

**MINUTES OF THE  
WASATCH COUNTY COUNCIL  
JULY 3, 2024**

The Wasatch County Council met in regular session live and on Zoom a 4:00 p.m. and the following business was transacted.

PRESENT: Chair Spencer Park  
Mark Nelson  
Steve Farrell  
Kendall Crittenden  
Luke Searle  
Karl McMillan

EXCUSED: Councilman Erik Rowland

STAFF: Dustin Grabau, County Manager  
Heber Lefgren, Assistant Wasatch County Manager  
Wendy McKnight, from the Clerk's Office  
Jon Woodard, the Assistant Wasatch County Attorney  
Tierra Cooper, from the County Manager's Office  
Richard Breitenbeker, from the County Manager's Office  
Alex Stoedter, Assistant Wasatch County Attorney  
Doug Smith, the Wasatch County Planner  
Austin Corry, the Assistant Wasatch County Planner

PRAYER: Chair Spencer Park

PLEDGE OF ALLEGIANCE: Led by Councilman Kendall Crittenden and repeated by everyone.

**ADMINISTRATIVE ITEMS**

Chair Spencer Park asked if there were any administrative items for future meetings.

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and then indicated that we received a request to amend a C Base Bond back in 2022 for the Black Rock Ridge and since then costs have gone up and to do the same improvements that they proposed. It doesn't change the parameters of the deadline when the bonds have to expire the same and the same properties are encumbered, and we have no liability in it. Councilman Steve Farrell replied to just go ahead and approve it.

## **LEGISLATIVE ITEMS**

Chair Spencer Park asked if there were any legislative items for future meetings and there was none.

## **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Chair Spencer Park asked if there was any public comment on items not on the agenda and there was none.

## **OPEN AND PUBLIC MEETING AFFIDAVIT**

The Open and Public Meeting Affidavit was made a part of the record.

## **APPROVAL OF THE MINUTES FROM THE JUNE 26, 2024, MEETING**

Councilman Kendall Crittenden indicated that the minutes show that I was there for the Council Meeting and the record should show that I joined the Council at 7:00 p.m. and wasn't there for the full meeting.

Councilman Mark Nelson indicated that there is one other little correction. It says that the meeting was adjourned at 10:30 p.m. instead it was 8:30 p.m.

**Councilman Steve Farrell made a motion to approve the minutes for June 26, 2024, as has been written with the corrections to the minutes that has been presented. Councilman Kendall Crittenden seconded the motion, and the motion carries with the following vote:**

**AYE: Spencer Park  
AYE: Mark Nelson  
AYE: Steve Farrell  
AYE: Kendall Crittenden  
AYE: Luke Searle  
AYE: Karl McMillan**

**NAY: None.**

## COUNCIL

### OPEN AND PUBLIC MEETING ACT TRAINING

Alex Stoedter, Assistant Wasatch County Attorney, presented a power point presentation on the Open and Public Meeting Act Training and presented each member of the Wasatch County Council has a prepared booklet indicating what an Open and Public Meeting consists of and the changes that were made and then indicated that they have now had the necessary training to qualify them in having heard an open and public meeting training session as required by the State of Utah.

**S-L-O JORDANELLE FGMCD, L.L.C. REQUESTS A REVISION TO THE SHARED PARKING STUDY APPROVED FOR KEETLEY SQUARE, A PROPOSED COMMERCIAL DEVELOPMENT CONSISTING OF RETAIL, OFFICE AND RESTAURANT SPACE ON 3.8 ACRES AT THE INTERSECTION OF JORDANELLE PARKWAY AND ALINE AVENUE. THIS ITEM WAS CONTINUED FROM SEPTEMBER 6, 2023, COUNCIL MEETING.**

Austin Corry, the Assistant Wasatch County Planner, addressed the Wasatch County Council and presented a power point presentation and then indicated that at the September 6, 2023 Council meeting the developer of a commercial project called the Keetley Square requested approval for a parking reduction under the provisions of Section 16.3.06 where the County can consider parking reductions based on either sharing spaces of dissimilar uses or based on data supporting a different parking count than required by code. A final decision has not yet been made on that request. Given the length of time since that meeting was heard Austin Corry gave a brief history and summary of the latest request. The 2024 study provides three results for consideration. The first is a parking stall number using a shared parking reduction against WCC, the second is using ULI parking rates with shared parking, and the third is a custom parking rate using local data gathered in March 2024. The results of the study are a range of custom parking rates using local data gathered in March 2024. The results of the study are a range of 154-226 stalls depending on which approach the Council determines is acceptable. Hales review of the 2024 study suggests that, while the inclusion of local data is a good idea, the middle of March in Midway may not have been the best time to provide accurate counts. Hales recommends that if local data is used, data should be gathered during the peak season.

Fehr and Peers conducted a parking demand review for the proposed Keetley Square Development located in Wasatch County, Utah. Fehr and Peers reviewed the previous parking studies and performed some additional data collection to evaluate the parking demand at sites similar in location and land use. Fehr and Peers also reviewed the assumptions and recommendations presented in the October 12 study developed by Hales Engineering for the proposed Keetley Square Development. Hales Engineering recommended providing 10 percent additional stalls beyond the calculated demand and a 10 percent reduction due to the shift to transit-walking because of the proximity of nearby developments, such as the Deer Cove Resort. This addition and reduction canceled each other out. Hales Engineering assumed that the proposed land uses would

not result in a significant reduction due to shared parking and therefore did not perform a shared parking analysis. The Hales Engineering study disregarded reductions due to shared parking. For this study we performed a shared parking analysis to evaluate the reductions due to the mixed-use nature of the proposed development. The site plan at the time showed 140 stalls, where the current plan plans to provide 144 stalls. Also, the Keetley Square development proposes a patio space of a total of 2,044 square feet that will be potentially used for outdoor dining space. The Wasatch County code did not specify, and Fehr and Peers also performed a shared parking analysis using the methodology outlined in the Urban Land Institute whether the outside seating area should be included in the calculation for the required parking space. The ULI methodology is considered the national state-of-the-art practice for determining shared parking reductions because it provides a systematic way to apply appropriate adjustments to parking ratios for each use in a mixed-use development. Parking counts were performed in early March when temperatures were lower and outdoor seating was likely not utilized, including the outdoor seating space in the square footage lowers the calculated rates and may not appear to be as conservative for analysis.

Today the request that is in front of you is 154 stalls and increased the stalls by ten and dropped the three thousand down to 2044 but it is still an increase of square footage and decrease of parking but not to the level that they were asking you a year ago. Also, they are working on final plans and trying to pin down the final parking number as they are identifying their end users. This is under the provisions of County Code 16.32.13 that they can present a shared parking plan to you as the legislative body to decide on whether you would modify their parking requirements.

Two provisions are allowed in the code and number one is reducing the spaces due to the nature of the building or the premises or a combination of spaces a.k.a. shared uses. The parking plan has been shown to the staff which was Hales. It is up to you whether you agree with it or not. Since then, they have gone out and commissioned their own study by Fehr and Peers. The Fehr and Peers Study takes off from the Hales study and utilizes ITE parking generation and came up with 193 stalls based on the square footages the applicant was proposing at that time. They agreed with the Hales Engineering study other than one note they noted that the study disregarded reductions due to shared parking and they are going to prepare you a study using shared parking. They included which Hales included a ten percent reduction because of transit and walking based on the nature of the development.

Under the ULI rates and accommodated for shared parking the Fehr and Peers study provided by the developer recommends 212 stalls. With further study they are proposing now their count suggestion is 154 stalls. That was sent to Hales and asked them to refer that back to Hales. It was noted two specific things and one they believe that the ULI methods were followed correctly. It also supports their decision when they gave you the ITE numbers and didn't include shared parking. They stated in that report that they weren't including it because it was such a marginal amount that it didn't make a significant difference. They believe that Fehr and Peers study demonstrated a similar thing.

The second is that they raised a concern that they do not believe that March was the correct time of year to be making those counts. Looking at UDOT's data that the peak season for the City of

Midway is summer. They are looking to increase their grocery store by 3500 square feet and decreasing the restaurant by 933 square feet and increasing retail by 925 square feet and then decreasing office space. The total square footage of increase across over all those uses result in 2044 square feet. The table demonstrates the different rates for all these various studies that were given to you. In the table the first column if you were to apply the strict Wasatch County Code you result in 270 stalls required for the site.

The 2024 study which is the developers study commissioned Fehr and Peers by the developer utilizing shared parking reduction and applying them to the Wasatch County Code results in 226 stalls which is about a 16 percent decrease. Ignoring Wasatch County Code and just utilizing ULI rates and applying shared parking results in about a twenty-one percent decrease that is the 212 stalls that was mentioned earlier. Utilizing their custom rates, they are looking for 154 stalls, which would be a 43 percent deduction from our code requirement. That is the request of the developer in front of you based on their Fehr and Peers study and you have Hales Engineer's review of that study.

Councilman Steve Farrell asked how do we manage the shared parking does it have to be owned by one individual and the different businesses share the parking. Austin Corry replied that we require an agreement that the developer enters which is kind of like a property owner's association.

**Applicant:**

Justin Keyes, representing the applicant, addressed the Wasatch County Council and indicated that are not trying to under park. As a landlord you don't want to under park a location then people won't come and use it. We got local data is what the direction was. We believe that the ski season is when this development is really going to be busy. We are looking forward to moving this across the line and finalizing our set plan.

Councilman Steve Farrell indicated that our expert came up with 212 and yours came up with 154. Justin Keyes indicated that they were looking at a national average for this type of operation and we don't have the right mix. To do local studies is expensive.

Councilman Steve Farrell indicated that this is a very difficult issue because we don't have enough parking. You have got your tenants all complaining and if you have too much you have got your owners complaining that we had them overbuilt. It is hard to find the answer. Justin Keyes replied that the best we can do is get local data which we have done.

Councilman Steve Farrell indicated that the only justification that I can see is that in that area we get some kind of transit system that we don't require the parking. Justin Keyes indicated that from my perspective two things really work well with patio dining. It is transit and bike ability of the area. We put in what we thought the ultimate user would be and they are in heavy demand parking. Our number is a real number that we are looking at. Just remember that Hales just reviewed the Fehr and Peers study.

Austin Corry indicated that the 212 number is from the Fehr and Peers study and that is the developer's study. Hales study with ITE was 193. That was based on older data if you take the reduction, they made in the outdoor dining it comes out to about 175 which is 35 percent is what that preliminary reduction was. If you take the reduction in square footage, it is about 175.

Councilman Steve Farrell indicated that looking at the uses here we have got 12,000 square feet of grocery and 9,000 square feet of restaurant, 12,000 square feet of general retail and 5,000 feet of office and have no residential so if we under estimate the amount of parking that developer is the only one that is going to get hurt in this deal because people is not going to cater to them or go to them if they can't find a parking place.

Austin Corry replied that the project does have residential. It is across the street now off Alpine Avenue. The Council would have to consider the scenario if they are under parked and where do people park, and it is going to be on the public roads. The question to you for your as a Council that is based off the data from Fehr and Peers.

Dustin Grabau indicated that the Council is setting some kind of precedent that might be problematic moving forward. Technically there is not an issue with the code because there is a study and if you deem that study is sufficient, we are complying with our code and don't think there would be a technical issue there. I think that someone might argue that in perpetuity we should use Midway Market as the only comparable for all future projects here and that is unlikely and I think you would have the ability going forward if you felt like there were better comparable that you want data against and I think the reality is that as projects like this and some of the other first commercial projects get built we will have access to better information that you can use.

Councilman Mark Nelson indicated that he tends to think that much of the development up there is going to be very difficult and transit is going to be a big deal and shuttles are going to be a big deal and summer bikes are going to be a big deal and that is going to be much different than Midway or the Heber Valley in the future.

Austin Corry indicated that the 147 was a thirty-five percent reduction which hits 175 for their new uses. 154 comes from incorporating the Midway data. Councilman Steve Farrell indicated that if we went with the 154 figure and then enforce the no on street parking. If it is a health and safety issue, we put up no parking signs and then it leaves it up to them and they are the only ones that is going suffer is this development if they underestimate the parking. Austin Corry replied that the question is how much you want to rely on reinforcement which would be a decision for the Council to make.

**Councilman Steve Farrell made a motion that we approve the study at 154 since they are following our ordinance, and they had an independent study that proved that number and use local data to justify it. Also have the applicant work with staff to identify future potential additional parking and that would go into the agreement specifically. Also, with the findings and conditions established by the staff and planning commission. Councilman Mark Nelson seconded the motion.**

**AYE: Chair Spencer Park**

**AYE: Mark Nelson**

**AYE: Steve Farrell**

**AYE: Kendall Crittenden**

**AYE: Luke Searle**

**AYE: Karl McMillan**

**NAY: None.**

**CONSIDERATION OF RESOLUTION 24-06 ENACTING THE IMPOSITION OF LOCAL SALES AND USE TAX FOR PUBLIC SAFETY AND TRANSIT.**

Dustin Grabau, the County Manager, addressed the Wasatch County Council and indicated that over the first six months of 2024, the County has looked into the service options for transit and received direction from the Council in May to pursue funding through the first quarter transit sales tax amounting to 0.30 per cent of a sales tax to be levied on most purchases excluding gas and groceries.

This sales tax requires that the amount of the tax used for authorized expenses be adopted in the resolution of the enactment. It is currently proposed that 25 percent of the funds be dedicated to public safety and 75 percent be dedicated to transit funding, in total, it is estimated that the transit sales tax will generate \$3.6 million in revenue. The enactment of this tax only requires a resolution so no additional steps are required besides the authorization of this resolution.

Dustin Grabau also we have provided over 230,000 rides for our transit system. The money that is collected the state allows for the use for public safety as well as other uses, but it requires us to preemptively assign a percentage of these revenues used for each of those purposes. There are more than the two that are offered here. Dustin Grabau then indicated that he worked with the Sheriff to help identify some of how we would prioritize this public safety portion. If you chose to enact this in this quarter, it would not go into effect until January of 2025 and that through the budgeting process you would identify your priorities on how to utilize these funds and that might include additional public safety officers or off setting other revenue sources or costs related to public safety.

We would need to identify short term funding for that \$600,000 this year and the proposal next year to recoup that cost through this transit cost. The temporary cost would be shifted into some additional transit capital going forward so will be needed for park and rides and other things. We generate about three million dollars now. Currently spend about \$3.6 million on our transit service and that covers our fixed costs. It is very likely we will be able to cover the cost of the transit within the Deer Valley area as well as the Heber Valley area with revenues from the Deer Valley area. Also, that is a major reason why the sales taxes that we have considered have a major benefit to our taxpayers throughout the County because it offsets the needs for as costs increase in our

ability to delivery services whether that is wages to sheriff deputies or other costs in our facilities and any other inflationary costs. The sales taxes grow at an inflationary rate those prices go up and the share of those sale taxes are paid by people who do not live here is also close to half and I think over the next coming years we will far surpass that, and it will be visitors to our valley that will be paying for some of these essential services. Transit is a good example of something that even if you may not use it, we still derive a benefit from it. Like in May there were 1800 trips that were provided that did not require an additional vehicle. Transit needs and how it impacts the quality of life in our valley, and this is not a silver bullet and doesn't magically make all of the traffic disappear, but it is one piece in the puzzle for how we preserve our quality of life.

Through the 2025 budgeting process we would decide with you your policy priorities and then could look into the transit into Utah County. Councilman Mark Nelson replied that the Council could make those allocations differently than what you have noted. Dustin Grabau indicated that you do have to adopt the percentages by resolution and so that if you were to change them at some future date you would need to adopt an additional resolution changing those percentages. Also, there are significant capital needs at the sheriff's office, and this could be an ongoing funding source for ensuring that we stay on top of those capital needs.

#### **Public Comment:**

Jeff Chevalier, resident of Midway, addressed the Wasatch County Council and indicated that he is a strong proponent of public transportation having used it previously. This tax is paid for by County taxpayers. Why should the county taxpayers pay for free transit services. When will the tax and spending stop and what services should the government be providing. The sales tax has no end date and you put them in place, and they never go away. Also, you have never been provided with the necessary data to make an informed data driven decision by Resolution 2406 to raise taxes tonight. We are already in a hole so stop digging. This will just increase the financial burden on the Wasatch community. You need to hire a specialized consultant and High Valley Transit is not a consultant so we should not be following their lead on anything. This needs to be put to a public vote and let the County residents decide.

Dustin Grabau indicated that High Valley Transit has a traffic consultant that they use, and multiple studies have been produced over the last four years over the demand for transit and that is part of why we have launched the original transit service was based on two studies that were completed in the prior two years so. We have done our homework and have provided a good efficient system and there are more transit services that are using this model because it works. We have a lot of data from High Valley Transit and have the ability to dynamically adjust the service to make sure that we are meeting the demands of the public and using it in the best way. We have lots of options in front of us and it is important that Deer Valley is going to pay for this service because they are going to generate the sales tax that will pay for it. This will be a significant revenue source going forward. This is a better way of addressing those needs than going back to property taxpayers to pay for those other capital needs.



Councilman Luke Searle indicated that everything has gone up in Wasatch County and real hard to live in Wasatch County and it is hard for me to justify a \$3.6 million increase without a vote of the people at this time.

Councilman Steve Farrell replied that over fifty percent of this tax increase is coming from outside the community and not the residents of Wasatch County but residents of the State of Utah. This will help the citizens of Wasatch County more than going through and doing a property tax increase. Vehicles are being taken off the road.

Councilman Mark Nelson indicated that he received an e-mail from a citizen named Angie Richardson and she made a comment about this and opposed it. She said that she was opposed to a service that benefits just a few of the citizens. I just wanted to point out that Wasatch County and our tax dollars pay for a lot of services that benefit just a few of the citizens and that isn't necessarily a bad thing. The people who are using this and not all of them but the people that are using it really need this and it really helps them.

Councilman Karl McMillan indicated that people are really being helped to get to different destinations and this is a good service, and it should be provided.

Councilman Kendall Crittenden indicated that he is more for increasing the Para Transit. It can really help a specific group of people in Wasatch County. Not for expanding the bus hours at this time and not in favor of additional micro transit and more funds go to public safety and would be better to raise the 25 percent.

Dustin Grabau indicated that it doesn't need to be adopted today. If you wanted a January implementation today it needs to be adopted this quarter and if you were to impose it would be during this quarter.

Councilman Steve Farrell asked what if we tabled this matter and go out and get more information and look at putting some kind of fees involved there so that people are not just using them for recreation or just to be using them. Chair Spencer Park replied that maybe a subcommittee should be appointed to look further into this matter.

Councilman Steve Farrell replied that mass transit is the direction that we are going to have to go at some point. Dustin Grabau replied that our transit service is among the most efficient and has data that shows our micro transit service is among the most efficient in the State of Utah. Chair Spencer Park replied that we could make a motion to approve this knowing that we need to look at the future and modify the twenty-five and seventy-five later.

**Councilman Steve Farrell made a motion that we go ahead and approve Resolution 24-06 as presented with the caveat that we go through the allocation and have Dustin Grabau look at the allocation of the funds. Councilman Spencer Park seconded the motion, and the motion carries with the following vote:**

**AYE: Chair Spencer Park**  
**AYE: Mark Nelson**  
**AYE: Steve Farrell**  
**AYE: Luke Searle**  
**AYE: Karl McMillan**

**NAY: Councilman Kendall Crittenden** because we ought to look at the allocation before we pass it. We are not pressed to pass it today.

## **DISCUSSION CONSIDERATION REGARDING THE PROPOSED 2025 WASATCH COUNTY BUDGET DEVELOPMENT CALENDAR.**

Randy Bates, the Wasatch County Finance Director, addressed the Wasatch County Council and indicated that the preparation of the Wasatch County Annual Budget is overseen through a joint effort between the County's Clerk/Auditors Office and the County Manager's Office and is based upon policies and guidelines determined by the County Council. The development of each year's budget is a comprehensive process that attempts to incorporate long-term strategic goals to deliver high-quality services to Wasatch County residents. Randy Bates highlighted that there is information if we need truth or taxation and if we don't anticipate that and we need to fit that in there so you would know what dates we need to meet if we decide that.

The second thing is there are only two dates on here for your input and that is September 11 and then November 13 are the only work meetings that we want to have you make input on the budget process. Also, we are willing to talk to you one on one and go over things one on one. We would like to purchase a budget program at some point. If we had our budget program in place there is the ability to give you access and go in and drill down to individual items in the budget process. It would really be beneficial to do that and have that process in place. The cost is between \$34,000 and \$45,000 is about what these programs cost.

Councilman Steve Farrell indicated that it is critical that we see the budget approvals for the departments and what they requested so we know what is there in September. Dustin Grabau indicated that before the end of the year we must adopt a budget. Randy Bates indicated that what he would recommend is that we give you updated information not necessarily in a public meeting that we could send you and indicate that here is where we are today and here are the requests that we have received and then you would be prepared at that point to have the discussion. The biggest thing is the transit and the deficit in the transit is where we are going be struggling to try to figure that out. Randy then presented to the Council a summary of proposed dates and locations for public meetings associated with the development of the 2024 adopted budget.

**Councilman Luke Searle made a motion to approve the proposed 2025 Wasatch County Budget Development Calendar. Councilman Kendall Crittenden seconded the motion, and the motion carries with the following vote:**

**AYE: Chair Spencer Park**

**AYE: Mark Nelson**

**AYE: Kendall Crittenden**

**AYE: Luke Searle**

**AYE: Karl McMillan**

**NAY: Councilman Steve Farrell**

## **COUNCIL/BOARD REPORTS**

Councilman Kendall Crittenden indicated that he had a meeting yesterday with Scott Phillips and the work group that we put together to discuss the bypass. It was a pretty good meeting. Scott Phillips indicated that he would bring the ideas to the Interlocal meeting on July 10, 2024.

Councilman Kendall Crittenden indicated that we had a discussion with Councilman Karl McMillan about having a work meeting in August and get together as a County and hammer out some things. Talk about a potential park in the east end and other types of planning that needs to take place with other entities. Councilman Steve Farrell indicated that we need to review our Master Plan and that has been in place for the last twenty years. It is to be reviewed every five years. Dustin Grabau indicated we would need a parks master plan in place prior to adopting amendments to our parks impact fees as well.

Councilman Luke Searle indicated that next week I have on the interlocal meeting a discussion on how we decided to use our TAP funds just like the process, our board, that kind of thing and hopefully asking the other entities what they are planning on doing.

## **MANAGER'S REPORT**

### **CONSIDERATION OF APPOINTING AN ALTERNATE MEMBER TO THE TIMBERLAKES WATER SSD BOARD.**

Dustin Grabau, the Wasatch County Manager, addressed the Wasatch County Council and indicated that Timberlake's Water Board has expressed a desire to fill a part-time resident vacancy on the water board. County Code references resolution 00-33 as the makeup of that Board which consist of two full-time residents and three part-time residents with two additional members appointed by the County Executive and Legislative bodies together. It has been the practice in the County to use these two additional seats to have a Council representative, currently Steve Farrell, and an additional full-time resident. In concurrence with a recommendation from the Timber Lakes Water Board, the County Manager recommends the following appointment of Steve Turley as a part-time resident alternate representative.

**Councilman Kendall Crittenden made a motion that we approve the suggested appointment of Steve Turley as an alternate member of the Timber Lakes Water SSD Board. Councilman Karl McMillan seconded the motion, and the motion carries with the following vote:**

**AYE; Chair Spencer Park  
AYE: Mark Nelson  
AYE: Steve Farrell  
AYE: Kendall Crittenden  
AYE: Luke Searle  
AYE: Karl McMillan**

**NAY: None.**

### **CLOSED SESSION**

The Wasatch County Council and Dustin Grabau both indicated that there is no need for a closed session this evening.

### **PUBLIC HEARING JULY 3, 2024**

**ALLISON AAFEDT, REPRESENTING PEGASUS DEVELOPMENT COMPANY, REQUESTS FINAL SUBDIVISION APPROVAL FOR SKYRIDGE PEGASUS PHASE 8B A RESIDENTIAL PHASE CONSISTING OF 45 ERU'S ON APPROXIMATELY 51.76 ACRES OF THE OVERALL SKYRIDGE MASTER DEVELOPMENT LOCATED IN SECTIONS 7 AND 122. TOWNSHIP 2 SOUTH, RANGES 4 AND 5 EAST IN THE JORDANELLE, SPECIALLY PLANNED AREA JSPA. CODE SECTION 16.27.20 REQUIRES RETAINING WALLS AS PROPOSED IN THE DEVELOPMENT TO BE APPROVED Y THE County COUNCIL AFTER A RECOMMENDATION FROM THE PLANNING COMMITTEE.**

#### **Staff:**

Doug Smith, the Wasatch County Planner presented a power point presentation and then 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 place holders for a golf course clubhouse, a lodge, welcome center and workforce housing. SkyRidge has been instrumental in adopting and supporting the design

handbook and has provided the common elements streetlights, street signs, logo and architecture anticipated within their project.

Pegasus Phase 8b is the farthest north phase within the Skyridge Development. The phase is adjacent and south of the large block of open space. The open space includes 7.4 miles of back country hiking and biking trails that are open to the public. The Pegasus Phase has been broken into several sub phases with the 8A and B Phases taking longer due to a water line location that needed to be resolved for the phase to have the proper water pressure. The water line issue has been resolved to the satisfaction of the JSSD who has now signed off on the proposal.

Phase 8B is accessed by two roads that tie into Skyridge Drive through phase 8A. The Pegasus portion of the development will have one more phase which contains 89 lots in a small cul-de-sac. The lots in Phase 8B range in size from 1/3 acre up to 5 acres and are considered the large lots in the development. One of the things that you need to review and make a recommendation to the Wasatch County Council is the retaining walls. The walls should be compatible with surrounding structures. Visual and safety impacts might need to be addressed and the proposal will not adversely affect the health, safety and welfare of the residents.

Doug Smith indicated that the Planning Committee granted approval at their last JSPA Planning Committee meeting, but the Wasatch County Council needs to grant the retaining wall approval for Pegasus Phase 8B plat. The Code says that the retaining walls that are excessive are not allowed, and the code requires any walls greater than thirty feet in accumulated height and longer than eight hundred feet in length to receive approval from the Council. We have got some segments of their proposal that meet those criteria. There are some significant areas in this that require some retaliation up and down on both sides of the roads. Doug Smith then went through their retaining wall map. You can see in the upper right-hand side there is a wall that is thirty-six feet in height, other areas have some longer walls and on the left-hand side there is one that is thirty feet in height. The walls should be compatible with any surrounding structures and obviously there are no structures here yet but there will be homes that are thirty-five feet in maximum height. Visual and safety impacts need to be addressed. The proposal will not adversely affect health, safety, and welfare. What they are proposing is on the uphill side of the road that it is native source boulders and on the downhill side it is verti-block. Councilman Steve Farrell indicated that they are built with our standards of ten feet three feet. Doug Smith indicated that is correct and they staggered. Doug Smith then showed pictures showing what the retaining wall will look like. One of the conditions from the Planning Committee is that the verti-block must be stained the same color as the locally sourced boulders. I have highlighted Condition No. 5 which is really a condition applicable to the retaining walls and the rest were conditions of the final plat approval.

Doug Smith also indicated that this proposal has been reviewed by the various members of the Development Review Committee DRC for compliance with the respective guidelines, policies, standards and codes. A report of this review has been attached as an exhibit. The committee has accepted the item for Planning Committee to render a decision. The engineering department has a number of conditions of approval COA that are required to be complied with.

Doug Smith then went through the DRC comments.

PLANNING comments:

- Please provide retaining wall details showing heights, materials setbacks, etc. For the exhibit for the Planning Commission and County Council.

ENGINEERING comments:

- Condition of approval. Prior to issuance of a subdivision construction permit, the applicant must submit a retaining wall design report approved by the County's contracted geotechnical review engineer.
- The storm water utilities are shown above or below the roadway on some of the utility sheets. These utility drawings look like they have been pulled from modeling software. If the elevations are changed in the drawing, make sure they are changed in the model too. Rerun any routing calculations to make sure it all still works.
- Condition of approval: prior to plat recordation, the detention pond must be specifically marked on the plan.
- Condition of approval: on the final construction plan set, callouts or points must identify the bottom of wall and top of wall elevations at the appropriate locations and in the proper intervals.
- Condition of approval: Prior to issuance of a subdivision construction permit, the applicant must submit a retaining wall design report approved by the County's contracted geotechnical review engineer.

JORDANELLE comments:

- The water system layout and PRV locations in this area are different from the originally accepted Todd Morrill water system master plan for this area. The proposed system is also different from the schematics presented in 2021 to JSSD which were never approved, before JSSD approval of this plat, the developer must update his overall Sky Ridge Water System Master Plan schematics to reflect all installed infrastructure and all proposed infrastructure based on the current overall plan. The plat update must also include the interconnection to the upper east park tank. The updated plan must be submitted to the district prior to or in conjunction with a re-submittal of this plan for final approval.
- Continued design and review of construction plans is necessary with JSSD District Engineer.
- This phase needs connection to a higher-pressure zone from the JSSD water system, Developer must provide a plan for this connection prior to JSSD review of the project.
- Facilities are currently in the planning stage to provide water service to the subdivision. Until the facilities reconstructed and approved, plat approval and signature will not be provided.

SURVEYOR comments:

- This is a preliminary plat.
- We are sending the project forward
- We reserve the right to review the signed Mylar.

Doug Smith then went through the proposed findings.

1. The subject property is 51.76 acres per the applicant survey.
2. The proposal contains 45 single family lots.
3. The density and layout being proposed is consistent with the density and layout proposed in the amended master plan and preliminary plan approvals.
4. The proposed subdivision is in the Jordanelle Specially Planned Area JSPA.
5. The proposed development complies with the product types required by code and approved during the Master Plan approval.
6. The Development Review Committee has reviewed the project and recommends approval.
7. 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 the proposed conditions:

1. All comments included in the DRC report shall be resolved to the satisfaction of the applicable review department.
2. The proposed retaining walls will need to be approved by the County Council after a recommendation by the planning committee.
3. A note should be added on the plat stating that the recommendations of the soils report dated May 31, 2022, by IGES shall be followed.
4. The trails are single track back County trails, and they are asphalt trails and added that as a condition and the developer is aware of that and they intended to put asphalt trails in those areas. The internal trails are hard surface and no single-track soft surface.

Doug Smith indicated that based on the analysis in this staff report, it appears that the proposal can be compliant with applicable laws subject to the conditions stated in the staff and DRC reports.

**Applicant:**

Allison Aafedt, the applicant, addressed the Wasatch County Council and indicated that we will place the rock and it will follow the JRA Handbook and will not have red sandstone. The retaining walls for 8B are right above our 8A subdivision and had its retaining walls approved last August and we just took 8B now through the Planning Committee and here we are asking for approval for 8B. 8B is this top one right above 8A. This corner is where we have the most slope and that is where are one wall over the thirty feet of accumulate height is and this is where it would be a thirty-five foot accumulate height of verti-block. We will have our stone on the verti-clock and the natural stone match in color and agreed with the JRA Handbook.

**Public Comment:**

Chair Spencer Park then opened the meeting up for public comment and there was none, so the public comment was closed.

Councilman Steve Farrell made a motion that we go ahead and approve the design and structure of the proposed retaining wall which must have Council approval subject to the findings and conditions of the Planning Committee. Councilman Luke Searle seconded the motion, and the motion carries with the following vote:

AYE: Chair Spencer Park  
AYE: Mark Nelson  
AYE: Steve Farrell  
AYE: Kendall Crittenden  
AYE: Luke Searle  
AYE: Karl McMillan

NAY: None.

#### ADJOURNMENT

Councilman Kendall Crittenden made a motion to adjourn. Councilman Karl McMillan seconded the motion, and the motion carries with the following vote:

AYE; Chair Spencer Park  
AYE; Mark Nelson  
AYE: Steve Farrell  
AYE: Kendall Crittenden  
AYE: Luke Searle  
AYE: Karl McMillan

NAY: None.

Meeting adjourned at 8:30 p.m.

  
SPENCER PARK/CHAIRMAN  
Karl McMillan vice  
Chairman

  
JOEY D. GRANGER/CLERK/AUDITOR

