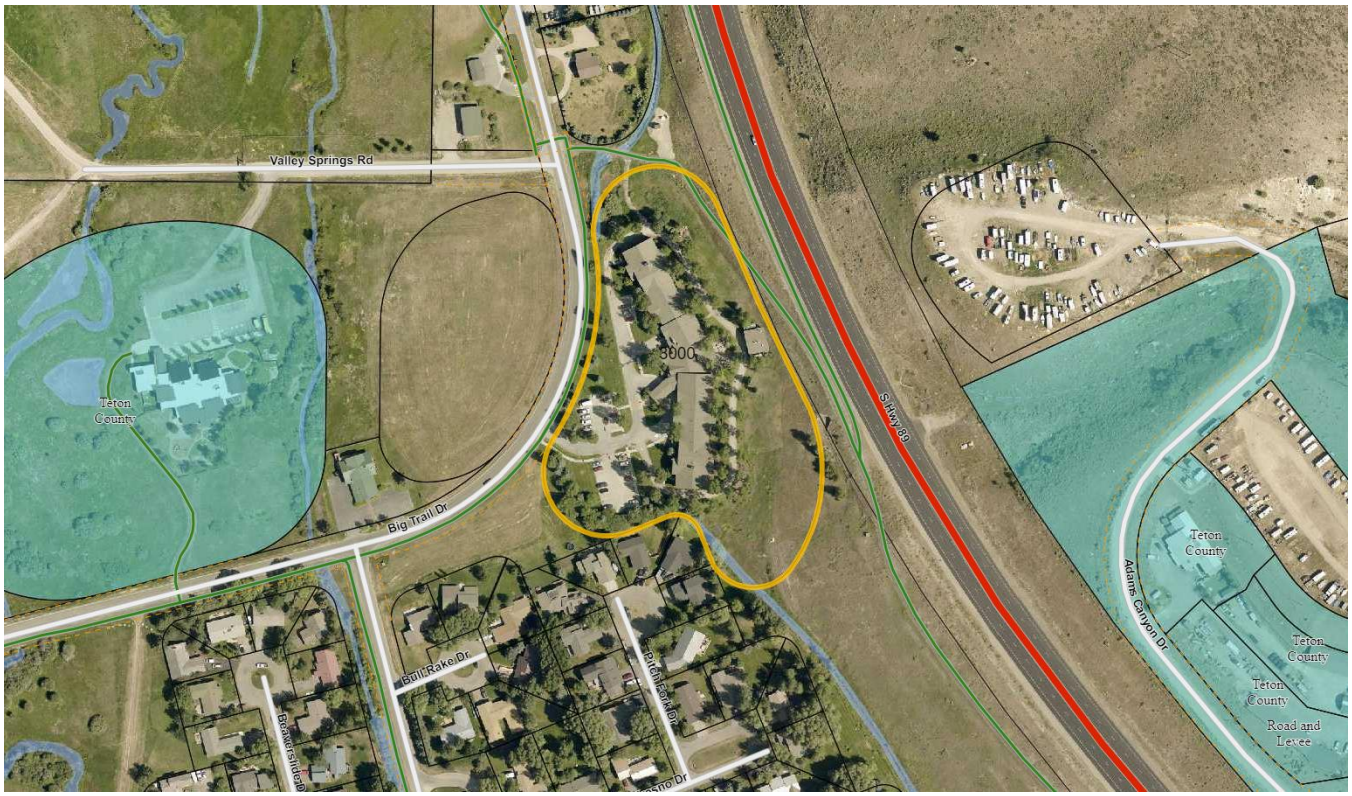
LOCATION

3000 W Big Trail Drive is situated in the northeast corner of the Rafter J Ranch. The lot is approximately 1,500 linear feet from the northern most entrance into the subdivision. Directly east of the property is S Highway 89 and a Teton County pathway. The site does not have direct access to the highway. There are residential lots to the south and a vacant “corral & stables” lot to the west.

Legal Description:	Lot 333 Rafter J Ranch
PIDN:	22-40-16-17-2-03-001
Site Size:	5.37 acres
Character District:	10: South Park
Subarea:	10.1: Southern South Park
Zone:	Planned Unit Development- Rural 3
Overlay:	None

ZONING/VICINITY MAP

AERIAL MAP



STAFF ANALYSIS

The decision on this Conditional Use Permit relies on the approval of the Planned Unit Development amendment, PUD2021-0001. According to LDR Section 1.8.2.C, in a Planned Unit Developments with PUD zoning "*The standards of the PUD shall apply except where the PUD is silent, in which case the standards of the underlying zoning shall apply."* Under the current standards of the Rafter J PUD, this site is subject to the uses and standards of the Local Convenience Commercial (CL) District of the 1978 LDRs. Under these standards (specifically the 11th printing of the 1978 LDRs) an apartment is not a permitted use. The underlying zoning is Rural-3, which also does not permit residential density beyond a single-family zone. Therefore, the applicant is seeking to amend the Rafter J PUD to include an allowance for workforce apartments on this lot only within the standards of the PUD. Part of that proposal is that workforce apartments would be considered a Conditional Use, and therefore still requires the submittal and review of this Conditional Use Permit.

Therefore, staff is reviewing this change of use under the assumption that PUD2021-0001 is approved to allow for the addition of this use under the PUD. This application is reviewed under the Rafter J PUD standards, which includes some aspects of the CL District of the 1978 LDRs, as well as the current LDRs. Important to keep in mind that LDR section 1.8.2.C which vests the validity of PUD zoning, also states that *"references to previous LDRs in a project's approval shall be construed to reference the equivalent standard in these LDRs."*

RELATIONSHIP TO THE CHARACTER DISTRICT

- Character District: 10- South Park
- Subarea: 10.1- Southern South Park
    - *Classification:* Conservation
    - *Neighborhood Form(s):* Conservation & Residential Forms

Existing and Future Desired Characteristics:

The South Park District is considered an "agricultural gateway into Jackson." There are agricultural operations that provide open space and scenic foreground views. There is important wildlife habitat such as the Flat Creek riparian corridor and migration routes. Existing development is predominately residential, clustered to the southeast, and is mostly occupied by local workforce. The desire is to maintain the existing character of this district. Preservation should be focused on the open spaces and wildlife habitat. START Bus service and the possibility for a school could assist this district's workforce in the future. Interconnectivity of residential neighborhoods and commercial amenities along the Highway could be improved.

Policy Objectives:

This proposal is for reuse of an existing building to provide workforce housing. See the attached analysis of the Policy Objectives for the South Park Character District.

Subarea Character Defining Features:

The Southern South Park Subarea is defined by clustered residential areas with interior open spaces. These open spaces support agricultural operations and wildlife habitat and movement. The desired future character of this district is to maintain these open spaces while directing new development into a Complete Neighborhood. Residential areas should continue to include workforce housing. Redevelopment should enhance wildlife movement while not decreasing workforce housing opportunities. Residents should be able to travel via pathways, public transit, and potential roadways connections between neighborhoods.

This proposed change of use supports workforce housing opportunities within the Rafter J, which includes some characteristics of a Complete Neighborhood. The proposal will not result in any development of existing open spaces.

RELATIONSHIP TO THE APPLICABLE LAND DEVELOPMENT REGULATIONS

Affordable Workforce Housing Standards.

Complies as conditioned. The application describes the proposed occupancy of the apartment units as "workforce" however did not propose any formal deed restrictions with the Jackson/Teton County Affordable Housing Department. Without any formal restrictions on the occupancy of the units, the apartments would be considered market units with required Affordable Housing mitigation. The applicant proposed an independent calculation to determine if the previous assisted living facility provides a mitigation credit. However, LDR Section 6.3.3 identifies a Group Home (which includes assisted living) as exempt from the section, and therefore cannot provide a credit.

The building currently houses 18 studio apartments (326 sf each), 33 one-bedroom apartments (474 sf each) and 6 two-bedroom apartments (708 sf each). The requirement for 57 market-rate apartment units is as follows.

Proposed Use	Housing Requirement (Sec. 6.3.3.A)	Use Size: bedrooms	Use Size: habitable sf	Use Quantity	**Housing Required**
Apartment (Unrestricted)	0.000017*sf+(Exp(-14.17+1.59*Ln(sf)))/2.176	1	326	18	**0.158**
Apartment (Unrestricted)	0.000017*sf+(Exp(-14.17+1.59*Ln(sf)))/2.176	1	474	33	**0.458**
Apartment (Unrestricted)	0.000017*sf+(Exp(-14.17+1.59*Ln(sf)))/2.176	2	708	6	**0.138**

Affordable Workforce Housing Required: 0.754 units Fee-in-Lieu Amount: $ 157,070.41

The total Affordable Housing mitigation requirement is 0.754, or a fraction of a unit. That requires either, the applicant rounding up to supply a single 2-bedroom apartment unit on the site have an Affordable Housing deed restriction (occupants qualifying for <120% of median income, or a fee-in-lieu could be paid for the fraction of a unit (amount of $157,070.00).

However, the outcome of PUD2021-0001 will strongly dictate the requirements of this Conditional Use Permit. Specifically, many of the findings made by both the applicant and the Planning Director for the purposes of recommending approval of the PUD Amendment relied on the proposal being for "workforce apartments." Therefore, based on the recommended condition of PUD2021-0001, the occupancy of the apartment units will be restricted for workforce housing. If all residential units are deed restricted in a manner acceptable to the Jackson/Teton County Affordable Housing Department, then there is no additional Affordable Workforce housing mitigation required for the change of use.

The applicant proposed an affidavit affecting title in lieu of a typical deed restriction. However, this alternative is not generally supported by the LDRs or the Housing Rules & Regulations. Specifically, the exemption for affordable workforce housing mitigation mentioned above only applies to "*a residential unit subject to a deed restriction administered by the Housing Department*." The applicant is also proposing some variation from the typical Workforce Housing restriction. According to the Housing Rules & Regulations, "*households who purchase or rent Workforce units are required to earn a minimum of 75% of their income from a Local Business. They may not own other residential real estate within 150 miles of Teton County, and at least one person in the household must earn 1,560 hours annually from a Local Business…. The owners of Workforce Rental Units set the rental rates. There is no cap on rental rates."* Additionally, the minimum lease period for a workforce rental is 6 months. The applicant proposes that the occupants meet the description of Teton County Workforce, however in some circumstances be allowed to own residential real estate within 150 miles and have rental periods for less than 6 months. This would allow for some flexibility in the type of housing offered by the employer. For example, a unit might be used to house a visiting medical professional working at the Hospital but may be employed on a temporary basis of less than 6 months. Another example might be emergency response personnel who could utilize a unit on a rotating

basis while they are on call but live full-time in a neighboring community. If it is determined that allowing this type of occupant is a value to the community, then the necessary modifications could be made to the deed restriction language. Lastly, it should be noted that these workforce deed restrictions would not prevent the owner from changing the use of the site in the future. If the apartment use is discontinued or a change of use is approved for some or all of the units, the deed restrictions on those affected units would no longer be applicable. Nonetheless, with the conditions as recommended, there could not be apartments on this site without a workforce occupancy deed restriction.

Environmental Standards

Complies. The site is not within the Natural Resources Overlay; Conditional Use Permits do require environmental analysis unless exempted. The use was exempted from requiring an Environmental Analysis through the review of MSC2021-0054, based upon LDR Section 8.2.2.B.1g.i *"The lot of record is outside the NRO and the application demonstrates compliance with all setback and buffer standards in Div. 5.1.and Div. 5.2."* The site is developed and the structure in question is existing. There is very little high priority wildlife habitat on this site or in the project vicinity. While wildlife may utilize the area in general, this change of use will not result in any additional development that would negatively impact wildlife. In addition, all required natural resource and wildlife setbacks and buffers are met.

Parking Standards

Complies as Conditioned. If PUD2021-0001 is approved with the conditions as currently recommended, the parking requirement for this Apartment will be at minimum, 1 parking space per unit. In addition, based on the proposal for on-site property management at all times, 1 additional parking space will be required for that individual. Therefore, the applicant shall expand the existing parking lot to provide at least 58 parking spaces, to the specifications of LDR Division 6.2. At least 3 of the spaces shall be for ADA accessible parking (some are existing), as well as a designated location for parking at least 6 bicycles. The applicant is proposing additional bike parking as a component of their Parking and Transportation Demand Management Plan, which would be enforced as a condition of PUD2021-0001.

STAKEHOLDER ANALYSIS

DEPARTMENTAL REVIEWS

The application was sent to the following departments and agencies for review:

- Teton County Road & Levee, Dave Gustafson (no comments)
- Jackson/Teton County Fire/EMS, Kathy Clay (comments attached)
- Teton County Engineer, Amy Ramage (comments attached)
- Teton County Pathways Coordinator, Brian Schilling (comments attached)
- Jackson/Teton County House Department, Stacy Stoker (comments attached)
- Teton County Building Official, Billy Nunn (no comments)
- Teton County Sherriff, Matt Carr (no response)
- Wyoming Department of Transportation, Darin Kaufman (comments attached)
- Teton County Interim START Director, Bruce Abel (no response)

PUBLIC COMMENT

Notice of this hearing was mailed to property owners within 800 feet of the site on December 10, 2021. A notice was also posted on the site on February 17, 2022. As of the publishing of this report 94 comments have been received, all of which are attached to this report. Comments are primarily focused on the potential traffic implications and maintaining the character of the existing neighborhood. Many comments also mention the Rafter J Subdivision CC&Rs, and the process required by the HOA, which, as detailed in Key Issue #4 in the PUD2021-0001 staff report, are not enforced by Teton County Planning.

LEGAL REVIEW

Gingery

RECOMMENDATIONS

PLANNING DIRECTOR RECOMMENDATION

Planning Director recommends **APPROVAL** of **CUP2021-0005** dated July 30, 2021, for the proposed Apartments, with the following conditions, based on the findings recommended below.

1. Prior to the issuance of this permit, the owner shall restrict the occupancy of all apartment units to members of the Teton County Workforce, in a deed restriction form that is acceptable to the Jackson/Teton County Affordable Housing Department.
2. Annual monitoring reports shall be submitted by the owner to the Teton County Planning Director prior to January 31st of each year, which at minimum shall demonstrate compliance with the conditions of approval including the occupancy restriction and analysis of the transportation demand management plan. These reports may be elevated to the Board of County Commissioners if deemed the monitoring report warrants a public review.
3. Within one (1) year of permit issuance, the owner of Lot 333 shall improve the Teton County Pathway crossing at the entrance to Lot 333 in a manner that is acceptable to the Teton County Pathways Coordinator and the property owner (Rafter J Ranch Homeowners Association).
4. Prior to the issuance of this permit, the applicant shall request and pass the required Jackson Hole Fire Department inspections.
5. Prior to occupancy, the owner shall install the additional required vehicle and bike parking, for a total of 58 vehicle parking spaces and 6 bike parking spaces. Additional bike parking is also proposed by the Parking and Transportation Demand Management Plan.
6. Prior to occupancy, each unit shall, at minimum, include complete kitchen facilities as defined in LDR Division 9.5., and be inspected by Teton County staff.
7. No more than two (2) unrelated individuals shall occupy each Apartment Unit.

PLANNING DIRECTOR RECOMMENDED FINDINGS

Pursuant to Section 8.3.2 of the Land Development Regulations:

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

   Can be made. The proposed amendment continues to implement the desired future character by clustering this new residential use within an existing neighborhood without any additional impacts to open spaces. An important component of the Southern South Park Subarea is to include opportunities for workforce housing and preserve that which is existing. This proposal will increase the workforce housing stock in a location that would otherwise be reserved for commercial or other non-residential uses. See Relationship to Character District above for more details.

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

   Not Applicable. This Conditional Use Permit is subject to the standards of the Rafter J Planned Unit Development. There are no use-specific standards in Division 6.1 for Apartment Uses, and all other applicable standards are addressed in the PUD rather than the underlying Rural-3 zone.

3. *Minimizes adverse visual impacts;*

   Can be made. The proposed use is not anticipated to have any additional visual impacts. There will be minimal physical development and no new structures proposed for this use. The existing structure is visually unobtrusive as seen from Highway 89 due to the topography.

4. *Minimizes adverse environmental impacts;*

Can be made. The proposed use is not anticipated to have any environmental impacts. There will be minimal additional physical impacts to the site, which is also outside of the Natural Resources Overlay. There are no wetland or waterbody resources in the project vicinity.

5. *Minimizes adverse impacts from nuisances;*

Can be made. The proposed use will minimize potential nuisance impacts. There should be no obtrusive odor or impacts to air quality. Refuge and recycling will all be contained on the site. The apartments will be managed by a professional property management company and an employee of the management company will be on-site at all times. Quiet hours will be enforced to ensure compliance with all noise levels.

6. *Minimizes adverse impacts on public facilities;*

Can be made. All the Transportation Demand Management strategies proposed by the applicant shall be implemented to minimize potential adverse impacts to transportation facilities. It is recommended that the crossing of the Teton County Pathway at the Legacy Lodge be improved in a manner that is acceptable to the Teton County Pathways Coordinator. However, that crossing is actually on a roadway lot owned by the Rafter J Homeowners Association and not Stage Stop, Inc. Therefore, the changes will also need to be amenable to the property owner.

This is necessary properly implement the Transportation Demand Management strategies proposed by the applicant for alternative modes of transportation. The Wyoming Department of Transportation and the Teton County Road & Levee Department raised no concerns upon their review of the application, except that WYDOT recommended a traffic impact study, which was subsequently provided by the applicant.

7. *Complies with all other relevant standards of these LDRs and all 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 except for the Fire Code Resolution as required by the Fire Marshal.

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

Can be made. The previously approved Assisted Living Facility use on the site has been discontinued. The proposal complies with the standards of the Rafter J Ranch Planned Unit Development (PUD), as so long as the prerequisite amendment to the Planned Unit Development (PUD2021-0001) is previously approved.

ATTACHMENTS

- Plan Review Committee Comments
- Supplemental Application Materials
- Public Comment
- Application:https://developmentrecords.tetoncountywy.gov/Portal/Planning/StatusReference?referenceNumber=PUD2021-0001

SUGGESTED MOTION

I move to recommend **APPROVAL** of **CUP2021-0005,** for the proposed Apartments, with the following recommended conditions, based on the recommended findings.

1. Prior to the issuance of this permit, the owner shall restrict the occupancy of all apartment units to members of the Teton County Workforce, in a deed restriction form that is acceptable to the Jackson/Teton County Affordable Housing Department.
2. Annual monitoring reports shall be submitted by the owner to the Teton County Planning Director prior to January 31st of each year, which at minimum shall demonstrate compliance with the conditions of approval including the occupancy restriction and analysis of the transportation demand management

plan. These reports may be elevated to the Board of County Commissioners if deemed the monitoring report warrants a public review.

3. Within one (1) year of permit issuance, the owner of Lot 333 shall improve the Teton County Pathway crossing at the entrance to Lot 333 in a manner that is acceptable to the Teton County Pathways Coordinator and the property owner (Rafter J Ranch Homeowners Association).
4. Prior to the issuance of this permit, the applicant shall request and pass the required Jackson Hole Fire Department inspections.
5. Prior to occupancy, the owner shall install the additional required vehicle and bike parking, for a total of 58 vehicle parking spaces and 6 bike parking spaces. Additional bike parking is also proposed by the Parking and Transportation Demand Management Plan.
6. Prior to occupancy, each unit shall, at minimum, include complete kitchen facilities as defined in LDR Division 9.5., and be inspected by Teton County staff.
7. No more than two (2) unrelated individuals shall occupy each Apartment Unit.

Attachment 1: Response to Comprehensive Plan District Policy Objectives.

1.1.c. Design for wildlife permeability.
Complies. The structure, which is outside of the Natural Resources Overlay, is already existing. No changes or increases to the existing physical development are proposed in any way that would affect wildlife permeability.

1.2.a. Buffer waterbodies, wetlands, and riparian areas from development.
Complies. There are no waterbodies, wetlands or riparian areas on the project site or in the project vicinity.

1.3.b Maintain expansive hillside and foreground vistas.
No applicable. The site is not part of a hillside or foreground vista. Due to the drastic change in topography between the lot and the adjacent highway, the development is barely visible from the public roadway. Height limitations already in place for new structures would prohibit development on this lot that would affect the scenic viewshed from the highway.

1.4.b. Conserve agricultural lands and agriculture.
Not applicable. The site does not contain any agricultural land or operations. The property is already developed.

1.4.c. Encourage rural development to include quality open space.
Not applicable. This proposal is for a change of use of an existing developed lot. The Rafter J subdivision already includes open spaces that protect quality resources such as Flat Creek.

3.1.b. Direct development toward suitable Complete Neighborhood subareas.
Complies. Within the South Park District, Rafter J is the closest it gets to a Complete Neighborhood. Rafter J has already been developed as higher density residential housing compared to other rural areas of Teton County. In addition, the physical development on this lot is already existing adjacent to other non-residential uses.

3.1.c. Maintain rural character outside of Complete Neighborhoods.
Complies. No rural character is being lost by this change of use. The lot and building are existing.

5.3.b. Preserve existing workforce housing stock.
Complies. The site previously contained housing primarily for retirees and those who required assisted living. This proposal is to retrofit this existing building to provide more workforce housing stock within a neighborhood designed for local workforce.

7.2.d. Reduce wildlife and natural and scenic resource transportation impacts.
Complies. There is no additional physical development proposed by this application that would impact natural or scenic resources. Transportation impacts are anticipated to be minimal and transportation mitigation strategies will be applied to the future use.

7.3.d. Develop a land use pattern based on transportation connectivity.
Complies. This development does not physically change the land use pattern, nor does it change any existing roadways. It is a desired future character of this subarea to increase connectivity and the applicant is proposing strategies that involve alternative transportation modes, including working with the START Bus Board to provide expanded bus or micro-transit services to this area.

Plan Review Committee Comments

PUBLIC WORKS DEPARTMENT
Engineering
Road & Levee
Pathways
Integrated Solid Waste & Recycling

STAFF MEMO

November 12, 2021

TO: Chandler Windom, AICP - Teton County Senior Planner
Delivery via email: cwindom@tetoncountywy.gov

FROM: Amy Ramage, PE - Teton County Engineer

RE: CUP2021-0005 & PUD2021-0001 Legacy Lodge - Rafter J

Chandler,

Thank you for the opportunity to comment on the above referenced application for a conditional use permit (CUP) and PUD to accommodate proposed future housing development in the existing Legacy Lodge facility. I offer the following comments from my perspective within Public Works:

Parking
According to the application, this development will provide 57 units of employee housing and an associated management office. There are 36 existing parking spaces. Applying standard formulas of 2.5 spaces per unit would require 142 parking spaces. While I am an advocate for reducing standard parking formulas to reduce the infrastructure burden for affordable housing units and encourage less single occupant vehicle use, it seems that the number currently provided is substantially inadequate to meet the needs or residents and employees, even with methods encouraging residents to not have a car, such as bike lockers and robust transit service. This location is also somewhat remote from other supportive infrastructure like grocery stores and schools and further limits residents' ability to live car-free compared to locations that are within the Town of Jackson.

The concern with having a great deficit of parking is that the adjacent roadway, Big Trail Drive, will inevitably bear the burden of overflow parking, even if it is prohibited. The adjacent roadway is not designed to accommodate parking and puts the burden on the Rafter J ISD/HOA to enforce the issues that come with rogue parking and fix roadway shoulders that will become denuded and need signage. Perhaps there is a route to providing parking along the road if Rafter J ISD/HOA was a willing partner, however there are safety issues that would need to be addressed.

In addition, the lack of available parking spots can inadvertently "screen out" people who are critical workers who would greatly benefit from this housing opportunity simply because there is no place for them to park their vehicle that they need for work.

Transportation Demand Management (TDM) Plan
The new Legacy Lodge should have a well-defined TDM plan as part of their approval to put in place measures to reduce single occupant vehicle trips generated by this land use. The TDM plan should

identify multi-modal opportunities that could be supported by infrastructure such as proper bike storage and parking and e-bike charge stations. Programmatic solutions such as ride share, shuttles or rewards could also be considered. It is recognized that while limiting or pricing/leasing parking can be part of a TDM plan, it seems the amount available is well below the threshold that is reasonable to expect, especially in an area that is outside of the corporate limits of the Town and lacks nearby supportive services.

Refuse

As part of this conditional use permitting, trash and recycling facilities should be retrofitted to be bear-proof if they are not already.

Thank you for the opportunity to review this proposal.

Chandler Windom

From: Billy Nunn
Sent: Friday, November 12, 2021 2:37 PM
To: Chandler Windom
Subject: RE: Request for PRC Legacy Lodge

No comments from me at this time.

Billy Nunn
Building Official
Teton County WY
(307)732-8415
bnunn@tetoncountywy.gov
salutem aedificationem

Chandler Windom

From: Kathy Clay
Sent: Wednesday, October 27, 2021 4:27 PM
To: Chandler Windom
Cc: Butch Gosselin
Subject: RE: Request for PRC Legacy Lodge

Hi Chandler:

Legacy Lodge was not reviewed or inspected under our jurisdiction as it was owned by the State. For the building to reopen, the following must be met:

- All life safety systems shall be inspected
- Building fire alarm system must be monitored by an alarm company
- Fire inspection shall be conducted to ensure other life safety features are in place; emergency egress lighting, elevator operation, etc.
- Electrical Inspection shall be conducted as well.

We realize this structure is several years old and will be inspected to the year of the code it was built under, however, the rules of IFC Chapter 11 will apply and will be followed.

Kathy Clay
Battalion Chief Fire Marshal
Jackson Hole Fire/EMS
(desk) 307-732-8506
Facebook JHFireEMS
www.jhfire-ems.org

JACKSON/TETON COUNTY AFFORDABLE HOUSING

To: Chandler Windom
Senior Planner, Teton County Planning and Building

From: Stacy Stoker
Housing Manager, Teton County Housing Department

Re: CUP2021-0005 & PUD2021-0001
Legacy Lodge

Date: November 16, 2021

The applicant is requesting to convert an existing assisted living Institutional Use located at 3000 W Big Trail Drive in Rafter J to residential use and is requesting a Conditional Use Permit and an Amendment to the Rafter J PUD.

The applicant proposes converting the existing 57 units to "Workforce Housing" and also uses the term "Employee Housing" in the application. They have not provided a Housing Mitigation Plan so it is not clear what the Housing Requirement generated by this change of use may be. If the change of use generates a Housing Requirement to provide Units under LDR 6.3, the units would require an Affordable Deed Restriction specific to the Income Range of the required unit(s).

The applicant is proposing not to restrict any of the units but are calling the units "Workforce Housing". The applicant has asserted that this change of use is providing "Workforce Housing", which is a benefit to the community. The Housing Department agrees that these units can be a benefit to the community but will only be a guaranteed benefit to the community if they are restricted. Workforce Housing as defined in the Housing Department Rules and Regulations requires Deed Restrictions. This is the only method that ensures the units will be used for housing the Workforce *in perpetuity*.

The Housing Department requests that a Housing Mitigation Plan be submitted prior to approval in accordance with the LDRs and the Housing Department Rules and Regulations.

All restricted units are required to comply with the Livability Standards in the Jackson/Teton County Housing Department Rules and Regulations.

The following shall occur prior to issuance of any Permits.

1. The Livability Standards Questionnaire shall be completed and submitted to the Housing Department for review along with floor plans that include dimensions and a functional furniture placement diagram.

2. A letter from the Housing Department will be issued to the applicant stating whether the unit(s) are approved or whether there are required changes.

3. A Livability Standards Approval Letter is required to be submitted to the Planning Department along with submittal for Building Permit.

The following shall occur prior to issuance of Certificate of Occupancy:

1. The applicant or applicant's agent(s) shall attend a Compliance Conference with the Housing Department.

2. The Housing Department shall inspect the unit.

3. A restriction drafted by the Housing Department using the applicable approved Restriction Template will be recorded on the units/property. The applicant will be responsible for payment of recording fees.

Thank you for the opportunity to review this application. Please contact me with any questions.

PUBLIC WORKS - PATHWAYS

Brian Schilling, *Pathways Coordinator*
bschilling@tetoncountywy.gov
307.732.8573

November 20, 2020

TO: Chandler Windom, Senior Planner / Teton County Planning Department

RE: CUP2021-0005 and PUD2021-0001 - Stage Stop/Legacy Lodge, Lot 333 Rafter J

Dear Chandler:

Thank you for the opportunity to review the PUD and CUP submitted by Stage Stop, Inc. for residential housing at Legacy Lodge in Rafter J. The Teton County Pathways department submits the comments below as considerations for this application.

Pathway crossing / Big Trails Dr. access driveway

The pathway crossing at the Legacy Lodge access driveway from Big Trails Dr. has several existing issues that will need to be remedied to ensure safe conditions for pathway users and motorists given the expected significant increase in daily trips to and from the development.

The existing concrete apron has a drainage issue that causes water to pond within the limits of the pathway. This creates very hazardous conditions, especially during winter months when the pathway can be completely obstructed by ice and/or standing water and slush.

The design of the pathway crossing and access driveway does not reflect the current best practices for pathway crossings at minor side streets and access drives. The FHWA Guide for Small Town and Rural Multimodal Networks describes strategies for designing intersections of sidepaths and driveways that enhance safety by establishing clear right-of-way assignments, slowing speeds, and maintaining visibility for all users. (See the attached excerpt from the FHWA guide for details).

In order to remedy both the drainage and the safety issues, the driveway access will need to be reconfigured to provide an elevated crossing with appropriate striping and signage. The pathway may also need to be realigned slightly in order to provide sufficient offset from the adjacent roadway.

Pathways staff will be happy to provide design assistance and guidance for this.

Transportation Demand Management

The applicant should evaluate and implement transportation demand management strategies to reduce the total number of trips to and from the proposed development. The Teton County Comprehensive Plan and Integrated Transportation Plan both note transportation demand management programs as a

primary trip reduction tool for developments that potentially generate a large number of trips. Some ideas the applicant could explore:

- Transit service to Rafter J (staff suggests that the applicant consult with START on future plans for service to the South Park area)
- Providing secure and convenient bicycle parking/storage facilities for residents
- Carpooling or shuttles for residents and on-site staff
- E-bikes and e-bike charging stations for residents and staff
- Integration of transit and active modes (biking and walking) to facilitate use of transit

Bicycle Parking

Per the above discussion on TDM strategies, one of the easiest ways to encourage active modes and reduce vehicle trips is to provide convenient, secure bike parking for residents and visitors/staff. Pathways staff will be happy to assist with specific on-site design recommendations and layouts. The following comments are provided for general, preliminary guidance:

- Given the location and type of use of the proposed development, staff expects that there will be a high demand for bicycle parking.
- Staff supports crediting the bike parking toward the development's overall parking requirement.
- The bike parking should ideally be a mix of short-term (for visitors, frequent/regular use) and long-term (for employees, residents, infrequent use/storage). For this development, we anticipate the need for long-term parking will be significantly greater than for short-term.
    - Short-term parking (for visitors or guests parking for a few hours or less): the recommended style for short-term bike parking is one or more "single inverted-U" racks. **"Wave," "ribbon," and "toaster" style racks shall not be used.** The best location for a rack area is immediately adjacent to the entrance it serves. The rack area should be as close as or closer to the front entrance than the nearest car parking space, visible from the front entrance, hardscaped, and should not obstruct pedestrian flow. Short-term parking supply will be a factor of the number of staff and the expected number of visitors to the site, which may not be currently not known.
    - Long-term parking (for employees/residents parking for more than a few hours—i.e. all-day or overnight): the recommendations for long-term parking include providing a secure, conveniently-accessed, well-lit, covered area with racks or lockers that will protect bikes from rain, snow and other elements and deter bike theft. The area does not have to be immediately adjacent to the access door for the residence, but should be located in a secure or monitored location or in a locked enclosure. Clustered inverted-U bike racks, wall racks, and external bike lockers (i.e. not an indoor closet) are all appropriate options.
- At least one bike parking/storage space should be provided for each unit.
- U-rack bike parking should be constructed on a concrete pad. Grass or natural surfaces will quickly deteriorate into mud from foot traffic during wet seasons and will be difficult to keep clear of snow. Also, concrete provides a more secure mounting surface for the racks and will discourage theft.

- Staff supports including the bike parking towards the landscape surfacing requirement so that bike parking does not detract from the applicant's landscape requirements. Conversion of one or more car parking spots to bike parking would also be supported.
- Rack details and locations should be shown on site plans.
- Jackson Hole Community Pathways will be happy to provide additional background information and guidance on site selection, layout, rack specification, and rack installation.

Thank you again for the chance to provide comments on this application. I look forward to working with you and the applicant on addressing these items.

Brian Schilling, Pathways Coordinator

Cc: Amy Ramage, Teton County Engineer
Heather Overholser, Teton County Public Works Director

DECEMBER 2016

Small Town *and* Rural Multimodal Networks

U.S. Department of Transportation
Federal Highway Administration

Sidepath

INTERSECTIONS

Operational and safety concerns exist where sidepaths cross driveways and intersections. Refer to section 5.2.2 of the AASHTO Bike Guide 2012 for an identification of potential design issues. Design crossings to promote awareness of conflict points, and facilitate proper yielding of motorists to bicyclists and pedestrians.

DESIGN STRATEGIES

Collision risk increases as the speed and volume of the parallel roadway increase. The AASHTO Bike Guide 2012 lists a variety of design strategies for enhancing sidepath crossings including:

- Reduce the frequency of driveways.
- Design intersections to reduce driver speeds and heighten awareness of path users.
- Encourage low speeds on pathway approaches.
- Maintain visibility for all users.
- Provide clear assignment of right-of-way with signs and markings and elevation change.

DESIGN DETAILS

A Maintain physical separation of the sidepath through the crossing. Sidepath separation distance may vary from 5 ft–24 ft (1.5–7.0 m). Refer to Table 4-2.

- Use small roadway corner radii to enforce slow turning speeds of 20 mi/h or less. On a high-speed roadway, a deceleration lane may be necessary to achieve desired slow turning speeds.

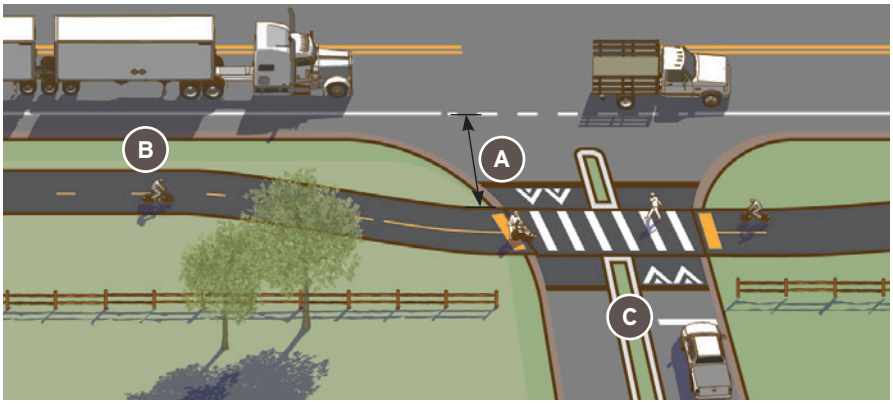


Figure 4-11. *Separation distance should be selected in response to speed and traffic intensity. The pathway may need a shift in horizontal alignment in advance of the crossing to achieve desired separation distance. As speeds on the parallel roadway increase, so does the preference for wider separation distance.*

Table 4-2. *Sidepath Separation Distance at Road Crossings*[vii]

Adjacent Road Speed Limit (Mi/h)	Recommended Sidepath Separation Distance at Crossings
< 25 mi/h	6.5 ft (2.0 m)
35–45 mi/h	6.5–16.5 ft (2.0–5.0 m)
≥ 55 mi/h	16.5–24 ft (5.0–7.0 m)

**Separation distance may vary in response to available right of way, visibility constraints and the provision of a right turn deceleration lane.*

B The roadway and path approaches to an intersection should always provide enough stopping sight distance to obey the established traffic control, and execute a stop before entering the intersection (AASHTO Bike Guide 2012).

- Configure crossings with raised speed table or "dustpan" style driveway geometry to create vertical deflection of turning vehicles. This physically indicates priority of path travel over turning or crossing traffic and helps reduce the risk associated with bidirectional sidepath use.[v]

C Where possible, include raised median island on the cross street to provide additional safety and speed management benefits.

- Use crosswalk markings to indicate the through crossing along the pathway. Continental crosswalk markings are preferred for increased visibility. At low-volume residential driveways, crosswalk markings may be omitted.[vi]
- Use stop or yield line markings in advance of the crossing to discourage encroachment into the crosswalk area.

Sidepath

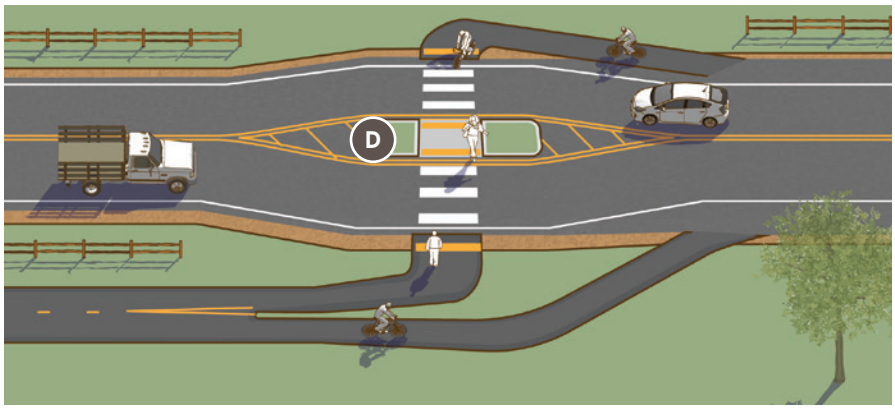


Figure 4-12. *Transition from a sidepath on one side to shoulders on each side of the road.*

Minor Street Crossings

Give sidepaths the same priority as the parallel roadway at all crossings. Attempts to require path users to yield or stop at each cross-street or driveway promote noncompliance and confusion, and are not effective. Geometric design in these cases should promote a high degree of yielding to path users through geometric design.

- Landscaping, barriers, or other visual obstructions should be low to provide unobstructed sight of the crossing from the major street. Both motorists and path users should have a clear and unobstructed view of each other at intersections and driveways.
- Consider using a R10-15 RIGHT TURN YIELD TO PEDESTRIANS at street crossings with right turn interactions.

Connections with On-Street Bikeways

Where a sidepath terminates, it may be necessary for path users to transition to a facility on the opposite side of the road.

D Designs should consider the desire for natural directional flows, and the potential for conflicts with adjacent traffic. Use median islands and horizontal deflection of the roadway travel lanes to slow motor vehicle traffic and offer improved crossing conditions for path users.

ACCESSIBILITY

A sidepath is intended for use by pedestrians and must meet accessibility guidelines for walkways and curb transitions. Sidepaths are required to be accessible by all users, including those with mobility devices and visually-impaired pedestrians.

IMPLEMENTATION

Where sufficient roadway width or right of way is available, designers should consider the simultaneous provision of both sidepaths and bicycle accessible shoulders to serve a diverse range of user types.

Chandler Windom

From: Darin Kaufman <darin.kaufman@wyo.gov>
Sent: Wednesday, January 5, 2022 1:17 PM
To: Chandler Windom
Subject: Re: FW: Request for PRC Legacy Lodge

[**NOTICE:** This message originated outside of the Teton County's mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Chandler,
This is a follow-up to the voicemail I left you the other day, hopefully it is not too late..

Thank you for the opportunity to comment.
Since this project is beyond WYDOT's permitting authority, normally I do not provide comments, however please consider the following:

- WYDOT has no objections for both the Amendment to the PUD and CUP.

Teton County should request additional information:

- The Planning Department should ask for supportive documentation thru a traffic impact study and/or transportation operational analysis, performed and provided by the applicant, to substantiate the statements that the proposed change in use does not adversely impact the surrounding public transportation system, including and not limited to the carrying capacity of the subdivision road and the intersection of US 89 & Big Trail Dr. It is suggested that the traffic study be performed for the proposed change in use; comparing past pre-existing, existing, and proposed future cumulative conditions of Rafter J and Legacy Lodge (Stage Stop).

If you have any questions or concerns, please let me know.

Thank you.
Darin Kaufman, P.E., PTOE
WYDOT District 3 Traffic Engineer
3200 Elk Street
Rock Springs, WY 82902
Office: 307.352.3034
Cell: 307.389.0235

On Tue, Nov 16, 2021 at 8:10 AM Chandler Windom <cwindom@tetoncountywy.gov> wrote:

> Hi all,
>
> This is a reminder that Teton County Planning is soliciting comments on the applications submitted for the Legacy Lodge in Rafter J. If you wish to provide any feedback please do so before the end of this week so that the applicant may have the opportunity to respond. The application is attached again, but please don't hesitate to reach out if you require any additional information.
>
> Thank you,
> Chandler

Chandler Windom, AICP

Applicant's Response to Plan Review Committee Comments

DRAFT Conditions for CUP2021-0005

2/16/2022

CUP2021-0005 is subject to the following conditions:

1. No more than 2 unrelated persons may reside in a unit. For the purposes of this condition, "unrelated persons" shall mean persons who are not related by blood, marriage, adoption or guardianship.

2. The owner shall work with START to locate a bike-sharing station on the Property.

3. If START services the Property and/or Rafter J, residents of the property who do not utilize vehicle parking on the property shall be provided discounted START transit passes.

4. Leasing to Teton County, the Town of Jackson, St. John's Medical Center and Teton County School District #1.

    A. At initial lease of the project, 14 units will be offered for lease to (1) Teton County, (2) Town of Jackson, (3) St. John's Medical Center and (4) Teton County School District #1 (the "Institutions"), in that order. The owner will send notice to Teton County with an offer to lease up to 14 units within the project. Teton County will have 7 calendar days from notice being sent to lease some or all of the units. If any of the 14 units remain unleased after 7 calendar days, the owner shall then send notice to the remainder of the Institutions in the order provided above and each of the Institutions shall have 7 calendar days from notice being sent in which to lease some or all of the units. If any of the 14 units remains unleased after the last Institution's rights have expired, the owner may lease any of the unleased 14 units to anyone of owner's choosing. For all notices, email shall suffice.

    B. The following process shall apply after initial lease of the project. When a unit becomes available, if fewer than 14 units within the project are then leased by the Institutions, the owner will offer the available unit in the following order to: (1) Teton County, (2) Town of Jackson, (3) St. John's Medical Center and (4) Teton County School District #1. If the unit remains unleased after following the process set forth in 4A, the owner may lease the unit to anyone of owner's choosing. When another unit becomes available, and assuming fewer than 14 units within the project are then leased by the Institutions, the owner will again offer the unit to the Institutions but rotate the order of who is offered the unit first such that the entity offered a unit(s) first in a previous offering will be fourth in line for the next offering (#1 goes to 4th priority, #2 goes to first priority, etc.).

5. Workforce Restriction.

    A. Use and occupancy of a unit is restricted to Qualified Households as defined herein. "Qualified Households" must meet the following criteria:

i. At least 1 member of the Qualified Household must maintain a minimum of 30 hours per week of employment (as an employee or contractor) by a Local Business during occupancy of the unit; or at least 1 member of the Qualified Household must maintain an average of 30 hours per week employment on an annual basis, or a minimum of 1,560 hours per year, for a local business.

1. A local business means (1) a business or non-profit physically located within Teton County, Wyoming, holding a business license with the Town of Jackson, Wyoming or one that can provide other verification of business status physically located in Teton County, Wyoming, and (2) the business or non-profit serves clients or customers who are physically located in Teton County, Wyoming, and (3) the employees/owners must work in Teton County, Wyoming to perform their job.

   Or

   A business or non-profit physically located in Teton County Wyoming who employs two or more employees, which employees must work in Teton County Wyoming to perform their job.

ii. The Qualified Household must earn at least seventy-five percent (75%) of the Household's income from employment (as an employee or contractor) with a local business (as defined above) during occupancy of the unit.

iii. No member of the Qualified Household may own or have any interest (whether individually, in trust, or through an entity including without limitation a partnership, limited partnership, limited liability company, corporation, association, or the like) in whole or in part in any other residential real estate within one hundred and fifty (150) miles of Teton County, Wyoming at any time during occupancy of the unit.

B. Owner shall obtain written verification of income/earnings and real estate ownership by affidavit from the occupant, and employment in Teton County, Wyoming (affidavit from employer with hours worked and contact information shall suffice) for each Qualified Household proposing to rent the unit prior to such Household's occupancy, and upon each extension or renewal of any lease therefore.

C. Each unit shall be occupied as the Qualified Household's sole and exclusive primary residence during the term of the lease, and each occupant of a unit shall physically reside therein on a fulltime basis, at least eighty percent (80%) of the term of the lease.

D. The occupants of a unit shall satisfy the definition of a Qualified Household at all times during the occupancy of the unit.

E. Occupancy of a unit shall be pursuant to a written lease.

F. No persons other than those comprising the Qualified Household shall be permitted to occupy the unit for periods in excess of ten percent (10%) of the rental term in cumulative days per calendar year.

G. By Jan. 31 of each year, the owner will provide to the Housing Department a summary of the eligibility verification information contained above for each occupant of unit. Upon written request by the Housing Department for supporting documentation, Owner shall provide the same within fifteen (15) business days of receipt of such written request. Owner shall maintain records regarding occupants for a period of at least 2 years.

H. Owner shall maintain the units in a safe, decent and sanitary condition. Upon reasonable notice to owner, the Housing Department shall have the right to inspect the units to determine compliance with this restriction.

HH Land Strategies, LLC
PO Box 1902, Wilson, WY 83014
307-699-0265 – hal@hhlandstrategies.com

February 1, 2022

Chandler Windom
Teton County Planning Division
Teton County Administration Building, 2nd Floor
200 S Willow Street
Jackson, WY 83001

- Via email: cwindom@tetoncountywy.gov

RE: Response to Plan Review Committee Comments for Legacy Lodge Planned Unit Development Amendment and Conditional Use Permit applications (PUD2021-001 and CUP2021-0005)

Dear Chandler,

Thank you for the responses to the above-referenced applications. Please accept the following information as our response to Plan Review Committee comments for the above-referenced applications. Please also note, since we received your comments, we have had an additional two neighborhood meetings with Rafter J residents, a meeting with the Housing Department and a meeting with START to discuss these applications. As a result of those meetings, we have enclosed additional information regarding the project, topics for possible conditions on the CUP, and an operations plan. Please also find enclosed a Parking Plan and a Traffic Impact Study for this proposal, the latter of which looks at the trips generated from the proposed use and the impact this use will have on the north entrance to Rafter J as these were topics of concern for residents in Rafter J.

With regard to responses to staff comments, I have received comments from Chandler Windom, Teton County Planning Department; Amy Ramage, Teton County Engineer; Brian Schilling, Pathways Coordinator; Kathy Clay, Chief Fire Marshall; Stacy Stoker, Teton County Housing Department; and Darin Kaufman with WYDOT. The below responses are organized by topic.

1. **Individual Unit Types and Sizes:**

Chandler Windom requested a more detailed description of the size of each unit within the existing Legacy Lodge facility and how many bedrooms are within each unit size. This information was requested in order more effectively review the CUP application. The table below provides the information requested.

Unit Type	Number of Units	Number of Bedrooms	Square Footage
Studio Units	18	0 bedrooms – 1 bed	326 s.f. each 5,868 s.f. total
1 Bedroom	33	1 bedroom each	474 s.f. each 15,642 s.f. total
2 Bedroom	6	2 bedrooms each	708 s.f. each 4,248 s.f. total

Please see **Attachment 1 – Legacy Lodge Unit Floor Plans by Unit Type** for a graphic depiction of each unit type.

2. **What is the plan for the commercial kitchen within the existing facility?**

The existing commercial kitchen, primary lobby area/central gathering space, and rear patio area will be separate from the apartment use. The owner envisions utilizing the commercial kitchen for culinary classes/demonstrations and for persons, institutions, small businesses or nonprofits needing a commercial kitchen to prepare provisions for sale, all of which would be on a reservation basis to limit the number of persons utilizing the space and parking on site. That is, the commercial kitchen would not be open for informal, "drop in" use.

3. **Clarify if/how individual units within the Legacy Lodge facility will be retrofitted for full kitchens.**

Each of the individual units currently include kitchenettes, that include a refrigerator, sink, and microwave oven. We are working with the Housing Department to ensure these units are functional and livable as individual units.

4. **Parking and Transportation Demand Management Plan.**

Chandler Windom and Amy Ramage both question the adequacy of the existing 35 parking spaces for the proposed use. By restriping, we can accommodate 41 parking spaces on the Property without expanding the existing parking footprint. Please find enclosed at **Attachment 2—Site Parking Review** for a parking plan for the property. Our engineering team has concluded that this restriping and parking configuration complies with the parking regulations (dimensions, drive aisles, etc.) in the Teton County Land Development Regulations. The owner's goal in limiting parking is to incentivize and encourage the use of alternative transportation modes over the use of single occupancy vehicles, and reduce the number of trips generated from this project. If additional parking is needed, it can be accommodated on the 5.3-acre Property.

We met with START to discuss transit strategies and options for this project and the greater Rafter J community. Service to Rafter J, Melody Ranch and south of town is included in START's 2020-2025 Route Plan. Based on our discussion, we understand that START is planning on including some form of transit service to points South of Town, specifically including service to Rafter J

specifically. In speaking with START, it is not yet clear what the service to Rafter J will look like—whether it will be an on-demand service like that just launched in east Jackson or whether it will be a fixed route service, or a combination of the two. Regardless of the type of service, the owner looks forward to partnering with START to get public transit to the Property and, hopefully, the larger Rafter J community. In addition to transit service, the owner is also exploring formal and informal car-sharing arrangements, shuttle services and enhanced bicycle and e-bike facilities and amenities to encourage carpooling and alternative modes of transportation.

Brian Schilling, Pathways Coordinator, in his comments says he expects that there will be a high demand for bicycle parking at the facility and that he supports crediting bike parking provided on site toward the overall parking requirement. The owner will provide ample bike parking onsite, including short term bike parking using "single inverted U" racks as requested and longer-term bike parking. These racks will be installed on an asphalt or concrete pad within close proximity to the apartment entrances and exits on each wing of the building. The owner will also provide long term bike parking within a secure, covered area utilizing bike racks or lockers for resident use.

Please find enclosed at **Attachment 3—Traffic Impact Study** a Traffic Impact Study completed Y2 Consultants. Many of the concerns from the Rafter J community concern traffic, and specifically the left-hand turn from Big Trail Drive north onto US 26. The enclosed Traffic Impact Study analyzes this intersection, and the project's impact on overall traffic within the neighborhood. It is important to note that the Traffic Impact Study does not consider the anticipated reduction in trips attributable to reduced parking, carsharing, bicycle facilities, and future transit services. We anticipate these alternatives to single-occupancy vehicles will reduce overall trip generation.

5. **Pathway Crossing:**

Mr. Schilling, in his comments as the Pathway Coordinator, has stated that the pathway crossing at the Legacy Lodge entrance is inadequate and unsafe. A resident also made a comment to this effect at our third neighborhood meeting. The owner is committed to ensuring that the pathway crossing is safe for pedestrians and bicyclists, although this crossing is not on the Property (it is located on Rafter J HOA property). Mr. Schilling recommends reconfiguring the pathway crossing to provide an elevated crossing with appropriate striping and signage. If the HOA and Rafter J ISD are amenable to improving this crossing on the HOA's property, the owner will certainly work with them to do so. The owner has reached out to Mr. Schilling to discuss the requested improvements in more detail.

6. **Fire Marshal Comments:**

Chief Fire Marshall Ms. Clay provided comments that 1) all life safety systems shall be inspected; 2) the building fire alarm system must be monitored by an alarm company; 3) Fire inspection shall be conducted to ensure other life safety features are in place; emergency egress, lighting, elevator operation, etc.; 4) electrical inspection shall be conducted.

An inspector from the Fire Marshal's office has inspected the property. There are a few minor upgrades needed, including improved signage. The owner will continue to work with the Fire Marshal's office to ensure all concerns and comments are addressed.

7. Teton County Housing Department Comments:

Comments from the Teton County Housing Department requested that a Housing Mitigation Plan be provided with this application. A Housing Mitigation Plan necessarily requires that the housing generation and mitigation requirement of the pre-existing legally permitted use be determined as part of the Housing Mitigation Plan. The pre-existing use was an assisted living facility. Based on LDR Section 6.3.3.A, which lists housing mitigation requirements based on use, assisted living facilities are not a recognized use. Therefore, it is necessary to undertake an Independent Calculation pursuant to LDR Section 6.3.3.B.

In an effort to determine the employee generation of an assisted living facility, I have researched assisted living facility staffing requirements, on both a State and Federal level, and found that there are specific staffing requirements for such facilities addressing the number of Registered Nurses that are required to staff an assisted living facility. This does not consider staffing requirements for administrators, housekeeping, kitchen/cooking staff, activity coordinators, etc. Nevertheless, based my research, recommended minimum staffing requirement for Registered Nurses in assisted living facilities ranges between 1 Registered Nurses per 8 residents to 1 Registered Nurse per 3.2 residents. Therefore, the standard staffing requirement for the Legacy Lodge assisted living facility, that includes housing for 63 persons (when taking into account the six 2-bedroom units) ranges from 7.88 nurses to 19.69 nurses. This does not include administrative, housekeeping, kitchen/cooking, activity coordinator, etc. staff. Based on the owners understanding, the Legacy Lodge assisted living facility employed approximately 30 full time employees, which would account for the required employees other than registered nurses.

The above notwithstanding, LDR Section 6.3.3.B. outlines a specific methodology for undertaking an Independent Calculation. Based on this methodology I have undertaken an Independent Calculation based on the following formula as required by LDR Section 6.3.3.B. Please see LDR Section 6.3.3.B for the values for each of the components of the calculation.

(A/30/X*Y)+(B/X*Y)+(C/X*Y)+(D/X*Y)

The initial calculation (A/30/X*Y) is the calculation for employee generation for construction workers. Since the facility exists, and no construction is being requested with this application, I have eliminated this portion of the calculation.

Therefore, by subtracting the construction portion of the calculation, the total employees generated by an institutional use per 1,000s.f./room is 1.602 and the number of units required to house employees per s.f./room is .686 units. Taking into account the County reduction factor of 33%, the resulting "County required units per 1,000 s.f./room" is .226. Considering there were

57 units within the Legacy Lodge assisted living facility dedicated to the assisted living facility residents, this results in a housing mitigation requirement of 12.2 units of housing.

In comparison, the proposal to provide 57 units of apartment use, 18 of which are studios, 33 of which are 1-bedroom units, and 6 of which are 2-bedroom units, the overall mitigation requirement is to provide .754 units of housing.

Based on the above, the proposed change of use generates no housing mitigation requirements.

As we noted in our initial application, the owner is committed to ensuring that these apartments are occupied by our local workforce. To ensure that the apartments are truly workforce housing, the owner proposes to restrict the use and occupancy of all 57 units to the local workforce through a condition on the Conditional Use Permit. We understand that this proposed method of restricting the use and occupancy of the units is unique since it is not in the form of a traditional deed restriction, but believe it achieves the same goal of ensuring the units are occupied by the local workforce. We are working on this conditional language with the Housing Department.

We are also working with the Housing Department to ensure these units are livable, and are reviewing necessary upgrades and improvements with the Housing Department.

Responses to Comments from Rafter J Residents to Date

As we noted above, we have held 2 additional neighborhood meetings over the last 2 months. The primary concerns from residents at our meetings in December and January were traffic, parking (too little), and the Rafter J CCRs/neighborhood engagement process. Traffic and parking have been discussed above and in the enclosed materials. We would be happy to sit down with staff, WYDOT, the HOA and any other interested stakeholders to discuss the enclosed Traffic Impact Study and solutions to the Big Trail Drive and US 26 intersection as this issue (the left-hand turn from Big Trail onto US-26) is bigger than this project—it's an existing issue that will only worsen with time *even if* this property sits vacant.

As we told neighbors at our meetings, the owner moved forward with the PUD Amendment Application and CUP application because these are lengthy public review processes with ample opportunity for public involvement and comment. Moreover, as applications move through the planning review process, the project proposal generally changes to some degree in response to comments and requests from the public, staff, Planning Commission, and County Commissioners—in short, it's a refinement process.

With regard to comments about the CCRs, the PUD Amendment and CUP applications currently under review affect the *public* regulations applicable to the Property, not the CCRs. The CCRs are *private* regulations on the Property enforced by the HOA, not the County. Therefore, the CCRs are not relevant to the PUD Amendment and CUP applications with the County. What is relevant, however, is the potential impact this project may have on the surrounding neighborhood and

ways in which we can eliminate or mitigate these impacts to the greatest extent feasible. That is what the owner is trying to accomplish.

We have also seen communications circulated in the neighborhood with misinformation about this project that we would like to correct. First, this is not a rezoning proposal. The Property is zoned Local Convenience Commercial (CL) and will remain zoned CL if the applications are approved. The owner's request is to add a conditional use (apartments) to the CL district for this Property. Accordingly, the plat (Plat 330) does **not** need to be modified or amended as part of this request since the zoning designation (Local Commercial) is not changing, nor is the owner seeking to modify or vacate any other notes on Plat 330 with these PUD and CUP requests. The planning department has confirmed Plat 330 does not need to be amended in light of the current requests.

There is no new development proposed with this application. The owner's proposal is to utilize the existing structure and parking for workforce housing. That being said, this is a 5.3-acre site so additional parking can be accommodated. Our goal is to avoid adding additional parking as a way of reducing the number of trips and encouraging residents to utilize alternative modes of transportation.

A letter was circulated to the neighborhood stating that most tenants would be employees of Hotel Jackson and that residents of this project would be temporary and "will not contribute to our community." Hotel Jackson has its own employee housing. The latter statement is inflammatory and inaccurate. Because this will be a workforce project, where occupants/households will be employed by and support local businesses, these individuals most certainly will contribute to the community.

Our engineering team is working to confirm water and sewer capacity. We anticipate both water and sewer capacity here is sufficient since the building and associated water and sewer infrastructure was designed for a use that housed persons within the 57 existing units (consistent with what is being proposed here—that is, 57 units)---and was likely designed for more users since the prior use also had a staff of 30-36 people as we understand it, not including guests. We are happy to sit down with the HOA and/or ISD to review these results regarding water and sewer capacity.

The owner is currently working on a set of proposed conditions for this project that we hope to be able to present to the Planning Commission on February 14. These conditions include a limitation on the number of unrelated occupants per unit, a restriction limiting use and occupancy of the units to the local workforce, public transit-related incentives, and a reservation of units for certain public institutions.

Our goal with this project and the conditions we are proposing is to ensure we have a successful workforce housing project that has as little impact on the surrounding neighborhood and neighbors as possible.

Thank you for your consideration of our responses to the Plan Review Committee comments. We are happy to answer any additional questions you may have.

Sincerely,

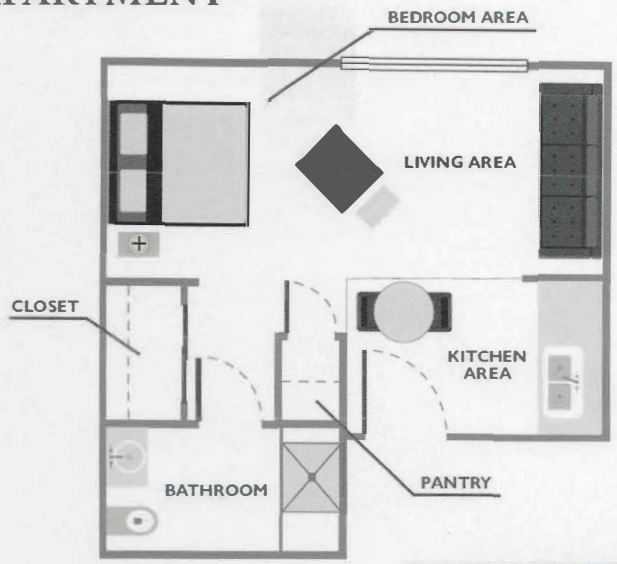
Hal Hutchinson

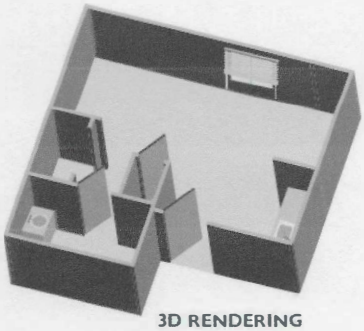
Encl.

Attachment 1 – Legacy Lodge Unit Floor Plans by Unit Type

Studio Apartment Floor Plan

STUDIO APARTMENT





3D RENDERING

STUDIO LIVING AREA
14'1" X 17' 7"

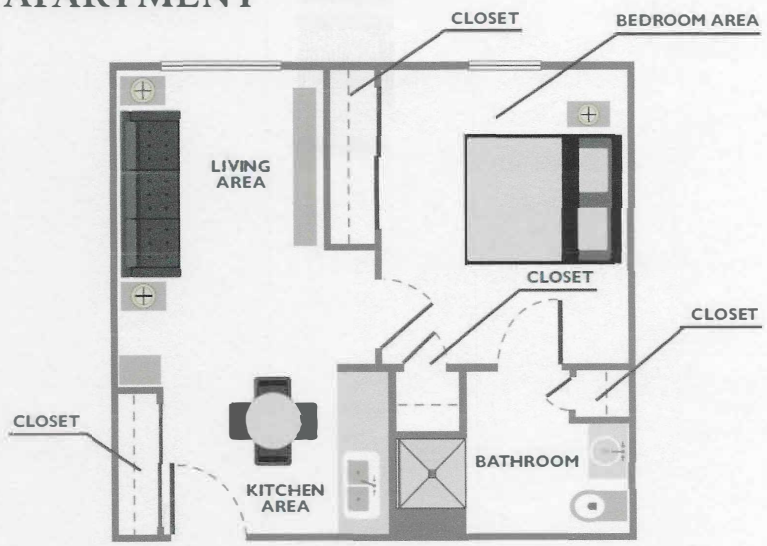
FEATURES

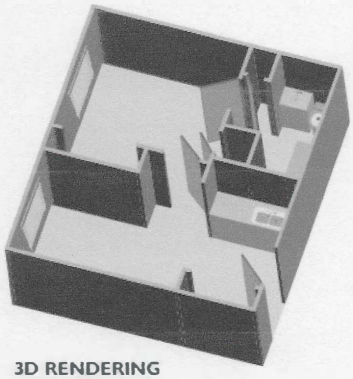
- 326 SQUARE FEET
- ONE BATHROOM
- TWO STORAGE CLOSETS
- UNFURNISHED

LEGACY LODGE
INDEPENDENT & ASSISTED LIVING

One Bedroom Apartment Floor Plan

ONE BEDROOM APARTMENT





3D RENDERING

LIVING AREA: 10'8" x 11'6"

KITCHEN AREA: 11'6" x 8'3"

BEDROOM: 10'8" x 11'6"

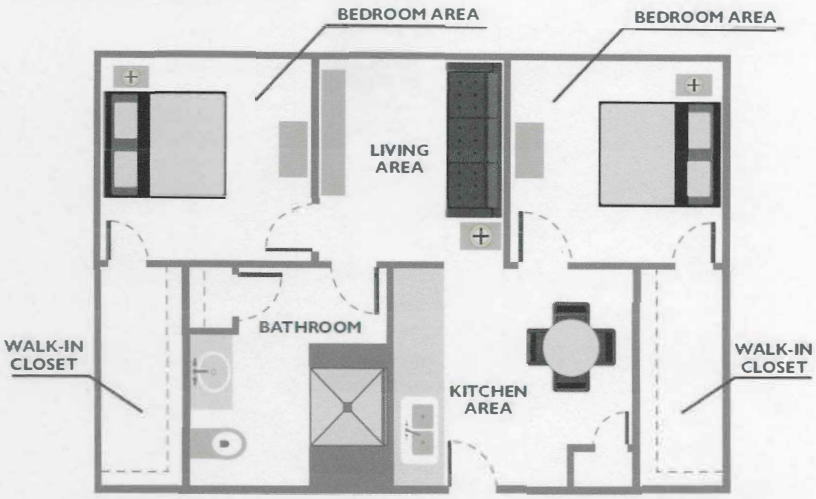
FEATURES

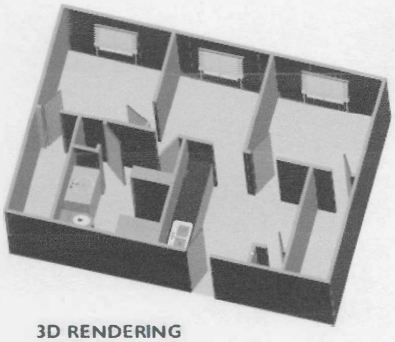
- 474 SQUARE FEET
- ONE BEDROOM
- ONE BATHROOM
- FOUR STORAGE CLOSETS
- UNFURNISHED

LEGACY LODGE
INDEPENDENT & ASSISTED LIVING

Two Bedroom Apartment Floor Plan

TWO BEDROOM APARTMENT





3D RENDERING

LIVING AREA: 11'0 x 8'10"

KITCHEN AREA: 13'1 x 8'7"

BEDROOMS: 12'0 x 8'10"

WALK-IN CLOSETS: 6'6" x 9'7"

FEATURES

- 708 SQUARE FEET
- TWO BEDROOMS
- ONE BATHROOM
- TWO WALK-IN CLOSETS
- TWO STORAGE CLOSETS
- UNFURNISHED

LEGACY LODGE
INDEPENDENT & ASSISTED LIVING

Attachment 2—Site Parking Review
[attached]

LEGACY LODGE
SITE PARKING REVIEW

N

0 20' 40'

PROJECT NOTES:

EXISTING SPACES – 35 SPACES

PROPOSED SPACES
RE-STRIPING – 41

TETON COUNTY DEVELOPMENT REGULATIONS
PARKING SPACE LAYOUT REQUIREMENT
90° PARKING

PARKING SPACE DEPTH: 20'
PARKING SPACE WIDTH: 9'
DRIVE AISLE WIDTH: 24'

PARALLEL PARKING

PARKING SPACE LENGTH: 20'
PARKING SPACE WIDTH: 9'
DRIVE AISLE WIDTH: 12'

LEGEND

XX EXISTING SPACES

XX PROPOSED SPACES

DRAWING SET TITLE: PARKING REVIEW
DATE: 02/01/2022
DRAWN BY: SAH
CHECKED BY: SAH
JOB #: 21153

Y2 CONSULTANTS
ENGINEERING, SURVEYING & PLANNING
LANDSCAPE ARCHITECTURE, GIS
NATURAL RESOURCE SERVICES
y2consultants.com
307 733 2999

LEGACY LODGE
STAGE STOP, LLC
3000 W BIG TRAIL DRIVE
TETON COUNTY, WY

PARKING REVIEW

C1.1

LAST SAVED: 2/1/2022 9:33 AM BY: SKYLER H. PLOT BY: SKYLER HELFFRICH
F:\2021\21153_Legacy_Lodge\Civil\ACAD\211153_ParkingLot.dwg

Attachment 3 – Traffic Impact Study
[attached]

Y2 CONSULTANTS

y2consultants.com
307 733 2999

ENGINEERING, SURVEYING & PLANNING
LANDSCAPE ARCHITECTURE, GIS
NATURAL RESOURCE SERVICES

February 1, 2022

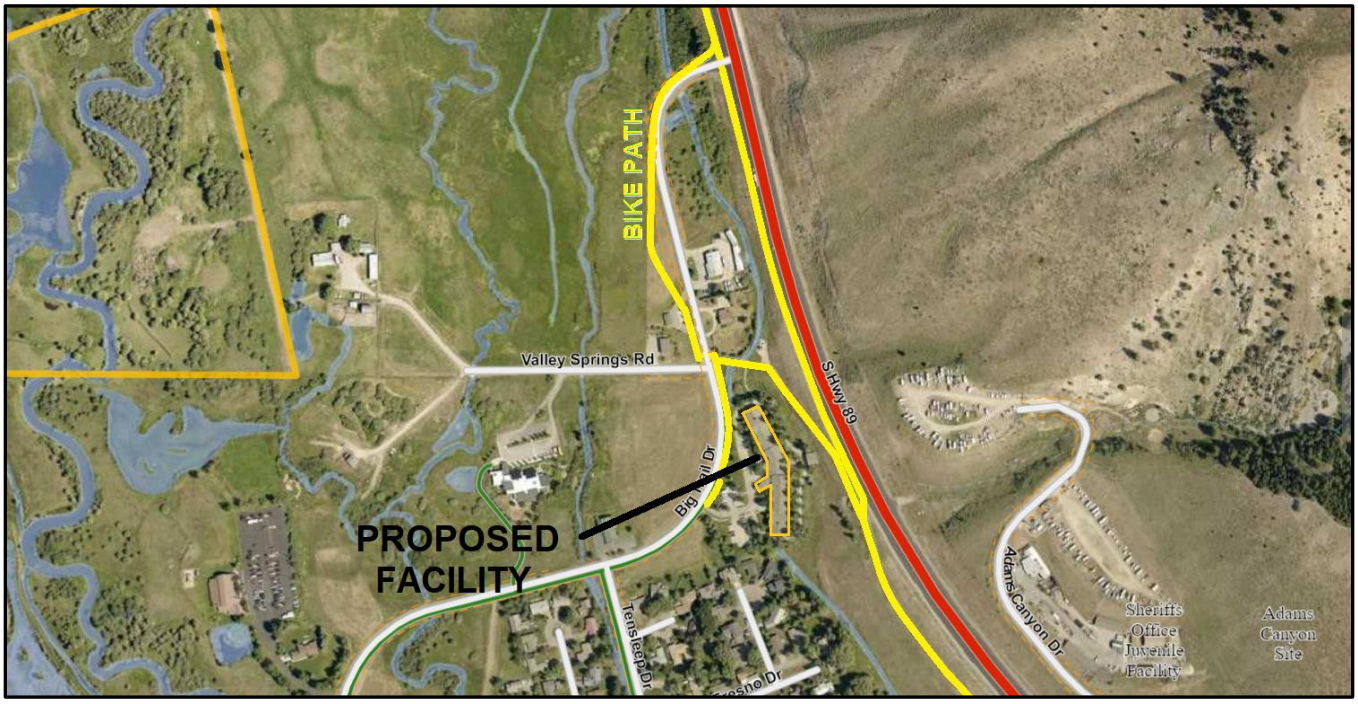
Mr. Sadek Darwiche
PO Box 1677, Jackson, WY 83001
SDarwiche@HotelJackson.com
(307) 733-0004

RE: Traffic Impact Study - Proposed 57-Unit Apartment Conversion at 3000 W Big Trail Drive

Dear Mr. Darwiche,

This analysis describes the estimated impact of traffic generated by a proposed conversion of a recently closed elderly care facility to a workforce housing facility on Big Trail Drive, as it may influence traffic operations at the intersection of Big Trail Drive at US-26/191/89. Facility location shown on the aerial maps below.

Location Maps:



EXECUTIVE SUMMARY

The property at 3000 W Big Trail Drive, also known as Legacy Lodge, is looking to convert the existing elderly care facility to workforce housing apartments. No additional development is proposed with the pending applications, and the owner proposes to limit occupancy to no more than 2 unrelated persons per unit. The property currently has 36 parking spaces. By restriping, the paved parking area can accommodate 41 parking spaces without expanding the current parking footprint. 41 parking spaces is below what is typically accepted by both the Teton County Land Development Regulations and the Institute of Traffic Engineers for the proposed use. In order to account for this difference, the owner intends to incentivize and promote the use of transit, carsharing, bicycles and other alternative transportation modes over the use of single occupancy vehicles. While these variables (reduced parking availability, transit, carsharing, etc.) have not been accounted for in this analysis, these variables are expected to lower the anticipated site generated traffic and impact on the overall network. Therefore, the data that follows regarding trip generation and impacts is the upper most bound of what we would expect to see here without any reductions or offsets from the utilization of alternative modes of transportation.

The Institute of Traffic Engineers (ITE) Trip Generation Manual anticipates that an apartment typically generates on average 6.65 trips per day per dwelling unit. The table below provides a comparison of the site generated trips that would be anticipated from both an elderly care facility and an apartment:

Land Use	Total Generated Trips			Distribution of Generated Trips			
	Daily	AM Hour	PM Hour	AM IN	AM OUT	PM IN	PM OUT
Senior Assisted Living (63 Beds, ITE Code 254)	173	11	18	6	5	9	9
Apartment (57 D.U., ITE Code 220)	379	29	35	6	23	23	12

Key findings from the overall analysis regarding the conversion to workforce housing has been summarized below:

- Based on ITE Trip generation rates, an additional 206 site generated trips during a 24-hour period would be added to the current 5,887contributed by the community as a whole;
- Based on traffic counts, currently 179 and 87 left turn movements are made from Big Trail Drive onto US 26 during the AM and PM peak hours. The conversion would add an additional 16 (8.7%) and 3 (3.1%) vehicles to the left turn movement during the AM and PM peak hours, respectively;
- The intersection, in its current state, is failing to provide users making a Left Turn from Big Trail Drive on to US 26 an adequate level of service and will only deteriorate with time, as shown by the table below. This is driven in large part by the traffic growth along US 26 and a lack of gaps in the flow of traffic and is less effected by traffic growth within the Rafter J community and the development in question.

Traffic Scenario	Movement	Level of Service	Control Delay per Vehicle (Seconds)
2021 AM Peak	Eastbound Left Turn	F	196.9
2022 AM Peak (No Build)	Eastbound Left Turn	F	239.2
2022 AM Peak (Build)	Eastbound Left Turn	F	288.9
2042 AM Peak (No Build)	Eastbound Left Turn	F	4,380.0
2042 AM Peak (Build)	Eastbound Left Turn	F	4,626.1
2021 PM Peak	Eastbound Left Turn	F	283.7
2022 PM Peak (No Build)	Eastbound Left Turn	F	345.5
2022 PM Peak (Build)	Eastbound Left Turn	F	436.0
2042 PM Peak (No Build)	Eastbound Left Turn	F	11,322
2042 PM Peak (Build)	Eastbound Left Turn	F	12,745

*"Build" refers to conversion of Legacy Lodge to workforce housing while "No Build" refers to the property being left vacant

Transportation Network Characteristics

The site is served by a 32' wide public street, connecting to a five-lane highway (US-26). A ten-foot off-street shared-use path crosses the site and leads to the Town of Jackson, and this will promote alternative modes of travel. Currently there is no transit services offered to Rafter J, however START bus had previously proposed service at a 30 min frequency within its February 2020 operations plan. The implementation of this service was ultimately put on Hold / Suspend under the revised April 2020 operations update due to complications from COVID -19.

The owner met with Bruce Able, START Bus Transit Operations Director and Susan Mick, START Bus Board member on January 13, 2022 to discuss the possibility for START to provide transit service to Rafter J Ranch. Mr. Able said that there is increasing calls for transit service south of Town, including Rafter J. During the START board retreat in November, 2021, the board set priorities and they include providing START transit service to Rafter J. It is not clear what form of transit service will be considered for Rafter J but, it will likely include an on demand (micro transit) service or a combination of an on demand and fixed route service that would connect to traditional fixed route service in town.

Rafter J Community

Rafter J is comprised of a few different unique land uses that each contribute traffic to the overall network. An approximation of the land uses and associated site generated trips has been provided in the table below:

Land Use	Total Generated Trips			Distribution of Generated Trips			
	Daily	AM Hour	PM Hour	AM IN	AM OUT	PM IN	PM OUT
Single Family House (495 DU, ITE Code 210)	4,712	371	495	93	124	312	137
Medical / Dental Office (4,500 SF, ITE Code 720)	163	11	16	8	2	4	12
Day Care Center, CLC (12,000 SF, ITE Code 565)	889	146	148	77	69	70	78
Gateway Church (13,500, ITE 560)	123	8	7	5	3	4	4

Table 1. Rafter J Community Site Generated Trips

Previous Land Use

The previous land use was an 50,500 square foot elderly assisted living facility with 57 living units, 63 beds. Estimated traffic for such a facility is as follows:

Land Use	Total Generated Trips			Distribution of Generated Trips			
	Daily	AM Hour	PM Hour	AM IN	AM OUT	PM IN	PM OUT
Senior Assisted Living (63 Beds, ITE Code 254)	173	11	18	6	5	9	9

Table 2. Existing Land Use Site Generated Trips

Proposed Site Alternatives

The proposed workforce housing apartments use an existing building and parking area. The proposed use will have the following characteristics:

- 57 Apartments, including six two-bedrooms, thirty-three one-bedrooms, and eighteen studios
  - 41 parking spaces, if re-striped
  - Limited to 2 Un-related occupants per unit
- Alternative Land Uses: Standard ITE Trip Generation Rates

Trip Generation and Site-Generated Traffic

Using Institute of Transportation Engineers (ITE) standard trip rates for Land Use 220 (Apartments with 114 residents), the site will generate the following trip generation pattern shown in the table below. Trip generation is analyzed without consideration of mode choice and therefore excludes the consideration of transit, ride sharing, and or other alternative means of transportation that would lower the anticipated impact to the transportation network.

Land Use (Variable, Source)	Total Generated Trips			Distribution of Generated Trips			
	Daily	AM Hour	PM Hour	AM IN	AM OUT	PM IN	PM OUT
Apartment (57 D.U., ITE Code 220)	379	29	35	6	23	23	12
Apartment (114 People, ITE Code 220)	377	31	45	7	24	29	16

Table 3 Proposed Land Use Site Generated Trips

Alternative Land Use Site Generated Traffic for Comparison

Four alternative development scenarios were chosen based on the outcome of the ZCV2021-0012. Based on the review conducted by Teton County, the property is zoned CL per the 11th printing of the 1978 LDRs. From the land uses defined as either conditional or outright for the CL Zone, the following land uses were chosen to reflect an ITE equivalent development to provide estimates on the developments site generated traffic. The site generated traffic estimates are provided below for comparison:

ITE Land Use	Total Generated Trips			Distribution of Generated Trips			
	Daily	AM Hour	PM Hour	AM IN	AM OUT	PM IN	PM OUT
Convenience Market with Gasoline Pumps (4 Fuel Pumps, ITE code 853)	2,170	66	76	33	33	38	38
Fast Food with Drive-Thru (3,000 SF, ITE Code 934)	1,488	136	98	69	67	51	47
Medical / Dental Office (50,500 SF, ITE Code 720)	1,825	121	180	96	25	50	130
Day Care Center (50,500 SF, ITE Code 565)	3,740	615	623	326	289	293	330

Table 4 Alternative Land Use Site Generated Trips

Current Traffic Volumes at the US-26/191/89 / Big Trail Drive intersection

Through-traffic volumes on US-26 are based on historic counts at WYDOT Automatic Traffic Recorder (ATR) #32 on US 26 located south of the site. Available December 2020 weekday counts were increased 56% to approximate a September weekday, and a further 7.8% to correct from 2020 AADT to 2021 AADT. These adjustment percentages were produced using publicly available historic counts by WYDOT at ATR 32.

Y2 then conducted a traffic count of the peak-hour turn movements entering and exiting Big Trail Drive on Monday Dec 13, 2021. December count volumes were similarly inflated by 56% to replicate AM and PM peak design hours on a September weekday in 2021. Resulting base-year turn movement estimates are on the following page.

Future Turn Movement Forecasts:

Turn Movement Forecasts were developed for the years 2022 and 2042 (20 years) using historic growth rates at ATR #32 on US-26. Average annual AADT growth at that location has averaged 3.1% annually since 2010. Because development in the corridor service area (Wilson, Jackson, Grand Teton, Yellowstone, Hoback, Alpine, Star Valley and points south) shows no signs of abating, future Turn movements were also grown at 3.1% annually. Resulting turn Movement Diagrams are provided in Appendix A

Turn Movement Counts: US-26/191/89 @ Big Trail Drive

Project # 21153	Sep/Dec Seasonal Adj. Factor		1.560											
Monday, Dec 13, 2021	2021/2020 Annual Adjustment factor		1.078											
AM Peak Traffic	Northbound US-191/89			Southbound US 191/89			Eastbound Big Trail Dr.						Total	PHF
Time	LEFT	THROUGH			THROUGH	RIGHT	LEFT		RIGHT					0.936
07:00 - 07:15	0					4	9		2				15	
07:15 - 07:30	6					3	18		4				31	
07:30 -07:45	1					2	33		3				39	
07:45 - 08:00	7	508			215	6	54		8				75	160
08:00 - 08:15	2					18	49		3				72	217
08:15 - 08:30	9					14	30		3				56	242
08:30 - 08:45	8					17	46		3				74	277
08:45 - 09:00	7	420			193	14	47		3				71	273
TOTAL	40	928	0	0	408	78	286	0	29	0	0	0	433	
	4.1%	95.9%	0.0%	0.0%	84.0%	16.0%	90.8%	0.0%	9.2%	#DIV/0!	#DIV/0!	#DIV/0!		
AM PEAK VOLUMES	26	508	-	-	215	63	172	-	12	-	-	-		
ADJUSTED AM DHV	41	854	-	-	362	98	268	-	19	-	-	-		
Monday, Dec 13, 2021														
Midday Traffic	Northbound US-191/89			Southbound US 191/89			Eastbound Big Trail Dr.						Total	PHF
Time	LEFT	THROUGH			THROUGH	RIGHT	LEFT		RIGHT					
11:00 - 11:15													0	
11:15 - 11;30													0	
11:30 - 11:45													0	
11:45 - 12:00													0	0
12:00 - 12:15													0	0
12:15 - 12:30													0	0
12:30 - 12:45													0	0
12:45 - 13:00													0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!		
MIDDAY PEAK VOLUMES	-	-	-	-	-	-	-	-	-	-	-	-		
SEASONALLY ADJUSTED	-	-	-	-	-	-	-	-	-	-	-	-		
Monday, Dec 13, 2021														
PM Peak Traffic	Northbound US-191/89			Southbound US 191/89			Eastbound Big Trail Dr.						Total	PHF
Time	LEFT	THROUGH			THROUGH	RIGHT	LEFT		RIGHT					0.967
16:30 - 16:45	3					39	29		8				79	
16:45 - 17:00	1	192			580	39	23		2				65	
17:00 - 17:15	1					45	17		8				71	
17:15 - 17:30	2					51	18		4				75	290
17:30 - 17:45	1					40	20		0				61	272
17:45 - 18:00	3	181			708	29	15		2				49	256
18:00 - 18:15	0					20	15		1				36	221
18:15 - 18:30	0					29	9		0				38	184
TOTAL	11	373	0	0	1288	292	146	0	25	0	0	0	474	1223
	2.9%	97.1%	0.0%	0.0%	81.5%	18.5%	85.4%	0.0%	14.6%	#DIV/0!	#DIV/0!	#DIV/0!		
PM PEAK VOLUMES	7	192	0	0	708	174	87	0	22	0	0	0		
ADJUSTED PM DHV	11	323	-	-	1,191	271	136	-	34	-	-	-		

Capacity Analyses of US-26/89/191 at Big Trail Drive:

Capacity analyses were conducted for a Stop-Controlled intersection using the Highway Capacity Software (HCS) 2010 for the scenarios defined below. The peak hour factor (PHF) was 0.92. The PHF provides a relationship between the peak 15 min window with the total voume during the peak hour.

The table below depicts critical movements at the US-26 / Big Trail drive intersection. Full Capacity Analysis Reports are provided in Appendix B.

Traffic Scenario	Movement	Level of Service	Control Delay per Vehicle (Seconds)
2021 AM Peak	Eastbound Left Turn	F	196.9
	Eastbound Right Turn	A	10.0
	Northbound Left Turn	A	8.6
2022 AM Peak (No Build)	Eastbound Left Turn	F	239.2
	Eastbound Right Turn	B	10.0
	Northbound Left Turn	A	8.6
2022 AM Peak (Build)	Eastbound Left Turn	F	288.9
	Eastbound Right Turn	B	10.1
	Northbound Left Turn	A	8.6
2042 AM Peak (No Build)	Eastbound Left Turn	F	4,380.0
	Eastbound Right Turn	B	12.3
	Northbound Left Turn	B	10.7
2042 AM Peak (Build)	Eastbound Left Turn	F	4,626.1
	Eastbound Right Turn	B	12.4
	Northbound Left Turn	B	10.8
2021 PM Peak	Eastbound Left Turn	F	283.7
	Eastbound Right Turn	C	15.3
	Northbound Left Turn	B	12.5
2022 PM Peak (No Build)	Eastbound Left Turn	F	345.5
	Eastbound Right Turn	C	15.7
	Northbound Left Turn	B	12.8
2022 PM Peak (Build)	Eastbound Left Turn	F	436.0
	Eastbound Right Turn	C	16.0
	Northbound Left Turn	B	13.1
2042 PM Peak (No Build)	Eastbound Left Turn	F	11,322
	Eastbound Right Turn	E	49.4
	Northbound Left Turn	D	31.4
2042 PM Peak (Build)	Eastbound Left Turn	F	12,745
	Eastbound Right Turn	F	52.4
	Northbound Left Turn	D	32.9

Findings:

The general finding is that the eastbound left turn is already failing during peak hours. This occurs because of the high volume and lack of gaps in the opposing north-south through traffic movements on US-26. If north-south traffic continues to grow at 3.1% annually as projected, the level of service at this intersection will continue to worsen for the foreseeable future.

Regarding the specific effect of the conversion of the properties use, there will be an overall increase of approximately 206 trips generated by the site. Focusing on the left turn movement, the AM and PM peak hours will see an additional 16 and 3 left turn movements as a result of the conversion respectively. This equates to an approximate 8.7% and 3.1% increase respectively in the AM and PM left turning movement volumes. This increase in volume can be quantified by an anticpated increase in delay for a vehicle making a left hand turning momvement of approximately 50 seconds during the AM peak periods and 90 secounds during the PM peak.

Recommendations / Alternatives for Evaluation:

Recommednations and alternaitves offered below have not been evaluated from a traffic engineering or roadway geometrics perspective and are only offered as possible solutions for further study.

Network Improvements: Proposals exist to connect South Park Loop Road and Tribal Trail Road to WY 22 at a point 1.4 miles west of US-26. This potential connection, combined with a connection from Big Trail Drive to South Park Loop Road, would provide a north-south road parallel to US-26 that would reduce demand for the left turn from Big Trail drive to northbound US-26. This network alternative could reduce traffic demand on US-26 and the US-26/Big Trail Drive intersection

Intersection Improvements: At the US-26 Big Trail Drive intersection itself, other geometric improvement alternatives for evaluation include the following:

1. No Action
2. Traffic-Actuated signal at the Big Trail Drive
3. Median Refuge to facilitate a 2-part left turn onto US-26
4. 2-lane Roundabout N-S with a 1-Lane West Leg
5. 2 X 1-Lane Roundabout with Northbound through Bypass Lane
6. Grade Separation and Northbound Merge Lane (tunnel under US-26)
7. Expanded Regional Transit with Bus Signal Override

Because the Wyoming Department of Transportation is responsible for US-26/89/191, any proposed improvement falls under that agency's jurisdiction. WYDOT should consider the needs at this intersection along with other proposed improvements in the State Long-Range Plan and State Transportation Improvement Program.

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APPENDIX A: Turn Movement Forecasts

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

AM Peak Site-Generated Traffic

Leg 1: US-26/191/89
North Leg

		TOTAL	
	SB	27	NB
	6		21
6	0	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive
West Leg

	WB	7	
TOTAL	31	21	LEFT
	EB	24	0 THRU
			3 RIGHT

Leg 3: US-26/191/89
South Leg

	LEFT	THRU	RIGHT
	1	0	0
3		1	
SB	4	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2021 AM Peak DHV Estimate (No Action)

Leg 1: US-26/191/89
North Leg

		TOTAL	
	SB	1582	NB
	460		1122
98	362	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive
West Leg

	WB	139	
TOTAL	426	268	LEFT
	EB	287	0 THRU
			19 RIGHT

Leg 3: US-26/191/89
South Leg

	LEFT	THRU	RIGHT
	41	854	0
381		895	
SB	1276	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2022 AM Peak DHV Base Year Estimate (No Build)

Leg 1: US-26/191/89
North Leg

		TOTAL	
	SB	1631	NB
	474		1157
101	373	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive
West Leg

	WB	143	
TOTAL	439	276	LEFT
	EB	296	0 THRU
		20	RIGHT

Leg 3: US-26/191/89
South Leg

	LEFT	THRU	RIGHT
	42	880	0
393		923	
SB	1316	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2022 AM Peak DHV BUILD SCENARIO

Leg 1: US-26/191/89
North Leg

		TOTAL	
	SB	1657	NB
	480		1177
107	373	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive
West Leg

	WB	150	
TOTAL	470	297	LEFT
	EB	320	0 THRU
		23	RIGHT

Leg 3: US-26/191/89
South Leg

	LEFT	THRU	RIGHT
	43	880	0
396		923	
SB	1319	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2042 AM Peak Design Year DHV Estimate (No Build)

Leg 1: US-26/191/89
North Leg

		TOTAL	
	SB	3004	NB
	873		2130
186	687	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive
West Leg

	WB	264	
TOTAL	809	509	LEFT
	EB	545	0 THRU
		36	RIGHT

Leg 3: US-26/191/89
South Leg

	LEFT	THRU	RIGHT
	78	1621	0
723		1699	
SB	2423	NB	
	TOTAL		

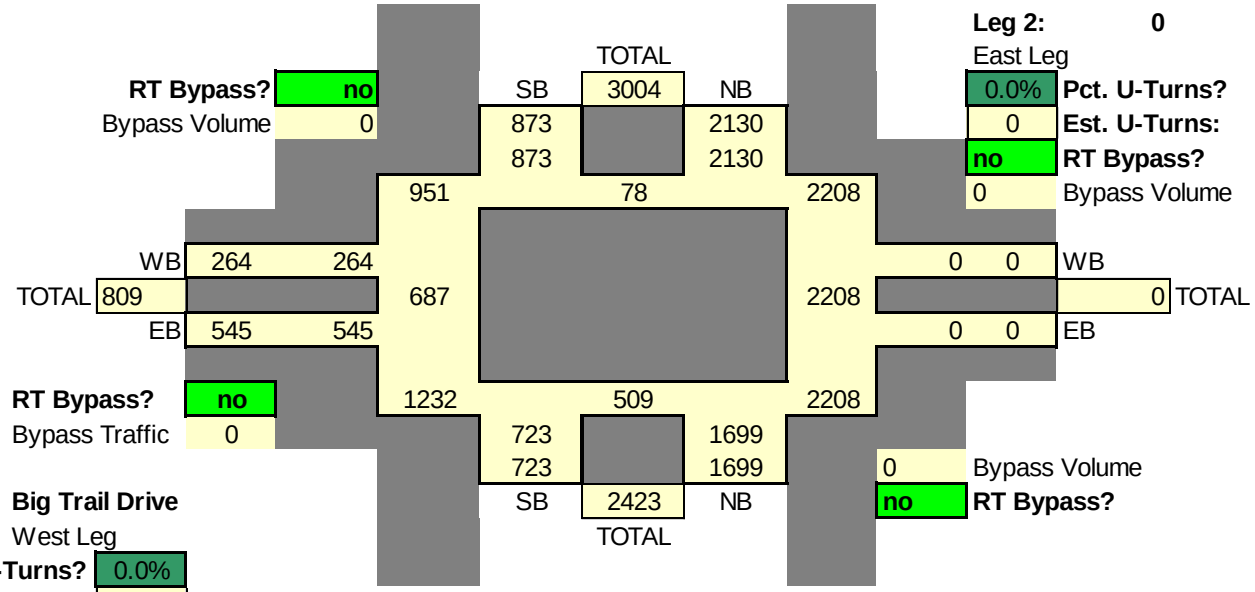
US-26/191/89 at Big Trail Drive

Roundabout Diagram:

2042 AM Peak Design Year DHV Estimate (No Build)

Leg 1: US-26/191/89
North Leg

Pct. U-Turns? 0.0%
Est. U-Turns: 0



Leg 4: Big Trail Drive
West Leg

Pct. U-Turns? 0.0%
Est. U-Turns: 0

Leg 3: US-26/191/89
South Leg

Pct. U-Turns 0.0%
Est. U-Turns: 0

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2042 AM Peak DHV BUILD SCENARIO

Leg 1: US-26/191/89
North Leg

		TOTAL	
	SB 3030		NB
	879		2151
192	687	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive
West Leg

	WB 271		
TOTAL 840		530	LEFT
EB	569	0	THRU
		39	RIGHT

Leg 3: US-26/191/89
South Leg

	LEFT	THRU	RIGHT
	79	1621	0
726		1700	
SB	2426	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Roundabout Diagram:

2042 AM Peak DHV BUILD SCENARIO

Leg 1: US-26/191/89
North Leg
Pct. U-Turns? 0.0%
Est. U-Turns: 0

Leg 2: 0
East Leg
0.0% **Pct. U-Turns?**
0 **Est. U-Turns:**
no **RT Bypass?**
0 Bypass Volume

RT Bypass? no
Bypass Volume 0

TOTAL
SB 3030 NB
879 2151
879 2151

958 79 2230

WB 271 271 0 0 WB
TOTAL 840 687 2230 0 TOTAL
EB 569 569 0 0 EB

RT Bypass? no
Bypass Traffic 0

1256 530 2230

726 1700
726 1700
SB 2426 NB
TOTAL

0 Bypass Volume
no **RT Bypass?**

Leg 4: Big Trail Drive
West Leg
Pct. U-Turns? 0.0%
Est. U-Turns: 0

Leg 3: US-26/191/89
South Leg
Pct. U-Turns 0.0%
Est. U-Turns: 0

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

PM Peak Site-Generated Traffic

Leg 1: US-26/191/89

North Leg

		TOTAL	
	SB	40	NB
	26		14
26	0	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive

West Leg

	WB	29	
TOTAL	45		14 LEFT
	EB	16	0 THRU
			2 RIGHT

Leg 3: US-26/191/89

South Leg

	LEFT	THRU	RIGHT
	3	0	0
2		4	
SB	5	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2021 PM Peak DHV Estimate (No Build)

Leg 1: US-26/191/89

North Leg

		TOTAL	
	SB	1726	NB
	1267		459
136	1131	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive

West Leg

	WB	147	
TOTAL	317		136 LEFT
	EB	170	0 THRU
			34 RIGHT

Leg 3: US-26/191/89

South Leg

	LEFT	THRU	RIGHT
	11	323	0
1165		334	
SB	1499	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2022 PM Peak Base Year DHV Estimate (No Build)

Leg 1: US-26/191/89

North Leg

		TOTAL	
	SB	1780	NB
	1306		473
140	1166	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive

West Leg

	WB	152	
TOTAL	327	140	LEFT
	EB	175	0 THRU
		35	RIGHT

Leg 3: US-26/191/89

South Leg

	LEFT	THRU	RIGHT
	11	333	0
1201		344	
SB	1545	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2022 PM Peak DHV BUILD SCENARIO

Leg 1: US-26/191/89

North Leg

		TOTAL	
	SB	1819	NB
	1332		487
166	1166	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive

West Leg

	WB	180	
TOTAL	371	154	LEFT
	EB	191	0 THRU
		37	RIGHT

Leg 3: US-26/191/89

South Leg

	LEFT	THRU	RIGHT
	14	333	0
1203		347	
SB	1550	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2042 PM Peak Design Year DHV Estimate (No Build)

Leg 1: US-26/191/89
North Leg

		TOTAL	
	SB	3277	NB
	2406		871
258	2147	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive
West Leg

	WB	279	
TOTAL	602	258	LEFT
	EB	323	0 THRU
		65	RIGHT

Leg 3: US-26/191/89
South Leg

	LEFT	THRU	RIGHT
	21	613	0
2212		634	
SB	2846	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Roundabout Diagram:

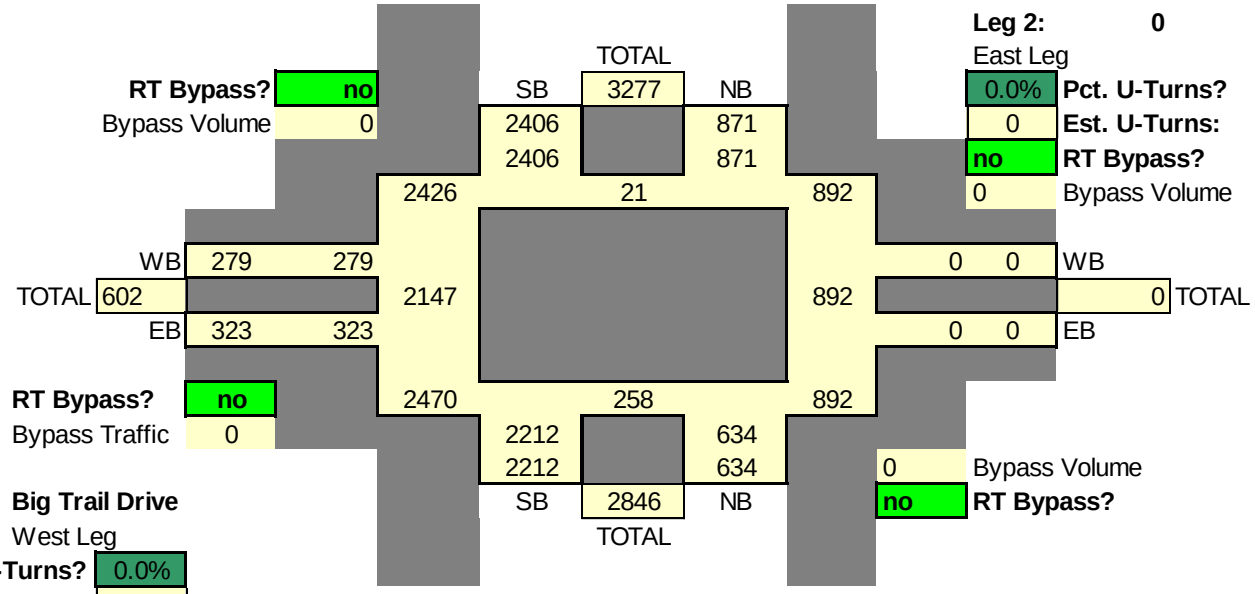
2042 PM Peak Design Year DHV Estimate (No Build)

Leg 1: US-26/191/89
North Leg
Pct. U-Turns? 0.0%
Est. U-Turns: 0

Leg 2: 0
East Leg
Pct. U-Turns? 0.0%
Est. U-Turns: 0
RT Bypass? no
Bypass Volume 0

Leg 4: Big Trail Drive
West Leg
Pct. U-Turns? 0.0%
Est. U-Turns: 0

Leg 3: US-26/191/89
South Leg
Pct. U-Turns 0.0%
Est. U-Turns: 0



US-26/191/89 at Big Trail Drive

Crossroad Diagram:

2042 PM Peak DHV BUILD SCENARIO

Leg 1: US-26/191/89
North Leg

		TOTAL	
	SB	3316	NB
	2431		885
284	2147	0	
RIGHT	THRU	LEFT	

Leg 4: Big Trail Drive
West Leg

	WB	308	
TOTAL	647	272	LEFT
	EB	339	0 THRU
		67	RIGHT

Leg 3: US-26/191/89
South Leg

	LEFT	THRU	RIGHT
	24	613	0
2214		637	
SB	2851	NB	
	TOTAL		

US-26/191/89 at Big Trail Drive

Roundabout Diagram:

2042 PM Peak DHV BUILD SCENARIO

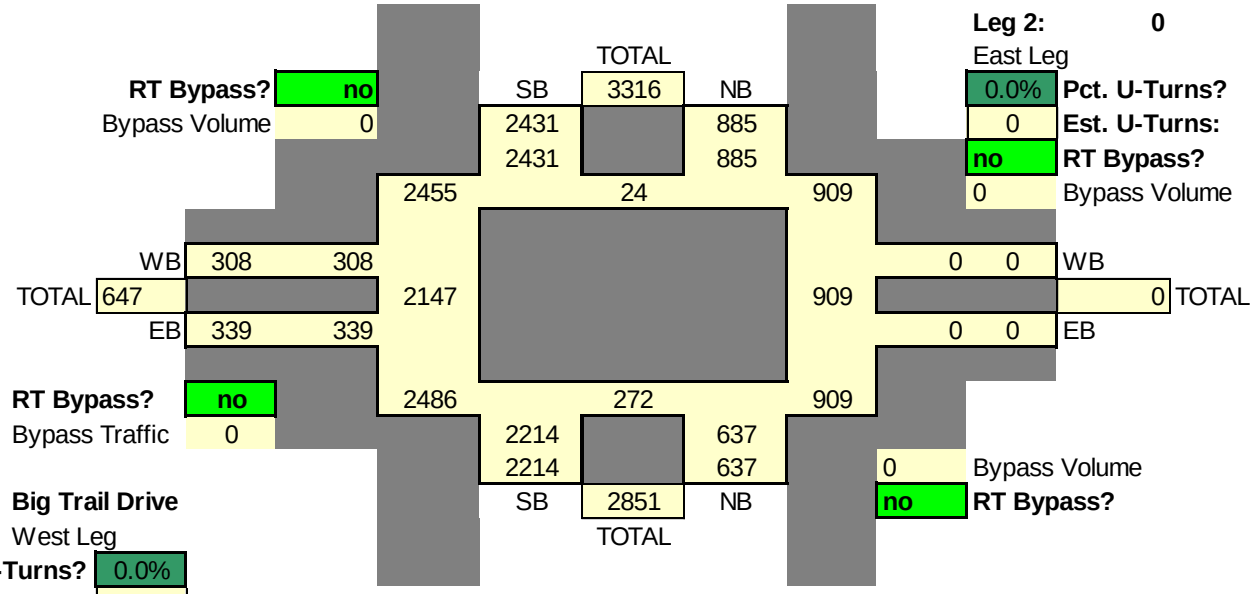
Leg 1: US-26/191/89
North Leg
Pct. U-Turns? 0.0%
Est. U-Turns: 0

Leg 2: 0
East Leg
Pct. U-Turns? 0.0%
Est. U-Turns: 0
RT Bypass? no
Bypass Volume 0

RT Bypass? no
Bypass Volume 0

Leg 4: Big Trail Drive
West Leg
Pct. U-Turns? 0.0%
Est. U-Turns: 0

Leg 3: US-26/191/89
South Leg
Pct. U-Turns 0.0%
Est. U-Turns: 0



APPENDIX B: Intersection Capacity Reports

HCS 2010 Two-Way Stop-Control Report

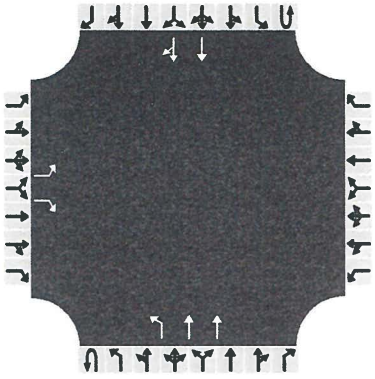
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2021
Time Analyzed	2021 AM Peak (Existing)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		268		19						41	854				362	98
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		291		21						45						
Capacity, c (veh/h)		228		747						1054						
v/c Ratio		1.28		0.03						0.04						
95% Queue Length, Q_{95} (veh)		15.1		0.1						0.1						
Control Delay (s/veh)		196.9		10.0						8.6						
Level of Service, LOS		F		A						A						
Approach Delay (s/veh)		184.3								0.4						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

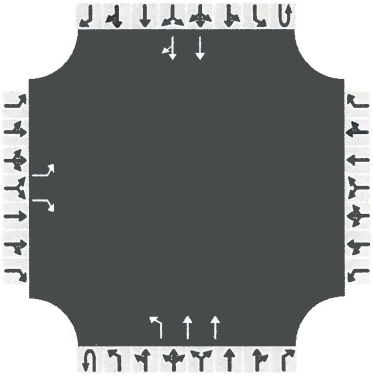
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2022
Time Analyzed	2022 AM Peak (No Build)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		276		20						42	880				373	101
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		300		22						46						
Capacity, c (veh/h)		218		738						1040						
v/c Ratio		1.38		0.03						0.04						
95% Queue Length, Q_{95} (veh)		16.9		0.1						0.1						
Control Delay (s/veh)		239.2		10.0						8.6						
Level of Service, LOS		F		B						A						
Approach Delay (s/veh)		223.5								0.4						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

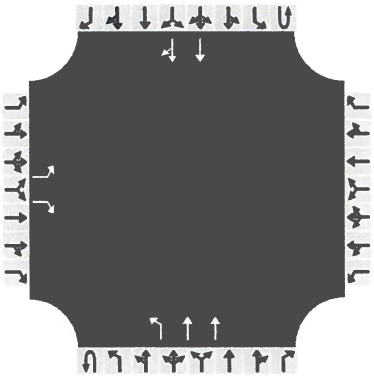
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2022
Time Analyzed	2022 AM Peak (Build)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		297		23						43	880				373	107
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		323		25						47						
Capacity, c (veh/h)		215		736						1035						
v/c Ratio		1.50		0.03						0.05						
95% Queue Length, Q_{95} (veh)		19.6		0.1						0.1						
Control Delay (s/veh)		288.9		10.1						8.6						
Level of Service, LOS		F		B						A						
Approach Delay (s/veh)		268.8								0.4						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

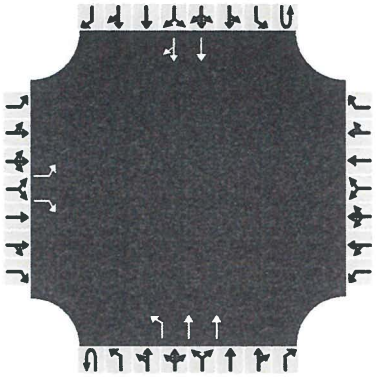
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2042
Time Analyzed	2042 AM Peak (No Build)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		509		36						78	1621				687	186
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		553		39						85						
Capacity, c (veh/h)		53		534						713						
v/c Ratio		10.41		0.07						0.12						
95% Queue Length, Q_{95} (veh)		65.6		0.2						0.4						
Control Delay (s/veh)		4380.0		12.3						10.7						
Level of Service, LOS		F		B						B						
Approach Delay (s/veh)		4092.3								0.5						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

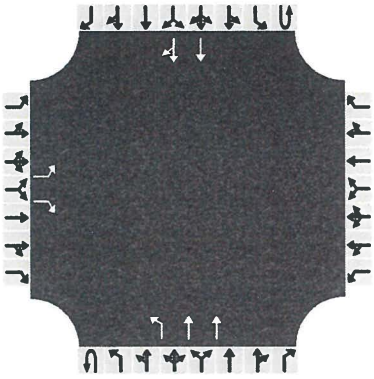
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2042
Time Analyzed	2042 AM Peak (Build)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		530		39						79	1621				687	192
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		576		42						86						
Capacity, c (veh/h)		53		531						709						
v/c Ratio		10.95		0.08						0.12						
95% Queue Length, Q_{95} (veh)		68.6		0.3						0.4						
Control Delay (s/veh)		4626.1		12.4						10.8						
Level of Service, LOS		F		B						B						
Approach Delay (s/veh)		4312.6								0.5						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

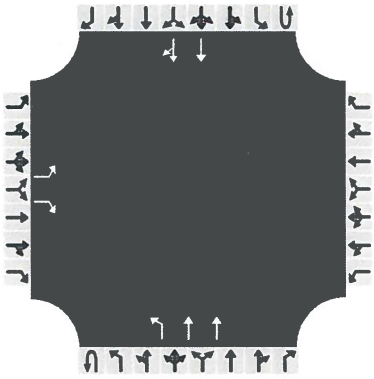
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2021
Time Analyzed	2021 PM Peak (Existing)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		136		34						11	323				1131	136
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		148		37						12						
Capacity, c (veh/h)		109		387						489						
v/c Ratio		1.36		0.10						0.02						
95% Queue Length, Q_{95} (veh)		10.3		0.3						0.1						
Control Delay (s/veh)		283.7		15.3						12.5						
Level of Service, LOS		F		C						B						
Approach Delay (s/veh)		230.0								0.4						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

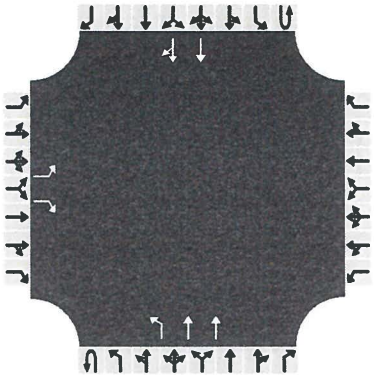
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2022
Time Analyzed	2022 PM Peak (No Build)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		140		35						11	333				1166	140
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		152		38						12						
Capacity, c (veh/h)		101		374						471						
v/c Ratio		1.50		0.10						0.03						
95% Queue Length, Q_{95} (veh)		11.4		0.3						0.1						
Control Delay (s/veh)		345.5		15.7						12.8						
Level of Service, LOS		F		C						B						
Approach Delay (s/veh)		279.6								0.4						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

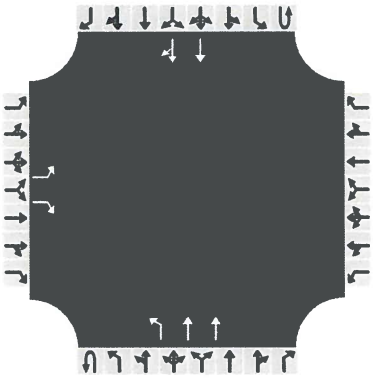
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2022
Time Analyzed	2022 PM Peak (Build)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		154		37						14	333				1166	166
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		167		40						15						
Capacity, c (veh/h)		97		366						459						
v/c Ratio		1.71		0.11						0.03						
95% Queue Length, Q_{95} (veh)		13.4		0.4						0.1						
Control Delay (s/veh)		436.0		16.0						13.1						
Level of Service, LOS		F		C						B						
Approach Delay (s/veh)		354.8								0.5						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

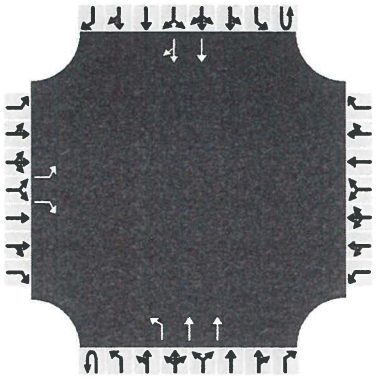
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2042
Time Analyzed	2042 PM Peak (No Build)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		258		65						21	613				2147	258
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		280		71						23						
Capacity, c (veh/h)		11		149						159						
v/c Ratio		24.73		0.48						0.14						
95% Queue Length, Q_{95} (veh)		36.5		2.2						0.5						
Control Delay (s/veh)		11322.4		49.4						31.4						
Level of Service, LOS		F		E						D						
Approach Delay (s/veh)		9042.1								1.0						
Approach LOS		F														

HCS 2010 Two-Way Stop-Control Report

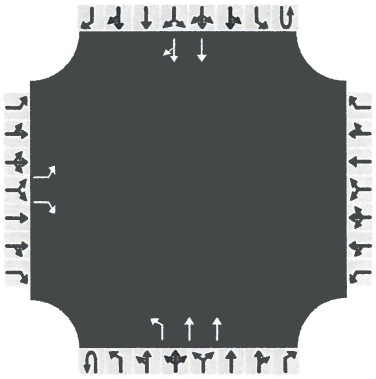
General Information

Analyst	G Grigsby
Agency/Co.	Western R&D
Date Performed	1/2/2022
Analysis Year	2042
Time Analyzed	2042 PM Peak (Build)
Intersection Orientation	North-South
Project Description	W Big Trail Dr & US 26

Site Information

Intersection	Big Trail Dr & US 26/191/
Jurisdiction	
East/West Street	Big Trail Drive
North/South Street	US 26/191/89
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Major Street: North-South

Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	2	0	0	0	2	0
Configuration		L		R						L	T				T	TR
Volume, V (veh/h)		272		67						24	613				2147	284
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		0														
Right Turn Channelized		No				No				No				No		
Median Type/Storage		Undivided														

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		296		73						26						
Capacity, c (veh/h)		11		145						155						
v/c Ratio		27.80		0.50						0.17						
95% Queue Length, Q_{95} (veh)		38.5		2.4						0.6						
Control Delay (s/veh)		12745.8		52.4						32.9						
Level of Service, LOS		F		F						D						
Approach Delay (s/veh)		10234.7								1.2						
Approach LOS		F														

Public Comment

Dear Teton Planning Commission

We understand an application for a change in the Planned Unit Development and Conditional Use permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022.

We respectfully ask you to accept this great proposal that seeks a zoning change and a change of use with the subdivision.

Rafter J was initially developed for the working-class community. The north end of the subdivision was developed for businesses. These businesses have changed over the past 40 years from Vet clinic, mini mart, restaurant, horse stables, church, day care, dentists' offices, home for the elderly, etc.

The Legacy Lodge would be a great place for workforce housing. We all realize that Teton County needs more workforce housing and this would be an ideal place.

Rafter J is no longer a community for the working-class community since the cheapest house is over one million dollars. Workers are being force to leave Rafter J since their rentals are being sold. Some longtime residents are now moving to Pinedale or Star Valley.

The community has entirely changed and certain people do not want workers to reside at the Legacy Lodge since these workers would not "fit" certain people's perceptions of Rafter J's residents.

We personally believe that Teton County needs this housing. The rooms are already set up with a mini kitchen, bathroom, and bedroom(s). It is located at the North end of Rafter J where other businesses are located.

Rafter J has wanted a stop light at the North entrance and this would help traffic coming and going from the new housing. The Wyoming Highway Department would probably approve the stop signal due to the increase of traffic.
Please vote yes. Thank you.

Robert and Judith Adams
3770 Windy Trail

December 30, 2021

Dear Teton County Planners and Commissioners,

My great grandfather, Si Ferrin, came to this area in the late 1800s. My grandfather, Merritt Ferrin, and my father, Ben Ferrin, were born, raised and passed away in Jackson. I am deeply committed to Jackson, and understand the need we have for workforce housing and other affordable options that make our town function.

I am proud of the Rafter J plan to ensure families have a place to raise their children, have a respite from town life and can enjoy open space peacefully.

I previously lived in the Gill Addition. My grandfather built the home on Moose Street during the 1960s. We sold that home to a family in 2017, when we could be sure it would not be torn down.

Before that time, and what continues today is a complete disregard for the Gill Addition covenants. They required a certain amount of green space….that is gone with the mansions built to the edge of lots. My understanding is nothing over a single story should be allowed. All new homes seem to be two stories in size. Many do not reflect the character of other homes there that were once also "workforce" homes….people making a living in Jackson.

The Gill Addition mistakes cannot be reversed. Today, we have an opportunity to preserve a very well thought out plan in Rafter J, and to follow the rules, allow those who live there to have the voice they are entitled to have and to preserve the quality of life well-crafted property documents provide.

The town can also affirm the need for suitable housing for those seniors desperately in need of long term, safe housing that the Legacy Lodge provided. That was lost with the sale, but can be reinstated by following the property laws and careful planning that preserves that important space for the people who have served this community. The nexus between Legacy Lodge, Rafter J and the Children's Center is one that is unique and beneficial to Jackson.

We understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use - which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Sincerely,

Janis Ferrin Allen
1655 Big Trail Drive #704
Jackson, WY 83001

From: adi amar <adi@tetonyoga.com>
Sent: Saturday, December 25, 2021 1:02 PM
To: Chandler Windom; planning@tetoncounty.gov; Board Of County Commissioners
Subject: Reject Lot 333 in the Rafter J Subdivision

Dear Teton County Planners and Commissioners,

We understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. We respectfully as you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result our property values have increased and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system and open space.

Most importantly, Stage Stop, Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT zoned for high density** apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use - which is why the Rafter J community supported and benefited from Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop. Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with the existing zoning and allowed uses under Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. We urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&R's in the face of inappropriate development pressures.

Sincerely,

Adi Amar and Bernard Tkaczyk
Rafter J Homeowner's of 3425 S Arabian Drive
307-690-3054
307-690-4077

From: Steve and Susie Baldock <baldockjh@bresnan.net>
Sent: Tuesday, December 21, 2021 5:14 PM
To: Chandler Windom; Board Of County Commissioners; planning
Subject: Comments on Rafter J Development Proposal

My name is Steve Baldock and my wife Susie and I are long time residents of the Rafter J Subdivision. I respectfully ask that you deny the current proposal by Stage Stop Inc. in regards to lot 333 located in Rafter J.
Our society works best when people of good will adhere to laws, rules and regulations enacted for the common good of that society. When a change to these guidelines is sought it should be pursued through well established methods. The proposal before you presented by Stage Stop Inc. does not do this. It is my view that their proposal seeks to circumvent long established legal requirements for land use in the Rafter J Subdivision thus ignoring the will of the local residents. Stage Stop Inc. should willingly or be forced to adhere to the Rafter J Covenants just like every individual or entity has had to do since the inception of the Subdivision. To allow this commercial group to do otherwise would be a tremendous disservice to the law abiding citizens who live here and have dutifully complied with the regulations that were in place when we bought our properties. Same rules, regulations and covenants in place when Stage Stop Inc bought lot 333.
Thank you for your service.

Respectfully,
Steve Baldock
1920 West Homestead Drive
Jackson, WY 83001
307-690-4062

From: Jackie Baxa <jackiebaxa@gmail.com>
Sent: Thursday, January 6, 2022 8:30 AM
To: Chandler Windom; planning@tetoncounty.com; Board Of County Commissioners; Board Of County Commissioners
Cc: David Baxa; Jackie Baxa
Subject: Objections to Rafter J Change of Use Proposal

Dear Commissioners,

My husband and I are homeowners in the Rafter J subdivision, in the neighborhood immediately adjacent to Lot 333. We are writing today to express our strong objections to the application for a Planned Unit Development and Conditional Unit Purchase for this area and to urge you to reject this application.

We purchased our home in 2007 when our youngest child was just 3 months old. Rafter J provided the family friendly, safe, quiet and community oriented neighborhood that has let us raise two boys in a quality of life that is hard to find in modern day America. It is a place where neighbors -- most of whom have long served as vital members of the workforce of Jackson Hole -- look out for each other.

The proposed development from Stage Stop Inc. is incompatible with everything that the Rafter J community embodies and has worked so hard to preserve. The added density will increase traffic in a neighborhood well know for children playing freely on the streets, cyclists, dog walkers and the many other recreational uses residents enjoy. The added density will bring more noise, pollution, problems with parking and added risk of traffic accidents at the already stressed and clogged intersection of Big Trails Drive and highway 89.

Even more importantly, Stage Stop Inc had a legal obligation to have first brought their proposal to the Rafter J homeowners. The requirements and process are clearly spelled out in the Rafter J covenants when the subdivision was created in the Master Plan approved by Teton County in 1978. Their attempt to circumvent our legal rights as homeowners is, frankly, repugnant, and their application should be rejected on that basis alone. Certainly, such actions reflect a contempt for our neighborhood, residents and values and is a likely sign of how they will treat both people and natural resources should their development be approved.

The bottom line is that Rafter J lot 333 is not zoned for high density housing. While we are well aware of the current workforce shortage, this development does not address that problem at all. There doesn't appear to be any affordable housing built into this proposal and therefore do nothing to address this need. Regardless, even if the development were exclusively for that purpose, to put so many homes in an area of the valley with no access to public transportation will only further add to the horrendous traffic problems we've seen grow in the last several years. Both town and county have already identified better sites for such a purpose.

For all these reasons -- an excessive density ill suited to current location, negative impact on existing community and most notably, violation of the legal rights of all existing Rafter J homeowners -- I strong

urge you to reject this proposal and protect the citizens of Rafter J homeowners, both in terms of quality of life and to uphold our CC&Rs in the face of development pressures.

Sincerely,

Jackie and David Baxa
3190 Beaverslide Dr., Rafter J

From: Patti Berlin <pberlin@blissnet.com>
Sent: Friday, January 21, 2022 2:31 PM
To: planning
Cc: Board Of County Commissioners; Chandler Windom
Subject: Rafter J - Lot #333

Dear Teton County Planning Commission, Teton County Commissioners, and Mr. Windom,

I am writing regarding the Stage Stop proposal to turn the deserted Legacy Lodge building into workforce housing. We all know that our community is in desperate need for housing for the people who serve us so well. While it seems like a great idea, I do have some concerns. I'm sure you have read letters from others who have expressed the many concerns, so I won't belabor those points.

I have been a Rafter J resident for the past 22 years. It's a lovely neighborhood. One thing I know about living in Rafter J is that there have always been a long list of rules, regulations, and covenants. When I drive through town in the summer I see that residents can park their RVs on the street or even in their driveways all summer long, or longer. We cannot do that in Rafter J. We can't even paint our homes or build a fence without getting approval from the architectural committee. I'm not complaining. The rules & regs have made our neighborhood a very pleasant place to live. These rules (CCRs) need to be respected by our residents and should be respected by the Darwich family and all of you. So in order for the zoning restrictions to change, all of the Rafter J lot owners need to be able to vote on this change. I don't think it's right for the County Commissioners to approve this change without allowing the current homeowners to vote on it. It's stated in our CCRs that zoning changes cannot be made without a favorable vote from the majority of the homeowners. We're allowed 1 vote per lot.

I am hopeful that you will allow us to vote on this zoning change, as is our right, stated in our CCRs.

Thank you so much for all of your hard work. I appreciate you all.

Respectfully,

Patti Berlin
1200 W. Hay Sled Dr.
Jackson, WY 83001

12/30/2021

Dear Teton County Planners and Commissioners,

I (We) understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

3145 WEST KING EIDER ROAD, RAFTER J, JACKSON WYOMING 83001

kbrazinski@gmail.com has invited you to view the following document:
Hello Chandler,
I have reviewed some legal opinions that were submitted and are publically available. These opinions came about over the years and all refer to the Rafter J commercial properties. This is my understanding of what those legal opinions mean. Please include this while you consider Stage Stop's application.
Kathie Brazinski

Rafter J is a middle class family subdivision. It is predominantly zoned residential. There are 8 non-residential lots which are intended to be used to benefit the Rafter J community. All properties in Rafter J are subject to restrictions. Uses and restrictions are defined in the Master Plan and plat map approved by the county in 1978. Lot 333 is zoned Local Convenience Commercial. There are no provisions for residential use on lot 333 in the Master Plan or the final plat.

There have been developers in the past making similar requests. Legal opinions have been filed over the years and as a result, these developer requests were eventually abandoned.

Stage Stop LLC seeks to add apartments as a conditional use on this commercial property. Make no mistake, **Fifty-seven apartments** are residential and commercial zoning is not residential. The developer's request for a change in use is for a zoning change. Zoning changes require that the PUD be amended according to the development plan process of sec 51200 of the LDRs. A major Development Plan would be required. (Sec 5100C.4.c) Seeking a variance in lieu of the intensive Development Plan process is not an option. (Section 5160 of the LDRs). Ultimately, rezoning requires replatting the PUD.

There is nothing ambiguous about re-platting. There are basically three steps:

1. Amend the CC&Rs which must be approved first with a favorable vote by the property owners. Either unanimous vote or 65% depending on the change in use. (See below for more details in WY Law)
2. Then it goes to the county process before replatting can occur.
3. The third and final step is to formalize the change in use and the configuration within the lots by replatting.

Of course, there are many steps within the three listed above.

WY Statute 34-12-106 refers to replatting an entire PUD. This requires **unanimous** approval of property owners within the plat for the change to occur.

WY Statute 34-12-108 refers to a partial vacation of only part of the plat. In this case, unanimous approval is not required, however a partial vacation must "not abridge or destroy any rights and privileges of other proprietors in the plat".

Probable Infringements due to this request for a change in use:

1. Safety issues at the already failing intersection of Big Trail Drive and Hwy 89 (Traffic Study, Y2, 2022), due to a significant increase in traffic on Big Trail Drive.
2. Pathway safety at the pathway intersection with the driveway of Lot 333, especially with children riding bikes and such.
3. ISD and HOA fees will most definitely increase for all property owners as a result of requirements that will be necessary for infrastructure, including but not limited to pathway safety enhancement.
4. Securing common areas for safe family uses.
5. Security and protection of habitat and open space areas within Rafter J.

6. There may develop a need for one more full time Rafter J employee to enforce safety and security concerns. (That remains to be seen at this point but must consider)
7. Inadequate parking that will generate cars parked on roads, other commercial properties, residential cul-de-sacs and require Rafter J to mitigate and pay for it.

This is regarding Stage Stop, Inc's application to the county to amend the 1978 LUDRs. Stage Stop, Inc, purchased Lot 333 in Rafter J Ranch subdivision zoned local convenience commercial (LCC). The conditions and restrictions on Lot 333 have not changed since the development was created in 1978. Stage Stop purchased the property knowing the zoning of that property. Stage Stop Inc. wants to use the property for residential apartments. This use is not a permitted use as outlined in the Rafter J PUD and governing documents. This lot was never intended to be used as residential property. The procedure to change the use of a property is set forth in the subdivision's governing documents. These were created in 1978 by the original developers and approved by Teton County, such that the property owners could decide the fate of their subdivision. To change the use of Lot 333 requires a favorable vote (2/3) of the Rafter J property owners. Stage Stop Inc. has not requested a meeting with The Rafter J Board of Directors. Instead, the petitioner has willfully ignored the CC&Rs and the governing documents outlined as the proper procedure. The petitioner comes directly before the county implying that they are entitled to change the intended use of said property without a vote of the other 498 Rafter J property owners. Stage Stop Inc. has chosen to circumvent the Rafter J HOA. **The question is, can they?**

The concept of ***standing*** as related to the Stage Stop's application to the county, seems to have relevance in this situation. One classic rationale of the concept of standing is that it protects the separation of powers. The CC&Rs, including uses allowed on Lot 333, match what the county approved in 1978 and gives the Rafter J Board of Directors the power to enforce. These governing documents also give the property owners input on decisions concerning the direction of the subdivision. The HOA is the body of power closest to the issue before us. The county's body of power is somewhat removed from a single subdivision within the county. Should not these decisions be made by the HOA property owners, especially if it has adopted CC&Rs, rather than the Teton County Board of Commissioners? Do the governing documents not give ***standing*** to the Rafter J property owners to determine the future of their subdivision?

Should the county grant Stage Stop, Inc's request to amend the LCC zoning to include apartments, what happens to the Rafter J CC&Rs adopted in 1978? What's to stop other property owners in other Teton County subdivisions from doing the same? Furthermore, granting such a request will have unknown consequences and may result in damage to the Rafter J property owners. This petitioner has not been forthcoming with answers to questions asked by the Rafter J property owners. When asked specific questions such as who would reside in these apartments and how many will reside in the building, no answers have been given. As a result, it is impossible to determine the full impact the apartments on Lot 333 would have on the Rafter J Subdivision.

From my perspective, the petitioner's application to the county is premature. I am requesting that the county advise Stage Stop Inc. to return to the Rafter J Ranch HOA with their request and follow the procedures outlined in its governing documents. Should this petitioner come up with a detailed plan that the Rafter J property owners can decide whether or not to support, then and only then, should any request be considered by the Teton County Board of Commissioners.

The Issue:

Should the Teton County Board of Commissioners grant the Stage Stop Inc request to amend/change zoning for lot 333 in Rafter J Ranch Subdivision to allow apartments?

History:

1. The formation of the PUD known as Rafter J Ranch was created in accordance with the regulations on January 1, 1978.
2. Land use restrictions, covenants, conditions (CC&Rs), HOA formation, and scenic dedication/easements were filed along with the plat map in 1978.
3. The PUD was created in accordance with the 11th printing of the 1978 LUDRs.
4. The Rafter J development and infrastructure was not intended to support an apartment building on lot 333, nor was it zoned as such.
5. The CC&Rs are and have been ***strictly enforced*** in Rafter J. All property owners are required to comply with the CC&Rs.

Undisputed Facts:

1. Currently, Rafter J is built out
2. Lot 333 and its improvements are located in the Rafter J Ranch subdivision.
3. Said lot is zoned Local Convenience Commercial. This zoning ***does not allow*** for apartments as a use on that property,
4. Lot 333, zoned Local Convenience Commercial, ***does allow*** for use as an Assisted Living Facility. About 21 years ago, a structure was erected specifically for use as an Assisted Living Facility. Up until 2021, the facility was used continuously as an Assisted Living Facility. (It is possible that Covid had an influence over the decision to close the facility).
5. Property breakdown of the 500 Rafter J Ranch Properties:
    a. 343 Single Family Dwellings
    b. 3 Undeveloped Single Family Lots
    c. 146 Townhomes
    d. 8 Commercial/Other Properties
6. There are 499 property owners who are required to pay HOA and ISD fees.
7. The HOA Board of Directors has the power to levy fees to property owners.
8. The ISD Board of Directors has the power to levy fees to property owners.
9. ISD fees increased 79% for fiscal year 2021/2022.
10. The HOA CC&Rs state *in part* that the purpose of the CC&Rs is "protecting the value and desirability of, *(and which shall run with)*, the real property and be binding on all parties…."
11. The Rafter J Subdivision is designated Rural-3
12. There are no Apartments within a PUD designated as Rural-3 in Teton County.
13. The State of Wyoming requires real estate agents to supply the CC&Rs to prospective buyers.

Unanswered Questions:

1. Since Rafter J is built out, is its infrastructure adequate to accommodate the needs of 57 or more apartments on lot 333? Note: The developer has not revealed how many people will reside within the current 57 apartments despite being asked repeatedly at the public meetings held in Rafter J. (One could make a conservative estimate of 114 occupants)
2. Will the number of parking spaces be adequate (44) to supply enough parking for the number of tenants in the apartments? Are there no parking space requirements in the county based on the number of apartments on a property? Should emergency workforce such as nursing staff be housed on this property, a vehicle is required when this worker is *"on call"* for emergencies and other staffing issues.

3. Will county, state and federal requirements be met if the developers increase the impervious surface? The developer has discussed doing this at meetings held at their property in December 2021 and January 2022.
4. Will the approval for apartments on lot 333 cause a diminution of Rafter J property values?
5. Should the amendment be granted for lot 333, what will be the consequences for the remaining commercial lots in Rafter J?
6. There are only two entrances/exits in Rafter J with no place to add more unless the ranches grant easements across their properties. If easements were granted, would WYDOT approve such a project? It is already dangerous. Something would have to be done to accommodate the increased traffic. How would the traffic at the entrances/exits be dealt with?

7. Will the rights, privileges and general quality of life of the Rafter J residents be abridged or diluted as a result of granting the developer's request?
8. If increased infrastructure and repairs become necessary as a direct result of having these apartments, what will those costs be and who will bare those costs? Would it make more sense for Rafter J to incorporate so that Rafter J would receive tax monies to help with increased costs?
9. What will be the impact on safety for homeowners and their families by the addition of 114+ apartment dwellers to our subdivision?

Discussion:

Teton County comprises multiple communities, one of which is the Rafter J Ranch Subdivision. Some business entities come across as geographically mobile actors who are untethered to the actual people who are rooted in these communities. The developers of lot 333 have shown a complete lack of consideration for the Rafter J community. The Developer's request will disrupt the quality of life of the current residents. This disruption is requested by a sole business entity for economic gain at the expense of the 498 property owners in Rafter J. One could surmise that the developer/applicant has little or no concern for the Rafter J community. The developer did not meet with the Rafter J HOA Board of Directors prior to purchasing this property, nor has it met with the board to date. It appears to circumvent the Rafter J HOA. Further evidence of this is the lack of concern and respect by the developer's current behavior. The developer is currently renting rooms on lot 333. Such action is a violation of the current zoning restrictions and the HOA CC&Rs on lot 333. Warnings from the HOA have been ignored. If the developer is in breach of zoning and HOA CC&Rs now, one can be confident that any and all rules and restrictions will be broken for their convenience in the future. This developer believes that the rules do not apply to them. To quote Maya Angelo, "**When someone shows you who they are, believe them the first time."**

The developer has made two claims in their application that must be addressed. The first is that Assisted Living is a similar use to residential apartments. This is false. I could have a long discussion about government and insurance assistance available to people who require an Assisted Living Facility, (Medicare, Medicaid, VA benefits, private insurance, etc). This is similar to what one receives as a patient in a hospital or in nursing homes. Nursing home patients require a higher level of care than those who require the support of an assisted living institution, but it is part of the graduated level of care spectrum.

The second assertion made in the developer's application is that when the 1978 LUDRs were in place and Rafter J was developed, there was no workforce housing shortage. The implication being that this is the reason why apartments were not included as a use for property zoned as *Local Convenience Commercial.* That is false. I myself moved to Jackson in 1976. I immediately found a job. (more than one, actually, since it took more than one full time job to live in Teton County) However, I was without housing for three months. There was no place to live. My story and that of my spouse is a common one in the 1970s.

I understand, first hand, the need for workforce housing. However, Rural-3 zoned property was not then and is not now the logical solution. The reasons are many. Not the least of which is traffic on

highways. The intent for workforce housing is to house people close to work and/or reliable public transportation. (Rafter J Ranch employs only two people and they have housing)
I have friends who are city planners. Although this is not my expertise, I have been told that this is *City Planning 101*. I am sure that I do not need to remind any of you about *the pass* at rush hour.

In 1987, my husband and I studied the governing documents including the CC&Rs prior to making the decision to buy a lot and build a home in Rafter J where we would raise a family. We believed we could be assured that the CC&Rs provided security of our investment. That our family's quality of life would be protected. If the State of Wyoming requires a listing real estate agent to supply the CC&Rs to prospective buyers, does this not imply that the CC&Rs are enforceable and part of the value of the property?
According to Forbes, one's home represents, on average, 80% of a homeowner's total assets. Homes for the middle class are not only their major financial asset. It also supplies a quality of life.

Circling back to assisted living, I ask the Teton County Board of Commissioners why the needs of the vulnerable and elderly citizens of Teton County are overlooked? Where does this belong in the comprehensive plan? Is the message being sent that the *quality of life* for this segment of our county residents has no place in the comprehensive plan? Having worked in healthcare most of my adult life, I do not accept that message. If Teton County is a moral community then we must find a solution for the population of locals who require assistance with day to day living. This segment of our community should not be forced to move far away from family and friends due to a decline in health. Legacy Lodge on lot 333 was built to meet this need. It is the only such building in the county that is specific for this use. I know we cannot force the developer to use it for the use it was designed for. I know the building well. It will need renovations to be used as apartments. It is a shame to take away a perfectly designed property, created for a much needed use and located in a suitable location for that use.

I urge the county officials to carefully consider everything I have stated. I have written this with the utmost sincerity.

The Teton County Board of Commissioners should reject the developer's application to allow apartments as a permitted use on the Rafter J lot 333 zoned *Local Convenience Commercial.*

Respectfully submitted by,

Kathie Brazinski

Rafter J Homeowner since 1987 and Teton County Resident since 1976

From: chinche1@aol.com
Sent: Sunday, January 2, 2022 8:49 AM
To: Chandler Windom; Board Of County Commissioners; planning@tetoncounty.gov
Subject: Darwiche Development Proposal

I am writing in regard to the application for a change in the Planned Unit Development (PUD) and Conditional Use Permit submitted for Lot 333 in the Rafter J subdivision you will be considering this month. I respectfully request you to reject this proposal that seeks a zoning change and a change of use within our subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County; we have always been the backbone of the workforce in Jackson Hole, and many of us have lived and worked here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety and impacts to our wildlife, pathways, trail system, and open space. Access to highway 89 at the main entrance is already a very dramatic risk and this project would send that problem to the impossible.

Of most concern, Stage Stop Inc has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for ANY proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County. Rafter J is NOT zoned for high density apartments or workforce housing.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures. Please reject this questionable maneuvering on the part of yet another entitled developer.

Respectfully,

Barbara Bridges
1930 American Brant

Teton County Planning Staff and Planning Commission

P.O. Box 1727

Jackson WY 83001-1727

January 6, 2022

Dear Sir or Madam,

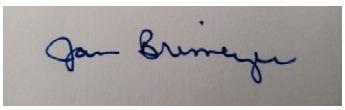
It is our understanding that an application has been submitted to Teton County for a Planned Residential Unit (PUD) amendment for the uses allowed on Lot 333 in Rafter J Ranch. We also understand that the project proponents are seeking a conditional use permit to allow for workforce apartments on Lot 333. We have concerns with this proposal and the path, which the project proponents are taking to seek approval for these changes. It appears that the project proponents are seeking county approval prior to working with the subdivision to adequately evaluate impacts these changes may have on traffic volume and utilities. We respectfully request that you reject the proposals from Stage Stop Inc. unless impacts are evaluated and the Rafter J HOA approves an amendment of the subdivision's CCRs.

My wife and I have resided in Rafter J Ranch Subdivision on Hay Sled Drive for over 25 years and we choose to live here because of the quiet family-oriented neighborhood, pathways and open spaces. Subdivision CC&Rs provide the foundation for the character of the Rafter J neighborhood. Lot 333 is not zoned for high-density apartments or workforce housing. We think that Zoning changes without subdivision approval will undermine the integrity of the CCRs in Rafter J.

Teton County's Plan identifies areas suitable for high-density development where workforce residents would live near businesses and places of employment. The Legacy Lodge facility in Rafter J does not fit this template. Many of us living in Rafter J had family and friends working and living at Legacy Lodge and for us to see a proposal move forward that does not comply with the Rafter J Master Plan, and is outside subdivision's CC&Rs is very disappointing.

Please deny the zoning request and require the developers to first seek approval from the Rafter J HOA. Thank you for your consideration.

Sincerely,



Doug Brimeyer

Jan Brimeyer

Lot 47 Rafter J Subdivision

1245 W Hay Sled Drive

Jackson Wyoming 83001

From: John & Karilyn Brodell <kjbrodell@wyoming.com>
Sent: Tuesday, January 4, 2022 6:36 PM
To: Chandler Windom
Cc: County Planning Commission
Subject: Legacy Lodge

I am a homeowner in the Rafter J Ranch subdivision and am concerned with the conversion of Legacy Lodge to residential apartments. I object to StageStop LLC's attempt to circumvent Rafter J homeowners legal rights to vote on this matter through the CCRs. StageStop LLC needs to follow the proper order of steps for a Rafter J covenant/zoing change. Failure to do so will cause problems and bad feelings down the line and trigger a lawsuit. I feel like there is support among homeowners for the establishment of additional workforce housing at the Legacy Lodge location if the developer respects our rights. Please turn down their request to proceed until StageStop LLC complies with the legal rights of Rafter J Ranch.

I would like to see a written proposal from StagStop LLC to residents of Rafter J laying out how they plan to make this work for all of us. It's entirely too easy to stand in front of a room and make promises but until they commit on paper to the homeowners there is no accountably. I worry that once they get the the planning boards approval the needs of the Rafter J community will go out the window. If they are truly willing to work with the homeowners then now is the time to start the process in the correct way.

Thank you for your consideration. Karilyn Brodell, Rafter J

From: Buckland, Anne <abuckland@snowking.com>
Sent: Wednesday, January 12, 2022 3:37 PM
To: Chandler Windom; planning@tetoncounty.gov
Subject: Rafter J-State Stop, Inc

Dear Teton County Planners & Commissioners,
I am writing to you regarding the request from Stage Stop, Inc as my family vehemently opposes their request to develop high density apartments and/or workforce housing in our little community. My family has lived in Rafter J for 6+ years. We are homeowners and we are dedicated to the sustainability of the Rafter J community. We bought in Rafter J as it was a place for families to reside. Had we wanted to be in an area with high density and modified zoning, we would have looked at the Town of Jackson.

Rafter J does not have the infrastructure to support such an endeavor. It is clear that Stage Stop, Inc is doing what they can to circumvent the approval of the Rafter J Homeowners. A true testament to their character and their lack of concern for the residents of Rafter J.

Please heed the Rafter J residents' concerns. Appreciate you reading this email,

Anne Buckland

From: Bruce Burkland <bburkland18@gmail.com>
Sent: Monday, January 24, 2022 11:53 AM
To: Chandler Windom
Subject: Stage Stop PUD and CUD

We are residents of Rafter J. We have lived in Jackson since 1979 and in Rafter J since 1989. We are opposed to Stage Stop Inc's. application for a Planned Unit Development amendment and Conditional Use Permit.

We believe the increased occupancy of the facility will have negative impacts on traffic, especially entering and exiting onto highway 22, use and maintenance of common areas, and property values. We would be accepting of these impacts if the project was dedicated to providing affordable rentals that are desperately needed for middle class individuals and families. Providing market price rental units for large and wealthy employers to house their staff does nothing to help the small businesses and nonprofits that are struggling to maintain employees, to stay in business and maintain the quality and character of our community.

Unless the project developers dedicate a majority of their units to being affordable rental units ($1600 per month for one person is not affordable), we urge you to please deny their application.

Thank you.

Sincerely,
Cathie and Bruce Burkland
1900 Homestead Drive
Jackson, WY.

From: Chad Strand <cstrand@strandpm.com>
Sent: Friday, January 14, 2022 10:45 AM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Subject: Lot 333 Rafter J

Dear Teton County Planners and Commissioners,

Good morning. I'm writing to you today regarding the application for a proposed change for Lot 333 in the Rafter J subdivision that is to be considered by you in February. At this point I ask that you reject this proposal which seeks a zoning and use change within the subdivision. It's being sold as employee housing but without any deed restrictions it might as well be a high end condo application.

I've been directly involved in the development of over 100 permanently affordable deed restricted homes in our County and consider myself a supporter of affordable and employee housing here in Jackson. If the Jackson Hole Community Housing Trust was asking for a zoning change to create housing in this location I would be 100% supportive with minimal questions asked as they are a proven entity. Stage Stop Inc. however is asking for a zoning and use change so they can create free market residential housing.

If I'm hearing them correctly they will house all of the employees they need to house and then any remaining units will be rented at market rate to employers in the community who can then choose to subsidize the rent for their employees or not. If this model fails, and they are granted this zoning and use change, they can just convert the building to condos and sell them for top dollar each. It's a safe bet this pro-forma has already been created. Eventually we know that will happen unless there is a permanent deed restriction.

This group came to the meetings in Rafter J and basically threatened to turn the Lodge into a gas station if we don't fall in line and support this. That tells me a lot about who Stage Stop Inc. is and how they are looking at this site. I cannot see why a zoning and use change would be considered for them without a guarantee that this is permanent employee housing with reasonable rental rates. If they are unwilling to do this, that's all you really need to know about what their true intentions are. I was under the impression Sage Brush Apartments was "employee housing" but clearly I wasn't paying close enough attention.

You all have much more information at your disposal than I do and I trust you will make the right decision. I just wanted to get a letter in to make sure you are aware the neighbors definitely have concerns. Too many pieces of land get entitled with all the long speeches and promises made by the applicant and then the next year the land sells with all the improved entitlements and the original applicant walks away with a giant pile of money, the new buyer takes advantage of the improved entitlements and maximizes their profits despite what the original applicants promises were, and the community plays the fool and suffers the consequences.

And lastly, Rafter J's current entrances cannot handle this many more vehicles. Sadly it's only a matter of time before someone is killed trying to pull out of Rafter J into 55 mph traffic that is actually going 70 mph. I ask you as part of the due diligence on this proposal to just come down and pull out of Rafter J one morning. Imagine having both your kids in the car as you try to pull into that sea of cars that would rather ram into you than allow you to merge in. Now imagine 100 more people pulling out. It's a disaster waiting to happen and this additional load is just adding fuel to the fire. If Stage Stop Inc., can get a stop light installed, that would be an example of community benefit that could warrant supporting this zoning change request.

With permanent deed restrictions on affordability and a stoplight installed at the North Entrance of Rafter J, I could support this change in zoning. Without any permanent deed restrictions, this would just be a gift to another developer that actually ends up making the employee housing problem much worse.

Thank you for your consideration,

Chad Strand

From: Maria Alyce Clark <mariaalyceclark@hotmail.com>
Sent: Friday, January 7, 2022 10:33 AM
To: Chandler Windom; Board Of County Commissioners
Subject: Rafter J. Unit. Planning

I am home owner and resident of Rafter J. 3185 Beaverslide. This is the comment to be read to Planning.

The first lie is giving this the Title of "Workforce Apartments". These will not be affordable, there are no rent restrictions in the application, they plan to receive FULL MARKET VALUE. This is a foot in the door to simply have more expensive apartments in Jackson.

The hubris and arrogance that Stagecoach went ahead and applied for zoning change without consulting or going through HOA is typical of developers. They must think that the planning commission could be manipulated or already -they have achieved some sort of influence over the Planning Commission. Did they really think as a Planning Commission you would just "ok" this atrocious overreach. What sort of influence was assumed? Certainly makes me question the integrity of the the Planning Commission. I hope I am wrong and the Commission rejects their request.

Is Stagecoach incompetent as investors or real estate developers- did they NOT DO THEIR HOMEWORK? I bet they did and believed they could push and manipulate the Commission by **conning** everyone that this is a WORKFORCE or AFFORDABLE housing. It is absolutely NOT. They SKIPPED bringing their application to the Rafter J. Home Owners Association- wonder why? They absolutely knew that they needed to change zoning. What a bunch of entitled millionaire minded greedy investors. I know when we purchased our property we were provided with all the HOA guidelines and requirements, whatever realtor brokered this deal showed a lack of competence if they did not provide this information.

Due to covid issues we could not attend the "meet us".meeting offered, I did look up the president and owners of Stage Stop, they show a **Sadek Darwiche** as president of half a dozen corporations, I thought it was appropriate that one was called "Gaslight". A Richard Palmer is their agent, They own quite a few corporations etc,

The nursing home had only 35 residents, adding more is excessive. I have concerns about traffic, lowered property values, density concerns.

Please reject their proposal. They should receive some sort of reprimand or be flagged as dishonest and manipulative.

Please reply that you have received this letter. Maria Clark

☑ It's the right time.
☑ It's the right place.

Yes to community, Yes to Legacy Lodge for community housing.

SALT LAKE CITY UT 840
8 JAN 2022 PM 2 L

I SUPPORT THIS PROJECT!

2897?

Name: Bryce Hinton

Physical Address: 575 S Millward St., Jackson, WY 83001

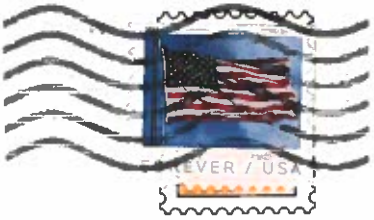
Board of Teton County Commissioners
P.O. Box
Jackson, WY 83001

COMMENTS: Employee housing is essential to the continued function of the Jackson and Teton County Economy. No housing, no employees, no businesses.

☑ It's the right time.
☑ It's the right place.

Yes to community, Yes to Legacy Lodge for community housing.

SALT LAKE CITY UT 840
8 JAN 2022 PM 2 L



I SUPPORT THIS PROJECT!

2897?

Name: Elise Marks

Physical Address: 575 S Millward St.

Board of Teton County Commissioners
P.O. Box
Jackson, WY 83001

COMMENTS: This town needs more employee affordable housing!


YES
COMMUNITY
HOUSING AT
LEGACY LODGE


YES
COMMUNITY
HOUSING AT
LEGACY LODGE

From: Donald Cooke <don.cooke0615@me.com>
Sent: Monday, January 10, 2022 5:36 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Subject: Stage Stop, Inc Application Permit for Legacy Lodge in Rafter J Subdivision.

To: Distinguished members of the Teton County Board of Commissioners,

I am a long time resident of Rafter J subdivision and I strongly oppose the Stage Stop Inc application requesting a PUD Amendment and Conditional Use Permit on Lot 333, the site of the former Legacy Lodge Assisted Living Facility.

-My neighbors have exhaustively argued, in detail, about the the inefficacy of allowing a PUD zoning change.While their opinions are expressed, and are their own, i do agree with most of the issues and concerns.

In a nutshell, my reasons for opposing the use of the facility as Workforce Housing are as follows"

-There is no clear benefit or enhancement to the current property owners besides a brief "feel good" for helping with the valley housing problem. The reality of allowing the density and use change will be ongoing.
-Vehicle density will increase substantially at the entrance/exit. As all locals know, taking a left turn without a stop sign or a stop-light is frustratingly difficult at peak hours of the work day….and nearly impossible in the summer months. Please note, that i stated in one of the recent neighborhood meetings with the Darwich's that they'd need to deal with that issue before any of the other concerns or plans would matter to me.
-The pathways through the neighborhood, a gem to all it's residents, will likely suffer much more use with adults, kids, pets and bikes. Covid has already strained the use of the paths, as people clamour to get outside.
-I am told that water usage may be an issue, since Rafter has a well that supplies most of the neighborhood.
-And lastly, many of the residents have a sense that Stage Stop, inc. is attempting an "end-run" around the Rafter J CC&R's, which require an 75% owner approval to make such zoning changes as described. It is perplexing, and not well-answered, as to why they need to get the County to approve of the proposal before mustering the required votes from landowners. Is there a way that this could be approved without a vote? Oddly, the Darwich team offered that they "had not deeply reviewed the CCR's yet.".

Copy of my neighbor's letter to this same august body:

1. We have been Teton County private property owners in Rafter J since 1984. These were the only "affordable lots " we could afford in Jackson Hole. This Planned Unit Development and Rafter J's CC&R's have ALWAYS been predictable and protective of our private property here in Rafter J. We know we can't paint our house pink or raise horses on our private property just because we "want to." There were then and are now no "commercial apartments" within the RJ plat map, under the "original design" of Rafter J, nor in our CC&R covenants. For Stage Stop Inc to want to change the zoning and master plan of the Rafter J Subdivision is very disconcerting and disturbing to us as long-term Teton County homeowners. The developer knowingly purchased Lot 333 and the Legacy Lodge building as zoned in the 1978 LDRs as Local Convenience Commercial – which does not include residential apartments.

2. There is a huge difference between Workforce Housing and an Assisted Living Facility, which was allowed as an institutional use under the LCC zoning.

Legacy Lodge was listed as an assisted living facility for older senior citizens, many of whom probably could not live on their own, and were living in Legacy to receive supportive elder care. .
Workforce Housing is typically a planning term referring to younger, "working age"people who make up the majority of our service industry and likely have the capacity to "live independently," yet want housing to be able to live closer to their employment.

Legacy Lodge's Facility is already designed and zoned for the purpose of Assisted Living. Stage Stop's proposal for Workforce Housing would be closing the door for a future assisted living facility. There are currently no other assisted living facilities in Teton County now that Legacy Lodge is closed. St. John's Sage Living Center does not provide assisted living units. Its website states that they provide memory care, long-term nursing care and rehabilitation care. It's website states it has 72 beds.....for all of Teton County. We are hearing there is already a "Waiting List" for Sage Living Center. There is great demand for elder care in our community – and very little supply. One might argue that this need is as important as providing Workforce housing. We now have only the Sage Living Center in our community - which assists some of our older senior citizens, but may not be a good fit, have availability, or be within a senior "fixed income" price range. Sadly, we have no other assisted living facilities for our senior citizens in Teton County and those who formerly lived in Legacy Lodge were literally requested to find new homes in the middle of winter and in the midst of Covid 19 pandemic.. Many of those residents were forced to leave the valley and relocate to other towns for assisted living care.

In comparison, (According to the July 7, 2021 Jackson Hole News and Guide),... there are 8 significant Workforce housing projects in the works in Teton County, excluding Stage Stop Inc.'s recent application which brings that number to 9 workforce housing projects in Teton County. Yes, this is an important need, but private and public entities are already stepping up to address this segment of the population, while no one is helping to house the elderly.

Why aren't any older motels, which are within town limits and close to businesses being considered as a location for this type of seasonal Workforce housing to serve our hotels and restaurants. These units would be a much better location and would not impose more traffic on Highway 22, which is already a big safety concern for subdivision residents trying to get in and out of Rafter J. Perhaps these town commercial units should be pursued by private businesses to house their workforce?

3. The application discusses the square feet of current impervious surfaces. "Based on this, approximately 52,000 s.f. of impervious surface is available on the property."
As a Rafter J Homeowner, what does that mean? Why would the application describe Lot 333 in this way? What do the current owners and developers have in mind for the future on Lot 333?

4. Why was Stage Stop Inc. given an "environmental analysis exemption"?

5. Workforce Housing will have an impact on Rafter J's infrastructure.
The Stage Stop Inc. application states, "The maximum number of occupants within any single unit within Legacy Lodge will not exceed two unrelated family members." As a Rafter J Homeowner, what does that mean? Given that description, will any "related family members" be allowed as well within a unit?

It is unclear even how many more people Stage Stop Inc. plans to house in their building than the Legacy Lodge Assisted Facility allowed. This is a very valid question when considering the limited Rafter J Infrastructure and for our quality of life as Rafter J private property owners. If Stage Stop Inc. allows more workforce housing people to "rent" in Rafter J than what the Legacy Lodge Assisted Living Facility allowed, there will be many more people using our water, sewage, roads, trails, and open spaces. And far beyond the capacity than what our subdivision was designed for and we will be left to pick up the costs. 100+ new residents will have a significant impact on Rafter J's roads, traffic, water, sewage, property values, open space, trails, and wildlife.

To allow "commercial apartments" for workforce housing in our subdivision was clearly not allowed in the development of the Master Plan for Rafter J and in the accompanying CCR's for the subdivision. This is not the premise upon which we bought our private properties, built our homes and maintained Rafter J homeownership for 36 years. To amend and change the 1978 LUDR's to allow this new and unwanted type of zoning would be a total disregard to Rafter J existing CC&R's and is a disservice to Rafter J homeowners - many of us longtime Teton County residents.

We would respectfully ask you to vote NO to the Stage Stop Inc. application.

Chandler Windom
Senior Planner
Teton County Planning Department
P.O. Box 1727
Jackson, WY 83001

January 20, 2022

Dear Ms. Windom,

Our letter concerns the application submitted by Stage Stop, Inc., owner of Lot 333, Rafter J Ranch, located at 3000 Big Trail Drive, requesting 1) an amendment to the Rafter J Planned Unit Development (Section 8.7.3 of the LDRs) to "allow a residential use on the subject parcel," and 2) a Conditional Use Permit seeking to "govern the intensity and operational characteristics of the proposed residential use." In other words, develop apartments at the former Legacy Lodge.

To date, almost 50 Rafter J homeowners have submitted letters to you, the Planning Commissioners, and the Board of Teton County Commissioners. All but one has clearly voiced opposition to this proposal. Please add ours to the next Correspondence Detail.

We respectfully and unequivocally ask that you **deny** Stage Stop, Inc.'s request for an amendment to the Rafter J Planned Unit Development **AND** their request for a conditional use permit that will allow apartments on Lot 333 for multiple reasons.

First, a little bit of history.

We purchased our home in Rafter J in 1992, 30 years ago. Like so many others who live here, we selected the subdivision as we viewed it at that time as an affordable (barely) option for us and an ideal place to raise a family. Our children are now 24 and 26. Additionally, the amount of open space interspersed with the number of homes was unprecedented in a development in Jackson Hole at that time. The development was very carefully designed in the 1970s with a potential 495 units and 440 acres of open space, much of which flanks Flat Creek. To this day, there is still not a subdivision for the working class in Jackson Hole that rivals Rafter J's acres of open space. **This alone sets it apart as one of the valley's most extraordinary and most desirable neighborhoods**. As Janis Ferrin Allen so succinctly wrote in her 10/27/2021 letter to you and the Board of County Commissioners, "Rafter J was never intended as a place for densely configured employee housing. Not now. Not ever."

Rafter J Lot 333 was created in 1978 as part of the Rafter J Planned Unit Development. The property is zoned Local Convenience Commercial, which allows for a wide range of commercial uses, not residential ones.

In 1993, a group of developers including Cy Richard, Pete Cook, Rod Everett, Larry Buxton, and Tom Evans sought to change the zoning on more than 5 acres near the north entrance to Rafter J (Lot 333) to allow them to build 20 homes. Sound familiar? Change established commercial for the benefit of Rafter J homeowners *to* residential for the benefit of the developers. At that time, just like now, this would have required a two-thirds vote of approval from Rafter J Homeowners. Because of this, developers withdrew their application, and the homes were never built.

In the spring of 2003, construction of an Assisted Living Center (deemed an appropriate commercial use under a CUP and a Development Permit) with 57 units on Lot 333 commenced. According to a 4-30-2003 article in the Jackson Hole News and Guide (JHNG), "Jackson Hole seniors, and their families will soon have another facility to help them enjoy life. The private assisted living facility will offer elderly residents another option to full-time nursing care provided by St. John's Living Center and home nursing." Another article from 5-18-2005 stated that "as the lodge (River Rock at that time) provides a comfortable home for elderly residents in their twilight years, so it provides comfort for family members in the knowledge their relatives are looked after."

And as you know, unfortunately, Jackson Hole's only assisted living facility—most recently known as Legacy Lodge—shuttered its doors last winter after effectively evicting its residents with little notice. Now, private developers, under the cloak of supposed goodwill, are hoping to have the County amend the PUD to allow for residential instead of commercial use and, with a conditional use permit, allow "commercial apartments" for workforce housing.

As politicians like to say, let me be clear. Apples are apples, and oranges are oranges. An assisted living facility is just that--a facility that is intended for elderly residents who need assistance with living. Workforce housing/apartments are just that- residential units intended to provide housing for members of the workforce. The applicant writes:

- "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."

- "When considering the previous use of the property and the proposed workforce housing use, they are really not that different. With the appropriate controls and assurances, the impact of the proposed use can differ little from the previous use while addressing current community workforce housing challenges."

That's like putting lipstick on a pig. Or is it like getting blood from a turnip?

Other issues and there are many:

1. Why has the applicant, as a new homeowner in Rafter J, leap-frogged the Rafter J Homeowner's Association (HOA) by going to the County with their application for an amendment to the PUD and a CUP without addressing the need for a two-third homeowner vote for this to take place?

2. The developers first met with the Rafter J HOA on May 25, 2021. At the June 29 HOA board meeting, Sadek Darwiche, representing Legacy Lodge ownership, asked if it was required to have 2/3 approval by Rafter J homeowners for Lot 333 to be used as an assisted living facility, and where in the CCRs does it state this requirement. As Lot 333 was (is) zoned Local Convenience Commercial, assisted living facility conformed to the CC&Rs. Lot 333 **is** subject to the CCRs for the HOA and all amendments and supplements thereto. The proposed apartments do not conform and require amending the CC&Rs.

3. Rafter J's attorney sent a letter to Stage Stop, Inc. on December 13, 2021, clearly stating that "as the proposed use (residential apartments) is in no way similar to an assisted living facility (and corresponding commercial use) previously located on Lot 333, in order to accomplish this stated goal, Stage Stop will first need to obtain

an amendment to the HOA's CCR's designation of Lot 333 as "commercial area, so that the multiple dwelling, resident use proposed will be allowed thereunder." **We assume you are familiar with this letter and its clear and direct message.**

4. When the applicant did their due diligence in providing a "neighborhood meeting," why did they improperly post this meeting on the nonprofit listserve, which essentially invited everyone in the community to attend the meeting that should have been for neighbors only? Additionally, the survey results from the meeting were statistically irrelevant.

5. Why, if the applicant does not yet have a certificate of occupancy, are there at least five people living in the building who are supposed caretakers? On that same note, why have there been multiple vehicles parked in the parking lot? During the summer/fall, there were at times over 10. At midnight on 1/19/2022, seven cars were parked in the parking lot. A direct quote from Sadek Darwich at the last neighborhood meeting was, "there are five caretakers that are here during various times of the day, 24 hours a day/7 days a week." Seven cars at midnight? That doesn't equate to five people at various times of the day.

6. In Kathy Clay's Jackson Hole Fire/EMS peer review of the application, she states that "Legacy Lodge was not reviewed or inspected under our jurisdiction as it was owned by the State. For the building to reopen, the following must be met:
   - All life safety systems shall be inspected
   - Building fire alarm system must be monitored by an alarm company
   - Fire inspection shall be conducted to ensure other life safety features are in place; emergency egress lighting, elevator operation, etc.
   - Electrical Inspection shall be conducted as well."

   Again, why are people living there currently?

7. If this development will provide 57 units of workforce housing, but only 36 parking spaces exist, where will all the cars go? If each unit has two occupants, at a minimum, this equates to potentially 114 occupants for 36 parking spaces. According to Amy Ramage, Teton County Engineer, applying standard formulas of 2.5 spaces per unit would require 142 parking spaces. She states in her review that "it seems that the number currently provided is substantially inadequate to meet the needs of residents and employees, even with methods encouraging residents to not have a car, such as bike lockers and robust transit service."

8. Again, according to Amy Ramage, "this location is also somewhat remote from other supportive infrastructure like grocery stores and schools and further limits residents' ability to live car-free compared to locations that are within the Town of Jackson." **Having lived in Rafter J for 30 years and without public transportation, we know that people drive ALL THE TIME, all day long.**

9. In her review, Amy Ramage also voices a concern that without enough parking, Big Trail Drive will bear the burden of overflow parking, even if it is prohibited. **How could this be justified to Rafter J homeowners whose ISD/HOA dues go towards maintaining the roads?** As she accurately says, "the adjacent roadway is not designed to accommodate parking and puts the burden on the Rafter J ISD/HOA to enforce the issuesthat come with rogue parking and fix roadway shoulders that will become denuded and need signage."

10. Although there are currently only 36 parking spaces, there is ample acreage on Lot 333 to develop more parking to accommodate more vehicles. The developer has given assurances that they wouldn't do this. A verbal commitment doesn't hold much water. This is very concerning.

11. Lot 333 is located just south of the northern entrance to Rafter J. At a minimum, during commuter hours in the morning and evening, hundreds of vehicles either exit or enter this entrance. They include those going either into town or south of town, those going in or out of the Children's Learning Center (capacity is 98 children; how many employees?), BACKROADS Bicycle Tours with multiple van trips in summer/fall, and Larsen Family Dentistry. How can this entrance accommodate more vehicles when it is already treacherous to make a left turn onto Highway 89 during morning rush hour? Or to make a right turn during afternoon/evening rush hour?

12. With the increase in adults commuting on bikes to and from work, and school kids using bikes and now e-bikes to commute to and from schools, we have serious concerns about the safety of the pathway as it crosses the entrance to the former Legacy Lodge facility. Additionally, pathway commuters from the south, including kids, must cross the northern entrance to Rafter J at the times when residents are trying to exit or enter at rush hours--**the potential for a serious, if not fatal accident, will increase significantly with the addition of more vehicles associated with the proposed workforce apartments**.

13. Why, when the developers committed to a traffic study in the July neighborhood meeting, has one not yet been conducted?

14. The application states that "allowing for the change of use of the existing facility from an existing living facility to employee (note: not workforce) housing will not have an adverse impact to these public services and facilities, including transportation, potable water, and wastewater facilities, parks, school, police, fire, and EMS facilities. **No one could argue that 57 or fewer assisted living residents have the same footprint as potentially 114+ employees, could they?**

15. When were the residents of Rafter J not considered part of the workforce? We have been part of the workforce in Jackson Hole for decades, as have many of the hundreds of other residents here. According to the current LDRs, workforce housing is a defining feature of the community 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." This is Rafter J.

16. The application states that "at the time the category of institutional use was developed in the 1978 LUDRs, workforce housing was not a community issue." Rafter J was developed to meet the needs of the middle/lower-income residents of Jackson Hole- the workforce. Workforce housing has always been a community issue.

17. The application states, "All employees will be required to work at least an average of 30 hours per week in Teton County." How are you determining the average?

18. The application states that this proposed use "will have no impact on wildlife permeability and connectivity." We beg to differ as moose, deer, fox, coyotes, even grizzly bear 399 +4 move through Rafter J, sometimes crossing the highway by Lot 333. Putting 100+ more people onsite, with associated vehicle/bike use, will affect the movements of animals. The same is true if there is significantly increased use from 100+ people on the trails in Rafter J, most of which border rich riparian habitat along Flat Creek.

Having lived in Jackson Hole for decades, having raised two children here, and still working and or volunteering in the community's nonprofit sector, we are acutely aware of the need for workforce housing. However, due to the reasons stated previously and for many others—which other Rafter J homeowners have addressed in their correspondence to you—the former Legacy Lodge building is not the place for a project like this one, at least with what the applicant has at this time proposed.

Once again, we respectfully ask you to deny this application.

With appreciation for your thoughtful review,

Margaret E. Creel and Roger N. Smith
Rafter J Homeowners since 1992

Cc:
Teton County Planning Commissioners
Teton County Board of County Commissioners

From: BobbieCDailey <BobbieCDailey@protonmail.com>
Sent: Sunday, December 26, 2021 5:15 PM
To: Chandler Windom
Cc: Board Of County Commissioners; Rafter J
Subject: Lot 333, Rafter J

To Teton County Planners and Commissioners--

I want to voice my strong objection to Stage Stop, Inc.'s request for a change in PUD and CUP permits for Lot 333 in Rafter J.

Rafter J is not an appropriate place for any type of high-density apartments/workforce housing, nor is Lot 333 even zoned for such. It is also questionable that, if these units were to be approved, they could possibly be, in any way, "affordable" for the average Teton County worker, as the developer has clearly stated they will be rented at full-market rate.

The building has units that must be modified to allow them to function as "apartments", doing so vastly changes the density and function of the building from an assisted living situation: there will be more people living in each unit and consequently an increased need for parking, and an increase of daily traffic. The proposal by the developers to lease blocks of units to employers may further increase the likelihood of short-term tenant occupancy.

Furthermore, this proposal seems to have tried to "fast track" without consideration to the existing Rafter J CC&R amendment process. As residents of Rafter J, we have the right to vote on any proposal to change our covenants. It seems Stage Stop, Inc. would like to by-pass this process.

In my opinion, the County Planners and Commissioners have nixed or stonewalled projects initiated by private individuals to provide low-cost housing in other areas of the Valley much more appropriate for high-density development.

Rafter J is NOT a high-development area. Please reject this proposal.

Thank you,

Bobbie Dailey

visit my website—
www.bobbiedaileyart.com
Animal, wildflowers, & country art
Giclée cards and prints available.
Also find my cards at these retailers:
National Museum of Wildlife Art
307 Mercantile, Pinedale
Water Wheel Gifts and Books, Dubois

Hello-

My wife and I understand an application change in the PUD and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in 1/22 and 2/22. We respectfully ask you to **reject** this proposal that seeks a zoning change and a change of use within the subdivision.

My wife is a teacher in town, I work locally in healthcare, and we have 2 children. This change would significantly change our neighborhood and the reason we moved to rafter J as a family. This change would substantially increase traffic, impact the wildlife, pathways, trail systems, and use of open space. We live in Rafter J because it is a peaceful family subdivision and are not in support of the changes proposed by The Stage Stop, Inc.

To our knowledge The Stage Stop, Inc has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This is spelled out in the Rafter J covenants. The Rafter J Lot 333 is not zoned for high-density apartments or workforce housing. The town would be a better spot for this due to public transportation, being closer to local businesses, and walking trails. The developer seems to be bypassing the legal rights of Rafter J homeowners and is trying to receive a favorable decision from the county.

This proposal does not comply with existing zoning and allowed uses in the Rafter J Master Plan and has not complied with the Rafter J CC&R's Amendment process requirements. We urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and the individual families that choose to live within these neighborhoods based on the current CC&R's and zoning regulations. This change would significantly impact where our family lives and we do not support any of the changes above proposed by The Stage Stop, Inc.

Thanks for listening,

Brad Dickey & Maria Lundgren
715-829-5195
dickeybn@gmail.com

From: Rafter J Office <office@rafterj.org>
Sent: Wednesday, December 15, 2021 4:46 PM
To: Chandler Windom; Brian Remlinger; Chuck Rhea; Karen Jerger; Mike Keegan; Tracy Baiotto
Cc: Melene Dodson (melene53@gmail.com)
Subject: Rafter J Update December 2021

From: melene [mailto:melene53@gmail.com]
Sent: Wednesday, December 15, 2021 4:38 PM
To: Rafter J Office
Subject: Re: Rafter J Update December 2021

Dear Nancy,
Although I'm not the sort to attend public meetings, I would like to express my lack of opposition to utilizing the old Legacy Lodge for employee housing. Given proper constraints, I believe this usage would benefit us all. Issues like road traffic, pathway usage, noise and the like are speculative and can be easily resolved should they arise.
Please convey this to the relevant boards and committees.
Thankfully yours,
Meléne Dodson

From: Jody Donnelly <nettaxi1@icloud.com>
Sent: Monday, February 21, 2022 3:34 PM
To: Chandler Windom; Jody Donnelly
Subject: Lot 333 Rafter J Proposal

Hello Chandler,
I am writing today as a resident of Rafter J to share my opposition to the proposed plan for Lot 333 to be used as housing. I believe it should remain as an assisted living facility, as originally zoned.
I am also acutely aware of the need for an update to the architecture of the intersection of the traffic signal at the North entrance to Rafter J, where car traffic, the bike path & the highway traffic merge: a tunnel under the existing highway with a L to go into town & a R to go South, would separate the flow of traffic of varying speeds & directions and let the bikes have a dedicated through-line, at existing highway grade.
I have seen too many harrowing close-calls between bikes & cars, and cars & cars, to be willing to wait for WYDOT to reach its threshold of action which is, apparently, an actual traffic fatality, in order for WYDOT to start to pay attention. WYDOT has no current plans to update how the highway & North entrance interface and this simply is not good enough. We need to expect more from WYDOT & the community since the risk of cyclist fatality & car collisions is so very obvious.
Any commercial development considerations for the Rafter J area needs to come AFTER these updates to the traffic patterns have been made real.
Respectfully submitted,
Jody Donnelly

From: Lloyd Dorsey <lloydjdorsey@gmail.com>
Sent: Wednesday, January 5, 2022 8:19 AM
To: Chandler Windom; Chris Neubecker; planning@tetoncounty.gov; Board Of County Commissioners
Subject: re Lot 333 in Rafter J
Attachments: info re Lot 333 in Rafter J Dec 2021.pdf

January 5 2022

To the Teton County Planning Department, Planning
Commission, and Board of County Commissioners:

My wife, Michele, and I are resident owners of a home in Rafter J and are very concerned about the proposed changes and amendments to the Rafter J Planned Unit Development and Conditional Use Permit as submitted to your offices by the new owners of Lot 333, formerly known as the Legacy Lodge.
We are opposed to the requested changes and amendments.

Attached to this email is information recently sent to homeowners in Rafter J.
I want to make sure you are aware of and consider the points held by many Rafter J homeowners over the requested changes and amendments to the PUD and CUP for Lot 333.

Thank you for your attention to these matters,

Lloyd Dorsey, homeowner
1235 Hereford Drive, Rafter J
307 690 1967
lloydjdorsey@gmail.com

Darwiche Development Proposal Violates Rafter J Homeowners' Rights

Dear Rafter J Neighbors,

Over the holiday season, there is a project of concern moving forward through the Teton County planning process that you should know about. A proposal by Stage Stop, Inc. seeks to re-develop and change the zoning of the former Legacy Lodge Assisted Living Center in Rafter J. This move could harm and forever change the character of our neighborhood. **Please read this in its entirety because it is essential to you as a Rafter J Homeowner.**

BACKGROUND

Rafter J Ranch Lot 333 (where Legacy Lodge is located) was created in 1978 as part of the Rafter J *Planned Unit Development* (PUD). Lot 333 is designated as a *local convenience commercial ("CL") area*. The "CL" area is small-scale commercial that is designed to serve the Rafter J community. In March 2021, Legacy Lodge, Jackson's **only** assisted living facility, closed its doors. In summer 2021, Stage Stop, Inc. purchased Lot 333 to convert the former assisted living facility into market-rate *residential* rental apartments – even though the property was not zoned for this use. They are now seeking to convert and expand a low-impact senior citizen facility into high-density apartments. This type of development was never intended under the Rafter J Master Plan and is not allowed under current zoning. It also sets a dangerous development precedent for all other commercial properties located at the entrance to Rafter J.

RAFTER J CC&R REQUIREMENTS

Any change to our zoning would require an amendment to the 1978 Rafter J Subdivision PUD. Given the longstanding zoning of Lot 333 *as commercial* that has been in place for 43 years, **Rafter J homeowners must vote on any proposed change in use *in accordance with the Declaration of Covenants, Conditions, and Restrictions (CCRs)* to ensure that our neighborhood has a say in this decision as described in the legal requirement spelled out in our CC&Rs.**

- Rafter J HOA's legal counsel has verified this voting requirement, and both the developer and county have been notified of this requirement before any amendment to our CC&Rs.
- This vote is directly tied to whether the zoning and use of Lot 333 can be changed. In fact, similar proposals were brought to the Rafter J Board by previous property owners and were withdrawn because of these exact requirements – anticipating a lack of community support for high-density residential development.

The sequence of steps for a Rafter J covenant/zoning change is for the developer to:

1) Submit a request for an amendment to the covenants and bylaws along with a proposal for the development of residential apartments.

2) This request would then go to a vote of the Rafter J homeowners.

3) If approved, the application requesting a change to the PUD and the zoning would move on to Teton County.

None of this happened with the Stage Stop, Inc. proposal.

Instead, Stage Stop, Inc. opted to ***bypass the application to the Rafter J HOA and went directly to the county requesting to change the use of the property to allow apartments****. This violates the legal rights of Rafter J homeowners (as required by the covenants) to vote on any change to our CC&Rs and ultimately allow the development to move forward.*

WHAT DOES THIS MEAN FOR RAFTER J HOMEOWNERS?

This development could have broad implications for our neighborhood. If the zoning change is approved, the developers could increase the building size, expand the parking lot and significantly increase the number of people living on site. The previous occupancy was approximately 35 people. The projected numbers for Stage Stop, Inc. project are a hundred or more, depending on the number of people permitted to live in each unit.

With this increase in population density, we will likely see increased traffic on our roads and congestion at the Highway 89 intersection, with more accidents likely. More people will mean increased use of our trail system, paved pathways, and open space and playgrounds. This increased use will impact maintenance, increase costs, create more nuisance dog and pet issues, and harm waterfowl and wildlife.

The Rafter J HOA will not manage the facility and will have limited authority to enforce nuisance behavior. Homeowners could see a substantial increase in noise, late-night activity, and even crime.

The intent of the local commercial zone in the Rafter J Master Plan was to enhance our subdivision and benefit the residents. This new residential expansion will detract from our quality of life and place a financial burden on existing homeowners. Stage Stop, Inc will only be required to pay one homeowner fee rather than each individual unit being charged.

STATUS OF THE STAGE STOP APPLICATION

The application of the Teton County Planning Department from Stage Stop, Inc. has two parts, both of which require changes to Rafter J covenants and zoning.

1) Currently, Lot 333 is zoned **LOCAL CONVENIENCE COMMERCIAL (CL)**, allowing retail businesses and offices, such as dental offices, daycares, and nursing homes – that directly benefit Rafter J residents. **This application would change the zoning to residential** – allowing dense new housing to be added to the Rafter J Subdivision.

(2) The application also asks Teton County to **add the word "apartments" to the permitted uses on Lot 333**–apartments are not one of the uses currently allowed. "Apartments" would be considered a conditional use.

IMPORTANT DATES

- **January 7** - Deadline to submit written comments to Teton County Planning Department at planning office and to the Teton County Planning Commission (cc Planning Commissioners)
- **January 10** – Teton County Planning Commission hearing. Commissioners will consider written & public comments and vote on the Stage Stop, Inc. project. Please attend & comment in person or via zoom (info. on next page). A strong turnout will be essential to defeating this project.
- **February 1**- Teton County Board of County Commissioner hearing. Commissioners will consider public input and vote to approve or deny the project and make the final decision. Attend and comment in person or via zoom.

QUESTIONS AND ANSWERS

What is the future development potential for the site?

- If the zoning change is approved, the developers could increase the building footprint and parking (impervious surfaces) from 52,000 square feet (current) to 82,000 square feet – an increase of 30,000 square feet.
- They potentially could add another building wing that would be half the size of the existing main building.
- Although the current application asks for approval for apartments, these units could ultimately be converted into condominiums and sold for top dollar prices.

How will this impact traffic and safety on our roads?

- This substantial increase in residential occupancy will undoubtedly add more traffic to Rafter J roads. We could also see backlogs at the main Rafter J entrance onto Highway 89 and increased severe accidents at this already dangerous intersection.
- There is insufficient parking on site for the number of projected residents. Where will they park? On the road along Big Trail Drive? If parking is added onsite, it will be at the expense of the trees and lawn, which will be turned into a sea of asphalt, making the property much less attractive.
- Increased numbers of cars will also increase conflicts with cyclists, dog walkers, and children using the roads and pathways. Many of these residents will also be workers with varied schedules, which will increase traffic both during the day and at night and at peak commuter times.

Will the Stage Stop Inc. development provide affordable housing?

- Remember that most Rafter J residents ***ARE*** the Jackson Hole workforce and have been since the subdivision was built. Rafter J's 498 lots house the workers who are the lifeblood of our community. We shouldn't be shamed into supporting unacceptable density and development in our neighborhood on the grounds of providing more housing for county businesses. This is their responsibility and the Town and County's.

- The word "*AFFORDABLE"* is used just once in the development application. **These units will not be affordable**; there are no rent restrictions included in the application for these apartments. All units will be leased at full market rates and in blocks to employers outside of Rafter J who may or may not provide more affordable pricing. Regardless, Stage Stop, Inc. will receive full market value for every unit rented in our subdivision. (The new Sage Brush Apartments on Broadway were approved as affordable workforce housing. But, renters are charged $1695/ month for 370 sq. ft. studios–hardly affordable.)

How Could This Affect Property Values and Quality of Life?
Rafter J homeowners love their neighborhood. We take good care of our properties and support covenants that keep our overall subdivision in excellent condition. We invest in playgrounds, trails, pathways, landscaping, and roads for the enjoyment of all residents. We have pride in providing a safe neighborhood for our families, essentially free from crime with minimal public disturbance. We enjoy our walks on quiet trails, our abundant open space, and wildlife. All of these values could be jeopardized by the Stage Stop, Inc. development.

This influx of traffic and increase in population in our subdivision will predictably decrease our property values. Currently, Rafter J is one of the most desirable places to live in Jackson, with realtors knocking on our doors to see if we would consider selling our homes. Many of us have been here for a long time and intend to stay. It is in our interests to protect our property values from the negative impacts of the Stage Stop, Inc. apartment complex.

UPCOMING HEARINGS AND CONTACT INFORMATION

By January 7: Submit comments to the Teton County Planning Commission:
Chandler Windom, Senior Planner, Teton County Planning Department, P.O. Box 1727, Jackson, WY 83001; Email: cwindom@tetoncountywy.gov and to the Teton County Planning Commissioners, planning@tetoncounty.gov; Phone: 307-732-8200

Teton County Planning Commission Hearing
January 10, 2022, 6:00 p.m.
Teton County Administration Building, 200 S. Willow Street, Jackson, WY
Join in person, by telephone (1-699-900-6833) or via Zoom at:
https://us06web.zoom.us/j/87640835305?pwd=Yk8yaTAyd1hXdlp4SDNlMithdFpXZz09
Passcode: 904112

Teton County Board of County Commissioners Hearing
February 1, 2022, 9:00 a.m.
Teton County Administration Building, 200 S Willow Street, Jackson, WY 83001
Join in person, by telephone (1-669-900-6833) or via Zoom at:
https://us02web.zoom.us/j/83356947928;
Passcode: 833 5694 7928

Submit comments by February 1 to:
Teton County Board of County Commissioners, P.O. Box 3594, Jackson, WY 83001
Email: commissioners@tetoncountywy.gov; Phone: 307-733-8094; Fax: 307-733-4451

SAMPLE LETTER:

Dear Teton County Planners and Commissioners,

I (We) understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

From: vje@bresnan.net
Sent: Saturday, January 1, 2022 10:14 PM
To: Chandler Windom; planning
Subject: FW: Rafter J vs Stage Stop Inc.

I'm sure you received many of these letters so I won't ramble on about it.

The proposed new use for Legacy Lodge is unacceptable. The population density of that one building is grossly out of proportion with the rest of our neighborhood.

If you'd like me to go on and on about "why" - just let me know.

NB: I am **opposed** to Stage Stop Inc.'s plan for this area.

Valerie J. Ehrich
3355 S. TenSleep Drive
Jackson Hole, WY 83001

(Rafter J resident/homeowner since 1986)

January 5, 2022

Teton County Planning Commission
Planning@tetoncountywy.gov

Chandler Windom. Senior Planner. Teton County Planning Department
P.O. Box 1727
cwindom@tetoncountywy.gov

Teton County Board of County Commissioners
P.O. Box 3594
commissioners@tetoncountywy.gov

Dear Teton County Planners and Commissioners:

We understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted by The Stage Stop, Inc. for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. We respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J subdivision is home to 490 residences that take pride in our neighborhood and invest ourselves and our financial resources in maintaining our community pursuant to our governing documents and the existing permitted uses for the subdivision.

Our concerns are as follows:

1. Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. In submitting this application to Teton County requesting a zoning change and new conditional use without first bringing it to the Rafter J HOA, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County. Furthermore, Stage Stop, Inc. is deceptively characterizing this project as "affordable workforce housing." Yet, they provide no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

2. Rafter J Lot 333 is NOT zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified other areas for this type of development because the areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The Rafter J, Lot 333 property is currently zoned for institutional use — which is why the Rafter J community supported and benefitted from the Legacy Lodge Assisted Living Facility.

3. We believe that The Stage Stop, Inc. proposed development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space. We are governed by the Rafter J Homeowners Association and the Rafter J Covenants adopted when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these obligations and protections and the perpetuity of the existing Local Convenience Commercial zoning.

Since this proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements; we urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Sincerely,

Marshall and Deborah Empey
MDMG Trust

cc. Rafter J HOA
Office@RafterJ.org

1/6/2022

Aïda Farag, Ph.D.

3065 S. Stirrup Dr., Rafter J.

Jackson, WY 83001

To: cwindom@tetoncountywy.gov on behalf of Planning Commission

Regarding: Planned Unit Development Rural-3 Application from HH Land Strategies, on behalf of Stage Stop, Inc., to request amendment to the Rafter J Planned Unit Development pursuant to Section 8.7.3 of the LDRs and also for a Conditional Use Permit to allow Workforce Apartments pursuant to Section 8.4.2. of the LDRs. Subject property is located at 3000 W Big Trail Drive in Rafter J. The land is zoned Planned Unit Development Rural-3

To Whom It May Concern,

The Conditional Use Permit to allow workforce Apartments is a faulty description. Aside from the traffic, noise, congestion, etc. issues related to granting such a use in the Rafter J subdivision, the units within the structure under consideration are not apartments. If the amendment to the Rafter J Planned Unit Development pursuant to Section 8.7.3 of the LDRs and the Conditional Use Permit to allow Workforce Apartments pursuant to Section 8.4.2. of the LDRs is approved, the commission may essentially be approving a hotel or dormitory with 57 rooms located in the residential community of Rafter J. The rooms will likely be used to house temporary clientele moving through Teton County. This is not a use in accordance with the residential community of Rafter J. Please keep in mind that this request was not made by the Rafter J community and it is not in the interest of the Rafter J community to allow such an amendment or permit at this time.

"Apartment always has an attached bathroom and a separate kitchen." apartment definition - Bing One issue at hand is that the units within the building located in Rafter J do not have full kitchens. At best these are kitchenettes without cooking surfaces. When we toured the current facility, the owners had put boxes of sandwich type grills on the counters of the units. There is no plan to make full functioning kitchens in each unit. The Planning Commission needs to consider the living conditions of people that may be proposed to inhabit this building. While the building looks nice, there are not adequate facilities for individuals, couples, or families to live in these units without assistance (as it was formerly designed) on a long-term basis. Rather J is a residential community, we expect that all who live in Rafter J will do so in a manner to become part of the community. Allowing the requested change in status of the property will reward what would be substandard "apartment" living conditions for the excessive number of the people that would inhabit it. It would be a hotel or dormatory situation designed for short stays. This is not something that was or should be envisioned in the Rafter J subdivision. The people of Rafter J have not requested this Amendment or Conditional Use Permit move forward. The matter needs to follow procedure with the Rafter J community before the County decides on whether to change the status of the property.

Regardless of whether the units are remodeled to be actual apartments, their location in a residential community is not part what Rafter J is now or has planned for its future. I urge the Planning Commission to not be swayed by emotional pleas for workforce housing. Housing for working people in Teton County need forethought and planning. This is not planning, it is a recharacterization for something that it was not intended. Keep in mind that this facility was approved for elderly living. Still a need in Teton County. This facility was the only private one of its kind in Teton County. Just because the building was purchased, does not mean that the Planning Commission needs to approve an Amendment and Conditional Use Permit. As a Rafter J resident and a resident of Teton County, I prefer that permits not be given out for changes to our community located on private property without our community approval. During a recent meeting, the owners through their lawyer admitted that they had not looked thoroughly at Rafter J CC&Rs. They never informed us of their intent to apply for an Amendment and Conditional Use Permit. We were informed after the application was submitted and not through the owners. I attended the third meeting provided by the owners and representatives. Little additional information presented at the first meeting was provided for home-owners in Rafter J at the second or third meetings. While I am glad that the owners provide such meetings, it would be more useful if there are additional plans that they be put out before us in a more complete manner. This may reflect fluctuating thoughts on their part and that is understandable. However, I urge the Planning Commission to refrain from awarding an amendment or permit before the thoughts are thoroughly planned in a concrete proposal put to the Rafter J community and HOA.

The current notion that this will be "workforce housing" is also something that the Planning Commission needs to thoroughly investigate. Rafter J is already a community of workforce housing. To imply that we in Rafter J are against workforce housing because we are may not favor the proposed Amendment and Conditional Use Permit is not an accurate characterization of our community. We are the workforce. Do we want Teton County and Rafter J to become a community where worker housing is predominantly attached to their employment? This inhibits freedom of movement and freedom of choice in employment. It minimizes the employee ability to negotiate for higher wages, time off, better work schedules, etc. We are not a community that needs to harken back to the 17th century and indentured servants where people were offered passage to the country in exchange for work. We have a system in place to provide affordable housing. There are multiple apartment buildings currently under construction with adequate facilities for people to live and cook freely in full kitchens. Let's think of ways to provide subsidies to the workforce to inhabit these units. This is a situation that would provide true workforce housing separate from the demands of the employer. With all of this said I have no doubt that the housing employers provide is done in good faith. That is not the issue, the issue is that workers should have freedom of choice with housing, including the choice to keep it separate from their employer.

The addition of likely 120+ people to the Rafter J community is not without consequence. Regardless of the potential addition of a start bus stop or traffic light at the Rafter J south entrance, the traffic leaving/coming into Rafter J is already congested. Adding people to the community will not alleviate the congestion. We understand that added density is a way of life, but Rafter J has done its part to accommodate added density. We have multiple condo complexes, and a new area with more than 75 homes was recently added to our community. We are already working to minimize impacts of the number of residents in this community on our water use/quality/disposal etc. The decision to add more should be left up to Rafter J before the Planning Commission approves any changes. The development

of north South Park and the planning group set up for that process did not include representatives of Rafter J who are located immediately downstream of the proposed development, yet we will potentially see impacts to water quality. The proposed amendment and permit have immediate impact on the Rafter J community and should be left to this community before the Planning Commission makes any decisions. It is time to allow Rafter J residents to have a voice about density in our own community and about what constitutes workforce housing/apartments/added stress on our infrastructure, etc.

None of my statements to this point have addressed other important factors, limited water resources in Rafter J, limited trail system, playground facilities, road upkeep, etc. that will all fall under the responsibility of our HOA. Approving an amendment and permit without considering our situation and allowing us as a private community to define whether our system will be able to absorb these responsibilities, will put undue pressure on an all-volunteer HOA Board. We as the Rafter J community need to be allowed to decide whether we are can absorb these responsibilities.

Thank you for your time. I realize that all are working to meet the needs of Teton County and I appreciate your efforts.

Aïda Farag

Rafter J Resident

-----Original Message-----
From: MAUREEN FITZGERALD <mofitzgerald@bresnan.net>
Sent: Wednesday, January 5, 2022 7:41 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Subject: Stage Stop Inc/Rafter J Ranch Lot 333

Dear Teton County Planners and Commissioners,

I understand an application for a change in the PUD and Conditional Use Permit has been submitted for LOT 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J Lot 333 is not zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, are in within walking biking distance of services. Rafter J is not one of those areas. Rafter J Lot 333 is designated for local convenience ("CL") – or small scale commercial designed to serve the Rafter J Community. The Stage Stop, Inc. development would bring an incompatible density to a quiet family-oriented neighborhood and would create problems of traffic, noise, safety, and negatively impact our wildlife, pathways, trail system and open space with increased, concentrated usage. This type of density was and is not the intent of usage for Lot 333.

Most importantly, Stage Stop Inc. has blatantly disregarded a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge and expectation of these protections, and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and a new conditional use, this developer is disregarding and bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

I understand that it's sadly become all about the money here in Jackson, but at some point we need to stop overlooking covenants and protections that have been in place for decades and that many of us have invested our lives in, in order to preserve what is remaining of the character and experience most of us moved here for. What seems to be happening is that more value is being placed on the individual developer who is going to make a profit at the rest of our expense.

This project has been called "affordable workforce housing", but that is misleading as Stage Stop Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Thank you for your consideration.

Best,

Maureen Fitzgerald

1930 W Homestead Dr

Rafter J

Jackson, WY 83001

January 8, 2022

Dear Teton County Planners and Commissioners,

As a constituent, long-time Teton County community member (40+ years), and a 23-year resident of the Rafter J subdivision I am writing with my concerns about the Rafter J Ranch Lot 333 zoning plan proposal.

First of all, I thank you for your time and commitment to making important decisions that will impact the future of our community. I would like to believe that each of you consider the community as a whole and adhere to outlined procedures when development proposals are presented.

My concerns for the Rafter J community that I have loved since purchasing a single-family home in 1998 are many. Particulary, I am left wondering why Stage Stop Inc. purchased this property in the first place. The key stakeholders in Stage Stop Inc., the Darwiche family, have been in the business of developing our community for many years. I find it hard to believe that they would make such a purchase with the intent of developing market-rate residential apartments without knowing that Lot 333 is not zoned for such a purpose. I can't help but think that they made the purchase believing that they could influence the change in zoning. Perhaps Stage Stop Inc. had the intention of by-passing and amending the 1978 Rafter J Subdivision PUD which requires a vote by the Rafter J homeowners before approval.

The RJ community will be monitoring the Commissions' actions on this issue very closely as the outcome could have a negative impact on the community in which we all invested (as it currently operates). I am not in favor of increasing the density in Rafter J. Among other things, this increase would result in:

- A burden on our already-delicate water, sewer, and roadway systems
- Increased traffic and more congestion at the Rafter J entrance/exit at Highway 89
- Increased use of the parks and pathways in our small, child and animal-friendly neighborhood

In closing, I would also like to mention my disappointment in Stage Stop Inc.'s attempt to mislead my fellow town and county members by referring to this as an "Affordable Housing" or "Workforce Housing" project. Honestly it is neither and as a retired teacher and a long-time member of Jackson's struggling workforce, I don't appreciate the implication that Rafter J residents are not doing their part to resolve the county's housing crisis. I believe this issue can be addressed in a more covert and responsible way.

Please feel free to contact me with questions or concerns.

Respectfully,

Lee FitzPatrick

1195 W. Hereford Drive, Jackson, WY (307) 733-6446

January 8, 2022

Dear Teton County Board of Commissioners,

As a constituent, long-time Teton County community member (40+ years), and a 23-year resident of the Rafter J subdivision I am writing with my concerns about the Rafter J Ranch Lot 333 zoning plan proposal.

First of all, I thank you for your time and commitment to making important decisions that will impact the future of our community. I would like to believe that each of you consider the community as a whole and adhere to outlined procedures when development proposals are presented.

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In closing, I would also like to mention my disappointment in Stage Stop Inc.'s attempt to mislead my fellow town and county members by referring to this as an "Affordable Housing" or "Workforce Housing" project. Honestly, it is neither. As a retired teacher and a long-time member of Jackson's struggling workforce, I don't appreciate the implication that, by wanting to preserve the integrity of their neighborhood, Rafter J homeowners are not doing their part to resolve the county's housing crisis. I believe this issue can be addressed in an overt and responsible way.

Please feel free to contact me with questions or concerns.

Respectfully,

Lee FitzPatrick

1195 W. Hereford Drive, Jackson, WY (307) 733-6446

I (We) understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Karyn + Marc Schiller
1040 W Longhorn Dr, Jackson WY 83001

Dear Teton County Planners and Commissioners,

I (We) understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

RESPECTFULLY - Rick S Holding, LOT 209 -

* VOTE 'NO' TO ALLOWING THIS PROJECT!

PROPERTY OWNER:
RICK S. HOLDING
1915 BUCKRAIL DR.
JACKSON, WY 83001

From: franf@bresnan.net
Sent: Sunday, February 20, 2022 3:22 PM
To: Chandler Windom; Board Of County Commissioners
Subject: Planning Commission Public Hearing for Rafter J Lot 333 February 28, 2022; Board of County Commissioners Public Hearing for Rafter J Lot 333 March 15, 2022

To Whom it may Concern:

I am writing to voice my concerns of the request made by Stage Stop, Inc. to amend the Rafter J Planned Unit Development (PUD) pursuant to Section 8.7.3 of the LDRs and also for a Conditional Use Permit (CUP) to allow Workforce Apartments pursuant to Section 8.4.2 of the LDRs.

I am NOT in favor of this request as I feel it will have too much impact on traffic and our infrastructure system here in Rafter J. I am well aware of the need for housing for employees here in Teton County but feel that workforce housing within the Rafter J Subdivision is just not a good fit for our neighborhood.

Thank you for your time and consideration in this matter.

Sincerely,

Clara Frances Floreani, Owner
Lot 289 – 1755 W. Diamond Hitch Drive - Rafter J Subdivision
franf@bresnan.net

From: Arthur Greger <agreger@bresnan.net>
Sent: Monday, January 31, 2022 6:40 PM
To: Chandler Windom
Subject: Legacy Lodge Rafter J

Add my opposition to this zoning change. This backdoor attempt to circumvent Rafter J is wrong. Local convenience is not residential, it is local inconvenience.Thank you

From: Arthur Greger <agreger@bresnan.net>
Sent: Sunday, January 2, 2022 1:13 PM
To: Chandler Windom; planning; Board Of County Commissioners
Subject: Legacy Lodge /Stage Stop Request for change of Zoning in Rafter J

This letter is written to object to Stage Stops intent to bypass Rafter J residents and change the zoning of lot 333, formerly Legacy Lodge. This change is at odds with covenants dating back to 1978.
We object to high density residential use on this lot. Please uphold the integrity of our neighborhoods choice in maintaining our Rafter J Master Plan and Covenants. The Stage Stop proposal is inappropriate in this location. Please oppose the zoning change, and instead have Stage Stop come to Rafter J residents and propose the change to our Covenants, as should have been done in the first place.

Art Greger
1935 Homestead Dr
Jackson Wy 83001

Dear Teton County Planners and Commissioners,

I understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of the county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been there for decades.

The Stage Stop, Inc. development will bring an incompatible density to the quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop, Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In applying to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments of workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community supported and benefited from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Sincerely,

Anthony Hill

Rafter J Property Owner and Permanent Resident

December 29, 2021

July 28, 2021

Dear Teton County Commissioners and Planning Department,

We, the Rafter J Homeowner's Association, are concerned with the effort to "fast track" the application process to amend the PUD on Lot 333 in the Rafter J Subdivision.

A neighborhood meeting was hosted by Stage Stop LLC owners on July 19, 2021. As explained by Chandler Windom in an email "*The purpose of the neighborhood meeting is to inform neighbors and other interested parties about the layout and potential impacts of a physical development, use, development option, or subdivision that is to be proposed. It is equally intended to provide the applicant an opportunity to hear comments and concerns about the proposal early enough in the review process to allow for modifications to the proposal to minimize adverse impacts".* At this meeting, the Stage Stop LLC owners talked about housing and a variety of possible uses and said they were open to hearing all Rafter J ideas, but they did not share specific plans. More than 115 Rafter J residents came away from the meeting with more questions than answers.

According to the 1978 Land Use and Development Regulations:

- C-L, Convenience Commercial District is intended to meet the day-to-day needs of local residents
- With respect to amending plats, the *County LDR On Subdivision Plat Amendments, Section 8.2.13.C.5* states that "*an instrument shall be filed with the County Clerk stating that the partial vacation does not abridge or destroy any rights or privileges of other proprietors in the plat."* (*Wyoming Statute 34-12-108 Title 34, Chapter 12* states the same.)
- The filed instrument section also states that the instrument shall include, "*acknowledgement by all parties affected by the vacation."*

It is our understanding that the additional 498 Rafter J lot owners would be included in the context of "all parties affected by the vacation." Relatedly, the Rafter J CC&R's clearly state that Lot 333 is a Commercial Lot. A change of use will, most likely, require an amendment to our CC&R's, and any amendment to the CC&Rs requires 65% approval amongst all (499) property owners.

The purpose of this letter is to ask that this amendment application process not be fast tracked. Until the Stage Stop LLC owners can provide specific plans about property use and are willing to make those plans public, Rafter J cannot understand how change of use will impact our water system, sewage system, roads, entry & exit traffic, pathways & trails, playgrounds, Internet speeds, noise levels and safety.

In conclusion, Rafter J owners are the parties most impacted. For this reason, we ask to be notified in advance, of any meeting that has this PUD amendment application on its agenda.

Thank you for your time and consideration.

Rafter J Homeowner's Association Board of Directors
Kip MacMillan
Mike Keegan
Chuck Rhea
Karen Jerger
Brian Remlinger

From: Lisa Husband <lhusband516@gmail.com>
Sent: Saturday, January 1, 2022 5:17 PM
To: County Planning Commission; Chandler Windom

Dear Teton County Planners and Planning Commissioners,

I am writing you this email to express my concerns as a long time resident of Rafter J. I recently attended the information session presented by the Darwiche Development group and understand that they have moved forward to involve your department in an effort to redevelop and change the zoning of the former Legacy Lodge Assisted Living Center.

I was initially *concerned* and after hearing the messaging that was delivered and I am very *opposed* to any efforts to rezone and go against involving Rafter J residents and HOA CCR's. The most important part of my message is that Rafter J homeowners must vote on any proposed change in use in accordance with the declaration of our CCR's. This step HAS NOT OCCURED! The Darwiche Development group is skipping over this step and proceeding with the process by going directly to the planning commission. With respect I am expressing my opposition and ask that your planning commissioners do the same and reject the proposal to be involved until the homeowners have approved of the proposal.

Sincerely,
Elizabeth "Lisa" Husband
Rafter J resident since 2000 (Herford Drive, and West King Eider Rd)

Lisa Husband
lhusband516@gmail.com
307-690-5566

From: Connie Huspek <connie@hkdcpa.com>
Sent: Saturday, December 18, 2021 11:52 AM
To: Chandler Windom
Subject: Rafter J and Stage Stop

[**NOTICE:** This message originated outside of the Teton County's mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I am writing to voice my objection to any changes to the zoning or amendments to Rafter J's PUD in order to change the zoning of the property previously utilized as Legacy Lodge Lot 333 I believe.

The reason for my objection is that all of the owners of property in Rafter J have purchased property in this PUD with the understanding that the legal status of all the properties in the PUD would remain as originally stated. Any changes to the Zoning or the PUD would or could adversely impact property values and have many other impacts to the community in relation to vehicle traffic, pedestrian traffic and impacts on common ground usage as well as potential impacts on the corridors along Flat Creek and the associated, fish, birds and other wildlife

I have been a resident and property owner in Rafter J for more than 30 years.

Connie Huspek
1500 W. Percheron Drive Lot 146

Connie Huspek, CPA
Accountant
Hawkins, Kominsky, DeVries & Associates P.C.
PO Box 8
Jackson, WY 83001
(307) 733-6006

Rafter J Ranch Homeowners Association
Rafter J Ranch Improvement & Service District
2951 Big Trail Dr, Jackson, WY 83001
Office@RafterJ.org 307-733-5262

January 27, 2022

RE: Lot 333, Rafter J Ranch
Stage Stop Inc. PUD2021-0001 Amendment/ CUP2021-0005 Application

Dear Teton County Planning Department, Planning Commission, and Board of County Commissioners,

The Rafter J Ranch Homeowners Association (HOA) Board of Directors is responsible for the administration, operation, and maintenance of the Rafter J Ranch subdivision, including administering and enforcing the Covenants, Conditions, and Restrictions (CCRs). The Rafter J Ranch Improvement & Service District (ISD) Board of Directors is responsible for infrastructure within the Rafter J Ranch district, specifically water, sewer, roads, and pathways.

We, as the local elected representatives of the Rafter J Ranch community, have heard our residents' concerns regarding the potential change of use impacts proposed in the applications submitted by Stage Stop, Inc. for Planned Unit Development amendment and Conditional Use Permit (CUP2021-0005/PUD2021-0001) on Lot 333 in Rafter J Ranch.

The Rafter J Ranch HOA and ISD Boards of Directors ask the applicant and the County to assess the concerns of health and safety in Rafter J Ranch as part of the application review process and prior to making decisions to approve, approve with conditions, or deny the applications.

- Water – evaluate capacity of the existing Rafter J Ranch domestic water supply to adequately serve the proposed increase in residents on Lot 333 without negatively impacting existing service
- Sewer – evaluate capacity of existing sewer line and Rafter J pump station to adequately serve the proposed increase in residents on Lot 333
- Fire Protection – evaluate capacity of the fire management system in the existing building on Lot 333; evaluate flow and capacity of the Rafter J Ranch domestic water supply to adequately respond to any fire emergency in Rafter J Ranch
- Traffic – evaluate flow and capacity of the highway intersection, roads, and pathways, especially along Big Trails Drive to and through the intersection of Hwy. 191, to ensure safety of residents and other highway users; evaluate the feasibility and capacity of potential public transit to accommodate the proposed increase in residents on Lot 333
- Parking – evaluate the current parking capacity on Lot 333 and required per the Teton County LDRs for apartments; consider on-street parking restrictions enforced in Rafter J Ranch

We thank you for your time and attention to this matter.

Sincerely,

Rafter J Ranch Homeowners Association Board of Directors
Mike Keegan, Brian Remlinger, Karen Jerger, Tracy Baiotto, and Chuck Rhea

Rafter J Ranch Improvement & Service District Board of Directors
Brian Schilling, Steve Foster, and Eileen Mosman

CC: Stage Stop, Inc

From: tiletime@bresnan.net
Sent: Thursday, January 6, 2022 6:12 PM
To: Chandler Windom
Subject: Legacy Lodge

Teton County Planners and Commissioners,

As a Rafter J resident for 34 years, I strongly request that you reject the application by Stage Stop, Inc. for a change in the PUD and CUP for Lot 333 in Rafter J subdivision.

First of all it is disturbing that Stage Stop, Inc. submitted an application to Teton County requesting the zoning change and new conditional use without first bringing an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. The process is clearly spelled out in the Rafter J Covenants and in the Teton County Master Plan. The Rafter J covenants are one reason we selected Rafter J as our home because it's governance maintains the appearance, safety and atmosphere of our neighborhood.

Legacy Lodge Assisted Living was a suitable use for Lot 333. It's occupancy was around 35 people, and not many of the residents had or drove their own cars because Legacy Lodge provided bus transportation. The traffic impact was minimal. With 57 units housing 2.5 residents per unit, it is logical to expect the traffic for workforce housing to increase exponentially. It is already difficult to exit Rafter J safely during heavy traffic. While the residents of Legacy Lodge Assisted Living caused no problems with noise or traffic, I would suggest that the predicted number of residents in workforce housing there would greatly increase both, not to mention the added burden to our maintenance and infrastructure.

Please vote against the Stage Stop, Inc. proposal to change the PUD and zoning in order to respect the rights of the residents of Rafter J as outlined in our covenants and to maintain the character of our neighborhood as it was intended. Thank you for your consideration.

Sincerely,
Elizabeth Jacobson
Lot 50 Rafter J

From: D Jagstadt <jagstadt@comcast.net>
Sent: Friday, January 14, 2022 2:41 PM
To: Chandler Windom
Subject: Opposition to Stage Stop request to rezone

[NOTICE: This message originated outside of the Teton County's mail system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear County Commissioners,
My husband and I oppose the proposed rezoning of Rafter J lot 333 by Stage Stop Inc.
The homeowners have a legal right per the neighborhood CC&Rs to vote whether to change the PUD before the county unilaterally considers the developer's request.
Neighborhood traffic, green-spaces, safety and property values would be negatively impacted, please don't give in to the developers without allowing the homeowners to follow their bylaws.
Respectfully,
Karl and Dolores Jagstadt
Rafter J homeowner

November 10, 2021

Dear Teton County Planning Staff,

I am a long-time Rafter J homeowner & resident, and current member of the HOA Board. This letter expresses my personal opinion, and is not a statement from the Rafter J HOA Board.

I am writing about the PUD/CUP application you are you reviewing for Stage Stop LLC's proposal to re-purpose the building on Lot 333 in Rafter J, generally referred to as Legacy Lodge. I am concerned that the application contains some misleading statements and faulty assumptions that should be questioned as you evaluate this proposal.

Neighborhood Meeting (July 19, 2021): The summary presented in the application does not adequately capture the range of questions & concerns presented to Stage Stop representatives. I understand that a Planning Dept. staff member would have been present at that meeting, and hope that he/she can offer a more accurate perspective.

As stated in the summary, the meeting was well attended by Rafter J residents and other community members (notice was posted on non-profit list serve). The range of comments was broad and I kept notes to share with other HOA board members who were not there. Stage Stop encouraged folks to contact them later via email, and handed out a printed questionnaire at the end of the meeting. The summary in the application does not reference any of the emailed comments, few of the verbal comments, and only 1 of 4 questions on the questionnaire submitted by 47 out of what organizers estimate were 180 participants, not all of them RJ residents.

Verbal comments at the meeting included concerns about the impact of the proposal on traffic, parking, safety, noise, shared infrastructure, shared open space and neighborhood character. The application suggests that since they are not proposing additional physical development, these impacts would be minimal and easily mitigated. They do not offer concrete steps for assessing or mitigating those impacts.

At the meeting, RJ residents questioned the definitions of "workforce", "affordable", "stable housing" and "apartments". The PUD/CUP applications do not clarify those terms.

Conditional Use: I disagree that a high-density apartment complex, with units sublet through multiple master leases is "not really that different" than an assisted living facility. The assisted living facility itself was granted a CUP based on comparison with permitted uses. In order to request a conditional use, Stage Stop should be proving that their concept is "not really that different" than a school, daycare, hospital, nursing home, or other public institutional use permitted in the current LDRs. It seems like a stretch to piggy-back a Conditional Use Permit on a previous CUP.

Hindsight/Foresight: Stage Stop contends that the LDRs currently restricting use on this property would have permitted a commercial apartment complex IF today's conditions had existed in 1978. Hindsight should not be considered in this application. With that logic, Rafter J would not be the housing development it is today. The foresight of planners and developers of that time resulted in a neighborhood of working families that also protected nearly half of it's

land for open space and the protection of wildlife habitat along the Flat Creek corridor. While some things have changed over the years, the basic neighborhood character, and protection of open space are still highly valued in Rafter J. This is consistent with the desired characteristics for District 10, and subarea 10.1 in the Teton County Comprehensive Plan.

Need for Housing: I agree that stable, adequate, affordable housing is a critical need in Teton County. I do not agree that "workforce" housing (still undefined in the application) is the "single biggest challenge facing Teton County", as stated in the application. Nor do I agree that small efficiency units (no kitchens) with short-term leases (6 mo.) controlled by (mostly private) employers are designed to meet the needs of working families, and long-term community members.

Zoning Change: It is clear that the most efficient way for Stage Stop LLC to enact their vision is through a Conditional Use Permit. However, when they use words like "apartment" and "residential unit" in their application, it suggests that what is really required is a change of zoning, from Local Convenience Commercial to Residential. That route would require more input from , and cooperation with the Rafter J neighborhood. Perhaps Stage Stop might then be willing to modify their proposal to make it more compatible with current conditions in Rafter J.

Thank you for your attention to my concerns.

Respectfully, Karen Jerger, 1190 Haysled Drive, Jackson, WY 83001

From: Jan Lovett <jlovett@bresnan.net>
Sent: Tuesday, January 4, 2022 5:24 PM
To: Chandler Windom; Board Of County Commissioners; planning
Subject: The request for amendment to the Rafter J Planned Unit Development and Conditional Use Permit

January 3, 2022

Dear Teton County, Wyoming, Planners and Commissioners,

I have been a resident of Teton County since 1978 and our home in Rafter J was built in 1994. My husband and I raised 3 children in the neighborhoods of Rafter J. My sister was evicted from the Legacy Lodge Assisted Living facility in February 2021. The closure of Legacy means there are no assisted living facilities in Teton County. Residents of the facility have been moved out-of-town and away from their families, reside in a nursing home settings which are far more restrictive than they need, or are living with family members in various home situations. My own sister is living with her 94-year-old mother in a Rafter J townhouse. The assistance that they need to live is being organized and purchased each day by our family. The closure of Legacy adds assisted living for seniors and disabled adults to the other critical issues that Teton County faces: affordable worker housing, traffic and parking concerns and public transportation. Teton County is currently considering an application that could, but does not, address both affordable housing AND assisted living. Developers are asking Teton County to amend the 1978 PUD for Rafter J to allow for 57 workforce housing units/apartments. The 57 units in the proposal are neither affordable NOR assisted living units. For this reason, I ask you to reject this proposal.

WORKFORCE HOUSING

Nearly 500 residential units in Rafter J *already* house hundreds of workers who contribute to the economic and social vitality of our region. The PUD that has enabled Rafter J to prosper as friendly and diverse neighborhoods with parks, open spaces, a water system, pathways, a church, daycare and dentist offices for more than four decades is clearly a success meeting the long-term goals of our town and county comprehensive plans. The proposed amendment would needlessly disrupt that undeniable success by adding hundreds more residents to a zoned & planned neighborhood that is near capacity. It would be inappropriate for Teton County to move forward with zoning and use changes in a subdivision that already has by-laws and CCRs that are connected to the master plat (refer to legal opinion in Lubing letter submitted to Teton County Planning Department). Rather, I would hope Teton County would be an active supporter of all the neighborhoods and subdivisions with strong CCRs.

Approval of this application by the County will most probably result in Rafter J Homeowners Association being sued by Stage Stop, if the homeowners vote does not agree with a County vote. It seems prudent for the County to send this application back to Stage Stop until Rafter J has a homeowner vote. The costs involved in a law suit would be born by Rafter J homeowners who are a large portion of THE WORKFORCE and do not have large sums of money to spend defending CCRs that were thought to be legal.

During our decades living and working in Teton County we have been part of a community that has helped support public/private partnerships that used our taxes to provide affordable housing for some of our core education, health,

power, roads, and emergency service employees, as well as for employees of our tourism-based economy, construction trades, nonprofits, and others. Many of these projects supported the goals for affordable workforce housing across the economic spectrum as expressed in a succession of Town and County Comprehensive Plans.

Unfortunately, the onslaught of new private sector commercial development now overwhelming Teton County and Jackson increases the number of new jobs far beyond the availability of new housing; if commercial development continues at this pace there will never be enough housing in or near Teton County. This despite several new high-density workforce housing developments recently completed or still in the pipeline, some from public/private partnerships that provide scores of new affordable housing units.

ASSISTED LIVING

The closure of Legacy and eviction of its residents creates another group of people seeking housing in Teton County. Many of the residents spent their lives living and working in our community, serving as elected officials, teachers, service workers. Assuring them a place to live is a responsibility of this community just as providing affordable workforce housing is. Let's not forget our previous WORKFORCE, who have now retired. Legacy Lodge is the only building specifically built for assisted living in this County. It was built in an area that was zoned for it. It was supported by the residents of Rafter J. Could a public/private partnership continue to provide assisted living on our county. I think this would be worth exploring before giving away the Legacy facility for another use.

FINAL THOUGHTS

There have already been actions taken by Stage Stop Developers that concern me.

- Submitting a proposal that offers
    - no assurances that Legacy Lodge will remain WORKFORCE housing
    - absence of maximum occupancy stipulations
    - inadequate parking plan
    - assurances of affordability, despite requests to do so

- The property was zoned light commercial. It was purchased with this zoning in place. The developers are trying to immediately change this zoning The developer has bypassed the Rafter J written process of requesting a zoning change, despite requests to do so from Rafter J.

- Judging by the cars and the van from a downtown business recently in the Legacy Lodge parking lot, it is a concern that the Legacy Lodge buildings appear to be occupied by more people than a simple caretaker, without a certificate of occupancy.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. Neither is it guarantee for additional affordable housing in our community. It would be a sad reflection on our county leaders if elderly assisted living residents were displaced to make way for seasonal workers solely to support the out of control expansion of private commercial businesses. We urge you to deny the requested amendment to the Rafter J PUD and deny the CUP.

Sincerely,

Jan Lovett

1220 Hay Sled Drive

Jackson, WY 83001

jlovett@bresnan.net

307-690-4470

1059 E. Verde View Circle

Camp Verde, Arizona 86322

28 December 2021

Dear Teton County Planners and Commissioners,

It is my understanding an application for a change to the Planned Unit Development and Conditional Use Permit has been submitted for Lot 333 in Rafter J subdivision and will be considered by the Teton County Commission as well as the Teton County Board of Country Commissioners in January and February 2022. I respectfully and emphatically ask you to reject this proposal seeking a zoning change of use within our subdivision.

Rafter J is home to 490 residences that pride our neighborhood, invest ourselves and our financial resources in maintaining our community. From this we have seen our property values increase making us one of the counties most desireable places to live. By considering this proposal that has claims to provide workforce housing, please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson, many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to our quiet family oriented neighborhood and with it the associated problems of traffic, noise, safety and impacts to our wildlife, pathways, trail system, open spaces, parks and our quality of life we have strived to maintain.

Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Ass. for a vote for any proposal to change our convenants. This is a process that is clearly spelled out in the Rafter J Covenants when our subdivision was created and in the Master Plan that Teton County approved in 1978. We Rafter J homeowners have purchased our homes with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hope of avoiding this

requirement and recieve a favorable decision from the County.

Rafter J lot 333 is NOT zoned for high density housing nor workforce housing. Both the Town of Jackson and Teton County have identified areas for this type of development, reason being that they are serviced by public transportation, are located near businesses and workplaces, and are within walking/biking distances of services. Lot 333 is designated for instatutional use - which is why the Rafter J community supported and benefitted from the Legacy Assisted Living Facility.

This project is being called "affordable workforce housing", yet Stage Stop, Inc. provides no provisions in their application that these units will be affordable for Jackson workers. In acuality, the developer has been very clear that these will be full market-rate rental units.

Their proposal does not comply with existing zoning and allowed uses under Rafter J Master Plan nor has it complied with the Rafter J CC&R Amendment process requirements. I strongly urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold our CC&Rs in the face of inappropriate development pressures.

Respectfully yours,

Marcia L. Johns

Marcia L. Johns

Spring Valley Holdings, LLC

1905 West American Brant

Jackson, Wyoming 83001

From: Kathy H Greger <kgreger@bresnan.net>
Sent: Tuesday, January 4, 2022 5:36 PM
To: Chandler Windom; planning; Board Of County Commissioners
Subject: Stage Stop Inc and Rezoning of Rafter J Lot 333

Teton County Planning Commission:

I am writing to you concerning the request to change the zoning of the Legacy Lodge property by Stage Stop, Inc. Stage Stop wants to change the property that was previously an assisted living facility into an apartment complex, which requires getting the lot rezoned. Under the Rafter J covenants, which have been clearly in place since 1978, anyone requesting a property rezoning is required to present an application to the Rafter J Homeowners Association for a vote, which Stage Stop has refused to do. Previous rezoning requests have gone through the proper channels for zoning requests and gone to a vote. Instead, Stage Stop is trying to bypass the clear rights of the Rafter J Homeowners and go straight to the county. I urge you to reject this proposal since such a development would cause major changes to Rafter J, and Stage Stop is trying to push through these serious changes without first consulting and going through the community they will be affecting, despite a clear requirement to do so. You have an obligation to stand by the hardworking members of the Rafter J community and not let wealthy developers try and use back door channels to bypass the rights of the people in this neighborhood.

Kathy Greger

Rafter J Homeowner since 1989

Dear Teton County Planning Department and Teton County Commissioners,

Stage Stop, LLC (SS) is asking you to change a long-standing protection of the Rafter J Community. In two applications requesting residential apartments, SS acknowledges that current laws do not allow residential use on their Lot 333 in Rafter J:

"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."

The need for workforce housing in Teton County is serious and indisputable. However, this building and location prevent that use for many reasons that are still relevant in 2022. That said, I ask that you continue to abide by the intent of the 1978 LDR's and the note on the Lot 333 plat.

In Section 8.2.13.C.5, the law requires that:

a. An instrument shall be filed with the County Clerk stating that the partial vacation does not abridge or destroy any rights and privileges of other proprietors in the plat. The instrument shall include:
    i. Acknowledgment by all parties affected by the vacation; and
    ii. Acknowledgment by the Board of County Commissioners.

These regulations exist for a purpose. They provide the adjacent landowners and the Rafter J subdivision with assurances that future use will conform with the subdivision CC&R's and maintain the neighborhood character, without abridging an owner's rights. Simply put, any change to this current regulation must take into consideration the impact on neighbors and neighborhoods at large. This is not being done.

Despite three private meetings and two public forums, SS has failed to answer the most basic questions:

- How many people will be permitted to live in the building?
- How many people will live in each room?
- What is the maximum number of cars that will be permitted to park?
- What percentage of residents will be employees of Darwiche businesses?

Since SS has chosen not to provide information about their project or their desired residents, we are unable to determine if apartments will: benefit the Teton County community; be a step towards addressing the housing crisis; or be the right decision for Rafter J. There have been no facts for almost a year now, so it sure does appear that Stage Stop, LLC is pushing a self-serving endeavor: to provide housing for employees of Darwiche-owned businesses. To say that this is a solution to the housing crisis is feeble at best.

I conclude by asking that you deny the two applications that Stage Stop LLC has presented.

With thanks,

Michael Keegan
3075 Stirrup Drive, Rafter J since 1996

From: Karin King <karinking31@gmail.com>
Sent: Thursday, February 3, 2022 11:03 AM
To: Chandler Windom
Subject: Rafter J Lot 333

Karin W. King
3430 S. Arabian Drive
Jackson, WY 83001

Dear Members of the Planning Commission:

I understand an application for a change in the Planning Unit Development and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision. I respectfully ask you to reject this proposal that sees a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences which take pride in our neighborhood and is one of the most desirable places to live in the County. Our residents have been the backbone of the workforce in Jackson and the surrounding area.

The Stage Stop, Inc., development will bring an incompatible density to a quite family-oriented neighborhood and will create problems of noise, traffic, safety and will impact wildlife, pathways, the trail system and open space. It has been purported to be affordable housing but in fact is market rate units with employers renting units for their employees, not being available for individual workers.

There are 57 units available with parking for 36 cars. Even if two people are allowed to reside in a unit there would be 114 residents with not enough parking. Providing adequate parking would result in an asphalt jungle and/or allowing parking on Big Trail would ruin the shoulders and create havoc for traffic. The increased traffic would cause a nightmare in exiting onto the highway and be extremely unsafe for current Rafter J residents. Public transportation would be required as would be facilities for electric bicycles.

I understand that Stage Stop has a legal requirement to present to and obtain approval from Rafter J residents to change our covenants. They are attempting to bypass this requirement and obtain approval for zoning changes from the County. This is unacceptable.

In summary, it seems that we are being railroaded into accepting a development which is diametrically opposed to the covenants and desired and current uses of the Rafter J community. Please do not allow this to happen.

Sincerely,

Karin W. King

karinking31@gmail.com

From: Anna Knaeble <knaeblea@gmail.com>
Sent: Tuesday, January 25, 2022 8:56 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Subject: Rafter J Lot 333/Stage Stop Inc. Application

Dear Teton County Planners and Commissioners,

It has come to my attention that an application for a change in the Planned Unit Development and Conditional Use Permit has been submitted to Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners. I respectfully ask you to reject this proposal, which seeks a zoning change and a change of use within the subdivision, for the reasons below.

My husband and I relocated from Denver, Colorado to Rafter J Ranch a year and a half ago with our two daughters. We chose Rafter J over other Jackson neighborhoods in part due to its family-friendly nature, its beautiful open spaces, and its location away from the hustle and bustle of town. My husband is a physician at the hospital and serves many of the families in the Jackson community, including Rafter J and workforce families. We love the neighborhood and hope to remain here for years to come.
First and perhaps most importantly, in submitting an application to Teton County requesting a zoning change and new conditional use, Stage Stop Inc. is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County. Despite a letter from the HOA attorney, Stage Stop Inc. has failed to acknowledge the legal requirement to first bring an application to Rafter J Homeowners Association for a vote for any proposal to change the Rafter J covenants, which were approved in 1978 by Teton County. Instead, Stage Stop Inc. held a series of open houses where they informed residents about the project and answered questions. Resident concerns over circumventing the legal process have been brought to Stage Stop Inc.'s attention at these meetings. Yet as of early January, Stage Stop Inc, had not responded to the HOA attorney. Stage Stop Inc. has repeatedly demonstrated its intentions to ignore the voices, opinions and concerns of the Rafter J community.
Second, the Stage Stop, Inc. development would bring incompatible density to our family-focused neighborhood. It would also most certainly worsen traffic and traffic safety issues, and perhaps increase the amount of noise and disturbances in the community. An increase in population and traffic would also have a negative impact on the open spaces, wildlife, water system and housing values.

Third, the project has been pitched as "affordable workforce housing" to draw interest from local businesses and other key community partners. Yet Stage Stop Inc. told residents at multiple meetings that housing will be rented at full market price to businesses. It will then be up to businesses to decide how much rent they charge workers. Under this tiered system, there will be no guarantee that our teachers, firefighters, front line workers, and hospitality workers benefit from this housing at an affordable rate. The project, in fact, is a profit-driven venture aiming to take advantage of Jackson's housing crisis at the expense of local businesses, Jackson's middle and lower class workers and Rafter J residents. Stage Stop Inc. is not offering "workforce housing" directly to workers for the simple reason that they're not willing to rent units at affordable rates; they want maximum profit. This is not goodwill or generosity. This is business for profit at the expense of the community.

Fourth, it should be noted that Rafter J Lot 333 is not zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas primarily in town for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. Lot 333 is far from public transportation and most businesses. In addition, there are only 54 parking spaces on the lot. At a meeting in early January, Stage Stop Inc. informed Rafter J residents that they would not be adding any parking spaces yet planned to house at minimum 108 workers and their families. There are no kitchens within units, however families would need a way to feed their family. Many changes would need to be made to safely accommodate so many people in such a small space. The logistics of the proposal appear vague and unclear. Lot 333is designated for institutional use--which is why the Rafter J community supported and benefitted from the Legacy Lodge Assisted Living Facility.

In summary, the Stage Stop Inc. proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. The proposal has serious ramifications for our families and community. We the people of Rafter J, the families, the young and old, the health care workers, teachers, bartenders and the handymen who keep Jackson afloat, our voice and vote matters. We urge you to reject this proposal and uphold the integrity of our neighborhood. Respect the rights of Rafter J citizens to uphold our CC&Rs in the face of inappropriate development pressures.

I sincerely thank you for taking the time to listen to my concerns.

Respectfully,
Anna Knaeble
Rafter J Resident
3325 S Cow Camp Drive

From: Ed Krajsky <edkrajsky@yahoo.com>
Sent: Saturday, January 1, 2022 4:53 PM
To: Chandler Windom
Cc: ed krajsky
Subject: Legacy Lodge Zoning

Hi Commissioners,

I will make this brief.

I am a homeowner in Rafter J and have lived here since Oct 1991. Lot 82 at 1255 west Angus drive

When the Legacy Lodge was first approved my wife and I thought " Ok this is great....when we can no longer take care of ourselves 100% we will have a assisted living center right here to move into" . So I lobbied to have their plan approved in Rafter J.

And we all do know that once Covid is past....and it will pass eventually....there will be a need for Assisted Living Centers again.

And the folks who bought the living center are not suppling any benefit to the community. They want to get the financial benefits of market rates on apartments...and want others to pay for this benefit. Namely all the residents of Rafter J.

There is NO benefit to the community to change the zoning on this property.
If they want to help....they can buy a lot that is zoned for apartments and build apartments. Not expect others to give them a huge windfall.

Please vote against this proposed zoning change.

I guess I was not that brief.

Thank you

Ed Krajsky

Ed Krajsky
The Lexington at Jackson Hole
www.lexjh.com
307-733-2648 hotel
307-690-2135 cell

From: LEE KUNZE <leelizzard_1999@yahoo.com>
Sent: Saturday, January 8, 2022 8:19 AM
To: Chandler Windom; planning
Subject: Fw: Development Proposals in RJ

----- Forwarded Message -----
From: LEE KUNZE <leelizzard_1999@yahoo.com>
To: cwindom@tetoncounty.gov <cwindom@tetoncounty.gov>; planning@tetoncounty.gov <planning@tetoncounty.gov>
Sent: Friday, January 7, 2022, 06:58:23 AM MST
Subject: Development Proposals in RJ

Dear Commissioners and Planners,

I understand an application for a change in the Rafter J subdivision has been submitted by Stage Stop, Inc for Lot 333. It is my understanding that Stage Stop, Inc. had a legal requirement to first send an application to the Rafter J Homeowners Association for a vote to change our covenants. It is also my understanding, from being at a meeting on Jan. 5th, that the covenants have not even been read yet. It seems that the developer is bypassing the legal rights of Rafter J homeowners to avoid the covenant requirements and receive a favorable decision from the county. Rafter J Lot 333 is not zoned for High-density apartments or workforce housing. The Stage Stop, LLC proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I urge you to reject this proposal and respect the rights or Rafter J citizens to uphold our CC&R's and not allow inappropriate development.

Sincerely,

Lee Kunze Rj Homeowner

leelizzard_1999@yahoo.com

From: Deb Kuzloski <justdkuz@gmail.com>
Sent: Monday, February 21, 2022 10:59 AM
To: Chandler Windom
Subject: Stage Stop, Inc. use of Lot #333 in Rafter J

To Whom It May Concern:

As a resident of Rafter J I have attended several meetings regarding the conversion of Legacy Lodge from "institution" to "workforce housing."

While I recognize the need for this type of housing in Teton County, I am VERY disappointed in how the Darwiches (Stage Stop, Inc.) are going about the process. Rafter J has CCRs that all homeowners, residents, commercial properties and businesses adhere to. The Darwiches are seeking county approval before involving Rafter J in its own decision-making regarding the use change (which requires a vote of the residents with 65% of Rafter J property ownership in favor of making a change). Some of the possible results of this seemingly inverted process that concern me are:

-The residents of Rafter J embraced having the assisted living facility built. It was AND STILL IS a huge need in the Teton County community. However, its impact was much less than we are anticipating the impact will be of having “workforce housing” use of the same property. The original owners of River Rock Lodge did go through the proper Rafter J procedures for approval.

-Getting the approval of the County first might be tactical so that the County’s employers and residents would think poorly of Rafter J if we want to enforce any CCRs that might block or slow down the process.

-Darwiches thinking that they are above our CCRs and just doing what they want. In the meetings, the Darwiches (and their representatives) said that they were doing the County permit process first and then would deal with the Rafter J process. I wonder if the Darwiches will actually involve Rafter J or if they will run roughshod over the process.

-We in Rafter J are, of course, concerned about how our quality of life will be impacted; infrastructure (water/sewer/roads/pathways), safety within the neighborhood, and the safety of the added traffic entering and leaving the subdivision at the highway.

I personally feel that until ALL of our concerns have been processed and addressed by Rafter J residents, its board, and the CCRs (which we all adhere to) that discussing this at the County level is putting the cart WAY before the horse. It feels as if the Darwiches are trying to do an end run around the homeowners of Rafter J. Most of us aren't NIMBYs, we just want an appropriate due process.

Thank you,

Deborah Kuzloski
Rafter J, Lot 219

JESSICA M. LANCASTER
Attorney admitted in Oregon, Washington, Idaho, and Wyoming
Direct: (971) 302-6428
Email: jessica.lancaster@chockbarhoum.com

January 4, 2022

VIA FIRST CLASS MAIL and EMAIL:

RE: ***Lot 333 Objection***

Dear Teton County Planners and Commissioners:

We are homeowners in Rafter J and object to the proposed change in the Planned Unit Development and Conditional Use Permit submitted for Lot 333 in Rafter J. We object for multiple reasons.

First, the proposal is procedurally improper. Rafter J Covenants require applicant Stage Stop Inc., to submit the application to the Rafter J Homeowner's association. Stage Stop failed to do so, and Rafter J residents have been stripped of our right to vote on the changes proposed for our neighborhood.

Second, Lot 333 was a retirement and elder care facility that housed approximately 33 residents until it recently closed due to the pandemic. The current lot is not zoned for high density apartments that could more than quadruple the resident capacity to a hundred or more. High density use in this area would strain the Rafter J community's common areas, roads, wildlife, and community resources. That space was never intended for such use.

Third, the proposed amendments are couched in terms of affordable housing, yet there are no guarantees this will be the case. In contrast, it expected the units will be market rate and far from affordable. There are alternative housing solutions with better forethought and lesser repercussions currently being contemplated by the community.

We ask that the County deny the proposed changes to Lot 333 and allow the Rafter J homeowners to vote on the proposed amendments as required by covenant.

Thank you,

Jessica and Jake Lancaster

From: Gina Lipp <ginalipp@gmail.com>
Sent: Tuesday, January 25, 2022 9:21 AM
To: Chandler Windom
Subject: Lot 333 and attached 2000 Development Permit
Attachments: DEV2000-0002, Permit.pdf

See attachment here: https://developmentrecords.tetoncountywy.gov/Portal/Planning/StatusReference?referenceNumber=DEV2000-0002

Hi Chandler,
I would like to share with you and have on record the attached 2000 Development Plan Permit for Lot 333 in Rafter J. As a long-time (since 1984) Rafter J Homeowner, I'm so impressed with the thoroughness, transparency and preciseness American Healthcare laid out for Rafter J.
In the Stage Stop current application, the maximum number of residents, traffic and infrastructure questions have not been answered. I am very concerned these issues have not been answered.

Please note the following discussions and specific answers given within this document:

1) Please see page 168: "80 residents maximum, 24 employees maximum in a 24 hour period."

American Health directly stated the maximum number of residents (80) who will live at their facility. 24 employees who would not live there.

2) Please see page 168: "Assuming average water usage of 125 gallons per bed per day and assuming an 80 bed facility; then total daily sewage output would be 10,000 gallons per day."

American Health directly stated the average daily usage of water and sewage of Rafter J's infrastructure given the maximum number of residents.

3) Please see pages 264 and 265: <u>New Study Shows That Assisted Living Residences Do Not Create Traffic Problems:</u>
Excerpts from article:
"Assisted Living Residents typically don't drive."
"Most Assisted Living facility employees are full-time and are typically scheduled to arrive and depart during non-peak driving hours."

Additionally, please see in the Development Permit what is written regarding Assisted Living.

4) Please see page 176: <u>What is Assisted Living?</u> :
Excerpt:
"Assisted Living is a special combination of housing, personalized supportive services and healthcare designed to respond to the individual needs of those who need help with Activities of daily living but do not need the skilled medical care provided in a nursing home."

5) Please see page 175: <u>Who Lives in Assisted Living Residences?</u> :
Excerpt:

" Assisted Living residents can be young, old, affluent, low-income, frail or disabled. A typical resident is 85 or older, is female, is either widowed or single. Residents may suffer from Alzheimer's disease or memory disorders. Residents may also need help with incontinence or mobility. Assisted Living is appropriate for someone who is too frail to live at home but does not need skilled nursing."

There is no comparison to an Assisted Living Facility versus Commercial Workforce Apartments. Sadly, in March of 2021, 35 of Teton County Assisted Living residents of the Legacy Lodge were requested to move out in the middle of a pandemic and during winter in JH..Now there is no Assisted Living in Teton County.
Thank you Chandler for taking the time to read my email and review the pages highlighted from the attached Development Plan Permit.

Gina Lipp
Rafter J Homeowner

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Chandler Windom

From: Gina Lipp <ginalipp@gmail.com>
Sent: Monday, January 31, 2022 1:44 PM
To: Chandler Windom; Chris Neubecker
Subject: Stage Stop Application CONCERNS as a Rafter J and Teton County Resident
Attachments: ISD-letter-final-7.2.21.pdf; Lot-333-Rafter-J-HOA-and-ISD-Letter-to-County-1-27-22-final-draft.pdf

Hi Chandler and Chris,

I am writing again as a very concerned long-time Rafter J Homeowner (since 1984) in regards to Lot 333, formally the Legacy Lodge Assisted Living Center, and the new owners/developers' application to change it into commercial apartments.
Attached is a July 2021 letter from Rafter J's ISD expressing need for increased water usage rates and homeowners annual assessment rate. Also attached is the January 27 letter HOA/ISD concerns regarding Lot 333. Please have my email and attached letters on record. Thank-you.

Copied below is an excerpt from Stage Stop's application on page 19:

"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."

Stage Stop''s proposed development will adversely impact Rafter J's infrastructure. The 2000 Development Permit, which I sent to you, Chandler, on January 25, on page 168, American Healthcare clearly states the maximum number of residents who would live on Lot 333, would be 80. Stage Stop's application doesn't address the maximum number of renters who will be living on Lot 333, but it will be much more than 80, possibly 130+, which is a 65% increase than American Healthcare's permit. A daily 65%+ potential increase of population (not to mention pet waste) on Lot 333 using our infrastructure; water, pump station, trails, common areas, pathways, roads, traffic and parking will significantly and negatively impact our infrastructure, our wildlife and our quality of life as private property homeowners.

The residents of the assisted living Legacy Lodge for the most part, didn't drive. By not only greatly increasing the number of individuals who will rent the commercially converted apartments on Lot 333, the daily vehicle trip count per resident on our limited road system will dramatically increase. Additionally, given the mobility limitations of the assisted living residents, these potential commercial apartment renters will cause dramatic increased use impacts of our trail systems that surround the Flat Creek corridor, our pathways, and open space common areas.

See Attached July ISD Letter to RJ Homeowners: ADJUSTMENT IN ANNUAL ASSOCIATION ISD FEES FOR ALL HOMEOWNERS

Our water usage rates have already gone up over 73% from 2020/2021 to 2021/2022. In addition, our ISD annual assessment went up 79% this year alone.To potentially add commercial apartments to our subdivision when our infrastructure was clearly not intended or designed for that purpose, is absolutely unfair and will place the burden and responsibility directly on the backs of Rafter J homeowners who have paid into the ISD/HOA fees for years and years. It will be the Rafter J Homeowners who will be left to pick up the costs of the negative impact of Stage Stop's commercial apartments. This is especially true as commercial lots which have always been local convenience commercial, thus a benefit to our residents, are only taxed the same as a single family lot.

Most importantly, Here is an excerpt from Stage Stop application, page 8:

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

The proposed change of use from an assisted living facility to "commercial apartments" will have an extreme adverse impact on public facilities that are already at a deficit serving our elderly population. Legacy Lodge was the only such facility in our valley. The potential change of use, conversion, and permanent loss of this custom built facility designed to serve those transitioning from independent living to assisted living will have an extreme adverse impact to our public services that serve our elderly population, most importantly, an already felt deficit in services for those Teton County residents who are currently needing assisted living in our valley, as there is absolutely none.

Definitions of Permitted Institutional Use:

Nursing Home: a public or private residential facility providing a high level of long-term personal or nursing care (such as the aged or the chronically ill) who are unable to care for themselves properly.

Assisted Living: housing that is designed for the elderly or disabled people who need assistance with daily activities but don't require care in a nursing home.

Day Care: daytime care for the needs of people who cannot be fully independent, such as children or elderly people.

Hospital: an institution providing medical and surgical treatment and nursing care for sick and injured people.

Church: the building in which people of faith meet for worship.

Market Unit/Apartments are not similar or in the same category of use as the Permitted Institutional Uses such as Nursing Homes, Assisted Living facility, Day Care , Hospitals or Churches.

To say that apartments are in any way Local Convenience Commercial is simply not true, will not benefit Rafter J Homeowners, but will negatively affect our subdivision.

There are currently 8 significant workforce housing projects in the works according to the July 7 JHN&G. Obviously, there are enough zoning standards to put this type of housing elsewhere. There is no assisted living in Teton County. Why would it ever be contemplated to change a PUD that serves our most critical and specialized needs such as a Nursing Home, Assisted Living, Day Care, Hospital and Churches is irresponsible, will close the door to much needed public services, and is just plain wrong.

Please deny the PUD Amendment.

Thank you for your time with reading my email and attached ISD and ISD/HOA letters.

Gina Lipp

Rafter J Homeowner

RAFTER J IMPROVEMENT AND SERVICE DISTRICT
2951 Big Trail Drive, Jackson, WY 83001
Phone: 307-733-5262 / Email: Office@RafterJ.org

ADJUSTMENT IN ANNUAL ASSOCIATION ISD FEES FOR ALL HOMEOWNERS

July 1, 2021

Dear Homeowner,

The Rafter J Improvement and Service District (ISD) is a non-profit Wyoming Special District to support the infrastructure needs within the Rafter J Ranch subdivision, including the potable water system, the sewer system, and roads and pathways.

The primary goals of the ISD Board for 2021 are to ensure that funds are available for annual operations as well as reserve balances for capital repairs and replacements in the future, and to update the 2013 capital projects study. From these goals, the ISD Board has identified a new fiduciary plan moving forward and will promote water conservation.

The ISD incurs annual operating expenses (staffing, outsourced services, equipment maintenance, and other routine costs) as well as special/capital (non-routine) projects which vary from year to year. Annual operating expenses averaged $187,450 for the past four fiscal years and is budgeted at $231,933 for 2021/22. The increase is primarily due to required repairs to pathways and road. Overall, our pathways and roads are in good shape; the planned repairs are to maintain their quality and hopefully extend the period before required major repairs are necessary. Detail budgeted expenses for 2021/22 is available on the Rafter J website.

In 2013, the ISD contracted with Meridian Engineering to complete a detailed study of future special/capital projects. Over the past six months, the ISD has worked with Meridian to update this study with current costs as well as perform a thorough review of other major expenditure requirements that were identified by the ISD.

Projects include:

- Surface treatment of collector and local roads
- Asphalt overlay of collector and local roads
- Pathway sealing
- Pathway replacement
- Equipment replacement (Frontloader, Sander, Truck (dump) & Sander, Truck (plow), and Skidsteer)
- Water Main repair/replacement
- Sewer repair/replacement

We have factored in current costs, inflation rates, and standard project life spans. Over the next ten years, there are three periods where significant expenditures are anticipated:

2022/23	$ 419,294
2028/29	$3,020,711
2030/31	$ 486,885

A schedule of special/capital project requirements is available on the Rafter J website.

The estimated ISD reserve balance as of 6/30/21 is $1,148,505. At a minimum, to have funds available in 2028/29 for anticipated expenditures, we need to increase reserves by $314,477 for fiscal 2021/22.

ISD revenue sources are primarily from the annual assessment and water usage fees. To support 2021/22 annual operating expenses and provide the minimum reserve contribution, both the annual assessment and water usage fees need to increase:

	2020/21	2021/22
Assessment		
Single Family/Commercial Lot	$415.80	$744.28
Walden Pond	$401.84	$719.29
King Eider	$401.84	$719.29
End of Trails	$401.84	$719.29
Cedarwoods	$401.84	$719.29
Northeast 40 Townhomes	$401.84	$719.29
Southeast 40 Townhomes	$401.84	$719.29
Water Usage	$1.50/1,000 gal	$2.60/1,000 gal

Reserve and homeowner contribution requirements will be reviewed and adjusted each year as part of our annual budget process. The ISD will also actively pursue grants and other revenue sources to minimize required homeowner contributions; until these sources are identified and secured, we support these fee adjustments as fiduciary responsible requirements to potentially avoid future special assessments.

Sincerely,

Rafter J ISD Board

Brian Schilling, President Eileen Mosman, Treasurer Steve Foster, Secretary

From: Gina Lipp <ginalipp@gmail.com>
Sent: Thursday, November 4, 2021 11:26 AM
To: Board Of County Commissioners
Cc: Chandler Windom
Subject: Please Vote NO to the Stage Stop Inc. application

To Teton County Commissioners,

We are 36-year homeowners in Rafter J. We oppose the Stage Stop Inc application requesting a PUD Amendment and Conditional Use Permit on Lot 333, the site of the former Legacy Lodge Assisted Living Facility.

1. We have been Teton County private property owners in Rafter J since 1984. These were the only "affordable lots " we could afford in Jackson Hole. This Planned Unit Development and Rafter J's CC&R's have ALWAYS been predictable and protective of our private property here in Rafter J. We know we can't paint our house pink or raise horses on our private property just because we "want to." There were then and are now no "commercial apartments" within the RJ plat map, under the "original design" of Rafter J, nor in our CC&R covenants. For Stage Stop Inc to want to change the zoning and master plan of the Rafter J Subdivision is very disconcerting and disturbing to us as long-term Teton County homeowners. The developer knowingly purchased Lot 333 and the Legacy Lodge building as zoned in the 1978 LDRs as Local Convenience Commercial – which does not include residential apartments.

2. There is a huge difference between Workforce Housing and an Assisted Living Facility, which was allowed as an institutional use under the LCC zoning.

Legacy Lodge was listed as an assisted living facility for older senior citizens, many of whom probably could not live on their own, and were living in Legacy to receive supportive elder care. .
Workforce Housing is typically a planning term referring to younger, "working age"people who make up the majority of our service industry and likely have the capacity to "live independently," yet want housing to be able to live closer to their employment.

Legacy Lodge's Facility is already designed and zoned for the purpose of Assisted Living. Stage Stop's proposal for Workforce Housing would be closing the door for a future assisted living facility. There are currently no other assisted living facilities in Teton County now that Legacy Lodge is closed. St. John's Sage Living Center does not provide assisted living units. Its website states that they provide memory care, long-term nursing care and rehabilitation care. It's website states it has 72 beds.....for all of Teton County. We are hearing there is already a "Waiting List" for Sage Living Center. There is great demand for elder care in our community – and very little supply. One might argue that this need is as important as providing Workforce housing. We now have only the Sage Living Center in our community - which assists some of our older senior citizens, but may not be a good fit, have availability, or be within a senior "fixed income" price range. Sadly, we have no other assisted living facilities for our senior citizens in Teton County and those who formerly lived in Legacy Lodge were literally requested to find new homes in the middle of winter and in the midst of Covid 19 pandemic.. Many of those residents were forced to leave the valley and relocate to other towns for assisted living care.

In comparison, (According to the July 7, 2021 Jackson Hole News and Guide),... there are 8 significant Workforce housing projects in the works in Teton County, excluding Stage Stop Inc.'s recent application which brings that number to 9 workforce housing projects in Teton County. Yes, this is an important need, but private and public entities are already stepping up to address this segment of the population, while no one is helping to house the elderly.

Why aren't any older motels, which are within town limits and close to businesses being considered as a location for this type of seasonal Workforce housing to serve our hotels and restaurants. These units would be a much better location and would not impose more traffic on Highway 22, which is already a big safety concern for subdivision residents trying to get in and out of Rafter J. Perhaps these town commercial units should be pursued by private businesses to house their workforce?

3. The application discusses the square feet of current impervious surfaces. "Based on this, approximately 52,000 s.f. of impervious surface is available on the property."
As a Rafter J Homeowner, what does that mean? Why would the application describe Lot 333 in this way? What do the current owners and developers have in mind for the future on Lot 333?

4. Why was Stage Stop Inc. given an "environmental analysis exemption"?

5. Workforce Housing will have an impact on Rafter J's infrastructure.
The Stage Stop Inc. application states, "The maximum number of occupants within any single unit within Legacy Lodge will not exceed two unrelated family members." As a Rafter J Homeowner, what does that mean? Given that description, will any "related family members" be allowed as well within a unit?

It is unclear even how many more people Stage Stop Inc. plans to house in their building than the Legacy Lodge Assisted Facility allowed. This is a very valid question when considering the limited Rafter J Infrastructure and for our quality of life as Rafter J private property owners. If Stage Stop Inc. allows more workforce housing people to "rent" in Rafter J than what the Legacy Lodge Assisted Living Facility allowed, there will be many more people using our water, sewage, roads, trails, and open spaces. And far beyond the capacity than what our subdivision was designed for and we will be left to pick up the costs. 100+ new residents will have a significant impact on Rafter J's roads, traffic, water, sewage, property values, open space, trails, and wildlife.

To allow "commercial apartments" for workforce housing in our subdivision was clearly not allowed in the development of the Master Plan for Rafter J and in the accompanying CCR's for the subdivision. This is not the premise upon which we bought our private properties, built our homes and maintained Rafter J homeownership for 36 years. To amend and change the 1978 LUDR's to allow this new and unwanted type of zoning would be a total disregard to Rafter J existing CC&R's and is a disservice to Rafter J homeowners - many of us longtime Teton County residents.

We would respectfully ask you to vote NO to the Stage Stop Inc. application.

Steve and Gina Lipp

January 2, 2022

Attn: Teton County Planners and Commissioners;

My husband and I understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. We respectfully ask you to **reject** this proposal that seeks a zoning change and a change of use within the subdivision.

Let's start by stating what Stage Stop's proposal really is; Stage Stop's proposal is NOT about affordable housing—it's a new hotel model (a business) being passed off as affordable housing at the expense of the family community it is to be based in. It is, purely and simply, another profit-making business trying to skirt the rules to the detriment of a family-oriented community and not paying anything like it's fair share of community expenses. At their Dec. meeting, they even suggested trying to expand the building to house even more people, which would cause even more strain on Rafter J's infrastructure and a decline in property values. They also have stated they'll sub-lease to other companies for these companies to charge whatever they'd like for their employees to stay there, thus negating their claim of "affordable workforce housing."

Rafter J is a quiet subdivision that exists south of the Town of Jackson. It was established in the 1970's as an affordable housing area, carved out of the county. And it remains (unbelievably) one of the most affordable areas in the county. Rafter J is also 'cheap' from the county perspective; we pay for out road maintenance; we pay for our own water system; we pay for our own sewer system. We maintain our own pathway system.

Stage Stop has a **legal requirement** to first present an application to the Rafter J Homeowner's Association for a vote to change our covenants. Until that step is (successfully) completed, there is no point in pursuing this further. This step is required because the proposal would change the business model/zoning for that lot. This process must (legally) be approved by the community BEFORE any change in usage can be considered**. The county should be ensuring that wealthy interests are not subjugating the rights of average citizens in the interests of (yet another) profit making enterprise**.

Rafter J Lot 333 is NOT zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas in town for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use—which is why the Rafter J community supported and benefitted from the Legacy Lodge Assisted Living Facility.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. We urge you to **reject** this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&R's in the face of inappropriate development pressures.

Sincerely,

Dawn Lotshaw

John and Dawn Lotshaw
3315 S Cow Camp Dr
Jackson, WY 83001

From: Jan Lovett <jlovett@bresnan.net>
Sent: Tuesday, January 4, 2022 4:33 PM
To: Chandler Windom; planning; Board Of County Commissioners
Subject: Appication for "The Future of Legacy Lodge"

January 4, 2022

Dear Teton County Planners and Commissioners,

I have been a resident of Teton County since 1978. We built our home in Rafter J in 1993. I have been troubled when over 30 people were evicted from Legacy Lodge (Lot 333 in Rafter J) in February 2021. I understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking

distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Sincerely,

Mark Lovett

1220 Hay Sled Drive

Jackson, WY 83001

mlovett@bresnan.net

307-690-2485

Joseph Lovett
PO Box 3792
Jackson, WY 83001

7 January, 2022

Teton County Planning Department – Ms. Chandler Windom
Via email: cwindom@tetoncountywy.gov
200 South Willow Street
Jackson, WY 83001

Dear Commissioners,

This letter is in reference to pending applications for a Planned Unit Development (PUD) Amendment and Conditional Use Permit for Lot 333 of the Rafter J PUD. It is informed by my experiences as a resident of Rafter J for over 20 years and my professional experience as a Civil Engineer involved in numerous land development projects. As such, this issue is of both personal and professional interest. After reading the application and researching the underlying issues, **I urge you to reject the proposed PUD Amendment and Conditional Use Permit** for the following reasons.

Affordable Housing

The application alludes to the very real need the Teton County community is facing for affordable housing. Unfortunately, the application does nothing to guarantee affordable housing. The single use of the word "affordable" is in the context of, "The owner plans to offer the units with commercial master leases to employers in blocks who can in turn offer subleases to employers (employees?) for individual units at affordable rates" The use of the word "can" indicates that after approval of this application, it is entirely up to those with the master leases to determine price, and offers no guarantee or even reasonable confidence that affordable units will ever materialize. Furthermore, this proposal specifically notes that "No deed restriction for the property is being proposed." This means there is no guarantee that the property will not be converted into luxury apartments. This could happen in 10 years, or it could happen in 10 days, but the takeaway is that this proposal does nothing to guarantee either affordable or workforce housing.

Changing the Definition of the Zone

The Rafter J PUD zones the property in question as *Local Convenience Commercial* per the 1978 LUDRs. The intent of this zone is apparent as a commercial zone according to the LUDRs; the only residential uses listed in the zone are Caretaker's Residence and Residential Accessory Structure. Accordingly, this zone is not and was never intended for high density housing. The applications represent the proposed use (apartment building) as "not really that different" from the previous use (assisted living center). This is a poor representation. Assisted Living Centers and Nursing Homes are considered institutional Uses and Apartments are considered a Residential Use in every way within the planning and engineering disciplines, because they are fundamentally different. Differences include but are not limited to parking needs and traffic generation, water use and wastewater generation and noise impacts.

Furthermore, granting a request to redefine the definition of an entire zone, to allow one property owner to do something that is not currently allowed on their property does not seem logical. The county would never consider changing the definition of any current zone because one property owner wanted to build an apartment building that was not allowed. This would constitute a major change of land use policy and would need much more consideration. Zoning has major, long-lasting consequences. All the homeowners in Rafter J

purchased their lots while the subject parcel was zoned *Local Convenience Commercial* and many chose this community because of the quiet, slow-paced feel of the subdivision, an atmosphere that an assisted living center fits well into, but not one that an apartment building is compatible with.

Criteria for a Planned Unit Development (PUD) Amendment

This proposal also falls short on three of the criteria needed to approve a PUD Amendment. Particularly sections 8.2.13.D.2. – PUD Amendment – PUD Option No Longer Available.

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

The comprehensive plan describes Rafter J, as part of the South Park District. The Future Desired Characteristics are described as, "the agricultural southern gateway into Jackson. The existing agricultural open space that defines the character of the district provides a scenic foreground for Teton views, wildlife habitat connectivity, reference to our community's heritage and stewardship ethic, and a quiet rural setting for residents." A 57-unit apartment building does not improve the implementation of the desired future character, rather it does the opposite. An apartment building in this location is not compatible with the Comprehensive Plan.

b. Comply with the requirements of the underlying base zoning to the maximum extent practicable;

The applicant has also applied to change the definition of the underlying base zoning, proving conclusively that this proposal does not comply with the requirements of the underlying base zoning.

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

The application requests relief from the on-site parking standards, indicating that this condition is not met. The number of existing parking spots (and no change is proposed) represent less than 1/3 of parking spots required for and apartment building use (using either the 1978 LUDRs or the current LDRs). Ownership has stated at public meetings that parking on the property will be limited to the number of available spaces, leaving one to assume that the remaining 2/3 of the cars will be distributed around surrounding streets and neighboring properties. However, Rafter J neither allows for nor are streets physically wide enough to accommodate on-street parking so the addition of numerous vehicles for which parking is not provided on the subject parcel would constitute both an adverse financial impact on neighbors/Rafter J, who would need to assume the role of parking enforcement, and an adverse impact on road safety and fire/EMS access due to obstructed roads.

The aforementioned proposal does not guarantee affordable or workforce housing, inappropriately changes the definition of an existing zone and neglects to meet the criteria for a PUD amendment by inhibiting the implementation of Comprehensive Plan, not complying with underlying base zoning and adversely impacting public facilities. For these reasons, **I urge the Planning Department to recommend denial of the Stage Stop applications for a PUD Amendment and Conditional Use Permit for Lot 333, Rafter J PUD.**

Sincerely,

Joseph M Lovett

Joseph M Lovett, PE

Mandy Lowe
970 W Broadway STE E
PMB 431
Jackson, WY 83002

1/4/2022

Dear Teton County Planners and Commissioners,

I (We) understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Resident Rafter J : 3100 S. Stirrup Drive

1/4/2022

Robert Helean
3100 S. Stirrup Drive. Rafter J

Dear Teton County Planners and Commissioners,

I (We) understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

12-26-21

DEAR TETON COUNTY PLANNERS AND COMMISSIONERS.

WE UNDERSTAND AN APPLICATION FOR CHANGE IN THE (PUD) AND (CUP) HAS BEEN SUBMITTED FOR LOT 333 IN RAFTER J SUBDIVISION BY STAGE STOP INC. WE RESPECTFULLY ASK THAT YOU REJECT THIS PROPOSAL.

WE HAVE LIVED IN RAFTER J SINCE 1983 ALONG WITH 490 OTHER WORKING HOMEOWNERS, RAFTER J HAS BEEN A QUIET FAMILY ORIENTED NEIGHBORHOOD FROM ITS INCEPTION.

WE TAKE ISSUE WITH STAGE STOP INC. NOT GOING THROUGH NEIGHBORLY PROCEDURES IN BYPASSING THE RESIDENTS LEGAL RIGHTS OF SUPPORTING OR APPOSING THE APPLICATION.

THIS PROPOSAL DOES NOT COMPLY WITH EXISTING ZONING AND ALLOWED USES UNOER THE RAFTER J MASTER PLAN, THEREFORE WE URGE YOU TO REJECT THIS PROPOSAL

SINCERELY

JEFF & JULIE HUNT

Jeff Hunt Julie Hunt

From: Lucinda Krajsky <lucindakrajsky@yahoo.com>
Sent: Sunday, January 2, 2022 12:20 PM
To: Board Of County Commissioners; Chandler Windom
Cc: Lucinda Krajsky
Subject: Fw: Rafter J - Legacy Lodge proposed use

Dear Teton County Planning Office,

Please reconsider this letter I sent to your office the day after I attended the meeting with the Darwiche family and Rafter J residents regarding the proposed zoning change for the Legacy Lodge property.

Thank you,
Lucinda Krajsky

----- Forwarded Message -----
From: Lucinda Krajsky <lucindakrajsky@yahoo.com>
To: commissioners@tetoncountywy.gov <commissioners@tetoncountywy.gov>
Cc: Lucinda Krajsky <lucindakrajsky@yahoo.com>
Sent: Tuesday, July 20, 2021, 02:03:06 PM MDT
Subject: Rafter J - Legacy Lodge proposed use

I am a Rafter J resident of 30 years and am concerned with the Darwiche familys' plan for the former Legacy Lodge. I went to their meeting last night and they were asking for ideas for the best use of the building. As the meeting progressed, it was clear their intention is to turn it into rental units to lease to businesses at market rates. Before this project is fast tracked through the zoning change process, I hope you will consider my views.

I understand this land was originally approved for comercial community use. If the proposed rental units being touted as affordable housing for our workforce are to be offered at market rates; how would this would be affordable to our workforce? I question that any units built behind the Forest Service building are affordable or the new units opening behind Staples at $1600+ for a small studio. A friend's mother lived in Legacy Lodge for several years. I understand the walls are paper thin and there are no kitchens; how would this serve a working family?

The project's density will further strain Rafter J's infrastructure and the traffic flow. The difficulty pulling out onto the highway is a longtime problem and will only worsen as WYDOT widens the road south and traffic speeds increase. The line of cars is long during peak periods and adding all the cars for 55 additional units will be a disaster.

Workforce housing is a need that is being addressed. There is also a need for senior housing which is **not** being addressed. St. John's Sage Living is charging $11,500 for 230 sq. ft. per month which is not a choice for most of us. Plus it's a nursing home and memory care unit, not assisted living. The limited amount of senior apartments at Pioneer Homestead are only for low income residents. Legacy Lodge certainly met the use of commercial community use and there must be a way to have a facility

like that again. It's unfortunate it did not survive but many busineess did not make it through covid. Possibly a partnership could be formed with the hospital to provide an assisted living facility.

If this zoning is changed for the Darwiche family and they proceed with the rentals, what was the use of having it zoned in the first place if it can be changed for a buyer's profits? Could things change yet again after the Darwiche's get their requested zoning? Or if they sell it? I see this as an opportunity for one family to make a profit at the expense of our neighborhood. Please don't push this through without considering what is at stake.

Sincerely,
Lucinda Krajsky

From: rmacleod@wyoming.com <rmacleod@wyoming.com>
Sent: Sunday, January 16, 2022 4:07 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Subject: Opposition to Rafter J Lot 333

Opposed to the present development proposal of Lot 333
in Rafter J.

Burns MacLeod, home owner, 1305 west buck rake dr

Thanks for your time.

January 7, 2022

Chandler Windom
Senior Planner
Teton County Planning Department
P.O. Box 1727
Jackson, WY 83001

Dear Ms. Windom,

I am writing concerning the application submitted by Stage Stop, Inc., (herein referred to as the Developer) requesting an amendment to the Rafter J Planned Unit Development (Section 8.7.3 of the LDRs) and for a Conditional Use Permit seeking to develop apartments on Lot 333 in the Rafter J Subdivision, located on 3000 W. Big Trail Drive.

As a 32-year resident of the Rafter J Subdivision and a former board member of the Rafter J Homeowners Association (RJHOA), I respectfully ask that you **deny this PUD/CUP application**.

Rafter J is one of the few planned residential neighborhoods in Teton County and has consistently provided middle-class families in Teton County with a wonderful community and a place to live and raise our families. Many property owners in the subdivision have lived here for decades. We have worked hard to retain a strong sense of community and a high quality of life for those who have invested in homes here. As neighbors we have made significant investments in our roads, infrastructure, trail systems and open space. These amenities are privately-owned and have been paid for and maintained by the homeowners of the subdivision.

Collectively, we are proud of the community we have created, and for the many of us, our homes here are our primary asset. At nearly 500 units, we are the largest neighborhood in Teton County and represent a large voting constituency. We are, and have always been, the backbone of the county workforce and our varied professions include teachers, healthcare workers, contractors, business owners, support staff for the service industry, nonprofit organization employees, social workers and the list goes on.

The application before you requests a zoning change to the Rafter J Subdivision Master Plan (approved by Teton County in 1978) based on false claims of providing affordable workforce housing. The proposal by Stage Stop, Inc. seeks to overturn the zoning of Lot 333 from Local Convenience Commercial (CL) to residential zoning allowing high density apartment development. **As submitted, this proposal does not advance Teton County's affordable housing goals**. **In fact, the apartment units proposed to be developed will be rented at full market value, which is widely understood to be unaffordable for most workers in the community**. In addition, apartments are prohibited under the Rafter J Homeowner Association's Covenants, Conditions and Restrictions (CCRs). Under the process outlined in the CCRs, any amendment requires a 65% approval vote of property owners in order for this proposal to move forward.

Historical use of the Legacy Lodge and the impact of high-density residential apartments:

Until last year, Lot 333 was owned and operated as the Legacy Lodge Assisted Living Center for the benefit of our elderly neighbors in need of additional care. Sadly, the facility changed hands and was

sold, likely due to the financial strain on operations caused by the Covid 19 epidemic. The Rafter J HOA and residents had approved of this assisted living facility, which was allowed as an institutional use under the CL zoning in our Master Plan and which provided direct benefit to the Rafter J Subdivision. The facility housed many beloved family members in need of additional support and services.

Under CL zoning, all commercial uses are required to provide direct benefit to the Rafter J Subdivision. As an assisted living facility, this institutional use worked well as part of the subdivision. There was little to no traffic generated from the 37 elderly residents, and very few personal vehicles were parked there, due to the age and health limitations of the clients. This is a far cry from the Stage Stop, Inc. proposal, which seeks to fill 57 units at a currently undefined occupancy, and which could potentially triple the number of residents living at Legacy Lodge. The developer claims that their proposal does not change the "institutional use" which is an incorrect and misleading claim. The zoning clearly defines the allowed uses, and high-density residential apartments are not allowed.

Add to this the increased traffic generated and the insufficient parking (only 44 parking spots on site) and we are looking at huge impacts to our traffic, potential parking violations along subdivision roads, and exponentially higher use of our trails, open space and playgrounds at the expense of Rafter J residents. These 57 units will only pay the equivalent of one property owner fee towards upkeep of the subdivision; yet we will have little to no authority over enforcement if the property is rezoned.

Legal Issues:

On December 13, 2021, the applicant and county were informed by Lubing, Gregory and Rectanus, LLC attorneys working on behalf of the Rafter J Homeowners Association. This letter informed Stage Stop, Inc. that Lot 333 is subject to the CCRs and that any request to change the PUD and CUP for the current CL zoning to convert the current building into an apartment complex is subject to Rafter J Homeowner approval of a CCR amendment to "ensure that the community is able to address its concerns and follow its require process." The letter clearly ties the legal obligations under the Rafter J CCRs to any proposed changes of the 1978 Master Plan by Teton County (see attached letter). We understand that the county is currently viewing these as separate processes, however that opinion should be reconsidered based on the legal review provided by Lubing, Gregory and Rectanus. The original developers of the Rafter J Subdivision created and submitted the 1978 Master Plan for County approval and were also directly responsible for forming the RJHOA and writing the CCRs as part of the very process under which the subdivision was approved. The county should rightfully give deference to the legal RJHOA CCR requirements and processes prior to any Teton County decision on Stage Stop, Inc. CUP and PUD approvals.

County staff, planning commissioners and elected commissioners may also be unaware that the original property owners who developed the Rafter J Subdivision, Cy Richards and Associates, were also interested in pursuing high density residential condominiums in the 1990's but opted to withdraw their request in light of the CCR subdivision voting required for an amendment to the CCRs. Stage Stop, Inc. is subject to the same legal process and should be held to the same standards. It is concerning that, to date, they have chosen to bypass the RJHOA requirement and instead move forward with a request for county approval. If the developer was truly interested in working in cooperation and collaboration with the Rafter J subdivision on this development, certainly one would expect that they would immediately comply by satisfying the Rafter J CCR amendment legal requirements first. Clearly, if they were denied by a vote of the Rafter J homeowners, then county approval is mute.

To date, Stage Stop, Inc. has ignored the request to bring their proposal to redevelop Legacy Lodge into a high-density apartment complex to the homeowners for a CCR amendment vote. Instead, the developer is moving forward to advance their proposal through the county planning process in hopes of gaining approval for this project. At best, avoiding a vote required for an amendment of the CCRs is concerning and at worst it puts the county in the unfortunate position of helping to set the stage for a lawsuit between Stage Stop, Inc. and Rafter J.

Clearly, our county has had a long history of respecting the many HOAs that govern and protect the integrity of our community's neighborhoods and would not knowingly want to move forward with any CUP or zoning change that would undermine Rafter J homeowner rights and CCRs.

Conclusion:

Clearly the development proposal by Stage Stop, Inc. would have serious impacts on the Rafter J Subdivision. This proposal will dramatically increase the number of people living on site, with the unwanted traffic and parking concerns associated with any high-density development. There could also be serious safety issues with increased numbers of vehicles pulling onto the merging lane on Highway 89 – already considered by many to be an extremely dangerous intersection.

There are too many unknowns in this application. Stage Stop, Inc., has been vague as to the numbers of residents, enforcement issues, parking deficiencies, pet issues, homeowner fee contributions, impacts on trails, pet restrictions, noise concerns stemming from a dorm-like setting in the midst of a residential subdivision, use of pathways, trails and impacts on wildlife and open space. There are also serious concerns about lack of affordability, future redevelopment of the site into high priced condominiums, and expansion of the existing building footprint.

When homeowners purchased their homes and made a significant financial investment in their Rafter J properties, they did so with a solid understanding that the future buildout of the neighborhood was predictable under the Master Plan for the subdivision. It is unfair to those property owners for the county to approve a proposal that would substantially alter the subdivision through a change to high density residential zoning and in disregard of the CCRs that govern our neighborhood.

Please deny this application and preserve the mutual respect between the Teton County and their neighborhood HOAs by sending this applicant back to the Rafter J Homeowners Association for approval prior to any county action.

I appreciate your thoughtful consideration of this important issue.

Sincerely,

Sharon Mader
Rafter J Homeowner

CC:
Teton County Planning Commissioners
Teton County Board of County Commissioners

From: Mayling OTR/L <mayling.ot@gmail.com>
Sent: Wednesday, January 5, 2022 8:03 PM
To: Chandler Windom
Subject: Fwd: Development proposal Rafter j

Dear Mr. Windom,
I am forwarding an email that was sent to your office but perhaps to the wrong address and thus the resend. Please confirm receipt.
In addition to my comment in previous email (see below)
I attended the information session today 1/5/22 and am disappointed that this was not offered via zoom for the rafter j residents. I rushed thru dangerous snow conditions and rush hour traffic to be present. I made the suggestion as did other residents considering Covid pandemic, seniors, snow conditions, and families with children to make available via zoom. No response from developers. Clearly, we all are used used to this format and easily done. Many have expressed interest in attendance but time (last one was day before Xmas eve!) and circumstances did not allow for all to be informed as they wanted.
Original email of opposition below…..

Begin forwarded message:

> **From:** Mayling OTR/L <mayling.ot@gmail.com>
> **Date:** January 3, 2022 at 6:24:35 PM MST
> **To:** cneubecker@tetoncountywy.gov
> **Subject: Development proposal Rafter j**

Dear Teton County Planners and Planning Commissioners,

I am writing you this email to express my concerns as a long time resident of Rafter J. I recently attended the information session presented by the Darwiche Development group and understand that they have moved forward to involve your department in an effort to redevelop and change the zoning of the former Legacy Lodge Assisted Living Center.

I should clarify that prior to attending the meeting (12/22/21), I was *concerned* and after hearing the messaging that was delivered I am *opposed* to any efforts to rezone and go against involving Rafter J residents and HOA CCR's. Of course, they are insisting this is not what they are doing, however, the very polished and rehearsed messaging was not only unbelievable it was insulting to the residents of Rafter J. The fact of the matter as I understand it, is that homeowners must vote on any proposed change in use in accordance with the declaration of covenants, conditions, and restrictions (CCRs) and this sequence of steps for the any zoning change is being undermined. Just repeating the same rehearsed message of "this is not what we are doing" (going over the heads of residents) does not make it true nor believable.

My primary concerns are the increased traffic into and out of Rafter J. This has been a historical problem and exacerbated by the increase of commuters very recently for various supposed reasons. Adding 58 units/100plus residents only worsens this dangerous situation. I understand that putting a traffic light is NOT a possibility and has been researched with a firm rejection by WyDOT. What other "potential solutions" are even possible or relevant as the presenter insisted they are looking into other "potential solutions" yet could not give one reasonable alternative?

Another concern is the increase in our neighborhood nature trail system. This has already been changing with the pandemic. The presenter insisted that the 100 plus residents of this new housing would go toward the "pathway system for all to use by the highway." Where does she get this opinion from? And I think we can agree this is a ridiculous belief.

There are many more salient points that need to be addressed but *for now* it is the fact that going over the heads of the neighborhood residents and saying they are not is a disingenuous assertion. I am respectfully expressing my opposition and ask that your planning commissioners do the same and reject the proposal to be involved until the homeowners have approved of the proposal.

Sincerely,
May Sumicad,
Rafter J resident since 2000

Sent from my iPhone

From: Heather Thompson
Sent: Thursday, December 30, 2021 3:58 PM
To: Chandler Windom
Subject: FW: The Stage Stop Inc. Planned Unit Development for Rafter J

From: Peggy McAvoy <pegmc@hotmail.com>
Sent: Thursday, December 30, 2021 3:55 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Cc: County Planning Commission <planningcom@tetoncountywy.gov>
Subject: The Stage Stop Inc. Planned Unit Development for Rafter J

Dear Teton County Commissioners and Planning Commission

As 37-year residents of Rafter J we feel that we have a perspective to the changes that have and not happened here. We have always thought of the area as a single family, owner residing place. We have enjoyed the peace and tranquility, the many walking paths, the well-maintained roads and the clean water as all of our neighbors have. When we first moved into the Northwest 40 there wasn't a tree in sight! But always through these many years we have followed the Rafter J Covenants. One of those covenants is that any proposal to change our covenants must be brought before the homeowners for a vote of approval. Rafter J residents feel that this should first and foremost be considered by the homeowners before the PUD is brought before the County Commissioners. This is our neighborhood, and we should have a say in what is allowed to be developed here.

Lot 333 is NOT zoned for high-density apartments nor workforce housing. That was never the intent when the covenants were written. Its intent is small-scale commercial that is designed to serve the Rafter J community, not line the pockets of the current owners. Another assisted living facility should again be considered for the building. The owners like to toss around "Affordable Workforce Housing" but then they say they will rent the apartments at current market value. Where's the "affordable." Rafter J homeowners are the workforce of Teton County.

The density that Stage Stop is requesting would increase traffic on our roads by approximately 100 cars, if they only allow 2 people per room. This would create a traffic mess at the entrance during rush hour. It will be an accident waiting to happen. The other concern is where are all of these vehicles going to park? Thee is only space for about half that amount. Parking is not allowed on Rafter J roads. There will have to be more cars. There is no bus service here. We have had water restrictions in the past. Where will the extra water come from?

This proposal does not comply with existing zoning and uses under the Rafter J Master Plan nor does it comply with the Rafter J Covenants, Conditions and Restrictions. We urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J homeowners to uphold their CC&Rs.

Peggy McAvoy
John McAvoy

From: Terry Mcclellan <terrybmcclellan@hotmail.com>
Sent: Monday, January 31, 2022 4:28 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Cc: Rafter J HOA <office@rafterj.org>
Subject: Lot 333, Rafter J, Stage Stop Inc., PUD 2021-001, Amendment/ CUP 2021-0005 Application

Commissioners.
I am writing to express my objections to the request of Stage Stop Inc. for an amendment to the uses of Lot 333 in Rafter J that was the former property of the retirement community of Legacy Lodge. The requested change in use to allow workforce housing is not appropriate for this property for some of the reasons listed below.

1. Traffic exiting Rafter J currently backs up substantially at the northern entrance of Rafter J. Cars during rush hour("the Jackson 500") coming into Jackson typically are going at least 60 MPH. Trying to exit, crossing 2 lanes of apposing traffic and then trying to merge into two solid lanes of traffic, has been a dangerous nightmare. How long will it take before we have a deadly pileup as traffic continues to increase every year as Jackson turns into the city that everyone was trying to escape from? Having the additional traffic from the proposed workforce housing will only increase the dangerous exit. The more people waiting to exit, the more they get impatient, and the more likely they will take chances to cut into oncoming traffic with disastrous results. Legacy lodge had no impact on traffic.
2. Stage Stop will have to substantially increase the parking spots to accommodate the anticipated number of renters. Increasing the amount of impermeable area that causes more runoff is a detriment to the environment adding to the situation of a 5 lane impermeable highway running above it.
3. Rafter J has acres of open space where there is numerous wildlife that reside within it and along the Flat Creek. Numerous trails traverse this area and are already heavily used by the current residents. Adding the amount of workers (mostly young seasonal workers) proposed by the owners with their mountain bikes and possibly dogs will have a definite detrimental impact on the open space and consequently the wildlife.
4. What kind of police protection will we have in Rafter J if we have issues at this property? One winter I called the police because people attending a party at the end of our col de sac had parked all over the street during a very snowy winter when the roads were already restricted because of the snowbanks. The cars were all over the place such that a fire truck , if needed, could not drive down the street to fight a fire. I called the police who refused to help because it was in a subdivision. They said it was the responsibility of the homeowners association to address. That's impossible. Why isn't this the police's responsibility? How would this be addressed?
5. Is there going to be a full time, round the clock manager on site to manage the building and enforce whatever rules they come up with for the occupants?
6. The covenants of the Rafter J Subdivision require 65% of the homeowners to approve of the changes to the covenants proposed by Stage Stop. I believe that will be a tough threshold to overcome.

I totally support the need for affordable workforce housing. However much of the fault of the current situation is the result of you commissioners continuing to allow more and more hotels to continue to be built, driving up prices of everything except for the wages of the employees. Your continued refusal to say no to any real estate development continues to destroy why we are here. The result is that actual workers can't afford to buy a house or afford the rent in Jackson and the folks that have lived here for a while can no longer afford the ridiculous real estate taxes. These hotels should provide their own workforce housing if they want to do business in Jackson. They know this is a problem and they should be responsible for addressing it. The first step would be to pay a livable wage and reasonable benefit packages. Until then, I have no sympathy for these hotel owners. Stage Stop is not running Lot 333 as a charity. They will be running it as a money making operation as any company would, but they must run it according to the regulations established by the covenants under which they purchased the property, not by trying to railroad us into something we never bargained for when we decided to live here.

Sincerely,

Mr. & Mrs. Terry McClellan
Sent from Mail for Windows

From: Mark Memmer <markforauto@msn.com>
Sent: Friday, January 28, 2022 9:01 AM
To: Chandler Windom
Subject: Comments

Hello

As long time Rafter J residents we'd like to state our thoughts and opinions concerning the proposed development and changes to the old Legacy Lodge property Lot 333.

Traffic and parking concerns are high in our list. No one really knows the reality until it's real but the mitigation arguments put forth so far are not real. Start Bus may or may not attempt rafter J service once again despite its last effort being abysmal. No one used it. And with todays hustle and bustle we don't see much hope there in the future. Similarly the dream of pathways use to get to work doesn't jive with the reality of the effort involved to be a bicycle commuting worker!

Another topic of concern is the lack of deed and or rent restrictions and housing that is tied directly to employment. We would like to see free market units with rent restrictions to open the housing to community members without the possibility of unsustainable high rents.

Thank you for your concern and efforts,
Vickie & Mark Memmer

699-3275m

Sent from my iPhone

From: bmerritt7@aol.com
Sent: Wednesday, January 5, 2022 2:27 PM
To: Chandler Windom
Subject: Rafter J/Legacy Lodge

To the Teton County Planning Commission,

We are writing to express our deep concern and opposition to the Darwiche request to change the zoning of the former Legacy Lodge to residential from commercial. There are so many reasons why this makes no sense, but I will focus on the ones that affect my family, my neighbors and Rafter J as a whole. By changing this zoning, you would be essentially having our government step into the personal lives of a community of well over 1000 people, and telling them that the government is taking away the rights and rules that they have established by rationalizing it under the guise of "workforce housing". That term itself is deceiving— a for-profit business to create "workforce housing" (this is not affordable housing) -- isn't every spare rentable room at market rate considered workforce housing? If you are going to impose your will on our community, what is stopping you from going into anyone's home who has an extra living space, and forcing them to turn that into "workforce housing"?

We have two 12-year old daughters and a 4-year old son. Are you, as the county entity that has the potential to allow this zoning change, willing to ensure their safety? Are you willing to protect the value of our houses that you will inevitably decrease should the County pass this change? We live less than 100 feet from the Legacy property, who is going to monitor and provide security to our children, who will be liable for their safety when they will be constantly in close proximity to a tight concentration of 100+ seasonal/ transient workers? Who is responsible for the actions of these transient workers, is it the Teton County Planning Commission?

How can you make a change that would override the rules and CCRs of Rafter J so that one entity is paying HOA fees, and using our shared land for 100+ people. We need to be realistic about who these 100+ seasonal workers are; yes not everyone will be a potential threat to the my children, but history has shown us that putting a large group of potentially younger, transient workers can be a recipe for bad behavior that can endanger not only them, but the people and children around them. Please see the following incidents from our area and picture this tiny sample of events occurring consistently in the Rafter J community by seasonal/transient workers. If you allow this change, you will be putting unsuspecting children of the community, as well as the innocent preschoolers at the Children's Learning Center, in harms way:

- Yellowstone Park Service Workers Disciplined Amid Reports of Misconduct (AP)
- Individual Arrested for Assault (Grand Teton Park news release)
- Seasonal Yellowstone employees fired for abusing park's natural features (AP)
- Drug Dealers Import the Wild Life to Parks (LA Times)
- Yellowstone Park rife with sexual exploitation, employee says (AP)
- Police try to stay ahead of a rising tide of opiates (JHN&G)

There are so many reasons why this proposal does not work, and so few positives. Housing is a concern in Jackson, but it is not the misleading term of "workforce housing" that we lack in Teton County, there is housing

everywhere, rooms available within houses and guesthouses, as long as the tenant or their employer can pay market-rate. Please do not let ‘workforce’ housing be confused with affordable housing in the same manner that this market-rate proposal by the Darwiche’s is nothing more than a long term dorm for a group of people that, as noted above, will seemingly, in large concentrations, have the ability to damage and harm not only the environment around them, but the people and children who make up that environment.

We moved to Rafter J because we loved the community, it is a safe environment to raise our children, who ride their bikes on the bike path, fish on Flat Creek and go to the playground on their own with never a hint of worry about their safety amongst strangers. Allowing this change to occur will enable 100+ transient workers, who do not have any communal ties to Rafter J or to Jackson, access to our parks and to our children. These workers will not have the same respect for the neighborhood or for the community that the HOA members do; Rafter J is our community, our home. This would be an extremely irresponsible abuse of power to impose your unwanted will on +450 households.

Rafter J is workforce housing, it is a community of working families that have deep rooted ties to the community and the region who have decided to make Teton County their home. Allowing for this change in zoning would not just be a designation change on a map, it would be a potential danger to a community that has been an integral part of the Teton County workforce for decades.

Regards,

Allison and Brian Merritt

Dear Teton County Planners and Commissioners,

I (We) understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety, and impacts to our wildlife, pathways, trail system, and open space.

Most importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing Local Convenience Commercial zoning. In submitting an application to Teton County requesting a zoning change and new conditional use, this developer is bypassing the legal rights of Rafter J homeowners in hopes of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

This project has been called "affordable workforce housing." Yet, Stage Stop, Inc. provides no provision in their application that these units will be affordable for Jackson workers, and in fact, the developer has been clear that these will be full market-rate rental units.

This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Karen K Morton

Dear Teton County Planners and Commissioners,

I (We) understand an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners in January and February 2022. I (We) respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rafter J is home to 490 residences that pride our neighborhood and invest ourselves and our financial resources in maintaining our community. As a result, our property values have increased, and Rafter J is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson Hole, and many of us have been here for decades.

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Rafter J Lot 333 is **NOT** zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have identified areas (primarily in town) for this type of development because these areas are served by public transportation, are located near businesses and workplaces, and are within walking/biking distance of services. The property is designated for institutional use – which is why the Rafter J community-supported and benefitted from the Legacy Lodge Assisted Living Facility.

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This proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process requirements. I (We) urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

-- Thomas A. Mentaub

From: Evan Molyneaux <evanmolyneaux@hotmail.com>
Sent: Wednesday, January 5, 2022 8:03 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Subject: Rafter J variance

I write this email in opposition to the proposed variance request by Stag Stop, Inc. I have come to the conclsion that this is plain and simple an attempt to enrich the Darwiche family. The Rafter J community of which I reside receives zero benefit from the proposed changes. We already have one of the most dangerous intersections in the county. This would only be made worse by adding an additional 100 vehicles.

I find Stage Stop, Inc. to be extremely disingenuous. In a News & Guide piece they are quoted as saying how "mad" they are that seniors couldn't afford to live in Legacy Lodge. Now that they own the property, they have made zero attempt to re-open this facility and help the seniors they say they care so much about. They say they care about the community. Well actions are louder than words. How many rooms in their hotel are being designated for employee housing? As I write this, they are building an addition to their hotel. How much of the addition is designated for employee housing? Zero!. What do they sacrifice in all of this? Nothing!

Converting the Lodge into apartment rentals and CHARGING MARKET RATE IS NOT WHAT THIS COMMUNITY NEEDS. The residents of Rafter J are the working class of the town. We don't want to see renters become indentured workers. People should be able to change jobs without the fear of losing the roof over their heads.

In conclusion, I find this proposal to be a shameless attempt to enrich Stage Stop, Inc. with zero benefit to the Rafter J community.
I hope you will see through this smoke and mirrors request. Thank you.

Respectfully,
Evan Molyneaux

January 30, 2022

I would like to address this to:
Teton Planning Commission, Chandler Windom

As a resident in RJ for 14 years I have some questions regarding the Darwiche's "Stage Stop" proposal for lot 333, here in Rafter J.

I understand that as residences of Rafter J, we have the right to vote on any Amendments and Conditional Usages that are being proposed for the PUD use of parcel Lot 333.

In reading what the Darwich's are proposing I have some questions and concerns. They suggest making it "commercial apartment" usage and state it will benefit the community.

The Rafter J Master Plan :
1978 PUD was designated as (CL) local convenience, low impact, that is designed to serve the Rafter J community.

Darwich plan is high density and I feel there IS a difference between "workforce" and "local services " that would benefit local needs for its residences and the Jackson community.
Example: Churches, Elderly Living facilities, Schools, Rehab facility and or offices example : Curran Seeley center.

PROPOSAL:
"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. "

CONCERN:
This building was built for minimal usage , as an assisted living facility, where the occupants **did not** cook, and they **did not** have vehicles, there was no impact on the community.

Are the 57 units constructed to code for electrical and ventilation to have cooking facilities?

What would the occupancy be in a 57 unit facility ?

Elderly care facility did not have the vehicle traffic to any extent the proposal is suggesting!
At is time there are only 42 spaces... if double occupancy , there would need to be 114 or more spaces.

Where would vehicles park?
If seems there would be major “additional development” for more parking!

Serious traffic issues, not only coming and going from the highway into Rafter J , but with in the neighborhood at all hours.

PROPOSAL:
“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. “

CONCERN:
Master lease to employers who then sublease to employers who then rent to specific employees ??

We were told there would be 24 /7 front desk personnel. Does that person have the authority to control who is living in each separately subleased block?

What authority would they have to handle any problems immediately, or know who is coming and going or who is living in each room?

PROPOSAL:
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. At this time, the owners have not identified specific employers that may be interested in leasing blocks of units,”

“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. “

CONCERN/QUESTION:
I do not agree with their statement and overall comment that this proposal is “a similar type” as what historically this property was designated for..Historically it was low impact/ minimal usage

Absolutely, I am for employee housing to help provide for the locals of this town, especially housing for first responders, police, highway patrol, hospital workers, teachers, care givers. These are the “type” of employees that would service our community.

Would Rafter J know who will be subletting the blocks of units?

If the multiple hotels being built will be using the “Legacy Lodge “ facility for its employees, how does that provide a service to the locals?

Are all new hotels required to provide housing for their employees?

ULTIMATLY:
Is this considered low impact, service to the community?
Built to code, Fire Marshal inspection ?
Impact on septic/water ?
Who pays for impact/ upgrades to septic, water, roads?
Occupancy per unit ?
Over Sight/Managing?
Parking?
Traffic?
Study for traffic impact?

Thank you for your time and consideration,
Lee Naylon
NE 40

From: Vicky O'Donoghue <jhda@wyoming.com>
Sent: Sunday, February 20, 2022 1:05 AM
To: Chandler Windom
Subject: Lot 333 Rafter J

Dear Teton County Commissioners/planning department

The proposal by Stage Stop,Inc seeks to redevelop and change zoning of the former Legacy Lodge Assisted Living Center in Rafter J. As a Homeowner I have the following issues. From the History of the previous Rafter J President and HOA Board, Design Committee and Lawyers, my research indicates they did not follow the steps stated in the Rafter J CC&R requirements on the following properties which have been rezoned and changed without a vote from the homeowners.

- In 2008 Lot 331 and Tract #2. Plat 330 (Learning Center).
- In 1990 Walden Pond Phase B PUD Plat 1317
- In Walden Pond Phase B PUD Plat 711 (King Eider) single family homes.
- In 2010 Tract 3A LLC rezoned
- In 2018. Lot 332 Coral/stables to a Density Transfer from Tract 3A to build housing on Lot 332

As a homeowner in Rafter J I feel that The Stage Coach, Inc.. have done an excellent job of informing all the Rafter J Homeowners in following the CC&R guidelines. I feel that Stage Stop Inc. should be allowed to move forward. It would be nice to make accomodations for some older people as well.

Rafter J CC & R's requirements:

Any change to our zoning would require an amendment to the 1978 Rafter J Subdivision PUD.
Rafter J homeowners must vote on any proposed change in use in accordance with the Declaration of Covenants, Conditions and Restrictions (CC&Rs) to ensure that our neighborhood has a say in this decision as described in the legal spelled out in our CC&Rs.

The sequence of steps for Rafter J covenants/zoning change is for developers to:

1. Submit a request for an amendment to the covenants and bylaws along with a proposal for development change.
2. This request would then go to vote of the Rafter J homeowners
3. If approved, the application requesting a change to the PUD and the Zoning would move on to Teton County

In conclusion, since the leadership of the Rafter J have not followed the proper requirements as I have indicated, they have set a precedent which should allow Stage Stop Inc. to move forward with their plans.

Sincerely,
Vicky ODonoghue
Lot 38

From: patterson44@bresnan.net <patterson44@bresnan.net>
Sent: Sunday, January 9, 2022 2:36 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>; Chris Neubecker <cneubecker@tetoncountywy.gov>
Subject: Stage Stop, Inc./Legacy Lodge in Rafter J

Dear Teton County Commissioners and Teton County Planning Department,

We are 36-year residents of Rafter J. The community is quiet and truly has "neighborhoods" with most households working in Teton County. As you know, Lot 333 is designated as "local convenience commercial" designed to enhance/benefit the Rafter J community. While the initial use of the lot became an assisted living facility, it did not directly benefit Rafter J (although several Rafter J homeowners did eventually become residents of the assisted living facility). That use, however, did not detract from the peacefulness or add a burden to our community. They were successful in being good neighbors through the years and company changes.

We are now facing a requested change to not only the current use but also the initial purpose of Lot 333. The request for multi-family housing is concerning as it will significantly change the character of our community. Those concerns include an immense increase to traffic, safety, noise, lack of parking in the current facility, location for snow removal,

management of the tenants, and huge impact to our infrastructure/utilities. The possible issues may increase costs to our HOA and time of our limited HOA staff in dealing with these items as well.

The comp plan places dense, multi-family housing within the city limits of Jackson which in our opinion is a proper place for it. The work of the former Teton County Housing Authority and current Jackson Teton County Housing Department continues to place such density within the town as well.

As a longtime proponent of affordable housing, we support opportunities that will house Teton County working households. This one, however, simply does not fit. Nor would we consider it affordable as the proposal does not tie the rental amount to the tenant's income but rather market rents.

Thank you for taking our comments and concerns into your consideration.

Tom and Patti Patterson
1690 W Quarterhorse Dr, Rafter J
Jackson, WY

From: sueperkins@charter.net
Sent: Sunday, January 2, 2022 2:52 PM
To: planning; Board Of County Commissioners; Chandler Windom; 'Office@Rafterj.org'
Subject: Rafter J Lot #333 (Darwiche/Stage Stop, Inc proposal)

January 2, 2022

Teton County Planning & Building Department
200 S. Willow
P.O. Box 1727
Jackson, WY 83001

To: Members of the Teton County Planning Commission, Chandler Windom, & Rafter J HOA Board,

I am a current Rafter J homeowner and have owned my home in Rafter J since 1992. I am writing this letter to express my concerns in regard to the Darwiche family/Stage Stop, Inc. and their proposal to change the Legacy Lodge building/Lot 333 into workforce housing/apartments.

Their Application states:

1) *PUD: Planned unit development amendment to amend the RJ PUD to allow residential use of parcel Lot 333 in RJ.*

This workforce housing/apartment proposal will affect every Rafter J homeowner. Rafter J has about 490 homes in its quaint community. I was under the impression that one cannot change the Rafter J LDRs without a vote from those that own property/homes in Rafter J. Rafter J residents deserve a democratic vote as this PUD amendment affects each of us and our property values.

The Rafter J residents deserve to see a detailed "Residential use" proposal from the Darwiches/Stage Stop, Inc. before any changes are made. What are the regulations as to the amount/limits of human density allowed under the "Residential use" proposal? What are the regulations as to the amount/limits of adding additional buildings/parking spaces, etc under the "Residential use" proposal?

Why does the Darwiche family/Stage Stop, Inc. think they are exempt from following the pre-set Rafter J Covenants?

2) *Conditional use permit: Governs intensity & operational characteristics of the proposed residential use*

Lot 333 is zoned "Local Convenience Commercial". This refers to a store, office units, or small scale commercial use aimed to benefit the residents of the Rafter J community. Local Convenience Commercial does not mean "workforce rental units/apartments".

Why do the Darwiches/Stage Stop, Inc need to seek a conditional use permit and what does this specifically mean? This needs to be presented to the Rafter J community in a more detailed fashion.

3) *Environmental Analysis Exemption:*

There will be a huge impact on the environment in Rafter J. The Stage Stop, Inc proposal which allows for greater human density on their newly acquired property than the Legacy Lodge Assisted Living home, will impact the use our roads, bike paths, and trails. Greater density will affect our wildlife/human interactions. It will put additional stress on our water and sewer systems.

There are 52 units available to rent. If you multiply that my 2, that is 104 additional people. And if bunkbeds are allowed in the units, they can occupy many more than 104 additional people using Rafter J's resources.

These 52 units were set up as "Assisted Living" spaces for the elderly so these units do not have a sufficient kitchen for "workforce housing/apartment" living. We were allowed to tour the Legacy Lodge building during our July 19, 2021 meeting with the Darwiches. There are microwaves in the units, but no cook stoves or ovens. The Darwiches had purchased George Foreman grills that were sitting in their original unopened boxes on the counters of each of the units. Will they allow separate hot plate burners for cooking? These are significant fire safety concerns.

The parking area is not sufficient for the number of people that will occupy the rental units. They will either pave more of the lawn area or park on the streets which is another big concern to the Rafter J residents.

Why do the Darwiches/Stage Stop, Inc feel they can be exempt from conducting a study on the environmental impacts to Rafter J?

The density/occupancy of the 52 units is of great concern. Will this become a transient population with a large turnover? How long can occupants reside there? What are the maximum/minimum days, months, years? How many people per unit/apartment? How many parking spaces per unit? What about the length of time a renter can house their visiting friends or families? What about the use of drugs, alcohol, and designated "quiet hours". What about loud noise or group party concerns both in and around the building? Who

will be in charge of monitoring the comings and goings of this rental community? Will pets be allowed? These questions bring up potential safety issues to the homeowners of the Rafter J community.

Another concern is the traffic, which is already a huge problem for current Rafter J residents trying to make a left hand turn onto Highway 89. This occurs throughout the day, but it is especially difficult during the peak morning and evening hours when people are trying to head into town for work, etc.

It is important that the Darwiches/Stage Stop, Inc consider other uses for this property that follow the current Covenants, Conditions, and Restrictions (CCRs) of Rafter J. Another Assisted Living home would make the most sense because there are currently not enough services available for the elderly in Teton County. Just because they bought the property with workforce housing in mind, doesn't mean they can pursue this without the vote of the Rafter J homeowners. As a Rafter J homeowner, I reject the workforce housing proposal for all of the reasons explained in my letter.

Please do the right thing, the lawful thing, and reject the Darwiche/Stage Stop, Inc current proposal. Please vote NO to the Stage Stop, Inc proposal.

Please share this letter with all concerned parties. Thank you for your time.

Sincerely,

Susan Perkins

January 7, 2022

cwindom@tetoncountywy.gov; planningcom@tetoncountywy.gov; commissioners@tetoncountywy.gov

Dear Chandler Windom, Senior Planner and the Entire Board of Teton County Commissioners,

My husband and I are writing about the application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Commission and the Teton County Board of County Commissioners this month and next - January / February '22. We respectfully ask you to reject this proposal that seeks a zoning change / change of use within our subdivision.

Rafter J is home to 490 residences that prides our neighborhood and invests ourselves and our financial resources in maintaining our community. As a result, our property values have increased and Rafter is one of our county's most desirable places to live. You are considering a proposal that claims to provide workforce housing for Teton County. Please keep in mind that Rafter J residents have always been the backbone of the workforce in Jackson and many of us have been here for decades. We personally have lived in Rafter J for 26 years.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety and impacts to our wildlife, pathways, trail system and open spaces. ***And please do not forget about traffic entering south highway 89 – already a nightmare - from Rafter J's 2 entrances.***

More importantly, Stage Stop Inc. has a legal requirement to first bring an application to the Rafter J Homeowners Association for a vote by any proposal to change in our covenants. This requirement and the process were clearly spelled out in the Rafter J Covenants when the subdivision was created and in the Master Plan that Teton County approved in 1978. Rafter J homeowners purchased their properties with full knowledge of these protections and the perpetuity of the existing local Convenience Commercial zoning. By ***FIRST*** submitting an application to Teton County requesting a zoning change and new conditional use, the developer is bypassing the legal rights of Rafter J homeowners in hope of avoiding this requirement and receiving a favorable decision from the County.

Rafter J Lot 333 is NOT zoned for high-density apartments or workforce housing. Both the Town of Jackson and Teton County have worked hard to identify areas (primarily in town) for this type of development because they would be served by public transportation, are located near businesses, workplaces and are within walking/biking distance of services. Rafter J Lot 333 is designated for institutional use – which is why the Rafter J community-supported and benefited from the Legacy Lodge Assisted Living Facility.

This project application has been called "affordable workforce housing". Yet, Stage Stop, Inc. provides NO provision in their application that these units will be affordable for Jackson Workers. And, in fact, the developer has been clear that these will be full market-rate rental units.

The proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan and has not complied with the Rafter J CC&R Amendment process. We are urging you all to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J citizens to uphold their CC&Rs in the face of inappropriate development pressures.

Very Sincerely,

Diane Peterson & Cary Schaeberle
3415 S Shorthorn Dr., RAFTER J
schaepeter@gmail.com / 307-690-9221

Teton County Planning Commissioners and

Chandler Windom

Senior Planner

Teton County Planning Department

P.O. Box 1727

Jackson, WY 83001

Sir,

I am writing to ask you to deny Stage Stop Inc.'s application for a PUD amendment and a CUP, in regards to the former Legacy Lodge property located in the Rafter J subdivision, Lot # 333.

After listening to the applicant's presentation to the Rafter J home owners, I am convinced the applicant is engaged in what can be most charitably described as "wishful thinking" in regards to their proposed solutions to the obvious lack of parking connected to this project. The applicant is trying to convince everyone concerned that 44 parking spaces will be adequate for 115 or more workforce employees, plus their guests, by implementing a fee and permit system for resident parking (with towing enforced by the property managers) and by relying on a future expansion of the Start Bus transportation system to reduce the need for vehicles. Clearly, this solution is grossly inadequate and unrealistic (thus wishful thinking). It is very reasonable to assume that most of the residents of this new project will want to have their own vehicles! Guests will park wherever they can, mostly outside the applicant's property, because their lot will be overfilled! The result will be continuous parking conflicts for Rafter J homeowners and the Rafter J HOA. Rafter J will be plagued with continuous improper parking in common areas, and in the parking lots of nearby business owners, and the parking lot of the HOA, and on the private roads of Rafter J. The applicant's parking problems will spill over and become everyone's parking problem. I doubt very much that the applicant's property management company can, or will, enforce their parking regulations beyond their own property, and the police will not enforce parking on private roads, thus the burden of enforcement falls upon local business, the Rafter J HOA, and nearby homeowners. A miserable result for all concerned.

I have several other concerns not yet mentioned, but I will close for now by asking you once again to NOT ACCEPT the applicant's proposed amendment for conditional use.

Douglas R. Pitman – Rafter J Homeowner

3095 S. Stirrup Drive

307-733-7288

From: Bonnie Pockat <bonniepockat@mac.com>
Sent: Tuesday, January 18, 2022 9:41 AM
To: County Planning Commission <planningcom@tetoncountywy.gov>; Board Of County Commissioners <commissioners@tetoncountywy.gov>
Subject: Rafter J Lot 333 (formerly Legacy Lodge)

[**NOTICE:** This message originated outside of the Teton County's mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Teton County Planners and Commissioners,

I have been a homeowner in Rafters J since 1996. I have abided by the Rafter J covenants, taken good care of my property, invested in infrastructure needs and improvements, and supported various small low impact businesses that have come and gone over the years. So, it is not without history that I submit these concerns for your consideration as you decide on Stage Stop, Inc's request to change the zoning from a small scale local convenience commercial to a high density rental apartments development. My understanding is this would require amendments the 1978 Rafter J Planned Unit Development (PUD).

I am concerned that this will have a negative effect on the character of the Rafter J neighborhood. The previous owners provided the community with low impact/density assisted living facility. There was very little impact from the residents, except they did provide a nice diversity. It is sad that this building could not continue to be used for our seniors, who now face having to leave Jackson after years of living here because there will be no facility.

I am also concerned that the density proposed will have impacts on our quiet family-oriented neighborhood. In particular, I am concerned that the increase number of people will affect our traffic flow (already a problem leaving Rafter J to enter Hwy 89), infrastructure usage such as water and roads, walking trails and open spaces, facility usage, safety, noise, and to our wildlife. I am surprised a wildlife impact study wasn't required.

I am also concerned that the insufficient parking available (for the number of renters discussed) could result in increasing the number of parking spaces for the apartment density. This would take out present landscaping, trees, and have a negative visual impact entering into Rafter J.

,
I am also concerned and question the intent as to why Stage Stop, Inc went first to the county and not Rafter J HOA. I understand that any changes to Lot 333 would need a vote of the Rafter J homeowners as stated in our CCRs. Does this violate our legal rights?

I sincerely hope you will give this proposal by Stage Stop, Inc your full attention and consider all impacts on the existing neighborhood of Rafter J and its home owners.

Respectfully,
Bonnie Pockat
Lot #158

LUBING, GREGORY & RECTANUS, LLC
Attorneys at Law

James K. Lubing
Admitted in WY, ID & MT
Nathan D. Rectanus
Admitted in WY
Kevin P. Gregory
Admitted in WY & MD

Madison J. Worst
Admitted in WY, ID & MT

December 13, 2021

VIA First Class US Mail
Stage Stop, Inc.
PO BOX 1677
JACKSON, WY 83001-1677
c/o Hal Hutchinson
HH LAND STRATEGIES, LLC
P.O. Box 1902
Wilson, WY 83014

Re: Lot 333, Rafter J Ranch Subdivision;
PUD Amendment

My Client: Rafter J Ranch Homeowners Association

Dear Stage Stop Inc.,

Please be advised that this office represents the Rafter J Ranch Homeowners Association (the "HOA"). This letter is sent to advise Stage Stop, Inc. ("Stage Stop"), the owner of Lot 333, Rafter J Ranch Subdivision, of the HOA's position with respect to Stage Stop's ongoing efforts to amend the Rafter J Ranch Planned Unit Development ("PUD") approval applicable to Lot 333. Please direct future communications pertaining hereto to my attention.

As you are no doubt aware, Lot 333 is subject to the Declaration of Covenants, Conditions and Restrictions for the HOA and all amendments and supplements thereto (collectively, the "CCRs"). The CCRs are recorded against Lot 333 and serve to restrict the use of Lot 333 as set forth therein. Pursuant to the CCRs, Lot 333 is designated as a commercial area and should be used as such in accordance with the CCRs. To be sure, Lot 333 is not within the lots classified as "multiple dwelling" lots within the CCRs.

While Stage Stop has not provided a fulsome plan or proposal for Lot 333 to the HOA to date, it is our understanding that Stage Stop intends to seek a PUD Amendment from Teton County in order to convert Lot 333 into an apartment complex, presumably for subleasing to individual renters. Please be advised that, as the proposed use is in no way similar to the assisted living facility (and corresponding commercial use) previously

located on Lot 333, in order to accomplish this stated goal, Stage Stop will first need to obtain an amendment to the HOA's CCRs' designation of Lot 333 as "commercial" area, so that the multiple dwelling, residential use proposed will be allowed thereunder. This is in addition to any approvals or permissions required from Teton County.

The HOA has obvious and justifiable concerns relative to the community impacts presented by the conversion of Lot 333 from commercial use to large-scale multiple dwelling residential use. Given the longstanding use originally contemplated by the PUD and CCRs, which has continued without change to date, the proposed change in use must be put to vote of the HOA in accordance with the CCRs to ensure that the community is able to address its concerns and follow its required process. These concerns are in addition to any other comments or objections raised by other entities within the community, such as the Rafter J Improvement and Service District.

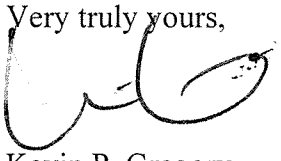
The HOA must be involved and consulted in Stage Stop's efforts to convert Lot 333's historic and recorded use restriction and should be involved and apprised as such effort proceed. According to the 1978 Land Use and Development Regulations:

- C-L, Convenience Commercial District is intended to meet the day-to-day needs of local residents
- With respect to amending plats, the *County LDR On Subdivision Plat Amendments, Section 8.2.13.C.5* states that "*an instrument shall be filed with the County Clerk stating that the partial vacation does not abridge or destroy any rights or privileges of other proprietors in the plat.*" (Wyoming Statute 34-12-108 Title 34, Chapter 12 states the same.)
- The filed instrument section also states that the instrument shall include, "*acknowledgement by all parties affected by the vacation.*"

Surely the HOA and its 498 other lot owners are within the class of "all parties affected by the vacation." As stated above, the proposed change in use, as we understand Stage Stop proposes, will require an amendment to the HOA's CCRs.

Thank you for your time and prompt attention to these matters. I am available to speak should you have any questions. In the event that you have counsel retained for these matters, please do not contact me directly but please refer this communication to such counsel for review and response.

Very truly yours,



Kevin P. Gregory

CC: Teton County Board of County Commissioners
Teton County Planning Department
Office of the Teton County Attorney
All above c/o Keith Gingery, Chief Deputy County Attorney
kgingery@tetoncountywy.gov

12-20-21

Dear Planning & Building Dept. Mr. Chandler Winslow-

I am opposed to the amendment to the amendment to the Rafter J planned unit Development persuant to Section 8.7.3 of the LDRs and also for a Conditional Use Permit to allow Workforce Apartments to persuant to Section 8.4.2 of the LDRs.

Rafter J is and has been a family and home owner development - subdivision.

This new development will give RISE to a transiant population. Drugs will be a problem with a young and transiant. I define transiant population persons that have not lived and have no intention of living in Jackson more than 5 years.

Drugs are a problem in Jackson and have been a problem in Jackson for the last 45 years, I have lived here.

I have seen drug deals go down outside of our food stores, outside of our pharmacies and in the Wilson Cemetary.

Rafter J is a stable, hard working community of homeowners. The community is crimed drug free. The development was founded on these principles. It should remain as such a population. If this new proposal goes through, it would be a slap in the face to every home owner in Rafter J. I hope Rafter J as it is will remain as its founders intended it to

be, that is why I put my dental office at 2952 Big Trail Drive – Rafter J.
I OPPOSE THIS NEW Development!

Sincerely,

Alice Eve Richter, D.D.S.

ALICE EVE RICHTER, D.D.S.

-----Original Message-----
From: mary beth riemondy <mbriemondy@yahoo.com>
Sent: Friday, January 7, 2022 12:21 PM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>; Chris Neubecker <cneubecker@tetoncountywy.gov>
Cc: Kent Riemondy <kriemondy@gmail.com>
Subject: Fwd: Rafter J and Stage Stop

>
>

> As a homeowner in Rafter J subdivision, we would like to voice our opinion to stop the process to change the CC&R's for the this project.
>
> We disagree based on the following concerns:
> 1. Are these units really going to be affordable housing?
>
> 2. Do they all have complete kitchens or will they need to use big commercial, communal kitchen. Otherwise will renters use hot plate, fire hazard.
>
> 3. Provide enough parking spaces for number of rental units.

> 4. This proposal does not allow the voice and vote of Rafter J homeowners for different development of the space.
>
> 5. Too much traffic exiting on to the highway, and safety of traffic during peaks hours.
>
> 6. Wildlife effected by increase traffic.
>
> 7. This is quiet neighborhood that does not need increase density to satisfy a developers need for increased profits, poised as "affordable housing project".
>
> Kent Riemondy
> Mary Beth Riemondy
3295 W King Eider Rd
Rafter J
Jackson WY 83001
307-413-4768

>

To: the Teton County Planning Commission

My comments on the Legacy Lodge housing project in Rafter J.

1) My home backs up to Legacy Lodge so I have much more at stake than most other residents in Rafter J. (lot 22 – 1265 W Bull Rake Dr.)
2) I have concerns about the potential for a "noisy" atmosphere that would affect my home and ~3 others that are proximate to Legacy Lodge.
3) Having said that, I think that ALL workers in Jackson are part of our fabric. They are part of our town. And, I don't think we realize just how often these workers impact our lives or how much of a demand Rafter J itself puts on this workforce.

For instance . . . We all enjoy the restaurants around town. I sure do. When our friends or relatives visit, we take them out. We either take them out or tell them about all the other fun things around JH. . . . chuckwagons, horseback riding, rafting, music, night life, or maybe we just go to the Bird for a beer. Our museums, library, recycling center are all operating on reduced hours because of staffing shortages. Rafter J puts a demand on these services!

Even businesses that tourists may never use suffer from the labor shortage. Have you had your car worked on or bought a set of tires? Do you fill your car up with gas? We all can't wait until the new TARGET opens. Does anyone in Rafter J work out at a gym?

Our very own St. John's hospital is losing employees left and right. . . because they can't get housing! Fully qualified medical professionals WANT to work here, but they cannot find a place to LIVE. I think all the housing in JH is inextricably linked – freeing up housing in town with Legacy Lodge would help here.

How many of us in Rafter J hired a building contractor for a home remodel or repair? How many of us called them to fix a leak or get a new roof? How about a landscaper? A plumber? An electrician? More demand.

Those of us who have gone out for a meal or two or hired contractors to work in our homes recognize how much we benefit from these folks.

While I have reservations, I feel this is an opportunity for Rafter J. This is an opportunity to help our community. This is an opportunity to pay it forward.

We can argue this will "disrupt a quiet little community" . . . I think it will be minimal and, I, for one, am willing to live with any inconvenience because . . . **these people work as hard as we do to make Jackson the town we love**. **These people work as hard as we do to make Jackson the town we love**. They are PART of our town, providing a service for you and I.

We, the residents of Rafter J should be part of the solution and not part of the problem.

Sincerely,
Brent Schaffer

Chandler Windom
Senior Planner
Teton County Planning Department P.O. Box 1727
Jackson, WY 83001

January 24, 2022

Dear Ms. Windom,

Our letter concerns the application submitted by Stage Stop, Inc., owner of Lot 333, Rafter J Ranch, located at 3000 Big Trail Drive, requesting 1) an amendment to the Rafter J Planned Unit Development (Section 8.7.3 of the LDRs) to "allow a residential use on the subject parcel," and 2) a Conditional Use Permit seeking to "govern the intensity and operational characteristics of the proposed residential use." In other words, develop apartments at the former Legacy Lodge.

When we attended the neighborhood meeting at Lot 333 in July, the new owners message was one of wanting to be good neighbors and fitting into our culture. As you may know, the general atmosphere was not positive for the proposed changes. At the meeting, the Stage Stop representative said he would set up a website for all those who signed in with their email addresses; this was to be an effort to be transparent as the process moved forward. That never happened. In fact, instead of working with our HOA, it seems they worked around us and went directly to the Teton County Planning Commissioners with requests for amendments. This is not being a good neighbor nor being transparent.

We bought our house in 1991 and rented it to workforce folks until we moved in permanently in 2000. Over these twenty plus years, we have enjoyed this community for its open space, friendly people, and diversity. We are retired educators and were pleased to learn that Rafter J was carefully designed for the working class—thus, making it affordable for people like us. We already are a workforce housing area with teachers, nurses, doctors, sheriffs, fire personnel, and many other kinds of workers. We are grateful that Rafter J is such a place for families.

When Legacy Lodge was here, we were pleased to see residents out walking their dogs and, in some summers, being biked through the neighborhood by volunteers. It was a win-win situation. Now there is no place for such residents. Long time valley residents are looking elsewhere for future care because “there’s no place here to go.” Perhaps there is a greater need for assisted living in this aging community. Our wish is that something like Legacy Lodge returned.

However, that is not the issue now. These are some of the issues that concern us:

- We wonder why Stage Stop, Inc. went forward with their supplication without addressing the need for a two-third Rafter J homeowner vote to make these changes.
- We wonder why there are some people living in the building who are supposed caretakers and if the applicant has a certificate of occupancy.

- We wonder how the development will provide 57 units of workforce housing with only 36 existing parking spaces. Even if only one person lived per unit, there is not enough space for the potential number of cars. And it is unrealistic to think less than 100 people could live there. Expanding the parking lot would only compound the problems of so many vehicles coming and going from the area. Concerns about safety, traffic jams, rush hours, entering and existing the development, and overflow parking arise. The potential congestion is alarming.
- We wonder about the potential impact to public services and facilities including transportation, potable water, wastewater facilities, parks, police, fire and EMS access.
- We wonder about the impact on wildlife. We care deeply about the wildlife in Jackson Hole and are grateful for observations of moose, deer, fox, coyotes, and occasional appearances of bear and mountain lion in Rafter J. Our HOA is currently studying ways to protect wildlife while sustaining workable pathways in our area. We know that more people walking, driving, biking will affect the movements of animals. An additional 100+ people will definitely affect the environment needed for the wildlife.

Having lived here for decades, we are acutely aware of the lack of workers for restaurants, businesses, etc. and the need for affordable housing. However, we strongly believe that Lot 333 is not the place for the proposed usage.

We expect the County to respect the Rafter J CCRs which outline the required process for amendment and not proceed until the homeowners have the opportunity to vote. Therefore, we respectfully and unequivocally ask that you **deny** Stage Stop, Inc.'s request for an amendment to the Rafter J Planned Unit Development **and** their request for a conditional use permit that will allow apartments on Lot 333.

Thank you for your thoughtful consideration of this request,

Carol and Chuck (Charles) Schneebeck
Ratfer J Homeowners since 1991

CC:
Teton County Planning Commissioners
Teton County Board of County Commissioners

From: Mark Schultheis <mago8631@hotmail.com>
Sent: Sunday, February 20, 2022 10:39 AM
To: Chandler Windom
Cc: Audra Schultheis
Subject: LOT 333 (Legacy Lodge) COUNTY PLANNING COMMISSION MEETING

2/20/22

Dear Teton County Planning Department, Planning Commission, and Board of County Commissioners,

This letter is in reference to Stage Stop Inc wanting to change Lot 333 from commercial use to large scale multiple dwelling residential use via a PUD amendment. Our household is against this PUD amendment.

We have many concerns with the potential change:
1. The fact that Stage Stop is not going through the HOA first is rather alarming to us as we feel they are circumventing the process of obtaining the correct approvals. The Rafter J HOA must be involved in this process.
2. The change up from an assisted living center to an apartment complex is a big one for our neighborhood community. We do not have the capacity to handle a significant increase in population that is being proposed. This includes traffic, parking, policing the short term rental and the issues that it brings, the demands upon our infrastructure, and use of Rafter J property.
3. While our community as a whole needs more housing for local workers, it is not the burden of Rafter J to provide more. The Rafter J community is workforce housing, it has been and will continue to be that role.
4. The proposed plan in no way 'fits" with the Rafter J community. We are community of multi generational families. Raising our children in a neighborhood and enjoying the benefits of a peaceful community.

We cannot speak for all Rafter J residents, but Legacy Lodge was a great part of our Rafter J community. The residents were out on the bike paths and included in many Rafter J events. The change up to a large apartment complex would not add to our community but only detract from it. Personally, we see the need for assisted living opportunities as important as workforce housing.

There are other reasons to be against this change in the PUD and we are sure other Rafter J homeowners have expressed those concerns. The HOA is against this, and as far as we know most all homeowners as well.

Thank you for your time and consideration in this very important matter to our neighborhood.

Sincerely,

Mark and Audra Schultheis,
Lot 46 Walden Pond of Rafter J

From: Arthur Sills <arthur.sills@gmail.com>
Sent: Friday, January 7, 2022 11:55 AM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>; Chris Neubecker <cneubecker@tetoncountywy.gov>
Subject: Lot 333 Stage Stop LLC

Dear Commissioners,

As a long time Rafter J resident, I have attended three of the open house meetings hosted by the Darwiche family.

Listening to their presentations, I have concerns that I want to share with you.

1. When asked directly how many of their Hotel Jackson and other business employees will be tenants in the building, the answer was not direct and meandered into how they have 55 other apartments in town. Never did they give a number. One would have to assume that the number of their employees expected to live in the building is significant. That is why they bought the building. I believe Stage Stop won't reveal the number because it would contradict their messaging of "its workforce house that the community needs". In reality, it is Stage Stop LLC housing with no widespread community benefit.

2. During the July meeting, Sadek Darwiche committed to a traffic study. As we all know, the exit from Rafter J to the north is dangerous. At the December open house, there was a man introduced as doing a traffic study but he offered no data. That man did not attend the meeting this week. It appears that no traffic study was done. It is an indication that the applicant doesn't do what they say.

3. Lastly, the current county zoning is local convenience commercial and no one should be living in the building other than a caretaker. However, there are at least 5-10 people living in the building. Jim Darwiche confirmed this on Wednesday and that they pay $500 a month in rent. An indication that any rules imposed won't be followed.

Because of these and too many safety, infrastructure, CC&R's and property value issues to get into, I ask that you decline both applications before you.

Art Sills
Rafter J

Will and Janice Smith
3070 S. Stirrup Drive
Jackson, WY 83001

January 6, 2022

Chandler Windom, Senior Planner
Planning and Building
PO Box 1727
Jackson, WY 83001

RE: PUD2021-0001/The Future of Legacy Lodge, Rafter J PUD Amendment and CUP2021-0005/Conditional Use Permit for Workforce Apartments

Dear Ms. Windom,

Thank you for the opportunity to submit comments regarding the PUD and CUP applications referenced above.

We have been aware of Stage Stop, Inc.'s (Applicant) desire to amend the Rafter J Planned Unit Development, Section 8.7.3 of the LDR's, and for a Conditional Use Permit to allow workforce housing apartments, Section 8.4.2 of the LDR's, since July 2021, and have followed the county application process currently underway and attended the neighborhood meetings. It's understood that the process is two-pronged. Not only does the Applicant need to gain approval from the County on such measures, it also is required to gain approval from the Rafter J HOA and its 498 voting members to amend the HOA's CCRs.

While the intent of the application appears to be for a noble cause, therein still lies considerable concerns regarding the impact that the proposed use of Lot 333 will have on the existing Rafter J community that have not been addressed to date:

1. The Rafter J HOA recently conducted a study of the trails system within the Open Space of the subdivision. According to the study, this area is a "present wildlife corridor" and "its wild, untamed nature and proximity to wildlife is what makes it such a treasured place to residents" (*2021 Rafter J Open Space and Trails, Summary of Findings, Cairn Landscape Architects, Page 12*)

   In Section 2.2 – Response to PUD Amendment Review Standards of the application, Requirement #1 states that the PUD/CUP is to "Improve the implementation of the desired future character of the area identified in the Jackson/Teton County Comprehensive Plan." The Applicant response states that the proposed use "has no impact on wildlife connectivity and permeability".

   While Lot 333 itself might remain unchanged, its residents are bound to roam. When approximately 114 or more new residents utilize Rafter J amenities (i.e. trails, bike paths, Open Space, Flat Creek), it is guaranteed to impact the present wildlife corridor and use of the Open Space that exists within the subdivision. The study recently conducted did not account for a potential influx of over 114 additional users on the pathways and trails within the subdivision. The Environmental Analysis on the Applicant's application was waived, yet there will be environmental impacts on the existing subdivision's natural resources, wildlife, and amenities, *which directly contradicts Requirement #1 of any amendment to the Rafter J PUD LDR's considered.*

2. The Applicant references an informal poll that was conducted at the initial neighborhood meeting. Of the 498 voting members that were invited to the meeting, roughly 36% (~180 members – IF all were voting members) attended and only 47 Applicant-administered questionnaires were tabulated (.09% of potential voting members). It was reported that responses were "yes" that 22 of those surveyed supported workforce housing on Lot 333. Another 13 responses indicated "maybe, need more information", 10 responses replied "no", and 2 questionnaires left the question blank.

   This data set is insignificant, unofficial, irresponsible to reference, and cannot be relied upon to represent the opinions of the entire subdivision for obvious reasons. Foremost, only an official ballot and vote conducted by the Rafter J HOA should be cited in any official documents regarding consideration of the proposed amendments in any shape or form. *The Applicant has yet to approach the Rafter J HOA to formally request that an amendment to the CCR's be brought before the voting members for consideration.*

3. Traffic on Rafter J Improvement and Service District Roads will increase by potentially 44 additional vehicles multiple times per day. It was mentioned at the January 5th, 6:00 pm neighborhood meeting that the Applicant will attempt to designate 44 parking spaces in the existing parking lot, which currently has fewer than 44 parking spaces. While it's understood that there is potential for more spaces and the Applicant is not pursuing that, 44 more vehicles using subdivision infrastructure will have an impact at an already precarious intersection onto Highway 89. It's been mentioned by the Applicant that a traffic study is being conducted to determine the impact, but the results are apparently not yet complete and/or available.

   Referencing Section 2.2, Response to Requirement #4, the Applicant states that "impacts to public facilities, services, including transportation..." "will not have an adverse impact to these public services and facilities" and in their opinion believes that the additional housing will actually help alleviate stressors on such facilities and services. *This statement is premature, when the Applicant has purportedly chosen to conduct a traffic study (not yet completed or released) to obtain more data around this specific subject.*

4. While not all concerns can be based on citations, studies, or cross-referenced, they remain pertinent and important to consider when reviewing the Applicant's requests.
   a. It is perplexing that the Applicant did not make their first step in the amendment process as requesting an amendment to the Rafter J HOA CCR's. Afterall, the residents of this 40+ year old subdivision will be the Applicant's neighbors. And, the Applicant is asking to use subdivision infrastructure and amenities in a different manner than the previous owners. *This lack of connection, respect, collaboration, and outreach to the governing bodies and voting members of the subdivision that it is part of, and what appears to be a circumvention of half of the PUD/CUP amendment process does not present well or show good faith on behalf of the Applicant.*
   b. *Therefore, it is suspect that the Applicant is planning to completely dismiss the CCR amendment process altogether, as anytime it is pointedly mentioned by attendees in a neighborhood meeting, a direct answer is not provided and the subject is skirted.*
   c. The Rafter J attorney submitted a letter to the Applicant with pertinent CC's on December 13, 2021, citing the proper process to reference and follow for a request to amend a subdivision CCR and an invitation to involve and consult with the HOA and HOA attorney throughout the process. *As of the January 5th, 6:00 pm meeting, the Applicant had yet to acknowledge the letter.*

d. At this point, actions, or lack thereof, are speaking louder than words.

Rafter J is an incredibly special, highly desirable subdivision which was created with a specific vision in mind in 1978, following specific regulations under the Rafter J PUD which was established under the 1978 Teton County Land Development Regulations. Its design, sense of community, quiet respite from the bustle of Town, access to Open Space and recreation, and the abidance of the existing CCR's and original subdivision documents with careful management at the helm of the ISD and HOA is what has curated the enduring success of the community for 40+ years. It is in the best interest of the subdivision community and the county-wide community to preserve the integrity and original vision of the subdivision to maintain its success for generations to come.

Thus, it is imperative to take utmost care in reviewing the request to amend county regulations and subdivision covenants. *Addressing the concerns of all parties affected and properly following the amendment procedure at all levels is paramount. Both steps of the amendment process ensure that all voices are heard, and all impacts are considered and revisited, if necessary, before approval or dismissal of the application.*

1. *Therefore, we are requesting that the County attach a condition to the application requiring the Applicant to follow the proper amendment procedure outlined by engaging with the subdivision governing bodies and members and ask for a vote on an amendment to the Rafter J HOA CCR's. Pending the outcome of the vote, the application can then continue to be considered at the County level.*
2. *Additionally, we are requesting the County objectively assess the aforementioned concerns and require more information about impacts to the Rafter J subdivision before making a decision on the application.*

Again, thank you for your time and sincere consideration of the concerns outlined above.

Sincerely,

Janice Smith / Will Smith

Janice and Will Smith
Jksmith96@me.com
Willmd911@mac.com

From: Stan Steiner <stansteiner@boisestate.edu>
Sent: Wednesday, January 5, 2022 9:09 PM
To: County Planning Commission <planningcom@tetoncountywy.gov>
Subject: Rafter J Lot 333 Proposal

[**NOTICE:** This message originated outside of the Teton County's mail system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

To the Planning Commission:

As a Rafter J Homeowner I wanted to express my support for Lot 333, former Legacy Lodge conversion into employee housing. We all know there is a need for affordable housing in Teton County. This plan provides one solution.

I would also like to express a need for deliberations with the Start Bus potentially making a run through Rafter J to eliminate some potential traffic into town if the plan comes to reality. I am also in favor of a feasibility study with WY DOT about traffic coming out of the north entrance of Rafter J Is it time to for a traffic light? Changing the speed limit from Melody Ranch to town down to 45 miles per hour. I worry about the wildlife killed each year and the potential of a serious accident in the future if more traffic is on HWY 89 south. Would the aforementioned changes make a difference?

I am not worried about potential noise coming from condensed housing. Lot 333 will have to follow the same noise ordinances the rest of the Rafter J Community follows.

In closing, once again we in our household are in support of Legacy Lodge converting to additional housing for the workforce.

Thanks for your attention to this important matter.
Sincerely,

Stan Steiner

--
Stan Steiner
1210 W Hereford Drive
Phone: 208-631-4054
E-mail: stansteiner@boisestate.edu

From: stevenlipp@bresnan.net
Sent: Thursday, February 3, 2022 5:53 PM
To: Chandler Windom
Subject: Please reject Stage Stop's application for Lot 333

February ,3 2021
Chandlor Windom
Teton County Planning Commision

I am Steven Lipp and have lived in Rafter J for 37 years. Rafter J homeowners and their families love living in this subdivision with its open spaces and the Flat Creek corridor with its wildlife.
The Rafter J homeowners and their families bought their properties assuming we were going to have our families' homes and the open spaces protected by the 1978 LUDRs, RJ PUD, CUP and RJ CC&Rs.
Stage Stop Inc and their agent HH land Strategies Hal Hutchison filed a planning permit application for lot 333 3000 Big Trail Drive in Rafter J trying to change the 1978 LUDRs, RJ PUD and CUP.
LUDR Page X definition "Cl local convivence commercial district retail business, office, personal service establishments, [of the type that provide day to day needs of the local residents] within the commercial centers. Application proposal to amend this language [Including the provision to include workforce housing]
LUNDR chapter 11 land use districts and authorized uses section 1 application proposal to amend this language [Workforce housing, density determined based on dimensional limitations and conditional use permit standards]
LUNDR Chapter 11 Land use districts and authorized uses section 6 authorized uses. This application purposes to add the following line within this section [Apartment C"]

LUNDR Chapter IV Performance section 23 [If apartment or townhouse building units are dedicated to workforce housing total number of parking spaces required shall be determined pursuant to conditional use standards]
The applicant with his would of, could of and should of argument for the above language amendments does not change the fact that the 1978 LUNDRs were written the way they were and the Rafter J residents purchased their homes for their families assuming that these protections were for perpetuity.
In the planning permit application, I read the buzz word workforce housing 40 times but there are no deed restrictions of any type being offered in this application. But what is being offered is market use housing to the highest bidder.
The planning permit application says that the previous assisted living center use differs little from market use housing they are purposing that with appropriate controls and assurances the impact of the proposal will differ little from the previous use. I have to beg to differ on this issue. I live in the same R J subdivision with Legacy Lodge and have lived in apartment complexes in Jackson that were of much smaller scale then what Stage Stop is purposing.

NUMBER OF RESIDENTS AT LEGACY VERSUS STAGE STOP Legacy Lodge = 63 plus staff at full capacity Stage Stop = the number of residents in any single unit will not exceed two unrelated family members is the information that we have received, I don't know how to put a number to that. It's 114+ residents. Stage Stop is not telling us full capacity numbers.

PARKING
Legacy Lodge available parking was always adequate, there was never any rouge parking . Stage Stop Staff memo dated Nov.,12/2021 57 units x 2.5 spaces = 142 spaces The 41 parking spaces that are present is substantially inadequate for the location is remote and Big Trail Drive will bear the burden of overflow parking and that will put the burden on RJ HOA/ISD and residents to enforce the issue.

The commercial kitchen proposed use for culinary classes, demonstrations, for persons, institutions, small businesses or nonprofits needing a kitchen. Where is the data for the parking requirements? The Start Bus system not being sure what and if any service would look like. No Alternative transit system is in not in place, so any proposal is invalid.
TRAFFIC IMPACT 1 DAY STUDY US-26/191/89

Y2 Consultants already states that the eastbound left turn is already failing during peak hours. Legacy Lodge Assisted Living = 63 beds ITE code 254 Total generated trips daily = 173 This data would apply if the assisted living was at full capacity which it was not. Stage Stop apartments = 57 DU ITE code 220 Total generated daily trips = 379 This data has the residents at 114 but the number of residents will exceed this substantially. This data has apartments as its ITE code but these are efficiency apartments and they have no stoves, only microwaves and no laundry machines so the daily trips to town would skew the data above. The commercial kitchen in Stage Stop which will have culinary classes, demonstrations and for persons, institutions, small businesses or non-profits needing a commercial kitchen to prepare provisions for sale is not seen in the above traffic data. The location of Stage Stop being outside corporate limits without local services and being remote is another point not taken in on the data above.

NUISANCES

Residents at Legacy Lodge were on the average around 80 years old and most didn't drive. They were either walking around on the pathways or volunteers were pedaling them around on adaptive bikes. It was about as low of impact as you can have from a neighbor and they were a pleasure to be around. Stage Stop residents, the only information we have is two unrelated family members per unit. The number of residents will certainly increase and the demographic will change. Stage Stop said they will have a property management team on sight 24/7 and have rules and regulations for quiet time at a certain hour of the evening but what will stop them from leaving and becoming a nuisance for the rest of Rafter J at night and having the RJ HOA or RJ homeowners or police from having to deal with the issues.

WATER AND SEWER

Stage Stop says their engineering team is working on answers as to whether the capacity to handle the added requirements are available, but to date that has not been answered.
There are a lot of questions that Stage Stop has not answered. The number of people, parking, traffic, nuisances, water and sewer. And the fact that the LUDRs,RJ PUD,CUPand RJ CCRs do not allow this kind of proposal.
Please reject Stage Stop's Planning Permit application.
Thank You, Steven Lipp

From: Jeff Stines <jstines@tcsd.org>
Sent: Sunday, January 2, 2022 8:55 PM
To: County Planning Commission; Chandler Windom
Subject: Rafter J Assisted Living Center

Hello,
We are writing to express our opposition to changes in the zoning of lot 333 in Rafter J. We do not believe Rafter J is the proper location nor is Legacy Lodge the proper facility for residential workforce apartments. There are numerous reasons for our opposition to this proposal but ultimately we do not feel it is an appropriate location or neighborhood for the Stage Stop proposal.
Jeff and Adria Stines
1915 W. Bunk House Dr.
Jackson, WY 83001
lot 250 Rafter J

From: Rose Strand <rosestrand4@gmail.com>
Sent: Thursday, January 13, 2022 8:51 AM
To: planning@tetoncounty.gov; commissioners@tetonwy.gov; Chandler Windom
Subject: Regarding application for proposed change for Lot 333

Dear Teton County Planners and Commissioners,

Good morning. I'm writing to you today regarding the application for a proposed change for Lot 333 in the Rafter J subdivision that is to be considered by you in February. I respectfully ask you to reject this proposal which seeks a zoning and use change within the subdivision.

Stop Inc.'s housing proposal is not a long term solution for workforce housing. When I moved here in 1992, housing was limited, but after being a renter for many years, I was able to purchase a deed-restricted house through JHCHT. Our housing trust home allowed us to eventually buy a small home in Rafter J where my children have grown up. Our family has lived in Rafter J for 15 years. Through sustainable housing programs offered by JHCHT and TCHA combined with thoughtful foresight our family and many others are able to call Jackson home.

The proposal presented to Rafter J homeowners by Stage Stop Inc. is not a suitable option for workforce housing. The units have limited parking, lack Start bus access and proximity to town, and offer only hybrid kitchens. Stage Stop Inc. is not designing units with affordable housing in mind for the myriad of essential county workers and families who are invested in our community. This is not housing for individuals and families who will contribute to and support recreation, nature, art, music, athletics, and nonprofits in our town. It is dorm-style housing for people simply passing through town.

Finally, I would be remiss to not mention the traffic issues the development of Lot 333 will bring with it. Exiting Rafter J during commuter times continues to be problematic. Adding 140 new residents to our neighborhood will only exacerbate the problem that WyDot has unfortunately chosen to ignore until there is a death. I believe this is a county issue your planning and commissioner roles should put before changing zoning anywhere or promoting more development south of town.

Despite the critical need for workforce housing, I respectfully urge you to reject Stage Stop Inc.'s rezoning request.

Kind regards,
Rose Strand

--
My new email is rosestrand4@gmail.com

From: Jantina Tuthill <jantina3755@gmail.com>
Sent: Wednesday, January 19, 2022 9:46 AM
To: Board Of County Commissioners <commissioners@tetoncountywy.gov>
Subject: Rafter J and Legacy Lodge. Darwiche developer

Many of us here in Rafter J are retirees , professionals and a lot of families.
We have worked hard to live here and tried to stay away from Jackson, the thousands of tourists, and the crazy building frenzy there. We want to stay in Rafter J .
Darwiche chased out the people in Legacy Lodge and under the pretense of "affordable housing" plans to house over 100 people in this retirement house.
This is just totally nuts. 35 rooms and without a kitchen, stuffing over a hundred people in that building.
He said , there is a kitchen in the rooms. Since the previous inhabitants were not allowed to cook in their room...I am not sure how on earth .....
Companies , he said he would pay for their employees to live there etc etc.
There would be a management company there...hard to imagine.

Parking? no! there are only 35 parking places and only 35 people who can have a car. Rest better walk or bike (not sure where they would store their bike).
Our exit into the highway is dangerous as it is. 35 more cars would be creating havoc .
Affordable housing has been a problem here since the 60's.
If they keep building luxury hotels and luxury apartments and restaurants , yes we will have that problem forever. This kind of growth is not benefiting the locals living here other than increase of property taxes, higher water cost , higher everything, while making the rich richer .
Our community is a happy one and safe. Will this be destroyed as well?

I am sorry...Many of us are thinking that when Darwiche gets his rezoning, he will turn around and sell it at a higher price. His plan here is such a cover up.
This land is valuable but not meant for luxury apartments or hotels .
According to his threats....he will put a gas station there...our choice.

Thank you for reading this letter.

Jantina Tuthill

From: Lynne Wagner <lwagner@wyoming.com>
Sent: Friday, January 7, 2022 11:58 PM
To: Chandler Windom; planning@tetoncounty.gov
Subject: Rafter J Ranch Lot 333 (Legacy Lodge)

Dear Chandler Windom and Teton County Planning Commissioners,

I respectfully ask you to reject the proposal that seeks a zoning change and a change of use within the Rafter J Subdivision for Lot 333, formerly Legacy Lodge. I understand an application for a change in the PUD and conditional use permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Planning Commission and the Teton Board of County Commissioners in January and February 2022.

The Stage Stop Inc. is required to first bring an application to the Rafter J Homeowners Association for a vote for any proposal to change our covenants. I have lived in Rafter J for more than 30 years and the new owners of Legacy Lodge are violating my and every other Rafter J homeowners rights by disregarding our Covenants.

Rafter J Lot 333 is NOT zoned for high-density apartments. The 57 units are designed as an assisted living facility. That is the only reason the building exists in Rafter J, because it is meant as an assisted living facility for our community. A low density, low impact facility.

The Stage Stop, Inc. development will bring an incompatible density to a quiet family-oriented neighborhood and the associated problems of traffic, noise, safety and impacts to our wildlife, pathways, roads, trail system and open space. Our little subdivision can not handle the added impact of more than 114 people living in the Legacy Lodge building and the corresponding vehicle traffic that brings.

Again, this proposal does not comply with existing zoning and allowed uses under the Rafter J Master Plan.
I urge you to reject this proposal and uphold the integrity of our county's core neighborhoods and respect the rights of Rafter J homeowners.

Thank you,
Lynne Wagner
307-690-9570

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Hello Teton County Planners and Commissioners,

My wife and I are homeowners in Rafter J. We are aware that an application for a change in the Planned Unit Development (PUD) and Conditional Use Permit has been submitted for Lot 333 in the Rafter J subdivision and will be considered by the Teton County Comission and the Teton County Board of Comissioners in January and February 2022. We respectfully ask you to reject this proposal that seeks a zoning change and a change of use within the subdivision.

Rick Walters
Kim Walters
3420 S Appalossa Drive
Jckson, Wyo 83001

From: Dawn Webster <websterdawn07@gmail.com>
Sent: Thursday, January 20, 2022 8:04 PM
To: Chandler Windom
Subject: Support for rezone of Rafter J Lot 333

Hello,
I am writing to voice my support for the proposed change in zoning to Rafter J Lot 333, provided it is restricted in some way to workforce housing. I applaud the Darwiches for trying to contribute to the solution for our shortage of rental units and places for workers to live.

thank you,
Dawn Webster
Melody Ranch

From: Wes Krajsky <wckrajsky@gmail.com>
Sent: Saturday, January 1, 2022 11:18 PM
To: Chandler Windom
Subject: Legacy lodge

To The Teton County Planning Office.

I am writing with my comments on the proposed zoning change for The Legacy Lodge property.

I grew up in Rafter J. and then in 2015 bought my own condo here in the NE Forty, because I loved the area so much.

To be brief. This zoning change should not be allowed.

The Market rate apartments will not be a help to the working folks in Jackson.

The developers will profit greatly from this zoning change and the folks that have lived in Rafter J for a life time will have to pay the costs.

Why should the county grant this developer a gold mine with no at most minimal benefits to the county. While we in Rafter J will have to bear the cost of this zoning change.

Please vote AGAINST this zoning change.

Thank you

Wes Krajsky
Unit 34 NE Forty

Sent from my iPhone

From: Chuck Wright <clwright1944@aol.com>
Sent: Friday, January 7, 2022 12:03 PM
To: Board Of County Commissioners; Chris Neubecker
Cc: Chandler Windom; mkeegan@rafterj.org
Subject: Stage Stop LLC application for a change to Legacy Lodge

Dear Teton County Planners & Commissioners

I live in Rafter J at 3385 S Appaloosa Dr and my name is Charles L Wright. My wife is Frances Wright.

I and my wife are against Mr. Sadek Darwiche of Stage Stop LLC application for a change in the Planned unit Development (PUD) and Conditional use Permit for Lot
333 in the Rafter J subdivision. Please REJECT this proposal that seeks a zoning change and a change of use within the subdivision.

I do not trust Mr. Darwiche on anything he says. He requested a fast track from the County Commission back in August of 2021 as reported in the Jackson Hole
News and Guide on 4 August 2021.This was a clear attempt to get around the Rafter J HOA rules for any zoning changes.

In addition I attended the first meeting Mr. Darwiche had at Legacy Lodge in July or August. there was a very large crowd to hear what Mr. Darwiche had to say.
He handed out survives/questionnaires for feed back and to contact the people who responded. In my opinion the majority of the people were not in favor
of his proposal. He was telling us how this would help our community and we should all be in favor of it.

What really happen is I never did get a call from Mr. Darwiche or his staff on my written questions. I did not see how his proposal would be of benefit to
my community nor to small business owners and independent workers.

In the meeting he made it clear that the housing for workers would be for employers who would pay "MARKET PRICES" FOR THE ROOMS OR APARTMENTS.
Then the employers would decide what prices they would charge their employees. This would NOT benefit the small business owners nor independent workers we
have in our community nor for the most of the town of Jackson.

The impact to the Rafter J community financially and quality of living would be devastating. The Stage Stop development will bring an incompatible density to a quite
family-oriented neighborhood. The increase in traffic, noise,safety aspects will impact our lives,wildlife,pathways,trail system and open spaces.

Rafter J Lot 333 is NOT zoned for high density apartments or workforce housing.

This developer is by passing the legal rights of Rafter J homeowners in hopes of avoiding the required approval from the homeowners of Rafter J.
This proposal does not comply with existing zoning and allowed uses under Rafter J Master Plan and has not complied with the Rafter J CC&R
amendment process requirements.

I urge you to reject this proposal with PREJUDICE

CHUCK AND FRAN WRIGHT
3385 S APPALOOSA
RAFTER J