
Weight parcel

randall kruep <randallkruep@me.com>

Mon, Mar 18, 2024 at 10:25 AM

To: Tony Tyler <tony@cpdre.com>

Cc: John Phillips <jcp@phillipshomes.com>, Simmons John <Jsimmons@cvma.com>, Weedon Roland <rweedonpc@gmail.com>

Good Morning,

Our board member Roland Weedon is most directly affected by this project so I think he should comment. (His home is directly across Red Pine Road) As a board we are in favor and as a homeowner a couple of hundred yards from the project I am enthusiastically in favor. We feel this is the most appropriate project and benefits us both from a day to day living point of view as well as from a financial perspective. Let me know if there is something I can do personally to help drive this to completion. I would like to see you get on with it and complete the project ASAP. We just want to make sure you continue to support our need to maintain our access easement so we can walk/ski down to the upcoming Gondola. I think I'm still on the back up list to potentially buy a unit should an existing deposit holder fall out——— that is how enthusiastic I am about the project.

Best,

Randall Kruep
650 888 3371
2237 Creek Crossing
Aspen Creek Crossing @ Canyons Village Base

[Quoted text hidden]

From: [rentals mnu](#)
To: [Tiffanie Robinson](#); [Annette Singleton](#)
Subject: Weight Parcel Meeting 3/18/24
Date: Monday, March 18, 2024 10:14:38 AM
Attachments: [CountyManagerLetter-GD-031824.pdf](#)

Hello Ms Robinson,

I will be attending the 1pm Weight Parcel Meeting today in person along with other owners.

Please find attached my written opposition to this project and forward it to the county manager.

Also can you please confirm receipt?

Thank You

George Dands - Owner
Escala Unt 516

March 18, 2024

Dear County Manager,

I am one of the original Owners of Escala Lodges and I have lived there and paid taxes since 2009. I oppose the removal of note 5 and the approval of the final plat. Here are some issues that I have in addition to the many community concerns below.

- 1) When the original Escala Lodges developer removed the Weight Parcel from the condo project, they did so without the approval of the HOA owners. When they removed the parcel from the HOA plat it was their intention to access the property from High Mountain road between Escala and Sunrise. However, they later decided to turn that road into a ski easement with the note 5 red pine restriction in place. So, the original developer knowingly accepted this limitation on the parcel and then subsequently sold their interest to Sunrise Holdings. Sunrise Holdings decided not to develop the parcel and then sold it to Columbus Pacific who now wants to undo the original developers actions. Columbus Pacific (CP) should have done their due diligence before purchasing a land-locked parcel and should not be able to do so at the detriment to Escala, Sunrise, Timbers and all adjacent property owners.
- 2) CP has not obtained any adjacent property owner approval from myself and other Escala and Sunrise Residents. Summit County Code Section 10-3-18(G) also requires that any person “with a real property interest in the affected parcels” provide a “certificate of consent” for the proposed amendment. Therefore, CP should not be allowed to sidestep the proper development process and the county should adhere to this code requirement.
- 3) I attended the October 10, 2023, Planning Commission Meeting. During this meeting I heard the CP representatives state that they were going to use Escala Lodges/Hyatt Centric check-in desk and amenities for their planned project. However, CP has not obtained owner approval for the use of the common area resources.
- 4) The Escala Lodges Condo Association was formed in September 2008. According to Utah Condo law, all associations must be owner controlled after 7 years of its creation regardless of what the CC&Rs dictate. However, the original developer SDI, Sunrise Holdings, and now CP refuse to give board control of the HOA to the HOA owners. CP only owns the commercial property interest in the project and is a minority owner. Therefore, any actions taken regarding the development of this project are being done unilaterally without the consent of the Escala and Sunrise property owners.
- 5) As a result of the items above, several lawsuits have been filed by Escala and other property owners and the county should take very seriously the property rights of Escala, Sunrise, Timbers and all adjacent property owners. There is just too much controversy in this project and the county must refrain from approving this project until the courts can determine the outcome and owners’ property rights are carefully weighed and addressed.

Also, I attended the October 10, 2023, Planning Commission Meeting to discuss the removal of NOTE 5 on the Weight Parcel plat.

Brief History of NOTE 5:

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At the October 10, 2023, meeting, the Summit County Planning Commission received numerous written and oral arguments from the community at large, including neighboring property owners around concerns on traffic, pedestrians and unsafe conditions along the Red Pine Road. After reviewing all the information before the Planning Commission, with the knowledge of the past history, the understanding of the local area and the pictures of the road winter conditions, the pedestrian traffic with no sidewalks and no streetlights – the planning commission voted **UNANIMOUSLY to keep NOTE 5 - stating no access of Red Pine Road on the Weight Parcel plat**. The planning commission, who is the best entity with the most knowledge and understanding of this specific local area, **MADE THEIR VOTE**.

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accessing the property. I do not agree that there has been a taking here, the buildings themselves, and the business case still remain. There may be just different ways to access the property for the residents or for the visitors that come in. Uh, and the accommodation for the automobiles maybe something can be worked better without that access from this property. ... I think it's a good thing to recognize that we have an obligation to be sensitive to the needs of the neighborhood within which this project would reside. So that's how I look at it. "

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The Planning Commission Vote was ignored and overridden by the Summit Council without any input from the tax paying citizens who I contend were purposefully, not notified.

Shortly thereafter, a preliminary meeting was scheduled with the County Manager, which is not a normal process for the preliminary development planning and public input. To explain further, any public who would be looking to find the preliminary planning meeting for the Weight Parcel would not know to look in the County Manager calendar instead of the normal Snyderville Planning Commission calendar, a funny decision possibly to obfuscate the public. For this particular meeting, we asked and Tiffanie Robinson confirmed they purposefully chose not to send out mailer notifications to the neighboring, tax paying residents.

Something is awry with the county process when the tax paying citizens who are most impacted with development are not considered, are ignored and frankly, deceived and effectively prohibited from participating in planning public input and only the developer who takes profit and eventually leaves our community is the voice allowed to be heard.

Resident voices in Park City are listened to, heard and most times addressed. Resident voices in Snyderville are suppressed and ignored. I am more than frustrated with Summit County.

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We cannot continue to have any new density access Red Pine Road, which is why keeping Note 5 on the Weight Parcel plat was voted on unanimously by the Planning Commission.

Summit County must deny any further density access on Red Pine Road. Period.

**George Dands – Owner
Escala Unit 516
3551 N Escala Road
Park City, UT 84098**

From: [Peggy Schmidt](#)
To: [Tiffanie Robinson](#)
Subject: Public Hearing Weight-1 Parcel today
Date: Monday, March 18, 2024 10:09:29 AM

You don't often get email from peggyschmidt@me.com. [Learn why this is important](#)

Re: Weight-1 Parcel Hearing today, March 18

Dear Tiffanie N. Robinson:

We are writing to protest today's final approval hearing on the above Project Number #22-262. We never received any notification by Email or postcard of the mid-February meeting in which issues that affect the owners of homes in the Timbers, a long-established community adjacent to this project, were discussed.

We are asking for an adjournment of today's hearing and adequate notification of a future public hearing on preliminary approval of the project design. We believe the elimination of the restriction prohibiting access to Red Pine Road has been improperly approved by the Summit County Commissioners, which impacts the entire design premise of the plans now before you.

Sincerely,

Peggy Schmidt & Joseph Tabacco

2387 Red Pine Road, Park City, UT

From: [Eric Sandman](#)
To: [Tiffanie Robinson](#); [Annette Singleton](#)
Cc: [Jodie Sandman](#)
Subject: Elevation Condos Hearing Comments
Date: Monday, March 18, 2024 8:33:01 AM
Attachments: [Dear County Manager letter.docx](#)

[Some people who received this message don't often get email from eric.sandman1@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Ms. Robinson and Ms. Singleton,

I am a resident of the Timbers at the base of the Canyons and I'm writing to share my concerns about the Elevation Condos project that is before you. I like my neighbors lived through the construction of the Ridge condos - construction vehicles parked along the narrow road day in and day out for several years, construction vehicles fully blocking the road at times, construction vehicles using our neighborhood as a turnaround (often going the wrong way on a one-way circle) and significantly adding to the deterioration of our road. Now we live with the eyesore that is the collection ponds in front of those condos, the added traffic to the road and our circle from renters, uber, etc. unsure where they are headed, and we have significantly more foot traffic through the neighborhood from the increased number of people now staying on Red Pine Rd - walkers who I'm happy to see, but who are always at risk from the cars on a largely blind road. The Elevation condos project will be a redo of the Ridge challenges, and only add to the longer term issues.

When I purchased my property, I put a fair amount of effort into due diligence on what could and couldn't be done on the properties surrounding the Timbers so I would know how I might be impacted by future development. I assumed the buyers of weight Parcel did similar diligence and knew they were buying a parcel with access restrictions. I've now followed the Weight Parcel situation and I must say I'm a bit concerned that my diligence efforts may have been wasted, as I fear documented restrictions and resident concerns don't carry much weight in the end. I hope I am wrong about this.

The attached document summarizes the history of the weight parcel situation and shares my concerns with the project. I hope you will carefully consider my comments above and those attached and conclude that the project as proposed needs should be rejected.

Thank you for your time and consideration.

Eric and Jodie Sandman
2360 W. Red Pine Rd.

Dear County Manager -

I am writing this to inform you of the recent concerning history of the Weight Parcel Elevation Condominium project that is currently in front of you for final review.

I received a mailer for the October 10, 2023, Planning Commission Meeting to discuss the removal of NOTE 5 on the Weight Parcel plat.

Brief History of NOTE 5:

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Summit County must deny any further density access on Red Pine Road. Period.

From: [David Young](#)
To: [Tiffanie Robinson](#); [Annette Singleton](#)
Subject: We are in agreement with the attached letter
Date: Monday, March 18, 2024 8:10:44 AM
Attachments: [Dear County Manager letter.docx](#)

Some people who received this message don't often get email from d.young@egaproducts.com. [Learn why this is important](#)

Good Morning!

My wife and I have owned property (2374 west Red Pine Road) in the Timbers since 2010...almost 14 years already!!

We love it, but I do agree with the attached letter and ask for your consideration in this matter.

Thank you,

David Young
Cell 262 893 9880

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Summit County must deny any further density access on Red Pine Road. Period.

From: [David Luca Piccoli SR](#)
To: [Tiffanie Robinson](#); [Annette Singleton](#)
Subject: Weight Parcel Final Approval
Date: Monday, March 18, 2024 6:47:43 AM
Attachments: [Dear County Manager letter \(1\).docx](#)

Some people who received this message don't often get email from dav.piccoli45@gmail.com. [Learn why this is important](#)

Dear County Manager, I am a resident of "Timbers" and I am very concerned about the above. Please see attached letter.
David & Dianne Piccoli Lot 2 Timbers Wolf

Dear County Manager -

I am writing this to inform you of the recent concerning history of the Weight Parcel Elevation Condominium project that is currently in front of you for final review.

I received a mailer for the October 10, 2023, Planning Commission Meeting to discuss the removal of NOTE 5 on the Weight Parcel plat.

Brief History of NOTE 5:

Note 5 was placed on the Weight Parcel in 2012 during the approval process for the Weight Parcel to be bifurcated into the Hilton at Sunrise and the leftover Weight parcel, which is the parcel in front of you for approval. During this 2012 meeting several of the residents on Red Pine Road, who were original owners when the SPA was first approved, attended this meeting and raised numerous concerns regarding no resort core access on Red Pine Road. Jamie Bracken, Summit County attorney, at the time was aware of this intent and original stipulation surrounding Red Pine Road and she affirmed the comments and insisted that Note 5 be added on the plat.

At the October 10, 2023, meeting, the Summit County Planning Commission received numerous written and oral arguments from the community at large, including neighboring property owners around concerns on traffic, pedestrians and unsafe conditions along the Red Pine Road. After reviewing all the information before the Planning Commission, with the knowledge of the past history, the understanding of the local area and the pictures of the road winter conditions, the pedestrian traffic with no sidewalks and no streetlights – the planning commission voted **UNANIMOUSLY to keep NOTE 5 - stating no access of Red Pine Road on the Weight Parcel plat**. The planning commission, who is the best entity with the most knowledge and understanding of this specific local area, **MADE THEIR VOTE**.

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[3:19:39 time Video of Summit County Planning Commission Mtg 20231010 Weight Parcel](#)

Thomas Cooke, Snyderville Planning Commissioner

“... Contrary to what the applicant has submitted, I believe we’re not required or compelled to remove that plat note. In fact, we have to apply the standards in the staff report that are put forth which is we have to be absolutely confident if we’re gonna amend the um, remove that plat note that it won’t result in material harm, health, safety, well-being of the surrounding neighbors and there has to be good cause and so I’m not convinced on standard one and I’m not convinced on the good cause. um, So, I would be ready to make a motion on this – I think the plat note was intentional. It was unanimous and it was the result of a consenting owner, who was OK with that that being done I don’t think it was in error.”

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“...And as far as material injury, I think it’s it’s difficult, I mean we hear so much about traffic studies and road and these roads can handle everything – this looks like a very tight road to me. That’s for sure. and unfortunately, I’ve been out there a handful of times not in all seasons. While certainly given the interest, I think the perception of material injury is very high and I would have a tough time, um, you know going, uh, in the alternative and saying that these people aren’t being materially injured.”

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“Mr. Chair, because I don’t believe that the request meets the standard for approving removal of the plat note 5 – I am moving that we deny that request”

UNANIMOUS 5-0 (no access off Red Pine Road)

After this decision, the developer of the Weight Parcel appealed and there was a meeting on November 29, 2023, but none of the neighboring property owners received a mailer notification like we received for the October 10th mtg. (interesting - coincidence? - I suspect not).

The Planning Commission Vote was ignored and overridden by the Summit Council without any input from the tax paying citizens who I contend were purposefully, not notified.

Shortly thereafter, a preliminary meeting was scheduled with the County Manager, which is not a normal process for the preliminary development planning and public input. To explain further, any public who would be looking to find the preliminary planning meeting for the Weight Parcel would not know to look in the County Manager calendar instead of the normal Snyderville Planning Commission calendar, a funny decision possibly to obfuscate the public. For this particular meeting, we asked and Tiffanie Robinson confirmed they purposefully chose not to send out mailer notifications to the neighboring, tax paying residents.

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From: [Michelle Cummings](#)
To: [Tiffanie Robinson](#)
Subject: Elevation Condominium Final Site Plan
Date: Wednesday, March 13, 2024 4:09:22 PM

You don't often get email from michellehcummings@gmail.com. [Learn why this is important](#)

Summit County Manager and County Commissioners,

Again we are here trying to gain access and finalize a project that should have not been allowed to use Red Pine Road. The developer bought a property with that stipulation, and then proceeded to push their way, get sympathy or lack of knowledge of the square footage that was traded for that property years before.

I still oppose the use of Red Pine Road for the mere fact that they will check in at the Hotel on the opposite side (Escala Ct Rd) within the resort core, and then have to drive around to Red Pine Rd., a private street to park. When all the developer would have to do is offer parking at the hotel and then a golf cart shuttle on heated walkways to each of the condominiums. Unfortunately, no county members ever took the time to actually walk the proposed project to see if what the developer was saying was the only option. We all know it was his cheapest option. After they build and walk away the residents are left with the problems.

Unfortunately I will be out of town during the meeting, and send this email instead.

Respectfully,
Michelle Cummings
Aspen Creek Crossing

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Jamie Wechter
Concerned Resident