

**MINUTES OF THE
WASATCH COUNTY PLANNING COMMISSION
SEPTEMBER 12, 2024**

PRESENT: Chair Chuck Zuercher, Doug Grandquis, David Thacker, Kimberly Cook, Daniel Lyman, Wendell Rigby
EXCUSED: Scott Brubaker, Mark Hendricks, Doug Hronek
STAFF: Doug Smith, Wasatch County Planner; Austin Corry, Assistant Wasatch County Planner; Anders Bake, Assistant Wasatch County Planner; Jon Woodard, Assistant Wasatch County Attorney; Rick Tatton, Court Reporter *(via Zoom)*
PRAYER: Commissioner Wendell Rigby
PLEDGE OF ALLEGIANCE: Commissioner Kimberly Cook

Chair Chuck Zuercher called the meeting to order at 6:00 p.m. on Thursday, September 12, 2024 and indicated that all the Wasatch County Planning Commissioners are present except for Commissioner Mark Hendricks, Commissioner Doug Hronek and Commissioner Scott Brubaker, who are excused. The record should also show that the Wasatch County Planning Commission is meeting in the Wasatch County Council Chambers, located in the Wasatch County Administration Building at 25 North Main, Heber City, Utah 84032. Chair Chuck Zuercher then called the first agenda item.

APPROVAL OF THE MINUTES FROM THE AUGUST 8, 2024 MEETING

Motion

Commissioner Kimberly Cook made a motion to approve the minutes for August 8, 2024 as written.

Commissioner David Thacker seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, Kimberly Cook, Doug Grandquis, David Thacker, Daniel Lyman, Wendell Rigby.

NAY: None.

Chair Chuck Zuercher then read the following:

“As indicated on the screen, a required public hearing will be held for certain agenda items prior to Planning Commission action. After each such item has been presented, time to comment will be provided for all those who wish to speak. Public hearings and citizen comments are a legitimate source of information for the County to consider in making legislative decisions.

For items that do not require a public hearing, public comment may still be taken following presentation of the item, however, please keep in mind the following if public comment is accepted during these items: When making land use decisions, the Planning Commission can only rely on substantial evidence on the record, which is that amount and quality of evidence relevant to proving or disproving a specific requirement of the applicable law.

During any public comment period, each speaker will generally be limited to three minutes. Additional time may be given to individuals specifically invited to speak by the Planning Commission.”

REGULAR AGENDA

- ITEM 1** ALLISON AAFEDT, REPRESENTING JORDANELLE GOLF LODGE, LLC, REQUESTS CONSIDERATION BY THE COUNTY LEGISLATIVE BODY FOR APPROVAL OF ORDINANCE 24-11 ENACTING, APPROVING, ADOPTING OR AUTHORIZING THE EXECUTION OF A LEGISLATIVE DEVELOPMENT AGREEMENT IN ORDER TO ADDRESS ASPECTS OF THE SKYRIDGE LODGE PROJECT. **IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION AND THE JSPA PLANNING COMMITTEE ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON SEPTEMBER 18, 2024. (JON WOODARD AND DOUG SMITH)*
- ITEM 2** ALLISON AAFEDT, REPRESENTING JORDANELLE GOLF LODGE, LLC, REQUESTS FINAL SITE PLAN APPROVAL FOR SKYRIDGE GOLF LODGE, A PROPOSED CONDO-HOTEL INCLUDING 65 UNITS (35 ERUS), RECEPTION AREA, FITNESS CENTER, AND OTHER AMENITY SPACES LOCATED AT 1393 W SKYRIDGE DRIVE IN THE JORDANELLE SPECIALLY PLANNED AREA (JSPA) ZONE. **IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION AND THE JSPA PLANNING COMMITTEE ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON SEPTEMBER 18, 2024. (DEV-9177; ANDERS BAKE)*
- ITEM 3** ALLISON AAFEDT, REPRESENTING JORDANELLE GOLF LODGE, LLC, REQUESTS FINAL SUBDIVISION AND SITE PLAN APPROVAL FOR THE JORDANELLE GOLF LODGE OVERFLOW PARKING, A PROPOSED SUBDIVISION AND SITE PLAN TO CONSTRUCT AN OFF-SITE PARKING LOT LOCATED OFF THE JORDANELLE PARKWAY ON PARCEL 21-2807 IN THE JORDANELLE SPECIALLY PLANNED AREA (JSPA) ZONE. **IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION AND THE JSPA PLANNING COMMITTEE ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON SEPTEMBER 18, 2024. (DEV-9178; ANDERS BAKE)*

Staff

Doug Smith, the Wasatch County Planner, presented a Power Point, and then addressed the Wasatch County Planning Commission and indicated that the determination issue is 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.

Doug Smith, the Wasatch County Planner, also indicated that the recommendation is, based on the analysis in the staff report, 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 in the staff report and legislative development agreement.

Doug Smith indicated that the request is for approval of the SkyRidge Golf Lodge site plan, associated legislative development agreement, off-site parking lot and an associated small-scale subdivision for the offsite parking. 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 as a permitted use, and such amendments were required to be memorialized in a Third Amendment to the DA. The parties entered into the Third Amendment to the Lakeside North Master Plan Development Agreement on August 12, 2021 which is recorded in the recorder's office of Wasatch County.

The Golf Lodge proposed in this location 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 would be used, as allowed by Utah State Law. The staff and the applicant determined that the LDA would be preferable to amending the code which would allow a countywide change. The Amended Master Plan approved on March 3, 2021 took town houses out of the master plan and replaced it with a Lodge in the location of the townhouses.

Doug Smith then went through the major items addressed in the LDA which are:

1. The height of the building is allowed to be a maximum of 75 feet in the Legislative Development Agreement. The single family portions of the JSPA code allows for a maximum height of 35 feet 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 feet 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 feet by 18 feet not 9 feet by 20 feet 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 (the LDA approval) 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 ERU's, 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 was addressed in the amended master plan and development agreement (2021) and will be further clarified through the LDA.
9. The LDA removes the requirements for the welcome center and the amenities stipulated in addendum 3.

Doug Smith, the Wasatch County Planner, indicated that the 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.

Doug Smith indicated that 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

The above purpose statements are consistent with the lodge proposal.

Doug Smith indicated that a Legislative Development Agreement is different than a typical development agreement because it is approved by the legislative body. The state code allows a county or city to do a legislative development agreement that have different standards than what the code requires. If you are going to adopt a Legislative Development Agreement with different standards than what your code has then it is required to go through the same process a code revision would require and that is why it is coming before the Planning Commission for recommendation to the legislative body and to the JSPA Planning Committee for recommendation to the legislative body.

Jon Woodard, Assistant Wasatch County Attorney, addressed the Wasatch County Planning Commission and indicated that he wanted to make sure that everyone understood what the actual legislature ordinance (Ordinance 24-11) contained. It is an ordinance enacting the adoption of the development agreement. A lot of the whereases here are the same as the whereas language

of the development agreement. That lists when the Planning Commission meeting held its public hearing and when the JSPA Planning Commission held its public hearing and when it went to the Council. It finds that there is good cause for adopting the development agreement. Here is the main body of it and it incorporates the recitals and also incorporates the recitals of the development agreement. It says the process of 17-27a 502 is the process for the enactment of this ordinance and its associated development agreement which is a little bit unusual and we only do that in conjunction with the Legislative Development Agreement or it is the process that we are following for the two ordinances that are under consideration tonight for changing the land use code or the engineering code. The ordinance attaches the form of the development agreement and authorizes the manager to sign it but allows for the county attorney and the county manager to make non-material or technical revisions that are necessary and appropriate. If after this is approved, we notice a word change is needed or something like that then we can still do that as long as it is not a material change. It recites the languages on 17-27a 528 that allows for a legislative development agreement to approve a project that land use regulations would otherwise prohibit. Then we have the normal form that you see for an ordinance. That is all that I have.

Anders Bake, Assistant Wasatch County Planner, went through a power point presentation and indicated that the staff is recommending approval of the offsite parking proposal with the following conditions.

1. 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.
2. The site plan for the offsite parking lot is in compliance with the code except for the requirement to be within 200 feet of the lodge and the stall sizes of 9 feet by 18 feet. These issues are addressed in the LDA.
3. 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.

Anders Bake indicated that the two lot subdivision takes a piece that is about five and a half acres and splits it into two lots which are designated as a north parcel and south parcel and this proposed subdivision meets the requirements of a small scale subdivision. One thing that we added as a condition of approval is that the subdivision plat needs to have a ten foot public utility easement that is required along the sides of all property lines so that just needs to be added before the Mylar is printed and recorded. Other than that, it meets all the requirements for a small-scale subdivision with the frontage along Jordanelle Parkway, the lot size, and all their subdivision requirements that were reviewed by staff.

Anders Bake indicated that the second application is the site plan application for the parking lot. This site plan application is only for the south parcel. The parcel that is to the north as mentioned originally included the welcome center and other amenities, but that requirement is no longer being proposed as part of the amended development agreement, but the applicant would still have the option of doing something on that north parcel and that would come with a separate site application. This site plan application is only for the south parcel.

Anders Bake also mentioned that the parking lot use doesn't comply with the requirements of the zone but is being requested as an exception in the development agreement.

Anders Bake indicated that in addition the development agreement would allow the off-site parking to be used for the hotel property parking even though it is more than 200 feet away from the hotel and is approximately a mile away from the hotel property. The development agreement also would allow the stalls to be 18 feet long instead of 20 feet long and allows for there to be three drive approaches along Jordanelle Parkway and one to the south and then a turn around which has two driveway approaches to the north which normally wouldn't be allowed by code. These exceptions that are being proposed is due to the unique nature of the lot being for valet purposes and employees only. The turn around will allow for a shuttle at the top of that turn around that will allow that lot to be used for its intended purpose. Other than those exceptions being proposed as part of the legislative development agreement the parking lot itself complies with all the code requirements for parking lots. It complies with the requirements for landscaping and setbacks as well as lighting. Those things were all reviewed as part of the development review committee.

Anders Bake indicated that the above applications were sent through an internal development review committee 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 items is not placed on a Planning Commission agenda. The proposal went through a number of review cycles each time with additional detail or clarification requested by various departments.

Anders Bake then indicated that he will now go into the number of parking stalls and how those meet the needed parking for the Lodge itself. The parking demand for the lodge is met in three different ways.

1. The off-site parking lot which provides 115 stalls.
2. The hotel lot itself provides 52 stalls for a total of 167 stalls.
3. In addition, the clubhouse which has been approved and currently under construction provides more stalls than what was required for the uses that are on that property.

It is proposed that the additional parking on the clubhouse property be used to meet the needs of the hotel site which was the original plan and the reason why they proposed additional parking on that property just directly to the west. On that property the amount of available additional parking depends on the season. In the summer you will have 23 additional stalls available and 49 additional stalls available in the winter. With those three different things combined the off-site parking, the parking on the hotel lot and the available parking on the property to the west on the clubhouse site there will be 190 stalls available in the summer and 216 stalls available in the winter.

The county code has parking requirements based on the different uses of the property and so that is determined by the amount of rooms in the lodge, expected employees and then also the uses where square footage of the different amenities that are part of that lodge site. According to county code there would be a total of 272 stalls required which would put the property short by 82 stalls in the summer and 56 stalls in the winter. The applicant has provided a parking study through a parking traffic engineer that addresses this parking need and the code. This study was reviewed by another engineering company that Wasatch County hired to review that study and provide an additional analysis. These two studies concluded that the proposed parking, even though it is short from what the code would require, would meet the needs of the property. Also, many of the lodge employees are expected to carpool or use transit to get the lodge site and also the fact that the code doesn't consider that a customer of the lodge would also most likely be the same person using the amenities in the lodge so it would require the double parking in that case than what is anticipated. All of those things that those two studies concluded that the parking provided should be sufficient.

Commissioner Daniel Lyman indicated that the site plan for the clubhouse is meant to provide the accessory parking and there isn't a connection between the two properties other than by that event lawn. Is there more of a connection so that the hotel can utilize those parking stalls. Anders Bake replied that he doesn't see any connection as to where the parking is toward the north portion of it, but I believe there is a connection further to the south that connects the two properties. Commissioner Wendell Rigby asked if the parking study is publicly available. Anders Bake indicated that they could come into the Wasatch County Planning staff and ask for a copy of that.

Anders Bake then indicated that the next section focuses on the lodge. This is a separate application for the site plan approval for the lodge property. The subdivision application was previously approved. The SkyRidge Development has a maximum density of 503 ERU's and the original master plan showed that this site would have ten twin homes which would include the 20 ERU's. The current development agreement allows for a lodge on the property and limits that to 27 ERU's this 4th amended development agreement would allow the lodge to have 35 ERU's so it increases that ERU count from 27 to 35 but does not affect the 503 limit that SkyRidge has for their full development. So that would need to be accounted for elsewhere. The proposed change would have an impact on traffic and it is anticipated that the change would go from the 10 town homes or 20 ERU's which was originally approved to now it is currently approved with a hotel use. The traffic analysis determined that increase from the town homes to the hotels would add approximately 29 extra peak hour trips. Also, that increase would not have a significant impact on the road network but would have an impact on the area with the amount trips that it would add. The proposed hotel is set back from the road and there is a pretty significant slope as it goes further from the road. The closest point of the lodge to the road is 145 feet and much further about 250 or more feet for other portions of the lodge from SkyRidge Drive. The proposed location is about 210 feet from the closest residential properties and again this meets the setback requirements for the zone that it is in.

Anders Bake indicated that the proposed site plan and site landscaping plan complies with the landscaping requirements with about 50 percent of the property in open space. Also complies with landscaping requirements for landscaping along the street, landscaping around parking lots and the screening parking is compliant with requirements to screen parking from adjacent residential properties. The developer is proposing to meet the buffering requirements adjacent to residential by using the existing Gamble Oak that exists on the east side of the property. The existing vegetation will remain that is adjacent to the residential properties. With regard to the double stacked parking which normally wouldn't comply with code requirements for a parking lot but considering the unique nature of the parking lot the applicant is proposed that be allowed and approved through the development agreement. The code requires ten feet of landscaping between parking and nearby residential properties so the existing vegetation would far exceed that 10 foot width requirement of landscaping in addition to the landscaping that they are proposing along the driveway to the lodge.

Anders Bake indicated that with regard to the building height as mentioned before is one thing that is being requested as part of the development agreement. The residential zone would normally require 35 feet above natural grade, and they are asking that the height be up to 75 feet. The increased setback and the slope of the lot are shown as a reason why this should be granted. When looking from the road the slope of the lot and the setback will make it appear closer to 34 feet from the road from that elevation of the road which would match residential homes in the area.

Anders Bake indicated that the applicant has worked with staff to review lighting requirements for the parking and the overall site and those comply with county code lighting requirements as well with architectural requirements. The building is required to meet the same architectural requirements that we have for residential properties which have increased design standards than they typically have for other properties in the county. Those include building material requirements and then percentage requirements for certain building materials. The elevation plans show the materials and color of building materials on all four sides of the building. This application was reviewed by county staff and each went through several review cycles and each of those departments approved the application to be forwarded to the Planning Commission and JSPA Planning Committee for a recommendation to the Wasatch County Council.

Anders Bake indicated that he wanted to point out that as part of this process in February 27, 2024 the architecture designs were presented to the JSPA Planning Committee just for review and for feedback and they received favorable feedback for what they are proposing and there was not a motion made but that was discussed in that meeting.

Commissioner Wendell Rigby asked the question about adjacent property that were really concerned about the site from the hotel down into their lot about 210 feet away from the hotel. Anders Bake indicated that the closest adjacent residential properties are these properties to the east and there is a 210-foot setback there and also some properties on the other side of SkyRidge Drive that would be 145 feet from the road. From SkyRidge Drive looking south with the slope that elevation would look lower but then if are from the east looking west you really wouldn't have that same perspective.

Commissioner Dave Thacker asked is the intention of the code to make it appear as though it is 35 feet or we just going with your request of 75 feet total. What is the intention here and the discussion is wanting that to appear as though it was 35 feet, but I don't think that is possible especially with the renderings that I saw it looks like even that area from the renderings that you have it appears four stories there and that is easily beyond 35 feet but just curious how 75 feet was arrived at. Anders Bake replied that 75 is what is requested by the applicant. The justification for the height increase may be the slope and setback.

Anders Bake then went through the DRC Report:

JORDANELLE SSD comments:

- Continue plan review with District engineer and JSSD staff.

ENGINEERING comments:

- Rock retaining walls higher than 4 feet will have to be stamped by a professional geotechnical engineer.
- On Sheet IR200, it appears the water for irrigation will be tapped into the main line in SkyRidge Drive. Not going to allow that.
- As a condition of approval, fall protection must meet IBC.
Handrails will be required on all retaining walls if required.

Anders Bake then went through the proposed findings and indicated that these findings go for all the different sections of the report.

1. On February 15, 2017, the County Council approved the master plan for SkyRidge, formerly Mayflower Lakeside North, with a total density of 503 ERUs.
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 “3rd 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 which 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 feet from natural grade.
18. The Lodge is proposed to be 75 feet 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.

Anders Bake then went through the proposed conditions:

1. The off-site parking parcel, as per code, must have a 10 foot 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.

Commissioner Daniel Lyman asked if the existing oak brush has that been reviewed by a landscape architect in some fashion to meet that portion of the code. Anders Bake replied, all we have seen is that has been added as part of their proposed landscaping plan.

Applicant

Allison Aafedt, representing Jordanelle Golf Lodge and property manager, presented a Power Point presentation and then addressed the Wasatch County Planning Commission and indicated that Doug Smith, Anders Bake and Jon Woodard have done a

great job in presenting this, but I will just mention a few things. In March of 2021 we amended our development agreement and master plan to include the golf lodge, and this started this concept of the golf lodge back in 2019. Everything that is being done is open to the public. The height has been mentioned as from getting on SkyRidge Drive the lodge would not exceed 35 feet from street elevation and wanted to keep within our JSPA guidelines there because it really fits in with the community and didn't want it having going seven stories above SkyRidge Drive and wanted it to be nestled down with the slope. It doesn't seem to be as tall as it really is. The parking will be valet parking. We had a study done with regard to parking and it indicated that we did have adequate parking, and the shared parking concept was the key factor here.

Derek Herndon, the public manager with MIDA, addressed the Wasatch County Planning Commission and indicated that we support what is being talked about today in having these year-round offerings. The partnership with SkyRidge has really been excellent.

Public Comment

Chair Chuck Zuercher, then opened the hearing up for public comment.

Joe Sonderman, via Zoom, owner in SkyRidge, addressed the Wasatch County Planning Commission indicated that his concerns about the number of trips per day there will be and when you add the staff, etc. that will be added and there will be more trips added instead of the 29 when you consider the different shifts. The traffic is a concern. I am concerned about the height and always viewed from the SkyRidge and noting is said with below. That 75 foot height is a concern based topography that is there. Concerned about this project receiving three different code variances versus any other project. I appreciate and I understood that there was going to be a hotel as well and it was not a surprise. It was said that it was going to be a sixty-five room and now you are twenty percent over that and therefore there is a height variance and it didn't need to happen. It is not looking at it from above but it is below. It is just having your view blocked unnecessarily.

Joe Rubinsztain via Zoom, owner of Lot 115 which is the lot directly adjacent to the east side of the lodge. When I got the lot the height was 35 feet and was happy for that. Now the request to increase up to 75 feet cause a significant concern for me. We tried to sell but when they heard of the 75 feet nobody wanted to buy that. There have been continuous code variances that has taken place. These things really affect the value of the property. Please consider the impacts both economically and in the terms of the ability to enjoy the property.

David Ryan, via Zoom, owner in SkyRidge, addressed the Wasatch County Planning Commission and indicated that he is completely against the 75 height variance and the lodge is completely out of proportion to be in the middle of the neighborhood. When we purchased our lot none of these changes or amendments had taken place. I disagree completely with staff's analysis that the view from the road will be appropriate in scale for a neighborhood. The height is not being followed with the normal grade but starting at the roadway. Also, adequate parking really can't be provided even if the study indicates that there will be adequate parking. Also don't agree with the 29 trip trips a day and don't see how that is possible for a facility that size. Against the building of that size in the middle of our neighborhood, and against the codes being changed to make all these things work for the developer. I also want to indicate that I was aware of in the contract that the developer had the ability to put in a forty or fifty room hotel and nobody thought it would be the size that it is. I have reached out to the developer on numerous times and have had several e-mails trying to get more information about what is happening and what is going on with the lodge. Whether these attempts when unanswered or if they were answered that would say that we still are working it and will let you know in advance when we have something to show you. That conduct has been going on for a couple of years now which has been frustrating as an owner. Communication has been great and one of the unhappy owners and don't have to look this directly, but I am across the street from it and will have to deal with it and not happy with how this has gone.

Dave Lewis, via Zoom, general contractor within the SkyRidge Community and have built several homes and love the planning and the development design and very supportive with what SkyRidge is doing. Their HOA is holding standards very high, so we continue to buy lots in the community to build homes. We are very supportive in what is taking place in the SkyRidge Mountain Community.

Michael Gladson, via Zoom, property owner within SkyRidge as well and owns two lots in the development and me and my family want to voice our enthusiasm for what is taking place and looking forward to taking advantage of the amenities and this will add property value. The team has done a great job in embracing the architectural aspects in keeping in line with the community and looking forward to this moving forward.

Matt Hutchinson, lawyer for the developer, indicated that there was a subdivision report that was provided to all of the owners who purchased lots in SkyRidge. It was mentioned in that subdivision report indicating that the developer is currently exploring the development of a lodging facility within the vicinity of the planned SkyRidge clubhouse and golf academy, and no county approvals have yet been obtained but the developer has the sufficient entitlements to construct a lodging facility with sixty to seventy rooms. The grant of approvals for such a project is not a certainty but such a facility would be a permissible use in the development and more information may be obtained from the developer. This is not a big surprise and has been on the drawing board for more than five years and every owner of property in SkyRidge received a copy of that report. There was never anything published by the developer or in the JSPA code or anything that imposed a 35-height restriction on a facility like this. The term variance used by these people is not the right word to use. This has been a permitted use since the development agreement was amended in 2021. The comments made here regarding why a hotel is being put in the neighborhood and those comments are not timely basically.

Jack Johnson, principal of the SkyRidge project, addressed the Wasatch County Planning Commission and indicated that everything there is for the public to use with the exception of one building which is the HOA and the swimming pool for the HOA. The lodging was contemplated in the JSPA area and it is not a large hotel or hotels like on the west side of Highway 40. The height from SkyRidge is that when you look down it is taller than 35 feet. This lodge is thirty to forty feet below SkyRidge Drive there and you can see more height but it also is placed right. We decided to do that to buffer a little bit the single family area and to make it fit in. Yes, it is a lodge and larger than a single family home, but we used the site judiciously as possible to put this lodge and put it in this area.

Terri Kochersperger, resident of SkyRidge, addressed the Wasatch County Planning Commission and indicated that she walks down the hill every day with my dogs and if you are looking at that one angle and when I walk down that hill every day and see what those homeowners are going to have to look at every single day. That 75 feet does make a difference and if it was my lot I would be upset.

Chair Chuck Zuercher then closed public comment.

Commission Comments

Commissioner Daniel Lyman indicated that the biggest concerns are parking and traffic and height and size. I don't see on the site plan the context below sufficient. I am concerned at what happens below and would like a section go further potentially because the section starts at SkyRidge and hotel and then stops. Also unsure about the buffer if it meets the code. When it refers to a golf lodge which does not imply a winter activity. There is not a sufficient connection between the two properties that would justify parking being met from one side to the other. The parking is far away. A little more context would help. It seems like we are trying to fit a little bit without considering all of the connections more than we should and more concerned about the connection between the clubhouse and the lodge and how is that justified that they will commingle. Could we make a condition and be specific to require either a valet attendant or some type of access card entry type of gate access only for the lodge so that it doesn't get taken advantage of later.

Chair Chuck Zuercher indicated that he would like to see a drawing of the backside of the hotel down toward the lake and if there is a rendering of that, it would be helpful. Allison Aafedt indicated that below the lodge we have quite a bit of open space. The two roads are yet to be determined. We did do a viewshed analysis. The intent is for all guest parking to be on site either between the lodge and the clubhouse parking and then off site would be employees and special events. There will be shuttles to help with traffic running it back and forth.

Commissioner Daniel Lyman asked if the off-site parking that was planned as part of the 2021 amendment to be there or it was meant to be a welcome center and just now the lodge is planned to use that instead of a welcome center that was originally planned to be an off-site parking area. Allison Aafedt indicated it was parking and a welcome center and not used for the lodge originally. The parking lot will be used exclusively for the lodge and private parking only. Off-site parking is private valet only and will be monitored by the valet attendees.

Commissioner Daniel Lyman asked if the thirty-five feet is a zone requirement to limit the thirty-five feet or was it a generalized statement as was ascribed. Doug Smith, the County Planner, indicated that the area that we are talking about is a residential area. The height limit is thirty-five feet. When we initially started talking about this several years ago the idea was kicked around about a rezoning in this area to a village. The problem that we had with that is the village would require some 615 units minimum. Would require substantial retail and commercial and require build to lines of right behind the sidewalk because you are trying to maintain a main street type scenario and had all of these requirements that wouldn't be met here and that is when the discussion started with

the Council of an LDA. With regard to the buffer. A buffer between a residential use and a non-residential use would typically be ten feet wide and have trees on center every twenty-five feet. We feel that the growth that is there now would be much more substantial of a buffer than what there would be if you had a ten foot strip with trees on center every twenty-five feet and I can't speak to the grade change. The oak brush may not be providing much at all with the grade change and it would be the same way with any buffer that we required there with the topography. The fire department wanted to have a connection between the lodge and the clubhouse and the grades were just too substantial to be able to make that work also there is a water booster station that was put in there.

Commissioner David Thacker indicated that this area is growing and parking is going to continue to be a premium and being a resort community it is only going to grown in special events and they utilize those and when somebody does not have a parking spot and they chose not to car pool or used to drive their own car in where are they going to park then and it becomes anywhere that there is a no parking sign so they are going to be on SkyRidge drive and they are going to be on Jordanelle Parkway or any other places and that creates the hazards that are trying to be avoided.

Jon Woodard indicated that 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 public except parking that will be valet and lodge employees and guests only and this will make the parking adequate and acceptable. Then it goes through and describes that the employees will be the only ones that will be there because it is valet. It is pretty strong in ensuring that parking area is limited to the employees and valet parking. I don't think you will have the public parking there or patrons from the lodge showing up and expecting to be shuttled there. Chair Chuck Zuercher indicated that we could make a statement that some security for event parking twenty-four seven a statement to that affect. Jon Woodard indicated that he wouldn't have an issue with that and put that in as a condition.

Commissioner Doug Grandquis indicated that I don't know if you noticed that at the Christmas Season for the Hyatt Hotel up there it is thirteen hundred dollars a night and I don't know how many people in this community are even going to be able to afford to stay in those places and here you have got a five star. This is not designed for the average kind of person to use these facilities. It is for the higher income people so worrying about excess traffic and excess public use doesn't qualify really as much as we are concerned about. In fact, one of the questions that I always had was this MIDA project was designed for military. I don't know about wages in the military these days but those rates had better be a high ranking official in the military for that kind of a facility. That whole area is designed for high end income people there is no question about it. Look at the housing that is going in there and the State of Utah just came out today and said there is only sixty-five housing units in the State of Utah that are priced under four hundred thousand dollars. In Wasatch County now it is over eight hundred thousand.

Commissioner David Thacker indicated that the only concern is the height on that back side. There is planned for some residential down there if they buy after the fact and they will know what they are getting but it is those that bought and were expecting this and there is concern for that whether they are next door or above or they approach. The lodge is great from the front side and don't have any issue with that but that back side I think that thing will be a monster. The ADA parking is some but I don't know that is adequate and I don't know the ADA regulations allow for valet to be part of that but that is something to consider.

Commissioner Doug Grandquis indicated that those lots are not going to be cheap and anybody that purchases those lots is going to be cognizant of what they are buying.

Motion

Commissioner Doug Grandquis made a motion, for the first item, to recommend to the County Council approval of the Legislative Development Agreement of SkyRidge Lodge consistent with the staff analysis, consistent with the findings and subject to the conditions.

Commissioner Kimberly Cook seconded the motion.

The motion carries with the following vote:

AYE: Daniel Lyman, Wendell Rigby, Dave Thacker, Doug Grandquis, Kimberly Cook, Chuck Zuercher.

NAY: None.

Motion

Commissioner Doug Grandquis made a motion to recommend to the Wasatch County Council approval of the off-site parking and site plan for SkyRidge Lodge consistent again with the staff analysis and consistent with the findings and subject to the conditions and the LDA.

Commissioner Kimberly Cook seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, Daniel Lyman, Kimberly Cook, David Thacker, Doug Grandquis, Wendell Rigby.

NAY: None.

Motion

Commissioner Doug Grandquis made a motion to recommend to the Wasatch County Council approval of the site plan for the SkyRidge Lodge consistent with staff analysis, findings and subject to the conditions and the LDA.

Commissioner Kimberly Cook seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, Daniel Lyman, Kimberly Cook, Wendell Rigby, Doug Grandquis, David Thacker.

NAY: None.

ITEM 4 CONSIDERATION AND RECOMMENDATION OF AN AMENDMENT TO WASATCH COUNTY CODE TITLE 4 AND TITLE 16 TO CLARIFY DEFINITIONS, CONSOLIDATE SECTIONS WITH SIMILAR CONTEXT, AND OTHER TECHNICAL CHANGES THAT REDUCE POTENTIAL CONFLICTS WITH OTHER PROVISIONS AND REDUNDANT LANGUAGE. THE PROPOSED AMENDMENT ALSO UPDATES GRAPHICS CURRENTLY IN THE CODE WITH VERSIONS THAT ARE MORE READABLE AND HIGHER RESOLUTION. **IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON SEPTEMBER 18, 2024.* (AUSTIN CORRY)

Staff

Austin Corry, Assistant Wasatch County Planner, presented a Power Point presentation and then addressed the Wasatch County Planning Commission and indicated that throughout the year, Planning Staff, in coordination with the Development Review Committee identifies areas where potential conflicts exist in the land use and development code (Title 16) or where minor adjustments to the language could help improve the clarify of the intent behind an ordinance. The proposed amendments are intended to address the issues identified without making any substantial or policy changes. In the event that staff recognizes a need to adjust the policy decision, those items have been specifically noted in the staff report to ensure full transparency in the need for a policy decision to be made.

Austin Corry then highlighted some of the more significant changes in the ordinance such as a change to the fee schedule, also a land use verification letter that staff can do, JBOZ permitted land uses, the commercial resort matter was discussed, accessory buildings were discussed with the living area versus ADU designation for approval with possibly adding the word detached and other matters. Solar panels were discussed regarding the mounting of them. The amendment would also eliminate a lot of redundancy that was in the code and consolidate similar items into single sections.

Austin Corry indicated that the determination issue is whether the proposed ordinance amendment provides improved clarity, reduces vague interpretation and increases the effectiveness of the land use and development codes for the purpose of furthering the health, safety, and welfare of Wasatch County. This determination is a legislative decision to be made by the Wasatch County Council after receiving a recommendation from the Planning Commission.

Austin Corry indicated that as a result of the things discussed and based on the analysis and findings in this staff report, the Planning Staff is of the opinion that the amendments are in the best interest of the general welfare of the county. Therefore, it is

recommended that the Planning Commission forward a positive recommendation of the proposed code text amendment based on the findings included in the staff report.

Austin Corry then went through the proposed findings:

1. The proposed amendment is in the interest of the public and is consistent with the goals and policies of the Wasatch County General Plan.
2. The proposed amendment is consistent with the purpose outlined in Title 16.
3. The proposed amendment helps clarify existing policies, reduce redundancy, and reduces potential conflicts.
4. Positive impacts of the proposed changes are increased clarity and decreased redundancy and conflict.
5. Negative impacts of the proposed changes are potential discrepancies in vested projects and which code amendments are applicable to projects currently under review. It is not anticipated this impact will be significant since the amendments are primarily not substantial or regulatory changes.
6. The Wasatch County Council, as the legislative body, had broad discretion for amendments to the Wasatch County Code.

Public Comment

Chair Chuck Zuercher then asked if there was any public comment with regard to this hearing and there was none, so the public hearing was closed.

Motion

Commissioner Wendell Rigby made a motion that we forward a positive recommendation for this item, which is an amendment to Title 4 and Title 16 of the code, to the Wasatch County Council consistent with the findings that were presented in the Planning Staff Report and analysis.

Commissioner David Thacker seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, Daniel Lyman, Kimberly Cook, David Thacker, Doug Grandquis.

NAY: None.

ITEM 5 CONSIDERATION AND RECOMMENDATION FOR AN AMENDMENT TO WASATCH COUNTY CODE TITLE 14 AND CHAPTER 16.27 RELATING TO ENGINEERING STANDARD ROAD CROSS-SECTIONS IN ORDER TO MODIFY THE CROSS-SECTIONS TO PROVIDE CLARITY AND CONSISTENCY WITH THE ADOPTED TRAILS MASTER PLAN AND OTHER UPDATED STANDARDS. **IF FORWARDED, THE RECOMMENDATION BY THE PLANNING COMMISSION ON THIS ITEM WILL BE CONSIDERED BY THE COUNTY COUNCIL AS THE LEGISLATIVE BODY, AT A PUBLIC HEARING ON SEPTEMBER 18, 2024. (DEV-9245; JED MUHLESTEIN)*

Staff

Jed Muhlestein, the Wasatch County Engineer, presented a Power Point presentation and then indicated that the purpose of this agenda item is to update road cross sections as found in WCC 14.02.07. Title 16 requires 10 foot, 8 foot or 4 foot trails depending on location (WCC 16.38.03). It is the intent of this ordinance to standardize trail widths throughout the code. Updating the cross sections, instigated changes to standard utility locations and public utility easement (PUE) widths. All these changes are proposed.

Ordinance 24-12 has three primary objectives which are:

1. Unify trail standard widths between Engineering and Planning codes (Title 14 and 16);
2. Update standard utility locations to current needs of wet and dry utility companies;
 - a. Part of this is proposing a fifteen-foot (15') front public utility easement, upping the size from ten feet (10')
3. Reduce redundancy in the code and perform some code cleanup for clarity.

Jed Muhlestein also indicated that with regard to the trail issue and aligning the engineering code to match the planning code and eliminate the meandering trails which are difficult to build, maintain, landscape, and do not provide a clear marker of property boundaries for homeowners adjacent to them. Jed also indicated that the gas company was very specific about their separation requirement from a main building and they will not put a main line within 10 feet of a main building and we had to be careful with that because if we have a 15 foot front PUE that means that we can't have a home any closer than 10 further from that to twenty-five feet and that means we can't have a closer setback than twenty-five feet. There are some zones in our code that allow a twenty foot front setback, so we added language to make sure that we are not going to have a conflict there. Also, we are eliminating a lot of redundancy in this code especially the cross section

Jed Muhlestein then went through the proposed findings:

1. The proposed amendment is in the interest of the public, and is consistent with the goals and policies of the Wasatch County General Plan.
2. The General Plan goal 9 states that the County should "Develop a connected multi-modal transportation infrastructure that will meet the travel requirements of existing and future residents and visitors; is compatible with the mountain and rural characteristics of Wasatch County; improves mode choice for Wasatch County residents and visitors; and promotes environmental preservation..."
3. The General Plan further states an objective to "Collector and arterial roadway rights-of-way shall include adequate space for roadways and safe and comfortable bike and pedestrian facilities; active transportation facility types should respond to the location context and be consistent with Federal Highway Administration guidance."
4. Utah Code 17-50-309 authorizes the County to enact regulations for the control, construction, alteration, repair, and use of all public roads and highways outside of cities or towns.
5. Positive impacts of the proposed changes are general clarification of code, creating consistency within the code regarding trails, and providing adequate space for the installation of utilities within front public utility easements.

The determination issue is whether or not code chapter 14.02 (Engineering Department) and section 16.27.12 (Final Plat Requirements) should be amended to correct and clarify standards for trails, sidewalks, and roads within the County. This determination is a legislative decision to be made by the Wasatch County Council after receiving a recommendation from the Planning Commission.

Based on the analysis and findings in the staff report, engineering staff is of the opinion that the amendments to the road cross sections and other minor changes to engineering standards are in the best interest of the general welfare of the County. Therefore, it is recommended that the Planning Commission forward a positive recommendation of the proposed code text amendment based on the findings included in the staff report.

Public Comment

Chair Chuck Zuercher then opened the matter up for public comment and there was none, so the public comment period was closed.

Motion

Commissioner David Thacker made a motion to recommend approval to the Wasatch County Council the General Road Standards Code Text amendment, in light of the findings of staff and accept the staff's analysis as presented.

Commissioner Daniel Lyman seconded the motion

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, Kimberly Cook, Daniel Lyman, David Thacker, Doug Grandquis, Wendell Rigby.

NAY: None.

ADJOURNMENT

Motion

Commissioner Kimberly Cook made a motion to adjourn.

Commissioner Wendell Rigby seconded the motion.

The motion carries with the following vote:

AYE: Chair Chuck Zuercher, Daniel Lyman, Kimberly Cook, David Thacker, Wendell Rigby, Doug Grandquis.

NAY: None.

Meeting concluded at 9:00 p.m.


CHUCK ZUERCHER/CHAIRMAN