

**MINUTES OF THE
WASATCH COUNTY
JSPA PLANNING COMMISSION
APRIL 20, 2023**

PRESENT: Chair Bill Redkey, Mark Hendricks (*via Zoom*), Ray Whitchurch (*via Zoom*), Robert Holmes, Craig Hahn, Peter Meuzelaar

STAFF: Doug Smith, Wasatch County Planner; Austin Corry, Assistant Wasatch County Planner; Rick Tatton, Court Reporter.

PRAYER: Chair Bill Redkey

PLEDGE OF ALLEGIANCE: Led by Chair Bill Redkey and repeated by everyone.

Chair Bill Redkey called the meeting to order at 3:00 p.m. and welcomed those present. Also indicated that all the Commissioners are present with Commissioner Ray Whitchurch and Commissioner Mark Hendricks both via Zoom. The record should further reflect that the JSPA Planning Commission is meeting in the Wasatch County Council Chambers located in the Wasatch County Administration Building located at 25 North Main, Heber City, Utah 84032. Chair Bill Redkey also thanked the staff for the great work they do which makes the job easy for the JSPA Planning Commission to conduct the business that is necessary to be done. Chair Bill Redkey then called the first agenda item.

APPROVAL OF THE MINUTES FROM OCTOBER 4, 2022 MEETING

Motion

Chair Bill Redkey made a motion to approve the minutes from the October 4, 2022 meeting as written.

Commissioner Peter Meuzelaar seconded the motion.

The motion carries with the following vote:

AYE: Chair Bill Redkey, Mark Hendricks, Peter Meuzelaar, Robert Holmes, Craig Hahn,

NAY: None.

ABSTAIN: Commissioner Ray Whitchurch (absent)

Doug Smith, the Wasatch County Planner, addressed the JSPA Planning Commission and indicated that with regard to the Mayflower property that is just at the intersection of the Mayflower exit at 319 south side of that intersection where the tailings pile was located that is being purchased by Extell. Extell is going to build the affordable housing that we have required on that parcel and also do some additional housing and some recreational area. It is becoming a MIDA control area both land use and taxing entity. So that will be taken out of your hands and MIDA will be the land use authority on that. The affordable housing will be done and the Master Plan does differ, but still planning on a commercial component and some recreational and the housing. Also there is some parking planned in that area.

ITEM 1 CONSIDERATION AND POSSIBLE RECOMMENDATION OF ORDINANCE 23-05 TO AMEND WASATCH COUNTY CODE CHAPTER 16.41, JORDANELLE SPECIALLY PLANNED AREA, TO CONSOLIDATE ROOF PITCH REQUIREMENTS FROM INDIVIDUAL LAND USE CATEGORIES INTO ONE SECTION UNDER JSPA ARCHITECTURAL PRINCIPLES. **IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON MAY 3, 2023.* (AUSTIN CORRY)

Staff

Austin Corry, Assistant Wasatch County Planner, presented a Power Point presentation and then addressed the JSPA Planning Commission and indicated that the JSPA zone is an overlay zone that grants higher densities than the underlying zone but adds architectural and other requirements in order to justify the density allowance. One of those architectural requirements, since the inception of the code was regarding roof pitch. Earlier versions of the code specified roof pitch angles of average 5/12 to 8/12. In December 2020 the County Council approved an amendment that modified those roof pitch requirements in a way that would allow Mountain Modern architecture which incorporates low slopes roofs. At that time the amendment only addressed residential areas in the JSPA. It is not certain why the amendment did not address all roof pitches simultaneously, in any event, the staff is now proposing that the other land use categories such as Hospitality Casita, Resort Villages, and Common Space also be updated to reflect the same roof pitch standards for other land use categories that were adopted in December 2020.

In an effort to reduce conflicts and eliminate redundancy within the code, the proposal is to strike the roof pitch requirements from each land use category individually and instead place the roof pitch requirement (worded the same as the adopted language in December 2020) into an overall architectural guideline section so that the requirement only need be stated one time in one place.

The actual amendment is to remove the listed slope regulations that right now is repeated and the words all verbatim, but it is repeated in every land use category. This would remove them from those individual ones and just state it just one time in the architectural guidelines section. There also are two land uses that are different. This proposal is basically suggesting that we use that same amendment that occurred for residential single family and residential medium and apply it across the board to all of the land uses with the same understanding that we are moving it into a section of the code so we can just say it once rather than multiple times. That would make it that there is one roof slope requirement. Right now you can't build a commercial building with a flat roof.

Austin Corry then went through the findings:

1. The proposed amendment is consistent with the policy established by the approval of Ordinance 20-22.
2. The proposed amendment removes multiple references to roof pitch requirements that read the same and instead uses one section to note the roof pitch requirement for all structures in the JSPA, regardless of use.
3. Positive impact of the proposed changes are reduced confusion and potential conflict in the code that could make enforcement of the code difficult.

Public Comment

Chair Bill Redkey then opened the matter up for public comment.

Bill Koskovich with SkyRidge Development, if approved this would enable this type of structure to follow suit with the natural surrounding and buildings so it all looks harmonious. This benefits both commercial and residential.

Chair Bill Redkey then closed public comment period.

Commission Comments

Commissioner Peter Meuzelaar replied that he doesn't see an issue with it and now we are allowing flat roofs to be used.

Commissioner Ray Whitchurch replied that the reason these are differentiated is because we wanted to have a different look and feel for the different uses that were in the code. Are we comfortable as a Commission to have the commercial, retail, or office buildings look the same as the residential buildings so there is no distinction anymore between the two? If we lose that control I don't know how much we can essentially push back on roof slopes at this point and we are just going to say that whatever works at this point if we agree to this. Austin Corry replied yes if this were approved the way it is written there would be no review or looking at the roof slope itself. There would be no land use authority to tell somebody that they had to do a pitched roof or anything with that regard. Commissioner Ray Whitchurch replied do we have any input on an applicant on the roof slopes if we just pull this out at this point?

Commissioner Craig Hahn indicated that he is comfortable with the language. My only question is would we want to do a maximum slope. Any reason to add the 7/12 back in here as a maximum? As long as we have that roof slope shall be buried and articulated that gives us some latitude.

Commissioner Peter Meuzelaar replied that we do need a maximum slope.

Commissioner Mark Hendricks indicated that he supports this move. As between commercial and residential I am comfortable that zoning and area planning will be a sufficient distinction and it is not roof slopes that are going to need to be defined as different as between those two. I am comfortable with flexibility in design within some broad parameters. I am okay with having a maximum slope, I am open if others feel it is important to have a maximum slope. I support what is being proposed. I am open to variability.

Commissioner Ray Whitchurch indicated that how does the staff say no if they look at something and say it is inappropriate and there is no benchmark for them to judge it by. Austin Corry replied that the JSPA Planning Commission is a different body, you are a design review board and bonus densities associated with this zone specifically designed to design elements and design guidelines.

Chair Bill Redkey replied, can we defend a denial with the wording that is here? Austin Corry replied that if you, as the design authority for the JSPA, made a determination that it is not compliant with the design guidelines you would have a basis there.

Commissioner Peter Meuzelaar replied that I would prefer to limit the roof slope to a certain pitch that we decide and pull out a path that could be followed if they wanted to do something different.

Commissioner Mark Hendricks replied that he doesn't want to put too much pressure on staff. It would be adequate to go to the JSPA Planning Commission with the request and resolve the problem. I am referring to variability rather than maximum pitch.

Commissioner Ray Whitchurch replied that we ought to bake that process into the ordinance even though it is in the general language that we ought to emphasize the variability is going to have a route that they can go and get an exception for. What I would suggest is if it gets to that point that we essentially say that staff has the ability to refer this to the Planning Commission if they don't agree that the variability is meeting the standard of the JSPA. Take a positive approach to it rather than a denial and the staff could say that I don't think there is enough variability and I would suggest that you take this to the Planning Commission. That saves the staff from having to always be the bad guy. Austin Corry replied that as staff we work through things and when it is not real clear that is when it comes to the JSPA Planning Commission. The Planning Commission is the authority of interpretation of the design guidelines.

Motion

Chair Bill Redkey made a motion to recommend that this be adopted as proposed with the amendment being the addition of, and this would be in Section 6.1.2.3 at the end of that paragraph, no more than 7/12 slope shall be used. These requirements shall be adhered to unless otherwise approved by the JSPA Planning Commission.

Commissioner Robert Holmes seconded the motion with the added amendment.

The motion carries with the following vote:

AYE: Chair Bill Redkey, Mark Hendricks, Ray Whitchurch, Peter Meuzelaar, Craig Hahn, Robert Holmes.

NAY: None.

ITEM 2 ALLISON AAFEDT, REPRESENTING SKYRIDGE GOLF ACADEMY, INC., REQUESTS FINAL SITE PLAN APPROVAL FOR SKYRIDGE GOLF ACADEMY CLUBHOUSE CONSISTING OF TWO BUILDINGS CONTAINING A PRO-SHOP, GOLF SIMULATORS, CAFÉ, BAR, SALES CENTER, LOCKER ROOMS, FITNESS FACILITIES, AND LOUNGE AREAS AS WELL AS A POOL AND PARKING STRUCTURE ALL AS PART OF A GOLF COURSE/CLUBHOUSE COMPLEX LOCATED AT 1441 W SKYRIDGE DRIVE IN THE JORDANELLE SPECIALLY PLANNED AREA (JSPA). (DEV-7304; DOUG SMITH)

Staff

Doug Smith, the Wasatch County Planner, presented a Power Point presentation and then addressed the JSPA Planning Commission and indicated that the SkyRidge development is located on the northwest shore of the Jordanelle Reservoir, on the east side of US Highway 40 between the Jordanelle Parkway and Highway 40. The vision for the JSPA is to create a year-round destination resort and residential development that takes advantage of skiing, water sport activities, mountain biking and other recreational amenities the area has to offer. The vision also includes golf and fitness. This application includes a golf course clubhouse and fitness center. The golf course has already been approved and is under construction. A plat has already been recorded creating the parcel for the clubhouse buildings, as well as a plat for the golf course.

Doug Smith then went through the project summary.

- Applicant: Allison Aafedt
- Hearing date: 20 April 2023
- Property Owner: SkyRidge Development LLC
- Existing Zone: JSPA
- Related Applications: Master Plan (2016, amended 2021), Overall Preliminary (2018, amended 2021).
- Building square footages: The development agreement limits the clubhouse building(s) to a total of 20,000 square feet. Total for conditioned space of both buildings is 19,033 square feet.
- Proposed Land Use: Two buildings: clubhouse and fitness center and structured parking.
- Acreage: 2.72 acres, open space 41 percent, hard surface 59 percent.
- Proposed site plan: Contains two buildings connected with a pool area. Building 1 is the golf club house. Building 2 will have a pool, and fitness center. A parking structure is also included in the final site plan application.

Doug Smith indicated that one of the things that I failed to do in the Master Plan when initially amended was to put a neighborhood center designation in the Master Plan. The existing land use map, master plan map for SkyRidge and where that arrow is essentially proposed to be and I had in my staff report that was medium density residential which was a mistake and is actually single family residential. What I am proposing to do and in the code section you can see below in 8.10 it talks about applications to amend the target density maps in the plan book without increasing target densities shall be administrative of the new maps that we are required to update the plan book on final approval from the JSPA Planning Commission. My proposal is to change that land use map to the other map and have the neighborhood commercial zone shown. That will allow for proposed uses and also helps with the height requirements so a conforming situation to the area. The landscape plan lists the sizes and quantities. The proposed code amendment to allow flat roofs in the NC zone must be acted on and approved by the County Council which is a condition before this item can be fully approved. Parking structures were contemplated in the JSPA. This allows for increased parking without the requirement for large asphalt parking areas.

Doug Smith then went through the DRC comments:

PLANNING comments:

- Are the south and west elevations of the structured parking exposed? There is a section in the JSPA code that regulates parking structures that should be reviewed. It is section 5.8.6.
- Signage is approved separately
- What's the setback from the street of the HOA pool facility?
- Building lighting and other site lighting?

ENGINEERING comments:

- Condition of Approval: That your supplemental geotechnical investigation and update to the report be reviewed and approved before the building permit can be issued.
- Conditions of Approval: That the retaining wall structural plans be reviewed and approved in conjunction with the building permit application.

JORDANELLE SSD comments:

- There is a need for a sewer line easement across golf course for JSSD Sewer line.
- Provide clubhouse plumbing plan for identification of sewer outfall and need for grease interceptors for kitchen areas and golf cart wash down areas.
- Coordinate detailed plan review for JD water and sewer with District Engineer.

Doug Smith then went through the proposed findings:

1. The plat for the clubhouse parcel is recorded.
2. The proposal is consistent with the approved master plan and preliminary approvals.
3. The Development Review Committee has reviewed the project and recommends approval.
4. The proposal complies with the intent of the JSPA and furthers the creation of a year-round resort.
5. With the updates to the JSPA maps and changing this area to NC (Neighborhood Commercial) the proposed uses in the clubhouse and heights will be in compliance with the code.
6. With amendments to the roof regulations the proposal complies with the JSPA code.
7. The permitted uses for the NC allows for resort features (as defined in Section 2.1.2.23 herein) which are pools, health or spa facilities and golf courses.
8. The proposal has shed roofs with eave overhangs and some parapet walls. The code is silent on parapet walls for commercial buildings.

Doug Smith then went through the proposed conditions:

1. The changes to the roof slopes must be approved by the legislative body for this approval to be valid.
2. All issues raised by the DRC shall be resolved to the satisfaction of the applicable review department prior to a building permit.
3. All architectural requirements of the JRA handbook must be complied with including stone percentages to be verified at building permit.
4. The square footages of the two clubhouses will either need to be lowered or the applicant will need to request an amendment to the development agreement.

Commission

Commissioner Craig Hahn indicated that he thought the square footages of both buildings were under twenty thousand. Doug Smith replied that is correct and the question becomes are we counting gross or net and there is no language in the code. I don't think that is a big deal but I can't speak for the county manager, it might just do that administratively. Commissioner Ray Whitchurch replied that you are looking at a ten to fifteen percent difference in the overall square footage and it won't make a difference on anything. I don't think we need to designate it. I think it is a very subtle difference between the two. Doug Smith replied that whether you are in support of allowing that and say that you are in support of amending the development agreement. Chair Bill Redkey indicated that if we are silent with regard to that, would that mean we are in favor of that? Commissioner Mark Hendricks replied that he agreed with Commission Ray Whitchurch's comment.

Applicant

Allison Aafedt, representing Jordanelle Golf Academy, presented a detailed Power Point presentation along with colored pictures showing the project and then addressed the JSPA Planning Commission and asked if there is any questions.

Public Comment

Chair Bill Redkey then opened the public hearing for public comment and there was none so the public comment period was closed.

Commission Comments

All the JSPA Planning Commissioners indicated that they had no comments and indicated that this is a beautiful project and thanked the developer.

Motion

Commissioner Ray Whitchurch made a motion to approve of this golf academy project in light of the findings and subject to the conditions.

Chair Bill Redkey seconded the motion.

The motion carries with the following vote:

AYE: Chair Bill Redkey, Peter Meuzelaar, Mark Hendricks, Ray Whitchurch, Craig Hahn, Robert Holmes.

NAY: None.

ITEM 3 ALLISON AAFEDT, REPRESENTING PEGASUS DEVELOPMENT COMPANY, REQUESTS FINAL SUBDIVISION APPROVAL FOR SKYRIDGE PEGASUS PHASE 8A, A RESIDENTIAL PHASE CONSISTING OF 45 ERUS ON APPROXIMATELY 30.67 ACRES. THE PROPOSAL IS PART OF THE OVERALL SKYRIDGE MASTER DEVELOPMENT LOCATED IN SECTIONS 7 AND 12, TOWNSHIP 2 SOUTH, RANGES 4 AND 5 EAST IN THE JORDANELLE SPECIALLY PLANNED AREA (JSPA). (DEV-7066; DOUG SMITH)

Staff

Doug Smith, the Wasatch County Planner, presented a Power Point presentation and then addressed the JSPA Planning Commission and indicated that the SkyRidge Development is located on the northwest shore of the Jordanelle Reservoir, on the east side of US Highway 40 between the Jordanelle Parkway and Highway 40. The development was granted master plan and density determination in early 2017 and overall preliminary in 2018. An application for an amended master plan and preliminary was granted on March 3, 2021 that included placeholders for golf course clubhouse, a lodge, welcome center and workforce housing. The Pegasus phase has been broken into several phases with the 8B phase being developed at a later date due to water pressure issues. Phase 8A is accessed with two roads that tie into SkyRidge Drive at two separate points. The lots range in size from 1/3 acre to over half an acre. The retaining wall issue will be sent to the Wasatch County Council for their approval. This retaining wall is going to be native rock. This going to have asphalted trails throughout the open space in the Pegasus phase.

Commissioner Craig Hahn asked if these asphalt trails will be connected to other asphalt trails. Doug Smith replied they are private trails.

Doug Smith then went through the project summary:

- Applicant: Allison Aafedt
- Hearing Date: 20 April 2023
- Property Owner: SkyRidge Development LLC
- Existing Zone: JSPA
- Related Applications: Master Plan (2016, amended 2021), Overall Preliminary (2018, amended 2021).
- Proposed Land Use: Residential lots, and recreation trails.
- Acreage: Overall Preliminary is 678 acres (gross).
- Proposed Density: 503 ERUs
- Proposed Lots: 45 RSF lots on 30.67
- Lot sizes: Approx. 65 ac. - .30 ac.
- Open Space: 6.80 acres (22.2 percent).

Doug Smith then when through the DRC comments:

PLANNING comments:

- Condition of approval: The recommendations of the geotechnical report from IGES dated May 31, 2022 shall be followed for safe development of the steep slopes.

ENGINEERING comments:

- Condition of Approval: Any walls over 30 feet tall or over 200 feet long need to have approval from County Council.
- Condition of Approval: Add a note to the plat specifying that snow storage in the right of way must be behind the curb and gutter.
- Condition of Approval: Prior to issuance of a subdivision construction permit, a retaining wall design report must be approved by the County's contracted geotechnical review engineer.

- Condition of Approval: The final construction plan set shall have callouts or points identifying bottom of wall and top of wall elevations in the appropriate intervals/at the property locations.
- Condition of Approval: Any walls over 30 feet tall or over 200 feet long need to have approval from County Council.

SURVEYOR comments:

- This is a preliminary plat/
We are approving the plat and sending the project forward.
We reserve the right to review the final signed mylar when presented to our office.

Doug Smith then went through the proposed findings:

1. The density and layout being proposed is consistent with the density and layout proposed in the amended master plan and preliminary plan approvals.
2. The proposed subdivision is in the Jordanelle Specially Planned Area (JSPA).
3. The proposed development complies with the product types required by code and approved during the Master Plan approval.
4. The Development Review Committee has reviewed the project and recommends approval.
5. The proposal is consistent with the approved number of ERU's for the project.
6. As required by code a soils report has been provided by IGES dated May 31, 2022 for lots with slopes between 25-30 percent which recommends approval of the proposal.

Doug Smith then went over the conditions:

1. All comments included in the DRC report shall be resolved to the satisfaction of the applicable review department prior to final approval.
2. A recommendation by the Planning Commission to the County Council regarding the retaining walls.
3. Recommendations of the soils report must be followed:

Applicant

Allison Aafedt, representing Pegasus Development Company, presented a detailed Power Point presentation with colored photos and addressed the JSPA Planning Commission. Then asked if there was any questions regarding the Pegasus Phase.

Commission Comments

Commissioner Craig Hahn indicated that his only concern with the retaining walls is the water that will be hitting them and handled with appropriate drainage. There are lots of water coming down in that area because of the heavy snow this year. Have you taken steps to control that water this year and other years? Jack Johnson from Pegasus Development Company replied that has been taken care of and approved and shows up on the drainage map and easements that are through there along with open pipes. It has been designed and approved by T-O Engineering and we feel comfortable with it. The rest of the JSPA Planning Commissioners indicated that they had no comments or suggestions and thanked them for the fine project.

Public Comment

Chair Bill Redkey then opened the public hearing for public comment and there was none so the public comment period was closed.

Motion

Commissioner Robert Holmes made a motion to approve the application in light of the findings and subject to the conditions as staff has outlined and pass the retaining wall issue to the Wasatch County Council.

Commissioner Peter Meuzelaar seconded the motion.

The motion carries with the following vote:

AYE: Chair Bill Redkey, Robert Holmes, Peter Meuzelaar, Craig Hahn, Ray Whitchurch, Mark Hendricks.

NAY: None.

ADJOURNMENT

Motion

Chair Bill Redkey made a motion to adjourn.

Commissioner Ray Whitchurch seconded the motion.

The motion carries with the following vote:

AYE: Chair Bill Redkey, Craig Hahn, Peter Meuzelaar, Robert Holmes, Ray Whitchurch, Mark Hendricks.

NAY: None.

Meeting adjourned at 5:00 p.m.


BILL REDKEY/CHAIRMAN