

From: Kathryn W Myers
Sent: Sunday, December 04, 2011 8:10 AM
To: Angie Rutherford
Subject: LDS Stake building

As a user of Hwy 33, I think granting a CUP would be a true safety concern. Also I feel it would another visual blight on rural views. The building is too large and high. If it was an appropriate use of the property, why would a CUP be needed. That's why I urge you to not grant this.

Kathryn Myers

From: HF Johnson [<mailto:buildingexcellence@gmail.com>]
Sent: Monday, December 05, 2011 12:05 PM
To: Angie Rutherford
Cc: Kathy Rinaldi
Subject: I oppose the proposed CUP for LDS church building on Highway 33

Teton County Planning & Zoning:

RE: Opposition to proposed CUP for LDS church building on Highway 33

I am writing to express my opposition to the proposed CUP for an LDS Church building at 7000 South and Highway 33. My concerns are detailed below:

1. A building of this magnitude does NOT belong in or near the scenic corridor through our county. Regardless of its intended use such a large building and parking lot have a commercial 'sprawl' look about them. *Our Scenic Corridor is one of the greatest economic assets this County has, and should be protected and preserved.* The proposed project would destroy this.
2. Furthermore, the LDS Church has demonstrated a poor sense of architecture in their many cookie cutter buildings cluttering the west. Regardless of the fact that a building of such size doesn't belong in our scenic corridor, a building of such tasteless design as most LDS churches exhibit shouldn't be allowed anywhere near the scenic byway.
3. Most LDS Church buildings I am familiar with include large parking areas with significant amounts of outdoor lighting. Our valley is renowned for its dark skies, which would undoubtedly be tainted by such a parking installation, unless strict conditions were set and met regarding quantity of lights, intensity of lighting, and hours of operation. This matter is a concern in any location throughout the valley, not just the proposed location. Again, this is a question of damaging an economic asset in our valley.

Does the church intend to decommission one of the current church buildings in the valley and replace it with this one? Or is the church projecting future growth based on the absurd number of platted lots in the valley - many of which may not be built for decades to come? What about traffic, storm runoff, sewage load? It seems there are many unanswered questions surrounding this proposed project. It seems more logical to place a church building within or closer to the residential community it will serve. To place it so near the highway requires that patrons drive their cars, rather than walking to the location. Teton County is trending toward more local services, and less sprawl type development. As proposed this project appears to typify sprawl.

As the County is progressing with its Comprehensive Plan which will guide development for the next decade, it seems foolish to advance a project of this magnitude, which doesn't seem to fit within the developing Comp Plan. I would rather see the BOCC or the planning department defer any binding decision on this project to a later date when the Comp Plan is more complete, and can provide better guidance on the issue. If such a deferral is not possible I recommend against any sort of approval in this, especially on any location within a half mile of the Scenic Corridor.

Thank you for your time.

Sincerely,

Hyrum Johnson

From: Sarah J.

Sent: Monday, December 05, 2011 1:20 PM

To: Angie Rutherford; Kathy Rinaldi

Subject: Opposition to CUP for LDS church building

Teton County Planning & Zoning:

RE: Opposition to proposed CUP for LDS church building on Highway 33

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1. A building of this magnitude does NOT belong in or near the scenic corridor through our county. Regardless of its intended use such a large building and parking lot have a commercial 'sprawl' look about them. *Our Scenic Corridor is one of the greatest economic assets this County has, and should be protected and preserved.* The proposed project would destroy this.
2. Furthermore, the LDS Church has demonstrated a poor sense of architecture in their many cookie cutter buildings cluttering the west. Regardless of the fact that a building of such size doesn't belong in our scenic corridor, a building of such tasteless design as most LDS churches exhibit shouldn't be allowed anywhere near the scenic byway.
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As the County is progressing with its Comprehensive Plan which will guide development for the next decade, it seems foolish to advance a project of this magnitude, which doesn't seem to fit within the developing Comp Plan. I would rather see the BOCC or the planning department defer any binding decision on this project to a later date when the Comp Plan is more complete, and can provide better guidance on the issue. If such a deferral is not possible I recommend against any sort of approval in this, especially on any location within a half mile of the Scenic Corridor.

Thank you for your time.

Sincerely,
Sarah Johnson,

January 6, 2012

TO:Teton County Planning Commission

Attn: Curt Moore

150 Courthouse Drive Room 107

Driggs, ID 83422

FROM: Aspen Lake Homeowner's Association

P.O. Box 227

Victor, ID 83455

SUBJECT: Conditional Use Permit – 7000S/500W

The board of directors of the Aspen Lake Homeowner's Association has discussed the proposal for an LDS church at the subject location and has no objection to the proposed use. However, as 7000S is our only method of ingress and egress to our homes we have concern about the significant increase in traffic that will result from the construction of the new church. There are already 5 existing subdivisions as well as farming activity that use 7000S as our only method in and out of our homes and farms.

We unanimously agree that at a minimum the following road/intersection improvements should accompany this project:

Rt. 33 - turn lanes in both north and south directions

-acceleration lane to the south of intersection

-deceleration lane to the north of intersection

7000S -deceleration/turn lane west bound between Rt. 33 and entrance to church parking lot

1000W -due to anticipated increased traffic on this gravel road, paving would be the ultimate(also expensive) improvement to hold down the dust, however, regular application of dust control agent(magnesium chloride) would be helpful.

Thank you for your consideration of this matter.

Sincerely,

James W. Rein/Secretary ALHOA

-----Original Message-----

From: travis allen

Sent: Wednesday, February 01, 2012 6:47 AM

To: Angie Rutherford

Subject: Stake building

This building needs to be moved into the town of Victor. The impact it would make on its current rule area would be great. Keep the pavement, lights, noise, and tall buildings in town.

From: Cynthia Rose

Sent: Tuesday, January 31, 2012 8:09 PM

To: Angie Rutherford

Subject: LDS Stake Center CUP & Height Variance

Dear P&Z,

I have reviewed the information about the request for the LDS Stake CUP & Variance and find the project unacceptable for several reasons including too close to the highway, not accessible by bike or on foot, too many lights to protect the dark skies of local residents, inadequate landscaping, poor planning for storm water runoff, outrageous request for height variance and a general attitude of disregarding the established guidelines for the area in which they would like to build. Please reject the entire proposal and direct the requester to submit a plan that does not fly in the face of every regulation and reflect a complete disregard for the other property owners and residents in the area.

Thank you for your thoughtful consideration of this concern.

--

Cynthia Rose

Victor Idaho

From: John Morey

Sent: Tuesday, January 31, 2012 6:20 PM

To: Angie Rutherford

Subject: LDS Proposed Church Site

I have a residence in River Meadows and am concerned about the Highway 33 and 7000 South. I believe highway 33 has enough congestion and left hand turns are becoming dangerous. Placing this church at this location will only compound this issue. I believe churches, including the catholic church near MD, and particularly those with high usage, should be located in urban, not rural areas.

Respectfully,

John Morey

From: Sarah Stiger Ewing

Sent: Tuesday, January 31, 2012 2:22 PM

To: Angie Rutherford
Subject: Smart Growth

Dear Planning and Zoning Members,

Please encourage the LDS Stake Center building committee to consider the benefits of Smart Growth. This building would be a great addition to one of our three towns.

Thank you,

Sarah Ewing

From: Becky Wood
Sent: Tuesday, January 31, 2012 1:41 PM
To: Angie Rutherford
Subject: LDS Stake

To whom it may concern,

I have been a resident on 7000 S for 16 years and have watched it grow and change. I am opposed to the building of a stake center on this road for the following reasons:

1. Traffic - there is already an amazing amount of congestion on this road. During the winter it is reduced to one lane as the sides are steep and cars constantly get stuck if they venture too far to one side or the other. Getting on and off the highway would also be much harder.
2. Light - this is a rural area and any additional lighting will be too much. We enjoy the night sky and want it to stay that way (DARK).
3. Steeple height - Putting something up that high will detract from the wonderful views of the mountains that are the reason so many of us moved here. In a different location, it might not be so bad.

Thank you for your consideration in this matter.

Becky Wood

From: kate griffith
Sent: Wednesday, February 01, 2012 8:53 AM
To: Angie Rutherford
Subject: LDS Church

I am against allowing this type of development in the location that is sought by the LDS church. It seems to me that it breaks most of the ordinances which have been put in place for building in this valley - dark skies ordinance, rural zoning in the area, height restrictions, screening, traffic impacts, etc., etc. They also suggest that not allowing a steeple inhibits their ability to worship. Yet, there are three LDS churches that do not have steeples - Cardston Alberta, Laie Hawaii, and Mesa Arizona Temples. It seems it doesn't inhibit their ability to worship so why would it inhibit the residents in this Valley from worshipping? And if it does, maybe they should build their church in a location that doesn't have such height restrictions. And it also seems that that the LDS church is not willing to mitigate the adverse environmental impacts this building will place on the rest of the residents in this beautiful Valley so why would such a CUP even be considered?

From: Chris Valiante
Sent: Wednesday, February 01, 2012 9:27 AM
To: Angie Rutherford
Subject: LDS Stake Center

Dear Teton County Planning & Zoning Commissioners,

I am writing in regards to the Blackfoot Farms LDS Stake Center proposal.

Ever since our valley was permanently settled in the late 1800s, churches and stake centers have been strong community centers, located in the handful of townsites that have populated our valley. I believe a new stake center will be a valuable addition to our community, however I don't believe the proposed location is at all appropriate. This large building and even larger parking lot should be located in one of our cities.

Thanks for your consideration,
Chris Valiante

From: Mark Fisher Photography
Sent: Wednesday, February 01, 2012 12:49 PM
To: Angie Rutherford
Subject: LDS Stake Center Conditional Use Permit & Height Variance

To whom it may concern,

As an 11-year resident of this Valley, homeowner, small business owner, Husband, and father, I am a committed resident and contributing member of this valley. I am appalled at the consideration of this CUP for a new LDS ward. It's current design violates existing building codes and zoning requirements, and although it will serve a portion of this community and I support additional space needed by these wards, this is NOT the location.

-The light pollution will be immense and unacceptable

-The visual impact from such an immense building, parking lot, and 70' steeple is unacceptable, and not congruous with the rural nature of this area

-This will be the single largest building compound in all of Teton Valley, larger than the Broulim's parking complex, and belongs in a denser area more appropriate for such a large structure

-It needs to be integrated with walkways, pathways, and better transportation options, again, built closer and within the core downtown area.

In short, I strongly oppose such a building at its proposed location. I'm curious as to why there aren't other alternatives that better integrate it within the city of Victor. Again, I strongly oppose granting any CUP for this proposal.

Sincerely,

Mark Fisher

From: Amy Olsen
Sent: Wednesday, February 01, 2012 1:57 PM
To: Angie Rutherford
Subject: [LIKELY_SPAM]stake center

I absolutely DO NOT AGREE with the proposed plan of location for the stake center. A 22,000 square foot space with an ADDITIONAL 6,000 square foot suite with a 3.1 acre parking lot on agricultural land? You have got to be kidding me. This is absolutely absurd. You might as well be building a walmart with an eye sore like that in our beautiful valley. It will create just as much traffic, light pollution and congestion as a walmart. I will be sharing this information with everyone that I know in the valley so you can expect an outpour of upset citizens before Friday.

A Olsen

From: Kerry Brophy Lloyd
Sent: Wednesday, February 01, 2012 2:29 PM
To: Angie Rutherford
Subject: stake center

I wanted to weigh in with my comment that I do not want the Stake Center to receive permits to build such a large site (and parking lot) in Teton Valley. Part of the reason we moved here recently was for the views and the lack of large building sites like this!!

Thank you,

Kerry

From: Anna Lindstedt
Sent: Wednesday, February 01, 2012 4:26 PM
To: Angie Rutherford
Subject: LDS Stake Center Comments

Dear Teton County P&Z,

Please accept these comments on the Stake Center proposed for 7000 South on behalf of this concerned citizen.

Places of worship are valuable gathering spaces that add to our quality of life and community in Teton Valley. However, the proposed Stake Center has a location and design that is inappropriate and would negatively impact our community and the surrounding environment. Built in the proposed location with the current plans, it would impinge on the skyline/viewshed, create sprawl, diminish our night skies as the largest single contributor to light pollution, create a large impervious surface, and consume a large amount of water through landscaping. Although a church can add value to a neighborhood, there are no existing neighborhoods in this location, as it is on the Victor town periphery located in agricultural land. And, given the size of the proposed building and parking area, this will only create an eyesore along the highway outside of Victor.

The proposed Stake Center also does not comply with the Teton County Comprehensive Plan, the Teton County Dark Skies Ordinance, is against zoning for this particular location, does not meet building height restrictions, and does not connect with existing trails and pathways in Teton Valley. No matter what the proposed building is, whether a grocery store, an entertainment facility (mall, movie theatre, bowling alley, etc;), a manufacturing facility, or place of worship--our ordinances, rules and regulations have been put in place for a reason. They protect our natural resources and views of the surrounding mountain sides. They enable us to look up and see the stars at night. They keep buildings from popping up on the landscape where they don't belong. They keep skyscrapers from being built. They keep our urban centers robust and thriving. They maintain the character and values of the Valley we love and call home. The proposed Stake Center is not in compliance with a number of these regulations and guidelines in its current location, nor is its design thoughtful of the impact it will have on this community.

Sincerely,

Anna Lindstedt

From: CarolynCleary
Sent: Wednesday, February 01, 2012 4:22 PM
To: Angie Rutherford
Subject: Conditional Use Permit (CUP), LDS Stake Center

Teton County Planning and Zoning

Re: Opposition to proposed CUP for LDS church building on Highway 33 at 7000 S.

I am writing to express my opposition to the above referenced project. Given that the project potentially violates existing ordinances, I do not think it should be allowed. I am not as concerned about the square footage as I am the proposed height of the spire and the amount of lights required for parking. Neither are appealing in description. In addition to the additional light and height, the proposed location contributes to urban sprawl.

Thank you for your consideration.

Sincerely,

Carolyn Cleary

From: willowstar squires
Sent: Wednesday, February 01, 2012 4:13 PM
To: Angie Rutherford
Subject: height variance, steeple

Hello, to all of you concerned citizens who spend your valuable time trying to help our community make choices....,

I was just reading about the proposal to allow for a height variance of 71 feet for the church in the middle of our victor/driggs corridor, and I wanted to express the disappointment that brings to at least one of your residents. I don't think that anyone from any particular group should be allowed to have that much leeway.

I am not against churches, however there is one already of size in Driggs which is very close to this location. 7 miles. Most people travel much farther to attend a service. I think our community needs other outlets as well to round out our experience here in this small mountain town.

A steeple, though it may seem like an appendage not worth mentioning to some, is still very tall, and if it is not representing one's particular 'belief structure' it may be offensive, especially when it is so tall it is impossible not to see it.

Thank you again for all of the hard work you do for the community.

--

WillowStar

From: Pete Maniaci

Sent: Wednesday, February 01, 2012 8:19 PM

To: Angie Rutherford

Subject: Do not allow Mormon Stake building near intersection of 33 and 7000 S.

Hi-

I disagree with letting the proposed Stake Building get build against the ordinances the the public of Teton Valley have fought for and that the County Commission are supposed to uphold. Please do not make exceptions to the rules. The P&Z exists for a reason and it is like saying you don't agree with legislation you made in the past. The affect of parking lot and landscape lighting should be centralized to the city limits of Driggs, Victor, or Tetonia. I know the church is important but keep in mind that this will affect the valley for many years to come. Place it in the correct spot, the City Limits of Driggs, Victor, or Tetonia. Now, don't go readjusting the City Limits, OK?

Best,

Pete Maniaci

From: Andy Rich

Sent: Wednesday, February 01, 2012 7:43 PM

To: Angie Rutherford

Subject: Stake house variance

Please do not allow the variance for the proposed stake house. As a driggs resident I oppose it. Thanks for your consideration.

Andy Rich

From: linsey hayes
Sent: Thursday, February 02, 2012 8:55 AM
To: Angie Rutherford
Subject: LDS Stake Center

Teton County Planning and Zoning Commission:

I am writing on behalf of myself and other concerned valley citizens about the potential of the passing of a CUP for the construction of a LDS Stake Center in the rural corridor of Teton Valley.

I believe the size of the structure, it's steeple and it's surrounding parking lot do not belong in the agricultural part of the county and will obstruct the view shed of the scenic byway. A building of this size with it's large footprint and lighting belongs in city areas of impact. I believe it would be out of place in a rural setting surrounded by agricultural fields and undermine all of the counties good efforts to focus development around city centers.

I am not opposed to the construction of this building within a urban surrounding, but still feel the size of the parking lot and the amount of lighting will be overkill for the size of the actual building. The amount of parking lot lighting will violate the dark skies ordinance, of which I value as a unique part of living in this valley.

I thank you for your time and ask you to consider the character of the valley and it's rural spaces when deciding whether to pass this CUP.

Sincerely,

Linsey Hayes

From: Chris Olsen
Sent: Thursday, February 02, 2012 11:09 AM
To: Angie Rutherford
Subject: Stake Center - Comments Don't want in Victor

To whom it may concern,

I appreciate the Valley requesting submitted comments from the community prior to the hearing. A 22,000+ sq ft LDS stake center will destroy some of the beauty and peace residents in our valley enjoy. The stake center does not fit into the vision of substitutable and scalable design that incorporates into our natural settings. My concerns are with the following

- Height: 100 ft at it's highest point will compete with natural views. It will be seen for miles and take away from the mountain scapes
- Parking: 3.1 acres of parking will create congestion, traffic and unwarranted amount of paved space. . . .
- Lights: 26 light posts will create a haze and take away from to our dark skies and beauty.

Again, the CUP and building variance should not be granted with large footprint of the proposed building and the potential impacts to the neighborhood. We have a rural scape that attracts tourists and lovers of the outdoors. We need to protect our views and quality of rural life.

Thanks Chris Olsen: Victor Resident

From: Liz Gooch

Sent: Thursday, February 02, 2012 11:16 AM

To: Angie Rutherford

Subject: Stake Center Comments

To Whom It May Concern,

I am writing to express my concerns with the proposed Stake Center and the P&Z considering issuing a special conditional permit.

When Envysion Victor did all the work to find out what people in the community wanted to see the community become, a LDS community was not one of the themes that arose. While I fully support a persons right to follow any religious beliefs they choose to believe in, I do not believe that a mega-church is something that will help move our community into what the majority of the citizens want it to be. I do feel that a normal size church in an already appropriately zoned area nearer to down town would be ok. Any new addition to the existing downtown footprint that would help increase foot traffic in that space, fill vacant spaces and help increase the sales of the local restaurants and shops is what we should be looking for. Victor needs to become a self sustainable town in and of itself. We need office type companies/businesses to come here to help create jobs that will fuel a downtown to be full of people working. Those people will eat and shop locally which is the only way to grow our local community. All of us that own homes here need downtown to start to "come alive" so that our house values return to a normal level. We need to fill all these vacant homes that exist today with people who can work in and support our local community and not commute to Jackson like so many of us have to do to support our families. We need to be enticing not one specific group of people to move here but enticing everyone to consider Victor as a community to start their business in and to move their families into so that they can enjoy all that we offer here.

Years ago the community may had a different vision but today, I see Victor as a community of people that love the outdoors, nature and are looking for a place to live where they can live, work and play. I personally would rethink moving here if it were deemed a "LDS" community which is what this mega-church will be doing and I feel that is the opposite direction from where we want to take this town.

This town and this county have made a lot of terrible decisions in planning in the past and we can not undo what has already been done. We do however have the ability to make the correct decisions moving forward to create downtown areas, to not ruin our scenic corridor, to require large projects such as this to have extensive landscaping and height restrictions that we strictly enforce. We have to protect the few good things that we currently have going for us here in Victor. We can't have a sea of asphalt, a 70 foot tower, a ridiculously lighted parking lot as well a obscenely large building out of place that doesn't reflect the current community makeup and desired community feeling approved by the people elected into office to make sure the town/city/county are improved for all of us. We have placed our trust in you to make the right decisions to better the "entire" community.

If we are going to make special exceptions (conditional permit approvals), lets do it for something that reflects the communities desires like a rec center, pool, bigger library, better school, parks with running trails/biking trails... there are a lot of options that would help the existing community a lot more that deserves the time and consideration than a project like this. Even a Target store or Walmart would be more beneficial.

We have to set the rules, adhere to them and make this a better community for those of us that live here. We have to make this community succeed and thrive. We need rules and regulations to do that - this does not fit into

those existing rules. It is not fair to consider approving this type of special use permit that only benefits one specific group of people and could potentially hurt the rest of us.

I hope you make the right decision and do what is in the best interest of the community as a whole and not this one specific group. Please stand by the rules you have put in place to make this area a great place to live for those of here now and those that we hope will begin to move soon. We have a long way to go but we have to continue to keep taking steps forward and not backwards if we are ever going to reach our goal.

Sincerely,

Liz Gooch

From: Casey Eason
Sent: Thursday, February 02, 2012 12:27 PM
To: Angie Rutherford
Subject: Comment on LDS CUP_Very much opposed

Growing up in rural Idaho and Montana, I moved my family to Teton Valley because of the stunning natural uniqueness the valley provides. I can't think of a better way to interfere with the natural beauty of the valley than building structures such as the LDS stake that is proposed. If the desired grandiosity of the steeple is to be defended under the guise of "religious exercise" then I would argue that it is inhibiting my religious exercise of viewing and appreciating the Teton Range, which is my place of worship.

From: Felix Zajac
Sent: Thursday, February 02, 2012 1:08 PM
To: Angie Rutherford
Subject: LDS Stake Center at 7000S

I am opposed to a CUP being granted to build a LDS Stake Center at the proposed location.

The Word document attached outlines my reasons.

Thanks.

Felix Zajac

Teton County Planning & Zoning Commission
150 CourtCenter Drive
Driggs, Idaho 83422
RE: Comments on the Stake Center at 7,000 South

Dear Planning & Zoning Commissioners:

I am opposed to the construction of a LDS Stake Center at 7000S and Hwy 33 near the periphery of Victor's Impact area even though I highly value structures supporting religious expression.

My reasons for opposing a CUP for a LDS Stake Center at this site are:

1. The applicant does not provide a rationale for why a CUP should be granted; i.e., why cannot the State Center be located elsewhere in Teton County (e.g., the City of Victor) where zoning is compatible, or more compatible? In fact, wouldn't a location within Victor be better so alternative transportation to automobiles can be used by some users of the State Center?

2. The proposed Stake Center, the additional structure and the very large parking lot is a very, very large entity, incongruous with the surroundings; thus its existence will encourage development around it, not just perhaps residential development, but also perhaps leading to more proposals for commercial-based CUP. Will such an impact be compatible with the soon-to-be new Comprehensive Plan? If not, I imagine many dilemmas, and perhaps litigation, that the P&Z Committee and BOCC will encounter when other CUPs are proposed near the Stake Center.

3. The Stake Center will have a negative impact on preserving Hwy 33 as a scenic corridor, an Idaho Scenic Byway, one of the major assets of Teton County, especially in regards to attracting tourism, a major economy of the Teton Valley. In fact, such a structure at this location may be completely in opposition to the soon-to-be new Comprehensive Plan, which may outline stringent development requirements along this corridor. The proposed screening of the large structure and parking lot from Hwy 33, as well as from the surroundings, is far from sufficient and gives me the impression of lack of sensitivity to others in the community.

4. No rationale is given, nor can I think of any reasonable one, for why the Stake Center cannot abide by all ordinances, such as dark skies and structure height limitations. Does the proposal provide with clarity, give a guarantee, that the dark skies ordinance will be fulfilled? I think not. Why so many lampposts? When will the lights be on? Only during events? How many events a year? Can a maximum number of events be enforced? For small events, can only a subset of lampposts be on to constrain parking to a subset of the parking area?

What justification is there for a 70 ft high steeple? None, nor can I think of any reasonable one. A good architect can surely design a structure to suit their needs and yet fulfill Teton County's as well, including abiding by all its ordinances (e.g., dark skies; height). I encourage the P&Z to impose stringent requirements on design criteria should it decide to offer a conditional approval, though I am against approval at this location period.

5. Traffic on Hwy 33 and 7000S will be heavily impacted during events. Hwy 33 is the major thoroughfare from Victor to Driggs. The proposed large parking lot, along with the events having a specific beginning and ending time, suggests much traffic, most likely snarling traffic on Hwy 33. Perhaps turn lanes and acceleration lanes will be needed to mitigate traffic snarls on Hwy 33? Who pays? Will 7000S need to be upgraded? Who pays? Will all infrastructure improvements to roads (and others?) be completed before a building permit is given?

Thanks for your consideration of my comments. I believe that this CUP application should be denied outright; there are just too many serious shortcomings to grant approval. I believe Teton County and those using the Stake Center will be better served with a Stake Center located elsewhere.

Felix Zajac

From: Jon Jensen
Sent: Thursday, February 02, 2012 4:08 PM
To: Curt Moore; Angie Rutherford
Subject: In favor of LDS stake center

Dear Teton County Commissioners,

I am in favor of the county allowing the proposed LDS stake center to be built.

Topics such as traffic flow changes and county road suitability, storm water runoff, and dark sky are worth discussing.

I think subjective opinions about beauty, or the size of the building and height of the steeple should not be a consideration of the county, and should be left to the builders on this property (or any other).

Thank you for your attention.

Jon Jensen

From: Rich Coburn
Sent: Friday, February 03, 2012 8:04 AM
To: Angie Rutherford
Subject: Church Steeple

2/3/12

To Whom it May Concern:

As I struggle with the right words to express my opinion concerning ordinances that forbid church steeples, I realize that it is best to just try and keep it brief.

1. As a 3rd generation Teton Valley resident, I find it remarkable and extraordinarily sad that such a debate is necessary and that my heritage and the culture that homesteaded this valley has been so belittled.
2. Show some common sense. You do have that prerogative.
3. Your idea of beauty may not be the same as mine. Be careful outlawing mine and ours.
4. Be wise. You are teetering on the edge of doing irreparable harm to this community.

Rich Coburn

From: steven king
Sent: Thursday, February 02, 2012 10:11 PM
To: Angie Rutherford
Subject: Victor Stake Center Conditional Use Permit comments: Feb.2, 2012

Victor Stake Center Conditional Use Permit comments: Feb.2, 2012

...I'd like to go on record as opposing the height variance for the new Victor Stake Center. Have they shown undue hardship because of the characteristics of the site? To state that the steeple being that tall is needed as a part of their religious experience does not take in to account what has been passed by the County Comprehensive Plan as to what is best for all the county residences. It would seem the this church has been meeting for sometime in this valley without any repercussions from not having a 70' steeple. Isn't it true that the Burns Concrete Plant was never given a height variance and they have never done business at their site. It would seem that the burden of proof would lie with this church to give a more detailed explanation of why this height variance is necessary for them to worship. Their religious experience should not impact the rest of the citizens that live in the area, in the valley or drive on Highway 33. This impact would be especially irritating if this structure were to lighted 24-7. I couldn't believe that this would pass the Teton County Dark Skies Ordinance. Light pollution is real, especially to those who live in the area and not just visit. I was made to live with a blinking cell phone tower nearly in my back yard for several years and I can tell you it was a *nuisance* and an *intrusion* into my life that was never appreciated. I would certainly hope that the entire project would adhere completely to the Teton County Dark Skies Ordinance with low wattage down lighting on all exterior lights, not just in the parking lot.

...As far as rezoning this property for this massive structure it would seem that this group should be made to show what efforts went into finding a suitable location that was properly *zoned* for the project. Certainly you can not just change the zoning on a property because one group has proposed a development. Don't roll over every time a group with large financing and clout wants change the zoning. Can people with less means and clout as easily get their property zoning changed?

...If their landscape screening proposal doesn't adhere to the County Impact Screening Codes then it should be your duty to hold this group responsible to follow these guidelines rather than just saying this time they can ignore the Codes. These Codes have been put in place to try and mediate the intrusions into the majority of County residents rather than bend to the whims of a few.

...It would seem that this group finds it easier to seek variances than to try and adhere to the Comprehensive Plan that is in place here in Teton County, Idaho. I would rather see you uphold the existing ordinances if sufficient evidence isn't produced to warrant the variances to the County Comprehensive Plan, Teton County Dark Skies Ordinance, Impact Screening Codes, and others. Every time they are circumvented by this developer or another they are weakened and become less relevant and do not *serve* the purpose for which they were intended.

Steven King

From: Scott Moses
Sent: Thursday, February 02, 2012 8:41 PM
To: Angie Rutherford
Subject: Moses Letter-Stake Center

Please see attached letter.

SCOTT R. MOSES, AIA

February 2, 2012

Planning and Zoning Commission Teton County, Idaho pzadmin@co.teton.id.us

Subject: Proposed Stake Center, Highway 33/7000S

Teton County Planning Commission:

I ask you to retain the rural character, scenic corridor and existing zoning by not permitting a conditional use permit to Blackfoot farms/LDS church. Please uphold our comprehensive plan by not permitting this development at its proposed location. It is imperative that these types of developments be confined to our city centers. I fear if this type of development is permitted that a precedent will be set making it very difficult to prevent future nonconforming developments. Instead of the preferred city centers that the public desires, we will be left with strip developments along Highway 33.

It is time to set an example and not permit these types of uses. This site was zoned agriculture/rural residential. I request the commission to retain this zoning and not permit the conditional use permit. Preserve our thoughtful zoning, open space, dark skies ordinance and rural heritage by disallowing this permit.

Sincerely yours,

Scott R. Moses, AIA

From: Jennifer Farley Werlin
Sent: Thursday, February 02, 2012 3:00 PM
To: Angie Rutherford
Subject: Stakehouse comments

Dear Teton County P&Z,

As Victor residents, we have some sincere concerns about the the planned LDS Stakehouse along Hwy 33 between Victor and Driggs. We support the Church having the right to build a Stakehouse, but oppose having a building of this size in a rural area outside of city limits. As the commission knows, zoning doesn't allow for this type of building, and that is precisely why we have zoning rules. It should only be allowed to be built in an appropriately zoned area within current city limits. We are specifically concerned with the amount of traffic congestion that could potentially occur outside of city limits. The proposed site is currently an agricultural area, and we believe that the community should do all that we can to concentrate development within the city limits, thus helping to preserve open space and our agricultural heritage.

We are also concerned with the implications that this development could have on our dark skies. Clear guidelines of the types of lights and the hours of lighting should be outlined so as not to interfere with our ordinance. The height of the building and steeple are other concerns. Both need to comply with our current height ordinance.

Further, we are concerned about the proposed size of the parking lot and vast amount of impervious surfaces. Last June after a snowy winter and wet spring, we had severe flooding that impacted highway 33 in several areas between Victor and Driggs. A parking lot will potentially add to flooding risk by adversely impacting the native vegetation and hydrologic regime in the area. Thus, a permeable parking area (e.g., pervious pavers) that facilitates water infiltration, along with proper drainage facilities and biofiltration swales should be the only type of parking surface approved. We also believe that this type of building should comply with current screening guidelines set by the county. Appropriate landscaping should be incorporated. To our knowledge, existing plans do not even meet the County's low-impact screening guidelines.

All in all, we believe that this type of building should be moved to a location within city limits, closer to the community in which it serves. Wherever the Stakehouse is built, it should allow for easy pedestrian/bicycle access (e.g., via the Victor-Driggs path). It is short sighted in this day and age to allow for development that doesn't address alternative forms of transportation.

If modifications to their design comply with current ordinances, we would be more supportive of their plan. It seems like this could be a great opportunity to exercise our ability to compromise and work together as a community, allowing for greater unity, rather than division.

Thank you for your consideration of our comments.

Sincerely,

Kent and Jennifer Werlin

From: Kitchener Head
Sent: Friday, February 03, 2012 9:03 AM
To: Angie Rutherford
Subject: LDS Church, 7000 So.

Greetings:

We were pleased to hear of the church building proposed to be built on 7000 So. We live down 7000 So. LDS buildings are always beautiful and well maintained with lovely landscaping. The steeple is an attractive and inspirational feature and would add greatly to the overall effect.

Also, property values always go up in areas surrounding any LDS construction so we are naturally very much in favor of having this building, with its steeple, on that site.

Kitchener Head

From: danielia lemaich
Sent: Friday, February 03, 2012 9:03 AM
To: Angie Rutherford
Subject: letter re Blackfoot Farms, LLC CUP

To Angie Rutherford and all Teton County Planning and Zoning Commissioners,

The attached letter is in regards to the upcoming CUP proposal in Victor. Please consider these comments. Thank you,
Danielia Kotler

To: County planning & zoning members
CC: Angie Rutherford
From: Danielia Kotler
Date: Feb. 2, 2012
Re: Blackfoot Farms LLC CUP proposal

I am writing to express my concerns about the recent proposal for a CUP application brought forth by Blackfoot Farms. I am writing to oppose the proposal based on the large size of the building as well as the 70 foot steeple that is requested. The large size of these two aspects is not in congruence with the rural setting and character of the location. Additionally, I have concerns about the negative impact on the dark skies ordinance this large of a structure and parking lot would create. This is a matter of great importance as our valley is one of those rare places that offers dark skies and stargazing for all.

As you take into consideration the proposal, please consider the larger impacts of such a proposal. It seems there can be a compromise to the size of the entire project including the overly large steeple that would taint the mountain views.

Respectfully,

Danielia Kotler

From: Sonja Head
Sent: Friday, February 03, 2012 9:44 AM
To: Angie Rutherford
Cc: Kitchener Head
Subject: Proposed Stake Center

I feel the proposed Stake Center is a much needed facility. It will be beautiful, and will show the Christian beliefs and dedication of the local population. As all of the LDS church buildings it will be well maintained and landscaped. An asset to the county and community.

Sonja Head

To all,

This past fall, I spent over an hour with Jack minutely going through the lighting specifications on the Driggs Stake/ Victor meetinghouse, both the parking lot and any wall-mounted fixtures. We called the applicant's electrical / lighting engineer and got further specifications on some of the fixtures' specifications. I left the review session believing that Jack (a retired INL engineer and the gentleman who helped craft our complex and technical dark skies ordinance) could be satisfied that the lighting plan could conform to the ordinance. He wanted a few more details about something called LLF factor, plus the brand and model number of the shielded building-mounted fixtures. I believe these specifications were conveyed to Jack and that he believed them to comply.

Based on the public comments I've received, there seems to be the perception that the lighting plan does not conform to the new lighting ordinance. Since it is a new lighting ordinance being applied to a large scale project, we are going through a little learning curve. For example the references the following : " vertical luminance, lamps with color rating of 300K, 'Lighting Official" , or 0.1 foot candles at property boundary, 4000 lumens, and "IENSA Recommended Practice 06-01 or its successors for Class III or IV facilities as applicable". I really appreciate Jack's help with "enlightening" me about some of these technical specifications. Below, Jack provides more input below.

Curt Moore

Planner
150 Courthouse Drive, Room 107
Driggs, Idaho 83422
Ph: 208-354-2593 ext 200

From: Jack Liebenthal
Sent: Thursday, February 02, 2012 9:30 PM
To:
Cc: Sandy Mason; Curt Moore
Subject: LDS building

I have not read more than a few lines about VARD comments on the Victor building when I became so angry that I had to write.

VARD seems to say there is a dark skies problem.

It says that the area has 26 light posts versus 11 light posts for Broulims and 18 for the courthouse. You, Anna, were there when the ordinance passed. I believe you reviewed it. Paragraph A. says

[T]his Section also requires the design approach to area lights to be greater in number, lower in height, and lower in lumens, rather than fewer in number, higher in height, and higher in lumens.

Therefore VARD's supposed worse number of poles actually shows that the designer is sensitive to the issue.

VARD also says poles are 18 feet high. The ordinance calls for 20 feet max. Broulim's main lights are 25 or 27 feet high as I remember it. They each have 2 400 watt lamps.

The church's first proposal was one 150 watt lamp per pole using excellent fixtures. Before I saw details I commented to Curt Moore that at 20 feet high, 150 watts was too much to meet the footcandle limit and suggested that the designer review the ordinance. Subsequently I reviewed with Curt a new design that had reduced the wattage to 100 watts, changed the fixtures to another excellent one that controlled light trespass fully and met the footcandle ordinance. No other applicant in my experience has been so skilled or responsive. My belief is that the applicant is capable and willing to meet the ordinance.

Broulims does not meet the subsequent ordinance. It's only as good as it is because I weighed in on the first design and Dick Broulim responded.

Driggs and the County are the worst polluters in the valley.

The Courthouse is terrible. The fixtures are awful. A rough guess is that the 10%-uplight 150 watt courthouse lights*, produce more skyglow than the zero uplight stake center by a factor of 20 to 50**, because the light goes near-horizontally out until it is scattered into the sky or ground, while the LDS lights only are reflected.

I am very disappointed that, with the knowledge that exists, or should exist, within VARD, the characterization of the project lighting has been so slipshod.

Please correct the information you have distributed. If you can not, you have my permission to post this e mail on VARD's website as a footnote to the bad information.

*They've been changed to bluish lights with reduced watts and lumens, but the reduction is offset by the fact that the bluish light produces 2 to 3 times as much skyglow as the equivalent HPS lights.

**There's a study by the Flagstaff Naval Observatory that proves this counter-intuitive factor. The greater factor is at greater distances.

--

Jack Liebenthal Teton Valley

From: Tiffany
Sent: Thursday 2/2/2012 2:44 PM
To: Curt Moore
Cc:
Subject: support of LDS church North of Victor

I am writing to voice my support of the commissioners allowing the LDS Church North of Victor to be built. Please support the decision to proceed with the building on the church.

Thank you,
Tiffany Jenkins

From: Jason Letham
Sent: Thursday 2/2/2012 2:39 PM
To: Curt Moore
Cc:
Subject: LDS Building

BOCC,

I am in favor of the LDS Church being constructed near 7000 s and Hwy 33 in Victor and feel it will add more "scenic" to the scenic corridor.

Thank you.



Jason P. Letham

From: Erik
Sent: Thursday 2/2/2012 2:35 PM
To: Curt Moore
Cc:
Subject: Lds church house

To whom it may concern:

I live in the area of the newly purposed lds church house, I believe it would be a great asset to our community. I am in support of the building. Thank-you Erik moss

Sent from my iPhone

From: Marlene Robson
Sent: Thursday 2/2/2012 2:34 PM
To: Curt Moore
Cc:
Subject: LDS Church Building

My email had an error message so wasn't sure if this went through or not. I am sending it again. Sorry if it you get it twice.

Marlene

----- Original Message -----

From: Marlene Robson

To: cmoore@co.teton.id.us

Sent: Thursday, February 02, 2012 2:25 PM

Subject: LDS Church Building

To Whom It May Concern:

We would like to voice our support in favor of the LDS Building being proposed and built just North of Victor. These buildings are very important to our members and the community. They are always very well maintained. The grounds are landscaped and very well maintained and neat and clean. I do not believe that the steeple will detract from the area. On the contrary, it is an important part of the building and fits in and makes the building more attractive.

Thank you,

Gary & Marlene Robson

From: TONY WADE
Sent: Thursday 2/2/2012 2:31 PM
To: Curt Moore
Cc:
Subject: LDS Church Building

I am writing to you in support for the New LDS Church Building that is seeking a permit and a variance for the building. The church will build a building that is very appealing to the area and landscaped and maintained with great care and hope that you could support such a great building that would be an asset to the community.

TONY WADE

From: Brian Gibson
Sent: Thursday 2/2/2012 2:29 PM
To: Curt Moore
Cc:
Subject: LDS Building

Please consider and approve the LDS proposal to build a Church in the designated spot in Victor.

Thanks

Brian Gibson

From: Roy Davis
Sent: Thursday 2/2/2012 2:28 PM
To: Curt Moore
Cc:
Subject: LDS CHAPEL

I am writing to give my support to the LDS Chapel that is being proposed to be built just north of Victor. I feel that it will not detract from the scenic corridor in fact it will be a great addition to the south end of the valley. The LDS Church as well as all of its local members are proud of the buildings that are built. As a third generation Teton Valley resident, this is one item that I can honestly stand up and support.

Roy L. Davis

From: John Mckellar
Sent: Thursday 2/2/2012 2:24 PM
To: Curt Moore
Subject: Church Building – Church of Jesus Christ of Latter-day Saints

Dear Teton County,

It is my understanding that it is the appropriate time to address an e-mail to your office in support of the building of a new church building to be located just north of Victor.

Please know that I am a member of The Church of Jesus Christ of Latter-day Saints and have also been a citizen of Teton County since 1972, I am in full support of building this chapel, and also support for any other religious organization that wishes to provide a place of worship for its members here in Teton County.

Those in county administration can easily and quickly see the quality of construction and maintenance of ALL buildings built by The Church of Jesus Christ of Latter-day Saint not only in Teton County but in almost every community in Idaho and all its neighboring states. They are expertly designed, carefully constructed and wonderfully maintained - in every instance. Surely such a project would be welcomed not only as an attractive building but also a needed opportunity for employment in this county. Most importantly, it provides a place for sacred worship by people of faith.

I am aware of historical uses by the Teton Valley community of Church owned properties, and can attest to the fact that the Church has welcomed all citizens to its buildings and parks for school activities, community events, emergency access to parking lots for life-flight services, and have, when requested, made chapels available for funerals of other faiths.

I strongly urge Teton County to help, and not hinder, such a worthwhile project that requires no funding by tax dollars.

Sincerely,

John A. McKellar

From: Stephen Bagley
Sent: Thursday 2/2/2012 2:19 PM
To: Curt Moore
Cc:
Subject: LDS Church

Teton County Planning and Zoning Office,

I am sending this e-mail to inform you of my support for the new LDS Church building proposed at 7000s in Victor. The minute we lose our commitment to God, Country and our fellowmen we lose ourselves.

I realize there is opposition to the new building. But throughout the history of this valley many of its settlers have been of the Mormon faith. Dont take away the right of the LDS people to worship God as they see fit.

Thank You

Stephen Bagley

Victor resident

From: Jon Jensen
Sent: Thursday 2/2/2012 4:08 PM
To: Curt Moore; Angie Rutherford
Cc:
Subject: In Favor of LDS stake Center

Dear Teton County Commissioners,

I am in favor of the county allowing the proposed LDS stake center to be built.

Topics such as traffic flow changes and county road suitability, storm water runoff, and dark sky are worth discussing.

I think subjective opinions about beauty, or the size of the building and height of the steeple should not be a consideration of the county, and should be left to the builders on this property (or any other).

Thank you for your attention.

Jon Jensen

From: Betty Kunz
Sent: Thursday 2/2/2012 3:59 PM
To: Curt Moore
Subject: LDS Church Building

Dear Teton County Commissioners and Planning & Zoning Committee,

We are writing in response to the variance for the height of the steeple on the proposed Church of Jesus Christ of Latter-day Saints' Church Building to be located just north of Victor, Idaho.

This building site is in a rural area and we do not feel that the height of the steeple should be a problem. As you are already aware, the Church of Jesus Christ of Latter-day Saints' buildings and grounds are always taken care of and are an asset to the communities in which they are located. We feel this will not be any different.

We would appreciate your taking our request under consideration. Thank you very much. Keith and Betty Kunz

From: Julie Etta Hansen
Sent: Thursday 2/2/2012 3:50 PM
To: Curt Moore
Cc:
Subject: Proposed LDS Church building in Victor

Teton County Commissioners,

I am writing in support of the proposed LDS Church building north of Victor, Idaho. The proposed building will be of great benefit to the entire community and will have beautifully kept grounds. The commissioners need to vote in favor of allowing this building.

Thank you,

Julie Hansen

From: David Kearsley
Sent: Thursday 2/2/2012 3:49 PM
To: Curt Moore
Subject: LDS Church

To whom it may concern,

This email is to inform the county that I am in favor of allowing The Church of Jesus Christ of Latter Day Saints to build a new building in the Victor area.

I am excited for any growth to come to our community. I believe this is the general idea that most individuals living in our great valley would love to see growth. I ask that you approve the application to build rather than denying the application based off the steeple reaching beyond the county ordinance.

Sincerely,

David N. Kearsley

From:
Sent: Thursday 2/2/2012 3:44 PM
To: Curt Moore
Cc:
Subject: Proposed building outside of Victor

We would like to add our support for the LDS building being built outside of Victor; also for the proposed height of the building,

Jay Farrell Buxton and H. Jeanne Buxton

From: Matt Berry
Sent: Thursday 2/2/2012 3:39 PM
To: Curt Moore
Cc:
Subject: LDS Church in Victor

I want to let my voice be heard about what has been said about and what has been going around about the variance in regards to the height of the steeple and the CUP. I hear a lot about it being in our scenic corridor, affecting our dark skies and the large footprint the building would have on the rural character. Those items have nothing to do with a CUP or the variance. The bottom line is there needs to be a new church building to support the growing congregations of the Church of Jesus Christ of Latter Day Saints in Victor and I would love to hear of a better place to put this building. The building is needed by the congregation as well as the community so if not in this location then where? If there is another location that is better there will be the same fight because VARD will intervene and find something that is wrong with that location too. Everything I hear in opposition is from VARD and it's supporters, and nothing by our planning and zoning! The building is needed so help find the solution to fulfill the need.

From: Olivia Kearsley
Sent: Thursday 2/2/2012 3:28 PM
To: Curt Moore
Cc:
Subject: My Support
Hello,

I am writing in regards to the proposal of the new LDS church building outside of Victor. The building has my total support in it.

What better way to show that the valley and in particular, Victor, is still growing and moving upward despite the downfall of the economy then to be able to create the buildings and space that we need here to flourish in the valley.

Change is a good thing, we cannot grow without it. So let's take that step!

Sincerely,

Olivia Kearsley
Victor

From: Randy Burnside
Sent: Thursday 2/2/2012 3:27 PM
To: Curt Moore
Cc:
Subject: Yes Build the new LDS Church

To whom it may concern,

YES It is important to allow the building of the new LDS church.

Randy Burnside

From: Rosalin Nelson
Sent: Thursday 2/2/2012 3:22 PM
To: Curt Moore
Cc:
Subject: LDS Church Variance

Dear Teton County Idaho Commisioners,

I am writting in regards to the proposed plan for the building of the LDS Church Building that would be just North of Victor. May I state that I am in full support of another Church Building in Teton County, LDS or otherwise. Whenever we turn to God and worship Him, individually, as families, as communities, as a nation we will **always** be blessed. Having one more place where we can gather and worship the Lord Almighty is a gift to all. Therefore, I ask that you will grant variance in regards to the height of the steeple that is proposed for this Building and allow the plans to move forward.

Thank you for your continued service to Teton County.

Sincerely,

Rosalin Nelson

From: Craig Rowbury
Sent: Thursday 2/2/2012 3:15 PM
To: Curt Moore
Cc:
Subject: Future Construction of New LDS Chapel

Teton County Commissioners:

This is a letter to request a variance concerning the height of the steeple on the future LDS Chapel. This will be an incredibly beautiful building and will be a positive visual appearance from Highway 33 as individuals drive by. Thank you very much for this opportunity to provide input and for your attention to this important matter, Craig Rowbury Sent from my iPhone

From: Teresa Mangum
Sent: Thursday 2/2/2012 3:01 PM
To: Curt Moore
Cc:
Subject: LDS Church

Dear County Commissioners,

I am writing to you today to let you know that I am in support of the building of the LDS church in Victor. I do not see that the height of the steeple should be an issue. I am a tax payor in the Valley and have been for many years. I would feel the same if it were to be a church of any other denomination.

Thank you for your time,

Teresa Mangum

From: Mike Bott
Sent: Thursday 2/2/2012 2:59 PM
To: Curt Moore
Cc:
Subject: LDS Church

To whom it may concern,

We would like to voice our support in favor for the LDS Church building in Victor. We do NOT believe that a steeple will obstruct any views or hurt the scenic corridor in any way. There are already several churches in the valley and the steeples on them have never hurt the beauty of this valley!!

Thank You,

Mike and Lesa Bott

Tetonia, ID

From: Zane and Betsy Calderwood
Sent: Thursday 2/2/2012 2:51 PM
To: Curt Moore
Cc:
Subject: LDS Church Building Hearing

Dear County Commissioners,

We are sending this email in support of the proposed LDS Church Building for the South of Victor. This support would also be for the variance required for the steeple.

The LDS Church has a vast experience of building church buildings all over the world. They have a proven record of building beautiful quality buildings that enhance their local communities. These buildings are used extensively

by the local church members, but they have been used (we believe without cost or expensive fees) by congregations of other faiths and community organizations.

I would hate to see the religious buildings of many different faiths known for their beauty and awe-inspiring architecture if they had been limited to some of our recent county restrictions.

With respect,

Zane Calderwood, Ph.D.
Betsy Calderwood

From: Darrell Empey
Sent: Thursday 2/2/2012 2:49 PM
To: Curt Moore
Cc:
Subject: Victor Church

I want to support the building of a new Victor Church. The need for this church has been needed for some time to meet the needs of the Victor community, with the continued and expanding population in the Victor area. The requirements of height, size, and location of the new church should be met. This building would expand the visual and appreciation of this area.

Sincerely,

Darrell Empey

From: Eric Kay
Sent: Thursday 2/2/2012 2:51 PM
To: Curt Moore
Cc:
Subject: victor church

To whom it may concern:

We are in favor of the proposed variance to the zoning which would allow the LDS church to build a building north of Victor. The Church has been instrumental in this Valley since it was established. Please consider this public input when making decisions that affect the public.

Regards,

Eric Kay
Susan Kay
Samantha Kay
Morgan Kay

From: Michelle Berry
Sent: Thursday 2/2/2012 2:49 PM
To: Curt Moore
Cc:
Subject: New church building in Victor

Dear Teton County Commissioners:

I am writing in support of approval of a Variance for the new church being built by the LDS Church in Victor. The LDS church goes to great lengths to built beautiful buildings and I have no doubt this will be the same. I would encourage you to approve this variance.

Ronald Berry

From: Kerry Buxton
Sent: Thursday 2/2/2012 2:48 PM
To: Curt Moore
Cc:
Subject: Church request for building permit

Mr. Moore,

I am writing to ask that you include my response to say that I am totally in favor for the request to ask for a permit and variance for the proposed church building to be built just North of Victor by the Church of Jesus Christ of Latter-Day Saints. I think that this is entirely within the scope of what churches have been allowed to do all across this nation. I feel that the location is very appropriate, in light of the fact that there are many people from this community who travel to attend the church services at the meetings held there.

My family has roots in this valley clear back to 1889. We have been around for a while, and our plan is to be here for a while. We have always welcomed anyone to our home, and to this valley.

I would also point out the following:

1. If the building is located on the proposed site, less travel will be done on the highways and county roads, as the location will be closer for individuals and families to travel to.
2. The appeal of a church in the neighborhood there will provide peace, and comfort, and a sense of security, as any church provides within the community.
3. Precedent has all ready been granted by the county for several other local churches that have built outside the city boundaries.
4. I am not an attorney, nor an engineer, but I believe that churches are allowed to be able to have steeples that are outside of what a local county may allow as a height variance. Is this not the case?
5. There is a significant population of this valley that are benefited by the services and meetings held in the building, as well as the many other benefits there.
6. This building becomes a source of help for the youth of this community as they are able to learn good values, associate with each other, recreate with each other, and be able to associate with each other.
7. I feel that this is a great location, as the valley grows more towards Driggs & Victor, that this is where the larger population of the valley is located between these two cities.
8. I feel that the safety factor of having a building of this size be outside of the city center is important. At certain times of the year, there is a significant population of the community that attend meetings in these buildings, and by having it outside of the city center, it allows for better parking, access, less disruption of current activities within those cities, and less of a chance of accidents happening.

9. The addition of a steeple, in my estimation, will not ruin the views of the valley. I feel that it will be a great asset.
10. The history of this valley was founded on traditional local church buildings being built in almost every small community throughout the valley. This valley has all ready had that precedence of having had those churches there in the past, so it is not a new thing to have a building there.
11. Easy access for our older citizens of this valley is a concern for me, and I feel that this location and facility will help those members of the community to be able to better access a church building, as well as find parking, and less of a hassle of driving in the more heavily populated areas in the cities.
12. I have heard comments from the public of how the building will be built out in an agricultural field, and a concern of whether it is in the communities best interest. I feel that it entirely is so, as it is closer to the citizens there, provides better parking abilities, less traffic concerns, and is better able to provide a community-oriented service to the valley.
13. I think that this will provide an opportunity to enhance the value of local properties adjacent to this facility, and would be an asset to them.
14. In regards to lighting, I think that safety is first a concern, of anyone who parks within those confines next to a church. Next, I think with lighting, that there can be ways to mitigate any impacts on the local character of the area around the structure.
15. I personally feel that the building should be open for all to see, as it will be an asset to the community. When people visit a community, schools & churches, are what is appealing to them, and especially location of how close they are to them to eliminate less travel.
16. I see no adverse affect to the building being placed where it is proposed.
17. I think that this building also becomes a center for the local area in the event of emergencies, as church buildings are one of the first locations for use as emergency shelters.
18. In regards to storm water runoff in this area, it is interesting to note, that as farmers, we have found that the proposed area of this building, is one of the more porous areas of the valley. Water seems to disappear very easily due to the large amount of rock in the ground. As a farmer, it is very difficult to water those areas in this vicinity, as the water seeps through the ground very quickly. Also, I think that current engineering could be done to mitigate any of the affects of any kind of runoff issues.
19. As far as a multimodal connectivity issue, I find that this community has survived for more than 100 years with existing roads and transportation methods. However, with current uses, I believe that things can be accommodated.
20. As far as traffic impacts, I feel that there will be less of an impact on this community having the facility where it is being proposed, rather than closer to the city.
21. As far as the height variance, I feel that a steeple provides no more of a hindrance to views, than some of the tall cottonwoods adjacent to this area.
22. The church has always reached out to all denominations of this valley, and to the citizens. Many functions are held in these church buildings, such as: weddings, funerals, gathering places for meetings, recreational activities, teaching activities, etc.

Thanks once again for your consideration of the bullet-points that I have submitted. I would ask that this e-mail letter be presented to the County Commissioners for review for the proposed public hearing.

Thanks once again,

Kerry Buxton

From: Sally Coburn
Sent: Thursday 2/2/2012 2:47 PM
To: Curt Moore
Cc:
Subject: lds church building

We feel that the proposed LDS church building would be an asset to our community. The fact that hundreds of similar stake houses have been built in our region without modification speaks to aesthetics and functionality of the plan that has been presented.

Sincerely-

Kelley and Sally Coburn

From: Ralph Mossman
Sent: Thursday 2/2/2012 10:54 PM
To: Jack L; Anna: Stacey
Cc: Sandy Mason; Curt Moore
Subject: Re: LDS building

Thanks Jack. All true.

We are working on changing the Driggs laws and lights.

Ralph

----- Original Message -----

From: Jack Liebenthal

To: Anna ; Stacy

Cc: Sandy Mason ; [Curt Moore](#)

Sent: Thursday, February 02, 2012 9:29 PM

Subject: LDS building

I have not read more than a few lines about VARD comments on the Victor building when I became so angry that I had to write.

VARD seems to say there is a dark skies problem.

It says that the area has 26 light posts versus 11 light posts for Broulims and 18 for the courthouse. You, Anna, were there when the ordinance passed. I believe you reviewed it. Paragraph A. says

[T]his Section also requires the design approach to area lights to be greater in number, lower in height, and lower in lumens, rather than fewer in number, higher in height, and higher in lumens.

Therefore VARD's supposed worse number of poles actually shows that the designer is sensitive to the issue.

VARD also says poles are 18 feet high. The ordinance calls for 20 feet max. Broulim's main lights are 25 or 27 feet high as I remember it. They each have 2 400 watt lamps.

The church's first proposal was one 150 watt lamp per pole using excellent fixtures. Before I saw details I commented to Curt Moore that at 20 feet high, 150 watts was too much to meet the footcandle limit and suggested that the designer review the ordinance. Subsequently I reviewed with Curt a new design that had reduced the wattage to 100 watts, changed the fixtures to another excellent one that controlled light trespass fully and met the footcandle ordinance. No other applicant in my experience has been so skilled or responsive. My belief is that the applicant is capable and willing to meet the ordinance.

Broulims does not meet the subsequent ordinance. It's only as good as it is because I weighed in on the first design and Dick Broulim responded.

Driggs and the County are the worst polluters in the valley.

The Courthouse is terrible. The fixtures are awful. A rough guess is that the 10%-uplight 150 watt courthouse lights*, produce more skyglow than the zero uplight stake center by a factor of 20 to 50**, because the light goes near-horizontally out until it is scattered into the sky or ground, **while the LDS lights only are reflected.**

I am very disappointed that, with the knowledge that exists, or should exist, within VARD, the characterization of the project lighting has been so slipshod.

Please correct the information you have distributed. If you can not, you have my permission to post this e mail on VARD's website as a footnote to the bad information.

*They've been changed to bluish lights with reduced watts and lumens, but the reduction is offset by the fact that the bluish light produces 2 to 3 times as much skyglow as the equivalent HPS lights.

**There's a study by the Flagstaff Naval Observatory that proves this counter-intuitive factor. The greater factor is at greater distances.

Jack Liebenthal Teton Valley

From: James Dewey
Sent: Thursday 2/2/2012 9:32 PM
To: Curt Moore
Cc:
Subject: LDS Church building on 7000 S

To whom it may concern,

I am sending this e-mail to show my support in the approval of the construction of a LDS meeting house on the corner of Hwy 33 and 7000 S.

Thanks you James Dewey

From: Chad
Sent: Thursday 2/2/2012 6:50 PM
To: Curt Moore
Cc:
Subject: Steeple

I support building the church with the tall steeple. Thanks Dr Chad Roberts

Sent from my iPhone

From: Darin and Myra Kerr
Sent: Thursday 2/2/2012 5:13 PM
To: Curt Moore
Cc:
Subject: LDS Church

We support the construction of the proposed LDS church near Victor, ID. We encourage you to allow the necessary building permits so construction can begin.

Thanks,

Dr. Darin & Myra Kerr

From: Ted Kasper
Sent: Thursday 2/2/2012 5:06 PM
To: Curt Moore
Cc:
Subject: Build the Church

YES! Please note that I am in favor of the LDS church being built just north of Victor. We would request that a variance be allowed for the height of the steeple.

Ted A. Kasper

From: Kimberly Sewell
Sent: Thursday 2/2/2012 5:02 PM
To: Curt Moore
Cc:
Subject: Fwd: E-mail letter

~Miss Twiggs

Sent from my iPhone

Begin forwarded message:

From: Scott Sewell

Date: February 2, 2012 4:59:58 PM MST

To: Kimberly Sewell

Subject: Re: E-mail letter

I am in favor of the proposed LDS Church building in Victor.

Scott Buxton Sewell

On Feb 2, 2012, at 4:50 PM, Kimberly Sewell wrote:

~Miss Twiggs
Sent from my iPhone

Begin forwarded message:

From: "Kerry Buxton"
Date: February 2, 2012 2:06:04 PM MST
To: "Kerry Buxton"
Subject: E-mail letter
Reply-To:
Brothers & Sisters,

I need your help. I am asking if you would be able to send an e-mail response to the Teton County Planning Zoning office immediately, or before 5 pm TODAY, Thursday, February 2, 2012. The e-mail address is below. The e-mail is to give your response, if that is okay to ask, to let the Teton County Commissioners know of your support of the proposed LDS Church building which is being proposed to be built just North of Victor. This can be a one paragraph response, or whatever you feel that you can respond to this request. They are allowing us to get our responses in today by 5:00 pm. There will be a Public Hearing to be held on Monday, February 14th, at 5:00 pm, to hear the public response in regards to the request for a permit and variance to be able to build this building. The variance is in regards to the height of the steeple, which would be outside of the county allowance.

Please help me out by responding as soon as possible to:

cmoore@co.teton.id.us

Thanks once again for your quick response to this request.

Have a great day!

Kerry

From: Kimberly Sewell
Sent: Thursday 2/2/2012 5:02 PM
To: Curt Moore
Cc:
Subject: Fwd: E-mail letter

~Miss Twiggs

Sent from my iPhone
Begin forwarded message:

From: Andrew Sewell

Date: February 2, 2012 5:00:12 PM MST

To: Kimberly Sewell

Subject: Re: E-mail letter

I am in Favor of the proposed LDS Church Building.

Andy Sewell

On Feb 2, 2012, at 4:50 PM, Kimberly Sewell wrote:

~Miss Twiggs

Sent from my iPhone

From: Gordon Wooley
Sent: Thursday 2/2/2012 5:00 PM
To: Curt Moore
Cc:
Subject: LDS Church north of Victor

I just want express my support for the proposed new LDS Church house to be built north of Victor. This building will serve the needs of many of the residents of Teton County. Thank you, Gordon Woolley

From: Wayne Egbert
Sent: Thursday 2/2/2012 4:57 PM
To: Curt Moore
Cc:
Subject: Let it be

A letter in support of the church project. I thought they were exempt anyway...

From: Alene Breckenridge
Sent: Thursday 2/2/2012 4:55 PM
To: Curt Moore
Cc:
Subject: church

commissioners

In regard to the church house. We do support to have the church build. If our ordnance will not let a church be built outside the city or anywhere in the county then there is something wrong with how this county is thinking. We need places to serve our God whom it may be and were we would like too. Sometimes the more I am in this valley the more I feel we are forgetting that we live in America the land of the free. Thank you David and Alene Breckenridge

From: Michael & Kimberly Sewell
Sent: Thursday 2/2/2012 4:54 PM
To: Curt Moore
Cc:
Subject: Church Building

To the Teton County P&Z:
I am in support of the proposed LDS Church building.
Mike Sewell

~Miss Twiggs
Sent from my iPhone

From: Mindi Bischoff
Sent: Thursday 2/2/2012 4:50 PM
To: Curt Moore
Cc:
Subject: LDS Stake Center

I would like to lend my support of the LDS stake center that is being built. I feel like the design of the building will only enhance the beauty of an already beautiful area.

Thanks, mindi bischoff
Sent from my Windows Phone

From: Kimberly Sewell
Sent: Thursday 2/2/2012 4:50 PM
To: Curt Moore
Cc:
Subject: Proposed LDS Church Building

To Whom it May Concern:
I am in full support of the proposed LDS Church building.
Thank You,
Kimberly Sewell

~Miss Twiggs
Sent from my iPhone

From: Kimberly Sewell
Sent: Thursday 2/2/2012 4:50 PM
To: Curt Moore
Subject: Proposed LDS Church Building

Commissioners,

I support the variance for an LDS meetinghouse near Victor. I do not object to a tall steeple. I think it would add charm to the valley floor.

Sincerely,

Elsie B. Wach
Driggs, ID

From: Kathy Buxton
Sent: Thursday 2/2/2012 4:46 PM
To: Curt Moore
Cc:
Subject: I Support the building of the LDS church proposed to be built north of Victor –Kathy Buxton

Hello:

I am emailing a quick message as I am headed out the door. I do support the building request for the new LDS church north of Victor. I don't believe the steeple would be an "eyesore". It is thin enough that it wouldn't block the view. In my opinion, it doesn't hurt to look upward and see the beauty that Teton Valley is because of its Creator. :)

Thanks!

Kathy Buxton

From: William B. Moulton
Sent: Thursday 2/2/2012 4:36 PM
To: Curt Moore
Cc:
Subject: LDS Church

I want to support the LDS Church Building that is proposed at 7000 South. My LDS ancestors have been in this Valley since 1896 and a Rural Church has ALWAYS been an integral part of worship. To not allow would be contrary to the very nature and history of this valley.

William B. Moulton

From: Maura Longden **Sent:** Friday, February 03, 2012 10:24 AM
To: Angie Rutherford
Subject: LDS Stake CUP

To P&Z Commission members,

I have several concerns regarding the proposed LDS Stake Center Conditional Use Permit (CUP) & request for height variance.

I am opposed to the construction of the LDS Stake Center at the proposed location due to the the magnitude of the structure and surrounding parking area, the increased traffic anticipated and the intrusion along the scenic byway between Driggs and Victor.

I am opposed to granting a height variance for the 70 foot steeple, or any portion of the structure beyond the current allowable height of 30 feet.

The preservation of night sky is also very important to me. I would like to see less lighting in any proposal for the center and would like to see a requirement for subdued lighting to

preserve the quality of our night sky in Teton Valley. I also request that any authorization include the provision that the steeple not be illuminated at night.

Please consider my opinion when considering this proposal.
I encourage the P&Z commission to deny this proposal.

Thank you.

Maura Longden

From: terrybull
Sent: Friday, February 03, 2012 10:35 AM
To: Angie Rutherford
Subject: stake center

dont need it here. it could be located somewheres else. doesnt need too dominate the small town vision.

From: Ivo Lucchitta
Sent: Friday, February 03, 2012 10:58 AM
To: Angie Rutherford
Subject: [LIKELY_SPAM]LDS Stake Center

Building the LDS Stake center to the size and in the location proposed is a truly dismal concept. There are many reasons for this, but I will mention only two here for brevity.

1. It is a tenet of almost all churches, even the Latter Day Saints, that one should not harm ones neighbors and other people in general: "Do unto others as you wish they would do unto you". The proposed Stake Center would egregiously contradict that principle by seriously infringing on neighbors' enjoyment of their land, and by decreasing the value of their property. Perhaps there is some hypocrisy here?

2. The location of the proposed Stake Center contradicts the most elementary function of a church structure, which is to serve people, not fields and pastures. This means the structures should be situated where the people are, not where they are not, and that would be in one of the valley's urban centers, Driggs or Victor. The principle is clearly displayed in Europe, where they have centuries of experience in such things, and where most churches are situated in villages and towns, not in the country. An urban location would have the added benefit that the Center would not be the eyesore that it cannot fail to be if located in open country.

These considerations are in addition to the fact that the proposed size and location are not in conformity with most zoning regulations in the valley. A church should be the first to observe such rules, which exist for the benefit of all, rather than flagrantly trying to bypass them.

I urge the Planning & Zoning Commission to deny the requested variances.

Dr. Ivo Lucchitta

Memo to Teton County Planning and Zoning

February 2, 2012

Comments regarding the new proposed LDS Stake Center at 7000 South:

Steeple: This is a steeple, not a wall. If driving by on the highway, riding or walking by on the bike path, how many seconds would a steeple be in anyone's way of seeing our beautiful sunsets or the mountains. Personally, to have a church steeple in my picture would be great. It would symbolize that in this Valley we love God and have our priorities in the right place. If I didn't want to see a steeple or church in my picture or view, then just moving a couple feet one way or the other would solve the problem.

Architecture: To me, the architecture and landscaping of all LDS Church buildings is beautiful and pleasing. Architecture should be the choice of the owners/builders. We don't all have the same tastes but I happen to like their architecture. Different architecture is all part of the character of the area.

Location: If it's central to where the need is, and the land is available, then that's where it should be built. In earlier years each community in the Valley had their own church building. They were places of worship, of community activities, and close enough for the surrounding families to get to. As needs changed, and to conserve energy & costs, some have been sold over the years. The new owners have remodeled them into homes, or they have been used by other denominations for religious services & community activities. Now apparently there is a need for a new for the building in the LDS Community, so it should be built where it is needed.

Traffic: Turn lanes may have to be added; they have been added to accommodate other busy intersections along Highway 33. It would be good to get it taken care of before we get the final top coat on Highway 33 this coming summer, but that probably won't happen.

Thanks for reading my comments. Hopefully it will add to the positive attitude of this new building of worship, and of our freedom to enjoy living in this beautiful Valley with all the good citizens here.

DeAnn Butler Waddell
Driggs, ID 83422

From: Morgan Barkdull
Sent: Friday, February 03, 2012 11:09 AM
To: Angie Rutherford
Subject: LDS church

To : Teton County Planning and Zoning

A few comments on the proposed LDS Church building to be built on 7000 South.

The architecture is beautiful and very pleasing to the eye or they would not be allowed to dot the world.

The scenic corridor is all ready lined with businesses, old buildings, falling down buildings, and weeds. It would add beauty with well maintained facilities, manicured lawns, and a sense of peace and a valley of God fearing people to those just driving through the valley or driving here to ski, bike, vacation, hunt, or the many races and other activities that are sponsored here in the valley

The lights are no different than the skating rink and would be a deterrent crime.

The location is necessary due to congregation boundaries that change from time to time allowing closer access for the members from various areas of the valley.

Thank you for the opportunity to express positive feed back.

Dr. Morgan Barkdull

From: On Behalf Of Robert Harris
Sent: Friday, February 03, 2012 11:51 AM
To: Curt Moore
Subject: Proposed LDS Chrch

I'm writing to urge you to allow the request for variance and permit for new LDS Stake house north of Victor. It's my belief that churches enhance the beauty of the valley and without question the LDS churches are an asset to the valley. The variance will allow the architectural design to beautify the end of the valley.

--

Robert L. Harris

From: Stacey Frisk
Sent: Friday, February 03, 2012 12:19 PM
To: Jack L.
CC: Curt Moore; Sandy Mason; Anna
Subject: Re: LDS Building

Autocorrect strikes again! Please substitute 'sky' for 'ski'-- although with this fabulous weather maybe we should all be thinking about getting out for some winter recreation.

I corrected the results of spell-check gone crazy below, so feel free to use the improved version as our public comment on the issue. Once again— thank you to everyone who is contributing time and energy to making this county a desirable place to live and grow.

Stacey Frisk
Executive Director
Valley Advocates for Responsible Development (VARD)

From: Stacey Frisk **Date:** Fri, 03 Feb 2012 11:58:46 -0700
To: Jack L
Cc: Curt Moore , Sandy Mason, Anna Trentadue
Subject: Re: LDS building

Jack,

First off, I'd like to introduce myself— I'm transitioning into the Executive Director position at VARD while working closely with Sandy to ensure that I have a solid historical perspective on the issues and a firm understanding of VARD's role in the community.

I appreciate your feedback on dark skies issues associated with the proposed LDS Stake Center. It is encouraging to hear that they are approachable and responsive to community concerns. However, we must draft our position with the information available— namely what has been presented by the developer's team and governing officials.

The only written record we have of an evaluation of the dark skies impact of the project was your December 7th review concluding that "Either the wattage is too high or the height is too high to meet the ordinance. It would miss by maybe 20-50%." I'm glad to learn that progress has been made towards compliance, but there is currently nothing available in the public record. We would be happy to publicize a revision, but we act on written record and can't issue a retraction based on informal discussion.

We still have concerns regarding the landscape and building lighting— none of which is clearly described in the applicant's narrative.

Our concerns also extend to the suitability of the location; this part of the county is zoned for agricultural and residential development. Even with modifications, a building of this size and design is not in keeping with rural character. As a community gathering place, it belongs in our community where it can contribute to the vibrancy and walkability of our urban core. We would be enthused about bringing this building and its improved lighting into town, where it can serve as an example of responsible design and responsiveness to community desires.

Please feel free to call me at the number below, I would enjoy the chance to hear a deeper perspective on the development and implementation of the dark sky ordinance.

Best,

Stacey Frisk
Executive Director
Valley Advocates for Responsible Development (VARD)

From: Jack Liebenthal
Organization: Jack Liebenthal Consultants
Reply-To: Jack L
Date: Thu, 02 Feb 2012 21:29:53 -0700
To: Anna Trentadue , Stacey Frisk **Cc:** Saunders Mason , Curt Moore **Subject:** LDS building

I have not read more than a few lines about VARD comments on the Victor building when I became so angry that I had to write.

VARD seems to say there is a dark skies problem.

It says that the area has 26 light posts versus 11 light posts for Broulims and 18 for the courthouse. You, Anna, were there when the ordinance passed. I believe you reviewed it. Paragraph A. says

[T]his Section also requires the design approach to area lights to be greater in number, lower in height, and lower in lumens, rather than fewer in number, higher in height, and higher in lumens.

Therefore VARD's supposed worse number of poles actually shows that the designer is sensitive to the issue.

VARD also says poles are 18 feet high. The ordinance calls for 20 feet max. Broulim's main lights are 25 or 27 feet high as I remember it. They each have 2 400 watt lamps.

The church's first proposal was one 150 watt lamp per pole using excellent fixtures. Before I saw details I commented to Curt Moore that at 20 feet high, 150 watts was too much to meet the footcandle limit and suggested that the designer review the ordinance. Subsequently I reviewed with Curt a new design that had reduced the wattage to 100 watts, changed the fixtures to another excellent one that controlled light trespass fully and met the footcandle ordinance. No other applicant in my experience has been so skilled or responsive. My belief is that the applicant is capable and willing to meet the ordinance.

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The Courthouse is terrible. The fixtures are awful. A rough guess is that the 10%-uplight 150 watt courthouse lights*, produce more skyglow than the zero uplight stake center by a factor of 20 to 50**, because the light goes near-horizontally out until it is scattered into the sky or ground, while the LDS lights only are reflected.

I am very disappointed that, with the knowledge that exists, or should exist, within VARD, the characterization of the project lighting has been so slipshod.

Please correct the information you have distributed. If you can not, you have my permission to post this e mail on VARD's website as a footnote to the bad information.

*They've been changed to bluish lights with reduced watts and lumens, but the reduction is offset by the fact that the bluish light produces 2 to 3 times as much skyglow as the equivalent HPS lights.

**There's a study by the Flagstaff Naval Observatory that proves this counter-intuitive factor. The greater factor is at greater distances.

--

Jack Liebenthal Teton Valley

From: Nanci Garling
Sent: Friday, February 03, 2012 10:07 AM
To: Clerk
Subject: LDS Stake on 7000

I have read in the Teton Valley News, that an LDS church is attempting to put a HUGE building on one of the major pathways, in the county. Not only will this impact the animals but the residents, too.

Why does one want to see a well lit building in a forest? I cannot think God wants that to happen. If they wish to build their church there, fine, but it should blend with the scenery! The steeple, to me, would be an intrusion in that corridor. I do not feel this is the place for their cathedral, I am sure that is not the right term, I apologize, if that offends, anyone. Building this huge building and major parking lot with glaring lights, and putting a huge steeple on that building in this area, is just repugnant, to me.

Yes, the church needs another building, can they not add on to their existing church? Why not build another, the size they have in Victor??

I just feel they are "raping" the land to please their beliefs.

Horrified resident,

Nanci Garling

From: Nikki Ripplinger

Sent: Friday, February 03, 2012 12:33 PM

To: Curt Moore

Subject: Proposed building

February 3, 2010

Dear Teton County Commissioners:

I am writing to let you know of our support of the proposed Church of Jesus Christ of Latter-day Saints building which is being proposed to be built just North of Victor. We love our community. We believe active church members of any faith are good citizens and good assets to our local community. We believe that this building will serve it's members well, by allowing them to worship each Sunday, and also allowing them to have various wholesome, healthy activities there during other days of the week.

The steeple is a symbol to it's members. We support the steeple being allowed to built, as well.

Thank you for serving as our county commissioners. We appreciate all the work you do.

Sincerely,

Blaine and Nikki Ripplinger

From: Teton Valley Lodge

Sent: Friday, February 03, 2012 1:12 PM

To: Curt Moore

Subject: LDS Church proposal

I support of the proposed LDS Church building which is being proposed to be built just North of Victor.

Thanks for your time.

Matt Berry

From: Michelle Berry
Sent: Friday, February 03, 2012 2:08 PM
To: Curt Moore
Cc: Angie Rutherford
Subject: variance for LDS Chapel

To Whom it May Concern:

I am in favor of the variance to allow a LDS Church Building to be built at the proposed site near 7000 south. The steeple will add to the elegance of the building and should also be allowed. I feel that this building would be an asset to the "scenic corridor" as well as the people of Teton Valley.

Please vote in favor of the allowing the variance regarding this building.

Sincerely,
Michelle Berry

From: James Price
Sent: Friday, February 03, 2012 1:51 PM
To: Curt Moore
Cc:
Subject: Request of Support

Please accept our support to have the Teton County (Idaho) Planning and Zoning to allow a new LDS Church Building and Steeple be built with permit and variance as requested. We see this request as a valid Request. Thanks, James and Marlene Price

From: Cade Jacobs
Sent: Friday, February 03, 2012 3:38 PM
To: Curt Moore
Cc:
Subject: proposed LDS Church

Hello,

We are writing to request that the county approve the zoning variance in regards to the proposed Church of Jesus Christ of Latter Day Saints building and to let the county know that we support this idea.

Thank you,
Cade and Kristy Jacobs

From: Jack Liebenthal
Sent: Friday, February 03, 2012 3:28 PM
To: Curt Moore
Cc:
Subject: Re: FW: Driggs ID Stake

I'm quite sure these are fully shielded. There are several versions of each, with different characteristics.

I would come in and go over it with you, but my wife needs me here all the time. If you would send me the details, the numbers like KSF1 100S R3 HS, I'll find the photometric descriptions, send them to you, and tell you where to find them yourself or request them from the designers.

If you have a drawing that shows how these are installed, that would help.

On 2/3/2012 10:18 AM, Curt Moore wrote:

Jack,
I am passing along some info I recently received about the LDS church lighting plan. My sense is that the fixtures comply, but I am still going through the learning curve on these types of specifications. Feel free to add your very helpful expertise if you care to.
Regards,

Curt Moore
Planner
150 Courthouse Drive, Room 107
Driggs, Idaho 83422
Ph: 208-354-2593 ext 200
cmoore@co.teton.id.us

From: Cory Roberts **Sent:** Thursday, February 02, 2012 5:30 PM
To: Curt Moore
Subject: FW: Driggs ID Stake.

Curt,

Attached are the cut sheets for the exterior lighting.

Cory

From: Todd Payne
Sent: Thursday, February 02, 2012 11:20 AM
To: Cory Roberts
Cc: Rachel Andrus; Scott Nielson
Subject: Driggs ID Stake.

Cory, attached find cutsheets for all of the exterior lighting proposed for the driggs project. Todd.

--

Jack Liebenthal Teton Valley

From: Diane Hawkins
Sent: Thursday, February 02, 2012 3:09 PM
To: Curt Moore
Cc:
Subject: LDS Church Steeple

Please note that I am in favor of the new LDS church and allowing for a conditional use permit for its steeple. What other facilities in our area have a finer appearance and maintained as well as the LDS church does on their buildings and grounds. Diane Hawkins

From: Chris Moss
Sent: Thursday, February 02, 2012 3:06 PM
To: Curt Moore
Cc: Angie Rutherford
Subject: LDS Church Building Proposal

I am writing in response of the LDS church proposal located at 7000 south just North of Victor.
I am in favor of the proposal and feel like the request for the cup and variance should be permitted!

Thank You for your time and service

Chris Moss

From: Megan Roberto
Sent: Friday, February 03, 2012 10:17 PM
To: Angie Rutherford
Subject: stakehouse

Please don't allow "divine intervention" to ruin the local landscape of our valley. Let the LDS church follow the building codes as they have been written in order to preserve the character of Teton Valley.

In addition, such a huge building and parking area will have detrimental effects on wildlife.

Regards,
Megan Roberto

--
Megan Roberto, M. S.

From: Mitchell Brown
Sent: Friday, February 03, 2012 7:59 PM
To: Angie Rutherford
Subject: Stake and Steeple Hearing

To Whom It May Concern:

I would like to voice my opinion against changing the date of the hearing to February 14. Why was this date chosen? Are you purposely trying to prevent people from participating in the hearing?

Please change the date of the event.

I look forward to your response.

Bests,
Mitchell Brown

From: Brad Brewster
Sent: Friday, February 03, 2012 6:49 PM
To: Angie Rutherford
Subject: New LDS Chapel in Victor

I am writing this to you to voice my support for the new LDS Chapel that is proposed to be build in Victor. I have read many of the comments of those opposed and the concerns of VARD, and, having a family in this community, we completely disagree with their charges.

The LDS community is a very strong part of this valley, with support, food drives, volunteers, and anything else that might be a need at different times. They certainly deserve the right to build a house of worship that fits the needs of their congregations.

The new Chapel will be beautiful, neat and clean as are all new chapels the LDS church builds.

We do not need VARD deciding when, where or what type of buildings our citizens use for worship. There are already too many restrictions and proposals on the books that limit individual freedom in this valley. This is one more example of trying to govern where it is not needed nor wanted.

Church buildings are a neccessity of every religion and are part of every community. That is just a simple fact of life. Those who oppose the new chapel really don't have a valid reason in my opinion. Location in relationship to the bike path? Really? Height of the steeple? Really?

I feel that this building will enhance the community, provide work for the workforce and support the vision of enhancing the community with beautiful new building. Please support the request.

Brad Brewster

Victor

From: Michele Strong
Sent: Friday, February 03, 2012 5:50 PM
To: Angie Rutherford
Subject: Proposed CUP for LDS Stake Center near Victor

I would like to address some of the concerns sited by those opposed to this CUP proposal.

This proposed building is not being built to accommodate the "community" of Victor, or the "community" of Driggs, but to accommodate the needs of the existing congregations it would serve. For that purpose, it is quite centrally located. It is not based on projected growth in the community, but the current needs of current church membership. Biking to and from meetings is rare, even to the meeting houses located in town, because the majority of attendees have often large families and a lot of books and lesson materials to carry back and forth, and with the standard apparel for LDS church meetings, it simply isn't practical. This church would lighten the traffic to and from other meeting houses and ease the overcrowding there. And traffic would only increase at very specific times, when Hwy 33 traffic is typically lower anyway. Tall lighting is necessary in an area like Teton Valley, where heavy snowfall make tall snow banks inevitable, and good lighting is necessary to those using the facility. A 70 ft steeple would not obscure the views around the building. It is a STEEPLE not a tower or 70 ft

building. It seems to me that many of the "concerns" simply illustrate a lack of understanding of the needs of the congregations the church would be serving. I certainly don't think a church qualifies as a commercial eyesore along a scenic corridor. As I have traveled throughout Idaho, I have seen many churches located much like this proposed church- in the corner of a piece of farm land. They certainly don't detract from the beauty of the land around them. I believe that if any building deserves a CUP anywhere in the valley, a church would be the best candidate. I would encourage the P & Z Commission to approve the CUP and height variance for this church along the scenic corridor.

Thank you for your consideration,
Michele Strong

From: James&Audra Gutke
Sent: Friday, February 03, 2012 5:37 PM
To: Angie Rutherford
Subject: Ids stake center

I have reviewed the comments and concerns that VARD has brought up, and I believe you need to hear another side. The lights in the parking lot are for a very wise purpose. When you drive into a parking lot that doesn't have very many lights in it, there are definitely dark places in it. If you take Broulim's parking lot, there are still dark areas that I won't park in at night. In a parking lot that is as big as the one being proposed, I believe all the lighting is needed, in order to keep it a safe place to go. The 18 foot light poles are a wonderful idea, especially with all of the snow that will be plowed off that parking lot and piled up in a corner or along the side. I have aprox. a 12 foot light pole in the parking lot where I live, and with all the snow we receive, it hardly lights up the parking lot during the winter. I prefer to park in a well lit parking lot, not one that has dark corners around it.

I also believe that the steeple on the top of the building shouldn't be too much of a concern. It isn't a building that is going to be 70 feet tall. It is a steeple, that gets thinner as it goes up, and shouldn't create a block of the beautiful mountains we all enjoy. It actually enhances the beauty of the building, and allows those who are looking for it to find it!

As far as locating this building in a different location closer to Driggs or Victor, isn't exactly right either. There are many people who would benefit and use this facility that are with in walking distances to this area. It seems to be in a more central location than some might believe. There are people from the fox creek area, along with people from the Victor area, Cedron area, etc. that would all be gathering there for worship services. It makes a lot of sense to locate it in a central location to this group of people, rather than right in the center of Victor, where there is already one or in the center of Driggs, where there is already one also. The idea is to make it closer to those patrons it would serve, not just closer to the town that most people live in.

I hope you will grant the CUP, along with the height variance for the steeple. It is a much needed building that will serve many people in this community for the years to come.

Thanks for your time,

Audra

From: Alice Stevenson
Sent: Saturday, February 04, 2012 9:37 AM
To: Angie Rutherford
Subject: LDS Stake Center CUP

Planning and Zoning Commissioners:

I think the fact that the proposed LDS Stake Center is in the Victor Area of Impact is an important factor. Based on what I think are the intended purposes of an Area of Impact--an area to be developed and potentially annexed into the City within a short future--I believe this is an appropriate location. It will be serving many people who live in the rural county, which also makes it an appropriate location. It will be easily accessible from a main transportation route (Highway 33).

Although I think the CUP should be granted, there are many conditions that need to be imposed to ameliorate the affect on neighbors, others in the community and visiting tourists. Conditions regarding landscaping, lighting, the surface of the parking lot, storm water drainage, connectivity and traffic patterns need to be very carefully constructed. For example, the number of lights allowed should be far fewer than proposed. If a turn lane is needed for traffic to flow on and off Highway 33, then the applicant should bear the cost, rather than Idaho taxpayers. Many other conditions are also needed, and I trust the planning staff will give you good guidance.

Regarding the requested variance, I do not think the 70-foot steeple should be allowed so close to the main transportation corridor of Teton Valley. I think the building will be quite obviously recognized as a church without the trademark steeple. If the Stake Center is to be built in a largely agricultural area, then a different architectural plan is called for. It will be visible from the highway without the steeple, so no one will have trouble finding it or recognizing it. I urge you to deny the variance for the steeple.

Thank you for your consideration of these comments. I know this will be a very tough decision. No one's rights should be taken away--not those of the applicant and not those of the rest of the community.

Sincerely,

Alice Stevenson

From: Greer Jones
Sent: Friday, February 03, 2012 4:55 PM
To: Angie Rutherford
Subject:

I would like to go on record as being much in favor of the CUP for the new Stake Center near Victor. The LDS churches are always attractive and maintained very well so they enhance any area they are built in. The traffic can be addressed by turn lanes and the lights can be down lit. All in all a church enhances an area and a valley and it will benefit hundreds if not thousands of people. I wish your meeting was later in the evening so I could attend. 5:00 is too early for people who are still working.

Thanks, Greer Jones

From: Ryan Webster
Sent: Friday, February 03, 2012 4:47 PM
To: Angie Rutherford
Subject: lds stake center

To whom it may concern:

I am writing this letter in regards to the proposed building site for the L.D.S Meeting House on 7000 So. in Victor Idaho. As a member of the church and one who would be directly affected by this new building I am in support of having the site approved. If we want to start picking out "eye sores" and "a poor sense of architecture" there are plenty of other building, establishments, and work sites on the scenic corridor that should be looked at way before a place of worship.

Thank you,
Ryan Webster

From: Dan Verbeten
Sent: Friday, February 03, 2012 4:43 PM
To: Angie Rutherford
Subject: stake comments

Dear members of planning and zoning,

I want to say that I support churches are wonderful gathering spaces that enhance community. I would like to see that the project is approved based on meeting current guidelines in the comp plan. I do not support a project that tops out at 71 feet and I do not want to see it from my house. I also am very concerned about the dark skies that and want to see the lighting address this. Lastly, it seems to me like there are many, many better places to locate such a large building and I do not support this project in its current location.

With thanks,

Dan Verbeten

From: Van R Johnson
Sent: Friday, February 03, 2012 4:33 PM
To: Angie Rutherford
Subject: Written comment

I would like to offer written comment regarding building the new LDS Stake Center at the proposed site of 7000 South near Victor. As a citizen of Teton County I would have no problem with the proposed site or the proposed architectural drawings for the following reasons:

- 1.The Church of Jesus Christ of Latter Days Saints are experienced builders. The buildings, they build, usually add and generally never take away from the aesthetic view surrounding the buildings and grounds. I am confident that would be the case with this building in Victor.

2.The 70' steeple would not be a problem for me. If I was looking at a view and the steeple was in my way. I would simple move to the North or South to get a better view. We must remember. A steeple is tall but generally not very wide.

3.A positive for this building would be the economic boost for the County.

Summary. The LDS church builds beautiful buildings. The buildings always complement the surrounding areas. I am confident this building would not deprive anyone of the beautiful scenic views we are all proud of and love in the valley.

Van R. Johnson

Tetonia

From: Cindy Warburton
Sent: Friday, February 03, 2012 4:05 PM
To: Angie Rutherford
Subject: church

To whom it may concern,

I wish to address the issue of the building of the church on hwy. 33 and 700 South. I am very much in favor of building this church. Some say that it will be a eye sore and disrupt the scenic corridor and that it will not be a very "pretty" building. In my opinion it will add a beauty of it's own to our beautiful valley. It will way out shine many of the "trash heaps" we now have in our scenic corridor. I have never known a church yard to be in disrepair. They have always been clean and well groomed.

Once again I am very much in favor of having this church building. I believe it will in no way distract from the beauty of our valley.

Thanks,
Cindy Warburton

From: JR Eason
Sent: Saturday, February 04, 2012 9:02 AM
To: Angie Rutherford
Subject: building

TO WHOM IT MAY CONCERN: WHAT YOU PROPOSE TO DO THE BEAUTIFUL VALLEY, IN SMOTHERING IT WITH CONCRETE, AND A MAN-MADE BUILDING IS DISGUSTING!!!
ONCE AGAIN, IT CERTAINLY SHOWS THE LDS CHURCH (WHICH I AM A MEMBER OF) IS MORE ABOUT "MONEY" AND 'SHOW', THAN ANYTHING ELSE. YOU THINK YOU NEED TO "SHOW YOUR WEALTH"! MY QUESTION TO YOU IS: WHICH DO YOU THINK GOD WOULD PREFER, THE BEAUTY HE CREATED IN THIS AREA, CONSIDERING BEAUTY IS CONSTANTLY BEING DESTROYED BY MAN, OR YET ANOTHER BUILDING, THAT HE HAS NOTHING TO DO WITH IN THE FIRST PLACE. RELIGIONS ARE MAN-MADE...THE LORD HAS NOT PUT A STAMP ON THIS CONTRACT! MY GOD WOULD PREFER I WORSHIP HIM UNDER A TREE, THAN IN A DISGUSTING "OVER-DONE" BUILDING!!!
SHAME, SHAME, SHAME ON YOU.

J.R. EASON
BORN AND RAISED IN IDAHO....STILL LOVING IT EACH SUMMER

From: Kristi Meston
Sent: Friday, February 03, 2012 3:50 PM
To: Angie Rutherford
Subject: Victor Stake CUP

Dear Teton County Planning and Zoning Commission,

I am writing in opposition to the proposed CUP for the Victor Stake Center. There are many reasons I oppose this proposal, and I hope you consider turning down this application. First, I oppose a project of this size located out of the city limits. Planners have worked hard to keep development within the city limits, so community assets are accessible to its residents. A building of this scope should be located within the downtown area, which not only preserves our valley's open spaces, but also makes it readily accessible as a community gathering place. The size of the building and adjacent parking would also negatively impact our scenic corridor, which is a very valuable commodity for our community. Having a Stake Center of this size outside of the city limits would also increase the traffic patterns, and cause congestion on an already busy highway. Additionally, the lighting needed for a project of this size will also not be in compliance with our night skies ordinance.

Thank you for your consideration,

Kristi Meston

From: Carrie Gorgacz
Sent: Friday, February 03, 2012 3:31 PM
To: Angie Rutherford
Subject: Proposed Stake Center

Dear Commissioners:

We write this letter in opposition to the location of the LDS Stake Center as it is currently proposed, both as valley residents who drive the scenic corridor not less than 4 times a day, and as citizens who live off 7000 South in the Mustang Meadows subdivision.

We do not believe that the Stake Center should be placed at the proposed location in the scenic view corridor as it would be better located within city limits. The proposed site is a large piece of undisturbed, irrigated agricultural property that is a gateway for the Valley. It is one of the last contiguous large parcels of property along the view corridor that does not show the scars of failed real estate development. It is an area frequented by sand hill cranes, deer, fox and other wildlife that live in the rural area. This property would be better suited for a conservation easement than a mega structure.

Visitors need to remember our area as a "scenic valley containing vibrant small towns and surrounded by snow capped mountains," not "a mix-matched stretch of highway that sprawls for miles." We believe that a more suitable location in one of the urban areas of the valley can be found. Why destroy undisturbed land when there are parcels that have functionally obsolete buildings on them in the city centers that could be redeveloped?

We personally moved to this valley, and more particularly outside of city limits because of the large open spaces and the peace and quiet this locale affords. We believe if the Stake Center were to be built in its proposed location, it would materially negatively affect property values of all Valley citizens and diminish the beauty of our Valley.

Thank you. Carrie and Scott Gorgacz

From: Abby Warner
Sent: Friday, February 03, 2012 3:30 PM
To: Angie Rutherford
Subject: Stake on 7000 South

Hello -

Thank you for taking the time to solicit and read public comments.

I have concerns about the proposed location of a new Stake Center on 7000 South and Hwy 33.

I very much value the agricultural heritage and landscape of our valley. Although not a farmer I chose to live near where farmers maintain fields for the values that unbuilt space provides, whether in crops or solitude or beauty or for wildlife. The fields at the corner of 7000 South are some of the last big sections along the highway. I would like to see them continue as fields.

I also am concerned about placing such a large gathering spot where it is not close enough for any of the population centers to walk or ride bikes. This seems counterintuitive to the directions I thought many of the comp plans were proposing. A large building and parking area within walking distance of a town center promotes walking communities, visitors to businesses in that center, and a sustainable approach to gathering.

It is difficult to comment on the design and planning of the space given that I think there are better locations which then would come with their own specifications. However, in another location, attention to mitigating lights so dark skies would continue, planting lots and lots of trees to provide ample shade to counter the heat of large paved areas along with scenic appeal (large trees are one of my favorite attributes of so many gathering spots across the west) and connecting the facility to residents with pathways.

Thanks again for your time in reading comments!

Abby
--
Abby Warner

February 3, 2012

Teton County Planning and Zoning Commission
150 Courthouse Drive
Driggs, Idaho 83422

RE: Comments on Stake Center at 7,000 South

Dear Planning and Zoning Commissioners,

I realize that this community has a strong and vibrant LDS population. I respect and appreciate the role they play here. They are also one of many religious and non-religious groups in the county.

Teton County, Idaho is working hard to plan for the future and to create a place that provides for growth and at the same time maintain the inherent beauty of the surrounding environs. The Comprehensive Plan is the tool we are creating to do just that.

Given the nature and size of the proposed Stake LDS Church and parking area I believe that it belongs inside Victor or Driggs not 1 ½ miles outside of town in the middle of an agricultural zone visible all over the Valley. There is nothing subtle about the proposed Church and given the nature of the proposed location there is nothing to hide or soften its presence.

The following aspects make it inappropriate for the proposed location:

The size of the needed parking lot.

The unwillingness to see the value of continuing the pathway between Victor and Driggs. It does nothing to discourage the use of the automobile something that forward thinking planners are doing all over the US.

The height of the steeple. Wasn't it ruled that the Cement factory could not build a higher stack?

The quantity of proposed lighting. The people of the Valley have indicated that they valued being a Dark Sky Community.

How will this be continued with the quantity of lighting proposed for the parking lot and surrounding area?

The variances required needed for this proposal seem to compromise the Comp Plan beyond recognition. I definitely urge the Planning and Zoning Commissioners to not accept this proposal in the requested location.

Is there a possibility of Blackfoot Farms LLC doing a land swap? Is there room for this at Huntsman Springs?

Planning, zoning and development rules apply neutrally to everyone in the Valley. There isn't one set of rules for one religious group and one for another. My guess is if any other group were making this proposal it would be dead on arrival. The proposal is inconsistent with the existing and long term goals by which the county is seeking to protect the values of the Valley for everyone.

I strongly encourage you to work with Blackfoot Farms and the LDS community to find a better location for their new Stake Center.

Thank you for your time and service.

Marilyn Couch

Victor, Idaho

From: Jeff and Diane Jung

Sent: Friday, February 03, 2012 1:57 PM

To: Angie Rutherford

Subject: [LIKELY_SPAM]LDS Stake

As a taxpaying citizen in Teton County, Idaho (we own land on Rammell Mtn.Road) we are against this huge building in a rural area.

As a community building, this should be either in the town of Driggs or Victor, not out in the farm fields. It will increase traffic as everyone will have to drive there. Why is not being proposed for in town?

However, the P & Z let the Catholic church be built out of town (Why?) so there is already a precedent set that the churches do not need to be in towns. So Sad. We are going to lose more rural character of Teton Valley.

Tourists don't want to visit places that are not scenic. We are shooting ourselves in the foot each time we build huge developments not adjacent to the towns. It is out of character for the rural area it is being proposed.

Sincerely,

Diane Verna and Jeff Jung

From: Carol Goe
Sent: Friday, February 03, 2012 12:58 PM
To: Angie Rutherford
Subject: FW: Support for the Proposed LDS Stake Center in Teton County, ID -Revision

Please replace my original letter with this as it had a typo.

Teton County Planning & Zoning Commission
150 Courthouse Drive
Driggs, Idaho 83422

Dear Commissioners:

Our ancestors immigrated to this country in search of religious freedom, and it is written into this country's founding documents that we are blessed with the right to peacefully assemble and worship as we may ("free exercise"), and that the government "shall make no law respecting an establishment of religion". Under the doctrine of incorporation, our Constitution's first amendment has been made applicable to all states, including Idaho, which explicitly states religious liberty. Therefore, our state and local government must guarantee us freedom of religion as does the federal government.

My experience is that property values surrounding LDS structures increase significantly, and I support the proposed building where it is planned. It is on the west side of 33, would not interfere with the view of the beautiful mountain range on the east side - and it would be a whole lot more appealing than the King's shopping complex in Driggs and some eyesore buildings on the north and east side of Victor. Every community needs churches, schools, and health care facilities to meet the demands of the population it and attract economic growth. What Teton county doesn't need is a minority of people who have relocated from other states to escape overburdening ordinances and restrictions and then attempt to impose those same restrictions on the long-time residents here.

LDS architects go to great length to fit in with a surrounding environment. Most folks will agree that a church building should look like a church and be designed to accommodate the congregation it serves. The LDS community in Teton valley is significant, and to deny it its religious freedom because a few residents are concerned that the building's proposed location will infringe on the beauty of the surrounding environment, or prevent walking and biking to it, is absurd, if not illegal. LDS church buildings were in this valley long before most of us now living were, and should be permitted to expand to serve community needs.

Carol Goe
Teton County

From: Mitchell Brown
Sent: Friday, February 03, 2012 12:30 PM
To: Angie Rutherford
Subject: Comment on Stake Center and Steeple

To Whom It May Concern:

I have attached my comments on the proposed project on 7000 South and Hwy 33. I would like to note that I will not be able to attend the hearing on February 14, due to prior engagements. However, I am still requesting that my comments be addressed.

Bests,
Mitchell Brown

February 3, 2012
Mitchell Brown
Driggs, ID 83422

Teton County Planning and Zoning Commission
150 Courthouse Drive
Driggs, ID 83422

RE: Comments on the Stake Center at 7000 South

Dear Planning and Zoning Commissions,

I am writing to express my opposition to the proposed CUP for the proposed LDS Church building located at 7000 South and Highway 33. I do not believe all impacts to the proposed site have been thoroughly studied.

My reasons for opposition are provided below:

1. The new structure would not comply with the Teton County dark skies ordinance.
2. The proposed building would violate Teton County's criteria for low impact screening (Teton County Zoning Ordinance 8-12-1).
3. The applicant claims the building will be community oriented. However, the building will not be located anywhere near the central community.
4. The height of the steeple is too tall. The steeple will be visible throughout the valley, obstructing other community member's views. If this is a community oriented building, why propose such a tall steeple that negatively impacts community member's views of such a beautiful valley.

I would also like to request that more information be provided by the applicant in regards to increased traffic. If it is assumed that the project will increase traffic, and that traffic must occur on a federal highway, will the increase require more maintenance by federal highway workers? If an increase in maintenance is required, would the maintenance budget be significantly more than the existing maintenance budget? If so, would that be a federal nexus requiring NEPA processing?

Additionally, the highway is a Scenic Byway, yet more traffic will occur on it. How did the preparers determine the threshold of additional traffic that is or will be significant?

I look forward to your response.

Best regards,

Mitchell Brown

From: Jacque Kraft
Sent: Friday, February 03, 2012 12:03 PM
To: Angie Rutherford
Subject: New stake center project on 7000 South

I wanted to say a few things about the new stake center at the proposed site. It sounds like it will be a beautiful and impressive building. I'm concerned about where they want to put it. The whole thing is huge. Massive, even. There's nothing comparable anywhere nearby. I live off of 7000 South. One of the reasons my family moved out there was because of the zoning. We wanted a rural setting to enjoy the mountain vistas and starry night skies. This new building, with it's 5.5 paved acres and 100 foot-tall needle

jutting into the sky, in no way will blend in to any rural setting. It needs to be closer to town, nearer to other sizable structures. Highway 33 and 7000 are not built to handle that amount of traffic. A parking lot with 2.5 times the lighting of the Broulim's lot will brighten the night sky for the whole valley. Please keep the zoning the same. Please deny the CUP and variance. Don't make an exception, especially one this dramatic. What kind of precedent will you be setting if you allow this construction to take place? Thanks for listening.
Jacque Kraft

From: Kristi Baughman
Sent: Sunday, February 05, 2012 9:37 AM
To: Angie Rutherford
Subject: [LIKELY_SPAM]Stake and Steeple

To Whom it May Concern:

The paper came out on Thursday and written comments are due on Friday. I think it suffice it to say you are looking for nearly zero feedback from the people that were reached by this article.

I was one of those people that read it at exactly 7pm on Friday.

I do not believe in denominations of any religious sect; however, embrace the faith that moves any individual to become a better person or for that matter a better community member. Having said that, seeing the Tetons out my front window off of 7000, brings me peace. Sometimes looking up into the midnight sky, brings me peace.

And while that area, may have been approved by, "God" for that religious faith, I am not sure my "God" likes it.

It is on a scenic by-way, which I am certain the whole of idea of scenic means nature. A 70 foot steeple is far from natural to me and any of those who perhaps do not have the same "faith."

The idea of 11 light posts replacing the stars, and a steeple that replaces that Grand, seems extremely unnatural, and and the antithesis of scenic, regardless of it's purpose.

I hope that we continue to grow as a community and encourage all faiths to help strengthen our economy. Let's embrace and represent all people to visit our community and promote the the beautiful and scenic enviroment that we are blessed to live in.

Sincerely,

Kristi Baughman

From: Gail Fielding
Sent: Sunday, February 05, 2012 8:49 AM
To: Angie Rutherford
Subject: LDS CUP issue

I am a lifetime resident of Bingham & Bonneville counties. I attended Darby Camp in my youth, spent many a family vacation in & near the Teton Valley. For 5+ years, my daughter, granddaughter, and nephew and family have resided in Teton Valley, requiring my driving there at least weekly. The drive over Pine Creek, dropping in to the Valley never gets old. The view of the Grand above the peaceful valley is always breathtaking. I, for one, do not want to come around that corner and have my eye instantly caught on a **HUGE concrete parking lot, with a 'too-big' man-made building w/a too-tall steeple, which serves only a part of the valley.**

WHY in the middle of the beautiful view with wide vistas and 'dark skies,' **instead of on the E. end of Victor, or near the High School in Driggs--And NOT SO BIG!** It would RUIN the VALLEY. Real Estate agents from Victor are frustrated with the unbounded influence the LDS church has in planning/zoning decisions in the valley. Would this project bring income to the valley???jobs??? or would it just be labor from other areas, and simply the purchase of the land? BUT offsetting that, the costs of highway construction-widening & turn lanes-obstructing the view and genre of the entire area, whether approaching from Pine Creek, Jackson, or River Rim.

I support ANY help needed in opposition to this proposal. I am SO WITH opposing this decimation of 'our' beautiful Teton Valley.

Wholeheartedly,

Gail Fielding

Ammon, ID

From: J C

Sent: Sunday, February 05, 2012 9:29 PM

To: Angie Rutherford

Subject: LDS Chapel Variance

I have not read the application, however, based on the location given for the variance I want to raise some concerns with it. I find it surprising there was not a location for a church meeting house in the town site of Driggs or Victor, where proper zoning could be accommodated for the proposed building. I also think it is interesting that, in order to create a more vibrant urban core, the church headquarters in Salt Lake has funded one of the largest multi use development projects in the country in downtown (SLC), know as the City Creek Project. I think this was a good thing. I also think the church intends to do the best by the community in which we live. The church has always been one of the BEST supporters of the local community, which it's members founded. Without knowing what has transpired previously I am most concerned about the following: locating a church without a town site and promoting a dangerous intersection on highway 33. I would think or hope it could be stressed by the commission/county leaders that the community wants to work with the church, that the community wants the church meeting house in one of our towns, but that perhaps there's a better location. I want to see this church built at some point, it might be where I'll be attending church myself.

Regards,

Greg Casperson.

From: Shon kunz

Sent: Thursday, February 02, 2012 5:07 PM

To: Curt Moore

Subject: [LIKELY_SPAM]Lds Church Bldg

To whom it may concern:

I feel that the requests are acceptable, and I support the variances requested for a new church building in victor.

Shon Kunz

Victor Area Resident

From: AJ Linnell
Sent: Thursday, February 02, 2012 9:39 AM
To: Angie Rutherford
Subject: Proposed LDS Stake CUP

To the Teton County P&Z Commission-

I oppose this Conditional Use Permit. The size of this building and steeple has no place in our scenic byway, and as a community meeting place it should be located within one of our county communities.

Thank you for considering my comments.

-AJ Linnell

From: Katie Salsbury
Sent: Monday, February 06, 2012 3:21 PM
To: Angie Rutherford
Cc: VARD
Subject: LDS Stakeholder Center

Please consider denying the CUP for the LDS Stakeholder center on the following grounds:

- 1) It would serve the community better if it was located closer to existing city buildings and services.
- 2) It does not fit with the agricultural and residential development that surrounds that location.
- 3) It extends the feeling of sprawl from Victor to Driggs.
- 4) It does not fit with current planning and zoning that is focused on clustering non-residential development inside our city centers.
- 5) It will have a large visual impact on the HWY 33 corridor during the day and night.
- 6) The intersection at 7000 S. is not an appropriate place for this type of traffic and use.

If the CUP cannot be denied because of the religious land use act. Please consider making the following conditions of approval.

- 1) Connecting the center to the bike path.
- 2) Heavy screening in the form of berms and landscaping to offset the parking lot and additional visual impacts from HWY 33 and 7000 S.
- 3) A site plan that locates parking facilities behind the building instead of adjacent to 7000 S or HWY 33.
- 4) A lighting plan that reduces visual impacts.
- 5) A traffic plan that routes traffic from the LDS center back to Victor (and a stop light) before directing it onto HWY 33.

In general, I have to say that I am so bummed that the applicant would choose such an incongruous location for the center. Our city and county officials have been working very hard to define our towns as cultural and service centers for the valley while protecting open space, agricultural values and residential development on the remaining lands.

Whether it was a church, school, 4-H center, CAL Ranch store, bus barn or furniture factory, the point is that those facilities that need a conditional use permit from the underlying residential zoning really should be located where their use is compatible with the surrounding services.

There are plenty of other locations within Teton Valley, adjacent to Victor and Driggs, where the center would easily fit into the surrounding development and traffic infrastructure.

It would be incredible if the county and the applicant could work together to find a location for the center that was compatible with current and future planning efforts. Maybe the county and towns can work with the applicant to provide some financial or traffic incentive to locate the center in a town center? Maybe the applicant, after hearing the dissenting opinions, will take it upon themselves to find a more harmonious location that promotes community driven solutions rather than divisions?

Sincerely,
Katie Salsbury
Future resident of 7000 S.
Victor, Idaho

Comments listed below were not received in time to be included in the packets that were prepared for the Planning & Zoning Commission to read prior to the hearing. They will be presented to the Commission the night of the hearing.

-----Original Message-----

From: Kerri McHargue
Sent: Wednesday, February 08, 2012 6:49 AM
To: Angie Rutherford
Subject: Lds church

I am born and raised Lds and live on 7000 south. I think it is an outrage that the church would try to take over such a rural area. The lights alone would severely inhibit night enjoyment, privacy and star viewing. The amount of use and traffic would surely lead to a traffic light on 7000. I used to live in the city of victor and moved away from lights and traffic for a reason. If this were to go through I would certainly want to move, however with the market that will not be an option for potentially quite a long time. Please do not let this go through. If the church wants a new church they should find an alternative location that is an appropriate location not affecting many home owners that occupy 7000 south. Thank you! Please make the right choice. This would just be another reason for more outrage against the church as well and I personally have plenty to deal with already! Thank you for your consideration! Kerri McHargue

Sent from my iPhone

-----Original Message-----

From: Brendon McHargue
Sent: Wednesday, February 08, 2012 6:17 AM
To: Angie Rutherford
Subject: No LDS stake in my neighborhood!!!!!!

I was fortunate to be able to choose a site to build a home for my family. I didn't choose to build within the city limits for obvious reasons. Please do not bring the city to my neighborhood and endanger my children and neighbors with this mess.

Brendon McHargue, resident of RESIDENTIAL 7000S

Sent from my iPhone

From: Jon Mathis
Sent: Wednesday, February 08, 2012 4:50 PM
To: Angie Rutherford
Subject: LDS Stake Center CUP and Height Variance

To whom it may concern.

These are comments that I sent to the VARD earlier this week. They asked if I had sent them to the PZ Admin, which I had not. So I am sending them to you now.

Thank you

Jon Mathis

Dear VARD

I moved from Central Washington in July of 2011. The general appearance of the area is one of the largest draws to the area and a significant reason that I chose to make my new home in Victor.

I have also seen the recent photo that VARD published associated with the Burns Concrete Silo. That picture provides a clear look at how a tall installation affects the area and the view of the beautiful mountain range that all residence of the area currently enjoy.

I agree that there may need to be a LDS Stake Center in the area, however, there are more central locations available for this installation.

I have travelled past large LDS facilities in the area and although they are well maintained beautiful buildings, it does not appear that local area aesthetics are often considered, as they do stand out significantly and have a visual impact on the area of the installations.

As I live only a short distance from the proposed location of this center and it will impact my overall happiness of living in the area.

Thank you

Jon Mathis

From: JENNY FIELD

Sent: Thursday, February 09, 2012 6:53 PM

To: Angie Rutherford

Subject: LDS Stake Center

To Whom It May Concern,

I feel that it is necessary to voice my opinion of the proposed LDS Stake Center due to the negative impact that I believe it will make on our scenic byway. From what I have read, Blackfoot Farms LLC is requesting many variances in an effort to build a Stake Center near the corner of 7000S and 500W. I feel strongly that these variances should not be granted. The areas zoning, height restrictions, and lighting codes have been established are important to this valley's future. As the County works towards revising the comprehensive plan, I believe that it is important to remember that setting regulations is a real waste of time if variances are given. It should not matter who is asking for the variance, or for what reason. If the LDS community feels strongly that this Stake Center is necessary, then they should strive to construct a building that follows the county ordinances in a location that has been zoned for its use. Would the Commissioners give it a second thought if Walmart was asking for these variances?

Thank you for taking the time to hear my opinion.

From: Faith Ryan

Sent: Thursday, February 09, 2012 11:18 PM

To: Angie Rutherford

Subject: February 14 CUP and variance hearing for Stake Center at 7,000 South

Dear Planning and Zoning Commissioners:

I am writing to encourage you to give serious consideration to the January 31, 2012 comment letter submitted to you by the Valley Advocates for Responsible Development (VARD).

The two main points worthy of your serious discernment and clear leadership are:

a) is it in the public interest to grant a CUP that allows a community oriented building to be built on agricultural land outside of the city limits?

b) if the Stake Center is permitted on this site, six urban impacts must be mitigated in the permit. The VARD letter fairly presents and analyzes these impacts.

Thank you for your full consideration of the facts presented in the VARD comment letter.

Sincerely,

Faith Ryan

Victor, ID City Property Owner

From: Ralph Mossman
Sent: Friday, February 10, 2012 2:40 PM
To: Angie Rutherford
Subject: Church hearing

Dear Commissioners,
Thanks for considering my brief comments.

As a member of the Driggs Committee charged with learning about lighting issues and writing a new Dark Skies Ordinance for our City, I think this lighting plan is suitable.
This is an LDS church in an area settled by Mormon pioneers. Let them build it and trust that it will be good for our community, LDS and gentiles too.
Don't fight this, it's bad for your karma.

Respectfully,
Ralph Mossman

From: Nell Hanson
Sent: Friday, February 10, 2012 3:10 PM
To: Angie Rutherford
Subject: LDS building

Greetings!

While I am happy for the church and it's body of members, my prayer would be that they would proceed as good neighbors to the community and be sensitive to other needs like zoning, location, walking and bike paths that are good for both church members as well as continue the great work TVTAP has done to make us more able to commute and recreate in non-motorized ways. Imagine Families with strollers being able to walk or bike to church together!

Also, please, please could the church place all the parking lot lights in a downcast position!!! We have the most amazing night skies and now thankfully an ordinance to protect them. My request would be for ALL the valley's sake, please make them shine down, not out or up!

Blessings and thank you!

Nell Hanson

From: Daniel Willert
Sent: Saturday, February 11, 2012 10:19 AM
To: Angie Rutherford
Subject: LDS Stake building

To whom....

Seems to me that Teton County has a current plan in place which should be followed, with no exceptions.

Especially, in what is referred to as the "scenic corridor". There are already too many examples of exceptions granted in this area in the past.

Uphold or county regs, or change them. Period..

Dan Willert

From: robert crandall
Sent: Saturday, February 11, 2012 11:12 AM
To: Angie Rutherford
Subject: CUP permit for LDS Chapel

Planning and Zoning Administration.

I thank you for interest in fair and objective administration of zoning requirements and the needs of the residents in Teton Valley.

I am attaching my comments.

Thank You - Robert W. Crandall, Alta, WY

Comments on the Conditional Use Permit (CUP) for the Church of Jesus Christ of Latter-day Saints (LDS) to construct a chapel at the intersection of Hiway 33 and 7000 South

There are presently nine separate congregations (WARDS) that must be accommodated in three chapels along with the Driggs Idaho Stake administrative offices. Considering the need to accommodate additional congregations in the future, it is vital to build a new chapel at this time.

The basic issue is the location of the new chapel that will best accommodate the present and future LDS congregations and membership. The LDS church leaders in Teton Valley have made the studies of LDS member locations and have determined the chosen site is the best site to meet the needs of the LDS church members.

The chapel needs to be symbolical of a religious organization and hopefully all people and entities will be sensitive to the desires of the LDS church and it's members. This will require an objective and respectful discussion of the viewpoints of the LDS church and members as well as those entities that are in disagreement with CUP.

Hopefully the Planning and Zoning meeting on February 14 will be positive and meaningful and respectful of everyone's viewpoints.

Robert W. Crandall

Alta, Wyoming

From: David Stobaugh
Sent: Monday, February 13, 2012 6:46 AM
To: Angie Rutherford
Cc: Lezlie Stobaugh
Subject: Stake House location and municipality support

Angie - I have no problem with the Mormon Church building a building for the church. However, I do not support the proposed idea that city of Victor and Driggs must upgrade the infrastructure i.e. access roads, water, sewage and power. The church should pay for all such infrastructure. The access roads most definitely need to be enlarged to meet the increased traffic loads from the church activities. If there is no improvement to roads, it will be a big traffic jam/grid lock every time the church meets. This is unacceptable.

Dave Stobaugh, Victor, ID.

From: David & Coqui Stobaugh
To: Dave Stobaugh
Sent: Sunday, February 12, 2012 10:54 PM
Subject: Fw: Important Update

----- Original Message -----

From: lezlie

To: Neal

Cc: Jon; Robert; David

Sent: Sunday, February 12, 2012 7:03 PM

Subject: Fwd: Important Update

FYI

Begin forwarded message:

From: Rush Jenkins

Subject: Re: Important Update

Date: February 12, 2012 3:58:30 PM PST

To: Rush Jenkins

One important correction. The building will be 2/3rd the size of Brolums, not 1/3rd.

Sent from my iPhone

On Feb 12, 2012, at 12:44 PM, "Rush Jenkins" wrote:

Dear All,

Rarely do we send out mass emails like this....unless it's for a fabulous party at WRJ, which of course all of you will be invited to for our Jackson Hole Flagship store opening this Spring.

However, this matter requires immediate attention and some effort on your part. There is currently a building proposal before the Teton County Commission from the LDS Church to build a Stake Center at road 7000. The county hearing for this building is happening Tuesday, at 5:00pm. Check out this website:

http://www.tetonvalleyadvocates.org/work_together_detail.php?pkWhatsNew=138

I will try and keep this short and concise as possible. Here are the points to consider whether you are for or against it.

1. The building will be 28,000 square ft, 30' ht with a steeple that is an additional 40' ht, totaling 70' in ht. This is 1/3 the size of Brolums. Just off the main Highway. The steeple far exceeds the building ht restrictions allowed by the City of Victor or Teton County, which is 30'.
2. A 3 acre parking lot will flank both sides of the building with 26 light poles lighting the parking lot. This is a larger parking area than Brolums.
3. Total Building site between 5-6 acres.
4. Substantial amounts of traffic will be coming and going from the Stake Center on Sundays (2-4 wards, 200-300 people per ward) for 3 hours intervals throughout the day. Similar traffic on Tuesday nights for what they call Mutual (This is for the youth ages 12-18). A lot of traffic on Saturday nights for Youth Dances and then massive traffic 4 times a year for all wards within the area for SLC General Conference and Stake Meetings, when the leaders of the church address the entire church.
5. The LDS Church feels they don't need to provide pedestrian and bike access paths or to encourage a small town pedestrian walking.
6. The LDS Church as planned minimal landscaping to screen the building from the highway.

Growing up Mormon I can assure you of several other things to consider:

1. A large sport field for their youth and adults to use will be built next to the Stake Center eventually.

2. Large subdivisions with track housing will be developed around the Stake Center. This has happened all through Idaho, Utah, Arizona and California.
3. View Corridors to the Mountains will be substantially blocked which is one of the greatest assets of this valley. Once the building is in...it's there until Yellowstone blows!
4. There will be no larger community access or use to the building or future sports facilities. This building and it's uses are exclusive to the Mormon church. Example: The LDS church does not allow people to park in their large church parking lot next to Music on Main.
5. Allowance of this building will set a precedence for the LDS Church and other organizing to build similar buildings.
6. A building of this magnitude outside the cities of Driggs or Victor does not generate the pedestrian walking, socializing and/or actively participating with local restaurants and businesses. Victor and Driggs city planning is to create pedestrian walking within the town and zoning for business in town to help facilitate that goal.
7. The City of Victor and Driggs will end up paying for infrastructure improvements for accommodating a building of this size..ie highway expansion, water connections, sewage connection.
8. The LDS church philosophy is to have its buildings act as a, "Shining light upon a hill" to give people a beacon of light and truth of their principles. If this building is approved it will be seen from all points of the valley and will certainly put in place that goal.

The list goes on. My argument is to not to let the LDS church build a Stake Center but to locate the building in a more appropriate place that integrates into the community and adheres to the standards and ordinances in place by Teton County and the City of Victor. The Church is unfortunately protected by National Legislation that was signed into Law in 2000 by Pres. Clinton and further protected by laws implented shortly thereafter by the State of Idaho. This is going to be an uphill battle but your opinion and voices are important.

What we ask is that you write to VARD and Teton County a letter expressing your thoughts, either for or against, this building. If you can attend the meeting on Tuesday that would really help. I guarantee the Local LDS church is asking their members today to attend this meeting so their majority voice will be heard by attendance alone. I know most of you have plans on Tuesday (Valentines) but if you can't make it please write a letter. Send the letters to Angie Rutherford at arutherford@co.teton.id.us

Thanks for your time. I am traveling but Klaus will be at the meeting on Tuesday.

Best Regards,

Rush Jenkins

Principal

WRJ Design Associates, LTD

New York / Jackson Hole

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From: Tanya Anderson

Sent: Sunday, February 12, 2012 7:02 AM

To: Angie Rutherford

Subject: Opposition to building of new church

Planning Commission,

I realize that the public comment period for the new Mormon church proposal is over. I hope you will accept my personal letter and add it to the tally of those OPPOSED to this new development. While the building of a new church would not normally irk me, one of this size, with such potential to obscure views of the mountains and destroy our night sky, is an abomination. Our valley depends on tourism, and tourists come for the pristine views, to see stars, and to feel like they are a part of a small community. An oversized house of worship would destroy these assets and negatively affect many businesses in the valley. The church should be using their wealth to give back to and help the community, not taking away our most precious resources. Thank you for considering my opinion in your decision making.

Sincerely,

Tanya Anderson

From: Mike Pfeil
Sent: Sunday, February 12, 2012 5:45 AM
To: Angie Rutherford
Subject: LDS Stake Center

Teton County Planning Commission,

I am writing to express my concern and opposition to granting a CUP for the proposed LDS Stake Center.

I am not opposed to the construction of a worship center in our community, but it should only be built if the fundamental character and best interest of our valley are considered. The current proposal takes neither into consideration. It does not comply with the Teton County Comprehensive Plan, the Teton County Dark Skies Ordinance, the zoning for this particular location and does not meet building height restrictions.

The proposal notes 26 lamp post, which under any measure is out of compliance with our dark skies ordinances. The Stake Center should be located within the urban area it serves, not on a agricultural field miles from its constituents.

The traffic impact would be considerable. This could only be mitigated by requiring such a structure to be placed in town where it belongs.

And finally, a 70 foot height variance on an agricultural field, in the heart of our scenic corridor, is completely unacceptable.

Thank you for your consideration.

Mike Pfeil
Victor

From: Carl Jordan
Sent: Monday, February 13, 2012 12:00 AM
To: Angie Rutherford; Curt Moore
Cc: Jack Liebenthal
Subject: LDS lighting plan

The LDS Stake Center application includes a lighting plan that appears to meet the requirements of the enigmatic Teton County lighting code. However, several significant issues remain, as follows.

1. Apply proper LLF to footcandle plots. The 100 watt high-pressure-sodium lamps seem appropriate, but the footcandle plots are based upon a light-loss factor (LLF) of 0.85. Since the ordinance references footcandles based upon initial lamp lumens, the appropriate LLF should be 1.0, and the plots adjusted upward accordingly.
2. Specify fixture height. The pole length is shown as 18 feet atop a base of undetermined height. Fixture poles are typically 15 or 20 feet (not 18 feet), and the relevant requirement relates to the fixture height---which needs to be shown, and be limited to 20 feet above base grade.
3. Impact of snow reflectivity on "dark-sky." The staff report indicates that "the lighting plan will comply and that it will not produce nuisance lighting to adjoining properties and will not add to loss of seeing star-filled skies due to urban light effects." That is likely to be true for about 7 months of the year, but NOT for the other 5 months.

Indeed, the full-cutoff fixtures comply with the County ordinance, and the R4SC (sharp cutoff) and R3 "roadway patterns" appear to satisfy the 0.1 footcandle trespass standard. But neither pattern avoids substantial snow-covered areas, including two at the north end specifically reserved for "snow storage." Given that new snow reflects upward about 80% of its surface illumination, the dark-sky impact will be significant, and be especially egregious for the R3-pattern locations. Although the County ordinance is not a "dark-sky" ordinance, this could come closer to being a "dark-sky" project if the perimeter fixtures were to include simple backside shields so as better to avoid illumination of snow-covered areas. Also, R4SC fixtures should be substituted for the R3 fixtures for

better control, and any desired illumination of the "pavilion" area should be designed without reliance on spillover parking-lot illumination.

Alternatively, and even better, all fixtures could be located in the interior of the parking lots, reducing the illumination of the snow-covered perimeter; also thereby permitting greater application of Type 3 and Type 4 patterns without sharp backside cutoffs, and inducing improved uniformity (see below). But one would have to run the numbers to be sure.

4. Lighting uniformity. Greater lighting uniformity would improve pedestrian vision and safety, and the reported max-min ratio of 27-1 and avg-min ratio of 7-1 are not very good. I believe they could surely be improved by locating the fixtures as proposed above----to the interior parking areas and by utilizing more-uniform roadway patterns (avoiding the sharp cutoff pattern)----without risking trespass.

5. Lighting curfew and steeple illumination. The additional conditions recommended by staff (OL-2 and OL-3) should be imposed. A lighting curfew should apply no later than 1 hour after the end of scheduled events. As for steeple illumination, I defer to LDS religious practice. But be aware that such illumination would violate a requirement of conditional use, inasmuch as it would be at the expense of obliterating my visual awe of God's wondrous creation, and thus my own religious practice.

Carl Jordan,
Victor, ID

From: Rush Jenkins

Sent: Saturday, February 11, 2012 5:35 PM

To: Herb Heimerl; 'Kathy Spitzer'; Angie Rutherford; Curt Moore

Cc: Bill K; Klaus Baer

Subject: RE: LDS Bldg

Hi Kathy, Angie and Curt,

Thanks Herb for the introduction. Please allow me to give you a brief background of me and my partner. I am a new resident to this valley along with my Partner, Klaus Baer. We purchased a home in Teton Springs over 2 years ago and have opened our business, WRJ Home and WRJ Design Associates in Victor and Jackson with 3 locations. My partner has an undergraduate degree from Chapel Hill, NC and a graduate degree from Parsons New School for Design in New York City, in Interior Design. He is actively involved in the community, serving as VP of the Mountain Meadows Homeowner's Association, as well as a member of the Design Review Committee for Teton Springs. I have a BA in Landscape Architecture from Cal Poly, California, and a Graduate Degree in Fine Arts from Sotheby's and Manchester University. We have practiced landscape design, interior design and exhibition design in various cities in the United States and Overseas for over 20 years. Having lived in many large cities in Southern California, Northern California, London and New York, we have seen the best and worst of urban planning in large and small communities. As residents, we have a vested interest in seeing that the planning and development of the valley is done in a way that is meaningful to all residents, aesthetically beautiful and well thought out. With those motivations in mind, we have become actively involved in the community.

In light of the current proposal by the LDS church to build a stake center at road 7000, I felt compelled to write this letter of concern, as I have a deep and long understanding of the Mormon Church - having grown up on a farm outside of Idaho Falls and having served on a Mormon Mission in South America 30 years ago. I have read all of the information sent to me by Herb, the information available on VARD as well as comments posted by residents voicing both sides of the argument.

My question to you is: what can we do to help curtail or minimize the construction of this building?.

Here are some of our concerns, many, if not all, of which you have heard or considered:

1. The building exceeds the maximum building height limitation for Teton Valley (specifically, a 70 ft steeple would be erected because the church has stated that they want their steeple to be in proportion to the building structure, which essentially equates to double to the ht of the building). Can the structure size be limited so it does not exceed 15' ft, which would give them an additional 15' of steeple giving the overall ht 30'?

2. Can all infrastructure improvements that will inevitably be necessary (such as water, sewage, drainage, road improvements and the numerous other costs incurred to the city and county) be paid for in whole by the LDS Church?

3. Can we propose alternative building sites in Victor or Driggs for this building?

4. If this building is approved, how do we keep other buildings like this from being built in the future? I feel this would open the flood gates and set a precedence for this to happen again and again by the church and possibly other organizations throughout the valley. Huntsman has donated the land. He owns a lot of the land in the area. I foresee him donating more land for the LDS church as they want it and he has it to offer. What would stop this from happening again and again?

5. Excessive traffic to and from the building. None of the documentation I read really addresses the numerous meetings the church will hold outside of Sunday services or accurately addresses the traffic on and off the highway. The LDS documents refer to 2 - 3 Wards that would use the building on Sundays. My guess is that it will be between 3 and 4 eventually. Here is a preliminary list of meetings that will take place in addition to the Sunday services that will impact traffic:

a. **Sunday Services:** Each Ward conducts a series of several meeting culminating in 3 hours on site every Sunday for each ward. Usually the wards are scheduled from 8:00am-11:00pm, 12:00pm 2:00pm and 3:00-6:00. There are usually 200-300 people per ward.

b. **Firesides on Sunday:** This is for young adults and youth, where guest speakers will come to address the youth. These are usually on Sundays starting at 7:00-9:00pm at least once a month, if not more... often for 2-3 wards at the same time.

c. **Mutual:** This is for young adults ages 12-18 and happens on Tuesdays from 7:00pm to 10:00pm. These include Christian lessons and sports activities in the gym. Again, for 2-3 wards.

d. **Youth Dances:** These are held on Saturday nights and can be every Saturday or once a month from 7:00pm to 10:00pm, for all wards in the valley. This is would be 5-7 wards of youth.

e. **Most wedding receptions and funeral services** are held at the church cultural hall and chapel. So, depending on the number of weddings and funerals it can be quite active.

f. **Leadership meetings for Priesthood holders** (men) and **Relief Society members** (women). These include many activities throughout each week which are held at the Church.

g. **Stake Meetings:** These are held on occasion for all wards to attend at one time. All wards of the valley would be attending which would mean 6-7 wards attending at one time.

h. **General Conference:** This is held twice a year in April and October. The LDS church headquarters in SLC address the entire Church on Saturday and Sunday in April and in October. Stake Centers are used as a gathering place for all members from the area Teton Valley to come and listen to the LDS Leaders via Satellite. All wards would be participating in this event either at the Stake Center or from their television at home.

As you can see, there are a great number of meetings and a large quantity of cars coming and going from a Stake Center. The analysis completed and provided to date is greatly underestimated in my view. The Church has greatly downplayed the use of the building from what I have read in their memos.

6. The location of the building precludes any pedestrian walking, biking or encouragement to interact with city businesses and activity, reducing the activity and vibe one wants to see within a city or town center. All large commercial development, community churches and buildings should be encouraged to be within city limits to encourage the growth and sustainability of the town/city. As it is, the proposed site location is isolated, and doesn't encourage any interaction with local businesses.

7. The dark sky ordinance would be greatly affected, especially for residents near the building.

8. The mountain views, scenic corridors and pedestrian pathways and bikeways have not been given enough consideration and analysis, and will be greatly impacted especially on Sundays when the car traffic will be huge.

9. If the building is approved, you can almost guarantee that a large baseball or sports field will then be built next to the site. Nearly all Stake Centers have these fields to encourage activities among their youth and young adults. Unfortunately, community sharing of these facilities is typically not encouraged or allowed, which further isolates the user group from the community.

Case in point: currently, The LDS church does not allow parking in their Victor Church parking lot for events held in downtown Victor (such as Music on Main), unless you are a church member. Non Members cannot use any of the church facilities or sports fields, which further divides the community and demonstrates that the building is strictly for Mormons.

10. Further subdivision development. This is of great concern to me and other residents. Based on ubiquitous examples throughout Idaho and Utah, I can practically guarantee that once the Stake Center building goes up, track house development will follow around it, further marring and destroying the vistas and beauty of the valley and scenic corridor. Take a look at Idaho Falls and all of the farm fields in Ammon, Iona, Lincoln and Skyline. There are churches dotting the landscape and track housing developments around every one of them. This is prevalent in Utah, Idaho, California and

Arizona which has created urban sprawl and loss of city centers and towns. It sickens me to see what has happened in Idaho Falls over the last 30 years due to lack of planning and unchecked development. I would like to see that type of development from happening to our valley. This building encourages this type of urban sprawl.

11. The 6 acre proposed Stake Center with a large 3-acre parking lot and lighting is a huge concern for me. Currently the drive along the highway yields beautiful vistas to the hills across open fields. If the Stake Center were to be built, the first thing you would see is an enormous expanse of asphalt, then a huge 70-foot steeple and 28,000 sq. ft. building, and then more parking lot. With the valley trying to become a hub of outdoor activity for tourists and residents alike, it seems the views we all love and enjoy is at the heart of making that happen. Development such as what the LDS church is proposing would only begin to destroy what we all love about the valley. I would like to see this area avoid development like typical urban communities that are in my opinion a blight and destruction of small town center gathering and socializing.

12. Mormon theology is that they want their buildings to be a beacon on hill for all to see and to shine like a light as pillar of truth. Their Temples and Churches are designed and strategically placed in such locations as to adhere to this philosophy. The Stake Center and it's large steeple would surely do this. Maintaining open vistas and visual corridors between Victor and Driggs is important and helping the two towns to grow within the city boundaries will enhance a small town feel instead of urban sprawl.

I hope my thoughts and comments will be heard. Klaus will be attending the hearing at the courthouse on Tuesday 2/14/12. Unfortunately I will be absent as I will be away on business. But despite my absence, please know that I am against the proposed structure as it is currently designed. I am not opposed to a church having the right to erect their structures, however it should be done within the parameters of the community, the respect of other non LDS members, and with very careful forethought of what impact the final structures may have on the community and living experience.

Thanks for our time,

Rush Jenkins
Principal
WRJ Design Associates, LTD

From: Rush Jenkins
Sent: Monday, February 13, 2012 12:48 PM
To: 'Kathy Spitzer'; Angie Rutherford; Curt Moore
Cc: Herb Heimerl
Subject: RE: LDS Bldg

Dear All,

Thank you Kathy for your reply. I don't want to burden you all with more information but I have been reading the information related to the Stake Center Development and have a some thoughts regarding the document recently sent by the LDS Church on January 25, 2012, regarding the steeple.

Please see the attached with the yellow sticky notations. However, to recap the info I have summarized it below:

1. Is it too late to see if the City of Victor and the County could have the opportunity to determine if there are more suitable location for the proposed church (Like the City of Victor on the East Side) that is keeping with the zoning and planning of the city for such buildings. Given the grant that has been awarded to the 3 cities of Victor, Driggs and Tetonia to undergo an extensive zoning, planning and development strategy could this help us buy time while it is determined where an appropriate location of this type of structure and future structures outside city limits and core center would go?
2. Can you ask the Church to provide an illustrated drawing/perspective of this proposed Church, parking lot with cars and 26 light post of the building and proposed site to give residence a more accurate view of the visual impact the church would have to the visual corridor and further determine the environmental concerns to traffic, views, pollutions, city, county and state infrastructure, wildlife, etc.?
3. In regards to the steeple. There are numerous examples of Church's and Temples built by the LDS Church that do not have steeples or in some cases, have minimal, small steeples in the architecture . Through past examples of churches built by the LDS Church (**please see attached images**) the Church has demonstrated that a standard of architecture of their building has been modified according to the sensitivity of local communities and archictural trends throughout the United States and

abroad. Examples of this are the Temples in Meza and Phoenix Arizona, Hawaii, Canada and numerous churches in the United States as well as numerous churches in other countries. Consequently, the steeple is subjective in its purpose or needs, depending on the communities, architecture in the area and environmental standards of cities, communities, states and countries. The LDS church should work with you and our community to build a church that is in keeping with the ordinances and environmental concerns of Teton Valley residences and community. If the steeple is ultimately approved, there are various examples of steeples built by the LDS church and those examples should be further considered here so as to keep within the ordinances and regulations of the County, as well as show sensitivity to the aesthetic beauty of Teton Valley and the concerns of its citizens on a whole. Some of the steeples attached are extremely slender and are less intrusive, even if they are taller.

4. The LDS Church has within their doctrine the principals of Christ that teach kindness, honesty, integrity, love, compassion and desire to work within communities to give a positive view of the church and its members. Heavy handed threats by the Church and using the protection of RLUIPA and FERPA to bully a small community into allowing them to build an extremely large building and huge steeple that not only adversely impact the visual corridor of Teton Valley and it's residents, but sends a message to the community that the LDS Church could care less about the County Ordinances of Teton County as well as disregard the concerns of residents in Victor, Driggs and the outlining communities. At its worst it is Big Business bullying a community, and at its best it shows little regard for concerns and ordinances of a County, Cities and Community. The County and Citizens of the valley would like to see the LDS Church give greater consideration and thoughtful planning to their Stake Center by designing a building that is architecturally more in keeping with the overall vision and aesthetic beauty of the valley. A better option could be to integrate the building within the town center, adding to and complementing the small town feel that already exists, and working within the strategic planning of Victor, Driggs and Tetonia.

5. The LDS church should be compelled to submit architectural alternatives given the numerous examples of church architecture that the LDS Church has constructed and worshiped in worldwide. If the building goes forward on the current site the Church should be required to provide a less intrusive steeple, independent from the structure (like the images attached), extensive landscaping to screen visual impact as well as bike and pedestrian pathways.

Thanks again for your time.

Best Regards,

Rush Jenkins

** See the following pages for a copy of the file submitted by Mr. Jenkins with his comments on the "Supplement to Land Use Application"





**CORPORATION OF THE PRESIDING BISHOP OF
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**

Supplement to Land Use Application

January 25, 2012

These explanatory materials supplement the Applicant's other submissions and aim to (1) outline the religious significance of the steeple's design, and (2) summarize the substantial religious burden a denial of the application would impose on members of The Church of Jesus Christ of Latter-day Saints (herein, the "Church" or the "LDS Church").



Introduction


As detailed below and in the other submissions, the proposed steeple has no other functional purpose but to convey a religious message. It expresses symbolically core doctrinal teachings of the LDS Church and identifies the building as a house of worship. Like the church itself, the steeple is understated in design and in keeping with the beauty of the surrounding area. It is the smallest possible design that will accommodate worship needs. There are no lights or bells in the steeple. The church is located outside the nearby Scenic Corridor and the steeple's impact on the area is minimal. Nonetheless, some opposition to the steeple appears to have surfaced. However, we respectfully submit that a denial would violate the state and federally protected right of churches to construct houses of worship consistent with their religious needs. The Idaho Free Exercise of Religion Protected Act ("FERPA"), the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), and other statutory and constitutional provisions preclude any denial — even a denial resulting from a neutral or generally applicable regulation — if the impact of the denial constitutes a "substantial burden" on religious exercise. Here, a denial would significantly impair the ability of the LDS Church and its members to worship according to their faith, constituting a substantial burden and an "undue hardship" under section 8-8-1 of the Teton County Zoning Ordinance. Accordingly, for these reasons, as well as for the reasons stated in the accompanying submissions, we urge the approval of the LDS Church's application.




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History of Application

The LDS Church critically needs the proposed building for two local congregations whose members reside in the vicinity of the site. Those congregations currently travel to other churches that are overcrowded with congregations of their own and can no longer accommodate the visiting congregations. The LDS Church identified this site for the proposed church after an extended search, considering many other locations. The LDS Church was sensitive of potential environmental concerns and only considered sites outside of the nearby Scenic Corridor. Local Church leaders authorities sought, and then received, divine confirmation that the chosen site fulfilled the LDS Church's temporal and spiritual criteria, or, in other words, that the site was acceptable to God. 


Accordingly, the LDS Church entered into a contract to purchase the site, contingent on receiving the necessary permits. Initial discussions with planning staff were positive. The Church complied with staff requests and all requirements of the Teton County Zoning Ordinance and received approval for single-lot plat adjustment for the 5.5 acre parcel. Subsequently, concern was raised over the proposed roof ridgeline of the building, which exceeded the Zoning Ordinance height limitation by nine inches. Accordingly, the LDS Church has agreed to reconfigure building plans and lower the vaulted roofline to bring it into compliance with the County's Zoning Ordinance.

Staff also notified the LDS Church that the proposed steeple exceeded the County's height limitation. Unlike many jurisdictions, and despite the rigorous protections afforded by Idaho's religious freedom statute, Teton County's Zoning Ordinance affords no exception to the height limitation to accommodate religious use from steeples or cupolas. As the LDS Church has demonstrated, it has been and remains willing to compromise by altering building plans to reflect changes that do not substantially burden religious exercise. However, as explained below, any alteration to the proposed steeple would severely hamper the Church's and its members' ability to worship according to the dictates of the LDS faith. The LDS Church therefore requests a variance to allow it to construct a steeple that adequately reflects its religious beliefs. 


Critical Religious Need for the Proposed Steeple

The proposed steeple is imbued with religious meaning. It is the building's most distinctive architectural feature, an age-old symbol of Christianity that readily identifies to all that the church is a place of worship. The steeple also expresses symbolically core doctrinal teachings of the LDS Church, including faith and devotion to God. By literally lifting the adherent's eye heavenward, it conveys the belief in ascension to God. It has no other function but to convey these religious messages. Indeed, courts have recognized the importance of steeples in LDS Church beliefs. *See Martin v. Corp. of Presiding Bishop of The Church of Jesus Christ of Latter-day Saints*, 747 N.E.2d 131, 137 (Mass. 2001) ("It is clearly part of Mormon theology to reflect, in their buildings, the belief of an ascension towards heaven" and "that steeples, by pointing towards heaven, serve the purpose of lifting Mormons' eyes and thoughts towards heaven" (internal quotations omitted)). 

As one LDS Church president taught:

Latter-day Saint chapels are more than just houses of worship. The stakes and districts of Zion are symbolic of the holy places spoken of by the Lord where His Saints are to gather in the last days as a refuge from the storm. You and your children will gather here to worship; to do sacred ordinances, to socialize, to learn, to perform in music, dance, drama, athletics, and to generally improve yourselves and one another. It is **often thought significant** that our chapels have on them a steeple, with spires toward the heavens symbolic of how our lives ought to be ever moving upward toward God. 

Ezra Taft Benson, *Teachings of Ezra Taft Benson*, p. 151-52. Or as stated long ago by one of the LDS Church's founding leaders: "[An] elevated steeple point[s] to heaven, as much as to say, 'I stand here in honor of that God who created the heavens and the earth, and who framed the materials of which I am composed.'" (Oliver Cowdery, *Messenger and Advocate* (Feb. 1835), p.75)

Notably, the LDS Church experimented with other types of steeples. However, those steeples did not effectively identify the church as a place of worship or express the LDS Church's intended message of devotion to God. Thus, per ecclesiastical policy, all new churches are constructed with traditional, roof-mounted steeples. In 1997, the LDS Church adopted a program to retrofit older churches and install roof-mounted steeples to better convey the intended message. A traditional steeple that is proportional to the church in height, width and design is an expression of LDS Church beliefs. 

Construction of the Steeple is Protected by State and Federal Religious Freedom Statutes.

In addition to any other statutory or constitutional claims the LDS Church may assert, and given the substantial religious burdens a denial of the proposed steeple would have on the Church and its members, any denial of the Church's effort to build the proposed steeple would violate the federal Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA") and the Idaho Free Exercise of Religion Protected Act ("FERPA").

RLUIPA and FERPA protect churches from unduly burdensome land use regulations.

Passed unanimously by both Houses of Congress and signed by President Clinton in 2000, RLUIPA erects rigorous protections against land use regulations that burden the free exercise of religion, subjecting them to the most exacting judicial scrutiny. In other words, RLUIPA prohibits any land use regulation that substantially burdens the exercise of religion, except in extraordinary circumstances where the government can demonstrate that the regulation

is “the least restrictive means” of furthering a “compelling” government interest. 42 U.S.C. § 2000cc(a)(1)(B).¹

Idaho’s FERPA was enacted the year after RLUIPA and, as discussed below, is closely patterned after the federal act, *see* Idaho Code § 73-402, although its protections are even broader than RLUIPA’s. *See State v. White*, 2011 WL 6183613, fn. 2 (Id. Ct. App. Dec. 14, 2011). Both statutes create a private right of action for aggrieved churches to challenge ordinances that burden religion in the civil courts. 42 U.S.C. § 2000cc-2(a); Idaho Code § 73-402(4). Moreover, the statutes compel the government to pay the attorneys’ fees of churches that successfully assert religious exercise claims. 42 U.S.C. § 1988(b); Idaho Code § 73-402(4).

Faced with a denial of the proposed steeple, the Church easily could state a prima facie case under RLUIPA and FERPA.

To establish a prima facie case under RLUIPA and FERPA, and thereby invoke the compelling interest test, a religious claimant² must show that their religious exercise has been substantially burdened.³ 42 U.S.C. § 2000cc(a)(1); Idaho Code § 73-402(2). Once a claimant makes a prima facie case under RLUIPA and FERPA, the burden shifts to the government to prove that the challenged regulation is the least restrictive means of furthering a compelling government interest. 42 U.S.C. § 2000cc-2(b); Idaho Code § 73-402(3). (Alternatively, the

¹ RLUIPA also contains an anti-discrimination provision, prohibiting governments from (1) treating religious assemblies on less than “equal terms” with nonreligious assemblies, (2) discriminating on the basis of religion, and (3) imposing land use regulations that exclude or unreasonably limit religious assemblies from a jurisdiction. 42 U.S.C. § 2000cc(b).

² The LDS Church is a “religious claimant” under RLUIPA because it has a property interest in the regulated land in the form of a purchase contract. 42 U.S.C. § 2000cc-5(5).

³ RLUIPA applies to “land use regulation(s)”, 42 U.S.C. § 2000cc(a), while FERPA casts a much wider net: it applies to “all state laws and local ordinances.” Idaho Code § 73-403(1) (emphasis added). For a court to exercise jurisdiction over a RLUIPA claim, the plaintiff must show either: (1) that the challenged decision involves an “individualized assessment[] of the proposed uses for the property involved,” or (2) that the challenged regulation(s) affect interstate or foreign commerce. 42 U.S.C. § 2000cc(a)(2)(A)-(C). In this case, both tests are met. First, the County’s decision to grant or deny the LDS Church’s application clearly involves an individualized assessment. Federal courts have held that “zoning ordinances . . . by their nature impose individual assessment regimes.” *Freedom Bapt. Church of Del. v. Tp. of Middleton*, 204 F. Supp. 2d 857, 868 (E.D. Pa. 2002); *accord, e.g., Guru Nanak Sikh Society of Yuba City v. County of Sutter*, 326 F. Supp. 2d 1140, 1160 n. 10 (E.D. Ca. 2003), *aff’d*, 456 F.3d 978 (9th Cir. 2006). Moreover, the land use regulation(s) at issue impact interstate commerce because construction of the proposed church would employ labor and materials that originate out of state or are transported via interstate carriers, and construction would be financed through tithe moneys donated by Church members from across the United States. *See Cottonwood Christian Center v. Cypress Redevelopment Agency*, 218 F. Supp. 2d 1203,1221 (C.D. Cal. 2002) (stating that churches “are ‘major participants in interstate markets’” and “construction of [churches] affect commerce”) (citation omitted); *accord, e.g., Rocky Mountain Christian Church v. Board of County Com’rs of Boulder County*, 612 F.Supp.2d 1163, 1173 (D. Colo. March 30, 2009), *aff’d* 613 F.3d 1229 (10th Cir. 2010), *cert. denied*, 131 S. Ct. 978 (2011). Again, FERPA contains no such jurisdictional requirements—it applies to “all state laws and local ordinances and the implementation of those laws and ordinances, whether statutory or otherwise[.]” Idaho Code § 73-403(1).

government may avoid violations of these acts by exempting the religious exercise from the challenged regulation, such as through a variance. *See* 42 U.S.C. § 2000cc-3(e)).

Both RLUIPA and its state counterpart protect a broad range of religious activity. *See* 42 U.S.C. § 2000cc-3(g) (RLUIPA “shall be construed in favor of a broad protection of religious exercise, to the maximum extent permitted by the terms of [the] Act and the Constitution”). Religious exercise is expansively defined in both statutes. *See* 42 U.S.C. § 2000cc-5(7)(A)-(B) (“religious exercise” “includes any exercise of religion, whether or not compelled by, or central to, a system of religious belief,” including “[t]he use, building, or conversion of real property for the purpose of religious exercise”); Idaho Code § 73-401(2) (“‘Exercise of religion’ means the ability to act or refusal to act in a manner substantially motivated by a religious belief, whether or not the exercise is compulsory or central to a larger system of religious belief.”).

RLUIPA does not define “substantial burden” in the statute itself, but the Ninth Circuit has stated that “[a] substantial burden exists where the governmental authority puts ‘substantial pressure on an adherent to modify his behavior and to violate his beliefs.’” *Int’l Church of the Foursquare Gospel v. City of San Leandro*, 2011 WL 1518980, *7 (9th Cir. April 22, 2011) (citing *Guru Nanak Sikh Soc. v. County of Sutter*, 456 F.3d 978, 988 (9th Cir. 2006) (other citation omitted); *see also Sts. Constantine & Helen Greek Orthodox Church, Inc. v. City of New Berlin*, 396 F.3d 895, 899-901 (7th Cir. 2005) (“That the burden would not be insuperable would not make it insubstantial.”). Thus, preventing or making it unreasonably difficult to build a worship site, restricting the size of a congregation, or otherwise limiting religious observance have all been held to be “substantial burdens” under RLUIPA.⁴

FERPA defines “substantial burden” more expansively than courts have interpreted its federal counterpart. A “substantial burden” under FERPA is anything that “inhibit[s] or curtail[s] religiously motivated practices.” Idaho Code § 73-401(5). Importantly, even neutral and generally applicable zoning ordinances can constitute a substantial burden under RLUIPA and FERPA. *See* Idaho Code § 73-402(1)-(2) (“Free exercise of religion is a fundamental right that applies in this state, *even if laws, rules or other government actions are facially neutral*”; [absent a compelling governmental interest] government shall not substantially burden a person’s exercise of religion *even if the burden results from a rule of general applicability*”) (emphasis added); *Church of the Foursquare Gospel*, 2011 WL 1518980 at **6-7 (“We have never held that a zoning regulation cannot impose a substantial burden under RLUIPA simply by the fact that it is a zoning regulation. . . . This conclusion misinterprets our precedent and effectively writes RLUIPA’s substantial burden provision out of RLUIPA.”).

⁴ *See id.*; *see also Fortress Bible Church v. Feiner*, 734 F.Supp.2d 409, 503-04 (S.D.N.Y. 2010); *Westchester Day Sch. v. Mamaroneck*, 504 F.3d 338, 350-53 (2d Cir. 2007); *Rocky Mountain Christian Church v. Board of County Com’rs of Boulder County*, 612 F.Supp.2d 1163, 1172 (D. Colo. March 30, 2009), *aff’d*, 613 F.3d 1229 (10th Cir. 2010), *cert. denied*, 131 S. Ct. 978 (2011); *Grace Church v. City of San Diego*, 555 F.Supp.2d 1126, 1136-37 (S.D. Cal. 2008); *Reaching Hearts Int’l, Inc. v. Prince George’s County*, 584 F. Supp. 2d 766, 784 (D. Md. 2008), *aff’d*, 368 Fed. Appx. 370 (4th Cir. 2010); *Lighthouse Comty. Church of God v. City of Southfield*, 2007 U.S. Dist. LEXIS 28, *24 (E.D. Mich. Jan. 3, 2007); *Mintz v. Roman Catholic Bishop*, 424 F. Supp. 2d 309, 320-21 (D. Mass. 2006); *Cottonwood Christian Center v. Cypress Redevelopment Agency*, 218 F. Supp. 2d 1203, 1226-27 (C.D. Cal. 2002); *Barr v. City of Sinton*, 295 S.W.3d 287, 302-03 (Tex. 2009).

Therefore, even if Teton County’s height restriction is a neutral and generally applicable zoning ordinance, denial of the requested variance would constitute a substantial burden under both RLUIPA and FERPA because, as detailed above, there is critical religious need for the proposed new steeple. Constructing a steeple that adequately expresses its religious tenets is an integral part of and central to the religious exercise of the LDS Church and its members. It is true that the proposed steeple will not impact the functionality of the existing church as a gathering place for members. However, a separate, equally important purpose of a house of worship is to express, symbolically, the LDS Church’s faith to members and others. “[C]hurches have long built steeples to ‘express elevation toward the infinite, [their] spires soaring into the heavens,’ J. Sallis, *Stone* 63 (Ind. Univ. Press 1994), and a steeple is the precise architectural feature that most often makes the public identify the building as a religious structure.” *Martin*, 747 N.E.2d at 140 (overturning denial of height variance to build steeple on existing CPB temple). To members of The Church of Jesus Christ of Latter-day Saints, an appropriate steeple affirms faith. To those not of the Church, the steeple proclaims faith. It bespeaks a universally recognized message of reverence and ascension to God.

Moreover, it is part of worship for LDS Church members to speak with a united voice to proclaim a religious vision. The LDS Church takes literally the biblical edict to “preach the gospel to every creature,” Mark 16:15, including to “proclaim [the gospel] upon the housetops.” Luke 12:3. Though it speaks symbolically — and through an understated design — the proposed steeple intends to partly fulfill this command on behalf of the congregations who meet in the church. Absent the steeple, the building would not communicate the inspirational message the LDS Church intends to convey or adequately distinguish the church as a place of worship. Detractors may not agree with or understand the LDS Church’s need for a steeple that adequately reflects its religious beliefs, but both RLUIPA and FERPA prohibit any inquiry “into the truth or falsity of stated religious beliefs.” *Church of the Foursquare Gospel*, 2011 WL 1518980 at *9 (citing *United States v. Ballard*, 322 U.S. 78, 86–87 (1944)); see also Idaho Code § 73-401(2) (religious exercise protected “whether or not the exercise is compulsory or central to a larger system of religious belief”).

Houses of worship are central to religious exercise because “religious activity derives meaning in large measure from participation in a larger religious community.” *Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints v. Amos*, 483 U.S. 327, 342 (1987) (Brennan, J., concurring); see also *Church of the Foursquare Gospel*, 2011 WL 1518980 at *10 (“a place of worship ... is at the very core of the free exercise of religion”). And not just any house of worship will do:

Churches and synagogues cannot function without a physical space adequate to their needs and *consistent with their theological requirements*. The right to build, buy, or rent such a space is an indispensable adjunct of the core First Amendment right to assemble for religious purposes.

Id. (quoting 146 Cong. Rec. S7774–01, Exhibit 1 (daily ed. July 27, 2000) (joint statement of Senator Hatch and Senator Kennedy on RLUIPA of 2000) (emphasis added)).

For these reasons, a denial of the requested variance would “pressure” the LDS Church and its members “to modify [their] behavior and to violate [their] beliefs”; it would “inhibit or curtail [the LDS Church’s] religious motivated practices” described above. *Church of the Foursquare Gospel*, 2011 WL 1518980 at *7; Idaho Code § 73-401(5). In short, preventing construction of the proposed steeple would substantially burden the Church’s and its members’ religious exercise in violation of RLUIPA and FERPA, which necessarily constitutes an undue hardship under section 8-8-1 of the Teton County Zoning Ordinance.




Denying the proposed steeple would not further a compelling governmental interest through the least restrictive means.

Once a religious claimant shows that a land use decision substantially burdens religion, the burden shifts to the government to prove that the challenged regulation is the least restrictive means of furthering a compelling government interest. 42 U.S.C. § 2000cc-2(b); Idaho Code § 73-402(3). Federal interpretations of the compelling interest test apply with equal force to the compelling interest test of FERPA. *See Hyde v. Fisher*, 203 P.3d 712, 732 (Id. Ct. App. 2009) (compelling interest test of FERPA and RLUIPA “uses identical language” and “there is no indication that the two statutes should be applied differently”).


The compelling interest standard poses a formidable obstacle: “a law restrictive of religious practice must advance interests of the highest order” because “only those interests of the highest order and those not otherwise served can overbalance legitimate claims to the free exercise of religion.” *Church of the Lukumi Babalu Aye v. City of Hialeah*, 508 U.S. 520, 546 (1993); *Wisconsin v. Yoder*, 406 U.S. 205, 215 (1972); *accord Sherbert v. Verner*, 374 U.S. 398, 406 (1963). Thus, the “compelling interest standard ... is not ‘water[ed] ... down’ but ‘really means what it says.’” *Lukumi*, 508 U.S. at 546 (quoting *Smith*, 494 U.S. at 888). Therefore, it is well-established that the government’s generalized interest in enforcing its zoning ordinance does not constitute a compelling state interest:

[The position that zoning itself is a compelling state interest . . . has been rejected by this Court and by the [U.S.] Supreme Court. Although the government’s interest in the public welfare in general, and in preserving a common character of land areas and use in particular, is certainly legitimate when properly motivated and appropriately directed, the assertion that zoning ordinances are per se superior to fundamental, constitutional rights, such as the free exercise of religion, must fairly be regarded as indefensible.

Barr v. City of Sinton, 295 S.W.3d 287, 305-06 (Tex. 2009) (citing, e.g., *Schad v. Borough of Mount Ephraim*, 452 U.S. 61 (1981) (internal quotations omitted)); *accord*, e.g., *Rocky Mountain Christian Church v. Board of County Com'rs of Boulder County*, 612 F.Supp.2d 1163, 1175 (D. Colo. 2009) (“lack of harmony with the character of the neighborhood, incompatibility with the surrounding area, [and] incompatibility with the [Town’s] comprehensive plan,” “although legitimate in many senses, do not constitute compelling governmental interests.”), *aff’d*, 613 F.3d 1229 (10th Cir. 2010), *cert. denied*, 131 S. Ct. 978 (2011); *Westchester Day School v. Village of Mamaronek et al.*, 504 F.3d 338, 353 (2d. Cir. 2007) (generalized “interest in enforcing zoning [and] traffic regulations” not compelling).

The LDS Church is aware of no compelling governmental interest that would justify denial of the proposed steeple. The steeple will not materially impact views of the surrounding area. Again, the proposed church is purposefully located outside the Scenic Corridor. Like the building itself, the steeple's design is understated and elegant. There are no lights, bells, or other accoutrements that would detract from the steeple's simplistic beauty and its spiritual significance. 

Importantly, however, concerns about the alleged aesthetic impact of the steeple, even if such were established, do not amount to compelling state interests. See *Whitton v. City of Gladstone*, 54 F.3d 1400, 1408 (8th Cir. 1995) (“asserted interests in . . . aesthetics, while significant, have never been held to be compelling”); *Westchester Day School v. Village of Mamaronek et al.*, 417 F. Supp. 2d 477, 554 (S.D.N.Y. 2006) (neighbors’ concern about the “adverse visual impact[]” of renovations/construction of religious school “does not implicate a compelling government interest”), *aff’d*, 504 F.3d 338 (2d. Cir. 2007); *accord Fortress Bible Church v. Feiner*, 734 F.Supp.2d 409, 508 (S.D.N.Y. 2010) and *Munns v. Martin*, 930 P.2d 318, 322 (Wash. 1997). Likewise, preservation goals do not constitute compelling interests. See *Church of the Foursquare Gospel*, 2011 WL 1518980 at *11 (“preservation of industrial lands for industrial uses does not by itself constitute a ‘compelling interest’ for purposes of RLUIPA”) (citation omitted). There has certainly been no asserted health or safety issue that can be linked to construction of the steeple. *Cf. Roles v. Townsend*, 64 P.3d 338, 340 (Id. Ct. App. 2003) (state has compelling health and safety interest in tobacco free policy).

And even assuming a compelling interest were established, outright denial of the LDS Church’s application is not the least restrictive means of achieving that goal where the City can make reasonable conditions of approval. RLUIPA and FERPA require that “no alternative forms of regulation would combat such abuses without infringing First Amendment rights.” *Sherbert*, 374 U.S. at 407; *see also* Idaho Code § 73-402(3); *Church of the Foursquare Gospel*, 2011 WL 1518980 at *12. 

Denial of the Steeple Would Violate Federal and State Constitutional Rights.

A denial of the LDS Church’s application would invoke constitutional protections for two reasons. First, because the LDS Church doctrinally requires a steeple of appropriate height, a denial would impermissibly interfere with the LDS Church’s free exercise of religion. U.S. Const. Amend. 1; *Lukumi*, 508 U.S. at 540-47. Second, the steeple expresses an identifiable message; therefore, construction of the steeple is a constitutionally protected form of speech. U.S. Const. Amend. 1. The United States Supreme Court has acknowledged that symbolic speech, including architectural elements, is a constitutionally protected right. See *West Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 632 (1942) (“Symbolism is a primitive but effective way of communicating ideas. . . . [Just as t]he State announces rank, function, and authority through crowns and maces, uniforms and black robes; the church speaks through the Cross, the Crucifix, the altar and shrine, and clerical raiment.”); *see also Widmar v. Vincent*, 454 U.S. 263, 269 & n. 6 (1981) (holding that symbolic speech is no less protected than political or commercial speech); *First Covenant Church v. Seattle*, 840 P.2d 174, 182 (Wash. 1992) (“The relationship between theological doctrine and architectural design is well recognized.”) (citations omitted).

As discussed above, a steeple conveys an unmistakable message of belief in God that is of particular importance to LDS Church members. As no compelling state interest can be advanced to justify impinging on the LDS Church's right to religious expression, *see Lukumi*, 508 U.S. at 546, a denial of the variance would amount to a federal constitutional violation. These rights are independently protected under state law, including FERPA and the Idaho Constitution. *See Idaho Const. art. I, §§ 4, 9.*

Again, however, the statutory and constitutional mandates discussed herein need not come into play. As Congress noted, the best way to "avoid the preemptive force" of RLUIPA (and its state counterpart) is to grant the requested variance and/or construe discretionary land use criteria in favor of the steeple. 42 U.S.C. § 2000cc-3(e). The LDS Church affirms its willingness to accept reasonable conditions of approval, if needed.

Conclusion

For all of the foregoing reasons, we respectfully urge the approval of the LDS Church's application.

From: Christian Cisco
Sent: Monday, February 13, 2012 12:41 PM
To: Angie Rutherford
Subject: Proposed C.U.P. and Variance - LDS Stake

Teton County Idaho P&Z Commission - I would like to agree w/ other members of the community that your choice to hold a hearing as important as this one over a holiday is unprofessional and a poor representation of what it is that you are supposed to be doing.

That being said, one of the "black eyes" of our beautiful valley are the numerous C.U.P.'s that are scattered throughout the valley primarily along the "Scenic Bi-way", see the Burns Concrete eyesore for example. The proposed LDS Stake has no business outside of one of our existing urban areas (towns), a non-conforming use, especially of this magnitude goes against what this valley and community are really about. There is a great opportunity for the County to step up and do the right thing here in keeping developments of this nature where (for all of the obvious reasons) they belong.

I am AGAINST the C.U.P. and the subsequent height variance request.

Thank You,

Christian Cisco.

From: Joe Reichert
Sent: Monday, February 13, 2012 12:55 PM
To: Angie Rutherford
Subject: proposed new lds church

I hope this comment will be considered as I just found out about this.

I am opposed to the lds church CUP in the proposed location because it doesn't meet zoning, dark skies, or height regulations, presents traffic problems on 7000 South and connectivity problems to the pathway system, to name just a few issues.

Joseph Reichert
Driggs

From: Leora Wood
Sent: Monday, February 13, 2012 2:53 PM
To: Curt Moore
Subject: Blackfoot Farms CUP

I support the change. The steeples on the church buildings are a beacon to anyone seeking peace and signifies the quality of life in this valley. Yes the quality of life! Why did everyone move here? It certainly is for the job market or the low cost of living! Everyone came to the valley looking for something – peace and tranquility! I agree that we need to protect our valley, but by blocking the building of another church isn't the answer!! My family has been here for five generations. Most of the original settlers were Mormon.

It is a real challenge to live here, but it is worth it. We need all of the religions we can get to keep this valley tranquil and peaceful.

Thank you,

Leora Wood

From: jeanerip
Sent: Monday, February 13, 2012 3:17 PM
To: Curt Moore
Subject: BLACKFOOT FARMS CUP

To whom it may concern;

I would like to submit for your consideration the following:

Our scenic corridor is far from scenic as it is now. There are makeshift homes with many abandoned vehicles all along the corridor, as well as a high and obtrusive concrete plant in the near location of the proposed church building. If you were to count the number of vacant and deteriorating homes as well as unkept grounds, both homeowners and county, what would that number be? A Steeple on a beautifully landscaped church building is not only an attraction but in no way obscures anyones view of the Teton's, especially if the location of the complaintants view is on the East side of the valley.

We should all ban together to encourage any building in this depressed valley, and a steeple is a beautiful addition, not a deterrent. I understand that the LDS Church has agreed to lower the building itself 9", which I would imagine is no small effort. If you have examined any of the LDS Church's buildings and grounds, steeple and all, they are all very beautifully designed, landscaped and maintained.

We all need a little more selfless attitude in our beautiful valley to showcase it's beauty and to encourage more neighborly togetherness as we all have the same love for the valley. Please consider the effort of all religions to keep peace and harmony in our valley.

Thank You
Sincerely,

Dee and Jean Ripplinger (3rd generation natives)

From: Corner Drug
Sent: Monday, February 13, 2012 3:08 PM
To: Curt Moore
Subject: LDS Meetinghouse Comments

I am writing in support of the LDS meetinghouse that is being proposed just outside the city of Victor. Thank you.

Aaron Myler

From: Steve Crow
Sent: Monday, February 13, 2012 3:34 PM
To: Curt Moore
Subject: CUP Church

To Whom it May Concern-

I am writing to voice my support for the CUP variance in regards to the LDS church proposal. This will be a stable, attractive and a very much used addition to this valley. I hope you will support this variance.

Sincerely,

Steve Crow
Victor, ID

From: Eborn, Benjamin
Sent: Monday, February 13, 2012 3:40 PM
To: Curt Moore
Subject: .0011307% of my mountain view

Dear P&Z, County Commissioners & Prosecuting Attorney:

Build a Mosque at Ground Zero but don't put a steeple on an LDS Church in Teton Valley?

I've read the letters in support of and in opposition to the CUP. Several people seem to be worried about the impact of a steeple on their mountain views. I did the math and it appears to me that approximately 0.0011307% of the mountain views in this county may be obstructed by a steeple. I can't help but wonder, is the opposition about a steeple or a religion?

Good luck with your decisions. I hope we can find a way to unite this valley rather than divide it even more!

Ben & Heidi Eborn

From: Cindy Riegel
Sent: Monday, February 13, 2012 11:52 PM
To: Angie Rutherford
Cc: Kathy Spitzer
Subject: Blackfoot Farms CUP Comments

Dear Planning and Zoning Commissioners -

I am writing to express concern about the Blackfoot Farms application for a CUP to construct a large church and parking lot at 7000 south and Highway 33 in the Victor Area of Impact. This CUP should be recommended for denial on the basis that it is not a compatible use for the proposed location. I quote the application to support my stance. The developer stated, in these exact words, "the site is a distance from the City of Victor and there are no established residences or commercial properties in the immediate area". There simply are not enough conditions that one could place on this proposal to make it fit that location.

Unfortunately, because this is an LDS church, many people will be afraid to speak their minds and potentially anger their families, friends, or neighbors. Let's try and take religion out of this equation. What if this structure and parking lot were to be used for a concrete plant or bowling alley? I think this community would say, "find a better location" - preferably in an industrial zone (for the concrete plant) or within city limits (for the bowling alley) AND definitely out of the scenic corridor along Highway 33.

As far as the compatibility with the goals of the comprehensive plan go, I think this proposal fails miserably. Just like stores and businesses, brand new churches and other community buildings should be built within the city limits whenever possible to keep the downtown areas vibrant and walkable (and parking lot sizes minimal). I would think that the City of Victor would be adamantly opposed to this proposal for that reason. The core of our community should remain in the downtown areas rather than sprawling out beyond the city limits, especially such a large structure with a big box store-sized parking lot. Whether church or Walmart, this proposal represents sprawl and sprawl is something this community is striving to avoid!

The purpose of a Conditional Use Permit is to allow rare but justifiable exceptions to uses that are not permitted in certain zones. However, in this county, CUPs have been used as a tool to allow developers, industries, businesses, and churches to operate basically anywhere in the county. This is poor and antiquated planning. This problem is currently being addressed in the new comprehensive plan. It is time to cut back on the use of CUPs in this county and spend time and resources on constructing new buildings in zones where they are permitted.

I did however notice that there are not currently any zones where churches are permitted without a CUP. This issue should be addressed immediately. Churches, like schools, should be

a permitted use in appropriate zones within the city limits of Victor, Driggs, and Tetonia. Which brings up another question (or perhaps can of worms)...Do all the churches currently operating in random buildings throughout the county have CUPs?

I did not even go into the variance issue since I know you will not grant a height variance for something that is more than double the height of what is allowed. The height variance request blatantly disregards the county regulations and is an unnecessary component of this meeting house. Advanced thanks for denying the height variance. And remember CUPs are discretionary!

Sincerely,
Cindy Riegel
Teton County, Idaho resident

From: Jeff Potter
Sent: Monday, February 13, 2012 11:50 PM
To: Angie Rutherford; Curt Moore
Subject: LDS Stake Center Application Comments
To Whom it May Concern-

As a resident and elected official in the City of Victor, I am compelled to comment on the proposal for construction of a new LDS Church at Hwy 33 and 7000 South inside the limits of the Victor area of impact.

I fully support our citizens' right to worship without imposition or restriction. A construction project of this size would be a tremendous economic benefit to the local business community and the many workers who would be employed as a result. LDS Church facilities are always well maintained and reflect a pride of ownership in the communities in which they exist. I grew up playing basketball with LDS friends in Jackson Hole in the church downtown, and I would hope that any similar facilities in this building would be made available to the youth and residents of our community as a provision of public benefit in consideration of the application for the CUP and a height variance. A new facility of this type would be a significant benefit to the LDS community in Teton Valley, and I support this type of upgrade.

However, while I am not against consideration of a conditional use permit for construction of a new facility for religious worship, nor am I against the concept of a height variance for the steeple, I struggle to believe that this is the best location for such a facility. Clearly land ownership and adequate space are significant elements in this plan, but to my knowledge, the applicant has not explored alternative locations within the City of Victor that would place this substantial facility closer to the existing urban core, with better access for vehicle, bike, and pedestrian traffic, easier provision of utilities and emergency services, and minimal impact on traffic and wear-and-tear on existing infrastructure. The applicant speaks to the fact that these kinds of structures are frequently built in residential areas and are suitable in use, appearance, and functionality to developed residential areas. However, this is anything but a residential area, with large tracts of land in agricultural use, very few residences in any kind of proximity to the structure, and inadequate existing infrastructure for safe access and egress.

My biggest concern with the proposal is that the applicant seems to show a general lack of acknowledgement of existing county regulations. The applicant instead opts to make use of scare tactics to force the governing body's hand in consideration of a height variance under the guise of the federally protected right to worship without restriction, rather than expressing any willingness to compromise or provide consideration of public benefit for the members of the community who will not be allowed to use or experience this facility but will be impacted by the size, visual impact, and burden on existing infrastructure. The pages upon pages of legal case examples that reinforce the applicants position that a denial of a height variance would place an undue burden on the right to worship seem like legal posturing as though the applicant expects a denial and subsequent legal battle. This is not a healthy approach for the community as a whole and is a very unfortunate stance for the applicant to take so early in the process.

The applicant should pay for all mandatory upgrades to existing infrastructure, especially the addition of safe travel turning lanes on Highway 33. They should commit to this out of concern for the safety of their congregations first and foremost, but also for the same consideration to all other residents of the community.

I want to be clear. I support the construction of a new LDS Stake Center in the City of Victor. I support the right of our residents to worship freely without undue burden or unnecessary restriction. However, I encourage the applicant to

consider alternate locations, consider softening their stance on the height variance, and consider measures for effecting community-wide public benefit, not just the benefit of its existing congregations.

I hope we can work through this as a community in a productive and respectful manner. I am afraid that this application has the potential to do serious harm to our community if parties on all sides are unwilling to compromise and be reasonable. I would encourage anyone who has a strong opinion one way or the other to please erase the proverbial line in the sand before you enter the upcoming public hearings at which this application will be reviewed and discussed.

Respectfully,

Jeff Potter
Victor City Councilman

From: jonathan filado
Sent: Monday, February 13, 2012 6:05 PM
To: Angie Rutherford
Subject: stake center

I am strongly opposed to the chosen site, but I am for a new buiding for the LDS community. I understand that free land is a plus for the church and greatly influences their selection but Mr. Huntsman surely can find a more suitable and properly zoned area to donate. I have concern for traffic congestion as the church will be used other than on sundays. I have little concern for the steeple. I have great concern for the lighting problems. I live next to blackfoot farms and it is a very dark place. 26 lamp posts with light up the sky. We can clearly see any single lamp posts within at least a mile. The glow will have an impact no matter what the lumen. I also have seen no landscape berms proposed that will block out the headlights. Every car that parks in that lots will light up my entire home along with many others in neighboring subdivisions. If the permit is issued, then we will have set the standard that ordinances are irrelevant.

This is not a political or religious debate. Any structure of any kind with that impact would have the same resistance. Since I have a feeling that their is no alternative and the church is protect under law, I ask the church to work diligently with neighbors of the new stake center to hear their opinions on impact issues, and to reach out to members of this community outside the congregation to build strong working relationships.

Jon Filardo

From: Jen Fisher
Sent: Tuesday, February 14, 2012 8:02 AM
To: Angie Rutherford
Subject: Letter regarding LDS stake

Hello,

Attached is a letter regarding the LDS Stake House.

Thank you for passing it along as I am unable to attend the 5:00 meeting due to work and child care challenges.

Sincerely,

Jen Fisher

Jennifer Fisher
Victor, ID 83455

Teton County Planning and Zoning
Teton County, ID 83455

Dear Board,

As a resident of The Ponds Subdivision, my home will be directly affected by the location of the LDS Stake House. I will be able to see the building and all the grounds from my upstairs windows. The lights from the parking lot will illuminate my house and directly effect and change my daily life, not for the better. If the Silverstar billboard is any comparison, it too, illuminates my upstairs, and it is only 3 small lights. I feel this is a completely inappropriate placement for this type of building, especially one this size. The value of my home has already been negatively affected by the economy and stands to be negatively impacted by a project of this size in that location. The traffic impact alone is a problem. A project such as this belongs closer to the downtown core. In this setting, I would support it.

And as you know, placing a large project like this in that location directly goes against the County Comprehensive Plan. Another CUP to let organizations build in areas that are not zoned for what they are building sets a bad precedent. Everyone who wants a change of zoning to suit their desires will use this as an example as to why they should get to do what they want to do, no matter the impact to the surrounding land an home owners.

Please do not allow a project of this size to be built in this location!

Sincerely,
Jennifer Fisher

From: Jeff Klausmann
Sent: Tuesday, February 14, 2012 10:08 AM
To: Angie Rutherford
Subject: Stake Center Comments attached

Please find attached my comments concerning the stake center cup.

Thanks
JK

Jeff Klausmann

Teton County Planning and Zoning Commission

TRANSMITTED BY ELECTRONIC MAIL

February 14, 2012

RE: COMMENTS ON LDS STAKE CENTER CUP

Dear Honorable Commissioners:

I strongly urge that you deny the proposed LDS STAKE CENTER CUP request. I'll start by saying I am in full support of religious freedom and conceptually supportive of building this facility but simply put this is the wrong building in the wrong location. It's not appropriate to site such a large building complex in a functioning agricultural landscape that threatens to devalue surrounding properties and the very character of the City of Victor by further contributing to uncontrolled sprawl. The current thinking, as exemplified by the public throughout the on-going Teton County Comprehensive Planning process is to concentrate developments like this near the City Centers where transportation infrastructure is already in place. This community-oriented building is being proposed on a site that is nowhere near the community it proposes to serve. I am also very concerned about light pollution and preserving our dark skies, an amenity shared by all the citizens and visitors of Teton County.

Please consider this application very carefully and send the right message by denying approval and encouraging an alternative location.
Sincerely,

Jeffrey Klausmann
Driggs, ID

From: Culman, Tina
Sent: Tuesday, February 14, 2012 10:40 AM
To: kathy spitzer; angie ; Curt Moore
Subject: Stake Center

Dear all,

I am very concerned about the proposed Stake Center in Victor. As a full time resident of Victor, I fear the huge 70 foot steeple will impede the visual corridor forever and the enormous parking lot and structure will completely change our pastoral landscape. The lighting proposal around the parking lot would undoubtedly obscure the night sky and cast light far and wide. I am also very concerned about the inevitable increased traffic in our small county and the potential stresses on the City of Victor coffers to maintain roads and water and sewer.

I would urge the county commissioners to reconsider the placement of the Stake Center. I do not want our rural landscape so altered.

I am hoping to attend the meeting this evening, but the timing is difficult as I work. Please accept this letter in lieu of my personal comments if I am unable to attend.

Respectfully,

Tina Culman

From: James Price
Sent: Tuesday, February 14, 2012 10:57 AM
To: Curt Moore
Cc:
Subject: CUP Public Hearing

Teton County (Idaho) P.& Z Board. Marlene and I will be unable to attend the Public P & Z meeting being held today, however, we would like to encourage the Teton County P & Z Board to approve the Blackfoot Farm; CUP (conditional use permit) being submitted today. We feel it would certainly add to the purpose and beauty of Teton Valley. Also, be of great service to the people in this area. Thank you for accepting our encouragement.

Sincerely, James and Marlene Price Driggs, Idaho

From: John Block
Sent: Tuesday, February 14, 2012 12:10 PM
To: Curt Moore
Subject: Proposed Mormon Development

I wish to go on record that I vehemently oppose the outsized and misplaced development being proposed by the Mormon Church for the outskirts of Victor.

The project does not conform to what any of us long time residents feel this valley and the scenic corridor should be like.

This is not a matter of religious freedom. All Faiths have a right to build their places of worship/meeting in the areas of their members but they should not be built in variance of the rules and regulations that protect the rest of the

population from unsightly, oversized, development that does not comply with the regulations or the "spirit" of the community.

This project needs to be re-evaluated as to its size, height, visual impact and location with more input from the local people who will have to see this development on a daily basis and not just on special occasions when it will be used. The County has an obligation to protect ALL residents from this kind of unsightly development.

Dr. John D. Block

Victor Idaho

From: Jeff Franz

Sent: Tuesday, February 14, 2012 12:51 PM

To: Rush Jenkins

Cc: Angie Rutherford; Curt Moore

Subject: To: Rush Jenkins

Rush,

I have been closely following the proposed LDS Stake Center issue, though from afar as I am not currently in the valley. I don't know you any further than your recent public comments, which alone have motivated me to write. I understand the period for public comment has passed (I have read all 80+ pages on the county website, though). I'm just guessing this is your email address, as I fetched it from your company website.

In short, your extremely detailed analysis and commentary couldn't have echoed my thoughts any better. As a member of the community, I greatly appreciate that you took the time to thoroughly research and clearly state the many significant issues facing this CUP: a neutral party analysis of the need for a structure of this size, its unacceptable location, the almost certain lack of inclusive community activity in a building this size, lack of non-vehicular access, and the exaggerated claims of the need for the steeple/height variance.

I also appreciate your plain speaking and calling the spade a spade, because your following statement couldn't be any more true: *"Heavy handed threats by the Church and using the protection of RLUIPA and FERPA to bully a small community into allowing them to build an extremely large building and huge steeple that not only adversely impact the visual corridor of Teton Valley and it's residents, but sends a message to the community that the LDS Church could care less about the County Ordinances of Teton County as well as disregard the concerns of residents in Victor, Driggs and the outlining communities. At its worst it is Big Business bullying a community, and at its best it shows little regard for concerns and ordinances of a County, Cities and Community."*

At its core, and by virtue of the tone in their application, that is what this debate is ultimately about. It's about one group of people claiming their desires are more important than the collective community, and that said group has divine permission to do as they please; don't you others (including law-makers) dare dispute the word of God.

However, I sincerely hope that Teton County P&Z recognizes the LDS plan for what it is: Step 1 in their negotiating strategy. The LDS group knows they won't get everything they want, so in a typical negotiating tactic, they asked for outlandish exemptions with the hope of receiving moderate exemptions (ie a 45 foot steeple on top of a 30 foot building). And of course, they can then claim that they've been nothing but generous in the compromise process.

I have yet to read anyone proclaiming that they wish to deny the Mormon community a new and attractive house of worship. And that raises a key point that can be gleaned from the submitted public comments; those not in support of this CUP are not against a new LDS structure, but that it adhere to the wishes of the community and its ordinances. Those comments in support are mostly one sentence emails to the tune of "Just allow it!!" with zero recognition that others in the community might feel differently.

But should this CUP be granted with any height variances or exemption for location, then the box is opened and any religious denomination can hang its hat on this precedent. All this rhetoric (which I truly wish to believe) of not making the mistakes of the past will be just that... rhetoric.

I eagerly await the day that this stake center has completed construction: within town limits, within height/dark sky restrictions, and being the wonderful addition to the valley that I know it will be.

Sincerely, and I wish I could be there tonight.

Jeff Franz

Tetonia, ID

From: Carl Jordan
Sent: Tuesday, February 14, 2012 1:55 PM
To: Angie Rutherford; Curt Moore
Cc: Jack Liebenthal
Subject: Re: LDS lighting plan

The LDS Stake Center application includes a lighting plan which appears to meet most of the requirements of the enigmatic Teton County lighting ordinance. However, several significant shortcomings remain related to "dark-sky" objectives and visual efficacy, as I have addressed in any earlier comment. I believe, however, that they could be addressed by requiring the following conditions of approval.

LIGHTING PLAN RECOMMENDATIONS.

1. Apply correct Light Loss Factor (LLF is 1.0, not 0.85) and adjust footcandle-contour plots accordingly.
2. Specify fixture height above base grade, not to exceed 20 feet.
3. Require a lighting curfew on outside illumination applicable no later than 1 hour after the end of scheduled events, and at all other times when events are not scheduled.
4. Deny architectural illumination of any structure, including the steeple.
5. Revise lighting plan to reduce illumination of unplowed snow areas to no greater than 0.1 footcandles via shielding, fixture placement, and choice of fixture-illumination pattern-type.
6. Revise lighting plan, including its pole locations and pattern types, to reduce max-min ratio (currently 27-1) to the maximum extent practical.

Carl Jordan,
Victor, ID

From: annette [<mailto:toastysock@gmail.com>]
Sent: Tuesday, February 14, 2012 3:07 PM
To: Angie Rutherford
Subject: Stake Center - Out of Place

"The question here is not whether this Stake Center is valued and needed, but rather, whether this is the appropriate location for it."

Good Afternoon,

I don't want to pussyfoot around what I see as the biggest detraction for permitting such construction at the site just minutes from Victor. The proposed building will be an eyesore for anyone traveling through or living in Teton Valley because it will stick out like a sore thumb from our valley floor; plain and simple, it is out of place.

The high profile design does not respect, complement, or conform with the "feel" of the valley. We have all been affronted by such development plopped in the middle of a farm-field and have had the occasion to ask ourselves, "what were they thinking?" Such unfriendly construction diminishes the worth and value of the surrounding area and simply, belongs in the city, not in the middle of valuable farmland.

We live in a special place; I have heard tourists wax lyrical about the charming ambiance of our towns and the aesthetic harmony of the valley. Let us ensure our man-made forms blend, respect and enhance that environment and our architectural heritage.

Sincerely,
Annette Larson
Victor

From: Erica D. Linnell
Sent: Tuesday, February 14, 2012 3:10 PM
To: Angie Rutherford
Subject: LDS Stake Center

Churches are great for a community. No question. But they should be near town centers as community gathering places that people can walk to and engage with as party of the city at large. Additionally while I imagine the building will be a beautiful addition to our valley, the county has got to start enforcing code at some point. Two decades of fudging regulations and guidelines--or not having any at all--is what landed us in the position of having hundreds of empty houses in the valley and ill-executed commercial properties that are deterrents for boosting our tourist economy. I hope the county and church representatives can find a compromise by finding a location that meets the needs of the church constituents while still adhering to Teton Valley zoning regulations.

Thank you,
Erica Linnell
Victor, ID

From: Alonzo Huntsman
Sent: Tuesday, February 14, 2012 4:21 PM
To: Angie Rutherford
Subject: [LIKELY_SPAM]public comments

Dear Planning Commission,

Attached please find a letter relevant to the permitting and building of the Stake Center on 7000S.
My family and I are owners of 400 acres on 6000S. I am unable to attend in person. Please consider the attached letter my input regarding the construction of the proposed Stake Center.

thank you,

Alonzo Huntsman

Alonzo Huntsman
Salt Lake City, UT

February 14, 2012

Teton Valley Planning and Zoning Commission
Teton County Courthouse 150
Courthouse Drive
Driggs, ID 83422

Dear Planning and Zoning Commission,

I am writing to oppose the permitting and building of the LDS regional meeting center (Stake Center) proposed for 7000S and Highway 33.

The first point I would like to make is that the grounds of my opposition is not institution based. My family and I are products of Mormon culture and we have spent a good portion of our lives in buildings such as the one proposed. Rather, our concern is with construction in general, especially in an area where a special use permit needs to be sought. We would

be in opposition to any building that consumed so much open space, especially one with features that require exemption from the area's current zoning ordinances.

The current ordinances are in place precisely to protect scenic beauty and prevent the defilement of open space. Even if the Stake Center is not precisely in a designated scenic corridor, its location is certainly in a scenic area, one that will be forever changed by its construction . . . and the ramifications of its construction. The Stake Center represents significant "sprawl." Ironically, it is precisely the Valley's (imperiled) wildlife and (diminishing) open space that has drawn so many newcomers to the Valley and strengthened the economy of both Driggs and Victor.

As land owners on 6000 south, we find the proposed construction objectionable on a number of fronts. We have dedicated our 400 acres to a combination of responsible agriculture use – hay production and cattle grazing – stream restoration, and wildlife habitat restoration. Beyond aesthetic considerations, the protection of wildlife and riparian corridors should be of financial interest to citizens of the valley. Many Valley residents make a living based on recreation opportunities including hunting and fishing. Over the last decade we have worked with a number of local and regional groups that share our vision of protecting habitat and promoting wildlife. The Teton Regional Land Trust, NRCS, Friends of the Teton, Ducks Unlimited, Trout Unlimited and others have joined us in an effort to protect the land and help restore a healthy area for wildlife, migratory birds and spawning fish.

In addition to the financial impact the neighboring Church development will have on our property, we fear the ecological impact that a large building, extensive parking lots and bright lights will have on migratory birds and other species whose habitat is shrinking daily. The proposed site is right on the Fox Creek riparian corridor, and many environmentalist believe that intact corridors, such as Fox Creek, function to allow the movement of wildlife along natural routes.

The LDS Church is a known light polluter. See the National Geographic Magazine of November 2008. p. 120-121 for a glaring example of light pollution. I am under the impression that a local dark sky ordinance would have to be waved too for the construction of this building.

Approval of a church is the first domino to fall with respect to new construction in the area. We believe that current ordinances should be left intact to protect the agricultural and wild features: first a church, then a new housing development, then another, then a liquor store, a 7 Eleven and eventually a Walmart. All take habitat, all emit light that confuses birds as they migrate, all degrade the quality of life for people who value open spaces and unencumbered scenic vistas in the Teton Valley.

It is already difficult to pull out from 6000 south to highway 33 given current traffic patterns. The church (and the inevitable residential building that will follow) will increase traffic from all directions. This is especially worrisome for us as 6000 south is the only artery between Driggs and Victor that connects the east and west sides of the valley. Potholes, stutter bumps, noise, speeding and dust are already a major problem for us. Traffic along 6000 will only increase with the proposed structure as it is the most efficient route for families on the west side of the valley to get to church. The planning analysis that I saw online didn't seem to address additional traffic use along 6000 south. Moreover, as the proposed project is in the jurisdiction of the county, not a municipality, will sufficient funds be allotted for maintenance and grading of 6000 south? Will a new traffic light be needed to facilitate church rush hours. Sunday services are not our only concern. The structure will accommodate a wide variety of community events (as any building of this kind rightly should) during all days of the week. These range from Scout meetings, to funerals, to non- Temple weddings, to Missionary receptions, to high council meetings, to ward basketball, etc. etc. All of these increase traffic, and as such, traffic safety and road wear.

It surprises me that a building that functions as both a community center and a church would be placed so far from areas of residential density. Shouldn't the building be built in Driggs?

I understand that Blackfoot Farms is the seller of the parcel. I am also aware that they have been very generous benefactors to the area in many ways. Given their immense regional land holdings, couldn't a suitable alternative location be found, like next to the Ace and Broulims where there are already large buildings, parking lots and many lights? Shouldn't a community building be more central to the community?

With appreciation for your consideration,
Sincerely,
Alonzo Huntsman
Teton Valley Land Owner

From: Dark Horse Books
Sent: Tuesday, February 14, 2012 5:11 PM
To: Angie Rutherford
Subject: Blackfoot Farm application

My apologies for the lateness in my comments. I thought this was at 7:00 p.m. I am directly impacted by this development as I live down the road on 7000.

First and foremost, approving a variance to allow a steeple discredits the entire variance process. Write a steeple and cupola ordinance for such instances. The entire argument for the steeple being necessary to practice their faith is nonsense. I am attaching a picture of an early stake house. No steeple at all. The early members of the LDS church were able to practice their faith without a steeple. As far as steeples go, why a 70 foot steeple? The applicant does not explain why a 70 ft steeple is necessary for their worship. Won't a 10 foot steeple on a 30 foot building do just as well.

But more importantly, there has been no attempt to minimize the adverse impact this Conditional Use will have on the surrounding area. This is zoned ag 2.5. There are many residential homes down 7000, which will be adversely impacted by this development. The 3 acres of parking will forever change the area. This development will change the area from rural to town immediately. The lighting is too much and certainly wrong for the Ag 2.5 zone. While this church belongs in Driggs or Victor. It is wrong in its currently location. It will be a traffic nightmare every Sunday on this quiet country road. It will destroy the existing night skies. If the Commission approves this CUP, there should be conditions to reduce the impact. No lighting. None. Since the church will only be used on Sundays, they don't need lighting. The applicant needs to reducing the amount of asphalt. Require berms and landscaping. Instead of asphalt, use grasscrete. Lastly, there will need to be a traffic light at the intersection of 7000 and the Hwy. Otherwise, the residents in this area will be faced with a traffic snarl every Sunday.

In conclusion, a steeple ordinance should be written. The applicant has not proven that the existing condition of the land cause any type of hardship. They simply want a 70 foot steeple on top of a 30 foot building. It is self serving to claim the steeple is necessary in order to worship. As seen in the picture, the early mormon settles did not need a steeple to worship. Lastly, the applicant has failed to reduce the adverse impact this development will have on the surrounding rural and low density housing. There is a violation of the night skies.

Thank you
Phyllis Lamken .
Dark Horse Books, Inc.



From: Chuck Iossi

Sent: Tuesday, February 14, 2012 4:49 PM

To: Curt Moore

Subject: Stake Center

Dear Mr. Moore,

I would encourage the building of the Stake House outside the visual corridor between Victor and Driggs. A 70' structure, large parking with attendant lighting is inconsistent with the rural atmosphere of the current location.

Yours sincerely,

Charles M. Iossi