

**MINUTES OF THE  
WASATCH COUNTY  
JSPA PLANNING COMMITTEE  
JUNE 27, 2024**

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

**STAFF:** Doug Smith, Wasatch County Planner; Jon Woodard, Assistant Wasatch County Attorney; Anders Bake, Assistant Wasatch County Planner.

**PRAYER:** Committee Member Ray Whitchurch

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

Committee Chair Bill Redkey then called the meeting to order at 3:00 p.m. on Thursday, June 27, 2024. All Committee Members are present. Also, the record should reflect that the JSPA Planning Committee is meeting at the Wasatch County Council Chambers in the Wasatch County Administration Building located at 25 North Main, Heber City, Utah 84032. Chair Bill Redkey then called the first agenda item.

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**APPROVAL OF THE MINUTES FROM THE FEBRUARY 27, 2024 MEETING**

**Motion**

**Committee Chair Bill Redkey made a motion to approve the February 27, 2024 minutes as written.**

**Committee Member Mark Hendricks seconded the motion.**

**The motion carries with the following vote:**

**AYE:** Committee Chair Bill Redkey, Committee Member Ray Whitchurch, Committee Member Peter Meuzelaar, Committee Member Robert Holmes, Committee Member Craig Hahn.

**NAY:** None.

**ABSTAIN:** Committee Member Mark Hendricks (absent)

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**ITEM 1      ALLISON AAFEDT, REPRESENTATIVE FOR PEGASUS DEVELOPMENT COMPANY LLC, IS REQUESTING AN EXTENSION TO THE FINAL PLAT RECORDING REQUIREMENT FOR THE PEGASUS 8A PLAT. (DEV-9170; DOUG SMITH)**

**Staff**

Doug Smith, Wasatch County Planner, indicated that Allison Aafedt, representative for Pegasus 8A is requesting a 90-day extension. The request is being made because due to the construction complexities with the overall Pegasus subdivision they need to build 8A and 8B concurrently. We kindly request a 90-day extension from the original deadline, which was set for April 20, 2024 to be recorded. This would set the first deadline to Friday, July 19, 2024. We don't think the plat will be recorded by July 19, 2024 so what they are asking for is an extension and an additional ninety day extension and maybe it will be a couple of weeks after July 19, 2024. What we would like to do is to get an extension for an additional 90 days after July 19, 2024.

**Motion**

**Committee Member Ray Whitchurch made a motion that we approve extension one as a Planning Committee or grant the extension and also, after review by staff of the second extension, that we grant that also and if there are**

findings that staff sees are problematic that it comes back to the Committee. With a couple of findings in that it was timely filed and they are progressing in a timely fashion.

Committee Member Mark Hendricks seconded the motion.

The motion carries with the following vote:

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

NAY: None.

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**ITEM 2      ALLISON AAFEDT, REPRESENTING PEGASUS DEVELOPMENT COMPANY, REQUESTS FINAL SUBDIVISION APPROVAL FOR SKYRIDGE PEGASUS PHASE 8B A RESIDENTIAL PHASE CONSISTING OF 46 ERUS ON APPROXIMATELY 51.76 ACRES 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). *\*CODE SECTION 16.27.20 REQUIRES RETAINING WALLS AS PROPOSED IN THE DEVELOPMENT TO BE APPROVED BY THE COUNTY COUNCIL AFTER A RECOMMENDATION FROM THE PLANNING COMMITTEE. IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMITTEE ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LAND USE AUTHORITY, AT A PUBLIC HEARING ON JULY 3, 2024. (DEV-7067; DOUG SMITH)***

### **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 placeholders 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 in order 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 8 lots in a small cul-de-sac. The lots in phase 8B range in size from 1/3 acre to up to 5 acres and are considered the large lots in the development. One of 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 determination issue is whether to grant final approval to the Pegasus Phase 8B plat.

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 to the staff report as an exhibit. The committee has accepted the item for the JSPA 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 Committee 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 stormwater utilities are shown as above or below the roadway on some of the utility sheets. These utility drawings look like they have been pulled from a 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 plat.
- 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 SSD comments:

- The water system layout and PRV locations in this area are different from the originally accepted Todd Morril 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 plan 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 planning stage to provide water service to the subdivision. Until the facilities are constructed 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 46 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 through 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. Internal trails are hard surface not single-track soft surface.
5. The color of the verti-block walls must match the color of the native stone walls.

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

### **Planning Committee Comments**

Committee Member Mark Hendricks inquired about the Affordable Housing issue and what happens to that money. Committee Member Mark Hendricks indicated that we should have a discussion regarding the affordable housing issues because it seems to me it goes into a black hole. I would like to know more about this subject and what the County is doing regarding affordable housing, and I don't know where the affordable housing is. We need to make sure that the affordable housing funds are being used for affordable housing. We need to have this as one of the educational items. Also, are the fees adequate?

Committee Member Ray Whitchurch indicated that we need to know that the affordable housing issue is going to be fulfilled. We need to make sure that obligation is filled if the ownership is changed.

Committee Member Peter Meuzelaar indicated that with regard to the retaining walls, are they going to be landscaped and if the downhill walls are different construction than the uphill walls, is there an effort to make them look similar? If the walls look different, especially with colors, and if that is so it would stick out as not as natural because they look like two different walls. There is an effort to get those stacked rock walls to somewhat blend with colors that are in the stone walls above, so they don't look foreign one from the other.

Doug Smith replied that you could add that as a condition to the Council that both walls are the same color if you want to do that.

Jack Johnson indicated I agree with everything you have said about the rock walls, and we don't want something that would look weird. We will do whatever it takes to make them blend.

Committee Member Ray Whitchurch indicated that originally it was to have landscaping in the walls, but my understanding is that the County won't allow watering in those areas between the walls and is that still the case? Doug Smith indicated that engineers have brought up with having water between the walls and root systems and that type of thing. Also, can we approve the lots that are within the pressure zones for the fire and then exclude the others to come back later. Doug Smith indicated that when the JSSD signed off it was for what is before us tonight and is the whole plat and they are comfortable that it is going to work out.

Committee Member Craig Hahn indicated that his only question with the retaining walls is do we have areas where trails interact with these walls and assuming there will be guard rails and roads and what about trail networks.

Committee Member Robert Holmes asked, with regard to these retaining walls, what are the alternatives to these retaining walls, is there anything else that can be done? Doug Smith replied, just materials and we need to use native materials as much as you possibly can. If there above a certain cumulative height or length and the materials is different than what we have listed, then it has to go through this body as a recommendation to the County Council.

### **Applicant**

Allison Aafedt, representing Pegasus Development Company, addressed the JSPA Planning Committee and indicated that we will have native landscaping in between and we will follow code and follow the same design aesthetics that were previously approved with AA. The retaining walls were approved by County Council last year. We want that to look good for the County and keep the walls at high standards in looking nice. There will be two different materials in the walls and one lower wall is the verti-block and the lower one is the stacked block and will be the same color.

### **Public Comment**

Committee Chair Bill Redkey opened the hearing up for public comment.

David Ryan had an issue with the water line. Doug Smith indicated there was an issue with the Jordanelle Special Service District in getting a line there because they didn't have the pressure to serve these upper lots. Jack Johnson, applicant representative, indicated that is being taken care of and we are working with JSSD with regard to water pressure before we sell the lots. Hopefully we will get it done this year. The tank would be buried. JSSD signed off on this so evidently they are satisfied with what is taking place.



Committee Chair Bill Redkey then closed the public comment period.

### **Motion**

**Committee Chair Bill Redkey made a motion that we would recommend to the County Council to approve the application with adopting the findings and subject to the conditions outlined by the staff. And add a condition that the upper and lower walls be as much as reasonably possible to look compatible.**

**Committee Member Mark Hendricks seconded the motion.**

**The motion carries with the following vote:**

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

**NAY: None.**

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**ITEM 3 TYLER ALDOUS, REPRESENTING THE SKYRIDGE GOLF ACADEMY, IS REQUESTING AN AMENDED SITE PLAN REVIEW FOR THE SKYRIDGE GOLF ACADEMY BUILDING AND POOL AREA APPROVED ON NOVEMBER 9, 2023. AFTER APPROVAL OF THE SITE PLAN A BUILDING PERMIT WAS APPLIED FOR WITH A NUMBER OF CHANGES FROM THE APPROVED PLAN. THE CHANGES WERE DETERMINED TO BE TOO LARGE FOR A STAFF APPROVAL. THE SITE IS LOCATED AT 1441 W. SKYRIDGE DRIVE IN THE JORDANELLE SPECIALLY PLANNED AREA (JSPA). (DEV-8408; ANDERS BAKE)**

### **Staff**

Anders Bake, Assistant Wasatch County Planner, presented a Power Point presentation and indicated that the Golf Academy development was included in the SkyRidge project's 2017 Master Plan approval, 2018 overall Preliminary Plan approval, and 2021 amended Master Plan approval. Site plan approval was given for the Golf Academy development in April 2023. This development includes a driving range, pro-shop building, HOA clubhouse building, pool deck, and parking. The applicant received approval for an amended site plan application in November 2023 to make changes to the site which included the replacement of a parking structure with surface parking and new architecture plans for the two buildings.

Anders Bake then indicated that since then, the applicant has received building permits for different portions of the Golf Academy development. They recently applied for a revised building permit with several changes from the Site Plan approved in April 2023. These changes involve the HOA building and pool deck. Planning staff determined that the changes were too great for staff to approve administratively. These changes can only be approved by the JSPA Planning Committee through a site plan application.

Anders Bake indicated that the determination issue is whether or not the application meets the applicable laws governing the use and development of land in Wasatch County for a proposed Final Site Plan in the Jordanelle Specially Planned Area. This determination is an administrative decision to be made by the Wasatch County JSPA Planning Committee.

Anders Bake then went through the DRC comments:

#### **PLANNING comments:**

- **Condition of Approval:** An updated landscaping plan must be attached to the building permit showing the proposed landscaping for the area that was previously occupied by a portion of the pool deck. This area is in between the pool deck and the parking lot.
- **Condition of Approval:** Before the building permit can be approved, remove the two additional roof penetrations shown on the roof plan and elevation plans.

Anders Bake 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. An amended site plan was approved by the JSPA Planning Committee on November 9, 2023.
4. After site plan approval was granted by the JSPA Planning Committee an application for a building permit was submitted.
5. Staff noticed that the plans for the clubhouse and pool deck were substantially different than the site plan approved by the JSPA Planning Committee.
6. The building changes include moving a fitness room from the first floor to the second floor and moving a HOA lounge from the second floor to the first floor. A pool equipment room is also being reduced in size which reduces the total size of the building. The proposal includes several changes to the exterior of the building which primarily include a reduction in the height of the second floor and a reduction in roof overhangs. The pool deck is being reduced in size which includes the removal of a kid's pool.
7. Architecture and materials are still in compliance with JSPA requirements except for the proposal to replace one chimney structure with multiple roof penetrations.
8. More information is needed to show that the area previously occupied by the pool deck will meet JSPA landscaping requirements.
9. Other changes to the application appear to comply with code requirements.
10. The Development Review Committee has reviewed the project and has requested additional information related to landscaping and roof design.

Anders Bake then went through the proposed conditions:

1. All issues raised by the DRC, as noted in the DRC report dated June 19, 2024, shall be resolved to the satisfaction of the applicable review department prior to approval of the proposed building permit application.
2. Any impacts to stormwater due to the change must be addressed and approved by the engineering department.

Anders Bake then indicated that based on the analysis in the staff report, it appears that the proposal can be compliant with applicable laws subject to revisions that are not anticipated to constitute a materially substantive change. Therefore, it is recommended that the JSPA Planning Committee move to approve the application with conditions consistent with the findings and conditions presented in the staff report.

#### **Planning Committee Comments**

Committee Member Ray Whitchurch asked, are the roof penetrations still being ganged as a two instead of a one exactly? Anders Bake replied that is correct.

Committee Member Peter Meuzelaar indicated that the overhead of the roof is fine. It is hard to see what is going on there.

#### **Applicant**

Tyler Aldous, representing the SkyRidge Golf Academy, addressed the JSPA Planning Committee and presented a Power Point presentation and then indicated that the golf course is progressing great and is scheduled to be completed by the end of September. There will be some type of a soft opening next year around the first of June. The original building permits were issued. The golf course will be open to the public and the pricing will be staggered. This is a family type project. Also, in our HOA annual meeting last year a lot of comments and feedback were received. There were some modifications to the building so that it would be more akin to a fitness studio instead of a large owner's lounge. The landscaping plan fits with all the JSPA requirements and fits with what is being done in the community. The complex meets all the JSPA requirements for materials and has a great feel. There will be absolutely zero change to stormwater from the previous site plan to this plan. Doug Smith replied that he talked to the County engineer about the storm drain issues and he said that he didn't see anything that would cause them any concern and the JSSD had no concerns. Basically, we took something in the bottom of the building and put it on the top and that was at the request of our homeowners and the roof pitch was adjusted to match with that regarding the use of the space and to the pool deck we made some minor modifications to fit with the pool equipment.

#### **Planning Committee Comments**

Committee Member Mark Hendricks indicated that the slope of the roof goes back to what I think looks like a dead wall and my concern is with the melting of snow that goes from slope to flat with regard to drainage. I don't have a problem with the new roof penetrations and don't have a big problem with the fact that there is two versus one.

Committee Member Peter Meuzelaar indicated that this is a beautiful project and everything meets all the guidelines, but one thing is that it needs some articulation with the stone because it is a really tall wall.

### **Public Comment**

Planning Committee Chair Bill Redkey then opened the hearing for public comment.

David Ryan said he was at the meeting that was referred to and the people were upset with the fact that the fitness room was really small for this neighborhood of 470 homes. The lounge is really tiny for a 470 home community. I don't see how you access the pool room anymore. Tyler Aldous replied that the pool room is where the pool equipment goes and not a public space and connects now through the mechanical room. People wanted more type of a larger fitness studio. The comments that came out of the meeting that was held we made some changes to fit what they commented about and made the fitness room larger. David Ryan indicated that nobody suggested swapping the fitness room to be larger and the lounge smaller. Tyler Aldous replied that right next door there is a very large open public space which has a very large lounge in it and is called a golf lounge. David Ryan indicated that there is very little communication with owners regarding changes. Jack Johnson, one of the owners, indicated that we have been very straight forward with the building. People commented that they wanted a larger facility in there for fitness and that is what we did.

Michael Kienitz indicated that what David Ryan has said I agree with the feedback on the size of the fitness facility, and I don't think the owners understood that meant that it would result in a decrease in the lounge area.

Planning Committee Chair Bill Redkey then closed the public comment period.

### **Motion**

**Committee Member Mark Hendricks made a motion that we approve Item No. 3, the final site plan for SkyRidge Golf Academy, in light of the findings and the discussion that we had today and subject to the two conditions as outlined in the staff report. My motion is also that they not be required to combine the two roof penetrations and be allowed to be ganged into two chimneys, not one as presented.**

**Planning Committee Chair Bill Redkey seconded the motion.**

**The motion carries with the following vote:**

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

**NAY: None.**

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## **ADJOURNMENT**

### **Motion**

**Planning Committee Chair Bill Redkey made a motion to adjourn.**

**Committee Member Mark Hendricks seconded the motion.**

**The motion carries with the following vote:**

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

**NAY: None.**

Meeting adjourned at 5:00 p.m.

**BILL REDKEY/ CHAIRMAN**



**Items 1, 2 and 3 – SkyRidge Lodge  
Legislative Development Agreement  
Off-Site Parking  
Site Plan**

**Project:** DEV-9177, 9178 | Legislative Development agreement, Lodge off-site parking and lodge site plan  
**Meeting Date:** 17 September 2024  
**Report Date:** 4 September 2024  
**Report Author(s):** Doug Smith/Anders Bake, Planners  
**Council Action Required:** Yes  
**Type of Action:** Legislative  
**Applicant:** Allison Aafedt  
**Address:** 1393 W. SkyRidge Drive  
**Acreage:** 5.37 ac. Lodge parcel 3.39 ac. parking parcel

**Proposed Density:** 35 ERU’s, 27,760 sf. footprint, 65 units, 80 keys, 3 MIDA units with 4 keys, 61,344 total square feet  
**Zoning Designation:** JSPA (Jordanelle Specially Planned Area)  
**Related Applications:** Master Plan (2016, amended 2021), Development agreement (amended 2021), Preliminary approval (2018, amended 2021), Final plat for lodge parcel (2022)

DETERMINATION ISSUE

Whether or not the County Council, after receiving recommendations from the Planning Commission and the JSPA planning committee should approve the Legislative development agreement (LDA), the off-site parking plan, the small-scale subdivision and the Lodge site plan.

RECOMMENDATION

Based on the analysis in this staff report, it appears that the proposal can be compliant with applicable laws subject to the conditions found in the report as well as stipulations outlined in the LDA. Therefore, it is recommended that the Planning Commission and JSPA Planning Committee forward a POSITIVE RECOMMENDATION of the proposal based on the findings and subject to the conditions included the staff report and legislative development agreement.

## BACKGROUND

The request is for approval of the SkyRidge Golf Lodge site plan, associated Legislative Development Agreement (LDA), an off-site parking lot and an associated small scale subdivision for the offsite parking. The Golf Lodge contains 65 individually owned condominium units that will be in a short-term rental pool and managed as a hotel. Within the 65 units there are a total of 80 keys meaning that there are units that include lock-offs. In theory there could be 80 units rented at any given time if the hotel were at 100% occupancy and all the lock offs were utilized. The hotel also includes 3 units with 4 keys that will be owned by MIDA (Military Installation Development Authority) for a total of 84 units. Staff is not sure the details of how the MIDA units will be managed. Within the lodge is a spa, restaurant, bar, dining room, conference room, roof bar terrace and a grab and go restaurant. The footprint of the lodge is 27,760 square feet and overall square footage is 61,344 square feet. The lodge is situated on a 5.37-acre parcel that is already platted and is adjacent to the SkyRidge clubhouse currently under construction.

On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council, which changes included allowing the Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to the DA. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.

The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.

The Lodge proposed in this area is a unique situation not covered by existing County codes. Due to the unique situation and limited circumstances of the proposal the applicant proposed that a Legislative Development Agreement (LDA) would be used, as allowed by Utah State (§17-27a-528(2)(a)(iii)), for this use, which would not otherwise be allowed under existing applicable land use regulations. The staff and the applicant determined that the LDA would be preferable to amending the code which would allow a countywide change. The uses the LDA could allow were presented to the County Council in a public meeting, and they appeared to be comfortable with the application proceeding through the required processes.

Due to the interrelated nature of the aforementioned items, they will be covered in this one staff report but will need to be reviewed concurrently with individual motions. If the ordinance approving the legislative development agreement is not approved or not approved as written a different approval process may be needed, or the application may be denied. Many of the issues will be discussed under the portion of the staff report entitled "Site Plan". This section will address issues like; lighting, setbacks, building height, parking, landscaping, trails etc.

This staff report covers three separate interrelated application items organized in the following order:

1. Ordinance 24-11, approving the Legislative Development Agreement.
2. Offsite parking lot and parking plan with small scale subdivision creating two parcels with the offsite parking parcel being 3.39 acres and site plan approval for the off-site parking.
3. Site plan approval for the 61,344 square foot lodge on 5.37 acres.

The above applications were sent through an internal Development Review Committee (DRC) process that includes review by about 17 internal and external reviewers. Most of the ~17 review entities are looking at technical issues with the proposal. Until the issues brought up by the various departments are resolved the item is not placed on a planning commission agenda. This proposal went through a number of review cycles each time with additional detail or clarification requested by various departments.

The site has the underlying zone of M (Mountain) with the JSPA (Jordanelle Specially Planned Area) overlay.

The review and approval or denial of all the applications is a legislative decision which is made by the County Council after a recommendation by the Planning Commission and the JSPA Planning Committee.

## STAFF ANALYSIS

As mentioned, there are three applications that are part of this proposal. Staff will address all three items separately divided by sections although all three application items are interrelated and have overlap.

### **SECTION 1 -ORDINANCE 24-11/LEGISLATIVE DEVELOPMENT AGREEMENT-**

This proposal for a lodge is unique however, the JSPA fully intended to have varied product types including lodging associated with the four-season intent of the JSPA.

The Vision and purpose of the JSPA as stated in 16.41.01 is to:

- Create a globally recognized “Year-Round” resort
- To provide amenities supporting year-round activities
- The quality standards of 4- and 5-star hotels
- Encourage golf
- Fitness and wellness centers
- Retail dining and entertainment
- Adequate and accessible parking
- A wide range of well segmented real estate products

Due to the uniqueness of the proposal and the intent to further the goals of the JSPA, the County Legislative body has been asked to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii). The state code allowing legislative development agreements provides some flexibility for projects that are unique and where it is impractical to address all regulations found in a land use code. Staff has recommended that a legislative development agreement is the preferred way to address the unique issues associated with this proposal which otherwise would have required a code amendment, or denial of the project. This Utah code section 17-27a-528(2)(a)(iii) states:

*A development agreement may not: allow a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, unless the legislative body approves the development agreement in accordance with the same procedures for enacting a land use regulation under Utah code section 17-27a-502, including a review and recommendation from the planning commission and a public hearing.*

Approval of a legislative development agreement is entirely up to the County Council acting as the approving authority after review and recommendation by the Planning Commission and JSPA Planning Committee.

The major items addressed in the LDA include the following:

1. The height of the building is allowed to be a maximum of 75’ as shown in the exhibit in the development agreement. The single-family portions of the JSPA code allows for a maximum height of 35’ or two- and one-half stories whichever is greater.
2. County code 16.33.07 and 16.41.5.8 requires all the parking to be on-site or within 200’ of the use. The project includes onsite parking and offsite parking. The offsite parking is approximately 1 mile from the site. The offsite



parking will only be valet parking or employee parking and is intended only for overflow for employees and special events.

3. Parking stalls proposed are 9'x18' not 9'x20' as required by WCC.
4. The code does not allow double stacked parking which is the case with the stalls on the lodge site. Stalls on the lodge site will be valet only, as is not unusual for a four- or five-star hotel.
5. The proposal also uses shared parking with the clubhouse to accomplish the parking numbers for the proposal which is intended in the JSPA code but is ratified in the LDA.
6. The code requires parking to be at the rear or sides of the use. The proposal has parking in front of the lodge, but due to the change in grade on the site, will not be visible from the street. Part of the concern in the code for the location of parking lots is that parking should not dominate the streetscape. Buildings, especially in a village would front the street, not parking lots.
7. The original approved master plan showed 20 ERU's on the lodge site (10 buildings 20 townhomes) which was then changed in addendum 3 to a lodge with 27 ERU's. Addendum 4 states that there are 35 ERU's for the lodge plus 3 MIDA units with 4 keys. The SkyRidge development is limited to 503 total ERU's. The development will need to limit future lots so that at the final approval of the final plat there is no more than 503 ERU's. The 3 MIDA units are not counted in the ERUs, as is clarified in the LDA.
8. The hotel use and parking do not comply with the permitted uses for the residential land use category of the JSPA code. This has been addressed in the amended master plan and development agreement and will be further approved through this LDA.
9. Removal of the requirements for the welcome center and the amenities stipulated in addendum 3.

If Ordinance 24-11 and the development agreement are not approved by the legislative body a different approval process may be required i.e., a code amendment to allow the proposal, or the project may be denied. If approved as proposed, the ordinance and the development agreement would need to be acted on concurrently with the other items on the agenda.

## **SECTION 2-FINAL SMALL-SCALE SUBDIVISION AND SITE PLAN FOR OFF-SITE PARKING PARCEL-**

One of the necessary items requiring approval is a small scale 2 lot subdivision that creates the 3.39-acre offsite parking parcel and a 1.96-acre parcel that may be used for future amenities. The offsite parking parcel is approximately 1 mile from the Lodge site. The code requires that parking lots be on the same parcel as the main use but allows exceptions if within a distance from the use of not more than 200'. The third amended development agreement showed a welcome center on this property which may be done on the remaining 1.96 acre parcel.

The code for parking is the following:

### **16.33.07: LOCATION OF PARKING FACILITIES**

*The off-street parking facilities required by this chapter shall be located on the same lot as the use except, in cases of practical difficulty the designated land use authority may approve a substitute location which meets the following conditions:*

1. ***All or part of the substitute location must be on an adjacent lot, or within two hundred feet (200') from the use, and easily accessible for pedestrian traffic so pedestrians are not required to cross a public street to access the use for which the parking is provided.***
2. ***The substitute lot must be in the same possession as the use it is intended to service and must be maintained as long as the use or structure exists. Such possession may be by recorded deed or long-term lease and should run concurrently with the life of the building or use. The length of such lease shall be at***

*least twenty-five (25) years but may be terminated or modified earlier with the consent of the county planning department, if the use for which the parking is required is terminated or modified.*

3. *Off-street parking spaces required in connection with a use shall be in the same zone as the use the parking is intended to serve and shall not be located within a different zone, unless off-street parking lots are listed as a stand-alone permitted use within the adjacent different zone.*

**4. *Parking shall not be located in required front or side yards.***

Instead of following the code typically applicable to the project, the applicant has had a parking study performed by LSC Transportation Consultants. This parking study was reviewed by Hales Engineering for the county, and they found the parking was within industry norms for similar resort projects throughout the United States.

One of the concessions for the offsite parking lot is that the lot will not be open to the public. The lot will be valet and used by employees of the lodge only. It is intended that the 52 valet only stalls on the hotel site will first be utilized for patrons then the shared parking on the clubhouse site if the lodge parking is full. The only time the offsite parking is intended to be used is for employees and special events. The offsite parking lot has 115 spaces.

In addition to the allowance for the offsite parking lot the LDA proposes to include a provision for double deep parking stalls on the hotel site. The code would not allow for a double deep stall in a typical public parking lot however this will only be at the lodge and will be valet only. The stalls for the offsite parking have a measurement of 9'x18' not the 9'x20' required by the code. After the requirements for landscape buffers along the parkway and at the rear of the lot as well as drive aisle widths the parking stall depth became an issue. Due to the fact that vehicles using the offsite parking will only be parked by employees, the need for the parking to meet the normal standards for depth is diminished because the Lodge owner can ensure that the employees using the lot have the knowledge, skills, and abilities to park safely considering the constraints of the offsite parking lot.

The proposal also allows for shared parking. The shared parking would be on the adjacent clubhouse site. There are two factors that allow for decreased parking numbers for the lodge. The clubhouse will have the peak parking demand in the summer when the golf course is open. The hotel will have the peak parking demand in the winter when ski resorts are open. This allows for shared parking with the clubhouse since the peak demands of the clubhouse and hotel are during different seasons. There is also an expectation that the occupants at the hotel will be the majority of the users of the amenities in the hotel i.e., the restaurant, wellness center, bars etc. not the public driving in separate cars. The clubhouse has a total of 102 parking stalls. The table below shows the peak parking uses and total parking requirements.

| Hotel Parking                                                                    | Number of stalls                                                                                             |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Offsite lot                                                                      | 115                                                                                                          |
| Hotel lot                                                                        | 52                                                                                                           |
| Total Lodge and off-site parking                                                 | 167                                                                                                          |
| Clubhouse parking (needed depending on the season)                               | 102 total/23 available summer stalls/49 available winter stalls                                              |
| Total of Lodge parking, off-site parking lot and seasonal parking with clubhouse | 190/summer available stalls 216/winter available stalls                                                      |
| Code requirement and number of stalls short                                      | 80 (lodge)+115 (employees) +77 (amenities) =272 Total required by code (82 summer short and 56 winter short) |

### Executive Summary of the Golf Lodge Parking Study:

The Lodge is proposed to consist of 65 (68 with MIDA units) condos of various sizes, with the ability to lock off portions of some suites to result in a maximum of 80 (84 with MIDA units) keys. Modified parking rates for the Lodge are appropriate based on a review of the Wasatch County Code, Peer Resort Communities, Urban Land Institute rates and other mountain resort parking studies. The lodge parking rate modification is also appropriate based on the high levels of non-auto and carpooling for lodge employees and high rate of out-of-town guests. As the peak parking demand occurs at different times – overnight in the winter for the Lodge and midday in the summer for the Clubhouse, shared parking between the two facilities reduces the parking demand for additional onsite parking.

#### *LANDSCAPING –*

The offsite parking lot is required to comply with the landscaping requirements of the code including the buffer requirements adjacent to residential uses. The 3.39-acre site has 1.95 acres of landscaping or 57% of the site. Some of the concern of the offsite parking lot was the visibility from the parkway. There is a heavily landscaped buffer along the parkway with a minimum depth of approx. 10' (the average depth is closer to 15') with a total from back of the curb of approx. 28'. There is also a 10' landscape buffer along the west side of the property adjacent to the East Park large lots.

#### *-PUBLIC UTILITY EASEMENT REQUIREMENTS-*

16.27.12 requires a 10' PUE to be around the periphery of the parcels which needs to be added to the plat.

#### *-LIGHTING –*

Lighting outside of required lighting by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The site lighting for the off-site parking lot is at a total of 21,243 lumens per improved acre.

In short staff is recommending approval of the offsite parking proposal with the following conditions:

- The Council approve the shared parking proposal which allows for a discount of 82 summer stalls and 56 winter stalls from the generally applicable code requirements.
- The site plan for the offsite parking lot is in compliance with the code except for the requirement to be within 200' of the lodge and the stall sizes of 9'x18'. These issues are addressed in the LDA.
- The off-site parking lot is not open to the public but will be used for overflow (valet only) and employee parking which the lodge will be required to provide a shuttle service for all times that the lodge is open.

### **SECTION 3-LODGE SITE PLAN REVIEW-**

As mentioned in the background section the 3<sup>rd</sup> amended development agreement allows that the lodge be allowed as a permitted use. A permitted use still is required to go through the site plan review to ensure that the proposed use and all the necessary ancillary issues i.e., parking, landscaping, lighting, architecture etc. have been considered and either comply with code or will be part of the development agreement.

#### *-LAND USE AND DENSITY–*

As mentioned above the SkyRidge development is limited to a maximum density of 503 ERU's. The original master plan and preliminary showed 10 twin homes (20 Units/ERU's) on a cul-de-sac where the lodge is proposed. The development is not allowed to go above the 503 maximum approved density. Future phases will need to be adjusted accordingly so when the last plat is recorded the density will be at or below 503 ERU's.

The lodge is in a residential area approved for single family homes. The only designation in the JSPA that would have allowed for the lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area.

Some of the stipulations for villages include:

- Significant retail, dining and entertainment facilities;
- A minimum of six hundred fifty (650) Units (not ERU's) in the Resort Village Zone;
- Must be designed to accommodate the 2,400 Foot Rule; (refer to section 3.1) and
- A pedestrian walk experience which links Resort Features (as defined in Section 2.1 .2.23) and other elements in the Resort Village together and serves as a focal point for visitor foot traffic.
- Community Space Requirements - Each Resort Village shall have a minimum of one acre community space/plaza with 1/2 acre minimum in a consolidated area.
- And other resort components.
- Buildings shall build to street facing property lines. Alternatives shall be reviewed by the JSPA PC.

This report will further discuss below, in the *Building Height* section, the reasons the Applicant proposes to allow the Golf Lodge despite the fact that it does not fit in with all the land use regulations of the JSPA code.

The application proposes to increase the density for this parcel for the Lodge, but the ERUs will come from other parcels in the project that have not been platted yet. This is memorialized and agreed to in the LDA.

#### *-ROADS, ACCESS AND TRAFFIC-*

The access to the lodge is off of SkyRidge Drive which has two access points onto the Jordanelle Parkway. At the March 3, 2021, County Council meeting the amended Master Plan for the lodge approval was approved. Hales Engineering, the County Traffic Engineering consultant, did a traffic analysis and determined that there would be approximately 29 extra trips per day (over and above what was originally approved) onto SkyRidge Drive with the addition of the lodge. Hales Engineering felt that the lodge would not have a significant impact on the road network. The previous use of the land was 10 townhouse buildings which is 20 units/ERU's.

#### *-SETBACKS-*

Some of the concern of the proposal is the size of the structure and the proximity to residential uses and SkyRidge Drive. The setbacks provided on the site plan are the following:

- The setback off SkyRidge Drive is approximately 141'.
- The setback to the north single family lot line at the closest point is approximately 210'.
- The setback to the south is approximately 14'.
- The setback to the east property line is 53'.

All setbacks are greater than the setbacks for the JSPA zone which are: Front is a minimum of 20' from the right-of-way, side setbacks are a minimum of 10' and the rear setback requirement is 20'. These additional setbacks help mitigate the size of the Lodge.

#### *- OPEN SPACE/LANDSCAPING -*

The site plan states that the lodge site has 47.9% open space which will be dedicated to landscaping. Included in that percentage of landscaping is 7,337 square feet of sod, 95,687 square feet of native seed and 9,008 of ornamental planting. The only statement I can find in the JSPA code is that there must be, "appropriate landscaping".

There are two residential lots with homes adjacent on the north side of the lodge site. The setback from these property lines to the closest part of the lodge is approximately 141'. Between the two uses is a natural drainage with an oak brush grove in the drainage.

Section of 16.21.19(D) needs to be complied with which requires the 10' landscape buffer between parking areas and residential uses with trees spaced no further than 25'. In staffs' opinion this has been accomplished with the native oak brush between the hotel and the dwellings to the north.

**– BUILDING HEIGHT –**

The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is in the Residential, Single-Family portion of the JSPA Zone, which allows for heights of up to 35' or two- and one-half stories from natural grade, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street will be approximately 34' above the grade on SkyRidge Drive which is an appropriate scale for a residential area and will fit in with the surrounding uses and residential and clubhouse structures.

The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. In certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. See Section 16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height (of the DA), confirm that the maximum height provided is appropriate for the Property. The County Council Unanimously Approved the Amended Master Plan that included the SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

**-LIGHTING –**

The lighting for the proposal is regulated under the recently adopted lighting code. A primary intent of the lighting code is to ensure that all lighting is at the minimum levels required by code for the IBC (International Building Code) required lighting for egress from the building to a public way and lowest recommended levels of lighting for the IES (Illuminating Engineers Society) for the parking lots including associated walkways. Lighting outside of required lighting by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The lodge has a total of 24,716 lumens per improved acre.

**– SIGNAGE –**

The sign shown on the site plan will be required to get a separate permit and is not being approved at this time.

**-ARCHITECTURE-**

The applicant has committed to comply with the JSPA code and design handbook for materials, material percentages and colors. The JSPA planning committee has reviewed the architecture in previous meetings and made comments (February 27, 2024).

Representations by the applicant made in public meetings responding to the JSPA PC comments will be required to be complied with unless minor and inconsequential changes are proposed as determined by the planning director.

Percentages and materials are required to be submitted with the building permit and verified.

## **DEVELOPMENT REVIEW COMMITTEE**

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 in the exhibits. The Committee has accepted the item for Planning Commission, JSPA Planning Committee and County Council to render a decision. Deputy County Attorney Jon Woodard has reviewed the development agreement and the ordinance and has no legal objections to them as drafted. Reports of these reviews have been attached in the exhibits.

## **POTENTIAL MOTION**

Move to Approve with Conditions consistent with the findings and conditions presented in the staff report.

### *Findings:*

1. On February 15, 2017, the County Council approved the master plan for SkyRidge formerly Mayflower Lakeside North with a total density of 503 ERU's.
2. On February 25, 2021, the JSPA planning committee recommended approval of the amended preliminary and master plan that included the lodge and offsite parking parcel.
3. On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council. The amendments included the lodge and offsite parking parcel.
4. The master plan changes also included allowing a Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA.
5. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.
6. The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.
7. The approval of an amended master plan and overall preliminary that included the off-site parking and the lodge still required a number of approvals including site plan, plat and LDA.
8. The proposal is for approval of a legislative development agreement, a small-scale subdivision plat approval and site plan approvals for the lodge and parking lot, including the parking plan.
9. Due to the uniqueness of the proposal, among other reasons stated in the development agreement, the County Legislative body has decided to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii).
10. The Vision and purpose of the JSPA as stated in 16.41.01 is to: Create a globally recognized "Year-Round" resort, to provide amenities supporting year-round activities, the quality standards of 4 and 5 star hotels, encourage golf, fitness and wellness centers, retail dining and entertainment, adequate and accessible parking and a wide range of well segmented real estate products.
11. The legislative development agreement process was discussed with the council on May 1, 2024, in a public meeting and no reason for not following this process was given by the council.
12. The proposal is located in the JSPA (Jordanelle Specially Planned Area) overlay zone.
13. The original master plan for the project showed single family residential uses in a townhouse configuration that included 20 units.
14. Utah Code states that a land use authority shall approve a conditional use if reasonable conditions are proposed to mitigate anticipated detrimental effects. See Utah Code 17-27a-506(2)(a)(ii). The applicant has proposed a legislative development agreement through with the application can be approved outside of the conditional use process.
15. For reasons explained in the development agreement and this staff report, the legislative development agreement makes both the lodge and its height a permitted use, whereas without the development agreement, the lodge and the height would have to be approved through a different process.
16. Normally under Utah Code, if an application meets the requirements of the code, the land use authority



must approve the application. Due to the legislative development agreement, which allows a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, the Council has greater discretion than would normally be allowed.

17. Single family homes in this area of the JSPA are allowed to have a maximum height of 35' from natural grade.
18. The Lodge is proposed to be ~75' tall at its highest point.
19. The setbacks for the Lodge are significantly greater than setbacks required by code.
20. The legislative development agreement gives the county legislative body the discretion to allow or require the height they believe is a benefit to the health, safety, and welfare of the community.
21. The Development Review Committee has reviewed the project and forwarded the item for planning commission and JSPA planning committee consideration and council decision.
22. The development agreement explains the rationale for many of the matters addressed therein. The council hereby adopts the recitals of the development agreement, and the body of the development agreement, as findings for those matters addressed therein.
23. Ordinance 24-11 authorizes the adoption of the development agreement. The council adopts Ordinance 24-11.
24. This staff report and the presentations made by staff during the public meetings are hereby incorporated into these findings.
25. The Council finds that, based on the findings, the Lodge as proposed, the small-scale subdivision, the site plans, and the parking plans, advance the general welfare of Wasatch County.

#### **RECOMMENDED CONDITIONS**

1. The off-site parking parcel, as per code, must have a 10' PUE around the periphery of both parcels.
2. The existing oak brush between the lodge and the residential lots must be maintained as an alternative to the buffer noted in the code.

#### **ALTERNATIVE ACTIONS**

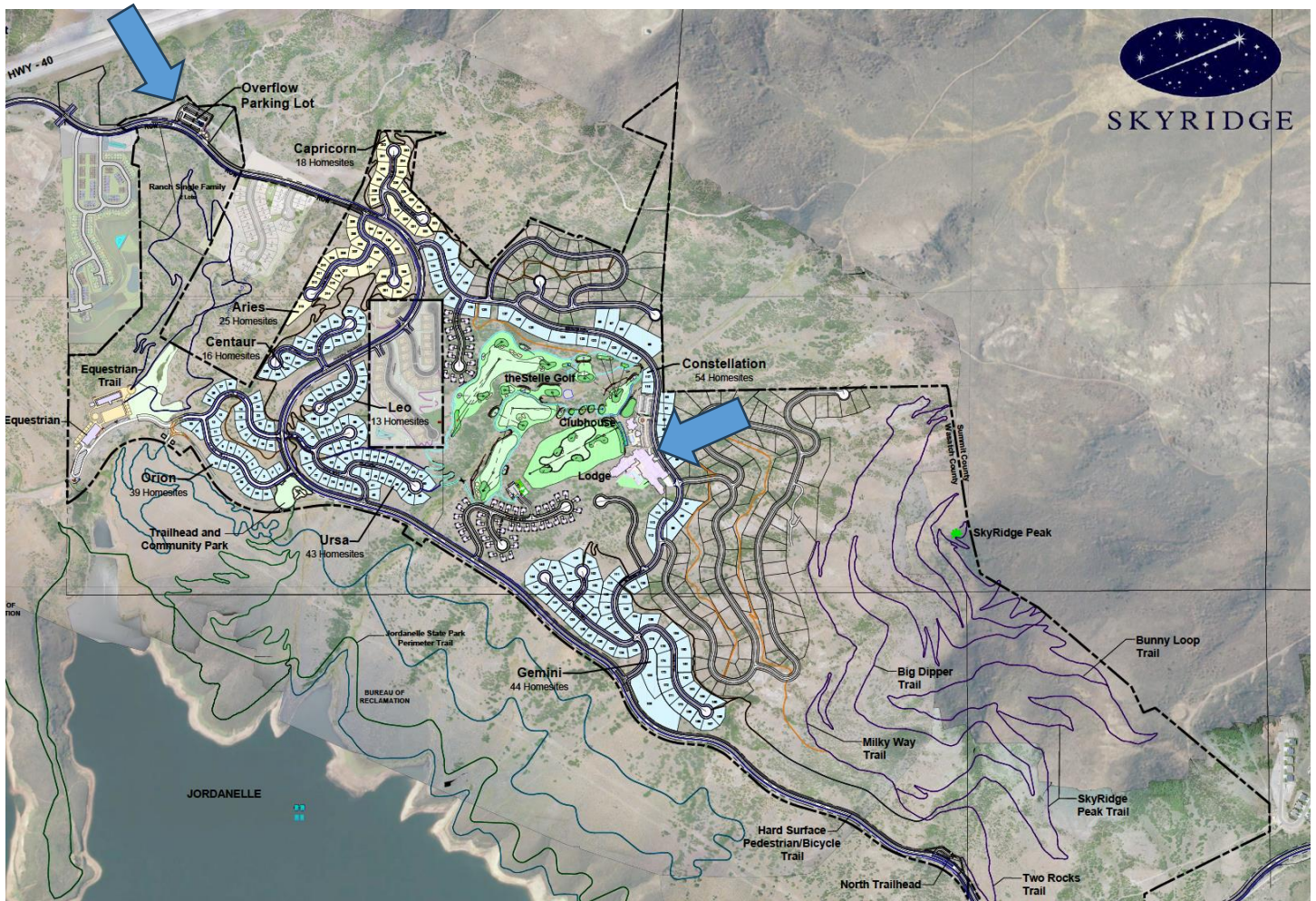
The following is a list of possible motions the Planning Commission and JSPA planning committee can take. If the action taken is inconsistent with the potential findings listed in this staff report, the JSPA PC or Planning Commission should state new findings.

1. Recommend Approval. This action may be taken if the JSPA PC or Planning Commission finds that the Final Site Plan is compliant as proposed with Wasatch County Code and all other applicable ordinances.
2. Recommend Approval with Conditions. This action can be taken if the JSPA PC or Planning Commission feels comfortable that remaining issues can be resolved subject to the conditions noted and review of the County Council. ***\*This action would be consistent with staff analysis\****
3. Continue. This action can be taken if the JSPA PC or Planning Commission needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Recommend denial. This action can be taken if the JSPA PC or Planning Commission finds that the proposal does not meet applicable codes and/or ordinances.

## EXHIBITS

|                                                                     |    |
|---------------------------------------------------------------------|----|
| Exhibit A – Vicinity Plan.....                                      | 12 |
| Exhibit B – Site Plan with clubhouse context .....                  | 13 |
| Exhibit C – Proposed Subdivision Plat for offsite parking .....     | 14 |
| Exhibit D – Proposed site plan for offsite parking.....             | 15 |
| Exhibit E – Original master plan with townhouses .....              | 16 |
| Exhibit F – Lodge site plan and landscape plan.....                 | 16 |
| Exhibit G – Cross sections of Lodge from SkyRidge Drive .....       | 17 |
| Exhibit H – Report of Action Work Meeting Review of Lodge .....     | 18 |
| Exhibit I – LSC Parking Summary .....                               | 19 |
| Exhibit J – Hales Engineering Trip Generation Report .....          | 22 |
| Exhibit K – Renderings of Lodge and materials.....                  | 23 |
| Exhibit L – Retaining wall example at lodge parking area.....       | 26 |
| Exhibit M – Landscape buffer between lodge and existing homes ..... | 26 |
| Exhibit N – ERU breakdown for lodge units .....                     | 30 |
| Exhibit O – ERU tracking for SkyRidge development .....             | 31 |
| Exhibit P – DRC Report .....                                        | 32 |
| Exhibit Q – Ordinance Adopting the LDA and the LDA .....            | 34 |

## Exhibit A – Vicinity Plan





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Exhibit B – Site Plan with clubhouse context

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## Exhibit C – Proposed Subdivision Plat for offsite parking

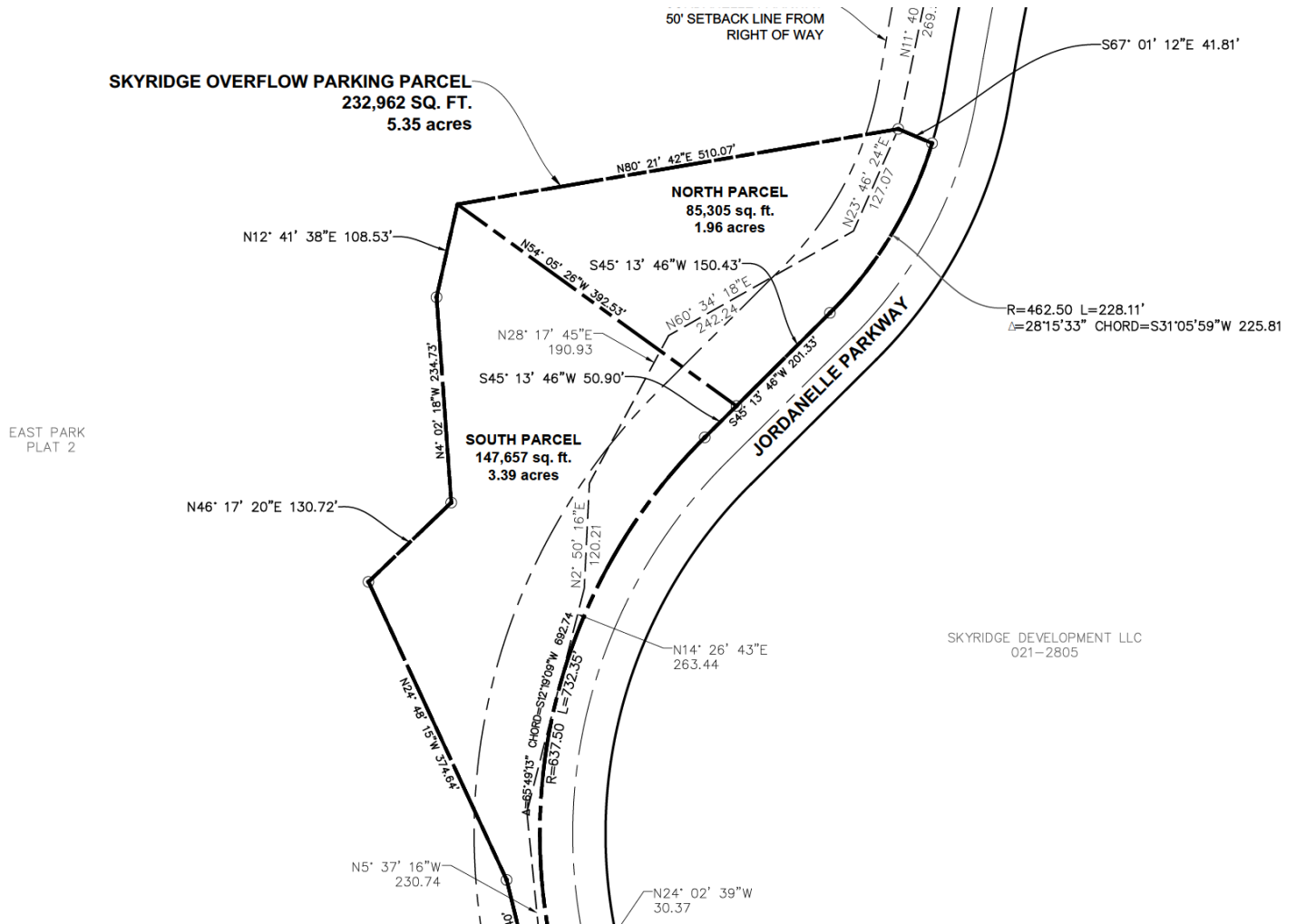
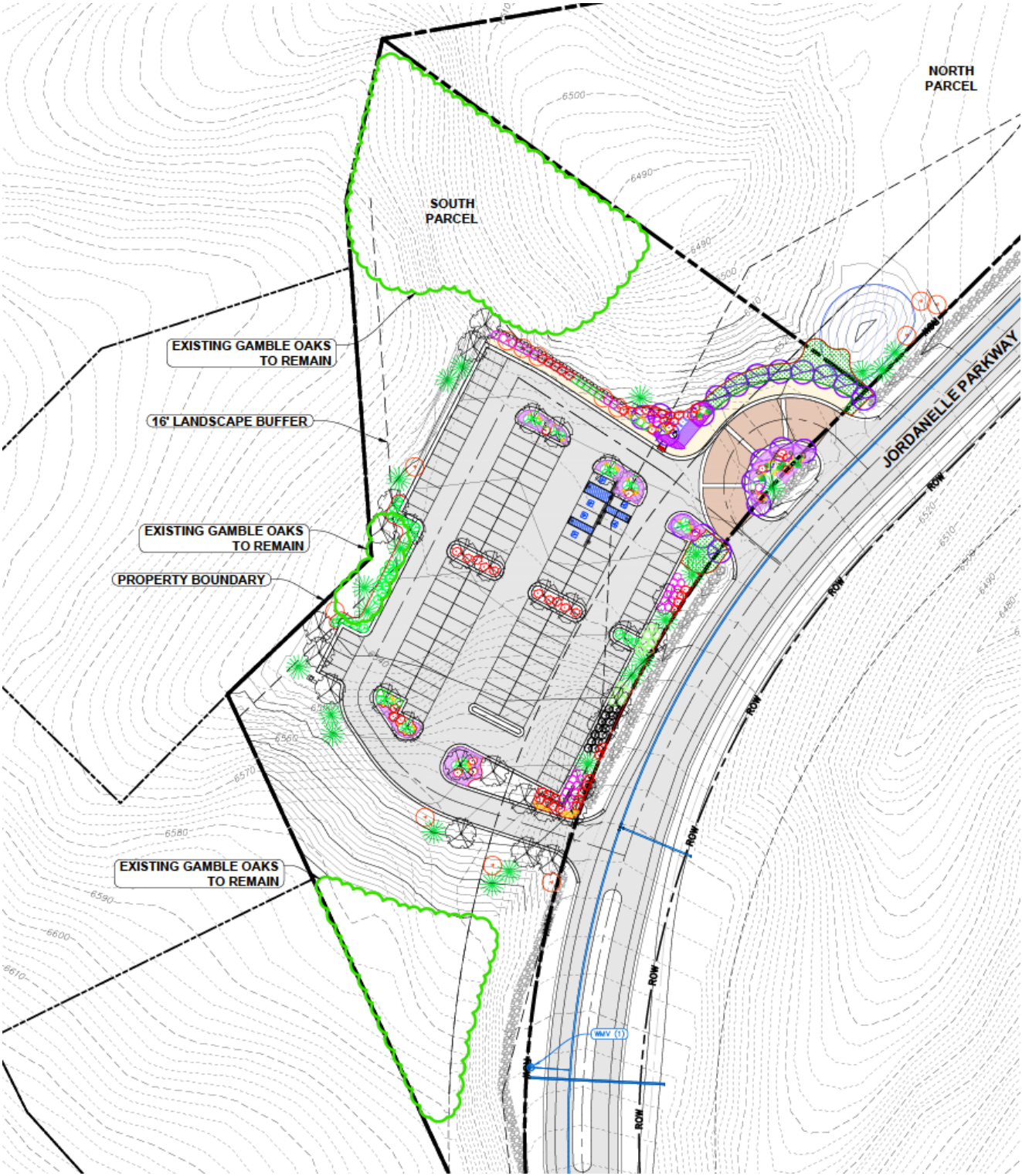




Exhibit D – Proposed site plan for offsite parking

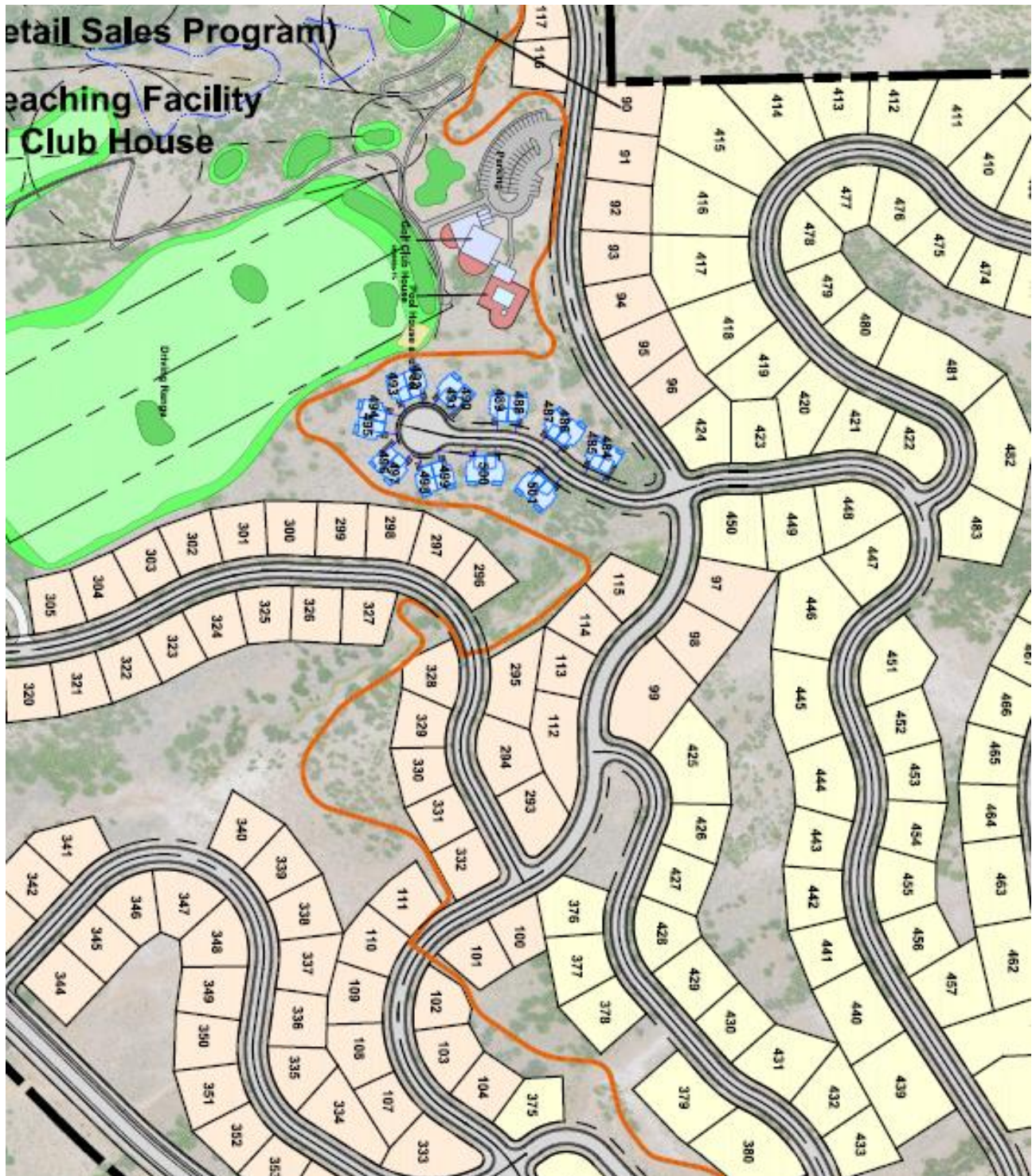




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*Exhibit E – Original master plan with townhouses*

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*Exhibit F – Lodge site plan and landscape plan*

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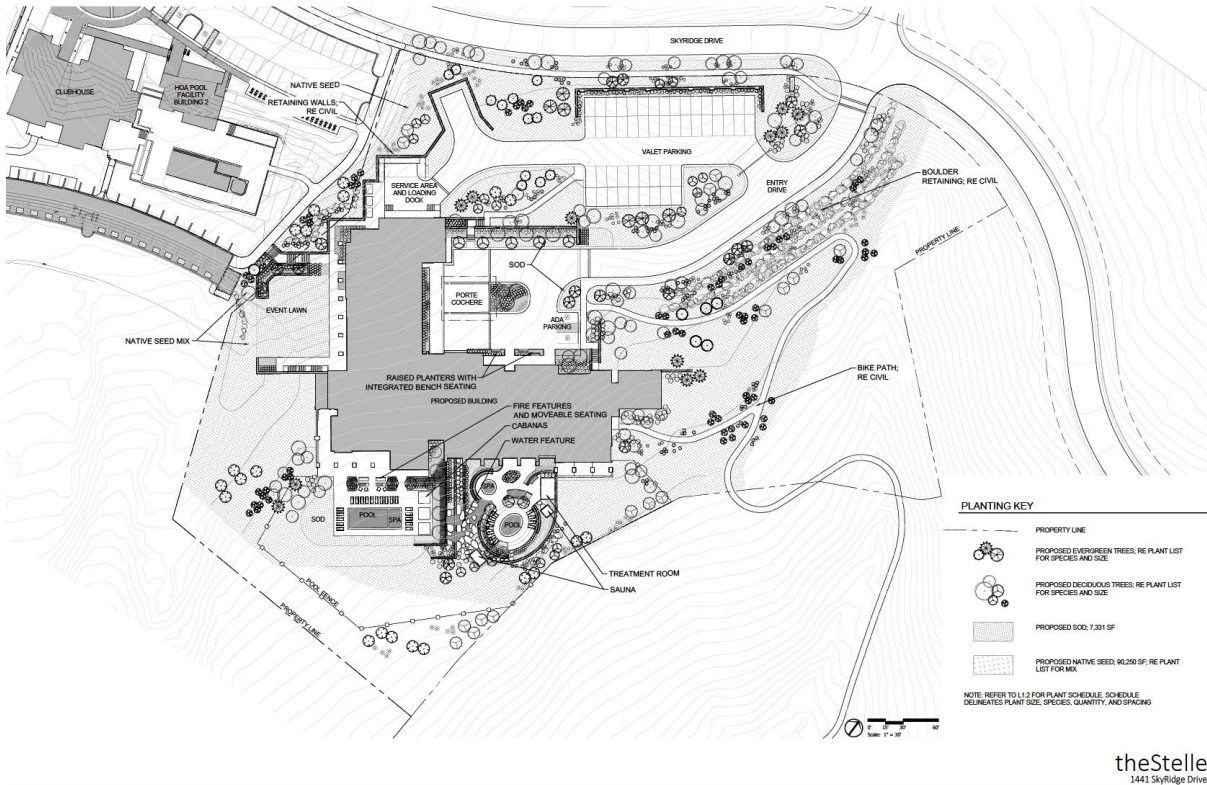
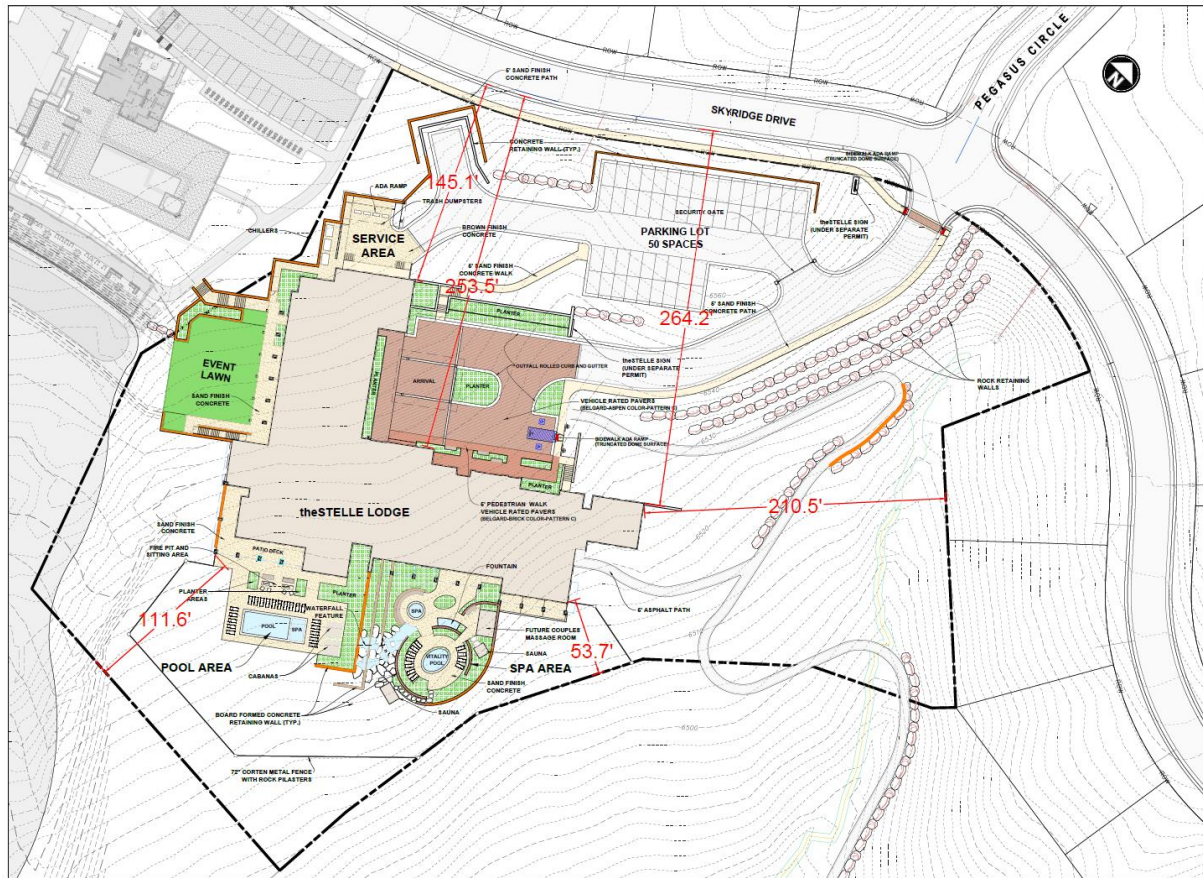
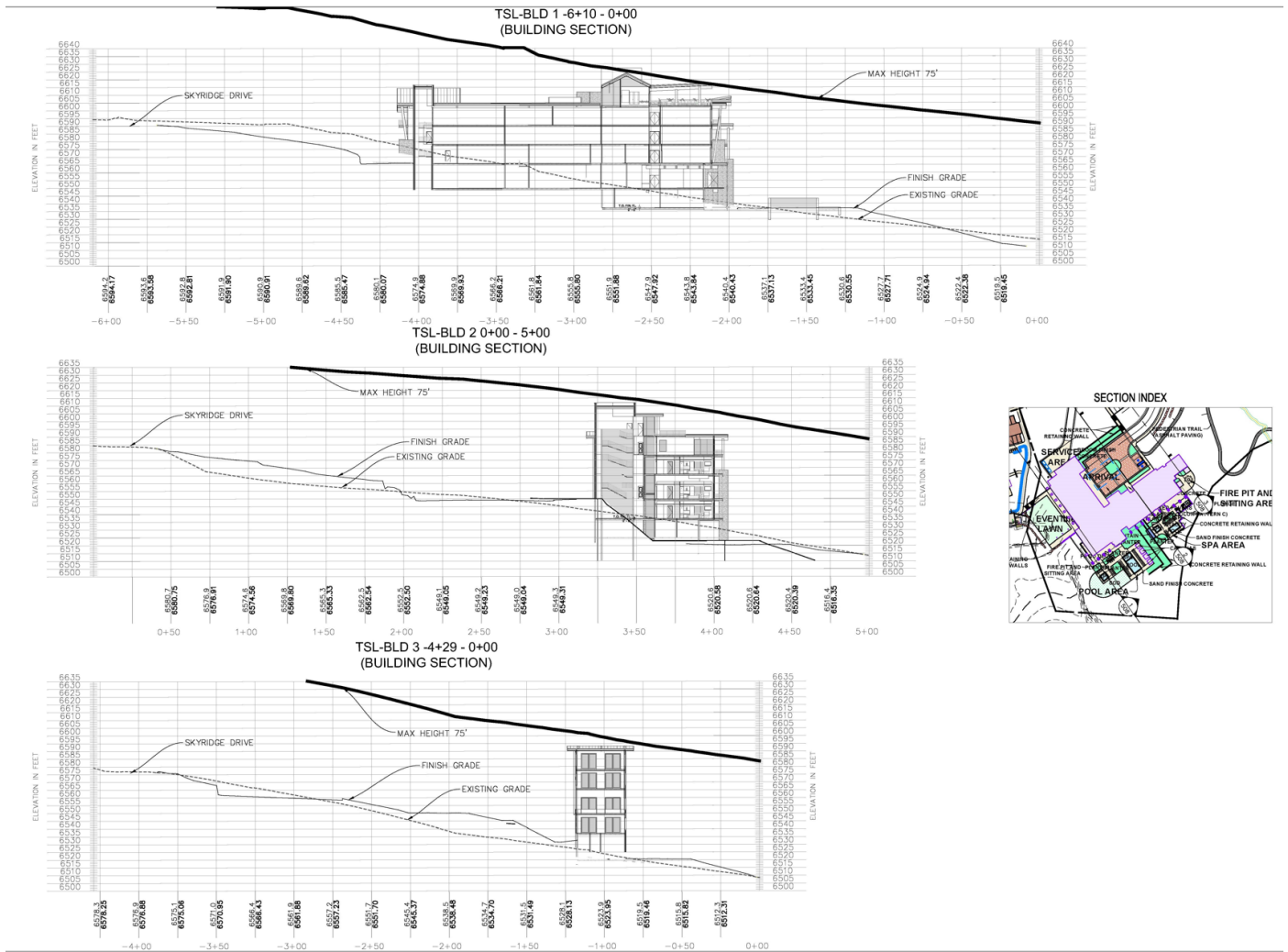


Exhibit G – Cross sections of Lodge from SkyRidge Drive



## Exhibit H – Report of Action Work Meeting Review of Lodge



Wasatch County JSPA Planning Committee  
**Report of Action**  
27-February-2024

*Committee Member Bill Redkey was present as Chair.*

**ITEM #2** – Presentation and discussion regarding the SkyRidge golf lodge and associated parking. This item is a work meeting discussion only and will not require any action by the Committee. (Doug Smith)

**STAFF PRESENTATION** - The Staff Report to the JSPA Planning Committee provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

**APPLICANT AND PUBLIC COMMENT** - Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the JSPA Planning Committee. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Allison Aefedt went through a power point presentation of the location of the lodge and the draft site plan. Allison also was asked about the parking for the site.
- Mr. Koskovich architect mentioned that from SkyRidge Drive he feels it does step with the terrain.
- Rory Heggie from POSS architecture addressed the PC and discussed the driving range separation from the lodge.
- Color samples were handed out to the planning committee.
- Jack Johnson addressed the planning committee about the cascading effect of the building

**JSPA PLANNING COMMITTEE DISCUSSION** - Key points discussed by the JSPA Planning Committee included the following:

- Committee member Hahn mentioned that he likes the building.
- Committee member Meuzelaar mentioned that he liked the building but felt that the base should be spread out more. Possibly with some attached pergolas.
- Committee member Whitchurch asked about making the building feel like it is stepping down the grade more.
- The 10 columns were discussed and breaking those up so they look better and do not obstruct views.
- Committee member Whitchurch asked about what would be on the roof. Will it all be mechanical equipment? It was stated that the mechanical equipment would be screened and vents ganged.

**MOTION**

**\*NO MOTION NEEDED. THIS IS A DISCUSSION ITEM ONLY.**

Committee member \_\_\_\_\_ made a motion \_\_\_\_\_  
Committee member \_\_\_\_\_ seconded the motion.

**VOTE**      ( \_\_\_\_ TO \_\_\_\_ )

|                 |     |     |         |                |     |     |         |
|-----------------|-----|-----|---------|----------------|-----|-----|---------|
| Bill Redkey     | AYE | NAY | ABSTAIN | Craig Hahn     | AYE | NAY | ABSTAIN |
| Robert Holmes   | AYE | NAY | ABSTAIN |                |     |     |         |
| Peter Meuzelaar | AYE | NAY | ABSTAIN | Ray Whitchurch | AYE | NAY | ABSTAIN |

\_\_\_\_\_  
Wasatch County JSPA Planning Committee - Chairman

The Staff Report is a part of the record of the decision of this item. Where findings of the JSPA Planning Committee differ from findings of Staff, those will be noted in this Report of Action. Official action of the JSPA Planning Committee on this item is subject to the approved minutes.

*Exhibit I – LSC Parking Summary*

## **Executive Summary:**

The parking study for the Stelle Lodge evaluated several factors, including peer community rates from other similar mountain resorts and Urban Land Institute Data, seasonal variations, and shared parking opportunities, to determine the optimal parking space allocation. The study concluded that the Lodge can effectively meet its parking needs by utilizing shared parking with the nearby SkyRidge Clubhouse, on-site parking, and offering off-site parking with shuttle services for employees and special events.

The seasonal demand for Clubhouse parking was determined by considering the higher summer activity levels compared to the reduced winter usage, allowing the lodge to use the excess parking at the clubhouse during the colder months. The parking demand for lodge amenities, such as dining and spa facilities, was minimized since these amenities primarily serve hotel guests who already have allocated parking. Furthermore, public use of these amenities is expected to be minimal, with residents having convenient non-auto access to the Lodge.

During peak winter demand, 87 spaces are needed for guests (assuming full lock-off units), with an additional 50 spaces for staff, resulting in a total demand of 137 spaces. In the summer, the demand slightly decreases. The shared parking approach, which takes advantage of differing peak times and seasons between the Lodge and the Clubhouse, further reduces the overall parking requirement. The parking requirement at the Lodge is a minimum of 44 parking spaces and off-site parking will be utilized for employee parking, guest over-flow and special events. These recommendations align with both local conditions and recognized industry standards, ensuring that the lodge's parking needs are adequately met.

## **Supporting Factors:**

### **Clubhouse Seasonal Demand Determination**

The study determines the difference between winter and summer parking demand by considering the seasonal changes in activity levels at the clubhouse, the types of activities that occur in each season, and the resulting changes in how people travel to the site. The summer season has higher demand due to more outdoor activities and a higher number of visitors then, while winter demand is lower, reflecting the reduced use of the clubhouse's facilities (i.e. golf course and driving range) during colder months allowing the Lodge to use the Clubhouse's excess parking.

### **Amenity Parking Demand**

In standard engineering practice the ITE (Institute of Transportation Engineers) defines hotels as a place of lodging that provides sleeping accommodations and supporting facilities such as a full-service restaurant, cocktail lounge, meeting rooms, banquet room, and convention facilities. A hotel typically provides a swimming pool or another recreational facility such as a fitness room. For a resort hotel, the primary difference is that a resort hotel caters to the tourist and vacation industry, often providing a wide variety of recreational facilities/programs (e.g., golf courses, tennis courts, beach access, or other amenities) rather than convention and meeting business. Per the definition of a hotel and resort hotel, amenities provided at the Stelle Lodge are considered



accessory uses and do not require a separate parking analysis as it is included in the base hotel rate.

When amenities like dining or spa facilities are primarily used by hotel guests, the parking spaces required for these amenities can be “discounted” because the guests already have allocated parking spaces. Residents in the SkyRidge Community have easy walking, biking, ebiking, and shuttle access to the Lodge. By primarily serving lodge guests, using shared parking strategies, anticipating lower public use, encouraging non-auto travel, and managing event parking separately—explains why the study does not call for a significant amount of parking specifically for public users of the Lodge restaurant and spa. Though the public will be able to utilize the Lodge’s valet-only service. This reduces the overall parking requirement compared to a scenario where each use would be parked independently.

### **Employee Parking**

Employee parking demand in the Lodge parking study is calculated by first identifying the peak number of employees expected to be on-site, which was determined to be 72. The study then considers that 10% of these employees are likely to use non-auto transportation modes, such as public transit, biking, or walking, reducing the number of cars needing parking spaces. Additionally, the study accounts for carpooling, assuming an average vehicle occupancy of 1.3 employees per car. This results in a parking demand rate of 0.69 spaces per employee. By multiplying this rate by the total number of employees, the study concludes that approximately 50 parking spaces are needed for employees. These spaces are divided between on-site and off-site locations, with 10 spaces reserved on-site and the remaining 40 spaces provided off-site, with shuttle services to transport employees as needed. This approach ensures that employee parking needs are met efficiently without overburdening the on-site parking facilities.

### **Industry Standards**

The parking study for the Lodge reviewed industry standards and peer comparisons from similar mountain resort communities to establish appropriate parking demand rates. The analysis included data from similar mountain resorts in Colorado, Utah, and California. The average parking rate across these communities was 0.97 spaces per lodging room, with the most common rate being 1.00 space per guest room.

Additionally, a study conducted by Hales Engineering at properties near a Park City ski resort showed an average guest parking demand of 0.68 spaces per occupied unit, with the 85th percentile at 0.99 spaces per unit. The Urban Land Institute’s (ULI) Shared Parking guidelines also provided a relevant standard, recommending 1.15 spaces per unit, including employee parking.

Based on these comparisons, the study recommended parking-demand rates of 1.00 space per one-bedroom unit, 1.25 spaces per two-bedroom unit, and 1.50 spaces per three-bedroom unit for the Lodge. These recommendations align with both local conditions and recognized industry standards, ensuring that the lodge’s parking needs are adequately met.

Exhibit N (SkyRidge tgrip generation memo from Hales engineering)



**MEMORANDUM**

Date: February 10, 2021

To: Doug Smith

From: Hales Engineering

Subject: Wasatch County – Skyridge Trip Generation

UT21-1847

This memorandum discusses the study completed for the Skyridge development in Wasatch County, Utah. A trip generation analysis was performed on both the old and new master plans. The new master plan would remove the 18 townhomes and add 70 hotel-condo and 16 affordable apartment-style units and increase the clubhouse size from 15,000 sq. ft. to 20,000 sq. ft. From this, it was determined that the changes would add a total of 29 trips during an average weekday evening peak hour. This increase is likely not enough to significantly impact the operations of the road network.

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1220 North 500 West, Ste. 202 Lehi, UT 84043 p 801.766.4343  
www.halesengineering.com



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*Exhibit K – Renderings of Lodge and materials*

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1 DR - NORTH ELEVATION  
SCALE 1/16" = 1'-0"



2 DR - EAST ELEVATION



1 DR - SOUTH ELEVATION  
SCALE 1/16" = 1'-0"





2 DR - WEST ELEVATION  
SCALE 1/16" = 1'-0"

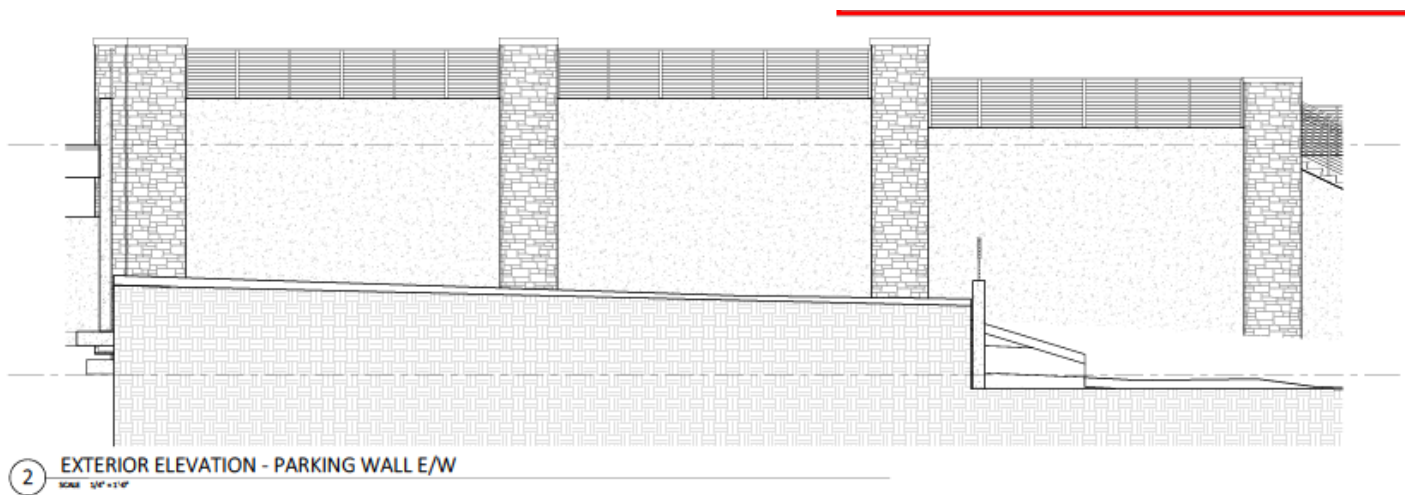
**Will follow JSPA Design Guidelines. See SP2 - Architectural Drawings and Exterior Materials Details Below:**

| MATERIAL KEY                                                                        |                                                                |                                                                                      |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------------------------|
| HATCH                                                                               | MATERIAL                                                       | IMAGE                                                                                |
|  | STONE - SILVER LEDGE<br>39% BLDG COVERAGE                      |  |
|  | SIDING - HEWN / WOOD LOOK<br>FIRE TREATED<br>26% BLDG COVERAGE |  |
|  | METAL PANEL<br>3% BLDG COVERAGE                                |  |
|  | GLAZING<br>32% BLDG COVERAGE                                   |  |
|                                                                                     |                                                                | STANDING SEAM METAL<br>ROOF - DARK GRAY                                              |

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*Exhibit L – Retaining wall example at lodge parking area*

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*Exhibit M – Landscape buffer between lodge and existing homes*

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Exhibit N – ERU breakdown for lodge units

|  <b>theStelle Lodge</b> |              |           |                 |                 |               |  |       |
|----------------------------------------------------------------------------------------------------------|--------------|-----------|-----------------|-----------------|---------------|-------------------------------------------------------------------------------------|-------|
| Program Summary - 07/03/2024                                                                             |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
| ROOM TYPE                                                                                                | UNIT SQ. FT. | ROOM KEYS | NUMBER OF UNITS | % OF UNIT TYPES | TOTAL SQ. FT. | TOTAL ROOM KEYS                                                                     | ERU'S |
| Studio                                                                                                   | 550          | 1         | 21              | 32%             | 11,555        | 21                                                                                  | 6.93  |
| Studio Suite                                                                                             | 772          | 1         | 2               | 3%              | 1,544         | 2                                                                                   | 1.00  |
| Double Studio                                                                                            | 900          | 2         | 4               | 6%              | 3,703         | 8                                                                                   | 2.00  |
| 1 Bed Suite                                                                                              | 900          | 1         | 19              | 29%             | 16,621        | 19                                                                                  | 9.50  |
| 2 Bed Bunkroom Suite                                                                                     | 1,245        | 1         | 8               | 12%             | 9,960         | 8                                                                                   | 6.00  |
| 2 Bed Suite                                                                                              | 1,476        | 2         | 8               | 12%             | 11,808        | 16                                                                                  | 6.00  |
| 3 Bed Suite                                                                                              | 2,051        | 2         | 3               | 5%              | 6,153         | 6                                                                                   | 3.00  |
| TOTALS                                                                                                   |              |           | 65              |                 | 61,344        | 80                                                                                  | 34.43 |
| Note: Commercial square footage does not count towards ERU's                                             |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
| MIDA HOUSING UNITS                                                                                       | UNIT SQ. FT. | ROOM KEYS | NUMBER OF UNITS |                 |               |                                                                                     |       |
| Studio                                                                                                   | 554          | 1         | 1               |                 |               |                                                                                     |       |
| 1 Bed Suite                                                                                              | 808          | 1         | 1               |                 |               |                                                                                     |       |
| 3 Bed Suite                                                                                              | 1,982        | 2         | 1               |                 |               |                                                                                     |       |
| TOTALS                                                                                                   | 3,344        | 4         | 3               |                 |               |                                                                                     |       |
| Note: MIDA Housing Units do not count towards ERU's                                                      |              |           |                 |                 |               |                                                                                     |       |

| SKYRIDGE - ERU DISTRIBUTION   |                     |            |
|-------------------------------|---------------------|------------|
| SUBDIVISION #                 | NAME                | LOTS/ERU's |
| 1                             | Orion               | 39         |
| 2                             | Ursa                | 43         |
| 3                             | Constellation       | 54         |
| 4                             | Gemini              | 44         |
| 5                             | Leo                 | 13         |
| 9                             | Centaur             | 16         |
| 6                             | Aries               | 25         |
| 7                             | Capricorn           | 18         |
| Recorded Lots                 |                     | 252        |
| 8A                            | Pegasus             | 45         |
| 8B                            | Pegasus             | 46         |
| Approved Lots                 |                     | 91         |
| 10                            | Lyra Cabins         | 19         |
| 12                            | Pisces Cabins       | 34         |
| Future Cabin Product          |                     | 53         |
| 8C                            | Pegasus             | 9          |
| 11 & 13                       | Future Subdivisions | 61         |
| -                             | Ranch Lots          | 2          |
| Total Future Lots to Process  |                     | 72         |
| Lodge                         | theStelle Lodge     | 35         |
| Total SkyRidge Approved ERU's |                     | 503        |





**Wasatch County  
DESIGN REVIEW  
COMMITTEE (DRC)  
COMMENTS**

PROJECT ID: DEV-9177  
PROJECT NAME: FINAL SITE - SKYRIDGE GOLF LODGE  
VESTING DATE: 4/12/2024  
REVIEW CYCLE #: 4

---

**REVIEW CYCLE STATUS: READY FOR DECISION**

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

**When uploading revisions please name your documents exactly the same as it was previously uploaded. Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.**

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

| Entity                | Decision           |
|-----------------------|--------------------|
| Environmental Quality | Ready for Decision |
| Fire SSD              | Ready for Decision |

**Approved** = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

**Ready for Decision** = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

**Changes Required** = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

**No Action** = Reviewing entity has not taken any action for the review cycle.

## OVERALL PROJECT COMMENTS

| DRC Project Comments |                      |                                                             |
|----------------------|----------------------|-------------------------------------------------------------|
| Comment ID           | Entity               | Comment                                                     |
| DRC-JSSD1            | DRC - Jordanelle SSD | Continue plan review with District engineer and JSSD staff. |

## PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

| DRC - Engineering Dept |                         |                                                                                                                                   |
|------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Comment ID             | Sheet Name              | Comment                                                                                                                           |
| DRC-ENG2               | 05 - Final Grading Plan | Rock retaining walls higher than 4' will have to be stamped by a professional geotechnical engineer.                              |
| DRC-ENG7               | 12 - Landscape Plan     | On sheet IR200, it appears the water for irrigation will be tapped into the main line in SkyRidge Drive. Not going to allow that. |
| DRC-ENG8               | 10 - Street Plan        | As a condition of approval, fall protection must meet IBC. Handrails will be required on all retaining walls if required.         |

**FOURTH AMENDMENT TO LAKESIDE NORTH MASTER PLAN  
DEVELOPMENT AGREEMENT**

This FOURTH Amendment to Development Agreement (“Amendment”) is entered into this \_\_\_\_ day of \_\_\_\_\_ 2024, by and between Jordanelle Land Investors, LLC, a Utah limited liability company, SkyRidge Development LLC, a Utah limited liability Company, SkyRidge Golf Academy, Inc, a Utah Corporation, Jordanelle Golf Lodge, LLC, a Utah limited liability Company, and Wasatch County (collectively, the “Parties”).

WHEREAS, the Parties entered into the Lakeside North Master Plan Development Agreement (the “Original DA”) on January 26, 2018, which is recorded as Entry #447878 in the recorder’s office of Wasatch County;

WHEREAS, this Fourth Amendment only applies to the Lodge Parcel, as shown in Exhibit Ad4 - A (“Lodge Parcel”), the Parking Parcel, as shown in Exhibit Ad4 - A (“Parking Parcel”), the Golf Academy Parcel, as shown in Exhibit Ad4 - A (“Golf Academy Parcel”). 14 ERU’s have been deleted from the Subdivisions listed in Preliminary plan from the 3<sup>rd</sup> Amended DA, so as to facilitate the 35 ERU’s on the Lodge Parcel, as shown in Exhibit Ad4 – A, which Lodge Parcel, Parking Parcel, Golf Academy Parcel are collectively referred to as the Amendment Property (“Amendment Property”); and

WHEREAS, the Parties entered in the First Amendment to the Lakeside North Master Plan Development Agreement (the “1st Amended DA”) on May 17, 2019, which is recorded as Entry #463725 in the recorder’s office of Wasatch County;

WHEREAS, the Parties entered in the Second Amendment to the Lakeside North Master Plan Development Agreement (the “2nd Amended DA”) on December 22, 2020, which is recorded as Entry #491157 in the recorder’s office of Wasatch County;

WHEREAS, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council on March 3, 2021, which changes included allowing the Golf Academy Lodging Facility (“Lodge”) as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA; and

WHEREAS, the master plan amendments granted on March 3, 2021 also approved certain amenities including parking on the Parking Parcel; and

WHEREAS, the Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the “3<sup>rd</sup> Amended DA”) on August 12, 2021, which is recorded as Entry #505907 in the recorder’s office of Wasatch County;

WHEREAS, the 3<sup>rd</sup> Amended DA, the 2nd Amended DA, 1st Amended DA and the Original DA are collectively called the DA in this Amendment (collectively, the “DA”); and

WHEREAS, in the course of considering and approving the Site Plan for the Lodge, the



Site Plan for the Parking Parcel (providing off-site parking for the Lodge, and a small scale final subdivision for the Lodge, collectively, the Applications,, (“Applications”), which will be processed concurrently, Developer requested limited changes and clarifications to the Final Approval for the SkyRidge Subdivision SkyRidge Lodge Parcel, Plat 3C as it applies to the Lodge, and also changes and clarifications to the Welcome Center (now the Parking Parcel providing off-site parking for the Lodge) and adjacent uses as shown in the 3<sup>rd</sup> Amended DA, including Exhibit O thereto, and the associated preliminary plan, so as to facilitate that properties use as off-site parking for the Lodge; and

WHEREAS, on [date of JSPA PC hearing], following review and recommendation by the County’s Development Review Committee, and after notice as required, the Applications were recommended at a public hearing by the Wasatch County JSPA PC (“JSPA PC”) to the County legislative body; and

WHEREAS, on [date of Planning Commission hearing], following review and recommendation by the County’s Development Review Committee, JSPA PC and after notice as required under Utah Code §17-27a-205, the Applications were considered at a public hearing by the Wasatch County Planning Commission (“Planning Commission”) to the County legislative body; and

WHEREAS, the Planning Commission also recommended that this Agreement be forwarded for consideration by the County’s legislative body (“County Council”, further defined below);

WHEREAS, this Agreement is a legislative development agreement in connection with which the Applications are also being considered and approved, the County Council will serve as the land use authority for the Applications (*See* Section 16.01.05 of the County Code; Utah Code §17-27a-103, 501, 528); and

WHEREAS, On [date of County Council hearing], after notice as required under Utah Code § 17-27a-205, the County Council adopted Ordinance No. [insert ordinance number] (“Golf Lodge Ordinance”) approving the Applications and this Agreement; and

WHEREAS, the Parties intend that this Agreement, and the County’s approval of this Agreement pursuant to the Golf Lodge Project Ordinance, constitute a Land Use Regulation, as that term is defined in Utah Code § 17-27a-103; and

WHEREAS, due to the very limited circumstances in which a Lodge such as this would be applied for in the County, and the very limited circumstances existing here, as described below, which justify allowing the uses or development of land that applicable land use regulations governing the area would otherwise prohibit, the County Council has elected to authorize this Agreement rather than amend the Wasatch County Code; and

WHEREAS, this Amendment modifies the DA only to the extent it varies from the DA, but otherwise does not modify the DA, or the Preliminary except for the deletion of a parcel to maintain the required ERU numbers, for the Property, and does not alter the DA as it applies to

any property besides the Amendment Properties; and

WHEREAS, Jordanelle Golf Lodge, LLC and SkyRidge Golf Academy, Inc. hold legal title to the Amendment Property attached as Exhibit Ad4-A to this Amendment; and

WHEREAS, the parties understand and agree that pursuant to Utah Code §17-27a-528(2)(a)(iii), this Agreement allows for the “use or development of land that applicable land use regulations governing the area subject to this Agreement would otherwise prohibit” because the County’s “legislative body has approved this Agreement in accordance with the same procedures for enacting a land use regulation;” and

WHEREAS, this Agreement has been approved according to the processes set forth in Utah Code §17-27a-502; and

WHEREAS, the uses and Development rights that the otherwise applicable land use regulations may prohibit are set forth in Sections 3-6 of this Agreement, however, except as expressly set forth in this Agreement, Development of the Project will be pursuant to, and comply with, the County Code, other provisions of Applicable Law, and the DA; and

WHEREAS, after entering into the DA, the parties recognized that certain terms in the DA were not helpful for the practical application of the DA;

WHEREAS, the Parties have agreed to revise and amend certain terms in the DA.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and provisions set forth herein, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

### **AGREEMENT**

1. **Amendment to Recitals.** The Recitals of this Amendment are hereby adopted.
2. **SkyRidge Amenities and Recreation Facilities.** The row of the table shown in Section 3.1(b)(9) of the DA for Permitted Recreational Facility is modified as follows:

| SkyRidge Amenities and Recreation Facilities                  |                                                                                                                                                                                 |                                                                                             |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <b><u>Amenity or Recreational Facility</u></b>                | <b><u>Description</u></b>                                                                                                                                                       | <b><u>Date of Substantial Completion and Maintenance Responsibility</u></b>                 |
| <del>Permitted Recreational Facility:</del><br>Welcome Center | Welcome Center with buildings up to 1,500 square feet that includes Tennis Court and Pickle Ball Courts. These courts shall be open to the public and is depicted in Exhibit O. | At developer's discretion (anticipated in Phase 2)<br>Maintained by Master Developer or HOA |

|                                               |                                                                                                                                                                                                      |                                                                                                                   |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|                                               |                                                                                                                                                                                                      |                                                                                                                   |
| Required - Off-Site Parking Lot               | Parking Lot and Associated Landscaping Improvements as depicted in Exhibit Ad-4 O.                                                                                                                   | Prior to Certificate of Occupancy for any portion of the Golf Lodge. Maintained by the Owner of the Lodge Parcel. |
| Conditionally Required Amenity-Community Park | A park as shown in the Preliminary Application and as shown in Exhibit L, which includes a pavilion with picnic tables in compliance with the JSPA Handbook (including materials), and trails to it. | Within in 12 months of a Certificate of Occupancy being issued for the Golf Lodge                                 |

Additionally, Exhibit O to the DA is hereby superseded and replaced as depicted in Exhibit Ad-4 O.

**3. Site Plan for SkyRidge Golf Lodge.** Section 3.1(b)(17) of the DA for Construction of Golf Lodge is superseded and replaced as follows:

(17) *Construction of SkyRidge Golf Lodge.* Notwithstanding any contrary provision of the County Code, Developer may construct the Lodge as shown in Exhibit Ad4-M. In 2021, the Council approved up to 27 ERU's for the Lodging Facility, with 18 ERU's coming from the removal of the 18 ERU's of townhome product in the location of the Lodge and allowing for the 9 ERU's to be deleted from other phases of the Project. The Developer will show an ERU accounting with each phase for final subdivision approval to show from the total ERU's do not exceed 503 ERU's. The Developer has reduced 17 ERU's from Preliminary Plan Subdivisions to facilitate the Lodging Facility using 35 ERU's. The Developer may use up to 35 Residential ERU's of the Project's total 503 Residential ERU's in such Lodging Facility in a condominium configuration that shall be available for nightly rental as long as the total ERU's do not exceed 503. The primary reason the ERU's increased from 27 ERU's to 35's ERU's is due to the studio units increasing slightly in size from 495 sq. ft. to 555 sq. ft. to fit better with a mountain resort property. Lodge commercial space, common area, back of house space and administrative areas shall not count against Residential ERU's. Allocation of these 35 Residential ERU's will be determined by unit size square footage as outlined in Title 16 of the Wasatch County Code by unit square footage as follows:

| <u>UNIT SIZE</u>                                                                           | <u>ERU'S</u> |
|--------------------------------------------------------------------------------------------|--------------|
| Not to exceed 500 sf including bathroom areas, but not including corridors outside of room | 0.25         |
| Not to exceed 700 sf including bathroom areas but not corridors outside of rooms           | 0.33         |
| Not to exceed 1000 sf and not to exceed 1 1/2 baths                                        | 0.5          |
| Not to exceed 1500 sf                                                                      | 0.75         |
| Over 1500 sf                                                                               | 1.00         |



Pursuant to the Site Plan, the Lodge will be developed in accordance with the following:

|  <b>theStelle Lodge</b><br>Program Summary - 07/03/ 2024 |              |  |                 |                 |               |                 |              |
|-------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------|-----------------|-----------------|---------------|-----------------|--------------|
| ROOM TYPE                                                                                                                                 | UNIT SQ. FT. | ROOM KEYS                                                                           | NUMBER OF UNITS | % OF UNIT TYPES | TOTAL SQ. FT. | TOTAL ROOM KEYS | ERU'S        |
| Studio                                                                                                                                    | 550          | 1                                                                                   | 21              | 32%             | 11,555        | 21              | 6.93         |
| Studio Suite                                                                                                                              | 772          | 1                                                                                   | 2               | 3%              | 1,544         | 2               | 1.00         |
| Double Studio                                                                                                                             | 900          | 2                                                                                   | 4               | 6%              | 3,703         | 8               | 2.00         |
| 1 Bed Suite                                                                                                                               | 900          | 1                                                                                   | 19              | 29%             | 16,621        | 19              | 9.50         |
| 2 Bed Bunkroom Suite                                                                                                                      | 1,245        | 1                                                                                   | 8               | 12%             | 9,960         | 8               | 6.00         |
| 2 Bed Suite                                                                                                                               | 1,476        | 2                                                                                   | 8               | 12%             | 11,808        | 16              | 6.00         |
| 3 Bed Suite                                                                                                                               | 2,051        | 2                                                                                   | 3               | 5%              | 6,153         | 6               | 3.00         |
| <b>TOTALS</b>                                                                                                                             |              |                                                                                     | <b>65</b>       |                 | <b>61,344</b> | <b>80</b>       | <b>34.43</b> |
| <i>Note: Commercial square footage does not count towards ERU's</i>                                                                       |              |                                                                                     |                 |                 |               |                 |              |
| MIDA HOUSING UNITS                                                                                                                        | UNIT SQ. FT. | ROOM KEYS                                                                           | NUMBER OF UNITS |                 |               |                 |              |
| Studio                                                                                                                                    | 554          | 1                                                                                   | 1               |                 |               |                 |              |
| 1 Bed Suite                                                                                                                               | 808          | 1                                                                                   | 1               |                 |               |                 |              |
| 3 Bed Suite                                                                                                                               | 1,982        | 2                                                                                   | 1               |                 |               |                 |              |
| <b>TOTALS</b>                                                                                                                             | <b>3,344</b> | <b>4</b>                                                                            | <b>3</b>        |                 |               |                 |              |
| <i>Note: MIDA Housing Units do not count towards ERU's</i>                                                                                |              |                                                                                     |                 |                 |               |                 |              |

- MIDA Housing Units:** certain parties entered into a Tax Sharing and Reimbursement Agreement with the Military Installation Development Authority ("MIDA") on October 1, 2021 as part of the creation of the MIDA Golf and Equestrian Center Public Infrastructure District where by the Parties shall donate to MIDA a minimum of two

condominiums ("MIDA Housing Units") consisting of a minimum of 3,250 residential square footage in the SkyRidge Golf Lodge upon the issuance of a Certificate of Occupancy. Upon issuance of the Certificate of Occupancy, the MIDA Housing Units will be property owned by MIDA in the MRF Project Area and may then fall under Section 3(v) of the Restated and Amended West Side Interlocal Cooperation Agreement between MIDA and Wasatch County that was entered into on March 7, 2023. Pursuant to WCC 16.41.02.2.1.2.1, the assigned ERU value may be adjusted by the Legislative Body, after recommendation for or against by the JSPA PC. The ERU value may also be adjusted pursuant to this legislative development agreement pursuant to UCA § 17-27a-528. Due to the fact that this property is under contract to be owned by MIDA under the Tax Sharing and Reimbursement Agreement, based the Interlocal Agreement which exempts MIDA owned properties, in accordance with the spirit of the MIDA project in Wasatch County which includes assistance to the military, the fact that MIDA will use the MIDA housing units to support military use of the facility, and due to the fact that the MIDA owned property in the future could be subject to MIDA land use authority and then may not count as ERU's under Wasatch County land use authority, the MIDA Housing units listed in the table in Section 3 above will not count towards the ERU value for the Project.

**Height of the Lodge:** Notwithstanding any contrary provision of the County Code, the Lodge may exceed the otherwise applicable height allowed in the Overlay Zone, subject to the limitations of this Section and its subparts. The Lodge must not exceed the height as depicted in Exhibit Ad4-Height. The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street, will be an appropriate scale and will fit in with the surrounding uses and residential and clubhouse structures. The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. The height of the Lodge from the elevation of the curb at the street in front of the lodge is approximately 34 feet with a front setback of approximately 13090 feet from the road. The provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of MIDA of facilitating recreation facilities for military personnel, and the additional height helps facilitate this purpose in a feasible manner. Moreover, in certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. *See* Section

16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height, confirm that the maximum height provided for below is appropriate for the Property. The County Council unanimously Approved the Amended Master Plan with SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

**6. Parking for Lodge:** Notwithstanding any contrary provision of the County Code, the parking for the Lodge is approved as shown in Exhibit Ad4-Parking ("Lodge Parking"). The County agrees that a distinction from the more typical parking requirement in the Overlay Zone is appropriate for a number of reasons. The JSPA typically requires the provision of WCC 16.33.07 & 16.41.5.8 to be followed, which requires the parking to be on-site or off-site within 200' of the use. County and Developer agree that all other requirements of WCC 16.33.07 can be complied with except for the off-site parking being within 200', the depth of the stalls being 20', the limit to the number of driveways there can be to a parking area, the requirement that parking be on the rear or side of buildings, and the prohibition on double stacked parking spaces. -The parties agree that the Lodge Parking is consistent with the JSPA vision and purpose statement in JSPA code subsection 1.1.4(I) be adequate and accessible. The Developer is required to always maintain Valet Only Parking on the Lodge Site and shuttle service from the off-site parking when the Lodge is open. The off-site parking area will not be publicly accessed parking but will be valet and lodge employees and guests only. -This will make the parking adequate and accessible. Having employee only parking helps ensure that the 18' depth of the stalls will not be a liability for the patrons or the public. The off-site parking will have a one-way shuttle turn around with a single entrance and exit. Additionally, the parties agree that the Lodge Parking furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. The Lodge parking is Valet Only with double-loaded stalls and shall be located at the front of the building to service Lodge. The Public will have no access to the Lodge parking area and the parking area shall be treated similar to back-of-house space that is accessed only by Lodge employees. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner. Moreover, the Developer has submitted, and the County's independent evaluation has confirmed, that the Lodge Parking is shown to be consistent with other resort developments and communities that have successfully provided parking to world class lodge facilities. The shared parking plan is hereby approved as proposed. Additionally, the parking stalls on the lodge site and with the shared clubhouse parking lot provide the needed parking for the Lodge guests and operations management employees, while the offsite parking will provide the needed parking for event guests and all other employees. All these reasons



together cause the County to approve the Lodge Parking as permitted, and as further detailed in Exhibit Ad4 - O- Parking to meet the parking requirements of the Lodge.

**6.7.Uses:** The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Parking Parcel is in the Open Space portion of the JSPA Zone. The only designation in the JSPA that would have allowed for the Lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area, and the Open Space designation would not normally allow a parking lot. The County Council determines that the Lodge is allowed on the Amendment Property despite any conflict with the uses allowed in the JSPA Zone. Additionally, the offsite parking as depicted in Exhibit Ad4-Parking is allowed as an accessory use to the Lodge, regardless of any standards in the Wasatch County Code to the contrary. The parties agree that the offsite parking on the Parking Parcel and the use of the Amendment Property as a Lodge furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner.

**7.8.Administrative Amendments:** The Lodge Final Site Plan is being approved prior to the completion of construction drawings for the building. It is possible that the Developer will desire slight or minor changes to the building footprint, building exterior, and site plan from the approved Site Plan when the Building Permit is submitted. It is the County's practice, in connection with the prosecution and enforcement of any land use decision, to administratively approve minor, inconsequential modifications, as determined in the discretion of the County. That process and the applicable standards are discussed in Section 16.27.10(D) of the County Code in the context of changes from preliminary approvals to final applications, but the concept is applied in the prosecution and enforcement of final approvals and site plan approvals as well. In accordance with the County's standard practice regarding land use decisions, Developer may, from time to time, propose amendments to the Site Plan, which, if proposed by Developer, may be considered and approved by the planning director, but only if such amendment represents a minor, inconsequential change to the Site Plan, and if such amendment is otherwise in compliance with Applicable Law. Nevertheless, Developer or the planning director, may refer any amendment initially proposed by the Developer to be considered by the applicable land use authority, including the JSPA PC or the County Council for approval.

**8.9.Legislative Approval.** As set forth in the foregoing Recitals, and for the reasons outlined in the forgoing sections, this Amendment Agreement has been approved by the County Council pursuant to Utah Code §17-27a-502 after notice as required under Utah Code

§17-27a-205. Thus, pursuant to Utah Code §17-27a-528, and as set forth in the Recitals, this Agreement Amendment allows uses and Development of land that applicable land use regulations would otherwise prohibit. The County Council finds this Agreement Amendment is consistent with the General Plan in all material respects for this Project, notwithstanding any particular provision or provisions of the General Plan which may be interpreted to be inconsistent with this Agreement Amendment, and regardless of any contrary provision of the County Code. The legislative approval this Agreement only applies to this Amendment Agreement, as opposed to the DA.

**9.10. Effectiveness.** Except as modified hereby, the DA shall remain in full force and effect. On or after the effective date of this Fourth Amendment, each reference in the DA to “this Agreement,” “hereunder,” “hereof,” “herein” or words of like import shall mean and be a reference to the DA as amended by this Fourth Amendment.

sn~ Signature pages follow ~

**WASATCH COUNTY:**

**ATTEST:**

By: \_\_\_\_\_  
Dustin Grabau, Wasatch County  
Manager

\_\_\_\_\_  
Joey Granger, Wasatch County Clerk  
Auditor

STATE OF UTAH            )  
                                          ss:  
COUNTY OF WASATCH )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Dustin Grabau, who executed the foregoing instrument in his capacity as the Wasatch County Manager and by Joey D Granger, who executed the foregoing instrument in her capacity as the Wasatch County Clerk Auditor.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_

**JORDANELLE LAND INVESTORS, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH            )  
                                          ss:  
COUNTY OF SUMMIT )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous, who executed the foregoing instrument in his capacity as the Manager of Jordanelle Land Investors, LLC, a Utah limited liability company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_



**SKYRIDGE DEVELOPMENT, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH )  
 ) ss:  
COUNTY OF SUMMIT )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous who executed the foregoing instrument in his capacity as the Manager of SkyRidgeDevelopment, LLC, a Utah limited liability company.

NOTARY PUBLIC  
Residing at:

**SKYRIDGE GOLF ACADEMY, INC.**, a Utah corporation

By: \_\_\_\_\_  
Tyler Aldous, Secretary

STATE OF UTAH )  
 ) ss:  
COUNTY OF SUMMIT )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous who executed the foregoing instrument in his capacity as the Secretary of SkyRidge Golf Academy, Inc., a Utah corporation.

NOTARY PUBLIC  
Residing at:

**JORDANELLE GOLF LODGE, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH                    )  
                                          ss:  
COUNTY OF SUMMIT        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous, who executed the foregoing instrument in his capacity as the Manager of Jordanelle Golf Lodge, LLC, a Utah limited liability company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_

## EXHIBIT Ad4-A – LEGAL DESCRIPTION

### "Amendment Property"

#### **SKYRIDGE LODGE PARCEL PLAT 3C LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.10 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

THENCE ALONG SAID CONSTELLATION SUBDIVISION BOUNDARY FOR THE NEXT TWO COURSES:

THENCE, S 24° 08' 18" W 110.00 FEET;

THENCE, S 47° 44' 50" E 195.39 FEET;

THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;

THENCE, S 64° 14' 10" W 88.01 FEET;

THENCE, S 47° 28' 34" W 118.36 FEET;

THENCE, S 26° 52' 19" W 122.02 FEET;

THENCE, S 8° 06' 58" W 114.36 FEET;

THENCE, S 3° 36' 04" W 61.71 FEET;

THENCE, N 86° 23' 56" W 261.83 FEET;

THENCE, N 20° 01' 25" W 180.95 FEET;

THENCE, N 13° 10' 37" E 131.17 FEET;

THENCE, N 18° 33' 01" W 144.66 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 530.00 FEET, SAID POINT ALSO BEING THE SOUTHERLY RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

THE NEXT 3 COURSES ARE COMMON WITH THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE AND OF CONSTELLATION SUBDIVISION,

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18° 19' 13" FOR AN ARC DISTANCE OF 169.47 FEET (CHORD OF N 62° 17' 23" E 168.75 FEET);

THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 220.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF BEGINNING.

CONTAINS 5.37 ACRES, MORE OR LESS.



### SKYRIDGE OVERFLOW PARKING PARCEL PLAT 3F LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS N 87° 04' 35" E BETWEEN THE FOUND MONUMENTS FOR THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS N 03° 26' 37" W 566.49 FEET ALONG THE WEST LINE OF SECTION 13 AND EAST 1095.82 FEET FROM THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE CONTINUING ALONG THE WEST BOUNDARY OF THE SKYRIDGE DEVELOPMENT FOR THE NEXT 8 COURSES, N 35° 14' 07" W 88.61 FEET;

THENCE, N 13° 43' 18" W 209.40 FEET;

THENCE, N 24° 48' 15" W 374.64 FEET;

THENCE, N 46° 17' 20" E 130.72 FEET;

THENCE, N 04° 02' 18" W 234.73 FEET;

THENCE, N 12° 41' 38" E 108.53 FEET;

THENCE, N 80° 21' 42" E 510.07 FEET;

THENCE, S 67° 01' 12" E 41.81 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 462.50 FEET, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF THE JORDANELLE PARKWAY, THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28° 15' 33" FOR AN ARC DISTANCE OF 228.11 FEET (CHORD BEARING S 31° 05' 59" W FOR 225.81 FEET);

THENCE CONTINUING ALONG THE SAID RIGHT OF WAY FOR THE NEXT 5 COURSES, S 45° 13' 46" W 201.33 TO A POINT ON A TANGENT CURVE CONCAVE TO THE EAST WITH A RADIUS OF 637.50 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 65° 49' 13" FOR AN ARC DISTANCE OF 732.35 FEET (CHORD BEARING S 12° 19' 09" W FOR 692.74 FEET);

THENCE, S 20° 35' 27" E 51.19 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE WEST WITH A RADIUS OF 462.50 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05° 27' 40" FOR AN ARC DISTANCE OF 44.08 FEET (CHORD BEARING S 17° 51' 37" E FOR 44.07 FEET);

THENCE LEAVING SAID RIGHT OF WAY, S 34° 41' 29" W 16.44 FEET;

TO THE POINT OF BEGINNING.

CONTAINS 5.35 ACRES, MORE OR LESS.

## SKYRIDGE GOLF ACADEMY PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.02 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE; THENCE ALONG SAID CONSTELLATION SUBDIVISION BOUNDARY FOR THE NEXT TWO COURSES; THENCE, S 24° 08' 18" W 110.00 FEET;

THENCE, S 47° 44' 50" E 195.39 FEET;

THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;

THENCE, S 64° 14' 10" W 88.01 FEET;

THENCE, S 47° 28' 34" W 118.36 FEET;

THENCE, S 26° 52' 19" W 122.02 FEET;

THENCE, S 8° 06' 58" W 114.36 FEET;

THENCE, S 3° 36' 04" W 99.92 FEET;

THENCE, S 0° 24' 56" E 225.58 FEET;

THENCE, S 23° 10' 17" E 418.43 FEET;

THENCE, S 9° 09' 37" W 203.57 FEET;

THENCE, S 18° 25' 16" W 74.37 FEET;

THENCE, S 48° 52' 00" E 141.63 FEET;

THENCE, S 11° 17' 26" W 23.20 FEET;

THENCE, S 40° 17' 40" E 95.33 FEET;

THENCE, S 48° 09' 37" W 110.00 FEET;

THENCE, S 53° 17' 02" E 185.56 FEET;

THENCE, S 36° 28' 18" W 155.49 FEET;

THENCE, S 89° 45' 45" W 1128.31 FEET;

THENCE, N 0° 00' 40" W 238.79 FEET;

THENCE, N 55° 57' 59" W 137.01 FEET;

THENCE, S 89° 59' 20" W 499.51 FEET TO THE SOUTHEAST CORNER OF LOT 128 CONSTELLATION SUBDIVISION;

THE NEXT 23 COURSES ARE COMMON WITH THE BOUNDARY OF CONSTELLATION SUBDIVISION, THENCE, N 5° 39' 19" E 108.87 FEET;

THENCE, N 11° 18' 12" E 64.14 FEET;

THENCE, N 10° 31' 16" E 99.52 FEET;  
THENCE, N 28° 38' 01" E 182.48 FEET;  
THENCE, N 25° 57' 58" E 96.59 FEET;  
THENCE, N 22° 03' 31" E 86.52 FEET;  
THENCE, N 16° 27' 35" E 58.04 FEET;  
THENCE, N 11° 52' 26" E 60.39 FEET;  
THENCE, N 7° 11' 45" E 60.41 FEET;  
THENCE, N 4° 51' 35" E 104.05 FEET;  
THENCE, N 7° 14' 47" E 97.77 FEET;  
THENCE, N 8° 23' 35" E 95.46 FEET;  
THENCE, N 17° 43' 28" E 89.18 FEET;  
THENCE, N 28° 13' 23" E 93.09 FEET;

THENCE, N 20° 40' 52" E 101.84 FEET;  
THENCE, N 19° 09' 06" E 98.41 FEET;  
THENCE, N 52° 34' 32" E 78.90 FEET;  
THENCE, S 85° 43' 21" E 196.40 FEET;  
THENCE, N 6° 57' 59" E 110.00 FEET;

THENCE, S 83° 02' 01" E 238.26 FEET TO A TANGENT CURVE CONCAVE TO THE NORTH  
WITH A RADIUS OF 530.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43° 50' 12" FOR AN ARC  
DISTANCE OF 405.50 FEET (CHORD OF N 75° 02' 52" E 395.88 FEET);

THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH  
WITH A RADIUS OF 220.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC  
DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF  
BEGINNING.

CONTAINS 57.97 ACRES, MORE OR LESS.



## EXHIBIT Ad4 -M – GOLF ACADEMY LODGING FACILITY

Exhibit M of the DA, as shown in the 3<sup>rd</sup> Amended DA, is deleted and replaced with the following:

Golf Academy Lodge Site Plan consisting of 35 Residential ERU's:

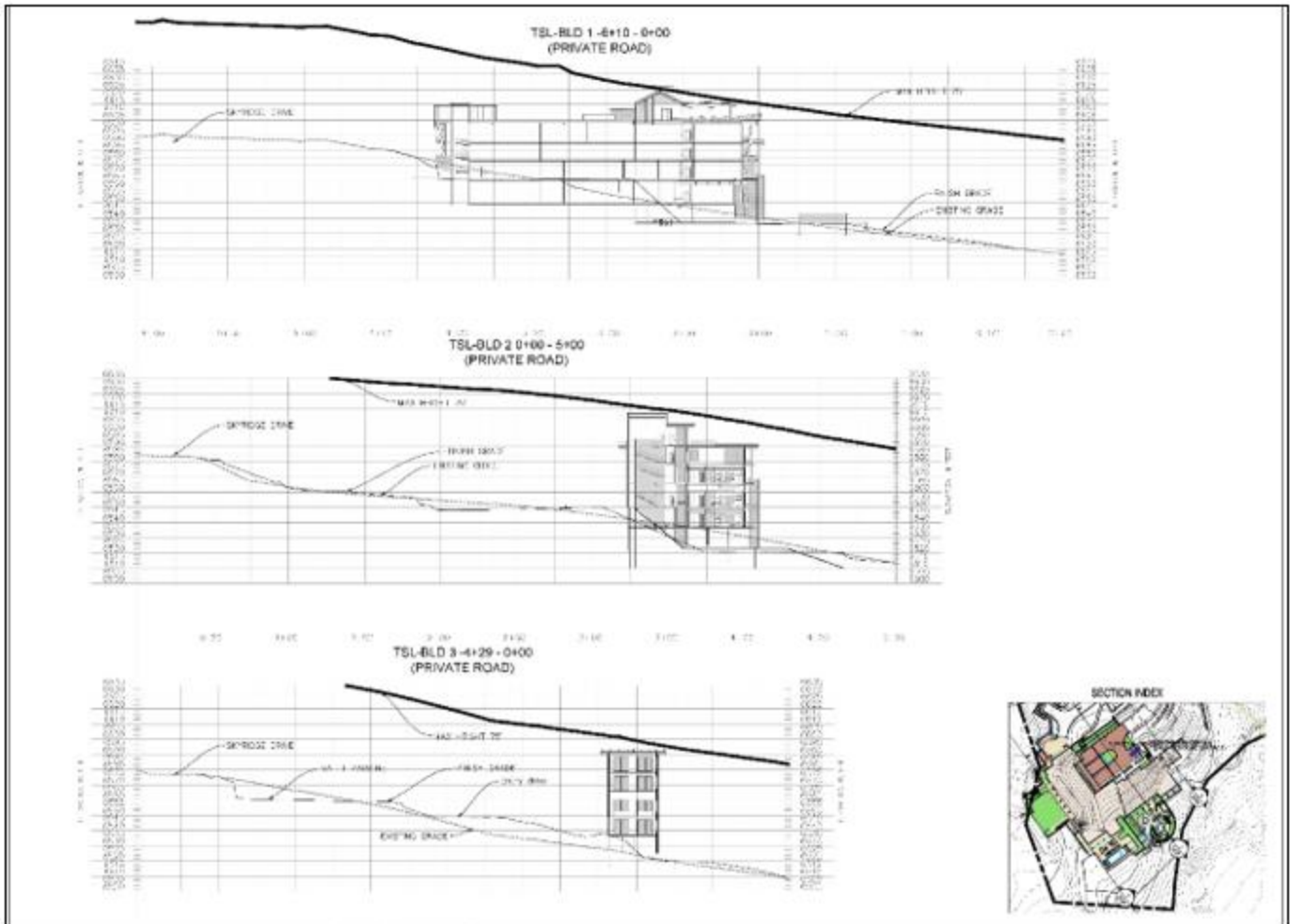


Exhibit O of the 3rd Amended DA is deleted and replaced with the following:

[illegible]

## Exhibit Ad4 - P- Height

This exhibit depicts the maximum allowed height of the Lodge in relation to the topography and elevation on the Lodge Property.







**Items 1, 2 and 3 – SkyRidge Lodge  
Legislative Development Agreement  
Off-Site Parking  
Site Plan**

**Project:** DEV-9177, 9178 | Legislative Development agreement, Lodge off-site parking and lodge site plan  
**Meeting Date:** 17 September 2024  
**Report Date:** 4 September 2024  
**Report Author(s):** Doug Smith/Anders Bake, Planners  
**Council Action Required:** Yes  
**Type of Action:** Legislative  
**Applicant:** Allison Aafedt  
**Address:** 1393 W. SkyRidge Drive  
**Acreage:** 5.37 ac. Lodge parcel 3.39 ac. parking parcel

**Proposed Density:** 35 ERU’s, 27,760 sf. footprint, 65 units, 80 keys, 3 MIDA units with 4 keys, 61,344 total square feet  
**Zoning Designation:** JSPA (Jordanelle Specially Planned Area)  
**Related Applications:** Master Plan (2016, amended 2021), Development agreement (amended 2021), Preliminary approval (2018, amended 2021), Final plat for lodge parcel (2022)

DETERMINATION ISSUE

Whether or not the County Council, after receiving recommendations from the Planning Commission and the JSPA planning committee should approve the Legislative development agreement (LDA), the off-site parking plan, the small-scale subdivision and the Lodge site plan.

RECOMMENDATION

Based on the analysis in this staff report, it appears that the proposal can be compliant with applicable laws subject to the conditions found in the report as well as stipulations outlined in the LDA. Therefore, it is recommended that the Planning Commission and JSPA Planning Committee forward a POSITIVE RECOMMENDATION of the proposal based on the findings and subject to the conditions included the staff report and legislative development agreement.

## BACKGROUND

The request is for approval of the SkyRidge Golf Lodge site plan, associated Legislative Development Agreement (LDA), an off-site parking lot and an associated small scale subdivision for the offsite parking. The Golf Lodge contains 65 individually owned condominium units that will be in a short-term rental pool and managed as a hotel. Within the 65 units there are a total of 80 keys meaning that there are units that include lock-offs. In theory there could be 80 units rented at any given time if the hotel were at 100% occupancy and all the lock offs were utilized. The hotel also includes 3 units with 4 keys that will be owned by MIDA (Military Installation Development Authority) for a total of 84 units. Staff is not sure the details of how the MIDA units will be managed. Within the lodge is a spa, restaurant, bar, dining room, conference room, roof bar terrace and a grab and go restaurant. The footprint of the lodge is 27,760 square feet and overall square footage is 61,344 square feet. The lodge is situated on a 5.37-acre parcel that is already platted and is adjacent to the SkyRidge clubhouse currently under construction.

On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council, which changes included allowing the Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to the DA. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.

The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.

The Lodge proposed in this area is a unique situation not covered by existing County codes. Due to the unique situation and limited circumstances of the proposal the applicant proposed that a Legislative Development Agreement (LDA) would be used, as allowed by Utah State (§17-27a-528(2)(a)(iii)), for this use, which would not otherwise be allowed under existing applicable land use regulations. The staff and the applicant determined that the LDA would be preferable to amending the code which would allow a countywide change. The uses the LDA could allow were presented to the County Council in a public meeting, and they appeared to be comfortable with the application proceeding through the required processes.

Due to the interrelated nature of the aforementioned items, they will be covered in this one staff report but will need to be reviewed concurrently with individual motions. If the ordinance approving the legislative development agreement is not approved or not approved as written a different approval process may be needed, or the application may be denied. Many of the issues will be discussed under the portion of the staff report entitled "Site Plan". This section will address issues like; lighting, setbacks, building height, parking, landscaping, trails etc.

This staff report covers three separate interrelated application items organized in the following order:

1. Ordinance 24-11, approving the Legislative Development Agreement.
2. Offsite parking lot and parking plan with small scale subdivision creating two parcels with the offsite parking parcel being 3.39 acres and site plan approval for the off-site parking.
3. Site plan approval for the 61,344 square foot lodge on 5.37 acres.

The above applications were sent through an internal Development Review Committee (DRC) process that includes review by about 17 internal and external reviewers. Most of the ~17 review entities are looking at technical issues with the proposal. Until the issues brought up by the various departments are resolved the item is not placed on a planning commission agenda. This proposal went through a number of review cycles each time with additional detail or clarification requested by various departments.

The site has the underlying zone of M (Mountain) with the JSPA (Jordanelle Specially Planned Area) overlay.

The review and approval or denial of all the applications is a legislative decision which is made by the County Council after a recommendation by the Planning Commission and the JSPA Planning Committee.

## STAFF ANALYSIS

As mentioned, there are three applications that are part of this proposal. Staff will address all three items separately divided by sections although all three application items are interrelated and have overlap.

### **SECTION 1 -ORDINANCE 24-11/LEGISLATIVE DEVELOPMENT AGREEMENT-**

This proposal for a lodge is unique however, the JSPA fully intended to have varied product types including lodging associated with the four-season intent of the JSPA.

The Vision and purpose of the JSPA as stated in 16.41.01 is to:

- Create a globally recognized “Year-Round” resort
- To provide amenities supporting year-round activities
- The quality standards of 4- and 5-star hotels
- Encourage golf
- Fitness and wellness centers
- Retail dining and entertainment
- Adequate and accessible parking
- A wide range of well segmented real estate products

Due to the uniqueness of the proposal and the intent to further the goals of the JSPA, the County Legislative body has been asked to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii). The state code allowing legislative development agreements provides some flexibility for projects that are unique and where it is impractical to address all regulations found in a land use code. Staff has recommended that a legislative development agreement is the preferred way to address the unique issues associated with this proposal which otherwise would have required a code amendment, or denial of the project. This Utah code section 17-27a-528(2)(a)(iii) states:

*A development agreement may not: allow a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, unless the legislative body approves the development agreement in accordance with the same procedures for enacting a land use regulation under Utah code section 17-27a-502, including a review and recommendation from the planning commission and a public hearing.*

Approval of a legislative development agreement is entirely up to the County Council acting as the approving authority after review and recommendation by the Planning Commission and JSPA Planning Committee.

The major items addressed in the LDA include the following:

1. The height of the building is allowed to be a maximum of 75’ as shown in the exhibit in the development agreement. The single-family portions of the JSPA code allows for a maximum height of 35’ or two- and one-half stories whichever is greater.
2. County code 16.33.07 and 16.41.5.8 requires all the parking to be on-site or within 200’ of the use. The project includes onsite parking and offsite parking. The offsite parking is approximately 1 mile from the site. The offsite



parking will only be valet parking or employee parking and is intended only for overflow for employees and special events.

3. Parking stalls proposed are 9'x18' not 9'x20' as required by WCC.
4. The code does not allow double stacked parking which is the case with the stalls on the lodge site. Stalls on the lodge site will be valet only, as is not unusual for a four- or five-star hotel.
5. The proposal also uses shared parking with the clubhouse to accomplish the parking numbers for the proposal which is intended in the JSPA code but is ratified in the LDA.
6. The code requires parking to be at the rear or sides of the use. The proposal has parking in front of the lodge, but due to the change in grade on the site, will not be visible from the street. Part of the concern in the code for the location of parking lots is that parking should not dominate the streetscape. Buildings, especially in a village would front the street, not parking lots.
7. The original approved master plan showed 20 ERU's on the lodge site (10 buildings 20 townhomes) which was then changed in addendum 3 to a lodge with 27 ERU's. Addendum 4 states that there are 35 ERU's for the lodge plus 3 MIDA units with 4 keys. The SkyRidge development is limited to 503 total ERU's. The development will need to limit future lots so that at the final approval of the final plat there is no more than 503 ERU's. The 3 MIDA units are not counted in the ERUs, as is clarified in the LDA.
8. The hotel use and parking do not comply with the permitted uses for the residential land use category of the JSPA code. This has been addressed in the amended master plan and development agreement and will be further approved through this LDA.
9. Removal of the requirements for the welcome center and the amenities stipulated in addendum 3.

If Ordinance 24-11 and the development agreement are not approved by the legislative body a different approval process may be required i.e., a code amendment to allow the proposal, or the project may be denied. If approved as proposed, the ordinance and the development agreement would need to be acted on concurrently with the other items on the agenda.

## **SECTION 2-FINAL SMALL-SCALE SUBDIVISION AND SITE PLAN FOR OFF-SITE PARKING PARCEL-**

One of the necessary items requiring approval is a small scale 2 lot subdivision that creates the 3.39-acre offsite parking parcel and a 1.96-acre parcel that may be used for future amenities. The offsite parking parcel is approximately 1 mile from the Lodge site. The code requires that parking lots be on the same parcel as the main use but allows exceptions if within a distance from the use of not more than 200'. The third amended development agreement showed a welcome center on this property which may be done on the remaining 1.96 acre parcel.

The code for parking is the following:

### **16.33.07: LOCATION OF PARKING FACILITIES**

*The off-street parking facilities required by this chapter shall be located on the same lot as the use except, in cases of practical difficulty the designated land use authority may approve a substitute location which meets the following conditions:*

1. ***All or part of the substitute location must be on an adjacent lot, or within two hundred feet (200') from the use, and easily accessible for pedestrian traffic so pedestrians are not required to cross a public street to access the use for which the parking is provided.***
2. ***The substitute lot must be in the same possession as the use it is intended to service and must be maintained as long as the use or structure exists. Such possession may be by recorded deed or long-term lease and should run concurrently with the life of the building or use. The length of such lease shall be at***

*least twenty-five (25) years but may be terminated or modified earlier with the consent of the county planning department, if the use for which the parking is required is terminated or modified.*

3. *Off-street parking spaces required in connection with a use shall be in the same zone as the use the parking is intended to serve and shall not be located within a different zone, unless off-street parking lots are listed as a stand-alone permitted use within the adjacent different zone.*

**4. *Parking shall not be located in required front or side yards.***

Instead of following the code typically applicable to the project, the applicant has had a parking study performed by LSC Transportation Consultants. This parking study was reviewed by Hales Engineering for the county, and they found the parking was within industry norms for similar resort projects throughout the United States.

One of the concessions for the offsite parking lot is that the lot will not be open to the public. The lot will be valet and used by employees of the lodge only. It is intended that the 52 valet only stalls on the hotel site will first be utilized for patrons then the shared parking on the clubhouse site if the lodge parking is full. The only time the offsite parking is intended to be used is for employees and special events. The offsite parking lot has 115 spaces.

In addition to the allowance for the offsite parking lot the LDA proposes to include a provision for double deep parking stalls on the hotel site. The code would not allow for a double deep stall in a typical public parking lot however this will only be at the lodge and will be valet only. The stalls for the offsite parking have a measurement of 9'x18' not the 9'x20' required by the code. After the requirements for landscape buffers along the parkway and at the rear of the lot as well as drive aisle widths the parking stall depth became an issue. Due to the fact that vehicles using the offsite parking will only be parked by employees, the need for the parking to meet the normal standards for depth is diminished because the Lodge owner can ensure that the employees using the lot have the knowledge, skills, and abilities to park safely considering the constraints of the offsite parking lot.

The proposal also allows for shared parking. The shared parking would be on the adjacent clubhouse site. There are two factors that allow for decreased parking numbers for the lodge. The clubhouse will have the peak parking demand in the summer when the golf course is open. The hotel will have the peak parking demand in the winter when ski resorts are open. This allows for shared parking with the clubhouse since the peak demands of the clubhouse and hotel are during different seasons. There is also an expectation that the occupants at the hotel will be the majority of the users of the amenities in the hotel i.e., the restaurant, wellness center, bars etc. not the public driving in separate cars. The clubhouse has a total of 102 parking stalls. The table below shows the peak parking uses and total parking requirements.

| Hotel Parking                                                                    | Number of stalls                                                                                             |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Offsite lot                                                                      | 115                                                                                                          |
| Hotel lot                                                                        | 52                                                                                                           |
| Total Lodge and off-site parking                                                 | 167                                                                                                          |
| Clubhouse parking (needed depending on the season)                               | 102 total/23 available summer stalls/49 available winter stalls                                              |
| Total of Lodge parking, off-site parking lot and seasonal parking with clubhouse | 190/summer available stalls 216/winter available stalls                                                      |
| Code requirement and number of stalls short                                      | 80 (lodge)+115 (employees) +77 (amenities) =272 Total required by code (82 summer short and 56 winter short) |

### Executive Summary of the Golf Lodge Parking Study:

The Lodge is proposed to consist of 65 (68 with MIDA units) condos of various sizes, with the ability to lock off portions of some suites to result in a maximum of 80 (84 with MIDA units) keys. Modified parking rates for the Lodge are appropriate based on a review of the Wasatch County Code, Peer Resort Communities, Urban Land Institute rates and other mountain resort parking studies. The lodge parking rate modification is also appropriate based on the high levels of non-auto and carpooling for lodge employees and high rate of out-of-town guests. As the peak parking demand occurs at different times – overnight in the winter for the Lodge and midday in the summer for the Clubhouse, shared parking between the two facilities reduces the parking demand for additional onsite parking.

#### *LANDSCAPING –*

The offsite parking lot is required to comply with the landscaping requirements of the code including the buffer requirements adjacent to residential uses. The 3.39-acre site has 1.95 acres of landscaping or 57% of the site. Some of the concern of the offsite parking lot was the visibility from the parkway. There is a heavily landscaped buffer along the parkway with a minimum depth of approx. 10' (the average depth is closer to 15') with a total from back of the curb of approx. 28'. There is also a 10' landscape buffer along the west side of the property adjacent to the East Park large lots.

#### *-PUBLIC UTILITY EASEMENT REQUIREMENTS-*

16.27.12 requires a 10' PUE to be around the periphery of the parcels which needs to be added to the plat.

#### *–LIGHTING –*

Lighting outside of required lighting by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The site lighting for the off-site parking lot is at a total of 21,243 lumens per improved acre.

In short staff is recommending approval of the offsite parking proposal with the following conditions:

- The Council approve the shared parking proposal which allows for a discount of 82 summer stalls and 56 winter stalls from the generally applicable code requirements.
- The site plan for the offsite parking lot is in compliance with the code except for the requirement to be within 200' of the lodge and the stall sizes of 9'x18'. These issues are addressed in the LDA.
- The off-site parking lot is not open to the public but will be used for overflow (valet only) and employee parking which the lodge will be required to provide a shuttle service for all times that the lodge is open.

### **SECTION 3-LODGE SITE PLAN REVIEW-**

As mentioned in the background section the 3<sup>rd</sup> amended development agreement allows that the lodge be allowed as a permitted use. A permitted use still is required to go through the site plan review to ensure that the proposed use and all the necessary ancillary issues i.e., parking, landscaping, lighting, architecture etc. have been considered and either comply with code or will be part of the development agreement.

#### *–LAND USE AND DENSITY–*

As mentioned above the SkyRidge development is limited to a maximum density of 503 ERU's. The original master plan and preliminary showed 10 twin homes (20 Units/ERU's) on a cul-de-sac where the lodge is proposed. The development is not allowed to go above the 503 maximum approved density. Future phases will need to be adjusted accordingly so when the last plat is recorded the density will be at or below 503 ERU's.

The lodge is in a residential area approved for single family homes. The only designation in the JSPA that would have allowed for the lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area.

Some of the stipulations for villages include:

- Significant retail, dining and entertainment facilities;
- A minimum of six hundred fifty (650) Units (not ERU's) in the Resort Village Zone;
- Must be designed to accommodate the 2,400 Foot Rule; (refer to section 3.1) and
- A pedestrian walk experience which links Resort Features (as defined in Section 2.1 .2.23) and other elements in the Resort Village together and serves as a focal point for visitor foot traffic.
- Community Space Requirements - Each Resort Village shall have a minimum of one acre community space/plaza with 1/2 acre minimum in a consolidated area.
- And other resort components.
- Buildings shall build to street facing property lines. Alternatives shall be reviewed by the JSPA PC.

This report will further discuss below, in the *Building Height* section, the reasons the Applicant proposes to allow the Golf Lodge despite the fact that it does not fit in with all the land use regulations of the JSPA code.

The application proposes to increase the density for this parcel for the Lodge, but the ERUs will come from other parcels in the project that have not been platted yet. This is memorialized and agreed to in the LDA.

#### *-ROADS, ACCESS AND TRAFFIC-*

The access to the lodge is off of SkyRidge Drive which has two access points onto the Jordanelle Parkway. At the March 3, 2021, County Council meeting the amended Master Plan for the lodge approval was approved. Hales Engineering, the County Traffic Engineering consultant, did a traffic analysis and determined that there would be approximately 29 extra trips per day (over and above what was originally approved) onto SkyRidge Drive with the addition of the lodge. Hales Engineering felt that the lodge would not have a significant impact on the road network. The previous use of the land was 10 townhouse buildings which is 20 units/ERU's.

#### *-SETBACKS-*

Some of the concern of the proposal is the size of the structure and the proximity to residential uses and SkyRidge Drive. The setbacks provided on the site plan are the following:

- The setback off SkyRidge Drive is approximately 141'.
- The setback to the north single family lot line at the closest point is approximately 210'.
- The setback to the south is approximately 14'.
- The setback to the east property line is 53'.

All setbacks are greater than the setbacks for the JSPA zone which are: Front is a minimum of 20' from the right-of-way, side setbacks are a minimum of 10' and the rear setback requirement is 20'. These additional setbacks help mitigate the size of the Lodge.

#### *- OPEN SPACE/LANDSCAPING -*

The site plan states that the lodge site has 47.9% open space which will be dedicated to landscaping. Included in that percentage of landscaping is 7,337 square feet of sod, 95,687 square feet of native seed and 9,008 of ornamental planting. The only statement I can find in the JSPA code is that there must be, "appropriate landscaping".

There are two residential lots with homes adjacent on the north side of the lodge site. The setback from these property lines to the closest part of the lodge is approximately 141'. Between the two uses is a natural drainage with an oak brush grove in the drainage.



Section of 16.21.19(D) needs to be complied with which requires the 10' landscape buffer between parking areas and residential uses with trees spaced no further than 25'. In staffs' opinion this has been accomplished with the native oak brush between the hotel and the dwellings to the north.

**– BUILDING HEIGHT –**

The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is in the Residential, Single-Family portion of the JSPA Zone, which allows for heights of up to 35' or two- and one-half stories from natural grade, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street will be approximately 34' above the grade on SkyRidge Drive which is an appropriate scale for a residential area and will fit in with the surrounding uses and residential and clubhouse structures.

The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. In certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. See Section 16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height (of the DA), confirm that the maximum height provided is appropriate for the Property. The County Council Unanimously Approved the Amended Master Plan that included the SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

**-LIGHTING –**

The lighting for the proposal is regulated under the recently adopted lighting code. A primary intent of the lighting code is to ensure that all lighting is at the minimum levels required by code for the IBC (International Building Code) required lighting for egress from the building to a public way and lowest recommended levels of lighting for the IES (Illuminating Engineers Society) for the parking lots including associated walkways. Lighting outside of required lighting by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The lodge has a total of 24,716 lumens per improved acre.

**– SIGNAGE –**

The sign shown on the site plan will be required to get a separate permit and is not being approved at this time.

**-ARCHITECTURE-**

The applicant has committed to comply with the JSPA code and design handbook for materials, material percentages and colors. The JSPA planning committee has reviewed the architecture in previous meetings and made comments (February 27, 2024).

Representations by the applicant made in public meetings responding to the JSPA PC comments will be required to be complied with unless minor and inconsequential changes are proposed as determined by the planning director.

Percentages and materials are required to be submitted with the building permit and verified.

## **DEVELOPMENT REVIEW COMMITTEE**

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 in the exhibits. The Committee has accepted the item for Planning Commission, JSPA Planning Committee and County Council to render a decision. Deputy County Attorney Jon Woodard has reviewed the development agreement and the ordinance and has no legal objections to them as drafted. Reports of these reviews have been attached in the exhibits.

## **POTENTIAL MOTION**

Move to Approve with Conditions consistent with the findings and conditions presented in the staff report.

### *Findings:*

1. On February 15, 2017, the County Council approved the master plan for SkyRidge formerly Mayflower Lakeside North with a total density of 503 ERU's.
2. On February 25, 2021, the JSPA planning committee recommended approval of the amended preliminary and master plan that included the lodge and offsite parking parcel.
3. On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council. The amendments included the lodge and offsite parking parcel.
4. The master plan changes also included allowing a Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA.
5. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.
6. The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.
7. The approval of an amended master plan and overall preliminary that included the off-site parking and the lodge still required a number of approvals including site plan, plat and LDA.
8. The proposal is for approval of a legislative development agreement, a small-scale subdivision plat approval and site plan approvals for the lodge and parking lot, including the parking plan.
9. Due to the uniqueness of the proposal, among other reasons stated in the development agreement, the County Legislative body has decided to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii).
10. The Vision and purpose of the JSPA as stated in 16.41.01 is to: Create a globally recognized "Year-Round" resort, to provide amenities supporting year-round activities, the quality standards of 4 and 5 star hotels, encourage golf, fitness and wellness centers, retail dining and entertainment, adequate and accessible parking and a wide range of well segmented real estate products.
11. The legislative development agreement process was discussed with the council on May 1, 2024, in a public meeting and no reason for not following this process was given by the council.
12. The proposal is located in the JSPA (Jordanelle Specially Planned Area) overlay zone.
13. The original master plan for the project showed single family residential uses in a townhouse configuration that included 20 units.
14. Utah Code states that a land use authority shall approve a conditional use if reasonable conditions are proposed to mitigate anticipated detrimental effects. See Utah Code 17-27a-506(2)(a)(ii). The applicant has proposed a legislative development agreement through with the application can be approved outside of the conditional use process.
15. For reasons explained in the development agreement and this staff report, the legislative development agreement makes both the lodge and its height a permitted use, whereas without the development agreement, the lodge and the height would have to be approved through a different process.
16. Normally under Utah Code, if an application meets the requirements of the code, the land use authority

must approve the application. Due to the legislative development agreement, which allows a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, the Council has greater discretion than would normally be allowed.

17. Single family homes in this area of the JSPA are allowed to have a maximum height of 35' from natural grade.
18. The Lodge is proposed to be ~75' tall at its highest point.
19. The setbacks for the Lodge are significantly greater than setbacks required by code.
20. The legislative development agreement gives the county legislative body the discretion to allow or require the height they believe is a benefit to the health, safety, and welfare of the community.
21. The Development Review Committee has reviewed the project and forwarded the item for planning commission and JSPA planning committee consideration and council decision.
22. The development agreement explains the rationale for many of the matters addressed therein. The council hereby adopts the recitals of the development agreement, and the body of the development agreement, as findings for those matters addressed therein.
23. Ordinance 24-11 authorizes the adoption of the development agreement. The council adopts Ordinance 24-11.
24. This staff report and the presentations made by staff during the public meetings are hereby incorporated into these findings.
25. The Council finds that, based on the findings, the Lodge as proposed, the small-scale subdivision, the site plans, and the parking plans, advance the general welfare of Wasatch County.

#### **RECOMMENDED CONDITIONS**

1. The off-site parking parcel, as per code, must have a 10' PUE around the periphery of both parcels.
2. The existing oak brush between the lodge and the residential lots must be maintained as an alternative to the buffer noted in the code.

#### **ALTERNATIVE ACTIONS**

The following is a list of possible motions the Planning Commission and JSPA planning committee can take. If the action taken is inconsistent with the potential findings listed in this staff report, the JSPA PC or Planning Commission should state new findings.

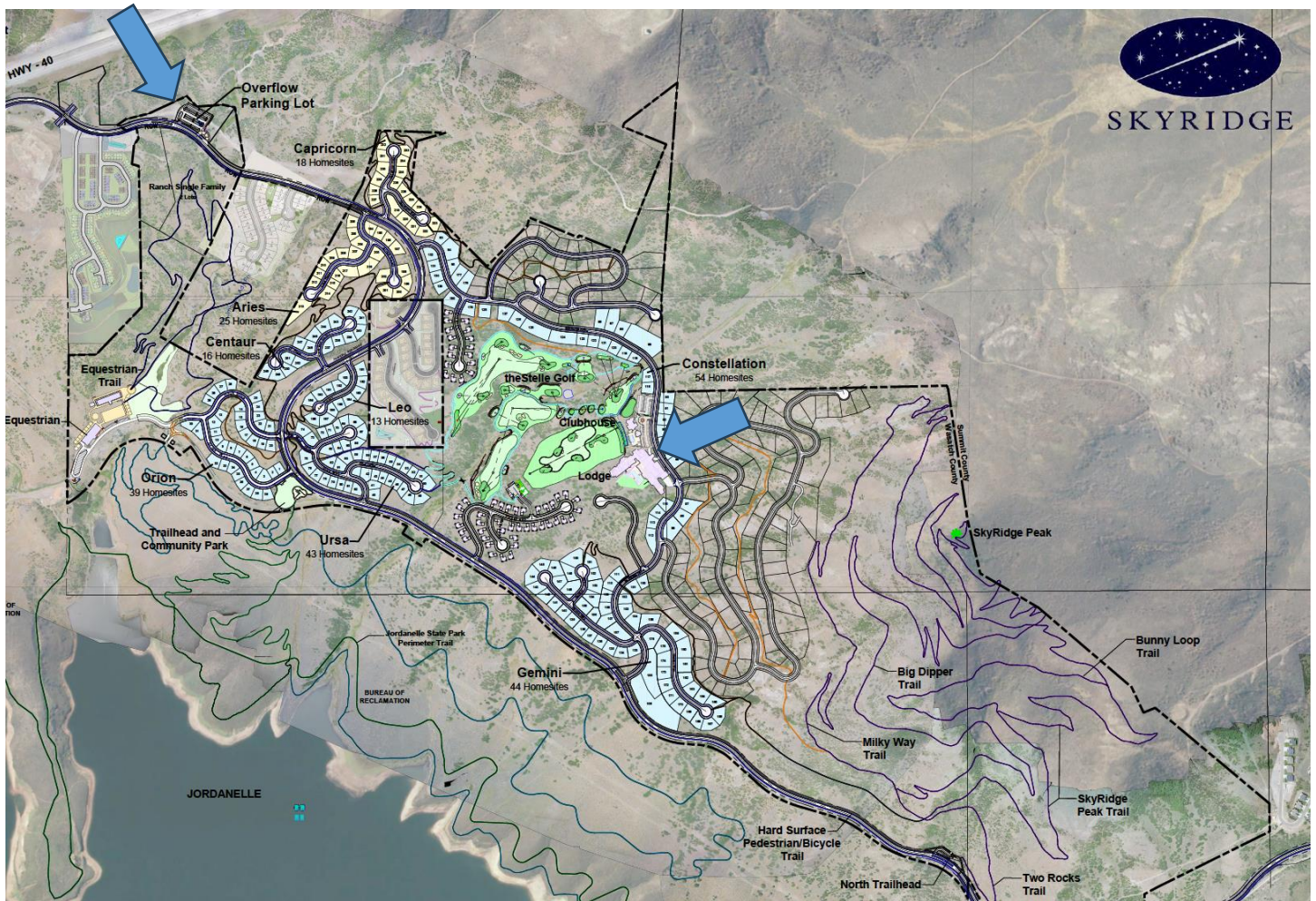
1. Recommend Approval. This action may be taken if the JSPA PC or Planning Commission finds that the Final Site Plan is compliant as proposed with Wasatch County Code and all other applicable ordinances.
2. Recommend Approval with Conditions. This action can be taken if the JSPA PC or Planning Commission feels comfortable that remaining issues can be resolved subject to the conditions noted and review of the County Council. ***\*This action would be consistent with staff analysis\****
3. Continue. This action can be taken if the JSPA PC or Planning Commission needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Recommend denial. This action can be taken if the JSPA PC or Planning Commission finds that the proposal does not meet applicable codes and/or ordinances.

## EXHIBITS

|                                                                     |    |
|---------------------------------------------------------------------|----|
| Exhibit A – Vicinity Plan.....                                      | 12 |
| Exhibit B – Site Plan with clubhouse context .....                  | 13 |
| Exhibit C – Proposed Subdivision Plat for offsite parking .....     | 14 |
| Exhibit D – Proposed site plan for offsite parking.....             | 15 |
| Exhibit E – Original master plan with townhouses .....              | 16 |
| Exhibit F – Lodge site plan and landscape plan.....                 | 16 |
| Exhibit G – Cross sections of Lodge from SkyRidge Drive .....       | 17 |
| Exhibit H – Report of Action Work Meeting Review of Lodge .....     | 18 |
| Exhibit I – LSC Parking Summary .....                               | 19 |
| Exhibit J – Hales Engineering Trip Generation Report .....          | 22 |
| Exhibit K – Renderings of Lodge and materials.....                  | 23 |
| Exhibit L – Retaining wall example at lodge parking area.....       | 26 |
| Exhibit M – Landscape buffer between lodge and existing homes ..... | 26 |
| Exhibit N – ERU breakdown for lodge units .....                     | 30 |
| Exhibit O – ERU tracking for SkyRidge development .....             | 31 |
| Exhibit P – DRC Report .....                                        | 32 |
| Exhibit Q – Ordinance Adopting the LDA and the LDA .....            | 34 |



## Exhibit A – Vicinity Plan





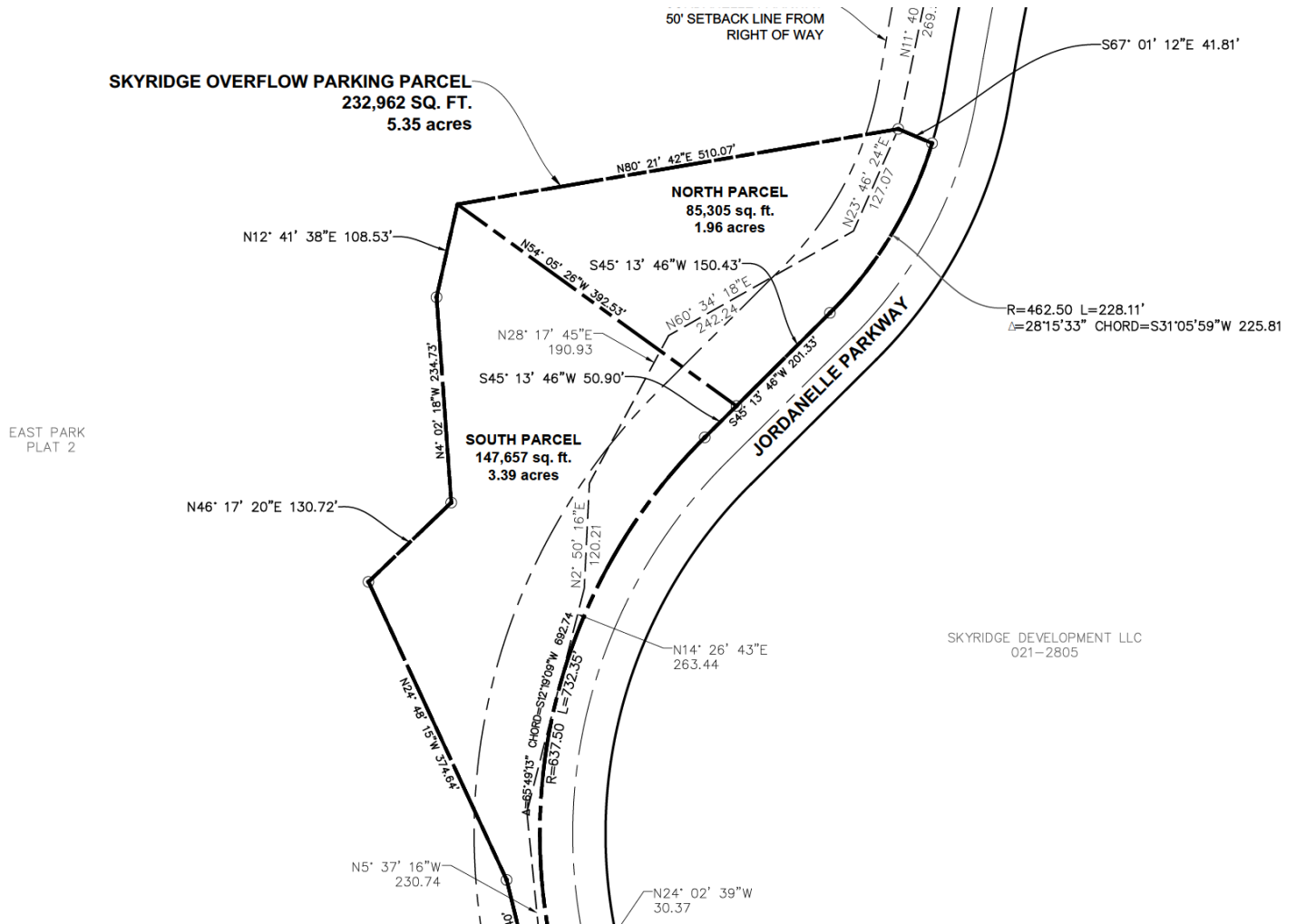
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Exhibit B – Site Plan with clubhouse context

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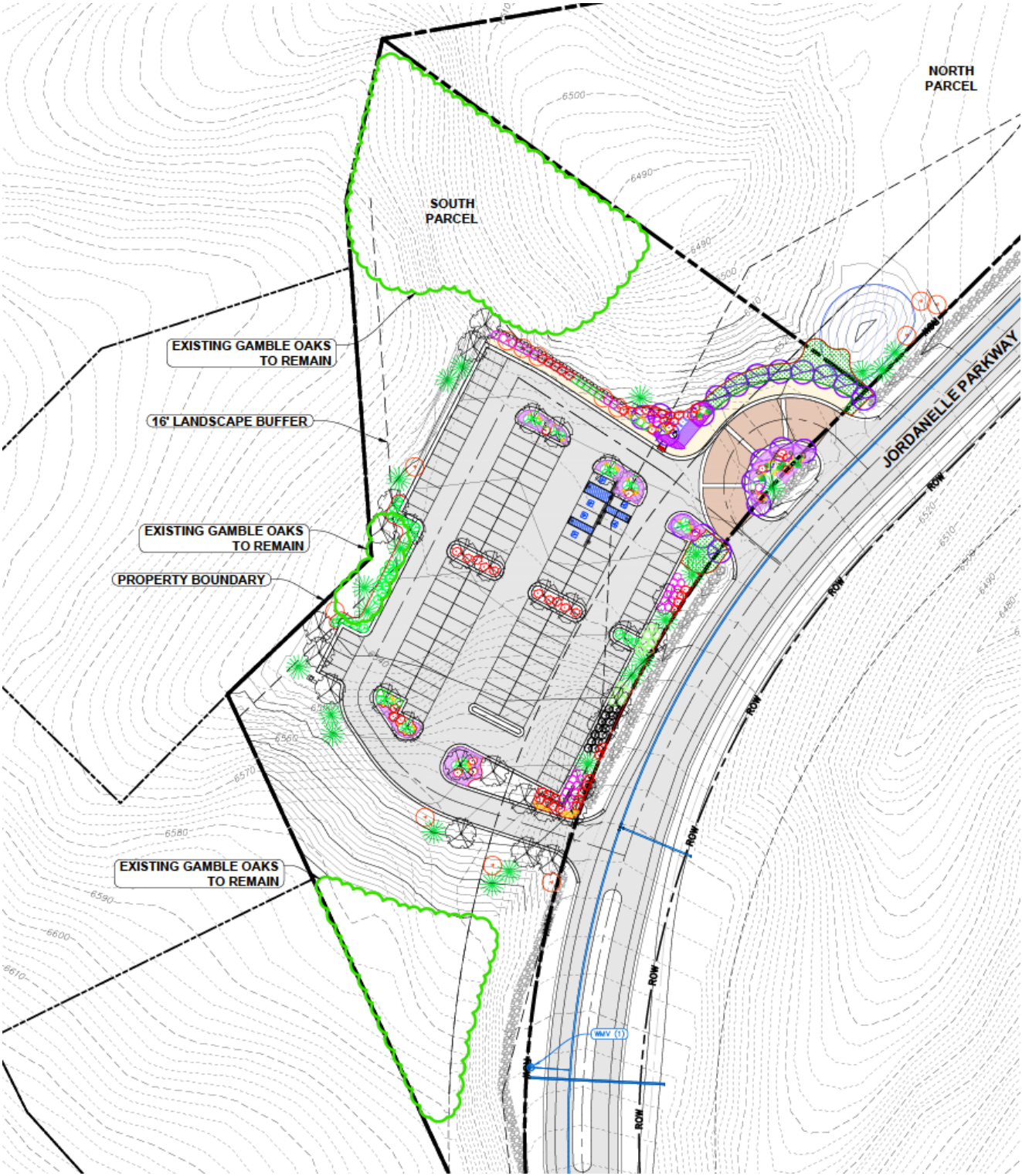


## Exhibit C – Proposed Subdivision Plat for offsite parking





*Exhibit D – Proposed site plan for offsite parking*

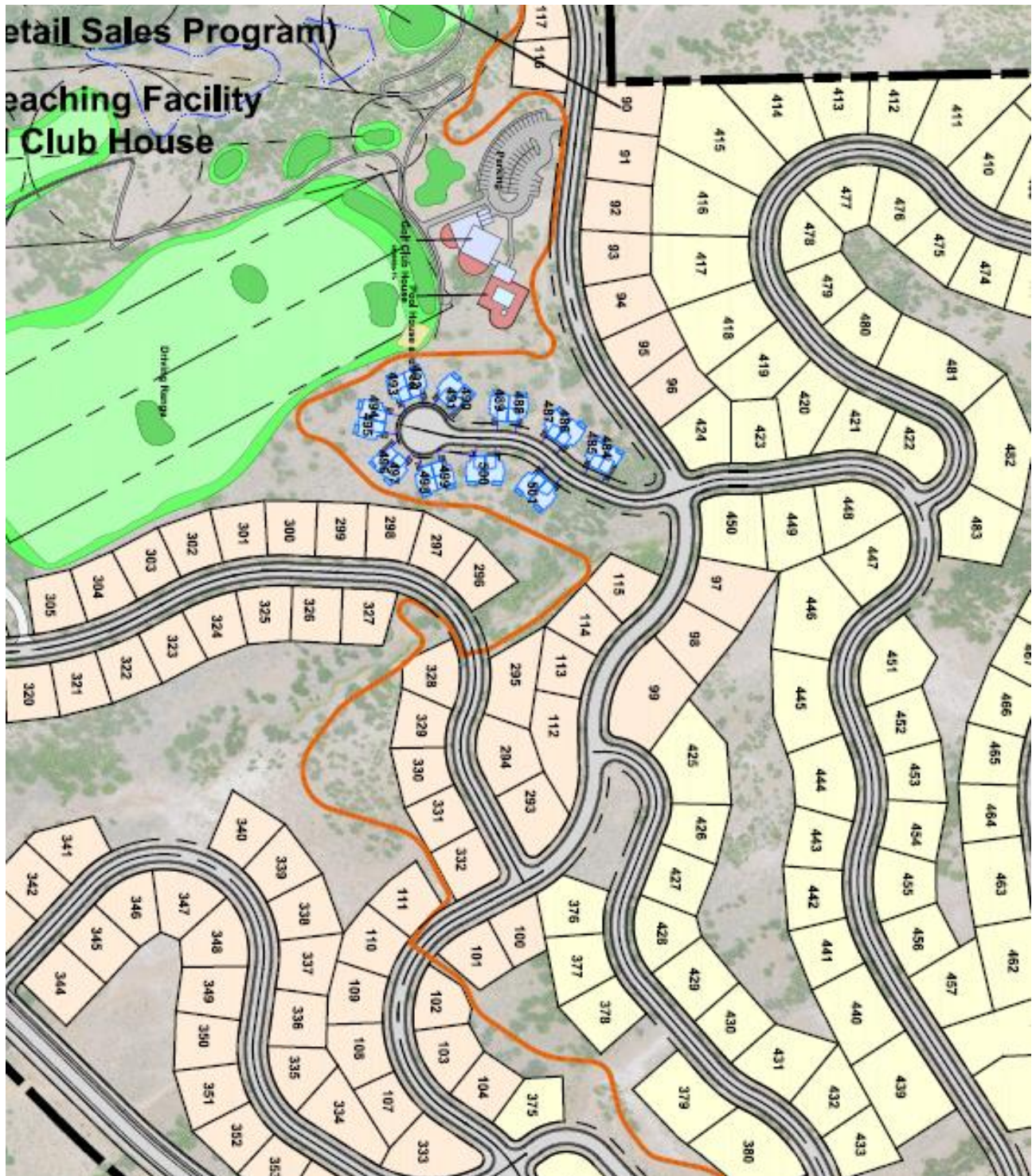




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*Exhibit E – Original master plan with townhouses*

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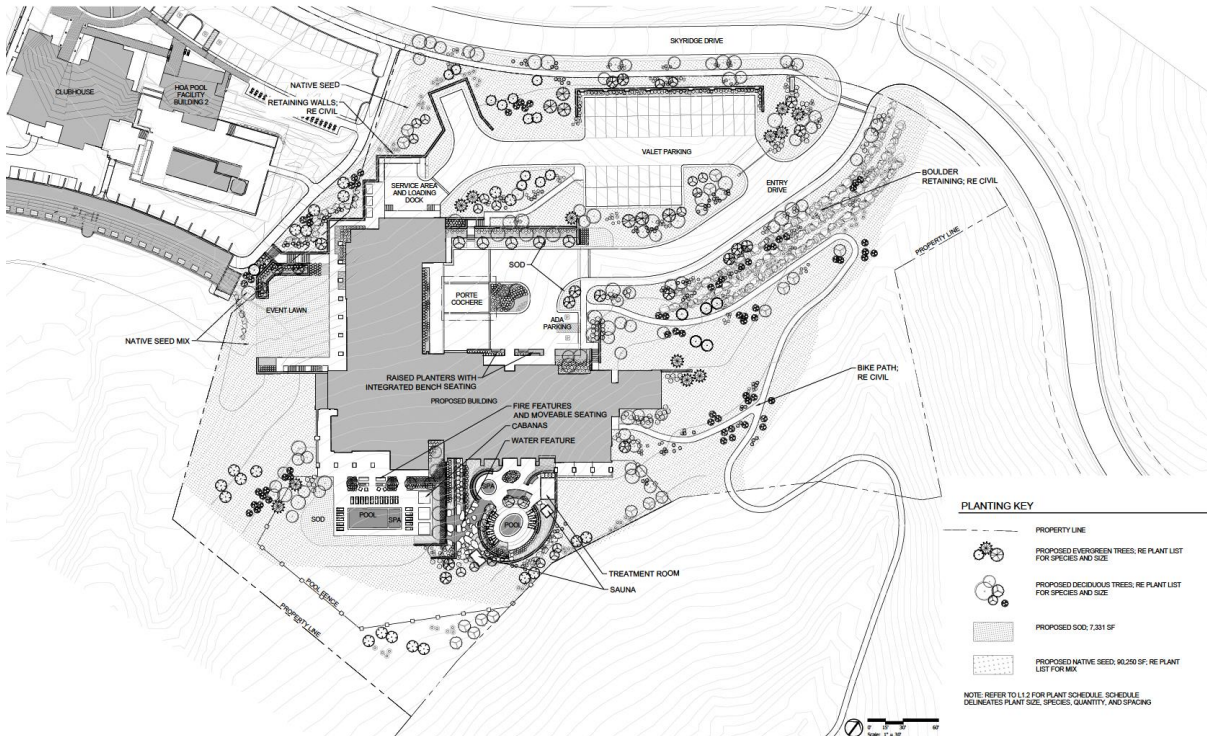
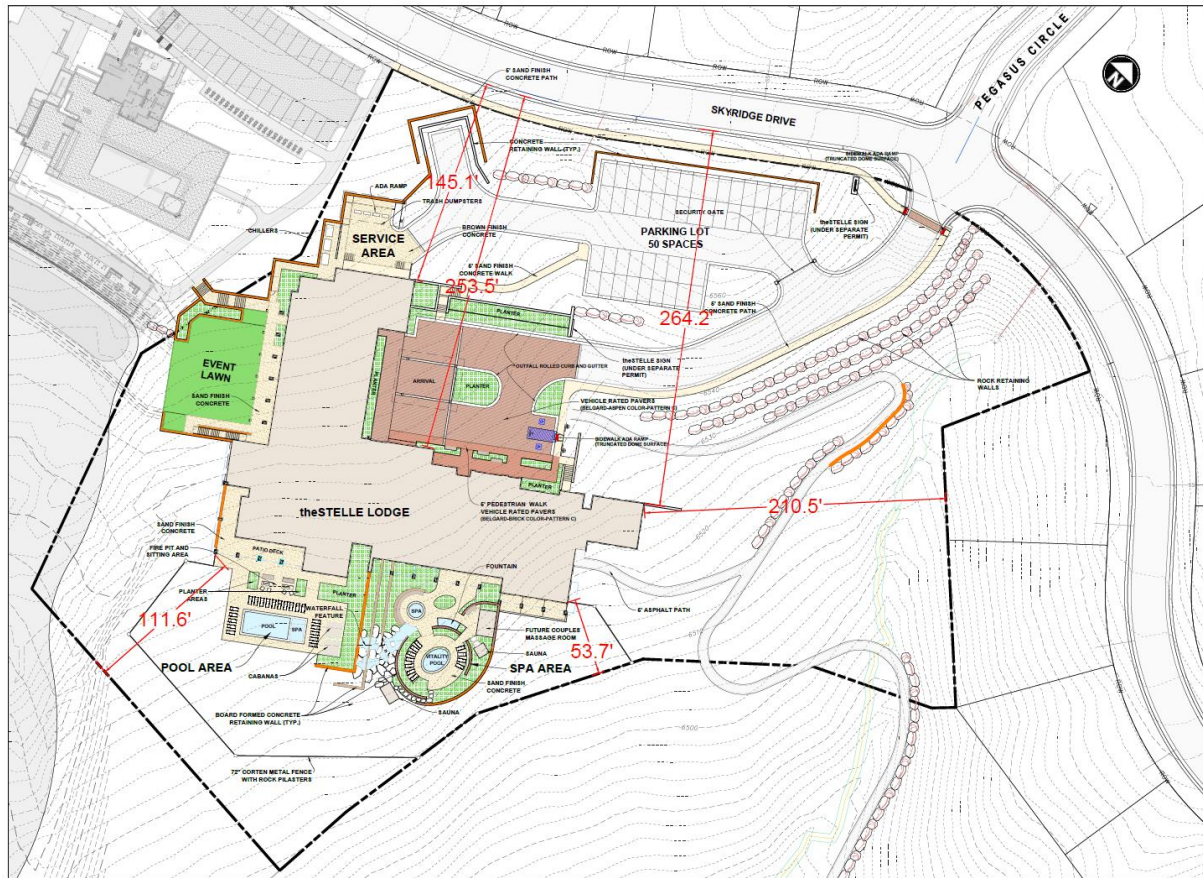


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*Exhibit F – Lodge site plan and landscape plan*

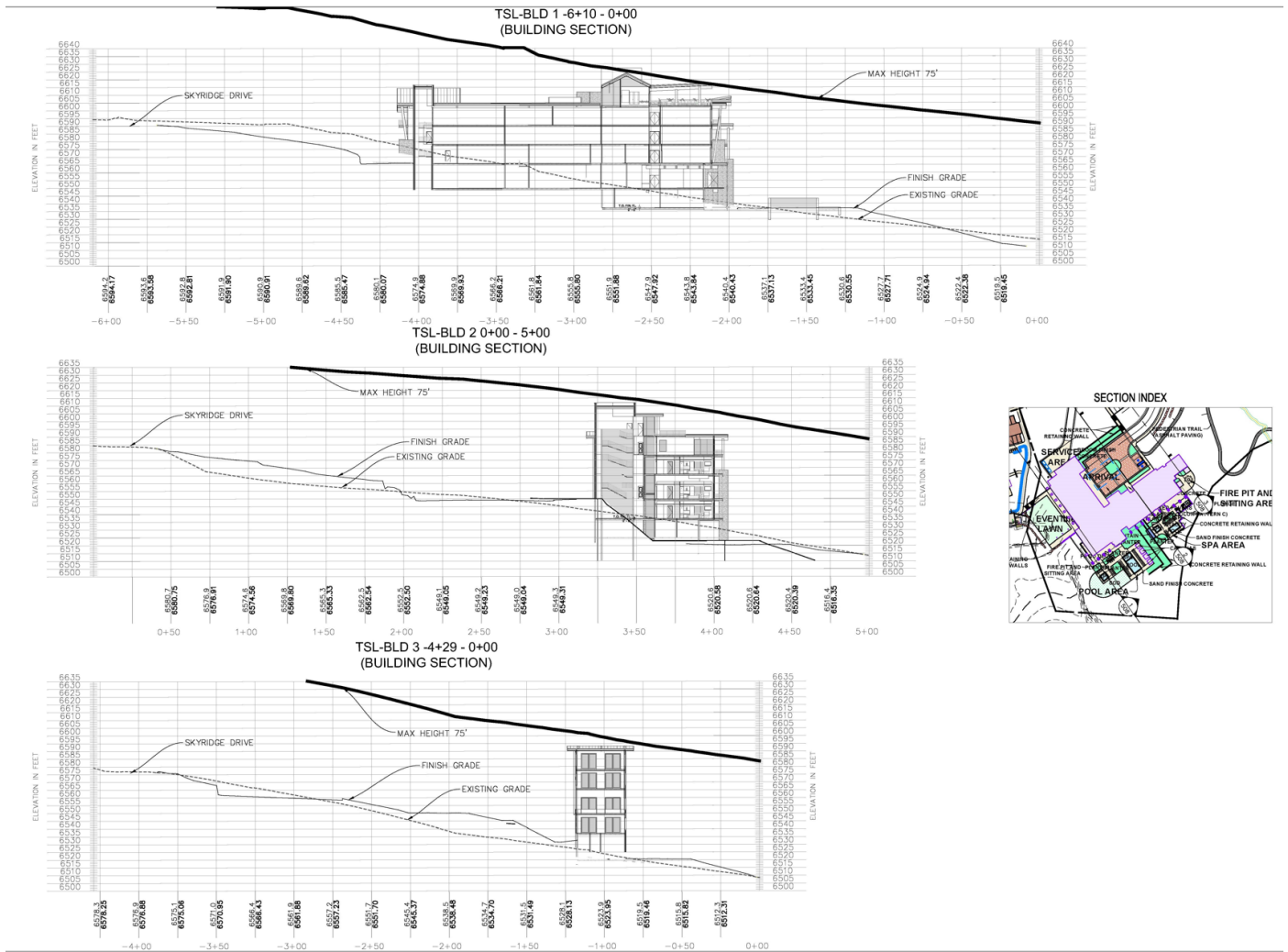
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theStelle  
1441 SkyRidge Drive

*Exhibit G – Cross sections of Lodge from SkyRidge Drive*



## Exhibit H – Report of Action Work Meeting Review of Lodge



Wasatch County JSPA Planning Committee  
**Report of Action**  
27-February-2024

*Committee Member Bill Redkey was present as Chair.*

**ITEM #2** – Presentation and discussion regarding the SkyRidge golf lodge and associated parking. This item is a work meeting discussion only and will not require any action by the Committee. (Doug Smith)

**STAFF PRESENTATION** - The Staff Report to the JSPA Planning Committee provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

**APPLICANT AND PUBLIC COMMENT** - Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the JSPA Planning Committee. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Allison Aefedt went through a power point presentation of the location of the lodge and the draft site plan. Allison also was asked about the parking for the site.
- Mr. Koskovich architect mentioned that from SkyRidge Drive he feels it does step with the terrain.
- Rory Heggie from POSS architecture addressed the PC and discussed the driving range separation from the lodge.
- Color samples were handed out to the planning committee.
- Jack Johnson addressed the planning committee about the cascading effect of the building

**JSPA PLANNING COMMITTEE DISCUSSION** - Key points discussed by the JSPA Planning Committee included the following:

- Committee member Hahn mentioned that he likes the building.
- Committee member Meuzelaar mentioned that he liked the building but felt that the base should be spread out more. Possibly with some attached pergolas.
- Committee member Whitchurch asked about making the building feel like it is stepping down the grade more.
- The 10 columns were discussed and breaking those up so they look better and do not obstruct views.
- Committee member Whitchurch asked about what would be on the roof. Will it all be mechanical equipment? It was stated that the mechanical equipment would be screened and vents ganged.

**MOTION**

**\*NO MOTION NEEDED. THIS IS A DISCUSSION ITEM ONLY.**

Committee member \_\_\_\_\_ made a motion \_\_\_\_\_  
Committee member \_\_\_\_\_ seconded the motion.

**VOTE**      ( \_\_\_\_ TO \_\_\_\_ )

|                 |     |     |         |                |     |     |         |
|-----------------|-----|-----|---------|----------------|-----|-----|---------|
| Bill Redkey     | AYE | NAY | ABSTAIN | Craig Hahn     | AYE | NAY | ABSTAIN |
| Robert Holmes   | AYE | NAY | ABSTAIN |                |     |     |         |
| Peter Meuzelaar | AYE | NAY | ABSTAIN | Ray Whitchurch | AYE | NAY | ABSTAIN |

\_\_\_\_\_  
Wasatch County JSPA Planning Committee - Chairman

The Staff Report is a part of the record of the decision of this item. Where findings of the JSPA Planning Committee differ from findings of Staff, those will be noted in this Report of Action. Official action of the JSPA Planning Committee on this item is subject to the approved minutes.

*Exhibit I – LSC Parking Summary*



## **Executive Summary:**

The parking study for the Stelle Lodge evaluated several factors, including peer community rates from other similar mountain resorts and Urban Land Institute Data, seasonal variations, and shared parking opportunities, to determine the optimal parking space allocation. The study concluded that the Lodge can effectively meet its parking needs by utilizing shared parking with the nearby SkyRidge Clubhouse, on-site parking, and offering off-site parking with shuttle services for employees and special events.

The seasonal demand for Clubhouse parking was determined by considering the higher summer activity levels compared to the reduced winter usage, allowing the lodge to use the excess parking at the clubhouse during the colder months. The parking demand for lodge amenities, such as dining and spa facilities, was minimized since these amenities primarily serve hotel guests who already have allocated parking. Furthermore, public use of these amenities is expected to be minimal, with residents having convenient non-auto access to the Lodge.

During peak winter demand, 87 spaces are needed for guests (assuming full lock-off units), with an additional 50 spaces for staff, resulting in a total demand of 137 spaces. In the summer, the demand slightly decreases. The shared parking approach, which takes advantage of differing peak times and seasons between the Lodge and the Clubhouse, further reduces the overall parking requirement. The parking requirement at the Lodge is a minimum of 44 parking spaces and off-site parking will be utilized for employee parking, guest over-flow and special events. These recommendations align with both local conditions and recognized industry standards, ensuring that the lodge's parking needs are adequately met.

## **Supporting Factors:**

### **Clubhouse Seasonal Demand Determination**

The study determines the difference between winter and summer parking demand by considering the seasonal changes in activity levels at the clubhouse, the types of activities that occur in each season, and the resulting changes in how people travel to the site. The summer season has higher demand due to more outdoor activities and a higher number of visitors then, while winter demand is lower, reflecting the reduced use of the clubhouse's facilities (i.e. golf course and driving range) during colder months allowing the Lodge to use the Clubhouse's excess parking.

### **Amenity Parking Demand**

In standard engineering practice the ITE (Institute of Transportation Engineers) defines hotels as a place of lodging that provides sleeping accommodations and supporting facilities such as a full-service restaurant, cocktail lounge, meeting rooms, banquet room, and convention facilities. A hotel typically provides a swimming pool or another recreational facility such as a fitness room. For a resort hotel, the primary difference is that a resort hotel caters to the tourist and vacation industry, often providing a wide variety of recreational facilities/programs (e.g., golf courses, tennis courts, beach access, or other amenities) rather than convention and meeting business. Per the definition of a hotel and resort hotel, amenities provided at the Stelle Lodge are considered

accessory uses and do not require a separate parking analysis as it is included in the base hotel rate.

When amenities like dining or spa facilities are primarily used by hotel guests, the parking spaces required for these amenities can be “discounted” because the guests already have allocated parking spaces. Residents in the SkyRidge Community have easy walking, biking, ebiking, and shuttle access to the Lodge. By primarily serving lodge guests, using shared parking strategies, anticipating lower public use, encouraging non-auto travel, and managing event parking separately—explains why the study does not call for a significant amount of parking specifically for public users of the Lodge restaurant and spa. Though the public will be able to utilize the Lodge’s valet-only service. This reduces the overall parking requirement compared to a scenario where each use would be parked independently.

### **Employee Parking**

Employee parking demand in the Lodge parking study is calculated by first identifying the peak number of employees expected to be on-site, which was determined to be 72. The study then considers that 10% of these employees are likely to use non-auto transportation modes, such as public transit, biking, or walking, reducing the number of cars needing parking spaces. Additionally, the study accounts for carpooling, assuming an average vehicle occupancy of 1.3 employees per car. This results in a parking demand rate of 0.69 spaces per employee. By multiplying this rate by the total number of employees, the study concludes that approximately 50 parking spaces are needed for employees. These spaces are divided between on-site and off-site locations, with 10 spaces reserved on-site and the remaining 40 spaces provided off-site, with shuttle services to transport employees as needed. This approach ensures that employee parking needs are met efficiently without overburdening the on-site parking facilities.

### **Industry Standards**

The parking study for the Lodge reviewed industry standards and peer comparisons from similar mountain resort communities to establish appropriate parking demand rates. The analysis included data from similar mountain resorts in Colorado, Utah, and California. The average parking rate across these communities was 0.97 spaces per lodging room, with the most common rate being 1.00 space per guest room.

Additionally, a study conducted by Hales Engineering at properties near a Park City ski resort showed an average guest parking demand of 0.68 spaces per occupied unit, with the 85th percentile at 0.99 spaces per unit. The Urban Land Institute’s (ULI) Shared Parking guidelines also provided a relevant standard, recommending 1.15 spaces per unit, including employee parking.

Based on these comparisons, the study recommended parking-demand rates of 1.00 space per one-bedroom unit, 1.25 spaces per two-bedroom unit, and 1.50 spaces per three-bedroom unit for the Lodge. These recommendations align with both local conditions and recognized industry standards, ensuring that the lodge’s parking needs are adequately met.

Exhibit N (SkyRidge tgrip generation memo from Hales engineering)



**MEMORANDUM**

Date: February 10, 2021

To: Doug Smith

From: Hales Engineering

Subject: Wasatch County – Skyridge Trip Generation

UT21-1847

This memorandum discusses the study completed for the Skyridge development in Wasatch County, Utah. A trip generation analysis was performed on both the old and new master plans. The new master plan would remove the 18 townhomes and add 70 hotel-condo and 16 affordable apartment-style units and increase the clubhouse size from 15,000 sq. ft. to 20,000 sq. ft. From this, it was determined that the changes would add a total of 29 trips during an average weekday evening peak hour. This increase is likely not enough to significantly impact the operations of the road network.

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1220 North 500 West, Ste. 202 Lehi, UT 84043 p 801.766.4343  
www.halesengineering.com



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*Exhibit K – Renderings of Lodge and materials*

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1 DR - NORTH ELEVATION  
SCALE 1/16" = 1'-0"



2 DR - EAST ELEVATION



1 DR - SOUTH ELEVATION  
SCALE 1/16" = 1'-0"





2 DR - WEST ELEVATION  
SCALE 1/16" = 1'-0"

**Will follow JSPA Design Guidelines. See SP2 - Architectural Drawings and Exterior Materials Details Below:**

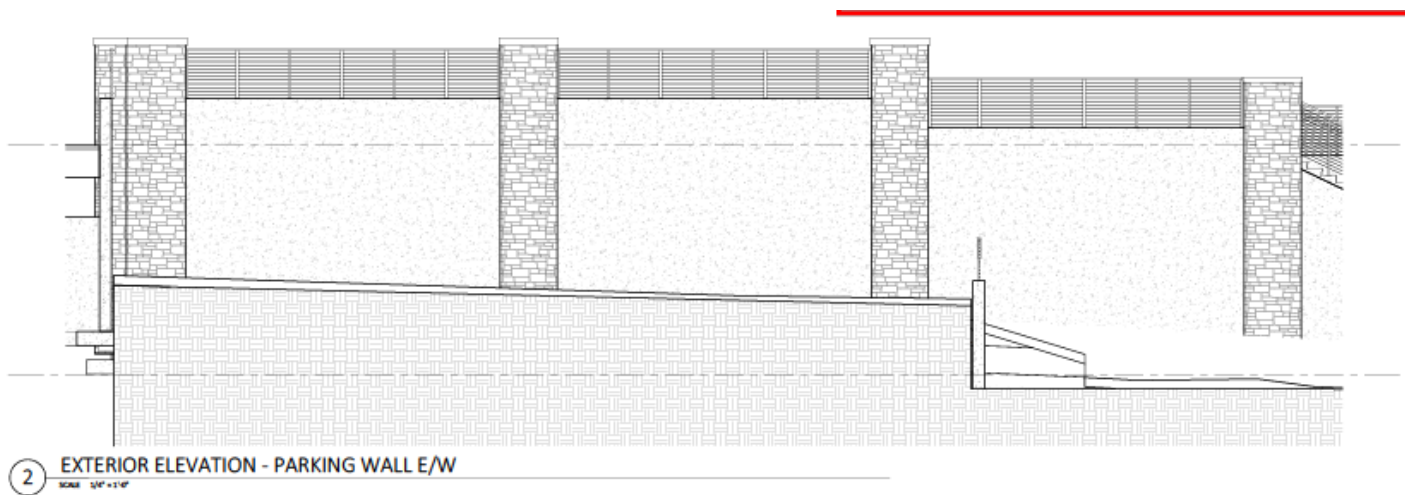
| MATERIAL KEY                                                                        |                                                                |                                                                                      |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------------------------|
| HATCH                                                                               | MATERIAL                                                       | IMAGE                                                                                |
|  | STONE - SILVER LEDGE<br>39% BLDG COVERAGE                      |  |
|  | SIDING - HEWN / WOOD LOOK<br>FIRE TREATED<br>26% BLDG COVERAGE |  |
|  | METAL PANEL<br>3% BLDG COVERAGE                                |  |
|  | GLAZING<br>32% BLDG COVERAGE                                   |  |
|                                                                                     |                                                                | STANDING SEAM METAL<br>ROOF - DARK GRAY                                              |



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*Exhibit L – Retaining wall example at lodge parking area*

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*Exhibit M – Landscape buffer between lodge and existing homes*

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Exhibit N – ERU breakdown for lodge units

|  <b>theStelle Lodge</b> |              |           |                 |                 |               |  |       |
|----------------------------------------------------------------------------------------------------------|--------------|-----------|-----------------|-----------------|---------------|-------------------------------------------------------------------------------------|-------|
| Program Summary - 07/03/2024                                                                             |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
| ROOM TYPE                                                                                                | UNIT SQ. FT. | ROOM KEYS | NUMBER OF UNITS | % OF UNIT TYPES | TOTAL SQ. FT. | TOTAL ROOM KEYS                                                                     | ERU'S |
| Studio                                                                                                   | 550          | 1         | 21              | 32%             | 11,555        | 21                                                                                  | 6.93  |
| Studio Suite                                                                                             | 772          | 1         | 2               | 3%              | 1,544         | 2                                                                                   | 1.00  |
| Double Studio                                                                                            | 900          | 2         | 4               | 6%              | 3,703         | 8                                                                                   | 2.00  |
| 1 Bed Suite                                                                                              | 900          | 1         | 19              | 29%             | 16,621        | 19                                                                                  | 9.50  |
| 2 Bed Bunkroom Suite                                                                                     | 1,245        | 1         | 8               | 12%             | 9,960         | 8                                                                                   | 6.00  |
| 2 Bed Suite                                                                                              | 1,476        | 2         | 8               | 12%             | 11,808        | 16                                                                                  | 6.00  |
| 3 Bed Suite                                                                                              | 2,051        | 2         | 3               | 5%              | 6,153         | 6                                                                                   | 3.00  |
| TOTALS                                                                                                   |              |           | 65              |                 | 61,344        | 80                                                                                  | 34.43 |
| Note: Commercial square footage does not count towards ERU's                                             |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
| MIDA HOUSING UNITS                                                                                       | UNIT SQ. FT. | ROOM KEYS | NUMBER OF UNITS |                 |               |                                                                                     |       |
| Studio                                                                                                   | 554          | 1         | 1               |                 |               |                                                                                     |       |
| 1 Bed Suite                                                                                              | 808          | 1         | 1               |                 |               |                                                                                     |       |
| 3 Bed Suite                                                                                              | 1,982        | 2         | 1               |                 |               |                                                                                     |       |
| TOTALS                                                                                                   | 3,344        | 4         | 3               |                 |               |                                                                                     |       |
| Note: MIDA Housing Units do not count towards ERU's                                                      |              |           |                 |                 |               |                                                                                     |       |

| SKYRIDGE - ERU DISTRIBUTION   |                     |            |
|-------------------------------|---------------------|------------|
| SUBDIVISION #                 | NAME                | LOTS/ERU's |
| 1                             | Orion               | 39         |
| 2                             | Ursa                | 43         |
| 3                             | Constellation       | 54         |
| 4                             | Gemini              | 44         |
| 5                             | Leo                 | 13         |
| 9                             | Centaur             | 16         |
| 6                             | Aries               | 25         |
| 7                             | Capricorn           | 18         |
| Recorded Lots                 |                     | 252        |
| 8A                            | Pegasus             | 45         |
| 8B                            | Pegasus             | 46         |
| Approved Lots                 |                     | 91         |
| 10                            | Lyra Cabins         | 19         |
| 12                            | Pisces Cabins       | 34         |
| Future Cabin Product          |                     | 53         |
| 8C                            | Pegasus             | 9          |
| 11 & 13                       | Future Subdivisions | 61         |
| -                             | Ranch Lots          | 2          |
| Total Future Lots to Process  |                     | 72         |
| Lodge                         | theStelle Lodge     | 35         |
| Total SkyRidge Approved ERU's |                     | 503        |





**Wasatch County  
DESIGN REVIEW  
COMMITTEE (DRC)  
COMMENTS**

PROJECT ID: DEV-9177  
PROJECT NAME: FINAL SITE - SKYRIDGE GOLF LODGE  
VESTING DATE: 4/12/2024  
REVIEW CYCLE #: 4

---

**REVIEW CYCLE STATUS: READY FOR DECISION**

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

**When uploading revisions please name your documents exactly the same as it was previously uploaded. Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.**

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

| Entity                | Decision           |
|-----------------------|--------------------|
| Environmental Quality | Ready for Decision |
| Fire SSD              | Ready for Decision |

**Approved** = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

**Ready for Decision** = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

**Changes Required** = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

**No Action** = Reviewing entity has not taken any action for the review cycle.

## OVERALL PROJECT COMMENTS

| DRC Project Comments |                      |                                                             |
|----------------------|----------------------|-------------------------------------------------------------|
| Comment ID           | Entity               | Comment                                                     |
| DRC-JSSD1            | DRC - Jordanelle SSD | Continue plan review with District engineer and JSSD staff. |

## PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

| DRC - Engineering Dept |                         |                                                                                                                                   |
|------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Comment ID             | Sheet Name              | Comment                                                                                                                           |
| DRC-ENG2               | 05 - Final Grading Plan | Rock retaining walls higher than 4' will have to be stamped by a professional geotechnical engineer.                              |
| DRC-ENG7               | 12 - Landscape Plan     | On sheet IR200, it appears the water for irrigation will be tapped into the main line in SkyRidge Drive. Not going to allow that. |
| DRC-ENG8               | 10 - Street Plan        | As a condition of approval, fall protection must meet IBC. Handrails will be required on all retaining walls if required.         |

**FOURTH AMENDMENT TO LAKESIDE NORTH MASTER PLAN  
DEVELOPMENT AGREEMENT**

This FOURTH Amendment to Development Agreement (“Amendment”) is entered into this \_\_\_\_ day of \_\_\_\_\_ 2024, by and between Jordanelle Land Investors, LLC, a Utah limited liability company, SkyRidge Development LLC, a Utah limited liability Company, SkyRidge Golf Academy, Inc, a Utah Corporation, Jordanelle Golf Lodge, LLC, a Utah limited liability Company, and Wasatch County (collectively, the “Parties”).

WHEREAS, the Parties entered into the Lakeside North Master Plan Development Agreement (the “Original DA”) on January 26, 2018, which is recorded as Entry #447878 in the recorder’s office of Wasatch County;

WHEREAS, this Fourth Amendment only applies to the Lodge Parcel, as shown in Exhibit Ad4 - A (“Lodge Parcel”), the Parking Parcel, as shown in Exhibit Ad4 - A (“Parking Parcel”), the Golf Academy Parcel, as shown in Exhibit Ad4 - A (“Golf Academy Parcel”). 14 ERU’s have been deleted from the Subdivisions listed in Preliminary plan from the 3<sup>rd</sup> Amended DA, so as to facilitate the 35 ERU’s on the Lodge Parcel, as shown in Exhibit Ad4 – A, which Lodge Parcel, Parking Parcel, Golf Academy Parcel are collectively referred to as the Amendment Property (“Amendment Property”); and

WHEREAS, the Parties entered in the First Amendment to the Lakeside North Master Plan Development Agreement (the “1st Amended DA”) on May 17, 2019, which is recorded as Entry #463725 in the recorder’s office of Wasatch County;

WHEREAS, the Parties entered in the Second Amendment to the Lakeside North Master Plan Development Agreement (the “2nd Amended DA”) on December 22, 2020, which is recorded as Entry #491157 in the recorder’s office of Wasatch County;

WHEREAS, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council on March 3, 2021, which changes included allowing the Golf Academy Lodging Facility (“Lodge”) as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA; and

WHEREAS, the master plan amendments granted on March 3, 2021 also approved certain amenities including parking on the Parking Parcel; and

WHEREAS, the Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the “3<sup>rd</sup> Amended DA”) on August 12, 2021, which is recorded as Entry #505907 in the recorder’s office of Wasatch County;

WHEREAS, the 3<sup>rd</sup> Amended DA, the 2nd Amended DA, 1st Amended DA and the Original DA are collectively called the DA in this Amendment (collectively, the “DA”); and

WHEREAS, in the course of considering and approving the Site Plan for the Lodge, the



Site Plan for the Parking Parcel (providing off-site parking for the Lodge, and a small scale final subdivision for the Lodge, collectively, the Applications,, (“Applications”), which will be processed concurrently, Developer requested limited changes and clarifications to the Final Approval for the SkyRidge Subdivision SkyRidge Lodge Parcel, Plat 3C as it applies to the Lodge, and also changes and clarifications to the Welcome Center (now the Parking Parcel providing off-site parking for the Lodge) and adjacent uses as shown in the 3<sup>rd</sup> Amended DA, including Exhibit O thereto, and the associated preliminary plan, so as to facilitate that properties use as off-site parking for the Lodge; and

WHEREAS, on [date of JSPA PC hearing], following review and recommendation by the County’s Development Review Committee, and after notice as required, the Applications were recommended at a public hearing by the Wasatch County JSPA PC (“JSPA PC”) to the County legislative body; and

WHEREAS, on [date of Planning Commission hearing], following review and recommendation by the County’s Development Review Committee, JSPA PC and after notice as required under Utah Code §17-27a-205, the Applications were considered at a public hearing by the Wasatch County Planning Commission (“Planning Commission”) to the County legislative body; and

WHEREAS, the Planning Commission also recommended that this Agreement be forwarded for consideration by the County’s legislative body (“County Council”, further defined below);

WHEREAS, this Agreement is a legislative development agreement in connection with which the Applications are also being considered and approved, the County Council will serve as the land use authority for the Applications (*See* Section 16.01.05 of the County Code; Utah Code §17-27a-103, 501, 528); and

WHEREAS, On [date of County Council hearing], after notice as required under Utah Code § 17-27a-205, the County Council adopted Ordinance No. [insert ordinance number] (“Golf Lodge Ordinance”) approving the Applications and this Agreement; and

WHEREAS, the Parties intend that this Agreement, and the County’s approval of this Agreement pursuant to the Golf Lodge Project Ordinance, constitute a Land Use Regulation, as that term is defined in Utah Code § 17-27a-103; and

WHEREAS, due to the very limited circumstances in which a Lodge such as this would be applied for in the County, and the very limited circumstances existing here, as described below, which justify allowing the uses or development of land that applicable land use regulations governing the area would otherwise prohibit, the County Council has elected to authorize this Agreement rather than amend the Wasatch County Code; and

WHEREAS, this Amendment modifies the DA only to the extent it varies from the DA, but otherwise does not modify the DA, or the Preliminary except for the deletion of a parcel to maintain the required ERU numbers, for the Property, and does not alter the DA as it applies to

any property besides the Amendment Properties; and

WHEREAS, Jordanelle Golf Lodge, LLC and SkyRidge Golf Academy, Inc. hold legal title to the Amendment Property attached as Exhibit Ad4-A to this Amendment; and

WHEREAS, the parties understand and agree that pursuant to Utah Code §17-27a-528(2)(a)(iii), this Agreement allows for the “use or development of land that applicable land use regulations governing the area subject to this Agreement would otherwise prohibit” because the County’s “legislative body has approved this Agreement in accordance with the same procedures for enacting a land use regulation;” and

WHEREAS, this Agreement has been approved according to the processes set forth in Utah Code §17-27a-502; and

WHEREAS, the uses and Development rights that the otherwise applicable land use regulations may prohibit are set forth in Sections 3-6 of this Agreement, however, except as expressly set forth in this Agreement, Development of the Project will be pursuant to, and comply with, the County Code, other provisions of Applicable Law, and the DA; and

WHEREAS, after entering into the DA, the parties recognized that certain terms in the DA were not helpful for the practical application of the DA;

WHEREAS, the Parties have agreed to revise and amend certain terms in the DA.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and provisions set forth herein, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

### **AGREEMENT**

1. **Amendment to Recitals.** The Recitals of this Amendment are hereby adopted.
2. **SkyRidge Amenities and Recreation Facilities.** The row of the table shown in Section 3.1(b)(9) of the DA for Permitted Recreational Facility is modified as follows:

| SkyRidge Amenities and Recreation Facilities                  |                                                                                                                                                                                 |                                                                                             |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <b><u>Amenity or Recreational Facility</u></b>                | <b><u>Description</u></b>                                                                                                                                                       | <b><u>Date of Substantial Completion and Maintenance Responsibility</u></b>                 |
| <del>Permitted Recreational Facility:</del><br>Welcome Center | Welcome Center with buildings up to 1,500 square feet that includes Tennis Court and Pickle Ball Courts. These courts shall be open to the public and is depicted in Exhibit O. | At developer's discretion (anticipated in Phase 2)<br>Maintained by Master Developer or HOA |

|                                               |                                                                                                                                                                                                      |                                                                                                                   |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|                                               |                                                                                                                                                                                                      |                                                                                                                   |
| Required - Off-Site Parking Lot               | Parking Lot and Associated Landscaping Improvements as depicted in Exhibit Ad-4 O.                                                                                                                   | Prior to Certificate of Occupancy for any portion of the Golf Lodge. Maintained by the Owner of the Lodge Parcel. |
| Conditionally Required Amenity-Community Park | A park as shown in the Preliminary Application and as shown in Exhibit L, which includes a pavilion with picnic tables in compliance with the JSPA Handbook (including materials), and trails to it. | Within in 12 months of a Certificate of Occupancy being issued for the Golf Lodge                                 |

Additionally, Exhibit O to the DA is hereby superseded and replaced as depicted in Exhibit Ad-4 O.

**3. Site Plan for SkyRidge Golf Lodge.** Section 3.1(b)(17) of the DA for Construction of Golf Lodge is superseded and replaced as follows:

(17) *Construction of SkyRidge Golf Lodge.* Notwithstanding any contrary provision of the County Code, Developer may construct the Lodge as shown in Exhibit Ad4-M. In 2021, the Council approved up to 27 ERU's for the Lodging Facility, with 18 ERU's coming from the removal of the 18 ERU's of townhome product in the location of the Lodge and allowing for the 9 ERU's to be deleted from other phases of the Project. The Developer will show an ERU accounting with each phase for final subdivision approval to show from the total ERU's do not exceed 503 ERU's. The Developer has reduced 17 ERU's from Preliminary Plan Subdivisions to facilitate the Lodging Facility using 35 ERU's. The Developer may use up to 35 Residential ERU's of the Project's total 503 Residential ERU's in such Lodging Facility in a condominium configuration that shall be available for nightly rental as long as the total ERU's do not exceed 503. The primary reason the ERU's increased from 27 ERU's to 35's ERU's is due to the studio units increasing slightly in size from 495 sq. ft. to 555 sq. ft. to fit better with a mountain resort property. Lodge commercial space, common area, back of house space and administrative areas shall not count against Residential ERU's. Allocation of these 35 Residential ERU's will be determined by unit size square footage as outlined in Title 16 of the Wasatch County Code by unit square footage as follows:

| <u>UNIT SIZE</u>                                                                           | <u>ERU'S</u> |
|--------------------------------------------------------------------------------------------|--------------|
| Not to exceed 500 sf including bathroom areas, but not including corridors outside of room | 0.25         |
| Not to exceed 700 sf including bathroom areas but not corridors outside of rooms           | 0.33         |
| Not to exceed 1000 sf and not to exceed 1 1/2 baths                                        | 0.5          |
| Not to exceed 1500 sf                                                                      | 0.75         |
| Over 1500 sf                                                                               | 1.00         |



Pursuant to the Site Plan, the Lodge will be developed in accordance with the following:

|  <b>theStelle Lodge</b><br>Program Summary - 07/03/ 2024 |              |  |                 |                 |               |                 |              |
|-------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------|-----------------|-----------------|---------------|-----------------|--------------|
| ROOM TYPE                                                                                                                                 | UNIT SQ. FT. | ROOM KEYS                                                                           | NUMBER OF UNITS | % OF UNIT TYPES | TOTAL SQ. FT. | TOTAL ROOM KEYS | ERU'S        |
| Studio                                                                                                                                    | 550          | 1                                                                                   | 21              | 32%             | 11,555        | 21              | 6.93         |
| Studio Suite                                                                                                                              | 772          | 1                                                                                   | 2               | 3%              | 1,544         | 2               | 1.00         |
| Double Studio                                                                                                                             | 900          | 2                                                                                   | 4               | 6%              | 3,703         | 8               | 2.00         |
| 1 Bed Suite                                                                                                                               | 900          | 1                                                                                   | 19              | 29%             | 16,621        | 19              | 9.50         |
| 2 Bed Bunkroom Suite                                                                                                                      | 1,245        | 1                                                                                   | 8               | 12%             | 9,960         | 8               | 6.00         |
| 2 Bed Suite                                                                                                                               | 1,476        | 2                                                                                   | 8               | 12%             | 11,808        | 16              | 6.00         |
| 3 Bed Suite                                                                                                                               | 2,051        | 2                                                                                   | 3               | 5%              | 6,153         | 6               | 3.00         |
| <b>TOTALS</b>                                                                                                                             |              |                                                                                     | <b>65</b>       |                 | <b>61,344</b> | <b>80</b>       | <b>34.43</b> |
| <i>Note: Commercial square footage does not count towards ERU's</i>                                                                       |              |                                                                                     |                 |                 |               |                 |              |
| MIDA HOUSING UNITS                                                                                                                        | UNIT SQ. FT. | ROOM KEYS                                                                           | NUMBER OF UNITS |                 |               |                 |              |
| Studio                                                                                                                                    | 554          | 1                                                                                   | 1               |                 |               |                 |              |
| 1 Bed Suite                                                                                                                               | 808          | 1                                                                                   | 1               |                 |               |                 |              |
| 3 Bed Suite                                                                                                                               | 1,982        | 2                                                                                   | 1               |                 |               |                 |              |
| <b>TOTALS</b>                                                                                                                             | <b>3,344</b> | <b>4</b>                                                                            | <b>3</b>        |                 |               |                 |              |
| <i>Note: MIDA Housing Units do not count towards ERU's</i>                                                                                |              |                                                                                     |                 |                 |               |                 |              |

- MIDA Housing Units:** certain parties entered into a Tax Sharing and Reimbursement Agreement with the Military Installation Development Authority ("MIDA") on October 1, 2021 as part of the creation of the MIDA Golf and Equestrian Center Public Infrastructure District where by the Parties shall donate to MIDA a minimum of two

condominiums (“MIDA Housing Units”) consisting of a minimum of 3,250 residential square footage in the SkyRidge Golf Lodge upon the issuance of a Certificate of Occupancy. Upon issuance of the Certificate of Occupancy, the MIDA Housing Units will be property owned by MIDA in the MRF Project Area and may then fall under Section 3(v) of the Restated and Amended West Side Interlocal Cooperation Agreement between MIDA and Wasatch County that was entered into on March 7, 2023. Pursuant to WCC 16.41.02.2.1.2.1, the assigned ERU value may be adjusted by the Legislative Body, after recommendation for or against by the JSPA PC. The ERU value may also be adjusted pursuant to this legislative development agreement pursuant to UCA § 17-27a-528. Due to the fact that this property is under contract to be owned by MIDA under the Tax Sharing and Reimbursement Agreement, based the Interlocal Agreement which exempts MIDA owned properties, in accordance with the spirit of the MIDA project in Wasatch County which includes assistance to the military, the fact that MIDA will use the MIDA housing units to support military use of the facility, and due to the fact that the MIDA owned property in the future could be subject to MIDA land use authority and then may not count as ERU’s under Wasatch County land use authority, the MIDA Housing units listed in the table in Section 3 above will not count towards the ERU value for the Project.

**Height of the Lodge:** Notwithstanding any contrary provision of the County Code, the Lodge may exceed the otherwise applicable height allowed in the Overlay Zone, subject to the limitations of this Section and its subparts. The Lodge must not exceed the height as depicted in Exhibit Ad4-Height. The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35’ or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street, will be an appropriate scale and will fit in with the surrounding uses and residential and clubhouse structures. The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. The height of the Lodge from the elevation of the curb at the street in front of the lodge is approximately 34 feet with a front setback of approximately 13090 feet from the road. The provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of MIDA of facilitating recreation facilities for military personnel, and the additional height helps facilitate this purpose in a feasible manner. Moreover, in certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. *See* Section

16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height, confirm that the maximum height provided for below is appropriate for the Property. The County Council unanimously Approved the Amended Master Plan with SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

**6. Parking for Lodge:** Notwithstanding any contrary provision of the County Code, the parking for the Lodge is approved as shown in Exhibit Ad4-Parking ("Lodge Parking"). The County agrees that a distinction from the more typical parking requirement in the Overlay Zone is appropriate for a number of reasons. The JSPA typically requires the provision of WCC 16.33.07 & 16.41.5.8 to be followed, which requires the parking to be on-site or off-site within 200' of the use. County and Developer agree that all other requirements of WCC 16.33.07 can be complied with except for the off-site parking being within 200', the depth of the stalls being 20', the limit to the number of driveways there can be to a parking area, the requirement that parking be on the rear or side of buildings, and the prohibition on double stacked parking spaces. -The parties agree that the Lodge Parking is consistent with the JSPA vision and purpose statement in JSPA code subsection 1.1.4(I) be adequate and accessible. The Developer is required to always maintain Valet Only Parking on the Lodge Site and shuttle service from the off-site parking when the Lodge is open. The off-site parking area will not be publicly accessed parking but will be valet and lodge employees and guests only. -This will make the parking adequate and accessible. Having employee only parking helps ensure that the 18' depth of the stalls will not be a liability for the patrons or the public. The off-site parking will have a one-way shuttle turn around with a single entrance and exit. Additionally, the parties agree that the Lodge Parking furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. The Lodge parking is Valet Only with double-loaded stalls and shall be located at the front of the building to service Lodge. The Public will have no access to the Lodge parking area and the parking area shall be treated similar to back-of-house space that is accessed only by Lodge employees. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner. Moreover, the Developer has submitted, and the County's independent evaluation has confirmed, that the Lodge Parking is shown to be consistent with other resort developments and communities that have successfully provided parking to world class lodge facilities. The shared parking plan is hereby approved as proposed. Additionally, the parking stalls on the lodge site and with the shared clubhouse parking lot provide the needed parking for the Lodge guests and operations management employees, while the offsite parking will provide the needed parking for event guests and all other employees. All these reasons



together cause the County to approve the Lodge Parking as permitted, and as further detailed in Exhibit Ad4 - O- Parking to meet the parking requirements of the Lodge.

**6.7.Uses:** The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Parking Parcel is in the Open Space portion of the JSPA Zone. The only designation in the JSPA that would have allowed for the Lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area, and the Open Space designation would not normally allow a parking lot. The County Council determines that the Lodge is allowed on the Amendment Property despite any conflict with the uses allowed in the JSPA Zone. Additionally, the offsite parking as depicted in Exhibit Ad4-Parking is allowed as an accessory use to the Lodge, regardless of any standards in the Wasatch County Code to the contrary. The parties agree that the offsite parking on the Parking Parcel and the use of the Amendment Property as a Lodge furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner.

**7.8.Administrative Amendments:** The Lodge Final Site Plan is being approved prior to the completion of construction drawings for the building. It is possible that the Developer will desire slight or minor changes to the building footprint, building exterior, and site plan from the approved Site Plan when the Building Permit is submitted. It is the County's practice, in connection with the prosecution and enforcement of any land use decision, to administratively approve minor, inconsequential modifications, as determined in the discretion of the County. That process and the applicable standards are discussed in Section 16.27.10(D) of the County Code in the context of changes from preliminary approvals to final applications, but the concept is applied in the prosecution and enforcement of final approvals and site plan approvals as well. In accordance with the County's standard practice regarding land use decisions, Developer may, from time to time, propose amendments to the Site Plan, which, if proposed by Developer, may be considered and approved by the planning director, but only if such amendment represents a minor, inconsequential change to the Site Plan, and if such amendment is otherwise in compliance with Applicable Law. Nevertheless, Developer or the planning director, may refer any amendment initially proposed by the Developer to be considered by the applicable land use authority, including the JSPA PC or the County Council for approval.

**8.9.Legislative Approval.** As set forth in the foregoing Recitals, and for the reasons outlined in the forgoing sections, this Amendment Agreement has been approved by the County Council pursuant to Utah Code §17-27a-502 after notice as required under Utah Code

§17-27a-205. Thus, pursuant to Utah Code §17-27a-528, and as set forth in the Recitals, this Agreement Amendment allows uses and Development of land that applicable land use regulations would otherwise prohibit. The County Council finds this Agreement Amendment is consistent with the General Plan in all material respects for this Project, notwithstanding any particular provision or provisions of the General Plan which may be interpreted to be inconsistent with this Agreement Amendment, and regardless of any contrary provision of the County Code. The legislative approval this Agreement only applies to this Amendment Agreement, as opposed to the DA.

**9.10. Effectiveness.** Except as modified hereby, the DA shall remain in full force and effect. On or after the effective date of this Fourth Amendment, each reference in the DA to “this Agreement,” “hereunder,” “hereof,” “herein” or words of like import shall mean and be a reference to the DA as amended by this Fourth Amendment.

sn~ Signature pages follow ~

**WASATCH COUNTY:**

**ATTEST:**

By: \_\_\_\_\_  
Dustin Grabau, Wasatch County  
Manager

\_\_\_\_\_  
Joey Granger, Wasatch County Clerk  
Auditor

STATE OF UTAH            )  
                                          ss:  
COUNTY OF WASATCH )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Dustin Grabau, who executed the foregoing instrument in his capacity as the Wasatch County Manager and by Joey D Granger, who executed the foregoing instrument in her capacity as the Wasatch County Clerk Auditor.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_

**JORDANELLE LAND INVESTORS, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH            )  
                                          ss:  
COUNTY OF SUMMIT )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous, who executed the foregoing instrument in his capacity as the Manager of Jordanelle Land Investors, LLC, a Utah limited liability company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_



**SKYRIDGE DEVELOPMENT, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH            )  
                                          ss:  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous who executed the foregoing instrument in his capacity as the Manager of SkyRidgeDevelopment, LLC, a Utah limited liability company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

**SKYRIDGE GOLF ACADEMY, INC.**, a Utah corporation

By: \_\_\_\_\_  
Tyler Aldous, Secretary

STATE OF UTAH            )  
                                          ss:  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous who executed the foregoing instrument in his capacity as the Secretary of SkyRidge Golf Academy, Inc., a Utah corporation.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

**JORDANELLE GOLF LODGE, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH                    )  
                                          ss:  
COUNTY OF SUMMIT         )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous, who executed the foregoing instrument in his capacity as the Manager of Jordanelle Golf Lodge, LLC, a Utah limited liability company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_

## EXHIBIT Ad4-A – LEGAL DESCRIPTION

### "Amendment Property"

#### **SKYRIDGE LODGE PARCEL PLAT 3C LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.10 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

THENCE ALONG SAID CONSTELLATION SUBDIVISION BOUNDARY FOR THE NEXT TWO COURSES:

THENCE, S 24° 08' 18" W 110.00 FEET;

THENCE, S 47° 44' 50" E 195.39 FEET;

THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;

THENCE, S 64° 14' 10" W 88.01 FEET;

THENCE, S 47° 28' 34" W 118.36 FEET;

THENCE, S 26° 52' 19" W 122.02 FEET;

THENCE, S 8° 06' 58" W 114.36 FEET;

THENCE, S 3° 36' 04" W 61.71 FEET;

THENCE, N 86° 23' 56" W 261.83 FEET;

THENCE, N 20° 01' 25" W 180.95 FEET;

THENCE, N 13° 10' 37" E 131.17 FEET;

THENCE, N 18° 33' 01" W 144.66 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 530.00 FEET, SAID POINT ALSO BEING THE SOUTHERLY RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

THE NEXT 3 COURSES ARE COMMON WITH THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE AND OF CONSTELLATION SUBDIVISION,

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18° 19' 13" FOR AN ARC DISTANCE OF 169.47 FEET (CHORD OF N 62° 17' 23" E 168.75 FEET);

THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 220.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF BEGINNING.

CONTAINS 5.37 ACRES, MORE OR LESS.



### SKYRIDGE OVERFLOW PARKING PARCEL PLAT 3F LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS N 87° 04' 35" E BETWEEN THE FOUND MONUMENTS FOR THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS N 03° 26' 37" W 566.49 FEET ALONG THE WEST LINE OF SECTION 13 AND EAST 1095.82 FEET FROM THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE CONTINUING ALONG THE WEST BOUNDARY OF THE SKYRIDGE DEVELOPMENT FOR THE NEXT 8 COURSES, N 35° 14' 07" W 88.61 FEET;

THENCE, N 13° 43' 18" W 209.40 FEET;

THENCE, N 24° 48' 15" W 374.64 FEET;

THENCE, N 46° 17' 20" E 130.72 FEET;

THENCE, N 04° 02' 18" W 234.73 FEET;

THENCE, N 12° 41' 38" E 108.53 FEET;

THENCE, N 80° 21' 42" E 510.07 FEET;

THENCE, S 67° 01' 12" E 41.81 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 462.50 FEET, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF THE JORDANELLE PARKWAY, THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28° 15' 33" FOR AN ARC DISTANCE OF 228.11 FEET (CHORD BEARING S 31° 05' 59" W FOR 225.81 FEET);

THENCE CONTINUING ALONG THE SAID RIGHT OF WAY FOR THE NEXT 5 COURSES, S 45° 13' 46" W 201.33 TO A POINT ON A TANGENT CURVE CONCAVE TO THE EAST WITH A RADIUS OF 637.50 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 65° 49' 13" FOR AN ARC DISTANCE OF 732.35 FEET (CHORD BEARING S 12° 19' 09" W FOR 692.74 FEET);

THENCE, S 20° 35' 27" E 51.19 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE WEST WITH A RADIUS OF 462.50 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05° 27' 40" FOR AN ARC DISTANCE OF 44.08 FEET (CHORD BEARING S 17° 51' 37" E FOR 44.07 FEET);

THENCE LEAVING SAID RIGHT OF WAY, S 34° 41' 29" W 16.44 FEET;

TO THE POINT OF BEGINNING.

CONTAINS 5.35 ACRES, MORE OR LESS.

## SKYRIDGE GOLF ACADEMY PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.02 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE; THENCE ALONG SAID CONSTELLATION SUBDIVISION BOUNDARY FOR THE NEXT TWO COURSES; THENCE, S 24° 08' 18" W 110.00 FEET;

THENCE, S 47° 44' 50" E 195.39 FEET;

THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;

THENCE, S 64° 14' 10" W 88.01 FEET;

THENCE, S 47° 28' 34" W 118.36 FEET;

THENCE, S 26° 52' 19" W 122.02 FEET;

THENCE, S 8° 06' 58" W 114.36 FEET;

THENCE, S 3° 36' 04" W 99.92 FEET;

THENCE, S 0° 24' 56" E 225.58 FEET;

THENCE, S 23° 10' 17" E 418.43 FEET;

THENCE, S 9° 09' 37" W 203.57 FEET;

THENCE, S 18° 25' 16" W 74.37 FEET;

THENCE, S 48° 52' 00" E 141.63 FEET;

THENCE, S 11° 17' 26" W 23.20 FEET;

THENCE, S 40° 17' 40" E 95.33 FEET;

THENCE, S 48° 09' 37" W 110.00 FEET;

THENCE, S 53° 17' 02" E 185.56 FEET;

THENCE, S 36° 28' 18" W 155.49 FEET;

THENCE, S 89° 45' 45" W 1128.31 FEET;

THENCE, N 0° 00' 40" W 238.79 FEET;

THENCE, N 55° 57' 59" W 137.01 FEET;

THENCE, S 89° 59' 20" W 499.51 FEET TO THE SOUTHEAST CORNER OF LOT 128 CONSTELLATION SUBDIVISION;

THE NEXT 23 COURSES ARE COMMON WITH THE BOUNDARY OF CONSTELLATION SUBDIVISION, THENCE, N 5° 39' 19" E 108.87 FEET;

THENCE, N 11° 18' 12" E 64.14 FEET;

THENCE, N 10° 31' 16" E 99.52 FEET;  
THENCE, N 28° 38' 01" E 182.48 FEET;  
THENCE, N 25° 57' 58" E 96.59 FEET;  
THENCE, N 22° 03' 31" E 86.52 FEET;  
THENCE, N 16° 27' 35" E 58.04 FEET;  
THENCE, N 11° 52' 26" E 60.39 FEET;  
THENCE, N 7° 11' 45" E 60.41 FEET;  
THENCE, N 4° 51' 35" E 104.05 FEET;  
THENCE, N 7° 14' 47" E 97.77 FEET;  
THENCE, N 8° 23' 35" E 95.46 FEET;  
THENCE, N 17° 43' 28" E 89.18 FEET;  
THENCE, N 28° 13' 23" E 93.09 FEET;

THENCE, N 20° 40' 52" E 101.84 FEET;  
THENCE, N 19° 09' 06" E 98.41 FEET;  
THENCE, N 52° 34' 32" E 78.90 FEET;  
THENCE, S 85° 43' 21" E 196.40 FEET;  
THENCE, N 6° 57' 59" E 110.00 FEET;

THENCE, S 83° 02' 01" E 238.26 FEET TO A TANGENT CURVE CONCAVE TO THE NORTH  
WITH A RADIUS OF 530.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43° 50' 12" FOR AN ARC  
DISTANCE OF 405.50 FEET (CHORD OF N 75° 02' 52" E 395.88 FEET);

THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH  
WITH A RADIUS OF 220.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC  
DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF  
BEGINNING.

CONTAINS 57.97 ACRES, MORE OR LESS.



## EXHIBIT Ad4 -M – GOLF ACADEMY LODGING FACILITY

Exhibit M of the DA, as shown in the 3<sup>rd</sup> Amended DA, is deleted and replaced with the following:

Golf Academy Lodge Site Plan consisting of 35 Residential ERU's:

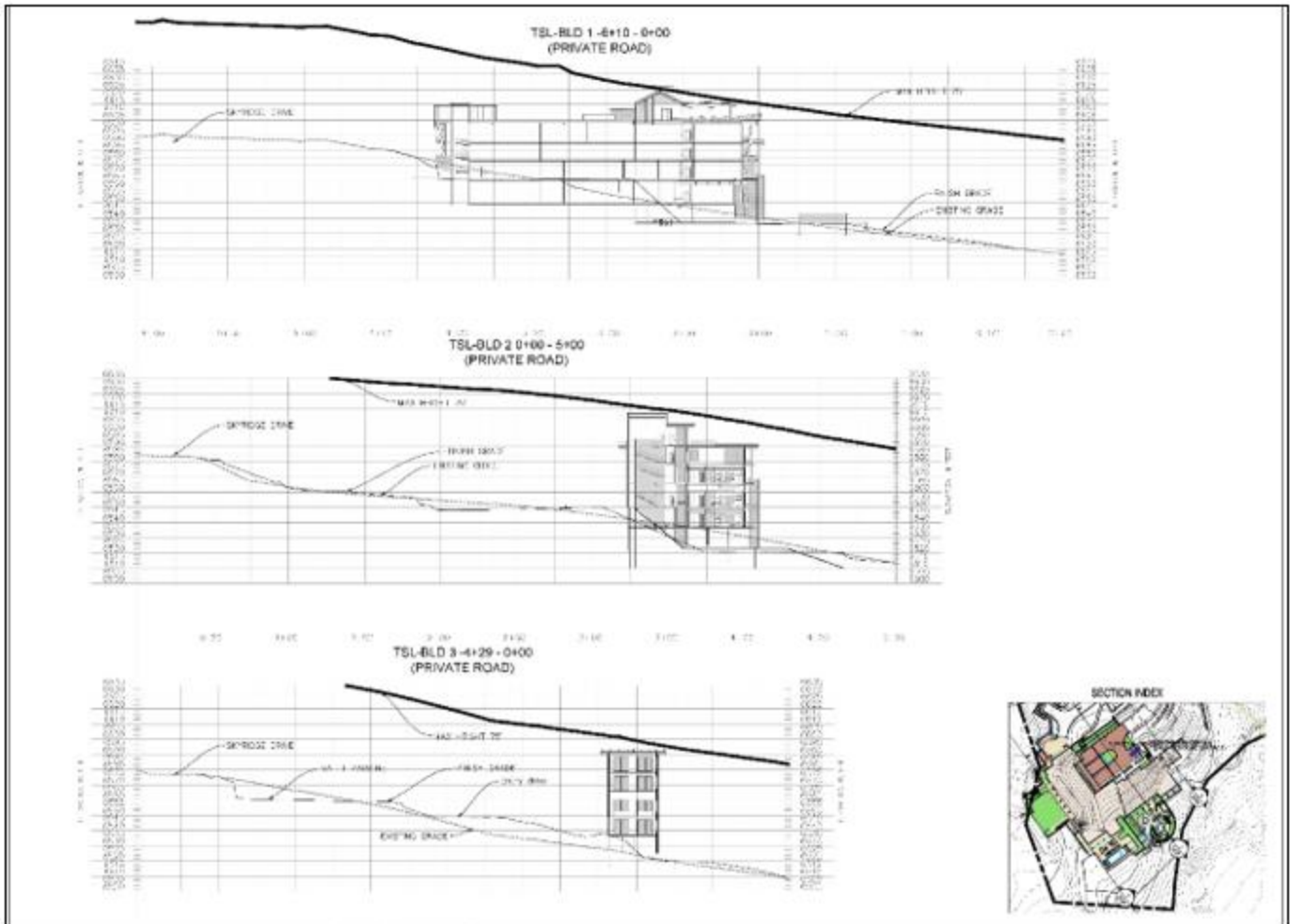


Exhibit O of the 3rd Amended DA is deleted and replaced with the following:

[illegible]

### Exhibit Ad4 - P- Height

This exhibit depicts the maximum allowed height of the Lodge in relation to the topography and elevation on the Lodge Property.







**Items 1, 2 and 3 – SkyRidge Lodge  
Legislative Development Agreement  
Off-Site Parking  
Site Plan**

**Project:** DEV-9177, 9178 | Legislative Development agreement, Lodge off-site parking and lodge site plan  
**Meeting Date:** 17 September 2024  
**Report Date:** 4 September 2024  
**Report Author(s):** Doug Smith/Anders Bake, Planners  
**Council Action Required:** Yes  
**Type of Action:** Legislative  
**Applicant:** Allison Aafedt  
**Address:** 1393 W. SkyRidge Drive  
**Acreage:** 5.37 ac. Lodge parcel 3.39 ac. parking parcel

**Proposed Density:** 35 ERU’s, 27,760 sf. footprint, 65 units, 80 keys, 3 MIDA units with 4 keys, 61,344 total square feet  
**Zoning Designation:** JSPA (Jordanelle Specially Planned Area)  
**Related Applications:** Master Plan (2016, amended 2021), Development agreement (amended 2021), Preliminary approval (2018, amended 2021), Final plat for lodge parcel (2022)

DETERMINATION ISSUE

Whether or not the County Council, after receiving recommendations from the Planning Commission and the JSPA planning committee should approve the Legislative development agreement (LDA), the off-site parking plan, the small-scale subdivision and the Lodge site plan.

RECOMMENDATION

Based on the analysis in this staff report, it appears that the proposal can be compliant with applicable laws subject to the conditions found in the report as well as stipulations outlined in the LDA. Therefore, it is recommended that the Planning Commission and JSPA Planning Committee forward a POSITIVE RECOMMENDATION of the proposal based on the findings and subject to the conditions included the staff report and legislative development agreement.

## BACKGROUND

The request is for approval of the SkyRidge Golf Lodge site plan, associated Legislative Development Agreement (LDA), an off-site parking lot and an associated small scall subdivision for the offsite parking. The Golf Lodge contains 65 individually owned condominium units that will be in a short-term rental pool and managed as a hotel. Within the 65 units there are a total of 80 keys meaning that there are units that include lock-offs. In theory there could be 80 units rented at any given time if the hotel were at 100% occupancy and all the lock offs were utilized. The hotel also includes 3 units with 4 keys that will be owned by MIDA (Military Installation Development Authority) for a total of 84 units. Staff is not sure the details of how the MIDA units will be managed. Within the lodge is a spa, restaurant, bar, dining room, conference room, roof bar terrace and a grab and go restaurant. The footprint of the lodge is 27,760 square feet and overall square footage is 61,344 square feet. The lodge is situated on a 5.37-acre parcel that is already platted and is adjacent to the SkyRidge clubhouse currently under construction.

On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council, which changes included allowing the Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to the DA. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.

The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.

The Lodge proposed in this area is a unique situation not covered by existing County codes. Due to the unique situation and limited circumstances of the proposal the applicant proposed that a Legislative Development Agreement (LDA) would be used, as allowed by Utah State (§17-27a-528(2)(a)(iii)), for this use, which would not otherwise be allowed under existing applicable land use regulations. The staff and the applicant determined that the LDA would be preferable to amending the code which would allow a countywide change. The uses the LDA could allow were presented to the County Council in a public meeting, and they appeared to be comfortable with the application proceeding through the required processes.

Due to the interrelated nature of the aforementioned items, they will be covered in this one staff report but will need to be reviewed concurrently with individual motions. If the ordinance approving the legislative development agreement is not approved or not approved as written a different approval process may be needed, or the application may be denied. Many of the issues will be discussed under the portion of the staff report entitled "Site Plan". This section will address issues like; lighting, setbacks, building height, parking, landscaping, trails etc.

This staff report covers three separate interrelated application items organized in the following order:

1. Ordinance 24-11, approving the Legislative Development Agreement.
2. Offsite parking lot and parking plan with small scale subdivision creating two parcels with the offsite parking parcel being 3.39 acres and site plan approval for the off-site parking.
3. Site plan approval for the 61,344 square foot lodge on 5.37 acres.

The above applications were sent through an internal Development Review Committee (DRC) process that includes review by about 17 internal and external reviewers. Most of the ~17 review entities are looking at technical issues with the proposal. Until the issues brought up by the various departments are resolved the item is not placed on a planning commission agenda. This proposal went through a number of review cycles each time with additional detail or clarification requested by various departments.

The site has the underlying zone of M (Mountain) with the JSPA (Jordanelle Specially Planned Area) overlay.

The review and approval or denial of all the applications is a legislative decision which is made by the County Council after a recommendation by the Planning Commission and the JSPA Planning Committee.

## STAFF ANALYSIS

As mentioned, there are three applications that are part of this proposal. Staff will address all three items separately divided by sections although all three application items are interrelated and have overlap.

### **SECTION 1 -ORDINANCE 24-11/LEGISLATIVE DEVELOPMENT AGREEMENT-**

This proposal for a lodge is unique however, the JSPA fully intended to have varied product types including lodging associated with the four-season intent of the JSPA.

The Vision and purpose of the JSPA as stated in 16.41.01 is to:

- Create a globally recognized “Year-Round” resort
- To provide amenities supporting year-round activities
- The quality standards of 4- and 5-star hotels
- Encourage golf
- Fitness and wellness centers
- Retail dining and entertainment
- Adequate and accessible parking
- A wide range of well segmented real estate products

Due to the uniqueness of the proposal and the intent to further the goals of the JSPA, the County Legislative body has been asked to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii). The state code allowing legislative development agreements provides some flexibility for projects that are unique and where it is impractical to address all regulations found in a land use code. Staff has recommended that a legislative development agreement is the preferred way to address the unique issues associated with this proposal which otherwise would have required a code amendment, or denial of the project. This Utah code section 17-27a-528(2)(a)(iii) states:

*A development agreement may not: allow a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, unless the legislative body approves the development agreement in accordance with the same procedures for enacting a land use regulation under Utah code section 17-27a-502, including a review and recommendation from the planning commission and a public hearing.*

Approval of a legislative development agreement is entirely up to the County Council acting as the approving authority after review and recommendation by the Planning Commission and JSPA Planning Committee.

The major items addressed in the LDA include the following:

1. The height of the building is allowed to be a maximum of 75’ as shown in the exhibit in the development agreement. The single-family portions of the JSPA code allows for a maximum height of 35’ or two- and one-half stories whichever is greater.
2. County code 16.33.07 and 16.41.5.8 requires all the parking to be on-site or within 200’ of the use. The project includes onsite parking and offsite parking. The offsite parking is approximately 1 mile from the site. The offsite



parking will only be valet parking or employee parking and is intended only for overflow for employees and special events.

3. Parking stalls proposed are 9'x18' not 9'x20' as required by WCC.
4. The code does not allow double stacked parking which is the case with the stalls on the lodge site. Stalls on the lodge site will be valet only, as is not unusual for a four- or five-star hotel.
5. The proposal also uses shared parking with the clubhouse to accomplish the parking numbers for the proposal which is intended in the JSPA code but is ratified in the LDA.
6. The code requires parking to be at the rear or sides of the use. The proposal has parking in front of the lodge, but due to the change in grade on the site, will not be visible from the street. Part of the concern in the code for the location of parking lots is that parking should not dominate the streetscape. Buildings, especially in a village would front the street, not parking lots.
7. The original approved master plan showed 20 ERU's on the lodge site (10 buildings 20 townhomes) which was then changed in addendum 3 to a lodge with 27 ERU's. Addendum 4 states that there are 35 ERU's for the lodge plus 3 MIDA units with 4 keys. The SkyRidge development is limited to 503 total ERU's. The development will need to limit future lots so that at the final approval of the final plat there is no more than 503 ERU's. The 3 MIDA units are not counted in the ERUs, as is clarified in the LDA.
8. The hotel use and parking do not comply with the permitted uses for the residential land use category of the JSPA code. This has been addressed in the amended master plan and development agreement and will be further approved through this LDA.
9. Removal of the requirements for the welcome center and the amenities stipulated in addendum 3.

If Ordinance 24-11 and the development agreement are not approved by the legislative body a different approval process may be required i.e., a code amendment to allow the proposal, or the project may be denied. If approved as proposed, the ordinance and the development agreement would need to be acted on concurrently with the other items on the agenda.

## **SECTION 2-FINAL SMALL-SCALE SUBDIVISION AND SITE PLAN FOR OFF-SITE PARKING PARCEL-**

One of the necessary items requiring approval is a small scale 2 lot subdivision that creates the 3.39-acre offsite parking parcel and a 1.96-acre parcel that may be used for future amenities. The offsite parking parcel is approximately 1 mile from the Lodge site. The code requires that parking lots be on the same parcel as the main use but allows exceptions if within a distance from the use of not more than 200'. The third amended development agreement showed a welcome center on this property which may be done on the remaining 1.96 acre parcel.

The code for parking is the following:

### **16.33.07: LOCATION OF PARKING FACILITIES**

*The off-street parking facilities required by this chapter shall be located on the same lot as the use except, in cases of practical difficulty the designated land use authority may approve a substitute location which meets the following conditions:*

1. ***All or part of the substitute location must be on an adjacent lot, or within two hundred feet (200') from the use, and easily accessible for pedestrian traffic so pedestrians are not required to cross a public street to access the use for which the parking is provided.***
2. ***The substitute lot must be in the same possession as the use it is intended to service and must be maintained as long as the use or structure exists. Such possession may be by recorded deed or long-term lease and should run concurrently with the life of the building or use. The length of such lease shall be at***

*least twenty-five (25) years but may be terminated or modified earlier with the consent of the county planning department, if the use for which the parking is required is terminated or modified.*

3. *Off-street parking spaces required in connection with a use shall be in the same zone as the use the parking is intended to serve and shall not be located within a different zone, unless off-street parking lots are listed as a stand-alone permitted use within the adjacent different zone.*

**4. *Parking shall not be located in required front or side yards.***

Instead of following the code typically applicable to the project, the applicant has had a parking study performed by LSC Transportation Consultants. This parking study was reviewed by Hales Engineering for the county, and they found the parking was within industry norms for similar resort projects throughout the United States.

One of the concessions for the offsite parking lot is that the lot will not be open to the public. The lot will be valet and used by employees of the lodge only. It is intended that the 52 valet only stalls on the hotel site will first be utilized for patrons then the shared parking on the clubhouse site if the lodge parking is full. The only time the offsite parking is intended to be used is for employees and special events. The offsite parking lot has 115 spaces.

In addition to the allowance for the offsite parking lot the LDA proposes to include a provision for double deep parking stalls on the hotel site. The code would not allow for a double deep stall in a typical public parking lot however this will only be at the lodge and will be valet only. The stalls for the offsite parking have a measurement of 9'x18' not the 9'x20' required by the code. After the requirements for landscape buffers along the parkway and at the rear of the lot as well as drive aisle widths the parking stall depth became an issue. Due to the fact that vehicles using the offsite parking will only be parked by employees, the need for the parking to meet the normal standards for depth is diminished because the Lodge owner can ensure that the employees using the lot have the knowledge, skills, and abilities to park safely considering the constraints of the offsite parking lot.

The proposal also allows for shared parking. The shared parking would be on the adjacent clubhouse site. There are two factors that allow for decreased parking numbers for the lodge. The clubhouse will have the peak parking demand in the summer when the golf course is open. The hotel will have the peak parking demand in the winter when ski resorts are open. This allows for shared parking with the clubhouse since the peak demands of the clubhouse and hotel are during different seasons. There is also an expectation that the occupants at the hotel will be the majority of the users of the amenities in the hotel i.e., the restaurant, wellness center, bars etc. not the public driving in separate cars. The clubhouse has a total of 102 parking stalls. The table below shows the peak parking uses and total parking requirements.

| Hotel Parking                                                                    | Number of stalls                                                                                             |
|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| Offsite lot                                                                      | 115                                                                                                          |
| Hotel lot                                                                        | 52                                                                                                           |
| Total Lodge and off-site parking                                                 | 167                                                                                                          |
| Clubhouse parking (needed depending on the season)                               | 102 total/23 available summer stalls/49 available winter stalls                                              |
| Total of Lodge parking, off-site parking lot and seasonal parking with clubhouse | 190/summer available stalls 216/winter available stalls                                                      |
| Code requirement and number of stalls short                                      | 80 (lodge)+115 (employees) +77 (amenities) =272 Total required by code (82 summer short and 56 winter short) |

### Executive Summary of the Golf Lodge Parking Study:

The Lodge is proposed to consist of 65 (68 with MIDA units) condos of various sizes, with the ability to lock off portions of some suites to result in a maximum of 80 (84 with MIDA units) keys. Modified parking rates for the Lodge are appropriate based on a review of the Wasatch County Code, Peer Resort Communities, Urban Land Institute rates and other mountain resort parking studies. The lodge parking rate modification is also appropriate based on the high levels of non-auto and carpooling for lodge employees and high rate of out-of-town guests. As the peak parking demand occurs at different times – overnight in the winter for the Lodge and midday in the summer for the Clubhouse, shared parking between the two facilities reduces the parking demand for additional onsite parking.

#### *LANDSCAPING –*

The offsite parking lot is required to comply with the landscaping requirements of the code including the buffer requirements adjacent to residential uses. The 3.39-acre site has 1.95 acres of landscaping or 57% of the site. Some of the concern of the offsite parking lot was the visibility from the parkway. There is a heavily landscaped buffer along the parkway with a minimum depth of approx. 10' (the average depth is closer to 15') with a total from back of the curb of approx. 28'. There is also a 10' landscape buffer along the west side of the property adjacent to the East Park large lots.

#### *-PUBLIC UTILITY EASEMENT REQUIREMENTS-*

16.27.12 requires a 10' PUE to be around the periphery of the parcels which needs to be added to the plat.

#### *-LIGHTING –*

Lighting outside of required lighting by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The site lighting for the off-site parking lot is at a total of 21,243 lumens per improved acre.

In short staff is recommending approval of the offsite parking proposal with the following conditions:

- The Council approve the shared parking proposal which allows for a discount of 82 summer stalls and 56 winter stalls from the generally applicable code requirements.
- The site plan for the offsite parking lot is in compliance with the code except for the requirement to be within 200' of the lodge and the stall sizes of 9'x18'. These issues are addressed in the LDA.
- The off-site parking lot is not open to the public but will be used for overflow (valet only) and employee parking which the lodge will be required to provide a shuttle service for all times that the lodge is open.

### **SECTION 3-LODGE SITE PLAN REVIEW-**

As mentioned in the background section the 3<sup>rd</sup> amended development agreement allows that the lodge be allowed as a permitted use. A permitted use still is required to go through the site plan review to ensure that the proposed use and all the necessary ancillary issues i.e., parking, landscaping, lighting, architecture etc. have been considered and either comply with code or will be part of the development agreement.

#### *-LAND USE AND DENSITY–*

As mentioned above the SkyRidge development is limited to a maximum density of 503 ERU's. The original master plan and preliminary showed 10 twin homes (20 Units/ERU's) on a cul-de-sac where the lodge is proposed. The development is not allowed to go above the 503 maximum approved density. Future phases will need to be adjusted accordingly so when the last plat is recorded the density will be at or below 503 ERU's.

The lodge is in a residential area approved for single family homes. The only designation in the JSPA that would have allowed for the lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area.



Some of the stipulations for villages include:

- Significant retail, dining and entertainment facilities;
- A minimum of six hundred fifty (650) Units (not ERU's) in the Resort Village Zone;
- Must be designed to accommodate the 2,400 Foot Rule; (refer to section 3.1) and
- A pedestrian walk experience which links Resort Features (as defined in Section 2.1 .2.23) and other elements in the Resort Village together and serves as a focal point for visitor foot traffic.
- Community Space Requirements - Each Resort Village shall have a minimum of one acre community space/plaza with 1/2 acre minimum in a consolidated area.
- And other resort components.
- Buildings shall build to street facing property lines. Alternatives shall be reviewed by the JSPA PC.

This report will further discuss below, in the *Building Height* section, the reasons the Applicant proposes to allow the Golf Lodge despite the fact that it does not fit in with all the land use regulations of the JSPA code.

The application proposes to increase the density for this parcel for the Lodge, but the ERUs will come from other parcels in the project that have not been platted yet. This is memorialized and agreed to in the LDA.

#### *-ROADS, ACCESS AND TRAFFIC-*

The access to the lodge is off of SkyRidge Drive which has two access points onto the Jordanelle Parkway. At the March 3, 2021, County Council meeting the amended Master Plan for the lodge approval was approved. Hales Engineering, the County Traffic Engineering consultant, did a traffic analysis and determined that there would be approximately 29 extra trips per day (over and above what was originally approved) onto SkyRidge Drive with the addition of the lodge. Hales Engineering felt that the lodge would not have a significant impact on the road network. The previous use of the land was 10 townhouse buildings which is 20 units/ERU's.

#### *-SETBACKS-*

Some of the concern of the proposal is the size of the structure and the proximity to residential uses and SkyRidge Drive. The setbacks provided on the site plan are the following:

- The setback off SkyRidge Drive is approximately 141'.
- The setback to the north single family lot line at the closest point is approximately 210'.
- The setback to the south is approximately 14'.
- The setback to the east property line is 53'.

All setbacks are greater than the setbacks for the JSPA zone which are: Front is a minimum of 20' from the right-of-way, side setbacks are a minimum of 10' and the rear setback requirement is 20'. These additional setbacks help mitigate the size of the Lodge.

#### *- OPEN SPACE/LANDSCAPING -*

The site plan states that the lodge site has 47.9% open space which will be dedicated to landscaping. Included in that percentage of landscaping is 7,337 square feet of sod, 95,687 square feet of native seed and 9,008 of ornamental planting. The only statement I can find in the JSPA code is that there must be, "appropriate landscaping".

There are two residential lots with homes adjacent on the north side of the lodge site. The setback from these property lines to the closest part of the lodge is approximately 141'. Between the two uses is a natural drainage with an oak brush grove in the drainage.

Section of 16.21.19(D) needs to be complied with which requires the 10' landscape buffer between parking areas and residential uses with trees spaced no further than 25'. In staffs' opinion this has been accomplished with the native oak brush between the hotel and the dwellings to the north.

**– BUILDING HEIGHT –**

The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is in the Residential, Single-Family portion of the JSPA Zone, which allows for heights of up to 35' or two- and one-half stories from natural grade, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street will be approximately 34' above the grade on SkyRidge Drive which is an appropriate scale for a residential area and will fit in with the surrounding uses and residential and clubhouse structures.

The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. In certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. See Section 16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height (of the DA), confirm that the maximum height provided is appropriate for the Property. The County Council Unanimously Approved the Amended Master Plan that included the SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

**-LIGHTING –**

The lighting for the proposal is regulated under the recently adopted lighting code. A primary intent of the lighting code is to ensure that all lighting is at the minimum levels required by code for the IBC (International Building Code) required lighting for egress from the building to a public way and lowest recommended levels of lighting for the IES (Illuminating Engineers Society) for the parking lots including associated walkways. Lighting outside of required lighting by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The lodge has a total of 24,716 lumens per improved acre.

**– SIGNAGE –**

The sign shown on the site plan will be required to get a separate permit and is not being approved at this time.

**-ARCHITECTURE-**

The applicant has committed to comply with the JSPA code and design handbook for materials, material percentages and colors. The JSPA planning committee has reviewed the architecture in previous meetings and made comments (February 27, 2024).

Representations by the applicant made in public meetings responding to the JSPA PC comments will be required to be complied with unless minor and inconsequential changes are proposed as determined by the planning director.

Percentages and materials are required to be submitted with the building permit and verified.

## **DEVELOPMENT REVIEW COMMITTEE**

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 in the exhibits. The Committee has accepted the item for Planning Commission, JSPA Planning Committee and County Council to render a decision. Deputy County Attorney Jon Woodard has reviewed the development agreement and the ordinance and has no legal objections to them as drafted. Reports of these reviews have been attached in the exhibits.

## **POTENTIAL MOTION**

Move to Approve with Conditions consistent with the findings and conditions presented in the staff report.

### *Findings:*

1. On February 15, 2017, the County Council approved the master plan for SkyRidge formerly Mayflower Lakeside North with a total density of 503 ERU's.
2. On February 25, 2021, the JSPA planning committee recommended approval of the amended preliminary and master plan that included the lodge and offsite parking parcel.
3. On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council. The amendments included the lodge and offsite parking parcel.
4. The master plan changes also included allowing a Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA.
5. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.
6. The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.
7. The approval of an amended master plan and overall preliminary that included the off-site parking and the lodge still required a number of approvals including site plan, plat and LDA.
8. The proposal is for approval of a legislative development agreement, a small-scale subdivision plat approval and site plan approvals for the lodge and parking lot, including the parking plan.
9. Due to the uniqueness of the proposal, among other reasons stated in the development agreement, the County Legislative body has decided to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii).
10. The Vision and purpose of the JSPA as stated in 16.41.01 is to: Create a globally recognized "Year-Round" resort, to provide amenities supporting year-round activities, the quality standards of 4 and 5 star hotels, encourage golf, fitness and wellness centers, retail dining and entertainment, adequate and accessible parking and a wide range of well segmented real estate products.
11. The legislative development agreement process was discussed with the council on May 1, 2024, in a public meeting and no reason for not following this process was given by the council.
12. The proposal is located in the JSPA (Jordanelle Specially Planned Area) overlay zone.
13. The original master plan for the project showed single family residential uses in a townhouse configuration that included 20 units.
14. Utah Code states that a land use authority shall approve a conditional use if reasonable conditions are proposed to mitigate anticipated detrimental effects. See Utah Code 17-27a-506(2)(a)(ii). The applicant has proposed a legislative development agreement through with the application can be approved outside of the conditional use process.
15. For reasons explained in the development agreement and this staff report, the legislative development agreement makes both the lodge and its height a permitted use, whereas without the development agreement, the lodge and the height would have to be approved through a different process.
16. Normally under Utah Code, if an application meets the requirements of the code, the land use authority



must approve the application. Due to the legislative development agreement, which allows a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, the Council has greater discretion than would normally be allowed.

17. Single family homes in this area of the JSPA are allowed to have a maximum height of 35' from natural grade.
18. The Lodge is proposed to be ~75' tall at its highest point.
19. The setbacks for the Lodge are significantly greater than setbacks required by code.
20. The legislative development agreement gives the county legislative body the discretion to allow or require the height they believe is a benefit to the health, safety, and welfare of the community.
21. The Development Review Committee has reviewed the project and forwarded the item for planning commission and JSPA planning committee consideration and council decision.
22. The development agreement explains the rationale for many of the matters addressed therein. The council hereby adopts the recitals of the development agreement, and the body of the development agreement, as findings for those matters addressed therein.
23. Ordinance 24-11 authorizes the adoption of the development agreement. The council adopts Ordinance 24-11.
24. This staff report and the presentations made by staff during the public meetings are hereby incorporated into these findings.
25. The Council finds that, based on the findings, the Lodge as proposed, the small-scale subdivision, the site plans, and the parking plans, advance the general welfare of Wasatch County.

#### **RECOMMENDED CONDITIONS**

1. The off-site parking parcel, as per code, must have a 10' PUE around the periphery of both parcels.
2. The existing oak brush between the lodge and the residential lots must be maintained as an alternative to the buffer noted in the code.

#### **ALTERNATIVE ACTIONS**

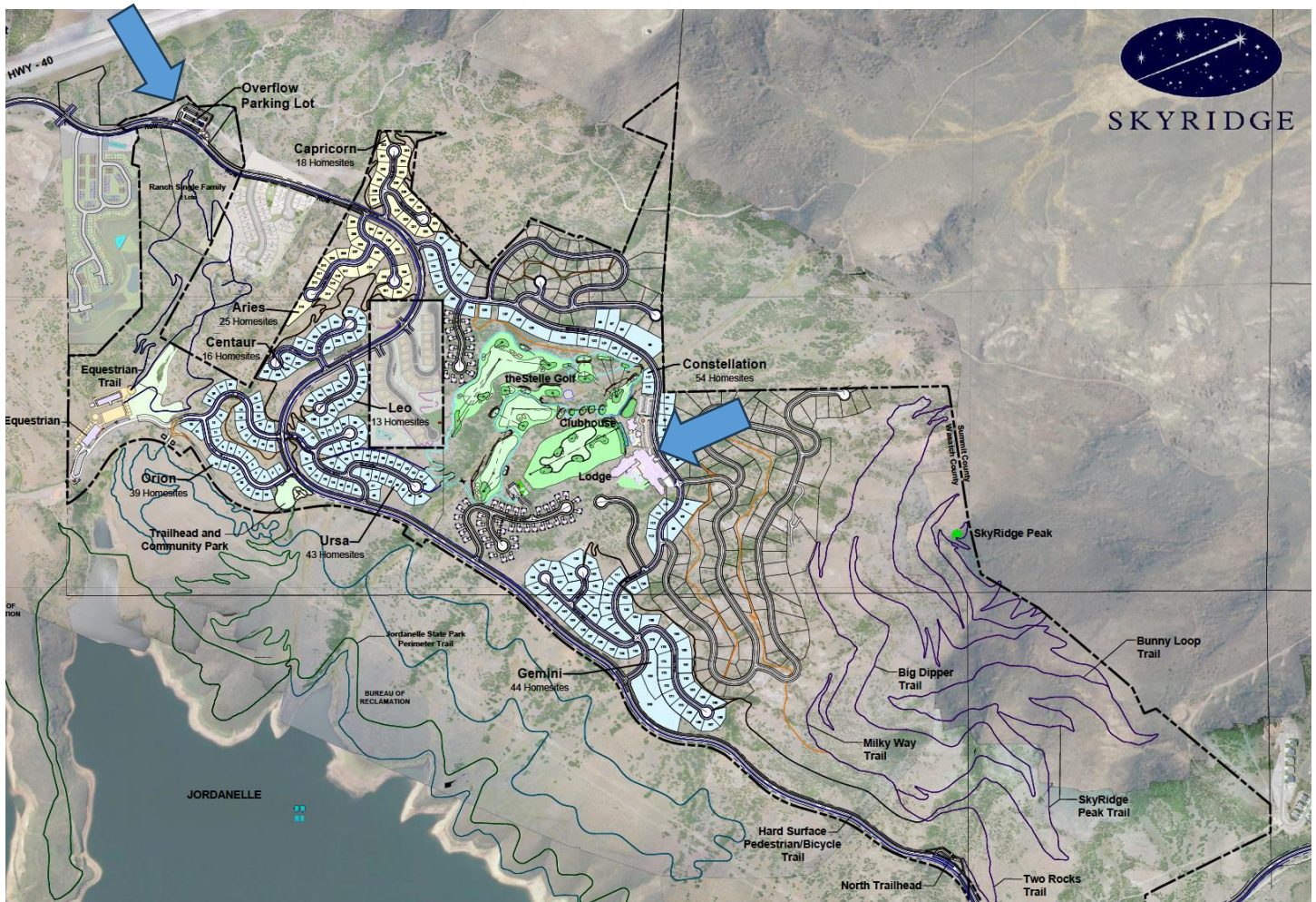
The following is a list of possible motions the Planning Commission and JSPA planning committee can take. If the action taken is inconsistent with the potential findings listed in this staff report, the JSPA PC or Planning Commission should state new findings.

1. Recommend Approval. This action may be taken if the JSPA PC or Planning Commission finds that the Final Site Plan is compliant as proposed with Wasatch County Code and all other applicable ordinances.
2. Recommend Approval with Conditions. This action can be taken if the JSPA PC or Planning Commission feels comfortable that remaining issues can be resolved subject to the conditions noted and review of the County Council. ***\*This action would be consistent with staff analysis\****
3. Continue. This action can be taken if the JSPA PC or Planning Commission needs additional information before making a recommendation, if there are issues that have not been resolved, or if the application is not complete.
4. Recommend denial. This action can be taken if the JSPA PC or Planning Commission finds that the proposal does not meet applicable codes and/or ordinances.

## EXHIBITS

|                                                                     |    |
|---------------------------------------------------------------------|----|
| Exhibit A – Vicinity Plan.....                                      | 12 |
| Exhibit B – Site Plan with clubhouse context .....                  | 13 |
| Exhibit C – Proposed Subdivision Plat for offsite parking .....     | 14 |
| Exhibit D – Proposed site plan for offsite parking.....             | 15 |
| Exhibit E – Original master plan with townhouses .....              | 16 |
| Exhibit F – Lodge site plan and landscape plan.....                 | 16 |
| Exhibit G – Cross sections of Lodge from SkyRidge Drive .....       | 17 |
| Exhibit H – Report of Action Work Meeting Review of Lodge .....     | 18 |
| Exhibit I – LSC Parking Summary .....                               | 19 |
| Exhibit J – Hales Engineering Trip Generation Report .....          | 22 |
| Exhibit K – Renderings of Lodge and materials.....                  | 23 |
| Exhibit L – Retaining wall example at lodge parking area.....       | 26 |
| Exhibit M – Landscape buffer between lodge and existing homes ..... | 26 |
| Exhibit N – ERU breakdown for lodge units .....                     | 30 |
| Exhibit O – ERU tracking for SkyRidge development .....             | 31 |
| Exhibit P – DRC Report .....                                        | 32 |
| Exhibit Q – Ordinance Adopting the LDA and the LDA .....            | 34 |

Exhibit A – Vicinity Plan





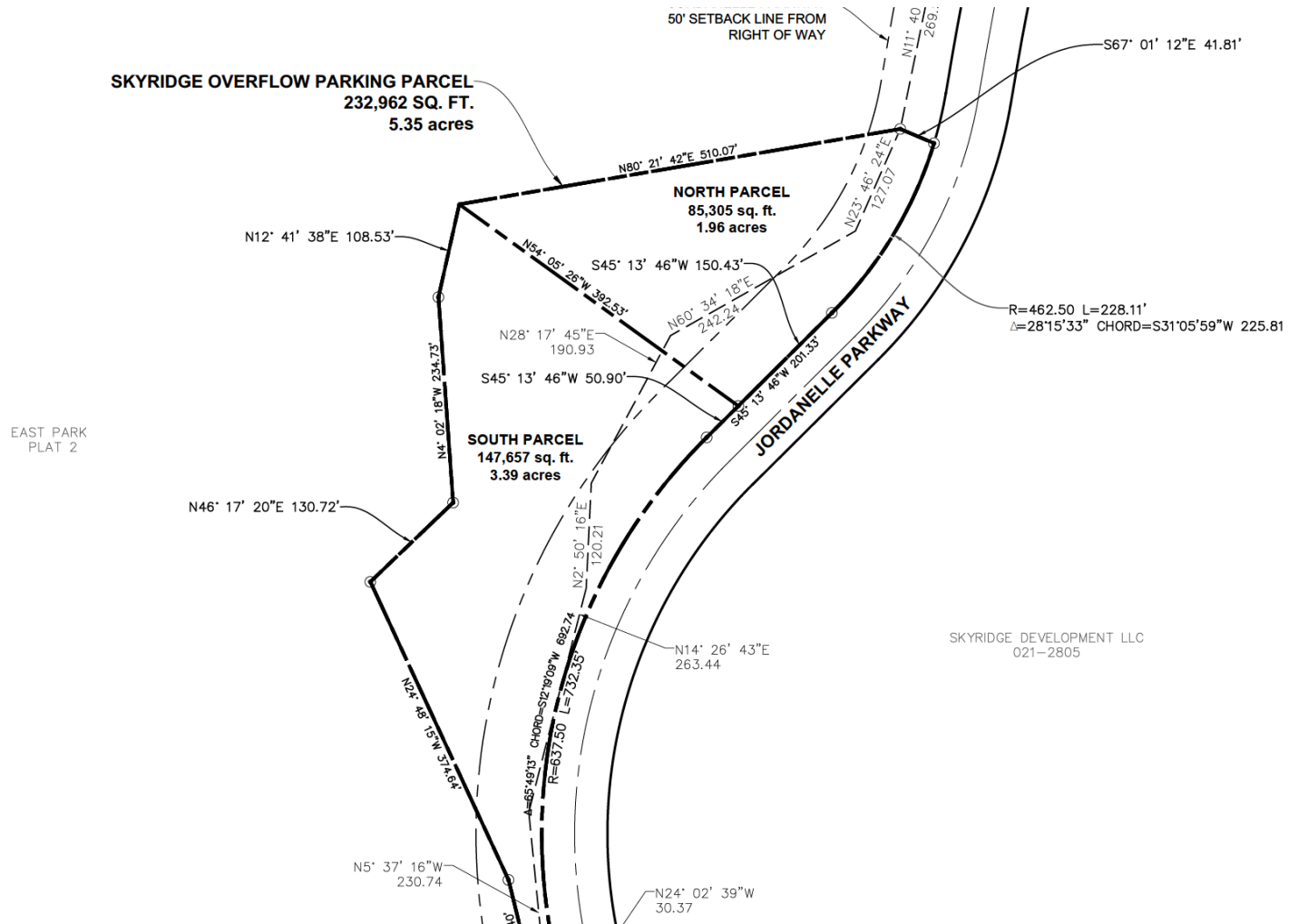
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Exhibit B – Site Plan with clubhouse context

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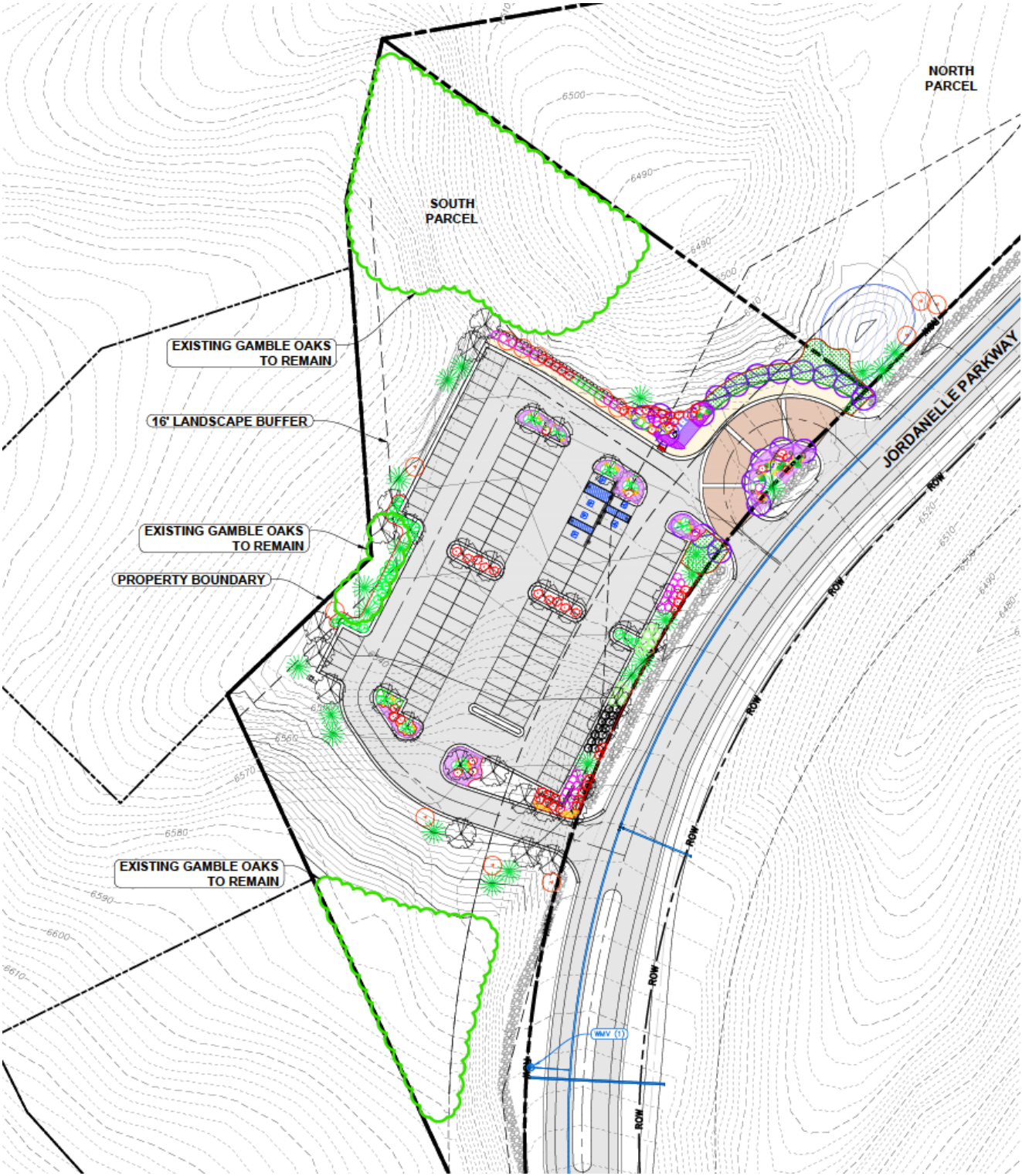


## Exhibit C – Proposed Subdivision Plat for offsite parking





*Exhibit D – Proposed site plan for offsite parking*

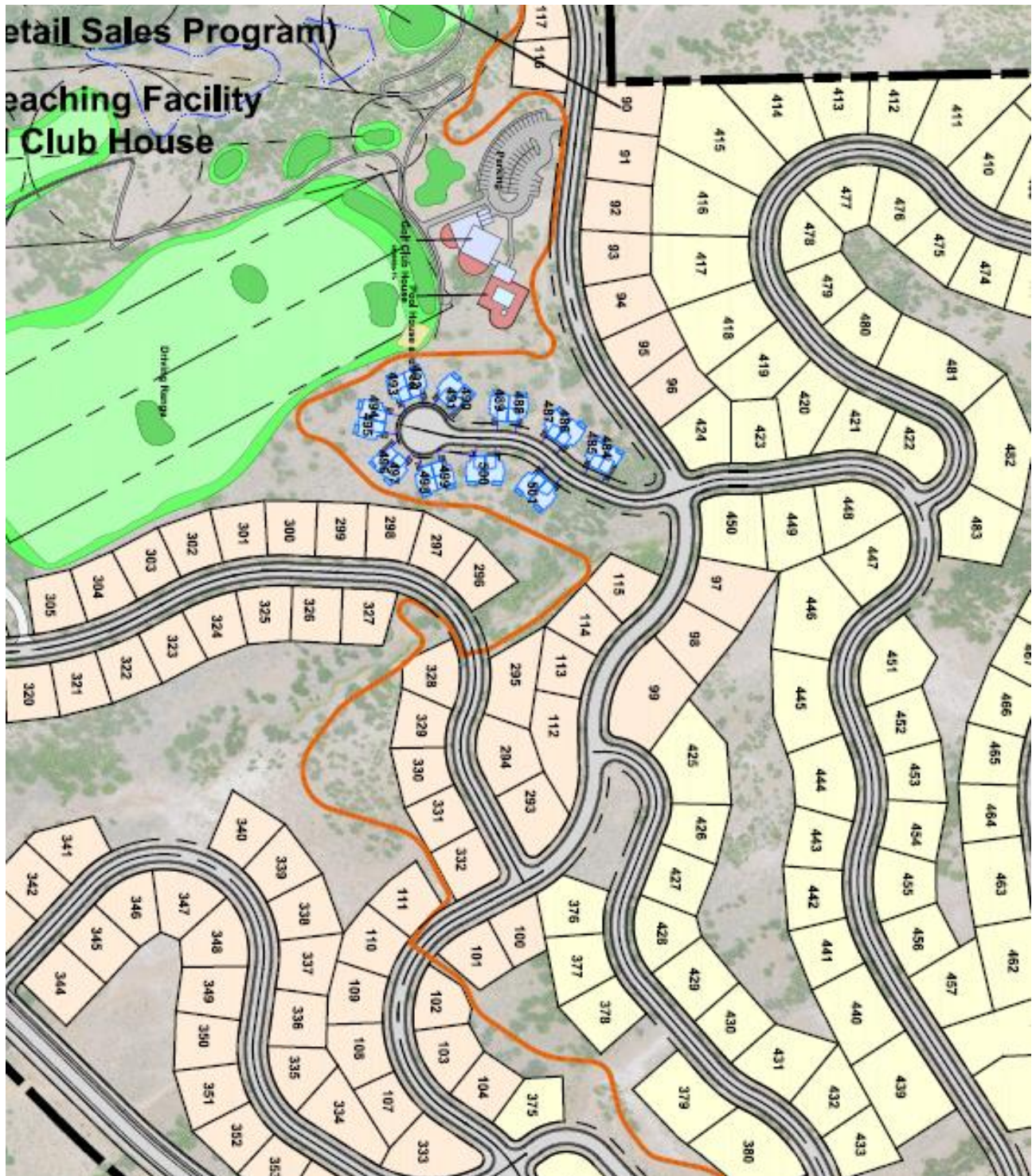




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*Exhibit E – Original master plan with townhouses*

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*Exhibit F – Lodge site plan and landscape plan*

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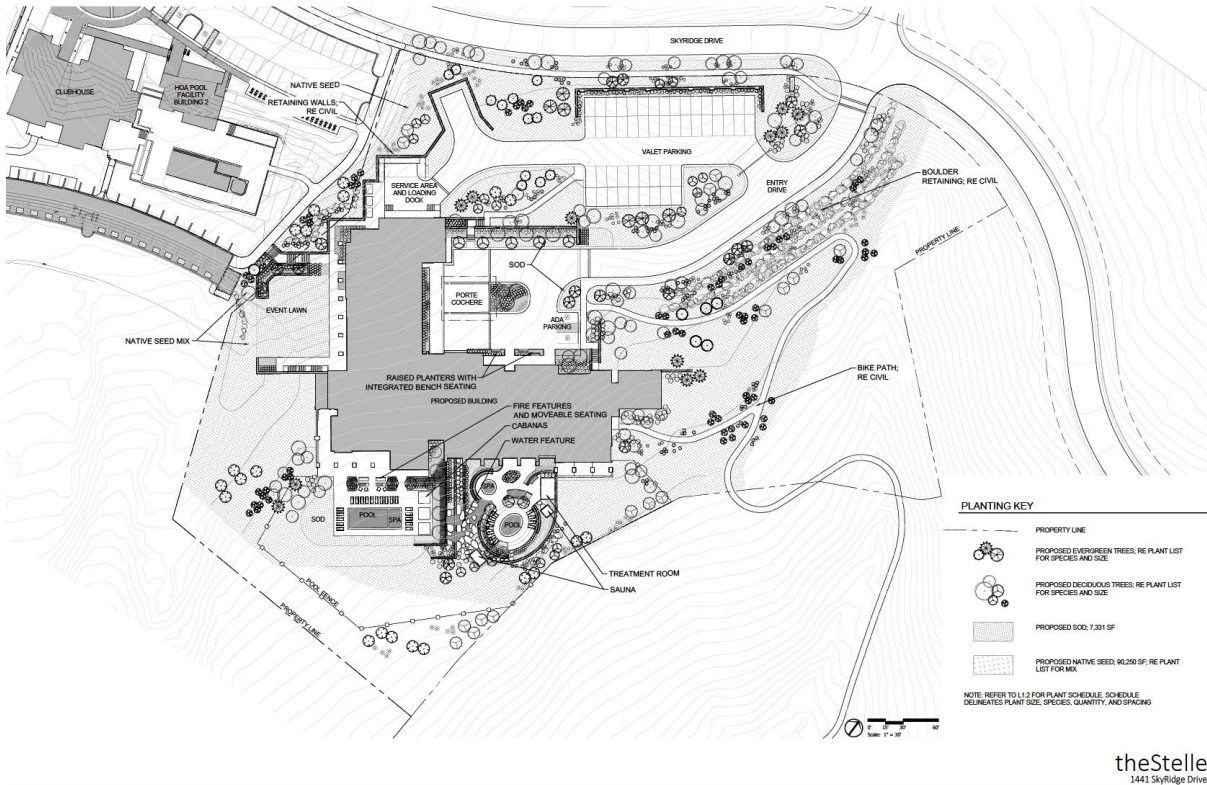
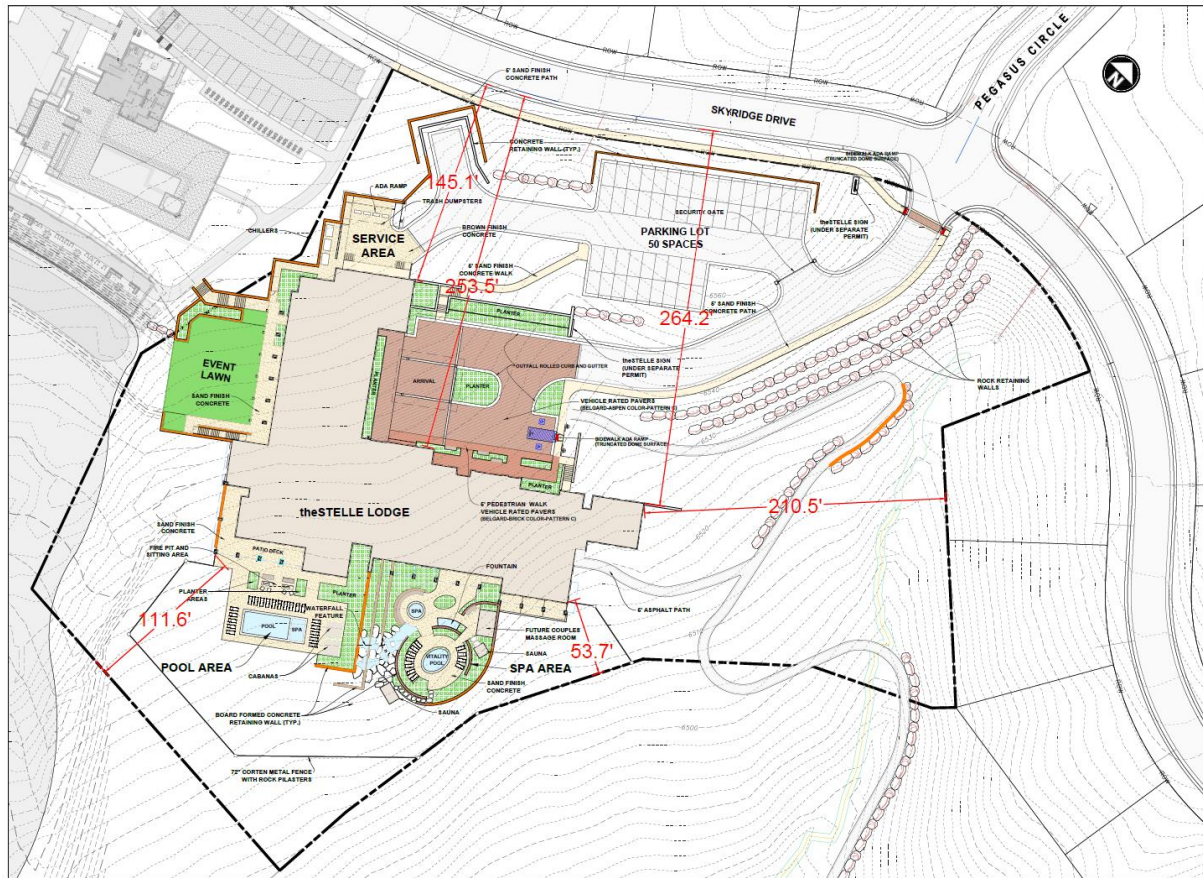
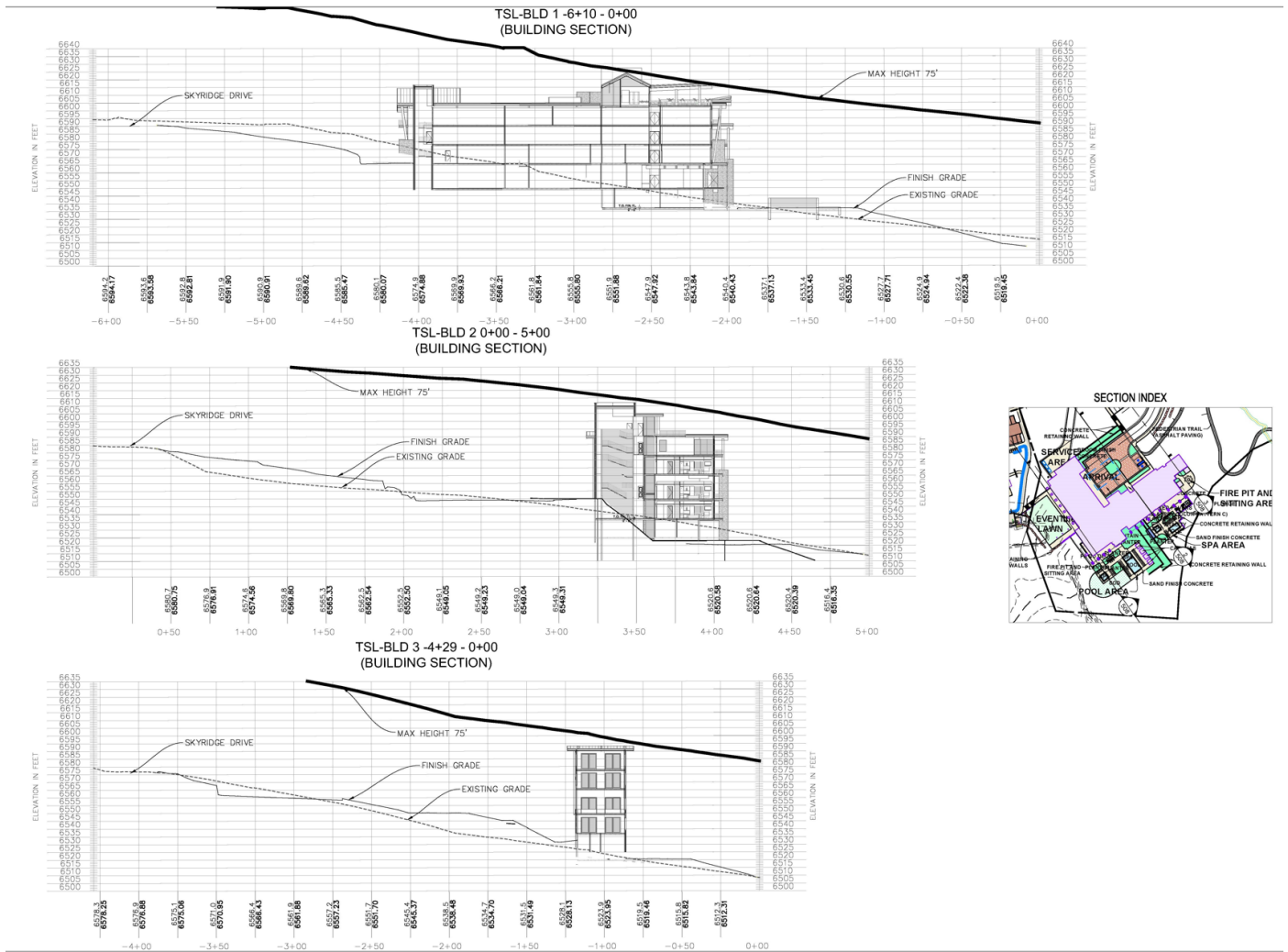


Exhibit G – Cross sections of Lodge from SkyRidge Drive



## Exhibit H – Report of Action Work Meeting Review of Lodge



Wasatch County JSPA Planning Committee  
**Report of Action**  
27-February-2024

*Committee Member Bill Redkey was present as Chair.*

**ITEM #2** – Presentation and discussion regarding the SkyRidge golf lodge and associated parking. This item is a work meeting discussion only and will not require any action by the Committee. (Doug Smith)

**STAFF PRESENTATION** - The Staff Report to the JSPA Planning Committee provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

**APPLICANT AND PUBLIC COMMENT** - Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the JSPA Planning Committee. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Allison Aefedt went through a power point presentation of the location of the lodge and the draft site plan. Allison also was asked about the parking for the site.
- Mr. Koskovich architect mentioned that from SkyRidge Drive he feels it does step with the terrain.
- Rory Heggie from POSS architecture addressed the PC and discussed the driving range separation from the lodge.
- Color samples were handed out to the planning committee.
- Jack Johnson addressed the planning committee about the cascading effect of the building

**JSPA PLANNING COMMITTEE DISCUSSION** - Key points discussed by the JSPA Planning Committee included the following:

- Committee member Hahn mentioned that he likes the building.
- Committee member Meuzelaar mentioned that he liked the building but felt that the base should be spread out more. Possibly with some attached pergolas.
- Committee member Whitchurch asked about making the building feel like it is stepping down the grade more.
- The 10 columns were discussed and breaking those up so they look better and do not obstruct views.
- Committee member Whitchurch asked about what would be on the roof. Will it all be mechanical equipment? It was stated that the mechanical equipment would be screened and vents ganged.

**MOTION**

**\*NO MOTION NEEDED. THIS IS A DISCUSSION ITEM ONLY.**

Committee member \_\_\_\_\_ made a motion \_\_\_\_\_  
Committee member \_\_\_\_\_ seconded the motion.

**VOTE**      ( \_\_\_\_ TO \_\_\_\_ )

|                 |     |     |         |                |     |     |         |
|-----------------|-----|-----|---------|----------------|-----|-----|---------|
| Bill Redkey     | AYE | NAY | ABSTAIN | Craig Hahn     | AYE | NAY | ABSTAIN |
| Robert Holmes   | AYE | NAY | ABSTAIN |                |     |     |         |
| Peter Meuzelaar | AYE | NAY | ABSTAIN | Ray Whitchurch | AYE | NAY | ABSTAIN |

\_\_\_\_\_  
Wasatch County JSPA Planning Committee - Chairman

The Staff Report is a part of the record of the decision of this item. Where findings of the JSPA Planning Committee differ from findings of Staff, those will be noted in this Report of Action. Official action of the JSPA Planning Committee on this item is subject to the approved minutes.

*Exhibit I – LSC Parking Summary*

## **Executive Summary:**

The parking study for the Stelle Lodge evaluated several factors, including peer community rates from other similar mountain resorts and Urban Land Institute Data, seasonal variations, and shared parking opportunities, to determine the optimal parking space allocation. The study concluded that the Lodge can effectively meet its parking needs by utilizing shared parking with the nearby SkyRidge Clubhouse, on-site parking, and offering off-site parking with shuttle services for employees and special events.

The seasonal demand for Clubhouse parking was determined by considering the higher summer activity levels compared to the reduced winter usage, allowing the lodge to use the excess parking at the clubhouse during the colder months. The parking demand for lodge amenities, such as dining and spa facilities, was minimized since these amenities primarily serve hotel guests who already have allocated parking. Furthermore, public use of these amenities is expected to be minimal, with residents having convenient non-auto access to the Lodge.

During peak winter demand, 87 spaces are needed for guests (assuming full lock-off units), with an additional 50 spaces for staff, resulting in a total demand of 137 spaces. In the summer, the demand slightly decreases. The shared parking approach, which takes advantage of differing peak times and seasons between the Lodge and the Clubhouse, further reduces the overall parking requirement. The parking requirement at the Lodge is a minimum of 44 parking spaces and off-site parking will be utilized for employee parking, guest over-flow and special events. These recommendations align with both local conditions and recognized industry standards, ensuring that the lodge's parking needs are adequately met.

## **Supporting Factors:**

### **Clubhouse Seasonal Demand Determination**

The study determines the difference between winter and summer parking demand by considering the seasonal changes in activity levels at the clubhouse, the types of activities that occur in each season, and the resulting changes in how people travel to the site. The summer season has higher demand due to more outdoor activities and a higher number of visitors then, while winter demand is lower, reflecting the reduced use of the clubhouse's facilities (i.e. golf course and driving range) during colder months allowing the Lodge to use the Clubhouse's excess parking.

### **Amenity Parking Demand**

In standard engineering practice the ITE (Institute of Transportation Engineers) defines hotels as a place of lodging that provides sleeping accommodations and supporting facilities such as a full-service restaurant, cocktail lounge, meeting rooms, banquet room, and convention facilities. A hotel typically provides a swimming pool or another recreational facility such as a fitness room. For a resort hotel, the primary difference is that a resort hotel caters to the tourist and vacation industry, often providing a wide variety of recreational facilities/programs (e.g., golf courses, tennis courts, beach access, or other amenities) rather than convention and meeting business. Per the definition of a hotel and resort hotel, amenities provided at the Stelle Lodge are considered

accessory uses and do not require a separate parking analysis as it is included in the base hotel rate.

When amenities like dining or spa facilities are primarily used by hotel guests, the parking spaces required for these amenities can be “discounted” because the guests already have allocated parking spaces. Residents in the SkyRidge Community have easy walking, biking, ebiking, and shuttle access to the Lodge. By primarily serving lodge guests, using shared parking strategies, anticipating lower public use, encouraging non-auto travel, and managing event parking separately—explains why the study does not call for a significant amount of parking specifically for public users of the Lodge restaurant and spa. Though the public will be able to utilize the Lodge’s valet-only service. This reduces the overall parking requirement compared to a scenario where each use would be parked independently.

### **Employee Parking**

Employee parking demand in the Lodge parking study is calculated by first identifying the peak number of employees expected to be on-site, which was determined to be 72. The study then considers that 10% of these employees are likely to use non-auto transportation modes, such as public transit, biking, or walking, reducing the number of cars needing parking spaces. Additionally, the study accounts for carpooling, assuming an average vehicle occupancy of 1.3 employees per car. This results in a parking demand rate of 0.69 spaces per employee. By multiplying this rate by the total number of employees, the study concludes that approximately 50 parking spaces are needed for employees. These spaces are divided between on-site and off-site locations, with 10 spaces reserved on-site and the remaining 40 spaces provided off-site, with shuttle services to transport employees as needed. This approach ensures that employee parking needs are met efficiently without overburdening the on-site parking facilities.

### **Industry Standards**

The parking study for the Lodge reviewed industry standards and peer comparisons from similar mountain resort communities to establish appropriate parking demand rates. The analysis included data from similar mountain resorts in Colorado, Utah, and California. The average parking rate across these communities was 0.97 spaces per lodging room, with the most common rate being 1.00 space per guest room.

Additionally, a study conducted by Hales Engineering at properties near a Park City ski resort showed an average guest parking demand of 0.68 spaces per occupied unit, with the 85th percentile at 0.99 spaces per unit. The Urban Land Institute’s (ULI) Shared Parking guidelines also provided a relevant standard, recommending 1.15 spaces per unit, including employee parking.

Based on these comparisons, the study recommended parking-demand rates of 1.00 space per one-bedroom unit, 1.25 spaces per two-bedroom unit, and 1.50 spaces per three-bedroom unit for the Lodge. These recommendations align with both local conditions and recognized industry standards, ensuring that the lodge’s parking needs are adequately met.



Exhibit N (SkyRidge tgrip generation memo from Hales engineering)



**MEMORANDUM**

Date: February 10, 2021

To: Doug Smith

From: Hales Engineering

Subject: Wasatch County – Skyridge Trip Generation

UT21-1847

This memorandum discusses the study completed for the Skyridge development in Wasatch County, Utah. A trip generation analysis was performed on both the old and new master plans. The new master plan would remove the 18 townhomes and add 70 hotel-condo and 16 affordable apartment-style units and increase the clubhouse size from 15,000 sq. ft. to 20,000 sq. ft. From this, it was determined that the changes would add a total of 29 trips during an average weekday evening peak hour. This increase is likely not enough to significantly impact the operations of the road network.

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1220 North 500 West, Ste. 202 Lehi, UT 84043 p 801.766.4343  
www.halesengineering.com

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*Exhibit K – Renderings of Lodge and materials*

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1 DR - NORTH ELEVATION  
SCALE 1/16" = 1'-0"



2 DR - EAST ELEVATION



1 DR - SOUTH ELEVATION  
SCALE 1/16" = 1'-0"





2 DR - WEST ELEVATION  
SCALE 1/16" = 1'-0"

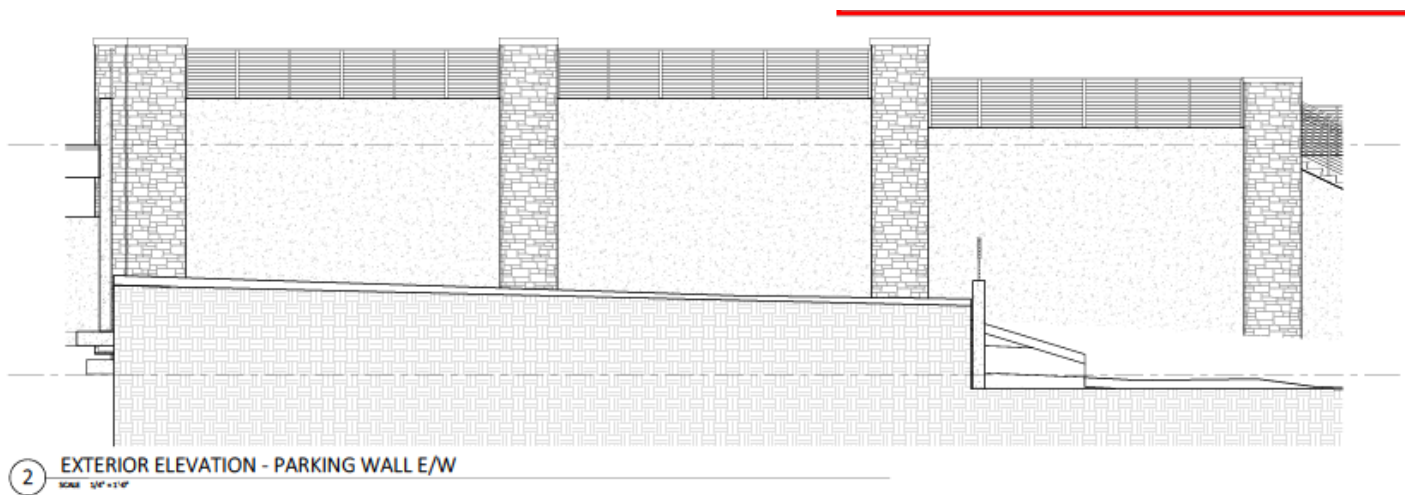
**Will follow JSPA Design Guidelines. See SP2 - Architectural Drawings and Exterior Materials Details Below:**

| MATERIAL KEY                                                                        |                                                                |                                                                                      |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------|--------------------------------------------------------------------------------------|
| HATCH                                                                               | MATERIAL                                                       | IMAGE                                                                                |
|  | STONE - SILVER LEDGE<br>39% BLDG COVERAGE                      |  |
|  | SIDING - HEWN / WOOD LOOK<br>FIRE TREATED<br>26% BLDG COVERAGE |  |
|  | METAL PANEL<br>3% BLDG COVERAGE                                |  |
|  | GLAZING<br>32% BLDG COVERAGE                                   |  |
|                                                                                     |                                                                | STANDING SEAM METAL<br>ROOF - DARK GRAY                                              |

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*Exhibit L – Retaining wall example at lodge parking area*

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*Exhibit M – Landscape buffer between lodge and existing homes*

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Exhibit N – ERU breakdown for lodge units

|  <b>theStelle Lodge</b> |              |           |                 |                 |               |  |       |
|----------------------------------------------------------------------------------------------------------|--------------|-----------|-----------------|-----------------|---------------|-------------------------------------------------------------------------------------|-------|
| Program Summary - 07/03/2024                                                                             |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
| ROOM TYPE                                                                                                | UNIT SQ. FT. | ROOM KEYS | NUMBER OF UNITS | % OF UNIT TYPES | TOTAL SQ. FT. | TOTAL ROOM KEYS                                                                     | ERU'S |
| Studio                                                                                                   | 550          | 1         | 21              | 32%             | 11,555        | 21                                                                                  | 6.93  |
| Studio Suite                                                                                             | 772          | 1         | 2               | 3%              | 1,544         | 2                                                                                   | 1.00  |
| Double Studio                                                                                            | 900          | 2         | 4               | 6%              | 3,703         | 8                                                                                   | 2.00  |
| 1 Bed Suite                                                                                              | 900          | 1         | 19              | 29%             | 16,621        | 19                                                                                  | 9.50  |
| 2 Bed Bunkroom Suite                                                                                     | 1,245        | 1         | 8               | 12%             | 9,960         | 8                                                                                   | 6.00  |
| 2 Bed Suite                                                                                              | 1,476        | 2         | 8               | 12%             | 11,808        | 16                                                                                  | 6.00  |
| 3 Bed Suite                                                                                              | 2,051        | 2         | 3               | 5%              | 6,153         | 6                                                                                   | 3.00  |
| TOTALS                                                                                                   |              |           | 65              |                 | 61,344        | 80                                                                                  | 34.43 |
| Note: Commercial square footage does not count towards ERU's                                             |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
|                                                                                                          |              |           |                 |                 |               |                                                                                     |       |
| MIDA HOUSING UNITS                                                                                       | UNIT SQ. FT. | ROOM KEYS | NUMBER OF UNITS |                 |               |                                                                                     |       |
| Studio                                                                                                   | 554          | 1         | 1               |                 |               |                                                                                     |       |
| 1 Bed Suite                                                                                              | 808          | 1         | 1               |                 |               |                                                                                     |       |
| 3 Bed Suite                                                                                              | 1,982        | 2         | 1               |                 |               |                                                                                     |       |
| TOTALS                                                                                                   | 3,344        | 4         | 3               |                 |               |                                                                                     |       |
| Note: MIDA Housing Units do not count towards ERU's                                                      |              |           |                 |                 |               |                                                                                     |       |



| SKYRIDGE - ERU DISTRIBUTION   |                     |            |
|-------------------------------|---------------------|------------|
| SUBDIVISION #                 | NAME                | LOTS/ERU's |
| 1                             | Orion               | 39         |
| 2                             | Ursa                | 43         |
| 3                             | Constellation       | 54         |
| 4                             | Gemini              | 44         |
| 5                             | Leo                 | 13         |
| 9                             | Centaur             | 16         |
| 6                             | Aries               | 25         |
| 7                             | Capricorn           | 18         |
| Recorded Lots                 |                     | 252        |
| 8A                            | Pegasus             | 45         |
| 8B                            | Pegasus             | 46         |
| Approved Lots                 |                     | 91         |
| 10                            | Lyra Cabins         | 19         |
| 12                            | Pisces Cabins       | 34         |
| Future Cabin Product          |                     | 53         |
| 8C                            | Pegasus             | 9          |
| 11 & 13                       | Future Subdivisions | 61         |
| -                             | Ranch Lots          | 2          |
| Total Future Lots to Process  |                     | 72         |
| Lodge                         | theStelle Lodge     | 35         |
| Total SkyRidge Approved ERU's |                     | 503        |



**Wasatch County  
DESIGN REVIEW  
COMMITTEE (DRC)  
COMMENTS**

PROJECT ID: DEV-9177  
PROJECT NAME: FINAL SITE - SKYRIDGE GOLF LODGE  
VESTING DATE: 4/12/2024  
REVIEW CYCLE #: 4

---

**REVIEW CYCLE STATUS: READY FOR DECISION**

Project comments have been collected from reviewers for the above noted review cycle and compiled for your reference below. Please review the comments and provide revised plans/documents if necessary. **Resubmittals must include a plan review response letter** outlining where requested changes and corrections can be found. Failure to provide such a letter will result in the project being returned to you.

**When uploading revisions please name your documents exactly the same as it was previously uploaded.**

**Revision numbers and dates are automatically tracked. There is no need to re-upload documents that aren't being changed. DO NOT DELETE documents and then upload new ones.**

Once you have addressed all of your items and successfully uploaded your revisions, be sure to re-submit your project for review. Resubmittal must be made through the portal in order to receive official review. Projects requiring Planning Commission approvals or recommendations will not be placed on a planning commission agenda until all DRC reviewers have recommended the item to move forward.

| Entity                | Decision           |
|-----------------------|--------------------|
| Environmental Quality | Ready for Decision |
| Fire SSD              | Ready for Decision |

**Approved** = Reviewing entity has approved the project under consideration of their applicable codes. Any open comments are considered conditions of the entities recommendation.

**Ready for Decision** = Reviewing entity recommends the project move forward to a Planning Commission meeting (if applicable). Any open comments are considered conditions of the entities recommendation.

**Changes Required** = Reviewing entity has identified an issue(s) that needs to be resolved before recommending the project move forward.

**No Action** = Reviewing entity has not taken any action for the review cycle.

## OVERALL PROJECT COMMENTS

| DRC Project Comments |                      |                                                             |
|----------------------|----------------------|-------------------------------------------------------------|
| Comment ID           | Entity               | Comment                                                     |
| DRC-JSSD1            | DRC - Jordanelle SSD | Continue plan review with District engineer and JSSD staff. |

## PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

| DRC - Engineering Dept |                         |                                                                                                                                   |
|------------------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Comment ID             | Sheet Name              | Comment                                                                                                                           |
| DRC-ENG2               | 05 - Final Grading Plan | Rock retaining walls higher than 4' will have to be stamped by a professional geotechnical engineer.                              |
| DRC-ENG7               | 12 - Landscape Plan     | On sheet IR200, it appears the water for irrigation will be tapped into the main line in SkyRidge Drive. Not going to allow that. |
| DRC-ENG8               | 10 - Street Plan        | As a condition of approval, fall protection must meet IBC. Handrails will be required on all retaining walls if required.         |



**FOURTH AMENDMENT TO LAKESIDE NORTH MASTER PLAN  
DEVELOPMENT AGREEMENT**

This FOURTH Amendment to Development Agreement (“Amendment”) is entered into this \_\_\_\_ day of \_\_\_\_\_ 2024, by and between Jordanelle Land Investors, LLC, a Utah limited liability company, SkyRidge Development LLC, a Utah limited liability Company, SkyRidge Golf Academy, Inc, a Utah Corporation, Jordanelle Golf Lodge, LLC, a Utah limited liability Company, and Wasatch County (collectively, the “Parties”).

WHEREAS, the Parties entered into the Lakeside North Master Plan Development Agreement (the “Original DA”) on January 26, 2018, which is recorded as Entry #447878 in the recorder’s office of Wasatch County;

WHEREAS, this Fourth Amendment only applies to the Lodge Parcel, as shown in Exhibit Ad4 - A (“Lodge Parcel”), the Parking Parcel, as shown in Exhibit Ad4 - A (“Parking Parcel”), the Golf Academy Parcel, as shown in Exhibit Ad4 - A (“Golf Academy Parcel”). 14 ERU’s have been deleted from the Subdivisions listed in Preliminary plan from the 3<sup>rd</sup> Amended DA, so as to facilitate the 35 ERU’s on the Lodge Parcel, as shown in Exhibit Ad4 – A, which Lodge Parcel, Parking Parcel, Golf Academy Parcel are collectively referred to as the Amendment Property (“Amendment Property”); and

WHEREAS, the Parties entered in the First Amendment to the Lakeside North Master Plan Development Agreement (the “1st Amended DA”) on May 17, 2019, which is recorded as Entry #463725 in the recorder’s office of Wasatch County;

WHEREAS, the Parties entered in the Second Amendment to the Lakeside North Master Plan Development Agreement (the “2nd Amended DA”) on December 22, 2020, which is recorded as Entry #491157 in the recorder’s office of Wasatch County;

WHEREAS, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council on March 3, 2021, which changes included allowing the Golf Academy Lodging Facility (“Lodge”) as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA; and

WHEREAS, the master plan amendments granted on March 3, 2021 also approved certain amenities including parking on the Parking Parcel; and

WHEREAS, the Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the “3<sup>rd</sup> Amended DA”) on August 12, 2021, which is recorded as Entry #505907 in the recorder’s office of Wasatch County;

WHEREAS, the 3<sup>rd</sup> Amended DA, the 2nd Amended DA, 1st Amended DA and the Original DA are collectively called the DA in this Amendment (collectively, the “DA”); and

WHEREAS, in the course of considering and approving the Site Plan for the Lodge, the

Site Plan for the Parking Parcel (providing off-site parking for the Lodge, and a small scale final subdivision for the Lodge, collectively, the Applications, (“Applications”), which will be processed concurrently, Developer requested limited changes and clarifications to the Final Approval for the SkyRidge Subdivision SkyRidge Lodge Parcel, Plat 3C as it applies to the Lodge, and also changes and clarifications to the Welcome Center (now the Parking Parcel providing off-site parking for the Lodge) and adjacent uses as shown in the 3<sup>rd</sup> Amended DA, including Exhibit O thereto, and the associated preliminary plan, so as to facilitate that properties use as off-site parking for the Lodge; and

WHEREAS, on [date of JSPA PC hearing], following review and recommendation by the County’s Development Review Committee, and after notice as required, the Applications were recommended at a public hearing by the Wasatch County JSPA PC (“JSPA PC”) to the County legislative body; and

WHEREAS, on [date of Planning Commission hearing], following review and recommendation by the County’s Development Review Committee, JSPA PC and after notice as required under Utah Code §17-27a-205, the Applications were considered at a public hearing by the Wasatch County Planning Commission (“Planning Commission”) to the County legislative body; and

WHEREAS, the Planning Commission also recommended that this Agreement be forwarded for consideration by the County’s legislative body (“County Council”, further defined below);

WHEREAS, this Agreement is a legislative development agreement in connection with which the Applications are also being considered and approved, the County Council will serve as the land use authority for the Applications (*See* Section 16.01.05 of the County Code; Utah Code §17-27a-103, 501, 528); and

WHEREAS, On [date of County Council hearing], after notice as required under Utah Code § 17-27a-205, the County Council adopted Ordinance No. [insert ordinance number] (“Golf Lodge Ordinance”) approving the Applications and this Agreement; and

WHEREAS, the Parties intend that this Agreement, and the County’s approval of this Agreement pursuant to the Golf Lodge Project Ordinance, constitute a Land Use Regulation, as that term is defined in Utah Code § 17-27a-103; and

WHEREAS, due to the very limited circumstances in which a Lodge such as this would be applied for in the County, and the very limited circumstances existing here, as described below, which justify allowing the uses or development of land that applicable land use regulations governing the area would otherwise prohibit, the County Council has elected to authorize this Agreement rather than amend the Wasatch County Code; and

WHEREAS, this Amendment modifies the DA only to the extent it varies from the DA, but otherwise does not modify the DA, or the Preliminary except for the deletion of a parcel to maintain the required ERU numbers, for the Property, and does not alter the DA as it applies to

any property besides the Amendment Properties; and

WHEREAS, Jordanelle Golf Lodge, LLC and SkyRidge Golf Academy, Inc. hold legal title to the Amendment Property attached as Exhibit Ad4-A to this Amendment; and

WHEREAS, the parties understand and agree that pursuant to Utah Code §17-27a-528(2)(a)(iii), this Agreement allows for the “use or development of land that applicable land use regulations governing the area subject to this Agreement would otherwise prohibit” because the County’s “legislative body has approved this Agreement in accordance with the same procedures for enacting a land use regulation;” and

WHEREAS, this Agreement has been approved according to the processes set forth in Utah Code §17-27a-502; and

WHEREAS, the uses and Development rights that the otherwise applicable land use regulations may prohibit are set forth in Sections 3-6 of this Agreement, however, except as expressly set forth in this Agreement, Development of the Project will be pursuant to, and comply with, the County Code, other provisions of Applicable Law, and the DA; and

WHEREAS, after entering into the DA, the parties recognized that certain terms in the DA were not helpful for the practical application of the DA;

WHEREAS, the Parties have agreed to revise and amend certain terms in the DA.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and provisions set forth herein, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows:

### **AGREEMENT**

1. **Amendment to Recitals.** The Recitals of this Amendment are hereby adopted.
2. **SkyRidge Amenities and Recreation Facilities.** The row of the table shown in Section 3.1(b)(9) of the DA for Permitted Recreational Facility is modified as follows:

| SkyRidge Amenities and Recreation Facilities                  |                                                                                                                                                                                 |                                                                                             |
|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <b><u>Amenity or Recreational Facility</u></b>                | <b><u>Description</u></b>                                                                                                                                                       | <b><u>Date of Substantial Completion and Maintenance Responsibility</u></b>                 |
| <del>Permitted Recreational Facility:</del><br>Welcome Center | Welcome Center with buildings up to 1,500 square feet that includes Tennis Court and Pickle Ball Courts. These courts shall be open to the public and is depicted in Exhibit O. | At developer's discretion (anticipated in Phase 2)<br>Maintained by Master Developer or HOA |



|                                               |                                                                                                                                                                                                      |                                                                                                                   |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
|                                               |                                                                                                                                                                                                      |                                                                                                                   |
| Required - Off-Site Parking Lot               | Parking Lot and Associated Landscaping Improvements as depicted in Exhibit Ad-4 O.                                                                                                                   | Prior to Certificate of Occupancy for any portion of the Golf Lodge. Maintained by the Owner of the Lodge Parcel. |
| Conditionally Required Amenity-Community Park | A park as shown in the Preliminary Application and as shown in Exhibit L, which includes a pavilion with picnic tables in compliance with the JSPA Handbook (including materials), and trails to it. | Within in 12 months of a Certificate of Occupancy being issued for the Golf Lodge                                 |

Additionally, Exhibit O to the DA is hereby superseded and replaced as depicted in Exhibit Ad-4 O.

**3. Site Plan for SkyRidge Golf Lodge.** Section 3.1(b)(17) of the DA for Construction of Golf Lodge is superseded and replaced as follows:

(17) *Construction of SkyRidge Golf Lodge.* Notwithstanding any contrary provision of the County Code, Developer may construct the Lodge as shown in Exhibit Ad4-M. In 2021, the Council approved up to 27 ERU's for the Lodging Facility, with 18 ERU's coming from the removal of the 18 ERU's of townhome product in the location of the Lodge and allowing for the 9 ERU's to be deleted from other phases of the Project. The Developer will show an ERU accounting with each phase for final subdivision approval to show from the total ERU's do not exceed 503 ERU's. The Developer has reduced 17 ERU's from Preliminary Plan Subdivisions to facilitate the Lodging Facility using 35 ERU's. The Developer may use up to 35 Residential ERU's of the Project's total 503 Residential ERU's in such Lodging Facility in a condominium configuration that shall be available for nightly rental as long as the total ERU's do not exceed 503. The primary reason the ERU's increased from 27 ERU's to 35's ERU's is due to the studio units increasing slightly in size from 495 sq. ft. to 555 sq. ft. to fit better with a mountain resort property. Lodge commercial space, common area, back of house space and administrative areas shall not count against Residential ERU's. Allocation of these 35 Residential ERU's will be determined by unit size square footage as outlined in Title 16 of the Wasatch County Code by unit square footage as follows:

| <u>UNIT SIZE</u>                                                                           | <u>ERU'S</u> |
|--------------------------------------------------------------------------------------------|--------------|
| Not to exceed 500 sf including bathroom areas, but not including corridors outside of room | 0.25         |
| Not to exceed 700 sf including bathroom areas but not corridors outside of rooms           | 0.33         |
| Not to exceed 1000 sf and not to exceed 1 1/2 baths                                        | 0.5          |
| Not to exceed 1500 sf                                                                      | 0.75         |
| Over 1500 sf                                                                               | 1.00         |

Pursuant to the Site Plan, the Lodge will be developed in accordance with the following:

|  <b>theStelle Lodge</b><br>Program Summary - 07/03/ 2024 |              |  |                 |                 |               |                 |              |
|-------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------|-----------------|-----------------|---------------|-----------------|--------------|
| ROOM TYPE                                                                                                                                 | UNIT SQ. FT. | ROOM KEYS                                                                           | NUMBER OF UNITS | % OF UNIT TYPES | TOTAL SQ. FT. | TOTAL ROOM KEYS | ERU'S        |
| Studio                                                                                                                                    | 550          | 1                                                                                   | 21              | 32%             | 11,555        | 21              | 6.93         |
| Studio Suite                                                                                                                              | 772          | 1                                                                                   | 2               | 3%              | 1,544         | 2               | 1.00         |
| Double Studio                                                                                                                             | 900          | 2                                                                                   | 4               | 6%              | 3,703         | 8               | 2.00         |
| 1 Bed Suite                                                                                                                               | 900          | 1                                                                                   | 19              | 29%             | 16,621        | 19              | 9.50         |
| 2 Bed Bunkroom Suite                                                                                                                      | 1,245        | 1                                                                                   | 8               | 12%             | 9,960         | 8               | 6.00         |
| 2 Bed Suite                                                                                                                               | 1,476        | 2                                                                                   | 8               | 12%             | 11,808        | 16              | 6.00         |
| 3 Bed Suite                                                                                                                               | 2,051        | 2                                                                                   | 3               | 5%              | 6,153         | 6               | 3.00         |
| <b>TOTALS</b>                                                                                                                             |              |                                                                                     | <b>65</b>       |                 | <b>61,344</b> | <b>80</b>       | <b>34.43</b> |
| <i>Note: Commercial square footage does not count towards ERU's</i>                                                                       |              |                                                                                     |                 |                 |               |                 |              |
| MIDA HOUSING UNITS                                                                                                                        | UNIT SQ. FT. | ROOM KEYS                                                                           | NUMBER OF UNITS |                 |               |                 |              |
| Studio                                                                                                                                    | 554          | 1                                                                                   | 1               |                 |               |                 |              |
| 1 Bed Suite                                                                                                                               | 808          | 1                                                                                   | 1               |                 |               |                 |              |
| 3 Bed Suite                                                                                                                               | 1,982        | 2                                                                                   | 1               |                 |               |                 |              |
| <b>TOTALS</b>                                                                                                                             | <b>3,344</b> | <b>4</b>                                                                            | <b>3</b>        |                 |               |                 |              |
| <i>Note: MIDA Housing Units do not count towards ERU's</i>                                                                                |              |                                                                                     |                 |                 |               |                 |              |

- MIDA Housing Units:** certain parties entered into a Tax Sharing and Reimbursement Agreement with the Military Installation Development Authority ("MIDA") on October 1, 2021 as part of the creation of the MIDA Golf and Equestrian Center Public Infrastructure District where by the Parties shall donate to MIDA a minimum of two

condominiums ("MIDA Housing Units") consisting of a minimum of 3,250 residential square footage in the SkyRidge Golf Lodge upon the issuance of a Certificate of Occupancy. Upon issuance of the Certificate of Occupancy, the MIDA Housing Units will be property owned by MIDA in the MRF Project Area and may then fall under Section 3(v) of the Restated and Amended West Side Interlocal Cooperation Agreement between MIDA and Wasatch County that was entered into on March 7, 2023. Pursuant to WCC 16.41.02.2.1.2.1, the assigned ERU value may be adjusted by the Legislative Body, after recommendation for or against by the JSPA PC. The ERU value may also be adjusted pursuant to this legislative development agreement pursuant to UCA § 17-27a-528. Due to the fact that this property is under contract to be owned by MIDA under the Tax Sharing and Reimbursement Agreement, based the Interlocal Agreement which exempts MIDA owned properties, in accordance with the spirit of the MIDA project in Wasatch County which includes assistance to the military, the fact that MIDA will use the MIDA housing units to support military use of the facility, and due to the fact that the MIDA owned property in the future could be subject to MIDA land use authority and then may not count as ERU's under Wasatch County land use authority, the MIDA Housing units listed in the table in Section 3 above will not count towards the ERU value for the Project.

**Height of the Lodge:** Notwithstanding any contrary provision of the County Code, the Lodge may exceed the otherwise applicable height allowed in the Overlay Zone, subject to the limitations of this Section and its subparts. The Lodge must not exceed the height as depicted in Exhibit Ad4-Height. The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street, will be an appropriate scale and will fit in with the surrounding uses and residential and clubhouse structures. The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. The height of the Lodge from the elevation of the curb at the street in front of the lodge is approximately 34 feet with a front setback of approximately 13090 feet from the road. The provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of MIDA of facilitating recreation facilities for military personnel, and the additional height helps facilitate this purpose in a feasible manner. Moreover, in certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. *See* Section



16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height, confirm that the maximum height provided for below is appropriate for the Property. The County Council unanimously Approved the Amended Master Plan with SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

**6. Parking for Lodge:** Notwithstanding any contrary provision of the County Code, the parking for the Lodge is approved as shown in Exhibit Ad4-Parking ("Lodge Parking"). The County agrees that a distinction from the more typical parking requirement in the Overlay Zone is appropriate for a number of reasons. The JSPA typically requires the provision of WCC 16.33.07 & 16.41.5.8 to be followed, which requires the parking to be on-site or off-site within 200' of the use. County and Developer agree that all other requirements of WCC 16.33.07 can be complied with except for the off-site parking being within 200', the depth of the stalls being 20', the limit to the number of driveways there can be to a parking area, the requirement that parking be on the rear or side of buildings, and the prohibition on double stacked parking spaces. -The parties agree that the Lodge Parking is consistent with the JSPA vision and purpose statement in JSPA code subsection 1.1.4(I) be adequate and accessible. The Developer is required to always maintain Valet Only Parking on the Lodge Site and shuttle service from the off-site parking when the Lodge is open. The off-site parking area will not be publicly accessed parking but will be valet and lodge employees and guests only. -This will make the parking adequate and accessible. Having employee only parking helps ensure that the 18' depth of the stalls will not be a liability for the patrons or the public. The off-site parking will have a one-way shuttle turn around with a single entrance and exit. Additionally, the parties agree that the Lodge Parking furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. The Lodge parking is Valet Only with double-loaded stalls and shall be located at the front of the building to service Lodge. The Public will have no access to the Lodge parking area and the parking area shall be treated similar to back-of-house space that is accessed only by Lodge employees. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner. Moreover, the Developer has submitted, and the County's independent evaluation has confirmed, that the Lodge Parking is shown to be consistent with other resort developments and communities that have successfully provided parking to world class lodge facilities. The shared parking plan is hereby approved as proposed. Additionally, the parking stalls on the lodge site and with the shared clubhouse parking lot provide the needed parking for the Lodge guests and operations management employees, while the offsite parking will provide the needed parking for event guests and all other employees. All these reasons

together cause the County to approve the Lodge Parking as permitted, and as further detailed in Exhibit Ad4 - O- Parking to meet the parking requirements of the Lodge.

**6.7.Uses:** The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Parking Parcel is in the Open Space portion of the JSPA Zone. The only designation in the JSPA that would have allowed for the Lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area, and the Open Space designation would not normally allow a parking lot. The County Council determines that the Lodge is allowed on the Amendment Property despite any conflict with the uses allowed in the JSPA Zone. Additionally, the offsite parking as depicted in Exhibit Ad4-Parking is allowed as an accessory use to the Lodge, regardless of any standards in the Wasatch County Code to the contrary. The parties agree that the offsite parking on the Parking Parcel and the use of the Amendment Property as a Lodge furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner.

**7.8.Administrative Amendments:** The Lodge Final Site Plan is being approved prior to the completion of construction drawings for the building. It is possible that the Developer will desire slight or minor changes to the building footprint, building exterior, and site plan from the approved Site Plan when the Building Permit is submitted. It is the County's practice, in connection with the prosecution and enforcement of any land use decision, to administratively approve minor, inconsequential modifications, as determined in the discretion of the County. That process and the applicable standards are discussed in Section 16.27.10(D) of the County Code in the context of changes from preliminary approvals to final applications, but the concept is applied in the prosecution and enforcement of final approvals and site plan approvals as well. In accordance with the County's standard practice regarding land use decisions, Developer may, from time to time, propose amendments to the Site Plan, which, if proposed by Developer, may be considered and approved by the planning director, but only if such amendment represents a minor, inconsequential change to the Site Plan, and if such amendment is otherwise in compliance with Applicable Law. Nevertheless, Developer or the planning director, may refer any amendment initially proposed by the Developer to be considered by the applicable land use authority, including the JSPA PC or the County Council for approval.

**8.9.Legislative Approval.** As set forth in the foregoing Recitals, and for the reasons outlined in the forgoing sections, this Amendment Agreement has been approved by the County Council pursuant to Utah Code §17-27a-502 after notice as required under Utah Code

§17-27a-205. Thus, pursuant to Utah Code §17-27a-528, and as set forth in the Recitals, this Agreement Amendment allows uses and Development of land that applicable land use regulations would otherwise prohibit. The County Council finds this Agreement Amendment is consistent with the General Plan in all material respects for this Project, notwithstanding any particular provision or provisions of the General Plan which may be interpreted to be inconsistent with this Agreement Amendment, and regardless of any contrary provision of the County Code. The legislative approval this Agreement only applies to this Amendment Agreement, as opposed to the DA.

**9.10. Effectiveness.** Except as modified hereby, the DA shall remain in full force and effect. On or after the effective date of this Fourth Amendment, each reference in the DA to “this Agreement,” “hereunder,” “hereof,” “herein” or words of like import shall mean and be a reference to the DA as amended by this Fourth Amendment.

sn~ Signature pages follow ~



**WASATCH COUNTY:**

**ATTEST:**

By: \_\_\_\_\_  
Dustin Grabau, Wasatch County  
Manager

\_\_\_\_\_  
Joey Granger, Wasatch County Clerk  
Auditor

STATE OF UTAH            )  
                                          ss:  
COUNTY OF WASATCH )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Dustin Grabau, who executed the foregoing instrument in his capacity as the Wasatch County Manager and by Joey D Granger, who executed the foregoing instrument in her capacity as the Wasatch County Clerk Auditor.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_

**JORDANELLE LAND INVESTORS, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH            )  
                                          ss:  
COUNTY OF SUMMIT )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous, who executed the foregoing instrument in his capacity as the Manager of Jordanelle Land Investors, LLC, a Utah limited liability company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_

**SKYRIDGE DEVELOPMENT, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH            )  
                                          ss:  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous who executed the foregoing instrument in his capacity as the Manager of SkyRidgeDevelopment, LLC, a Utah limited liability company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

**SKYRIDGE GOLF ACADEMY, INC.**, a Utah corporation

By: \_\_\_\_\_  
Tyler Aldous, Secretary

STATE OF UTAH            )  
                                          ss:  
COUNTY OF SUMMIT    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous who executed the foregoing instrument in his capacity as the Secretary of SkyRidge Golf Academy, Inc., a Utah corporation.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at: \_\_\_\_\_

**JORDANELLE GOLF LODGE, LLC**, a Utah limited liability company

By: \_\_\_\_\_  
Tyler Aldous, Manager

STATE OF UTAH                    )  
                                          ss:  
COUNTY OF SUMMIT        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Tyler Aldous, who executed the foregoing instrument in his capacity as the Manager of Jordanelle Golf Lodge, LLC, a Utah limited liability company.

\_\_\_\_\_  
NOTARY PUBLIC  
Residing at:  
\_\_\_\_\_



## EXHIBIT Ad4-A – LEGAL DESCRIPTION

### "Amendment Property"

#### **SKYRIDGE LODGE PARCEL PLAT 3C LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.10 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

THENCE ALONG SAID CONSTELLATION SUBDIVISION BOUNDARY FOR THE NEXT TWO COURSES;

THENCE, S 24° 08' 18" W 110.00 FEET;

THENCE, S 47° 44' 50" E 195.39 FEET;

THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;

THENCE, S 64° 14' 10" W 88.01 FEET;

THENCE, S 47° 28' 34" W 118.36 FEET;

THENCE, S 26° 52' 19" W 122.02 FEET;

THENCE, S 8° 06' 58" W 114.36 FEET;

THENCE, S 3° 36' 04" W 61.71 FEET;

THENCE, N 86° 23' 56" W 261.83 FEET;

THENCE, N 20° 01' 25" W 180.95 FEET;

THENCE, N 13° 10' 37" E 131.17 FEET;

THENCE, N 18° 33' 01" W 144.66 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 530.00 FEET, SAID POINT ALSO BEING THE SOUTHERLY RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

THE NEXT 3 COURSES ARE COMMON WITH THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE AND OF CONSTELLATION SUBDIVISION,

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18° 19' 13" FOR AN ARC DISTANCE OF 169.47 FEET (CHORD OF N 62° 17' 23" E 168.75 FEET);

THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 220.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF BEGINNING.

CONTAINS 5.37 ACRES, MORE OR LESS.

### SKYRIDGE OVERFLOW PARKING PARCEL PLAT 3F LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS N 87° 04' 35" E BETWEEN THE FOUND MONUMENTS FOR THE SOUTHWEST CORNER AND THE SOUTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS N 03° 26' 37" W 566.49 FEET ALONG THE WEST LINE OF SECTION 13 AND EAST 1095.82 FEET FROM THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN;

THENCE CONTINUING ALONG THE WEST BOUNDARY OF THE SKYRIDGE DEVELOPMENT FOR THE NEXT 8 COURSES, N 35° 14' 07" W 88.61 FEET;

THENCE, N 13° 43' 18" W 209.40 FEET;

THENCE, N 24° 48' 15" W 374.64 FEET;

THENCE, N 46° 17' 20" E 130.72 FEET;

THENCE, N 04° 02' 18" W 234.73 FEET;

THENCE, N 12° 41' 38" E 108.53 FEET;

THENCE, N 80° 21' 42" E 510.07 FEET;

THENCE, S 67° 01' 12" E 41.81 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 462.50 FEET, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF THE JORDANELLE PARKWAY, THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28° 15' 33" FOR AN ARC DISTANCE OF 228.11 FEET (CHORD BEARING S 31° 05' 59" W FOR 225.81 FEET);

THENCE CONTINUING ALONG THE SAID RIGHT OF WAY FOR THE NEXT 5 COURSES, S 45° 13' 46" W 201.33 TO A POINT ON A TANGENT CURVE CONCAVE TO THE EAST WITH A RADIUS OF 637.50 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 65° 49' 13" FOR AN ARC DISTANCE OF 732.35 FEET (CHORD BEARING S 12° 19' 09" W FOR 692.74 FEET);

THENCE, S 20° 35' 27" E 51.19 FEET TO A POINT ON A TANGENT CURVE CONCAVE TO THE WEST WITH A RADIUS OF 462.50 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05° 27' 40" FOR AN ARC DISTANCE OF 44.08 FEET (CHORD BEARING S 17° 51' 37" E FOR 44.07 FEET);

THENCE LEAVING SAID RIGHT OF WAY, S 34° 41' 29" W 16.44 FEET;

TO THE POINT OF BEGINNING.

CONTAINS 5.35 ACRES, MORE OR LESS.

## SKYRIDGE GOLF ACADEMY PARCEL LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.02 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE; THENCE ALONG SAID CONSTELLATION SUBDIVISION BOUNDARY FOR THE NEXT TWO COURSES; THENCE, S 24° 08' 18" W 110.00 FEET;

THENCE, S 47° 44' 50" E 195.39 FEET;

THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;

THENCE, S 64° 14' 10" W 88.01 FEET;

THENCE, S 47° 28' 34" W 118.36 FEET;

THENCE, S 26° 52' 19" W 122.02 FEET;

THENCE, S 8° 06' 58" W 114.36 FEET;

THENCE, S 3° 36' 04" W 99.92 FEET;

THENCE, S 0° 24' 56" E 225.58 FEET;

THENCE, S 23° 10' 17" E 418.43 FEET;

THENCE, S 9° 09' 37" W 203.57 FEET;

THENCE, S 18° 25' 16" W 74.37 FEET;

THENCE, S 48° 52' 00" E 141.63 FEET;

THENCE, S 11° 17' 26" W 23.20 FEET;

THENCE, S 40° 17' 40" E 95.33 FEET;

THENCE, S 48° 09' 37" W 110.00 FEET;

THENCE, S 53° 17' 02" E 185.56 FEET;

THENCE, S 36° 28' 18" W 155.49 FEET;

THENCE, S 89° 45' 45" W 1128.31 FEET;

THENCE, N 0° 00' 40" W 238.79 FEET;

THENCE, N 55° 57' 59" W 137.01 FEET;

THENCE, S 89° 59' 20" W 499.51 FEET TO THE SOUTHEAST CORNER OF LOT 128 CONSTELLATION SUBDIVISION;

THE NEXT 23 COURSES ARE COMMON WITH THE BOUNDARY OF CONSTELLATION SUBDIVISION, THENCE, N 5° 39' 19" E 108.87 FEET;

THENCE, N 11° 18' 12" E 64.14 FEET;



THENCE, N 10° 31' 16" E 99.52 FEET;  
THENCE, N 28° 38' 01" E 182.48 FEET;  
THENCE, N 25° 57' 58" E 96.59 FEET;  
THENCE, N 22° 03' 31" E 86.52 FEET;  
THENCE, N 16° 27' 35" E 58.04 FEET;  
THENCE, N 11° 52' 26" E 60.39 FEET;  
THENCE, N 7° 11' 45" E 60.41 FEET;  
THENCE, N 4° 51' 35" E 104.05 FEET;  
THENCE, N 7° 14' 47" E 97.77 FEET;  
THENCE, N 8° 23' 35" E 95.46 FEET;  
THENCE, N 17° 43' 28" E 89.18 FEET;  
THENCE, N 28° 13' 23" E 93.09 FEET;

THENCE, N 20° 40' 52" E 101.84 FEET;  
THENCE, N 19° 09' 06" E 98.41 FEET;  
THENCE, N 52° 34' 32" E 78.90 FEET;  
THENCE, S 85° 43' 21" E 196.40 FEET;  
THENCE, N 6° 57' 59" E 110.00 FEET;

THENCE, S 83° 02' 01" E 238.26 FEET TO A TANGENT CURVE CONCAVE TO THE NORTH  
WITH A RADIUS OF 530.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43° 50' 12" FOR AN ARC  
DISTANCE OF 405.50 FEET (CHORD OF N 75° 02' 52" E 395.88 FEET);

THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH  
WITH A RADIUS OF 220.00 FEET;

THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC  
DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF  
BEGINNING.

CONTAINS 57.97 ACRES, MORE OR LESS.

## EXHIBIT Ad4 -M – GOLF ACADEMY LODGING FACILITY

Exhibit M of the DA, as shown in the 3<sup>rd</sup> Amended DA, is deleted and replaced with the following:

Golf Academy Lodge Site Plan consisting of 35 Residential ERU's:



Exhibit O of the 3rd Amended DA is deleted and replaced with the following:

This site plan illustrates the proposed development on a sloped terrain. The central feature is a large, irregularly shaped building footprint, likely a school or community center, with several smaller structures attached. To the north and east of the main building are two distinct parking lots, each containing numerous parking spaces. The plan includes various annotations such as "PROPOSED BUILDING FOOTPRINT", "PARKING LOT", and "SCHOOL BUS STOP". Topographic contour lines are drawn across the entire area to indicate elevation changes. A north arrow is located in the upper right corner. Other labels include "JORDANVILLE PARKWAY", "NORTH PARCEL", "SOUTH PARCEL", "LANDSCAPE BUFFER", "EXISTING DRIVE", "NEW DRIVE", "NEW SIDEWALK", "NEW CURB", "NEW LIGHT FIXTURES", "NEW SIGNAGE", "NEW FENCE", "NEW GATEPOST", "NEW UTILITY POLE", "NEW UTILITY TOWER", "NEW UTILITY LINE", "NEW UTILITY VALVE", "NEW UTILITY MANHOLE", "NEW UTILITY BOX", "NEW UTILITY CHASE", "NEW UTILITY DUCT", "NEW UTILITY CONDUIT", "NEW UTILITY TRUNK", "NEW UTILITY MAINLINE", "NEW UTILITY FEEDER", "NEW UTILITY BRANCH", "NEW UTILITY TIE-IN", "NEW UTILITY CROSSING", "NEW UTILITY OVERPASS", "NEW UTILITY UNDERPASS", "NEW UTILITY STRUCTURE", "NEW UTILITY EQUIPMENT", "NEW UTILITY MATERIALS", "NEW UTILITY TOOLS", "NEW UTILITY VEHICLES", "NEW UTILITY PERSONNEL", "NEW UTILITY TRAINING", "NEW UTILITY SAFETY", "NEW UTILITY SECURITY", "NEW UTILITY MAINTENANCE", "NEW UTILITY REPAIRS", "NEW UTILITY REPLACEMENTS", "NEW UTILITY UPGRADES", "NEW UTILITY MODIFICATIONS", "NEW UTILITY ADJUSTMENTS", "NEW UTILITY CALIBRATIONS", "NEW UTILITY TESTS", "NEW UTILITY INSPECTIONS", "NEW UTILITY AUDITS", "NEW UTILITY EVALUATIONS", "NEW UTILITY ASSESSMENTS", "NEW UTILITY ANALYSES", "NEW UTILITY REPORTS", "NEW UTILITY DOCUMENTATION", "NEW UTILITY RECORDS", "NEW UTILITY ARCHIVES", "NEW UTILITY LIBRARIES", "NEW UTILITY MUSEUMS", "NEW UTILITY GALLERIES", "NEW UTILITY THEATERS", "NEW UTILITY CINEMAS", "NEW UTILITY STADIUMS", "NEW UTILITY ARENAS", "NEW UTILITY VENUES", "NEW UTILITY HOTELS", "NEW UTILITY RESORTS", "NEW UTILITY CASINOS", "NEW UTILITY CLUBS", "NEW UTILITY BARS", "NEW UTILITY RESTAURANTS", "NEW UTILITY CATERERS", "NEW UTILITY EVENT PLANNERS", "NEW UTILITY VENDORS", "NEW UTILITY EXHIBITORS", "NEW UTILITY PERFORMERS", "NEW UTILITY ENTERTAINERS", "NEW UTILITY ACTORS", "NEW UTILITY MUSICIANS", "NEW UTILITY DANCERS", "NEW UTILITY SINGERS", "NEW UTILITY WRITERS", "NEW UTILITY DIRECTORS", "NEW UTILITY PRODUCERS", "NEW UTILITY MANAGERS", "NEW UTILITY AGENTS", "NEW UTILITY BROKERS", "NEW UTILITY INVESTORS", "NEW UTILITY DEVELOPERS", "NEW UTILITY ENGINEERS", "NEW UTILITY ARCHITECTS", "NEW UTILITY DESIGNERS", "NEW UTILITY CONSULTANTS", "NEW UTILITY ADVISORS", "NEW UTILITY EXPERTS", "NEW UTILITY SPECIALISTS", "NEW UTILITY PROFESSIONALS", "NEW UTILITY SKILLED LABORERS", "NEW UTILITY UNEMPLOYED", "NEW UTILITY RETIRED", "NEW UTILITY STUDENTS", "NEW UTILITY TEACHERS", "NEW UTILITY PARENTS", "NEW UTILITY COMMUNITY LEADERS", "NEW UTILITY CIVIC OFFICIALS", "NEW UTILITY POLICE OFFICERS", "NEW UTILITY FIRE DEPARTMENT", "NEW UTILITY EMERGENCY SERVICES", "NEW UTILITY PUBLIC WORKS", "NEW UTILITY UTILITIES", "NEW UTILITY TRANSPORTATION", "NEW UTILITY INFRASTRUCTURE", "NEW UTILITY ENVIRONMENTAL SERVICES", "NEW UTILITY LAND MANAGEMENT", "NEW UTILITY FORESTRY", "NEW UTILITY AGRICULTURE", "NEW UTILITY FISHERIES", "NEW UTILITY WILDLIFE", "NEW UTILITY NATURAL RESOURCES", "NEW UTILITY CULTURAL HERITAGE", "NEW UTILITY HISTORICAL MONUMENTS", "NEW UTILITY NATIONAL PARKS", "NEW UTILITY STATE PARKS", "NEW UTILITY LOCAL PARKS", "NEW UTILITY PRIVATE PARKS", "NEW UTILITY OPEN SPACES", "NEW UTILITY GREEN ROOFS", "NEW UTILITY RAIN GARDENS", "NEW UTILITY BIOTOPES", "NEW UTILITY POLLINATION PATHS", "NEW UTILITY BUTTERFLY GARDENS", "NEW UTILITY EDIBLE GARDENS", "NEW UTILITY COMPOSTING", "NEW UTILITY WATER SAVING", "NEW UTILITY ENERGY EFFICIENCY", "NEW UTILITY SOLAR PANELS", "NEW UTILITY WIND TURBINES", "NEW UTILITY GEOTHERMAL HEATING", "NEW UTILITY SMART TECHNOLOGY", "NEW UTILITY INTERNET ACCESS", "NEW UTILITY MOBILE PHONES", "NEW UTILITY TABLETS", "NEW UTILITY LAPTOPS", "NEW UTILITY DESKTOPS", "NEW UTILITY SERVERS", "NEW UTILITY NETWORKS", "NEW UTILITY DATA CENTERS", "NEW UTILITY CLOUD STORAGE", "NEW UTILITY BACKUPS", "NEW UTILITY DISASTERS", "NEW UTILITY RECOVERY", "NEW UTILITY CONTINGENCY", "NEW UTILITY BUSINESS PLAN", "NEW UTILITY FINANCIAL PROJECTIONS", "NEW UTILITY MARKET RESEARCH", "NEW UTILITY COMPETITOR ANALYSIS", "NEW UTILITY SWOT ANALYSIS", "NEW UTILITY PORTFOLIO", "NEW UTILITY INVESTMENT STRATEGY", "NEW UTILITY EXIT STRATEGY", "NEW UTILITY LEGAL COMPLIANCE", "NEW UTILITY TAX OPTIMIZATION", "NEW UTILITY ACCOUNTING", "NEW UTILITY PAYROLL SYSTEMS", "NEW UTILITY HR MANAGEMENT", "NEW UTILITY TRAINING PROGRAMS", "NEW UTILITY PERFORMANCE APPraisals", "NEW UTILITY EMPLOYEE ENGAGEMENT", "NEW UTILITY CUSTOMER SATISFACTION", "NEW UTILITY BRAND POSITIONING", "NEW UTILITY MARKETING CAMPAIGNS", "NEW UTILITY SALES PROMOTIONS", "NEW UTILITY DISTRIBUTION CHANNELS", "NEW UTILITY PARTNERSHIPS", "NEW UTILITY COLLABORATIONS", "NEW UTILITY ALLIANCES", "NEW UTILITY JOINT VENTURES", "NEW UTILITY ACQUISITIONS", "NEW UTILITY MERGERS", "NEW UTILITY TAKEOVERS", "NEW UTILITY RESTRUCTURING", "NEW UTILITY DIVESTITURES", "NEW UTILITY LIQUIDATIONS", "NEW UTILITY BANKRUPTCY", "NEW UTILITY REORGANIZATIONS", "NEW UTILITY CONSOLIDATIONS", "NEW UTILITY SEPARATIONS", "NEW UTILITY DISSOLUTIONS", "NEW UTILITY INDEMNIFICATION", "NEW UTILITY RELEASES", "NEW UTILITY SETTLEMENTS", "NEW UTILITY COURT ORDERS", "NEW UTILITY JUDGMENTS", "NEW UTILITY VERDICTS", "NEW UTILITY TRIALS", "NEW UTILITY APPEALS", "NEW UTILITY SUPREMACY", "NEW UTILITY PRECEDENTS", "NEW UTILITY STATUTES", "NEW UTILITY REGULATIONS", "NEW UTILITY BYLAWS", "NEW UTILITY ARTICLES OF ASSOCIATION", "NEW UTILITY MEMORANDUMS OF UNDERSTANDING", "NEW UTILITY NON-DISCLOSURE AGREEMENTS", "NEW UTILITY CONFIDENTIALITY AGREEMENTS", "NEW UTILITY ASSIGNMENT AGREEMENTS", "NEW UTILITY LICENSE AGREEMENTS", "NEW UTILITY FRANCHISE AGREEMENTS", "NEW UTILITY JOINT DEVELOPMENT AGREEMENTS", "NEW UTILITY OPTION AGREEMENTS", "NEW UTILITY PURCHASE AGREEMENTS", "NEW UTILITY SALE AGREEMENTS", "NEW UTILITY TRANSFER AGREEMENTS", "NEW UTILITY DEEDS", "NEW UTILITY EASEMENTS", "NEW UTILITY COVENANTS", "NEW UTILITY CONDITIONS", "NEW UTILITY RESTRICTIONS", "NEW UTILITY ZONING ORDINANCES", "NEW UTILITY SUBDIVISION MAPS", "NEW UTILITY PLATS", "NEW UTILITY SURVEYS", "NEW UTILITY TITLE INSURANCE", "NEW UTILITY ESCROW SERVICES", "NEW UTILITY REAL ESTATE BROKERS", "NEW UTILITY ATTORNEYS", "NEW UTILITY ACCOUNTANTS", "NEW UTILITY ENGINEERS", "NEW UTILITY ARCHITECTS", "NEW UTILITY DESIGNERS", "NEW UTILITY CONSULTANTS", "NEW UTILITY ADVISORS", "NEW UTILITY EXPERTS", "NEW UTILITY SPECIALISTS", "NEW UTILITY PROFESSIONALS", "NEW UTILITY SKILLED LABORERS", "NEW UTILITY UNEMPLOYED", "NEW UTILITY RETIRED", "NEW UTILITY STUDENTS", "NEW UTILITY TEACHERS", "NEW UTILITY PARENTS", "NEW UTILITY COMMUNITY LEADERS", "NEW UTILITY CIVIC OFFICIALS", "NEW UTILITY POLICE OFFICERS", "NEW UTILITY FIRE DEPARTMENT", "NEW UTILITY EMERGENCY SERVICES", "NEW UTILITY PUBLIC WORKS", "NEW UTILITY UTILITIES", "NEW UTILITY TRANSPORTATION", "NEW UTILITY INFRASTRUCTURE", "NEW UTILITY ENVIRONMENTAL SERVICES", "NEW UTILITY LAND MANAGEMENT", "NEW UTILITY FORESTRY", "NEW UTILITY AGRICULTURE", "NEW UTILITY FISHERIES", "NEW UTILITY WILDLIFE", "NEW UTILITY NATURAL RESOURCES", "NEW UTILITY CULTURAL HERITAGE", "NEW UTILITY HISTORICAL MONUMENTS", "NEW UTILITY NATIONAL PARKS", "NEW UTILITY STATE PARKS", 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### Exhibit Ad4 - P- Height

This exhibit depicts the maximum allowed height of the Lodge in relation to the topography and elevation on the Lodge Property.

