

MAYOR
ROGER BOURKE

TOWN COUNCIL
CAROLYN ANCTIL
JOHN BYRNE
DAN SCHILLING
ELISE MORGAN



Page 1 of 86
TOWN OF ALTA
P.O. BOX 8016
ALTA, UTAH 84092

TEL (801) 363-5105
(801) 742-3522
FAX (801) 742-1006
TTY 711

Alta Planning Commission Meeting Packet

July 15, 2025

Document Tips: The sections below are each hyperlinked to help you navigate straight to a section of interest. Page numbers refer to the header numbers on the top right of the page in blue.

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AGENDA
ALTA PLANNING COMMISSION MEETING
WEDNESDAY JULY 15th, 2025 3:00 PM
ALTA COMMUNITY CENTER
ALTA, UTAH

We encourage you to join us in person. This will be a hybrid meeting. For information about how to view the meeting online, please visit <https://townofalta.utah.gov/events/> or watch live <https://townofalta.utah.gov/live-stream/>

Public comment - please note, each person will be able to speak for up to 3 minutes.
Written public input can be submitted in advance to Chris Cawley via email (ccawley@townofalta.utah.gov)

To make a public comment virtually we recommend notifying Molly Austin via email (molly@townofalta.utah.gov) in advance of the meeting.

- 1 Call the Public Hearing to Order
- 2 Accept Public Comment regarding the petition to rezone 6.5 acres of land located on parcel 30-04-101-014-0000 from FR-1 to FM-20
- 3 Motion to Adjourn Public Hearing
- 4 Call the regular meeting to order
- 5 Public comment
- 6 Approval of the minutes of the March 26, 2025 meeting
- 7 Discussion and Possible Action on the petition to rezone 6.5 acres of land located on parcel 30-04-101-014-0000 from FR-1 to FM-20
- 8 New business
- 9 Date of next meeting
- 10 Motion to adjourn

Notice Provisions:

- Motions relating to any of the foregoing including final action may be taken at the meeting.
- One or more members of the Alta Planning Commission may attend by electronic means, including telephonically. Such members may fully participate in the proceedings as if physically present. The anchor location for purposes of the electronic meeting is the ALTA COMMUNITY CENTER, 10361 EAST HWY 210, ALTA, UTAH
- Reasonable accommodation (including auxiliary communicative aids and services) for individuals with disabilities may be provided upon receipt of a request with three (3) working days' notice. For assistance, please call the Alta Town Office at 801-363-5105

MEETING MINUTES
ALTA PLANNING COMMISSION MEETING
Wednesday, March 26, 2025, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

ALTA PLANNING COMMISSION MEETING – 3:00 PM

PRESENT: Jon Nepstad, Chair (joined virtually)
Jeff Niermeyer, Vice-Chair
Rob Voyer
David Abraham (joined virtually at 3:09)
Maren Askins
Roger Bourke, Town of Alta Mayor

STAFF PRESENT: Chris Cawley, Town Manager
Molly Austin, Assistant Town Manager
Polly McLean, Town Attorney

ALSO PRESENT: John Guldner, Cottonwood Lands Advisory (joined virtually)

NOT PRESENT:

1. INTRODUCTION AND WELCOME FROM THE CHAIR

Planning Commission Chair Jon Nepstad opened the March 26, 2025 meeting at 3:03 PM.

2. PUBLIC COMMENT

No public comments received.

3. APPROVAL OF MINUTES FROM THE FEBRUARY 26, 2025, MEETING

Jon Nepstad noted that earlier today Molly Austin sent out a few minor clarifying edits to the version of the minutes that were originally sent out in the packet. At the top of page 3, the language was updated to clarify the Shrontz Estate's proposed new width of the Albion Basin Summer Road, and on page 4 the minutes were clarified to read that the Estate received an email, rather than a letter, from Salt Lake City Department of Public Utilities (SLCDPU) demonstrating SLCDPU's consent for the Estate to move forward with the Shrontz Estate's new development concept.

Rob Voyer moved to approve the minutes from the February 26, 2025 meeting, as amended. Jeff Niermeyer seconded. All in favor and minutes approved.

4. PRESENTATION AND DISCUSSION: SHALLOW SHAFT REDEVELOPMENT PROPOSAL

Chris Cawley described that the purpose of the meeting is to discuss an updated redevelopment concept from the owners of the Shallow Shaft Restaurant, that was previously discussed in April 2024. The primary topic for discussion is a proposed text amendment to the Base Facilities Zone (BFZ) to increase the minimum lot size and width requirements on properties subject to BFZ Zone C, which would affect the Shallow Shaft and Photohaus properties. Cawley described that with this new proposal, the size of the building and total number of units inside have changed, but he expressed that from the Town's perspective, there are still some concerns with non-compliance issues such as hotel rooms with kitchens, which meet the Town's definition of a "dwelling unit. Dwellings and other residential which are prohibited in the Base Facility Zone. Another issue with the proposed building is that it is within 50 feet of a culvert.

Jon Nepstad requested that the Planning Commission members hold any questions until the very end of the presentation.

Andrina Hougham introduced herself and her husband, Walter Krebsbach, as owners of the Shallow Shaft restaurant. Hougham explained that they are back with a new proposal after taking into consideration the feedback received from the Planning Commission from the previous one presented last year. She said that it is their goal to develop something that both the Town and the owners can feel proud of.

Hougham summarized the key updates to the proposal from the previous one:

- Employee housing added
- Coffee shop added as a community amenity/gathering space
- Reduced the number of rooms from 8 to 5
- Adjusted parking structure entrance and size
- Redesign building for avalanche safety
- Snow melt management system added

Andrina Hougham stated that they are still requesting a text amendment to align lot size and width requirements with the practical constraints of Zone C. She stated that feedback on the revised proposal is requested before proceeding with a formal submission.

Hougham then provided an overview of the refined vision for the Shallow Shaft property, summarizing their goals with the new proposal:

- Replace outdated structure with a modern, sustainable design
- Reorient the building to better utilize the site
- Ensure full code compliance
- Focus on health, safety, and sustainability
- Repurpose the restaurant and apartment into transient accommodations consistent with BFZ purpose and permitted hotel use

Hougham provided some background information on the involvement that the Shallow Shaft has had in the Alta Community for the past 38 years. She emphasized that Alta is a part of the fabric of her family, just like it is to many other families.

Proposal Overview

Hougham said that the proposed use for the building would be a hotel, stating that transient accommodation and uses are permitted within the BFZ. Hougham stated that they are not proposing short-term rentals, but they believe their proposal fits under the definition of a hotel as defined in Town of Alta code. The proposed building would not include residential units or condominiums.

Hougham then addressed the inclusion of rooms with kitchens in the proposal, sharing that there is evidence of 3 of the lodges in Alta that are already renting hotel rooms with kitchens.

Hougham described a site survey that Walter Krebsbach had completed to determine the property boundary in 2013. She noted that the results of the survey indicate that there has been parking regulated by the Town of Alta on Shallow Shaft property without formal recognition of the private property boundary.

Roger Bourke inquired about the location of the culvert. Hougham described that the culvert is on their property and runs under the road.

Hougham described the proposed site location compared to the current building, stating that the new concept would move the building away from the road and open more green space between the surrounding buildings. The new site also optimizes solar exposure for increased energy efficiency. The design is inspired by the current design of the Shallow Shaft building.

Hougham then detailed the proposal concept, highlighting the following features:

- Lower level:
 - Covered parking garage with 5 parking spaces, that incorporates UDOT feedback and includes an EV charging station
 - Coffee shop & bathrooms
 - Lobby and check-in area
 - Hotel support spaces such as laundry and mechanical
- Level 1
 - Employee housing for workforce support
 - 3 hotel units
- Level 2
 - 2 hotel units
- Solar Panels and green roof to enhance insulation and reduce environmental impact

Hougham then compared the size of the proposed new structure to that of the current building, noting that the site coverage would increase from 44% to 51% and the height would increase from 28 feet to 35 feet.

Culvert Management

A conversation then took place regarding the existing culvert and stormwater management. Alta Code 10-6D-14 (G) states that no building may be constructed within 50' of a waterway. There was some discussion and disagreement about responsibility for stormwater management and whether various waterways were natural or artificial. Representatives of the Shallow Shaft believe that the culvert is part of an artificial stormwater management system and that it can be relocated or deemed unnecessary by diverting off-site storm water elsewhere. The Town of Alta asserts that the water that flows through the culvert is part of a natural drainage channel, and water would flow through the property with or without the culvert, maintaining that the waterway would exist naturally on the Shallow Shaft property and the proposed building would not meet the 50' setback requirements.

Hougham presented a few ideas to mitigate the culvert dilemma, but ultimately it was established that the Planning Commission has no authority over the code requirements on this issue, so the culvert is immaterial for the purposes of this meeting. Hougham expressed the desire to work with the Town to find a solution, but it is difficult due to lack of documentation and information on the history of the culvert.

Proposed Text Amendment Change

Andrina Hougham detailed the proposed text amendment, stating that it would reduce the minimum lot size from 1 to less than 0.13 net developable acres in Zone C of the BFZ. This proposed amendment would allow non-conforming properties to become conforming.

Jeff Niermeyer pointed out that “bullet point C” of the proposed text amendment doesn’t specify that it is only applying to Zone C and should be updated. Hougham concurred that this was an error on their part that would be corrected.

Community Benefits

Hougham concluded her presentation by highlighting some of the benefits they feel their proposal would contribute to Alta:

- Affordable employee housing
- Coffee shop as community gathering spot
- An environmentally conscious design with minimal visual impact
- Creation of new transient lodging option with ADA accessible units
- Increased property and sales tax revenue

Discussion

Jeff Niermeyer asked if the culvert and drainage systems were installed before or after they purchased the property. Hougham and Krebsbach noted that to the best of their knowledge that infrastructure had been in place when they purchased it, and further clarified that they don’t believe a culvert of that size is required to manage water on their property.

Roger Bourke asked for some clarification on the culvert alternatives. Hougham described the following options:

1. Relocate the culvert off the Shallow Shaft property
2. Keep the culvert, but stop diverting off-site water through it
3. Explore additional alternatives to meet the 50' setback requirements

Jeff Niermeyer asked if it was known how deep the culvert is under Michigan City Road. Chris Cawley noted it is not very deep, estimated at between 1 and 2 feet. Niermeyer considered the possibility of adding infrastructure under the Michigan City Road to help manage runoff.

Cawley clarified that the area of the road in question is owned by the USFS, so the Town has authority to do such a project.

Jon Nepstad asked Polly MacLean for her opinion. Polly clarified that this is an inherent issue with the property, and is not something the Planning Commission or Town Council can address. McLean further noted that it is not only the Alta Town code, but SLCDPU also has prohibitions against building within 50 feet of a waterway.

David Abraham agreed that the stormwater management issue is not for the Planning Commission to figure out. He then noted the changes made to the overall proposal that incorporated feedback from previous meetings, which was appreciated. Abraham asked about the presence of a window in the employee housing unit. Hougham confirmed that the design does include an above-grade window.

Polly noted that having an employee housing unit is a requirement for new construction, and this design meets the requirement of 1 employee unit per 5 guest rooms.

Hougham pointed out that the Town Office is located within 19' of a culvert, not 50' and that the building was built after the culvert was installed. Polly McLean noted that the existing Shallow Shaft building is also not 50' away from the waterway and they would be allowed to rebuild on the current footprint with up to a 250 square foot expansion.

Maren Askins asked if the use would have to remain the same, and McLean noted that they could apply any allowed use in that zone.

John Guldner emphasized that culvert installation occurred prior to ownership of current properties by either Town of Alta or the Shallow Shaft, and it was all USFS property. He reiterated the Town's belief that this is a natural water drainage pathway, and the culverts were installed to mitigate erosion of what is now known as the Michigan City Road as well as SR 210.

David Abraham noted that, in his mind, the only remaining question to be discussed is understanding the definition of a hotel.

Jeff Niermeyer highlighted the three constraints that need to be resolved before moving forward, given current Town of Alta ordinances:

1. Proximity to a waterway
2. Kitchens in a hotel room
3. Minimum lot size requirement

Polly McLean noted that the Town is looking into whether hotels in Alta are renting rooms with kitchens which may qualify as residential uses, but that none have been approved under the current code which specifies that no residential uses are permitted. By definition in Town Code, a residential use is defined as a “dwelling” that includes a kitchen. McLean offered the comparison of a speed limit, stating that if one gets pulled over for speeding and the next car drives by going faster, it doesn’t resolve one’s violation of the speed limit. She thanked Hougham for bringing this issue to the Town and reiterated that they are looking into it.

Hougham emphasized that she feels like their proposal fits under the definition of a hotel – as nothing in the provided definition prohibits kitchens explicitly. McLean disagreed with that assessment and recognized that this is not the appropriate arena to dive into those specifics.

Jeff Niermeyer inquired about the intended ownership of the building. Hougham clarified that there is no intent to sell any portion of the building, and it will remain family owned.

Maren Askins asked about the management plan for the proposed building. Hougham stated that they are in conversation with Alta Chalets to provide management services, with the included employee unit intended to house an on-site employee, although the details have yet to be determined. Askins noted that a hotel requires a number of employees and departments to provide the level of service she would expect at a hotel, while recognizing that is not a legal requirement.

Jon Nepstad noted that perhaps we could use some clarification on what defines a kitchen – as there is a wide range of kitchen amenities that could be provided. David Abraham believes that the design as presented constitutes a kitchen, and he is more concerned about ensuring that the entire parcel will remain under single ownership and units won’t be subdivided.

Nepstad noted that another characteristic to consider is laundry facilities, noting that he has never stayed in a hotel that includes in-room laundry. Hougham clarified that there is one shared laundry facility in the proposed building that is intended to be used primarily for hotel housekeeping use, but didn’t rule out the possibility of allowing guests to use it for personal use.

Niermeyer noted the need to conduct an avalanche study to ensure the proposed building would be designed appropriately. This need has been acknowledged by Shallow Shaft ownership, and it was noted that they would conduct such a study once the intended use and design of the building was finalized. Chris Cawley noted the high risk of avalanches in that area and clarified that the use of the building doesn’t have an impact on the design requirements; the building would have to be design to protect human occupants from a 100-year avalanche event whether it is a single-family home or a larger hotel building.

Rob Voye inquired if the conversation could realistically proceed without addressing the culvert issue. Jay Springer introduced himself as legal counsel for Shallow Shaft. He clarified that the application that would come before the commission would be for a proposed text amendment to allow properties in Zone C to do something other than tear down and rebuild. The Town requires that a building plan is provided along with the request for the text amendment, so they have done so, but it is not mandatory for the plan presented at this juncture to meet all the technical issues that the Planning Commission is discussing.

Rob Voye asked how long the building has been out of operation and it was determined that it has been 5 years - since March of 2020. Voye expressed that the vacant building is a bit of an eye-sore in the middle of town and conveyed a desire to work within the existing rules to solve the problem.

Chris Cawley acknowledged that an avalanche design is not required for the Town to consider a text amendment, but strongly encouraged the Shallow Shaft to take that requirement into consideration as they continue down this path, noting potentially significant financial impacts.

Polly McLean explained that a plan is required to request a text amendment to prove that the amendment is worthwhile. It wouldn't be productive for the Town to approve an amendment if nothing were to come of it afterward. This part of the process is beneficial for the Town to provide feedback on the plan proposal to work towards finding a workable solution down the road.

Maren Askins asked if there was still a possibility of operating a restaurant in the current building as is. Andrina Hougham stated that they are not willing to operate a restaurant in the current building as it exists.

There was a brief conversation about the concern of "spot zoning." Jay Springer disagreed that his client's proposed text amendment would be spot zoning, observed that there have been very few if any spot zoning cases argued in the Utah courts, and stated they are proposing a change for a defined zone.

Maren Askins asked how the Photohaus property would be affected if the text amendment was approved, since it is also in BFZ C. Chris Cawley clarified that, as written, the proposed text amendment would alleviate the current substandard nature of the Photohaus lot and might allow them to alter their building footprint, but may not allow for a building expansion due to lot coverage requirements.

Rob Voye reiterated that for now, the focus should be on the inclusion of kitchens. Jon Nepstad noted that was not a question that could be resolved today. Polly McLean stated that the Town's interpretation is that any unit that has a kitchen is considered a "dwelling", and a "dwelling" is defined as a residential use, which is currently prohibited in the BFZ. A hotel with no kitchens would be allowed. While it was not on the agenda for this meeting, the concept of updating the Town's purpose statement, or General Plan, to allow such uses could be considered, but that is a bigger topic that cannot be addressed in a single meeting. Chris Cawley noted that the Planning

Commission authors the General Plan and is in the position make recommendations on land use regulations to the Town Council. He continued that the Town has not deliberately permitted hotel rooms with kitchens, but that employee accommodations, or “owner’s units”, have been approved with kitchen amenities and that some of the rental activity noted by the Shallow Shaft may involve these owners units or other employee accommodations. Those types of rooms were never counted towards hotel room density, so rental of them as hotel rooms would be a zoning violation, and the Town is looking into these concerns. He continued that while the Town doesn’t currently allow hotel rooms to have kitchens, the Town could consider updating regulations to permit them, perhaps through an update to the General Plan.

David Abraham explained that without the proposed text amendment, options would be very limited for the Shallow Shaft building to improve as they would be confined to the existing footprint.

A conversation then took place about the history of the acreage requirements. The owners of the Shallow Shaft believe that the minimum lot size was half an acre at the time they purchased the property, siting that the change came in 2008 setting the 1-acre requirement. John Guldner expressed that the Town asserts the requirement has always been 1 net-developable acre for commercial properties, clarifying that the half-acre lot size has always applied to residential buildings. Polly McLean noted that the Shallow Shaft may have to conduct an analysis to determine the net-developable acreage of the parcel, as the .21 acres they are requesting in the text amendment reflects the total lot size and may not result in any change to what they can build if the net-developable acreage is less than that.

To conclude, the conversation turned once again to the inclusion of kitchens in hotel rooms, with commissioners questioning if a precedent would be set if such use was allowed in this instance. Chris Cawley clarified that it is something that must be regulated and will not be permitted without the Town’s zoning regulations being updated. As one example of why the Town would need to carefully consider allowing hotel rooms with kitchens, Cawley described that such uses may require more culinary water source supply than hotel rooms, which could strain the Town of Alta’s culinary water supply if they were to proliferate as hotel properties redevelop in the future.

5. NEW BUSINESS

No new business was discussed.

6. DATE OF NEXT MEETING

The next meeting is scheduled for April 23, 2025, at 3:00 PM.

7. MOTION TO ADJOURN

Planning Commission member Rob Voyer moved to adjourn the meeting. Planning Commission Member Jeff Niermeyer seconded the motion, and the motion was carried with unanimous consent of the commission.

Minutes Approved on *July 15, 2025*

Chris Cawley, Town Manager

DRAFT

Alta Planning Commission

Staff Report



To: Alta Planning Commission

From: Chris Cawley, Town Manager

Re: Shrontz Estate Petition to Rezone Patsey Marley Hill property

Date: July 8, 2025

Attachments: Petition to Rezone letter; Alta Patsey Marley presentation; Aqua Engineering drinking water memo; Division of Drinking Water Approval; SLC Department of Public Utilities consent to petition to rezone

Background

The Town of Alta (the Town) and the owners of the Estate of Joanne L. Shrontz (the Estate) have been in discussion over development of the Patsey Marley Hill property (the Property) for many years. In 2009, the Estate applied to the Town to subdivide the Property and develop single family homes. The Town denied the application due to the lack of culinary water availability and lack of access to the site. The Estate sued the Town, as well as SLC Corporation (SLC), and the ensuing litigation was settled in 2014. [The development agreement between the Town and the Estate](#) provided for development of 10 single-family homes of up to 8500 square feet each, above grade, in compliance with the [Town's FR-1 Zone](#). SLC entered into [a stipulation and motion](#) which allocated 800 gallons per day of water for each of the 10 homes. The stipulation and motion also set forth conditions upon which the Estate could apply to the Town to rezone the property

In recent years, the Estate has explored alternatives to the 10-lot subdivision. During the summer of 2023, the Estate began contemplating a proposal to develop a condominium project on the land area within the Property below the Albion Basin Summer Road (ABSR), in compliance with the Town's FM-20 zoning district, while applying a conservation easement to the approximately 20 acres above the ABSR. The property is currently zoned FR-1. The Estate first presented their proposal in a meeting of the Alta Planning Commission in December 2024. The proposal was also discussed at the January Planning Commission meeting and a site visit was held at the February Planning Commission meeting. In addition, there was an open house presenting the proposal to the public on March 25, 2025. The proposal has not changed materially during this time. .

FR and FM Zoning Districts Under Town of Alta Code

ZONE	FR-1 Alta Code 10-6A	FM-20 Alta Code 10-6C
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PURPOSE	To allow for uses compatible with the natural and scenic beauty of Alta. To increase the period of ownership and occupancy of Alta's residents (<i>sic</i>).	To allow high density residential, limited commercial, resort dwellings occupied or owned for periods of less than 30 days, to the extent that such development is compatible with the protection of natural and scenic resources
PERMITTED USES	Single family dwellings. Accessory uses and structures customarily incidental to a permitted use	Single family dwellings. Accessory uses and structures customarily incidental to a permitted use
CONDITIONAL USES	Recreation, employee quarters, office uses incidental to main use, public and quasi-public uses, temporary structures	Accessory/customarily incidental, apartment or lodging houses, hotels, condominium projects, liquor stores, recreation, dwelling groups, employee quarters, multiple family dwellings, offices incidental to main use, restaurant, boutique, ski shop, etc., temp. structures
PROHIBITED USES	Rentals under 30 days	
LOT AREA AND WIDTH	1 acre, 200 feet	minimum 1/2 acre, 100 feet min. width, subdivided lots not less than one "net developable acre" in size
YARD REGULATIONS	Setbacks are individually determined by the Planning Commission	Setbacks are individually determined by the Planning Commission
HEIGHT REQUIREMENTS	35' above lower of established or finished grade	35' above lower of established or finished grade, height of conditional uses determined by Planning Commission
MAXIMUM LOT COVERAGE	25 percent of net developable acreage	25 percent of gross lot area
DENSITY REGULATIONS		Up to 20 dwelling units or 40 guestrooms per net developable acre and contained in not more than 2 buildings

The Proposal and Compliance with the Provisions of FM-20 and the Town of Alta General Plan, and the Recent History of Condominiums in Town of Alta Land Use Planning

Staff finds that the Proposal generally complies with FM-20 for the following reasons:

- “Lot 1” of the proposed 2-lot subdivision is 6.51 acres with 3.3 acres of net developable area, which is calculated by removing slope over 30 percent and areas within 50 feet of waterways. 3.3 acres would allow for up to 66 dwelling units and up to 132 guest rooms. The presentation does not specify guestrooms but only shows up to 33 dwelling units.
- The coverage of Lot 1 is roughly 60,000 square feet or 1.37 acres, which is 21% of the land area within Lot 1.
- Multi-family dwellings are permitted as a conditional use by the Planning Commission.
- Height and setbacks are individually determined by the Planning Commission.

The Town of Alta General Plan does not specifically address future uses of the Property. Below are some excerpts which could be found to affect the Proposal:

SECTION 3.2 - WETLANDS The Town enforces strict compliance with all federal laws pertaining to wetlands. In principle, no wetlands within the town should be filled, drained, or otherwise altered for any reason unless results of the “soil & hydrology of Albion Basin wetlands” study of 1992 and/or federal law allow replacement or mitigation without detriment to the environment. In coordination with the corps of engineers and the Salt Lake Valley Health Department, the Town has developed a general map locating approximate boundaries of significant wetland and riparian areas. Acquisition of privately held properties containing wetlands, for conservation purposes is supported.

The Proposal may entail crossing waterways or wetland areas in order to access the proposed development. However, staff notes the 2014 Development Agreement includes a plat that shows driveways to single family dwellings crossing waterways that may also cross defined wetlands.

SECTION 3.8 – PRIVATE LAND ACQUISITION the town supports and encourages the acquisition of vacant or undeveloped private lands within environmentally sensitive areas, those not served by public utilities, those with high public open space and recreational values, and those not readily accessible to emergency services. Such acquisitions should be made by either an appropriate governmental agency or private entity(s) with the understanding and agreement that such lands be conserved in perpetuity. The acquisition of privately owned vacant lands in environmentally sensitive areas has been recommended by Federal and local agencies and has been a consistent policy for the Town of Alta since 1973. The acquisition of such properties is encouraged, and implementation of this recommendation should be made a high priority.

The Shrontz Estate is proposing to donate a conservation easement on just under 20 acres of land above the ABSR. The land is high-value open space for Alta’s residents and visitors as the upper ABSR passes through it. Over one hundred thousand people annually use the ABSR on a year-round basis for myriad recreation purposes such as accessing popular USDA Forest Service (USFS) trailheads in upper Albion Basin and the Albion Basin Campground. The land includes wetlands and waterways. The land has conservation value because it is developable, in the headwaters of a major watershed, and accessible to so many.

SECTION 3.13 – ALBION BASIN ROAD because the Albion Basin Road has historically and is currently used for winter recreation, the town opposes both the paving and plowing of the Albion Basin Road for winter access. The town should continue to provide summer maintenance. The information booth at the beginning of the road, that is provided without charge to the public, has been very successful and should be continued for summer use.

[The Estate applied to the USFS, and was granted conditional approval to widen and pave several hundred feet at the beginning of the ABSR in order to access the proposed 10 lot subdivision.](#)

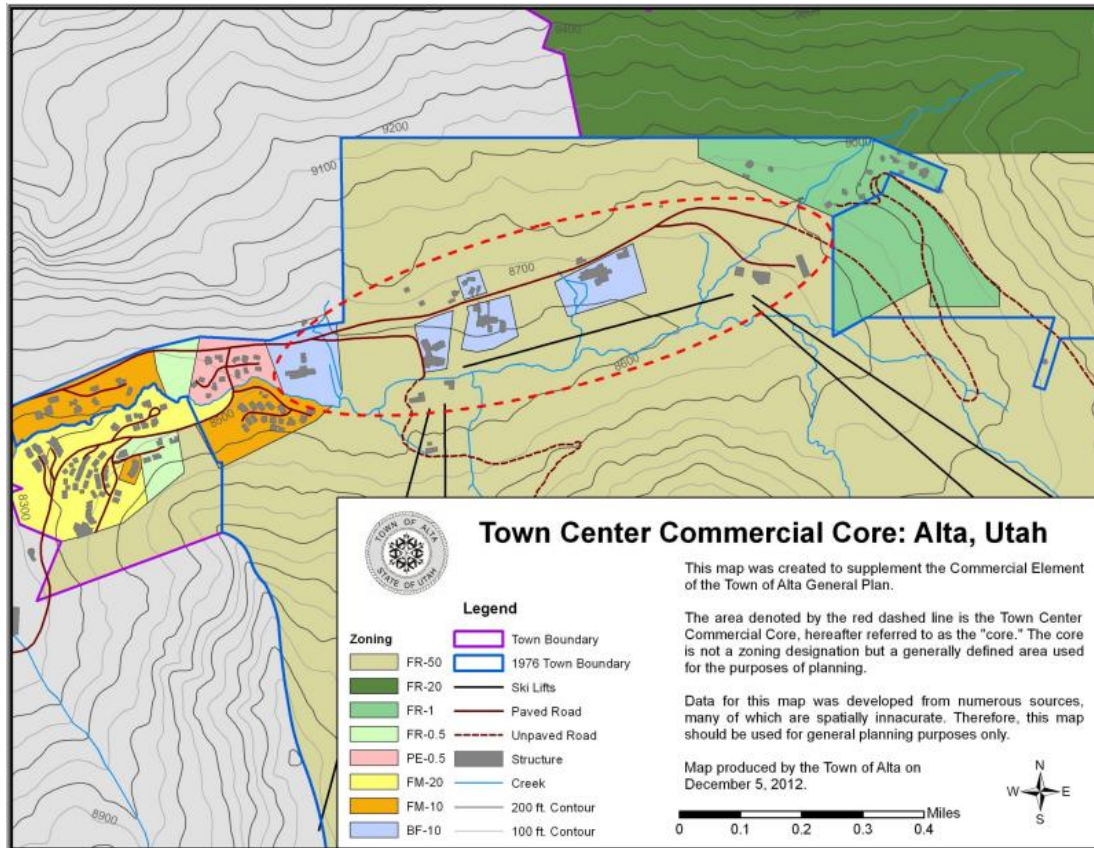
The proposal would substantially disrupt historic use of the summer road by Alta’s residents and visitors, especially Albion Basin and Grizzly Gulch homeowners, who have stored over-snow vehicles on the area the USFS permitted the Estate to pave and maintain. Despite its general plan policy, the Town has no authority to prevent the Estate from pursuing the work permitted by USFS. However, the Estate has recently begun discussions with the USFS about analysis and permitting of a new driveway and access concept crossing National Forest System Land below the ABSR. If approved by USFS, this alternative would likely create fewer conflicts with existing users of the ABSR.

SECTION 4.1 - ZONING The existing zoning of all areas should continue. A new zone should be created for private lands acquired and placed in the public domain. All areas annexed should be subject to study and potential rezoning. Possible changes in use for parcels are not precluded and applications for rezoning should be examined for the full range of effects on the public interests and environmental impacts.

This section goes on to say the Town’s zoning ordinance was completely revised and adopted *in 1990*. Various updates to the Town’s zoning ordinance have been adopted in the meantime without updates to this section. The Town’s consideration of the Estate’s proposal is in keeping with the final sentence of this policy.

SECTION 4.3 – TOWN CENTER COMMERCIAL (various excerpts) “...this element focuses on the creation, enhancement, support, and concentration of commercial development in the areas currently zoned as Base Facilities.” “This area is generally defined as the land from Alta Peruvian Lodge to the Albion Base Area.”

The Property is near the boundary of an area described in the general plan as the “Commercial Core,” as reflected in the General Plan Map showing the Commercial Core:



Whether and where to allow condominiums, especially in the Commercial Core, has been a hot topic in Town of Alta land use planning and regulation since the Town was incorporated. Historically, the Town has preferred single-family home development to condominium development in residential areas in order to maintain a community with residential characteristics and avoid development of more dwelling units than can be served by utilities, transportation infrastructure, and other services. However, there are several residential developments in Alta west of the Commercial Core that are zoned FM-10 or FM-20, all of which are condominium developments. At the same time, the Town has prohibited all residential uses in its commercial zoning district, which applies to all private property explicitly within the Commercial Core boundary shown above.

Rezoning a portion of the property which is adjacent to but not explicitly within the Commercial Core to FM-20 could be seen as a departure from the general pattern of segregating commercial and residential uses to distinct areas. Owners of some of Alta’s hotel properties, which are zoned Base Facilities and hence are prohibited from including condominiums, have expressed a desire to build condominiums on their properties for a variety of reasons including the use of

condominium sales to finance other improvements. The Town has declined to permit condominium development in those cases for several reasons, including:

- The Commercial Core and properties zoned Base Facilities are the Town’s sales tax base, and the Town has concluded in the past that residential uses such as condominiums could lead to “dark rooms” when owners do not choose to rent the units out, thus not generating taxable sales.
- Alta’s original five hotels, all of which have been present since the 1950s, are beloved as a unique product in American ski towns, providing a relatively full-service experience and communal atmosphere to guests. Because they all include restaurants, bars, and other ancillary services, they are hubs of employment that also provide on-site employee housing and thus contribute to Alta’s larger sense of community. Some have expressed concern that allowing existing hotels to condominiumize would dilute or jeopardize a part of Alta’s unique and vibrant identity.

Some have expressed concern that allowing the Estate to build condominiums instead of single-family homes or a hotel could obligate the Town to allow Alta’s hotels to condominiumize to some extent. To be clear, because the town council has broad discretion to make or change land use regulations, the Town would have no legal obligation to change zoning elsewhere in Alta if it does decide to approve the Estate’s proposed rezone. However, the Town should carefully consider what precedent could be set and applied in other areas if the Town decides to approve the proposed rezone.

SECTION 4.4 - SKI AREA EXPANSION

The General Plan contains general policy statements about ski area expansions complying with watershed regulations and environmental best management practices, but it does not address any specific potential future expansion. Any development on the Property could affect Alta Ski Area operations and especially any future expansion of Alta Ski Area into Grizzly Gulch. Alta Ski Area has expressed concern about impacts to potential Grizzly Gulch chairlift alignments from various development proposals and potentially the application of a conservation easement to portions of the Property.

Petition to Rezone

In February 2025, the Estate submitted a formal petition to rezone the property including the fee provided in the Town of Alta fee schedule. The petition to rezone is attached. Below is the petition to rezone language from Town Code:

[10-6C-11 PETITIONS TO REZONE](#) requires the following be submitted to the Town: name and address of petitioner, statement of all interest in property, legal description of property, statement of reasons and basis of Proposal, statement in detail of plans, statement of availability of utility services, fees, Planning Commission review.

In applying this regulation, the Town must also adhere to various provisions of the Utah Municipal Code, which entitles an applicant to a substantive review of the application ([10-9a-509 \(1\)\(a\)](#)), and requires that the Town apply the *plain language* of land use regulations while interpreting regulations to favor the application ([10-9a-306](#)).

Staff have heard comments and concerns about aspects and implications of the Estate's petition to rezone and whether or not it can be considered complete. For instance, the Estate's permission to improve the ABSR only applies to the subdivision. However, the Estate has an easement accessing its property along the ABSR. There have also been comments regarding the water availability which are addressed below.

Under [Utah Code Annotated 10-9a-501](#), land use regulations including zoning are legislative decisions, and the courts have supported broad authority for municipal councils to create and amend land use regulations so long as it is "reasonably debatable" that the decision to do so advances the purpose of the [Land Use, Development, and Management Act](#). This means that after the Planning Commission makes a recommendation, the Alta Town Council may approve or deny the Estate's petition at the council's discretion so long as their decision is reasonably debatable.

Given all of this, staff finds the Estate's petition to rezone sufficiently complete to proceed.

Drinking Water and Past Litigation, Technical Memorandum, Division of Drinking Water Approval of a Source Capacity Reduction

Provision of drinking water to development on the Patsy Marley Hill property was a key issue in the litigation between the Estate, SLC, and the Town of Alta. The settlement allows the Estate to use up to 8,000 gallons per day, averaged over a 30-day billing period, for the 10 lot subdivision provided for under the development agreement. This volume of water is to be counted against the Town of Alta's 265,000 GPD limit on water use per its surplus water agreement with SLC.

The stipulation and motion establishes conditions the Estate must satisfy in order to apply to rezone the property, including that a rezone would not increase the demand for water on the property. To satisfy this condition, the Estate engaged an engineering firm to evaluate the drinking water consumption associated with the proposed condominium project. The Estate's engineer collected water use data from condominium developments in Deer Valley and included data from the Village at Sugarplum in Alta. Based on these data, the Estate proposed an Equivalent Residential Connection (ERC) value of 242 gallons per day (GPD), whereas Division of Drinking Water (DDW) Code [R309-510-7](#) requires 800 GPD per ERC. Under the stipulation and motion between the Estate and SLC Public Utilities, the Estate may only use an average of 8,000 GPD, measured on a 30-day billing period. 8,000 divided by the Estate's proposed unit count of 33 equals roughly 242 gallons.

Based on its analysis, the Estate requested a reduction in source sizing from the DDW under DDW Code [R309-510-5](#). DDW granted the Estate a temporary exception to R309-510-7 approving a system-specific ERC value for the Estate's proposed drinking water system of 242. The temporary exception requires the estate to begin metering actual water use immediately and will expire in 2029. The Estate is required to submit peak day demand data to the State annually as soon as it is available and presumably must apply to reinstate the exception.

The Town asked Hansen, Allen, and Luce (HAL), an engineering firm completing master plans for the Town's drinking water and sewer systems, to provide feedback to the Estate's technical memo and DDW approval letter. Staff and HAL offer the following reactions to the Estate's memo and DDW approval:

- The Estate is cutting it very close in proposing to build 33 condominium units with an ERC value of 242 on a budget of 8,000 GPD, as $33 \times 242 = 7986$. Full buildout of the Estate's proposal does not include any sort of contingency or safety factor in case use exceeds 8,000 GPD. It is not uncommon for large users on the Town of Alta water system, for instance, to significantly exceed their average daily or monthly usage in the event of a plumbing issue or leak on their systems.
- The DDW letter suggests that the Estate could accommodate fluctuations in use by pumping water into a storage tank. However, the Estate's use will be metered by the Town of Alta at the Bay City Tunnel, and a storage tank would be located downstream of the meter, so a development would need to be extremely judicious in controlling use to avoid violating its water budget.
- The sizing study, and presumably the DDW exception, do not consider water loss. The [US Environmental Protection Agency estimates that average water loss in public drinking water systems is 16 percent](#). While the Estate would install a new drinking water system and modern fixture units for any development, over time, those features will deteriorate and begin to leak, and could break or malfunction due to human error at any time.
- The Town will sell water to the condominium development and will be first in line to enforce the 8,000 GPD limit. The Town should not relish the prospect of shutting off water to a development on the property and enforcement against individual unit owners or a homeowner's association could be very difficult.
- Back of house, ancillary/accessory uses, especially water-intensive uses such as on-site housekeeping or laundry

SLC reviewed the Estate's memorandum and DDW approval and provided similar comments in a July 3, 2025 letter confirming SLC's consent for the Estate's petition to rezone to proceed, in compliance with the 2014 Stipulation and Motion. The letter is attached.

Questions have been raised about whether the Town can rezone property that is subject to a development agreement. The Estate proposes that a rezone would not take effect until the Town, the Estate, and SLC amend the 2014 agreements. Staff recommends that any final consideration of the petition will include mutually acceptable amendments to the Development Agreement and the Stipulation and a donation agreement. Additionally, any final consideration of the petition will not be structured as an approval of the rezone subject to future conditions. Staff is comfortable with the planning commission and town council considering the core of the Estate's proposed rezone but final action would have to be contemporaneous with an amendment to the development agreement.

Comment by Alta Ski Area to the Alta Town Council and Alta Planning Commission regarding the Proposal

Alta Ski Area (ASA) recently submitted a comment to the Town on the Estate's proposal. ASA indicated it supports the concept of a condominium project as an alternative to the 10-lot subdivision. However, ASA expressed disappointment that the Estate has not engaged ASA to discuss the implications of the Estate's proposal for ASA's future plans to expand the ski area into Grizzly Gulch via a lift alignment that may originate near and cross over the Estate's land. ASA described that its offer to allow construction of a water tank to serve a development and provide emergency capacity to the Town water system is contingent upon ASA obtaining an

easement across the property for a lift alignment. ASA argued that Town Code requires the Estate to figure out its access issues and the location of its water tank prior to a rezone being approved.

The Planning Commission is free to consider ASA's input in considering a recommendation to the Town Council on the Estate's petition to rezone. And the Town Council can weigh a wide variety of factors in deciding whether to ultimately approve a rezone of the property and renegotiate the development agreement with the Estate, including the ski area's input on the proposal.

Summary of Key Topics

Development of the Patsy Marley Hill property is an extremely complex topic due to the overlapping jurisdictions present in Alta, the Estate's access to drinking water, past litigation between the Town, SLC, and the Estate, and the fact that the Patsy Marley Hill property exhibits significant environmental and social value while being one of the largest currently developable private parcels in the Cottonwood Canyons. The future of the property has been a key question in the Town's future planning for generations.

Staff recommends the Planning Commission focus on the core of the Estate's proposal, which is to develop a condominium project, in a single building below the ABSR, while applying a conservation easement above the ABSR, instead of a ten-lot subdivision covering the entire 26-acre parcel.

- Is the open space proposal, as well as the proposal to develop an alternative to the Estate's subdivision access plan across the ABSR, worth whatever expectations could be created for the Town to allow condominiums in the Base Facility Zone?
- Is the building itself, which the Estate proposes to be up to 160,000 square feet above and below grade, a less significant visual impact on the landscape than the development of ten homes that can be up to 8,500 square feet? Is one very large building preferable to ten not as large buildings, spread across the property, each with their own driveway, utilities, and other site improvements?
- Is the density and intensity of use appropriate for the site? In exchange for the 10 homes, 33 units are proposed.
- How should the Town evaluate ASA's desire for a ski lift easement across the property, and other concerns expressed by ASA, as the Town considers the Estate's proposed conservation easement? Development of commercial skiing in Grizzly Gulch is another major topic on Alta's horizon, but the Town has not taken a formal position on it in the past.

Steps to Follow a Planning Commission Recommendation

The Planning Commission must issue a positive, negative, or neutral recommendation to the Town Council regarding the Estate's petition to rezone and can recommend stipulations or conditions to the council. After that, numerous steps remain for the rezone to take effect and for the project to eventually be developed such as:

- The Alta Town Council must agree to amend the 2014 development agreement. The Council can consider a wide variety of aspects of a proposed development, including unit count, massing, access, location of a water tank, and other details.
- The Town Council must approve the rezone.
- SLC must agree to amend the 2014 stipulation and motion. SLC has expressed a willingness to consider an amendment, and support in principle for the conservation proposal, while ensuring compliance with the 2014 agreement as the Estate pursues a rezone.
- USFS must approve a plan to access the condominium project.
- The Town must approve a subdivision plat and a condominium plat.
- Because condominiums are a conditional use, the Estate must obtain a conditional use permit for the development from the Planning Commission. The Commission will also need to approve various components of the development including height and setbacks.
- The Town must issue a building permit.

July 15th Alta Planning Commission Meeting

The meeting will begin with a public hearing to receive public comment on the petition to rezone and the Estate's proposal. The regular meeting will follow the public hearing, and the agenda will include possible action to forward a recommendation to the Town Council. The Estate suggested the following language for a Planning Commission motion:

Alta Planning Commission forward a [positive, negative, neutral] recommendation to the Alta Town Council to consider the rezone request by the Estate of JoAnne L. Shrontz for the rezone of 6.52 Acres from the Forest and Recreation Zone (FR-0.5) to the Forest Multifamily Zone (FM-20) subject to the following conditions: 1) Town Council considers a Donation Agreement for a conservation easement on 19.98 acres, 2) a modification of the 2014 Development Agreement to allow a multifamily condo building, 3) a modification of the Stipulation Agreement among the Estate, the Town, and Salt Lake Corporation, and 4) the Town and Estate jointly support an alternative year-round access to the project through an application to the Forest Service.

The Planning Commission may choose to use this language or it may choose to include other conditions or stipulations.



Wade R. Budge, P.C.

Partner

O 801.257.1906 | F 801.257.1800

wbudge@swlaw.com

February 5, 2025

Chris Cawley
Town Administrator
Town of Alta
PO Box 8016
Alta, UT 84092
ccawley@townofalta.com

Re: Petition for Rezone, per Town Code of Alta § 10-1-8

Dear Chris,

This firm represents The Estate of JoAnne L. Shrontz (the “**Estate**”), who is the property owner of a parcel located at 8640 S. Hawk Hill Road, Alta, Utah (the “**Parcel**”). On behalf of the Estate, we submit this petition for a Zoning Map Amendment with the Town of Alta (“**Town**”). The Estate is seeking to rezone 6.52 acres of the Parcel from the Forest and Recreation Zone (FR-0.5) District to the Forest Multifamily Zone (FM-20) District. This rezone would allow the development on the approx. 3.5-acre area below the Albion Basin Rd. ROW, while preserving the 19.98 acres of the Parcel above the Albion Basin Rd. ROW with a recorded conservation easement. The petition is being filed in accordance with Town Code of Alta § 10-1-8 and 10-6C-11.

The purpose of the petition is to accommodate the development of a project with twenty-nine (29) residential condos plus three (3) or more work force housing units (and an ADA unit as shown on the drawings) on the rezoned portion of the Parcel (the “**Project**”). As you are aware, numerous options have been considered and discussed with the Town. We continue to receive valuable input from Town sources, including the Town’s planning commission. We submit this to make sure that we are not skipping the formal part of actually having an application on file as the Town invests in this process with us. We think the fundamental opportunity remains to replace the approved, ten (10) dispersed house sites on the Parcel with a single condominium building. The Forest Multifamily Zone (FM 20) District will provide viable use of a small portion of the property, while preserving the majority of the property, which is the most visible and important for a number of conservation purposes.

Alta Town Code requires that a petition to rezone into the FM-20 District contain the elements below. We have addressed each of these elements either in this letter or in an attachment to this letter. The required elements are:

1. The full name and address of the petitioner. **The Estate of JoAnne Shrontz- PO BOX 45385 SALT LAKE CITY, UT 84145.**
2. A statement of all legal, contractual and equitable interest in the property as to which zone amendment or change is sought, including the names and addresses of all such individuals. **See included affidavit.**

3. A legal description by metes and bounds, or otherwise, of the property as to which zoning amendment or change is sought. See included legal description.

4. A statement as to the reasons and basis for the amendment or change to any zoning ordinance or land use classification. See below.

The purpose of the rezone to FM-20 is to accommodate the development of twenty nine (29) residential condos plus three (3) or more workforce housing units and an ADA unit on the rezoned portion of the Parcel (the “**Project**”). As you are aware, numerous options have been considered and discussed with the Town. The Forest Multifamily Zone (FM-20) District will provide viable use of a small portion of the property, while preserving the majority of the property, which is the most visible. Any approval of this rezone request would need to be accompanied with an approved amendment to the development agreement with the Town and be further conditioned upon obtaining a corresponding amendment to the settlement agreement with Salt Lake Public Utilities.

5. If real property is to be developed pursuant to the proposed amended and/or changed zoning ordinance, a statement in detail of the plans relating to such development, including those elements as required in sections 10-6C-3 through and including 10-6C-9 of this article. See below and attached concept plans.

Explanation on how the proposal will meet the Forest Multifamily Zone (FM-20) District Standards:

10-6C-3: Conditional Uses:

The Project is defined as an “Apartment house, lodging house, hotel, time period unit and condominium project”. The project will require additional detailed review and approval, in addition to the rezone. It is anticipated that the application for the additional review and conditional use permit would be submitted after the rezone petition is approved.

10-6C-4: Lot Area, Lot Width And Slope Requirements:

The area to be rezoned and where development will happen is generally located below Albion Basin Rd. and consists of 6.52 acres. This area meets the minimum lot area, width and slope requirement. A portion of this rezoned area would be subjected to a conservation easement as described in this letter and as would be confirmed in the proposed amendment to the development agreement.

10-6C-5: Yard Regulations:

As mentioned above, the area of proposed development has been previously approved for the development of two (2) single family homes below the Albion Basin Road. The area will be able to provide adequate front, side and rear yards to buffer the development from neighboring properties. The 6.52-acre parcel subject to rezoning also included a single-family lot above the Albion Basin Rd in the previously approved plat. The Applicant proposes to encumber the rezoned area above the Albion Basin Rd. with a conservation

easement. The remaining FR-0.5 area above the road (not included in the rezone) would also be encumbered by the conservation easement.

10-6C-6: Height Requirements

The site planning for the Project within this proposed zone takes into consideration – the natural setting, other structures and open space, the existing vegetation, the slope/contours of the site and existing site lines. The development of one single structure on the entire 25.16 acre Parcel, as opposed to ten (10) structure dispersed through the Parcel will create much less of a visual impact. The Applicant is proposing a maximum ridgeline elevation of 8,875' USGS. *Maximum and minimum heights of all conditional uses shall be determined by the planning commission and after analysis... (10-6C-6).*

10-6C-7: Density Regulations

The Project will meet the density requirements of the Forest Multifamily Zone (FM-20) District, which permits up to 20 dwelling units or 40 guestrooms per net developable acre and contained in not more than 2 buildings. There are approximately 3.3 developable acres included in the area to be rezoned. This would permit up to 66 dwelling units or 132 guest rooms. We are seeking the rezone to FM-20 in order to permit a maximum 29 condo units in one building. In addition, the Applicant is proposing to include 3 or more workforce housing units, with a minimum total of 8 bedrooms, and at least one (1) ADA unit in the Project. Total guest room (bedroom) count for the project will not exceed 132, including the workforce housing and ADA unit.

10-6C-8: Maximum Lot Coverage

The Project would result in less than 25% of the gross lot area being covered. The maximum lot coverage permitted on the 6.51 acre Lot 1, after the rezone is 1.63 acres. The lot coverage for the building, driveway and other areas defined in the code shall be less than the 1.63 acres.

10-6C-9: Special Regulations

The following provisions/considerations have been made in regard to this petition.

A. Natural Hazards: Consideration of floods, landslides, avalanches, a high-water table, or inordinate soil erosion will be taken into account when plans for the site are developed.

B. Board Of Health Approval: Approval from Salt Lake Valley Health Department shall be obtained prior to a Certificate of Occupancy being issued. The project will be connected to public water and sewer systems.

C. Sewage System: No permits shall be issued until approval from the sewer provider is obtained. Will serve letters have been provided for sewer service on the property.

D. Building Materials: Building will be constructed of noncombustible materials that blend harmoniously with the natural environment. The building(s) constructed on this site for the Project will be designed to preserve the natural beauty of the canyon area.

E. Grading: The proposed building site minimizes area of disturbance relative to previously approved single-family subdivision. With the approval of the proposed rezone, only one (1) site would be disturbed as opposed to ten (10 sites). The access driveway will be constructed to minimize area of disturbance with cut and fill slopes revegetated after construction.

F. Natural Vegetation: The Project is designed to retain as much of the existing natural vegetation as possible. The disturbance to vegetation will only occur on the southwest corner of the property. The majority of the property will now be undisturbed. The previously approved plat would create disturbance throughout the entire property.

G. Stream Regulations: The proposed will maintain a fifty-foot (50') setback from the existing water course north of the building site. Driveway crossings of the two water courses on the Property shall be constructed in accordance with applicable state and federal regulations.

H. Rehabilitation of Existing Landscape Scars: Areas recently disturbed for utility construction plus all areas disturbed during construction of the Project will be revegetated to ensure visibility is minimized.

I. Parking Requirements: The number of parking spaces provided will meet the required number of spaces identified in Town Code of Alta, Chapter 12. There will be two (2) stalls per dwelling unit provided.

J. Utilities: The utilities for the Project will be placed underground.

K. Time Period Unit Project: The proposed Project will not include timeshare units.

6. A statement as to the availability of all utility services.

The utilities for the Project have been planned and will-serve letters obtained where appropriate. Below is a summary of who will provide each of the required utilities:

Water – Salt Lake Public Utilities (SLPU) is intended to provide water service to the property through a separate system run and owned by the HOA established for the proposed condominium building. Most of the water infrastructure has already been installed by the Estate per the existing settlement agreement. A condition of the rezone is the amendment of the settlement agreement between the Estate and SLPU. The storage component of this water system has been reviewed and approved by the Division of Drinking Water. These approvals are included. The HOA-administered water system shall fall under the oversight of the Division of Drinking Water, and applicable drinking water rules. We do note that under Section 10-14-4, we will have to satisfy the Town and other designated water culinary water authorities in advance of a land use application approval. This petition for a rezone, however, does not contain this requirement. But given that the rezone contemplates a condition of an amendment to the settlement agreement confirming water service, this issue will be addressed adequately in accordance with all applicable law.

Sewer – Sewer service will be provided by Salt Lake County Service Area #3 and Cottonwood Improvement District. These entities have provided will-serve letters for the Parcel and signed the 10-lot subdivision plat, acknowledging that service is available to the site. (Will serve letters included with this letter.)

Gas – Gas will be provided by Enbridge Gas, as it has taken over service for Dominion Energy. A will-serve letter for the Parcel and signed the 10-lot plat, acknowledging that service is available to the site was provided to the Estate previously. (Copy of signed plat included with this letter.)

Electricity – Rocky Mountain Power will provide electricity to the site. They have previously approved service to the Parcel and signed the 10-lot plat, acknowledging that service is available to the site. (Image of signature on signed plat included with this letter.)

Communication Services – CenturyLink will provide communication services to the site. They have provided a will serve letter for the Parcel and signed the 10-lot plat, acknowledging that service is available to the site. (Copy of will serve letter and signed plat included with this letter.)

7. Fees. Submitted with this letter.

We look forward to working with the Town through this review and approval process. We recognize there have been many discussions over the years regarding the use of this site and look forward to moving forward with finalizing this opportunity to the mutual benefit of the Estate and Town. If you have any question or concerns, please feel free to reach out to me, or Jason Boal 801.257.1917 in my office.

**SNELL
& WILMER**

Chris Cawley
February 5, 2025
Page 6

Best,

SNELL & WILMER



Wade R. Budge, P.C.

WRB:jb

Enclosures

- Affidavit of Legal Interest
- Legal Description of Rezone Area
- June 5, 2018 – Phase I, Utah Department of Environment Quality Water Tank Approval Letter.
- October 1, 2018 – Phase II, Utah Department of Environment Quality Water Tank Approval Letter.
- November 7, 2023 - Utah Department of Environment Quality Water Tank Approval Letter.
- July 20, 2023 – Cottonwood Improvement District Will Serve Letter.
- January 24, 2024 – Salt Lake Service Area No.3 Will Serve Letter.
- Signed Patsey Marley Hill Subdivision Plat.
- June 22, 2021 – CenturyLink Will Serve Letter.

cc: Doug Ogilvy
Shawn Ferrin
Polly McLean
Client

Alta Rezone Petition

Application Type: Rezone 6.3 acres from Forest and Recreation Zone (FR-0.5) to the Forestry Multi-Family Zone (FM-20)

Project Location: This petition concerns the Patsey Marley property, located at 8640 S HAWK HILL RD.

Affirmation of sufficient interest: I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

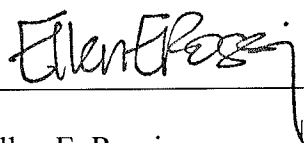
Salt Lake County Parcel Number(s): 30-04-101-014-0000

Name of Owner: Estate of JoAnne Shrontz

Address of Owner: PO BOX 45385 SALT LAKE CITY, UT 84145

Signatures of Owner:


Estate of Joanne L. Shrontz

By: 

Name: Ellen E. Rossi

Its: Personal Representative

Date: 1/31/25

By: 

Name: Erik C. Erlingsson

Its: Personal Representative

Date: 1/31/25

SHRONTZ PROPERTY PROPOSED PARCEL DESCRIPTION(S)

PROPOSED PARCEL 1

A PARCEL OF LAND BEING A PORTION OF SALT LAKE COUNTY PARCEL NUMBER 30-04-101-014, SAID COUNTY PARCEL DESCRIBED IN A SPECIAL WARRANTY DEED, ENTRY NUMBER 7302430, AS RECORDED IN THE SALT LAKE COUNTY RECORDER'S OFFICE, SAID PARCEL LOCATED IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, TOWN OF ALTA, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND REBAR SET IN CONCRETE MARKING MINERAL MONUMENT NUMBER 3, THENCE SOUTH 72°05'43" EAST 1708.72 FEET TO THE NORTHWEST CORNER OF SAID COUNTY PARCEL, THENCE SOUTH 00°34'09" WEST 197.00 FEET ALONG THE WEST LINE OF SAID COUNTY PARCEL TO THE POINT OF BEGINNING; THENCE SOUTH 62°16'27" EAST 112.38 FEET TO THE BEGINNING OF A 708.80 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 61.07 FEET HAVING A CENTRAL ANGLE OF 04°56'13" (CHORD BEARS SOUTH 59°48'20" EAST 61.06 FEET); THENCE NORTH 51°27'21" EAST 197.55 FEET; THENCE NORTH 39°51'44" WEST 127.80 FEET; THENCE NORTH 48°06'46" EAST 226.62 FEET; THENCE SOUTH 39°52'25" EAST 236.12 FEET; THENCE SOUTH 51°47'44" WEST 401.65 FEET TO THE BEGINNING OF A 693.54 FOOT NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE 93.57 FEET HAVING A CENTRAL ANGLE OF 07°43'48" (CHORD BEARS SOUTH 45°47'45" EAST 93.50 FEET); THENCE SOUTH 42°00'51" EAST 289.37 FEET TO THE BEGINNING OF A 822.47 FOOT NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG THE ARC SAID CURVE 101.32 FEET HAVING A CENTRAL ANGLE OF 07°03'31" (CHORD BEARS SOUTH 38°24'43" EAST 101.26 FEET) TO A POINT ON THE SOUTHERLY LINE OF SAID COUNTY PARCEL; THENCE SOUTH 60°41'24" WEST 425.39 FEET; THENCE NORTH 35°31'27" WEST 320.87 FEET; THENCE NORTH 00°34'09" EAST 446.75 FEET TO THE POINT OF BEGINNING.

CONTAINS: 284,149 S.F. / 6.52 AC +/-


PROPOSED PARCEL 2

A PARCEL OF LAND BEING A PORTION OF SALT LAKE COUNTY PARCEL NUMBER 30-04-101-014, SAID COUNTY PARCEL DESCRIBED IN A SPECIAL WARRANTY DEED, ENTRY NUMBER 7302430, AS RECORDED IN THE SALT LAKE COUNTY RECORDER'S OFFICE, SAID PARCEL LOCATED IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, TOWN OF ALTA, SALT LAKE COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND REBAR SET IN CONCRETE MARKING MINERAL MONUMENT NUMBER 3, THENCE SOUTH 72°05'43" EAST 1708.72 FEET TO THE NORTHWEST CORNER OF SAID COUNTY PARCEL AND THE POINT OF BEGINNING; THENCE NORTH 65°34'20" EAST 70.00 FEET; THENCE NORTH 24°25'40" WEST 14.86 FEET; THENCE NORTH 64°40'00" EAST 445.56 FEET; THENCE NORTH 22°55'00" EAST 150.00 FEET; THENCE SOUTH 51°51'19" EAST 425.20 FEET TO THE BEGINNING OF A 954.93 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE 270.28 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 16°13'00" (CHORD BEARS SOUTH 42°05'00" EAST 269.38 FEET); THENCE SOUTH 33°58'30" EAST 310.00 FEET TO THE BEGINNING OF A 954.93 FOOT RADIUS CURVE TO THE LEFT; THENCE 281.53 FEET ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 16°53'30" (CHORD BEARS SOUTH 42°25'15" EAST 280.51 FEET); THENCE SOUTH 50°52'00" EAST 50.00 FEET; THENCE SOUTH 02°36'00" WEST 200.00 FEET; THENCE WEST 600.00 FEET; THENCE NORTH 02°36'00" EAST 251.10 FEET; THENCE SOUTH 60°41'24" WEST 328.26 FEET TO THE BEGINNING OF A 822.47 FOOT NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 101.32 FEET HAVING A CENTRAL ANGLE OF 07°03'31" (CHORD BEARS NORTH 38°24'43" WEST 101.26 FEET; THENCE NORTH 42°00'51" WEST 289.37 FEET TO THE BEGINNING OF A 693.54 FOOT NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 93.57 FEET HAVING A CENTRAL ANGLE OF 07°43'48" (CHORD BEARS NORTH 45°47'45" WEST 93.50 FEET); THENCE NORTH 51°47'44" EAST 401.65 FEET; THENCE NORTH 39°52'25" WEST 236.12 FEET; THENCE SOUTH 48°06'46" EAST 226.62 FEET; THENCE SOUTH 39°51'44" EAST 127.80 FEET; THENCE SOUTH 51°27'21" WEST 197.55 FEET TO THE BEGINNING OF A 708.80 FOOT NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 61.07 FEET HAVING A CENTRAL ANGLE OF 04°56'13" (CHORD BEARS NORTH 59°48'20" WEST 61.06 FEET); THENCE NORTH 62°16'27" WEST 112.38 FEET TO A POINT ON THE WESTERLY LINE OF SAID COUNTY PARCEL; THENCE NORTH 00°34'09" EAST 197.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 812,036 S.F. / 18.64 AC +/-

THE BASIS OF BEARING FOR PROPOSED PARCEL(S) 1 AND 2 DESCRIPTION(S) IS SOUTH 89°17'24" EAST 1027.04 FEET BETWEEN A FOUND BRASS CAP MONUMENT STAMPED "CC" AT THE NORTH ONE-QUARTER CORNER OF SECTION 5, TOWNSHIP 3 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, AND A FOUND REBAR SET IN CONCRETE, REPRESENTING MINERAL MONUMENT NUMBER 3, WITH A MEASURED DISTANCE OF 1027.04 FEET.

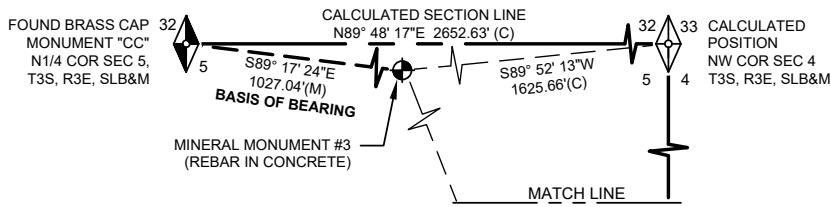
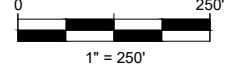
<div style="text-align: center;"> <p>LAND SURVEYING</p>  <p>DEVELOPMENT</p> </div>	PROJECT NUMBER: 204908
	DRAWN BY: JD
	CHECKED BY: PC
	DRAWING DATE: 02/04/2025
	SHEET NUMBER: 1 OF 2

SHRONTZ PROPERTY PROPOSED PARCEL EXHIBIT

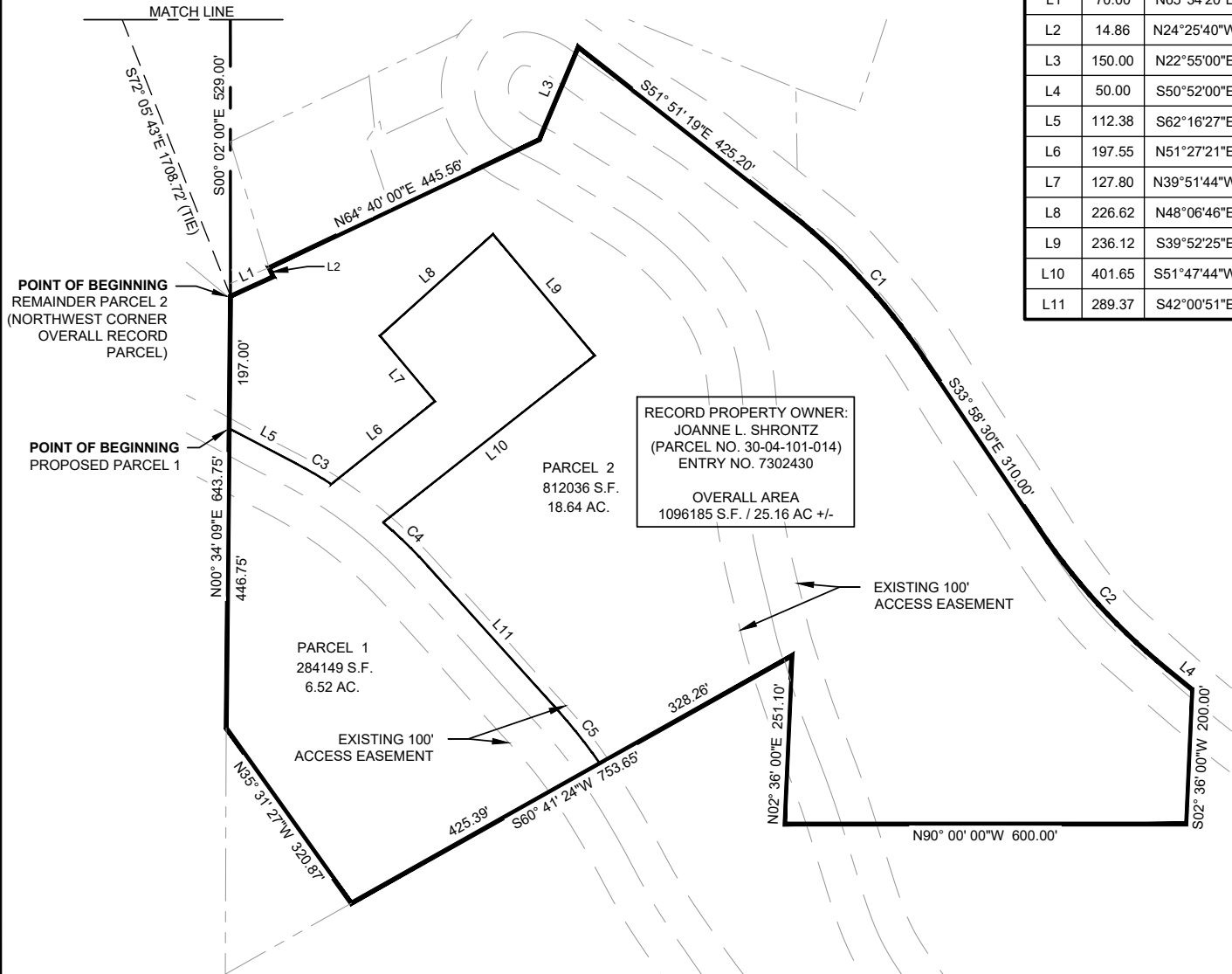
LOCATED IN THE:
NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 3 EAST,
SALT LAKE BASE AND MERIDIAN, TOWN OF ALTA, SALT LAKE COUNTY, UTAH



SCALE



Parcel Line Table		
Line #	Length	Direction
L1	70.00	N65°34'20"E
L2	14.86	N24°25'40"W
L3	150.00	N22°55'00"E
L4	50.00	S50°52'00"E
L5	112.38	S62°16'27"E
L6	197.55	N51°27'21"E
L7	127.80	N39°51'44"W
L8	226.62	N48°06'46"E
L9	236.12	S39°52'25"E
L10	401.65	S51°47'44"W
L11	289.37	S42°00'51"E



LEGEND

SECTION CORNER (FOUND)



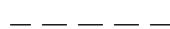
SECTION CORNER (CALCULATED)



SECTION LINE



MONUMENT / TIE LINE



PROPOSED PARCEL LINE



ADJACENT PARCEL / LOT LINE



Curve Table

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	270.28	954.93	16°13'00"	S42°05'00"E	269.38
C2	281.53	954.93	16°53'30"	S42°25'15"E	280.51
C3	61.07	708.80	4°56'13"	S59°48'20"E	61.06
C4	93.57	693.54	7°43'48"	S45°47'45"E	93.50
C5	101.32	822.47	7°03'31"	S38°24'43"E	101.26

LAND SURVEYING



DEVELOPMENT

PO BOX. 95029
SOUTH JORDAN, UT 84095
PHONE: (801) 446-1820
WWW.FLINTUTAH.COM

PROJECT NUMBER:
204908

DRAWN BY:
JD

CHECKED BY:
PC

DRAWING DATE:
02/04/2025

SHEET NUMBER:
2 OF 2



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of Environmental Quality

Alan Matheson
Executive Director

DIVISION OF DRINKING WATER
Marie E. Owens, P.E.
Director

June 5, 2018

Charles Livsey
Patsey Marley Water System
36 South State Street, Suite 1400
Salt Lake City, UT 84111

Subject: **Plan Approval**, Patsey Marley Subdivision Waterline Project, Patsey Marley Water System, System #18163, File # 11195.

Dear Mr. Livsey:

The Division of Drinking Water (the Division) received the plans and specifications for the Patsey Marley Subdivision Waterline Project from your consultant Darin Hawkes, P.E. with Aqua Engineering on May 5, 2018. Darin Hawkes, P.E. of Aqua Engineering certified the results of the hydraulic analysis, and that the hydraulic model indicates compliance with the flow and pressure requirements for public drinking water systems. Updated version of drawings and specifications were received on May 30, 2018

Our understanding of this water line project is that Patsey Marley plans to develop 10 service connections, which will serve 30 permanent residents. This proposed system will receive water from the Town of Alta's (System#18049) 365,000 Gallon Tank (ST001). In this first stage of construction there will be installation of approximately 1,800 feet (Station 0+00 to 18+05) of 12-inch HDPE PE4710 DR11 water line from the water tank to the parking structure where a future pump station will be installed consisting of two types of pumps (fire flow and culinary variable frequency drive (VFD) pumps). The pumps will be installed in 2019 or later in the second phase of construction. The layout of the pipeline from the pump station will be 10-inch HDPE PE4710 DR11 pipe for about 771 feet (Station 18+05 to 25+76). Plan approval for the future pump station will be required.

Part of the Town of Alta residents do not have adequate pipe sizing for fire flow and experience freezing pipes in the winter in their 2-inch existing HDPE pipeline. The Patsey Marley subdivision's pipeline extension will serve the Town of Alta during emergency situations and alleviate freezing issues. This project will also provide a higher level of fire protection with the installation of new fire hydrants.

The Division staff had telephone conversations with Charles Livsey on May 14, 2018 and Darin Hawkes on May 17, 2018 and learned of the wetland concern regarding the location of the proposed pump station to be constructed in 2019 or later. This concern will be resolved with the UDOT right of

Charles Livsey
Page 2 of 2
June 5, 2018

way project. The pipeline will be located within UDOT right of way and will be located on land owned by the owner of the Patsey Marley subdivision within an existing utility easement. Based on the review done by Salt Lake County Health Department, Patsey Marley has been given approval for the construction of this project with specific stipulations regarding delineated wetlands and line of disturbance (LOD) as mentioned in their letter dated May 30, 2018.

We have completed our review of the plans and specifications, stamped and signed by Darin Hawkes, P.E., and dated May 23, 2018, and find they basically comply with the applicable portions of Utah's Administrative Rules for Public Drinking Water Systems in R309. Hydraulic Analysis Certification for this project was stamped and signed by Darin Hawkes, P.E., was received by the Division on May, 30, 2018. On this basis, **the plans to construct the Patsey Marley Subdivision Waterline project are hereby approved.**

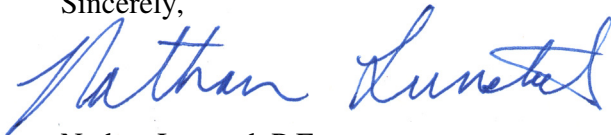
Patsey Marley Water Company will be a new community water system and has yet to go through all the requirements that will be set forth in the Welcome to the Club Letter (WTTC) including the plan approval process of the entire water system, Capacity Development, Cross Connection Control program, Operator Certification, and Monitoring and Reporting requirements. **After satisfactory completion of these requirements and after final inspection of the entire system, an operating permit will be issued to the Patsey Marley Water System.**

Approvals or permits from the local authority or the county may be necessary before beginning construction of this project. As the project proceeds, notice of any changes in the approved design, as well as any change affecting the quantity or quality of the delivered water, must be submitted to the Division. We may also conduct interim and final inspections of this project. Please notify us when actual construction begins so that these inspections can be scheduled.

This approval must be renewed if construction has not begun or if substantial equipment has not been ordered within one year of the date of this letter.

If you have any questions regarding this approval, please contact Nagendra Dev, of this office, at (801) 536-0098, or Nathan Lunstad, Engineering Manager, at (385) 239-5974.

Sincerely,



Nathan Lunstad, P.E.
Engineering Manager

NDev/nl/hb

Enclosure — Operating Permit Checklist

cc: Royal Delegge, Env. Director, Salt Lake County Health Department, rdelegge@slco.org
Charles Livsey, Patsey Marley Water Company, clivsey@RQU.com
Darin Hawkes, AQUA Engineering, darinh@aquaeing.com
Nagendra Dev, Division of Drinking Water, ndev@utah.gov

Utah Division of Drinking Water — Checklist for Issuing Operating Permits

Water System Name: _____ System Number: _____

Project Description: _____ File Number: _____

Items 1 through 8 below must be submitted to the Division and found to be acceptable prior to operating permit issuance (unless a water line project meets the requirements of R309-500-7 and is not required to obtain an Operating Permit).

Distribution lines (not including in-line booster pump stations) requiring Plan Approval may be placed into service prior to submitting all of the following items and receipt of Operating Permit if the water system has received items 1 and 4 below.

- ☐ 1. Certification of Rule Conformance by a professional engineer (P.E.) that all conditions of Plan Approval were accomplished, and if applicable, changes made during construction were in conformance with rules R309-500 through 550
- ☐ 2. As-built or record drawings incorporating all changes to approved plans and specifications (unless no changes were made to the previously approved plans during construction)
- ☐ 3. Confirmation that as-built or record drawings have been received by the water system
- ☐ 4. Satisfactory bacteriological samples as evidence of proper disinfection and flushing in accordance with the appropriate ANSI/AWWA standards:
 - ☐ ANSI/AWWA C651-14 AWWA Standard for Disinfecting Water Mains
Two consecutive sample sets at least 16 hours apart, none positive (e.g., every 1,200 feet, end-of-line, each branch)
 - ☐ ANSI/AWWA C652-11 AWWA Standard for Disinfection of Water-Storage Facilities
One or more samples, none positive
 - ☐ ANSI/AWWA C653-13 AWWA Standard for Disinfection of Water Treatment Plants
Two consecutive samples per unit, none positive, no less than 30 minutes apart
 - ☐ ANSI/AWWA C654-13 AWWA Standard for Disinfection of Wells
Two consecutive samples, none positive, no less than 30 minutes apart
- ☐ 5. Water quality data, where appropriate *[For example, include raw and finished water data that demonstrate satisfactory performance of the treatment facility; sample should be taken from a storage tank for residual volatile organic compounds after tank interior re-coating; etc.]*
- ☐ 6. If applicable, all other documentation that may have been required during the plan review process
- ☐ 7. If applicable, confirmation that the water system owner has received the O&M manual for the new facility
- ☐ 8. If applicable, location data of new storage tank, treatment facility, or source



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF DRINKING WATER
Marie E. Owens, P.E.
Director

October 1, 2018

Charles Livsey
Patsey Marley Water System
36 South State Street, Suite 1400
Salt Lake City, UT 84111

Subject: **Plan Approval** Patsey Marley Subdivision Phase II Waterline project, System #18163,
File # 11195.

Dear Mr. Livsey,

The Division of Drinking Water (the Division) received the plans and specifications for the Patsey Marley Subdivision Phase II Waterline project from your consultant Aqua Engineering on September 12, 2018. Darin Hawkes, P.E. of Aqua Engineering certified the results of the hydraulic analysis, and that hydraulic model indicates compliance with the flow and pressure requirements for public drinking water systems. Patsey Marley Phase I Waterline was approved by the Division on June 5, 2018 and is still under construction according to telephone conversation made by division staff with Charles Livsey on September 19, 2018.

Our understanding of this Phase II waterline project is that the water system desire to construct the remainder of the Patsey Marley Subdivision Waterline from station 25+76 to 40+00 (sheets C-3 to C-6) and station 3+00 to 4+42 (sheet C-7) with 10-inch HDPE C-900 pipe. Water system will complete the work in the fall of 2018 to the extent and the remainder will once again commence construction next year. The plan approval for the future pump station will be submitted for a separate approval.

We have completed our review of the plans and specifications, stamped and signed by Darin Hawkes, P.E., and dated September 12, 2018, and find they basically comply with the applicable portions of Utah's Administrative Rules for Public Drinking Water Systems in R309. Hydraulic Analysis Certification for this project was stamped and signed by Darin Hawkes, P.E., was received by the Division on May, 30, 2017. On this basis, **the plans for to construct Patsey Marley Subdivision Phase II Waterline project are hereby approved.**

Patsey Marley will be a new community water system and has yet to go through all the

Charles Livsey
Page 2 of 2
October 1, 2018

requirements that will be set forth in Welcome to the Club Letter (WTTC) including plan approval process of entire water system, Capacity Development, Cross Connection program, Operator Certification, Monitoring and Reporting requirement in a timely basis. **After satisfactory completion of these requirements and after final inspection of the entire system, an operating permit will be issued to Patsey Marley Water System.**

Approvals or permits by local authority or county may be necessary before beginning construction of this project. As the project proceeds, notice of any changes in the approved design, as well as any change affecting the quantity or quality of the delivered water, must be submitted to the Division. We may also conduct interim and final inspections of this project. Please notify us when actual construction begins so that these inspections can be scheduled.

This approval must be renewed if construction has not begun or if substantial equipment has not been ordered within one year of the date of this letter.

If you have any questions regarding this letter, please contact Nagendra Dev, of this office, at (801) 536-0098, or Nathan Lunstad, Permitting Section Manager, of this office, at (385) 239-5974.

Sincerely,



Nathan Lunstad, P.E.
Engineering Manager

NDev/nl/hb

Enclosure — Operating Permit Checklist

cc: Royal Delegge, Env. Director, Salt Lake County Health Department, rdelegge@slco.org
Charles Livsey, Patsey Marley Water System, clivsey@RQU.com
Darin Hawkes, AQUA Engineering, darinh@aquaeing.com
Nagendra Dev, Division of Drinking Water, ndev@utah.gov

DDW-2018-010405.docx

Utah Division of Drinking Water — Checklist for Issuing Operating Permits

Water System Name: _____ System Number: _____

Project Description: _____ File Number: _____

Items 1 through 8 below must be submitted to the Division and found to be acceptable prior to operating permit issuance (unless a water line project meets the requirements of R309-500-7 and is not required to obtain an Operating Permit).

Distribution lines (not including in-line booster pump stations) requiring Plan Approval may be placed into service prior to submitting all of the following items and receipt of Operating Permit if the water system has received items 1 and 4 below.

- ☐ 1. Certification of Rule Conformance by a professional engineer (P.E.) that all conditions of Plan Approval were accomplished, and if applicable, changes made during construction were in conformance with rules R309-500 through 550
- ☐ 2. As-built or record drawings incorporating all changes to approved plans and specifications (unless no changes were made to the previously approved plans during construction)
- ☐ 3. Confirmation that as-built or record drawings have been received by the water system
- ☐ 4. Satisfactory bacteriological samples as evidence of proper disinfection and flushing in accordance with the appropriate ANSI/AWWA standards:
 - ☐ ANSI/AWWA C651-14 AWWA Standard for Disinfecting Water Mains
Two consecutive sample sets at least 16 hours apart, none positive (e.g., every 1,200 feet, end-of-line, each branch)
 - ☐ ANSI/AWWA C652-11 AWWA Standard for Disinfection of Water-Storage Facilities
One or more samples, none positive
 - ☐ ANSI/AWWA C653-13 AWWA Standard for Disinfection of Water Treatment Plants
Two consecutive samples per unit, none positive, no less than 30 minutes apart
 - ☐ ANSI/AWWA C654-13 AWWA Standard for Disinfection of Wells
Two consecutive samples, none positive, no less than 30 minutes apart
- ☐ 5. Water quality data, where appropriate *[For example, include raw and finished water data that demonstrate satisfactory performance of the treatment facility; sample should be taken from a storage tank for residual volatile organic compounds after tank interior re-coating; etc.]*
- ☐ 6. If applicable, all other documentation that may have been required during the plan review process
- ☐ 7. If applicable, confirmation that the water system owner has received the O&M manual for the new facility
- ☐ 8. If applicable, location data of new storage tank, treatment facility, or source



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF DRINKING WATER
Tim Davis
Director

November 7, 2023

Charles Livsey
Patsey Marley Water System
36 South State Street, Suite 1400
Salt Lake City, Utah 84111

Subject: **Renewal of Plan Approval**, Patsey Marley 200 K Storage Tank (ST001), Patsey Marley Pump Station (PF001), Fire Pump Station & Valving Station (PF002) and distribution water line project; System #18163, File # 12591.

Dear Charles Livsey:

The Division of Drinking Water (the Division) received a request from your consultant Daniel Woodbury of Aqua Engineering for the renewal of the Plan Approval letter that was issued by the Division on July 19, 2022. Per Danieal Woodbury, requisite approvals for the construction from local entities are still in progress but are expected to be finished by the Summer of 2024 after which construction will begin.

Previously, the Division received the re-revised plans and specifications for the Patsey Marley 200 K Storage Tank (ST001), Patsey Marley Pump Station (PF001), fire pump station & valving station (PF002) and distribution water line project from your consultant Aqua Engineering on November 11, 2021. Darin Hawkes, P.E. of Aqua Engineering certified the results of the hydraulic analysis, and that the hydraulic model indicates compliance with the flow and pressure requirements for public drinking water systems. An updated version of drawings and specifications were received by the Division on November 18, 2021. The original plans and specifications were approved by the Division on June 30, 2021. This revised plan submission is due to a change in the location of the pump stations along with the pipeline orientation needed from the water system. This project has met the conditions for receiving plan approval.

Our understanding of the project is that Patsey Marley plans to develop 10 service connections, which will serve 30 permanent residents. This proposed system will receive water from the Town of Alta's (System#18049) Bay City Tunnel (WS001). In the process of the development of the water infrastructure, Patsey Marley has already installed 1,800 feet of 12-inch diameter HDPE

Charles Livsey
Page 2 of 4
November 7, 2023

PE4710 DR11 water line from the water tank to the parking structure where the pump station is proposed. This was all in Phase I construction. Current approval is going to be for Phase II construction which includes a storage tank, pump station, fire pump, valving station, and distribution line which can be seen below.

Patsey Marley 200 K Storage Tank (ST001)

Patsey Marley is proposing to construct a new 200 K water storage tank to support culinary demands for 10 service connections. The storage tank will be located at the hill above the service connection at an elevation of about 9007 feet. This tank will provide adequate pressure to the service connections by gravity and is designed for a fire flow storage of 180,000 gallons plus 20,000 gallons to supply average day demand and will primarily serve indoor and outdoor drinking water demands. Water for this new tank will be delivered via a new Patsey Marley Pump Station (PF001) that will be drawing water from Bay City Tunnel (WS001) of Alta Town Water System (System#18049). The Patsey Marley 200 K Storage Tank (ST001) is a below-ground concrete tank with inlet/outlet piping, appurtenances, site work, drain/overflow piping, and piping connected to PF001 by 10-inch diameter HDPE DR11 pipe. The pump station PF001 is located about 700 feet (downhill) below the tank on Albion Basin Rd. The tank has a common inlet/outlet pipe that serves water to the service connections by the 10-inch pipeline. The tank dimensions are 46 feet (inside diameter) by 19.5 feet tall. The height of the overflow to the bottom of the tank is 17 feet.

Patsey Marley Pump Station (PF001)

The Patsey Marley Pump Station (PF001) will be constructed at the base of the hill on Albion Basin Rd at about 8,800 feet in elevation. There will be two Grundfos Booster Pac Hydro MPC-E pumps (1 duty, 1 standby) rated at 5 HP each, which will deliver water at 20 gallons per minute (gpm) with a total dynamic head (TDH) of 205 feet to the Patsey Marley 200 K Storage Tank (ST001). These pumps will be fed by the 10-inch diameter HDPE pipe from the Bay City Tunnel (WS001).

Fire Pump Station and Valving Station (PF002)

The Patsey Marley Fire Pump Station and Valving Station (PF002) will be a two-level structure constructed adjacent to the Patsey Marley Tank (ST001) and will contain a 350 KW natural gas generator, a 125 hp, 2,000 gpm fire pump, a 5 hp, 10 gpm duty pump, and valving/piping to provide the various flow scenarios and demands that the system will encounter. The location of the Storage Tank (ST001) is essentially at the same elevation as the five upper elevation lots (Lots 106, 107, 108, 109, and 110) of the subdivision. The fire flow storage requirement is provided by the tank, but the flow rate and pressure require that a 125 hp pump be installed to provide these requirements. A much smaller duty (or jockey) pump is designed to meet the average and peak daily demands of the upper lot connections. The smaller duty pump is a 5 hp, 10 gpm rated pump. These two pumps, along with the system valving and piping are housed in the lower (below grade)

Charles Livsey
Page 3 of 4
November 7, 2023

level of the building, while the 350 KW generator is in the at-grade level of the building. The 350 KW generator is to provide emergency backup power for the 125 hp fire pump in the event of a power outage.

Distribution Line

This project will add approximately 1,500 feet of 10-inch diameter HDPE (DR11) pipeline from Patsey Marley 200 K Storage Tank (ST001) to 10 service connections. 1,475 feet of water line was already approved and installed in Phase I construction. This is the remaining pipeline to complete water line connections to service connections. There will be five fire hydrants, one PRV connection, and one air vac in the distribution system. The holistic hydraulic model design of the project was done by Water Gems Edition 10 software which meets the pressure requirement set forth in R309-105-9.

We have completed our review of the plans and specifications, stamped, and signed by Darin Hawkes, P.E., and dated November 18, 2021, and find they basically comply with the applicable portions of Utah's Administrative Rules for Public Drinking Water Systems in R309. The Hydraulic Analysis Certification for this project was stamped and signed by Darin Hawkes, P.E., and was received by the Division on November 18, 2021. On this basis, **the renewal of plan approval to construct the Patsey Marley 200 K Storage Tank (ST001), Patsey Marley Pump Station (PF001), fire pump station & valving station (PF002), and distribution water line project is hereby approved.**

This approval pertains to construction only. **An Operating Permit must be obtained from the Director before the Patsey Marley 200 K Storage Tank (ST001), Patsey Marley Pump Station (PF001), fire pump station & valving station (PF002) and distribution water line may be put in service.** A checklist outlining the items required for operating permit issuance is enclosed for your information.

Approvals or permits from the local authority or the county may be necessary before beginning construction of this project. As the project proceeds, notice of any changes in the approved design, as well as any change affecting the quantity or quality of the delivered water, must be submitted to the Division. We may also conduct interim and final inspections of this project. Please notify us when actual construction begins so that these inspections can be scheduled.

This approval must be renewed if construction has not begun or if substantial equipment has not been ordered within one year of the date of this letter.

Charles Livsey
Page 4 of 4
November 7, 2023

If you have any questions regarding this approval, please contact Nagendra Dev, of this office, at (801) 680-5296, or me at (385) 515-1464.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Newberry", with a long horizontal flourish extending to the right.

Michael Newberry, P.E.
Engineering Manager

ND/mrn/mdb

Enclosures – Operating Permit Checklist

cc: Matthias Neville, Salt Lake County Health Department, mrneville@slco.org
Charles Livsey, Patsey Marley Water System, clivsey@RQU.com
Darin Hawkes, AQUA Engineering, darin@aquaeing.com
Daniel Woodbury, AQUA Engineering, dan.woodbury@aquaeing.com
Nagendra Dev, Division of Drinking Water, ndev@utah.gov

DDW-2023-040579

Utah Division of Drinking Water — Checklist for Issuing Operating Permits

Water System Name: _____ System Number: _____

Project Description: _____ File Number: _____

Items 1 through 8 below must be submitted to the Division and found to be acceptable prior to operating permit issuance (unless a water line project meets the requirements of R309-500-7 and is not required to obtain an Operating Permit).

Distribution lines (not including in-line booster pump stations) requiring Plan Approval may be placed into service prior to submitting all of the following items and receipt of Operating Permit if the water system has received items 1 and 4 below.

- ☐ 1. Certification of Rule Conformance by a professional engineer (P.E.) that all conditions of Plan Approval were accomplished, and if applicable, changes made during construction were in conformance with rules R309-500 through 550
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One or more samples, none positive
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Two consecutive samples per unit, none positive, no less than 30 minutes apart
 - ☐ ANSI/AWWA C654-13 AWWA Standard for Disinfection of Wells
Two consecutive samples, none positive, no less than 30 minutes apart
- ☐ 5. Water quality data, where appropriate *[For example, include raw and finished water data that demonstrate satisfactory performance of the treatment facility; sample should be taken from a storage tank for residual volatile organic compounds after tank interior re-coating; etc.]*
- ☐ 6. If applicable, all other documentation that may have been required during the plan review process
- ☐ 7. If applicable, confirmation that the water system owner has received the O&M manual for the new facility
- ☐ 8. If applicable, location data of new storage tank, treatment facility, or source

Board of Trustees
Wesley Fisher
Kim Galbraith
Mark R. Katter

Cottonwood Improvement District

8620 South Highland Drive
Sandy, Utah 84093
Telephone (801) 943-7671
Fax (801) 943-1077

General Manager
Gregory B. Neff

July 20, 2023

Jason Boal
Snell & Wilmer L.L.P.
15 W. South Temple
Salt Lake City, Utah 84101

Dear Mr. Boal,

Per your request, I am updating the District's previous letter dated July 13, 2021 regarding capacity for the Patsey Marley Hill Subdivision.

The Cottonwood Improvement District has an agreement with Service Area No. 3 and the Town of Alta to collect all the wastewater near the mouth of Little Cottonwood Canyon from these two entities and convey it to the Central Valley Water Reclamation facility.

I have reviewed the plat of the proposed Patsy Marley Hill Subdivision and determined that the Cottonwood Improvement District has sufficient capacity in its collection system to convey the wastewater from the 10 residential lots shown on the plat.

In addition to Cottonwood Improvement District approval, you will need to obtain a letter of sewer availability from the Town of Alta. Before any construction on the sewer line can begin, sewer system engineering plans must be submitted and approved by the District and the Town. All submittals must go to the Town of Alta first.

Sincerely,



Gregory B. Neff
General Manager/District Engineer

**SALT LAKE COUNTY
SERVICE AREA-NO.3**

P.O. BOX 920067 • SNOWBIRD, UTAH 84092-0067
(801) 278-9660 • (801) 521-6040, ext. 1340 • FAX (801) 742-2271
Email sa3@xmission.com

January 24, 2024

Herbert C. Livsey
Ray Quinney & Nebeker P.C.
PO Box 45385
Salt Lake City, Utah 84145-0385

Dear Mr. Livsey,

I have reviewed the ten (10) lot Patsy Marley Hill Subdivision Plat that the Town of Alta has approved subject to outside approvals including Salt Lake County Service Area #3. Service Area #3 hereby grants its approval.

This Subdivision's sewage will flow into the main Little Cottonwood Canyon sewer. Salt Lake County Service Area #3 owns the sewer line from the Alta measuring flume in the Superior parking lot down to the Main Canyon sewer flume near the canyon mouth. This is approximately 7 miles. The Town of Alta owns the main sewer line east of the Alta flume up to the Subdivision. Cottonwood Improvement District owns the line west of the Main Canyon sewer flume. Salt Lake County Service Area #3 has agreements in place with both of these entities for sewage transmission.

While Salt Lake County Service Area #3 owns the main canyon sewer line, the Town of Alta has an easement for up to 40% of the main line capacity. In 1975 the Engineering firm of Templeton, Linke & Associates determined that the maximum capacity of the 10" sewer line in Little Cottonwood Canyon is 2,800,000 gallons per day. The Town of Alta's portion of that capacity would be 1,120,000 gallons per day. At the present time, the Service Area uses approximately half of its capacity and the Town of Alta uses approximately one third of its capacity.

Based on these figures, there is sufficient capacity in the main canyon sewer line for the approved Subdivision.

Sincerely,

A handwritten signature in black ink, appearing to read "Kasey Carpenter", is written over a horizontal line.

Kasey Carpenter
General Manager
Salt Lake County Service Area #3

$1'' = 100'$

NOT TO SCALE

ALTA TOWN

APPROVAL AS TO FORM THIS ____ DAY OF _____
A.D., 20 ____.

REPRESENTATIVE

ROCKY MOUNTAIN POWER

APPROVAL AS TO FORM THIS 23rd DAY OF MARCH
A.D., 2012.

Andrew McChie
REPRESENTATIVE

SALT LAKE COUNTY RECORDER

RECORDED #: _____, STATE OF UTAH, COUNTY OF SALT LAKE,
RECORDED AND FILED AT THE REQUEST OF _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE \$ _____ DEPUTY SALT LAKE COUNTY RECORDER

NUMBER:

ACCOUNT:

EET **1**

POINT OF BEGINNING

LOT 101
127712 S.F.
2.93 AC.

LOT 102
62874 S.F.
1.44 AC.

LOT 103
225723 S.F.
5.18 AC.

LOT 104
117409 S.F.
2.70 AC.

LOT 105
86016 S.F.
1.97 AC.

LOT 106
61887 S.F.
1.42 AC.

LOT 107
98833 S.F.
2.27 AC.

LOT 108
76823 S.F.
1.76 AC.

LOT 109
142486 S.F.
3.27 AC.

LOT 110
64569 S.F.
1.48 AC.

OVERALL SUBDIVISION AREA
1096185 S.F. / 25.16 AC +/-

SEE SHEET 2 FOR ALL
EASEMENTS, DRIVEWAY
LOCATIONS, WATER COURSES,
AND LIMITS OF DISTURBANCE

Address Table		
Lot	Address	
LOT A		
101		
102		
103		
104		
105		
106		
107		
108		
109		
110		

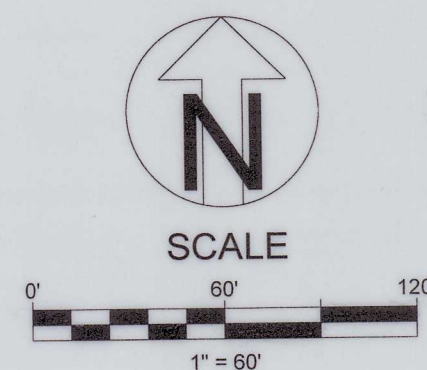
Adjacent Ownership Table		
Lot	Owner	Parcel Number
(A)	DAVID HEATLEY	30-04-101-011
(B)	PAUL A. & KIMBERLY HOOPER	30-04-101-009
(C)	ANN MYER	30-05-226-005

Dominion Energy

QUESTAR GAS COMPANY, DBA DOMINION ENERGY UTAH,
HEREBY APPROVES THIS PLAT SOLELY FOR THE PURPOSES
OF APPROXIMATING THE LOCATION, BOUNDARIES, COURSE
AND DIMENSIONS OF THE RIGHTS-OF-WAY AND EASEMENTS
GRANTS AND EXISTING UNDERGROUND FACILITIES. NOTHING

COUNTY HEALTH DEPARTMENT		SERVICE AREA NO. 3	COUNTY SURVEYOR	CENTURY LINK	CONDITIONS: NATURAL GAS SERVICE FOR FURTHER INFORMATION, PLEASE CONTACT DOMINION ENERGY, UTAHS RIGHT-OF-WAY DEPARTMENT AT 800-366-8532.	
APPROVED THIS _____ DAY OF _____ A.D., 20____, BY THE SALT LAKE COUNTY HEALTH DEPARTMENT.		APPROVAL AS TO FORM THIS <u>29TH</u> DAY OF <u>MARCH</u> A.D., 20 <u>22</u>	REFERENCE THE RECORD OF SURVEY, FILE NUMBER _____, AS FILED IN THE SALT LAKE COUNTY SURVEYORS OFFICE.	APPROVAL AS TO FORM THIS <u>23</u> DAY OF <u>MARCH</u> A.D., 20 <u>22</u>	APPROVAL AS TO FORM THIS <u>4</u> DAY OF <u>April</u> A.D., 20 <u>22</u>	
SALT LAKE COUNTY HEALTH DEPARTMENT REPRESENTATIVE		<u>Kath J. Hanson</u> REPRESENTATIVE	SALT LAKE COUNTY SURVEYOR _____ DATE _____	<u>Dan Olsen</u> REPRESENTATIVE	<u>JP Chell</u> REPRESENTATIVE	
COTTONWOOD IMPROVEMENT DISTRICT		'UNIFIED FIRE AUTHORITY	ALTA TOWN MARSHAL	ALTA TOWN	ROCKY MOUNTAIN POWER	
NUMBER: _____ ACCOUNT: _____ SHEET <u>1</u> OF 2		APPROVED THIS <u>4th</u> DAY OF <u>April</u> A.D., 20 <u>22</u>	APPROVAL AS TO FORM THIS <u>28</u> DAY OF <u>MARCH</u> A.D., 20 <u>22</u>	APPROVAL AS TO FORM THIS _____ DAY OF _____ A.D., 20 ____	APPROVAL AS TO FORM THIS <u>23rd</u> DAY OF <u>MARCH</u> A.D., 20 <u>22</u>	
<u>Murray B. Hoff</u> DIRECTOR		<u>[Signature]</u> REPRESENTATIVE	_____ MARSHAL	_____ REPRESENTATIVE	<u>Andrew McElchie</u> REPRESENTATIVE	
					RECORDED #: _____, STATE OF UTAH, COUNTY OF SALT LAKE. RECORDED AND FILED AT THE REQUEST OF _____ DATE: _____ TIME: _____ BOOK: _____ PAGE: _____ FEE \$ _____ DEPUTY SALT LAKE COUNTY RECORDER	

LOCATED IN THE:
NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 3 EAST,
SALT LAKE BASE AND MERIDIAN, ALTA TOWN, SALT LAKE COUNTY, UTAH



Parcel Line Table		
Line #	Length	Direction
L1	70.00	N55°34'20"E
L2	14.86	N24°25'40"W
L3	50.00	S50°52'00"E
L4	32.74	N31°21'12"E
L5	39.99	S38°05'44"E
L6	61.50	S36°15'48"E
L7	32.76	N53°59'54"E
L8	28.12	S60°44'31"E
L9	41.10	S45°35'14"E
L10	53.84	N27°22'27"E
L11	78.00	S00°34'09"W
L12	20.00	S89°25'51"E
L13	298.84	N00°34'09"E
L14	112.61	S60°59'47"E
L15	238.52	N34°38'31"E
L16	396.92	N44°23'7"E

Parcel Line Table		
Line #	Length	Direction
L17	155.84	N34°38'04"E
L18	30.06	N51°51'19"W
L19	155.13	S34°38'04"W
L20	396.91	S44°22'37"W
L21	212.15	S34°38'37"W
L22	128.75	N60°59'47"W
L23	50.26	N00°34'09"E
L24	52.75	N34°07'33"E
L25	20.83	N72°04'56"W
L26	52.96	S34°07'33"E
L27	39.77	S00°34'09"W
L28	349.47	S00°34'09"W
L29	70.54	N00°34'09"E
L30	149.14	S51°51'19"E
L31	110.11	S51°51'19"E

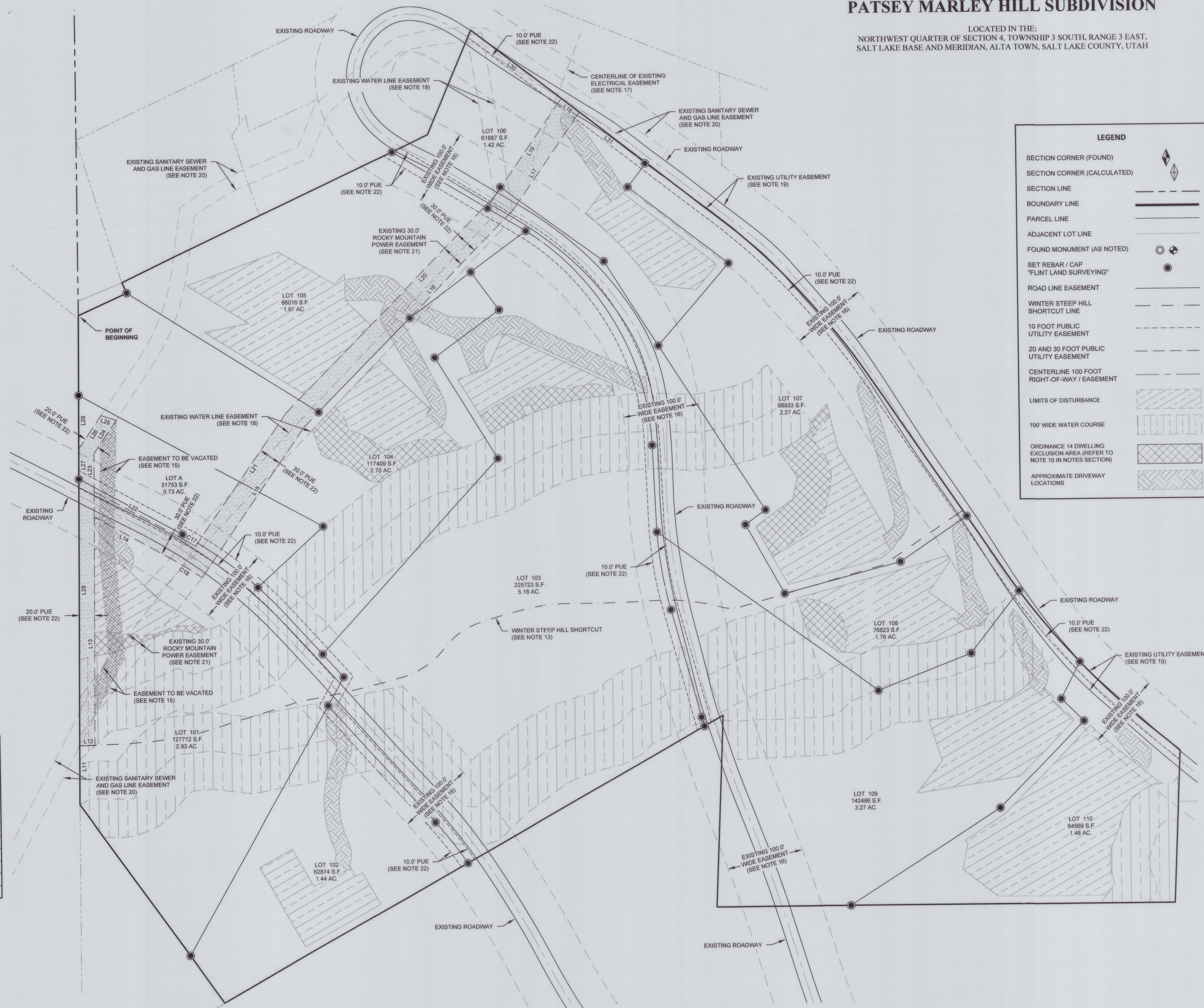
Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	270.28	954.93	16°13'00"	S42°05'00"E	269.38
C2	281.53	954.93	16°53'30"	S42°25'15"E	280.51
C3	34.73	954.93	2°05'02"	S35°01'01"E	34.73
C4	122.61	954.93	7°21'24"	S39°44'14"E	122.53
C5	124.19	954.93	7°27'05"	S41°08'28"E	124.10
C6	172.74	520.00	19°02'01"	N51°28'47"W	171.95
C7	120.85	520.00	13°18'56"	N54°20'19"W	120.58
C8	51.90	520.00	5°43'05"	N44°49'19"W	51.87
C9	67.90	480.00	8°08'19"	N37°54'37"W	67.85
C10	349.40	355.00	56°23'33"	N30°27'02"E	335.47
C11	9.50	355.00	1°32'02"	N57°52'47"W	9.50
C12	339.90	355.00	54°51'31"	N29°41'01"W	327.06
C13	116.64	515.00	12°58'37"	S08°44'34"E	116.39
C14	12.81	515.00	1°25'31"	S02°58'01"E	12.81
C15	103.83	515.00	11°33'06"	S09°27'19"E	103.66
C16	12.31	1015.00	0°41'41"	S15°34'43"E	12.31
C17	22.41	515.00	2°29'38"	S19°44'59"W	22.45
C18	49.47	485.00	5°50'40"	S58°04'27"E	49.41

Acreage Table			
Lot	Gross Lot	Gross Developable	25% of Gross Developable
101	127712 SF / 2.93 AC	44078 SF / 1.01 AC	11020 SF / 0.25 AC
102	62874 SF / 1.44 AC	52678 SF / 1.21 AC	13170 SF / 0.30 AC
103	225723 SF / 5.18 AC	51039 SF / 1.17 AC	12760 SF / 0.29 AC
104	117409 SF / 2.70 AC	44814 SF / 1.03 AC	11204 SF / 0.26 AC
105	86106 SF / 1.98 AC	44212 SF / 1.05 AC	11053 SF / 0.25 AC
106	61887 SF / 1.42 AC	47262 SF / 1.09 AC	11816 SF / 0.27 AC
107	98933 SF / 2.27 AC	43788 SF / 1.01 AC	10947 SF / 0.25 AC
108	78623 SF / 1.76 AC	44149 SF / 1.01 AC	11037 SF / 0.25 AC
109	142486 SF / 3.27 AC	43903 SF / 1.01 AC	10976 SF / 0.25 AC
110	64569 SF / 1.48 AC	43610 SF / 1.00 AC	10903 SF / 0.25 AC
LOT A	31753 SF / 0.73 AC	N/A	N/A

NUMBER:

ACCOUNT:

SHEET 2 OF 2





Date: 06/22/2021

TO: Jason Boal

RE: Alta, UT

Dear: Jason

Recently you approached CenturyLink about providing a “will serve” letter to serve the developer of Patsey Marley Hill Subdivision; CenturyLink appreciates the opportunity to provide the location with its future communication needs. In response to the request for a commitment to serve, CenturyLink will work with Jason Boal, on determining what the needs will be. Upon such determination, CenturyLink will undertake an analysis of the construction required and the cost to complete that construction. It is only at that point, and given the prevailing Terms and Conditions of the Price List that CenturyLink will make a determination whether it can or cannot provide service.

As you may or may not know, many of the telecommunications services provided by CenturyLink are regulated and the service you request will be provided for under the prevailing Terms and Conditions of the Price List and posted on our CenturyLink web site.

If there are any further questions, or if I can be of any help, please do not hesitate to call me on 435.623.4252 or my cell 435.660.9604. The CenturyLink Engineer will work with you on the requirements.

Sincerely,

Tyse Ostler
OSP Engineer
CenturyLink

Snell & Wilmer L.L.P.

One Arizona Center
Phoenix, AZ 85004-0001

JP Morgan Chase Bank, N.A.
Phoenix, AZ

91-2/1221

Date: January 27, 2025

Pay: Four hundred twenty-six and 00/100***** \$ ***426.00***

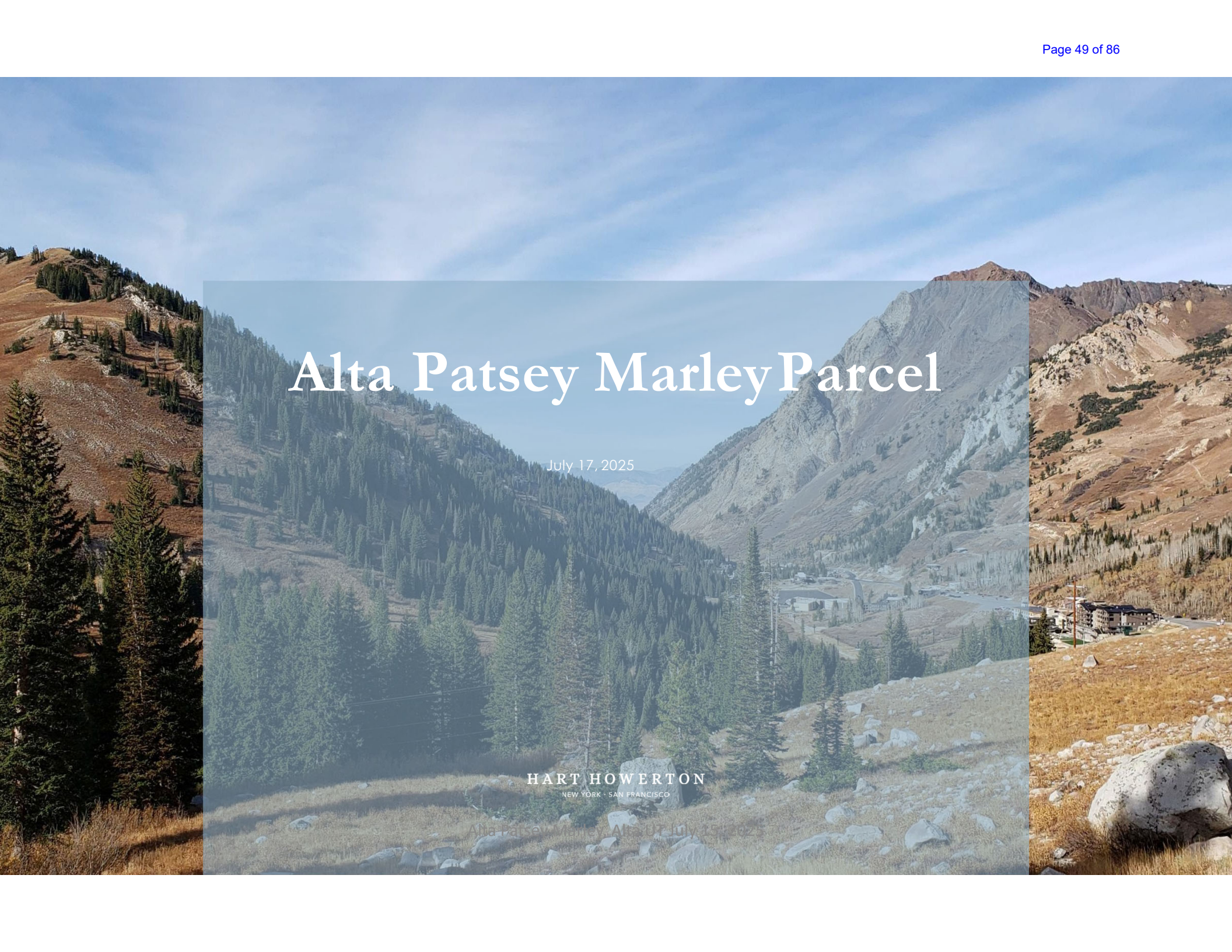
PAY
TO THE
ORDER OF: Town of Alta
PO Box 8016
Sandy, UT 84092



Void after 90 days

⑈004000 28 1⑈ ⑆1221000 24⑆

012303711⑈



Alta Patsey Marley Parcel

July 17, 2025

HART HOWERTON
NEW YORK • SAN FRANCISCO

Alta Patsey Marley, Alta UT July 15, 2025

Patsey Marley Development Alternative

2014

- Settlement agreement vesting Estate with right to develop 10 single family homes on 25 acre property.

2019

- Ownership internally started exploration of condo-hotel alternative to single family homes.

July 2021

- Town Council Work Session
- Review of conceptual plan with 48 hotel rooms and 34 condos
- Visual impact comparison with 10 single family homes

April 2022

- Ownership obtained all but Town or Town- Authorized signatures on 10 Lot mylar

September 2022

- Alternative design prepared with 50 hotel rooms and 25 condos.
- Building massing improved and building height reduced.
- Interior program further refined to address luxury hotel requirements
- Visual impact studies updated.

Recent History

March 2023

- Town Council work session to review 9/2022 plan

July 2024

- Conceptual plan amended to further shrink building and remove hotel component,
- Preliminary version of current proposal presented to Salt Lake City Public Utilities to begin discussion of culinary water service to the development.

Patsey Marley Development Alternative

November 2024

- Proposed plat and rezoning of 6.5 acres of site to FM-20.
- Site size dictated by Lot Coverage requirements.
- 1.5 acres above Summer Road is included in development lot, but this area would be subject to a conservation easement precluding development.
- Proposed density capped at 85,000 sf saleable condos.
- Proposed density maximum 29 condos plus minimum 3 workforce housing units.
- Roof height capped at USGS 8875'.

January 2025 – Planning Commission & Site Visit

- Visual location of proposal.
- Drone demonstration of height.
- Items to further discuss:
 - Access
 - Water
 - Conservation Easement
 - Community Benefits
 - Visual Renderings

February 2025 – Salt Lake City Public Utilities

- SLCPU Supportive of Conservation Easement

March 2025 – Public Open House

- Updated renderings provided
- Survey results showed overwhelming public support

April 2025 – AQUA Technical Memo

- Technical water memo submitted to DDW regarding water demands for condo project.

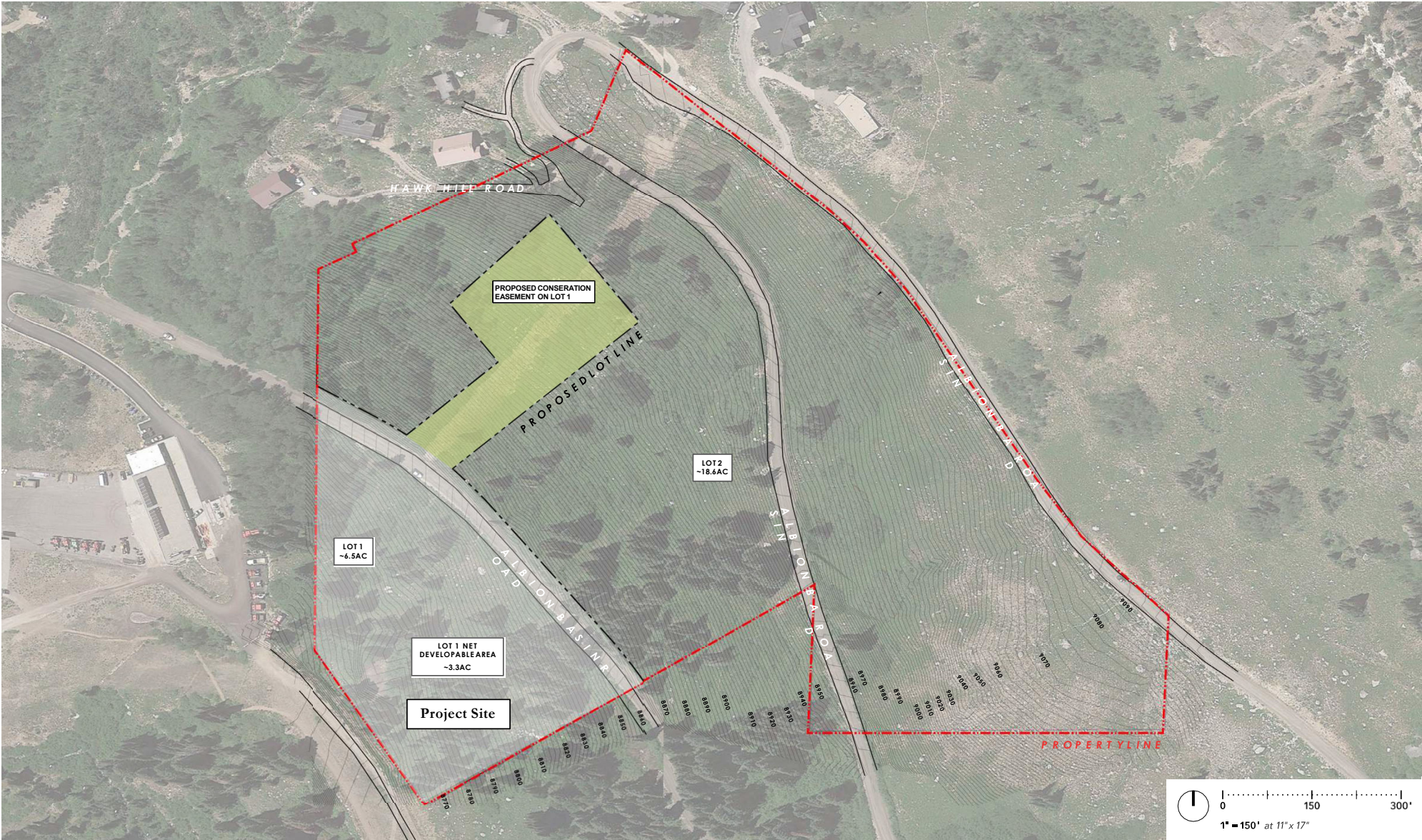
June 2025 – DDW Temporary Exception to R309-510-7

- DDW provided support memo for water calculations for condo project.

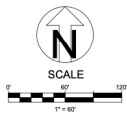
June 2025 – Forest Service Meeting

- Reviewed process for alternative driveway
- Consultants actively working on materials for Forest Service Application





© 2021 LAND PATSEY MARLEY HILL. SUBORDINATION RIGHTS RESERVED. PROPOSED CONCEPT DRAWING 1. 1/2024 LONG



Parcel Line Table			
Line #	Length	Direction	
L1	70.00	N60°34'20"E	
L2	14.86	N24°25'40"W	

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	270.28	954.93	16°13'00"	S42°05'00"E	269.38
C2	281.53	954.93	16°53'30"	S42°25'15"E	280.51
C3	61.07	708.80	4°56'13"	S59°48'20"E	61.06
C4	93.57	693.54	7°43'48"	S45°47'45"E	93.50
C5	101.32	822.47	7°03'31"	S38°24'43"E	101.26



**PROPOSED PATSEY MARLEY HILL
CONCEPT LAYOUT EXHIBIT**

LOCATED IN THE:
NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 SOUTH, RANGE 3 EAST,
SALT LAKE BASE AND MERIDIAN, ALTA TOWN, SALT LAKE COUNTY, UTAH

LAND SURVEYING
FLINT
DEVELOPMENT

PO BOX 98029
SOUTH JORDAN, UT 84095
PHONE: (801) 446-1820
WWW.FLINTUTAH.COM

DRAWN BY: JD
CHECKED BY: PC
PROJECT NO.
240508
1" = 40'

13060224
SUBMISSION DATE:
5
4
3
2
1
DATE
BY

CLIENT
SNELL & WILMER
15 WEST SOUTH TEMPLE, SUITE 1200
SALT LAKE CITY, UTAH 84101
CONTACT: JASON BOAL
PHONE: (801) 257-1917

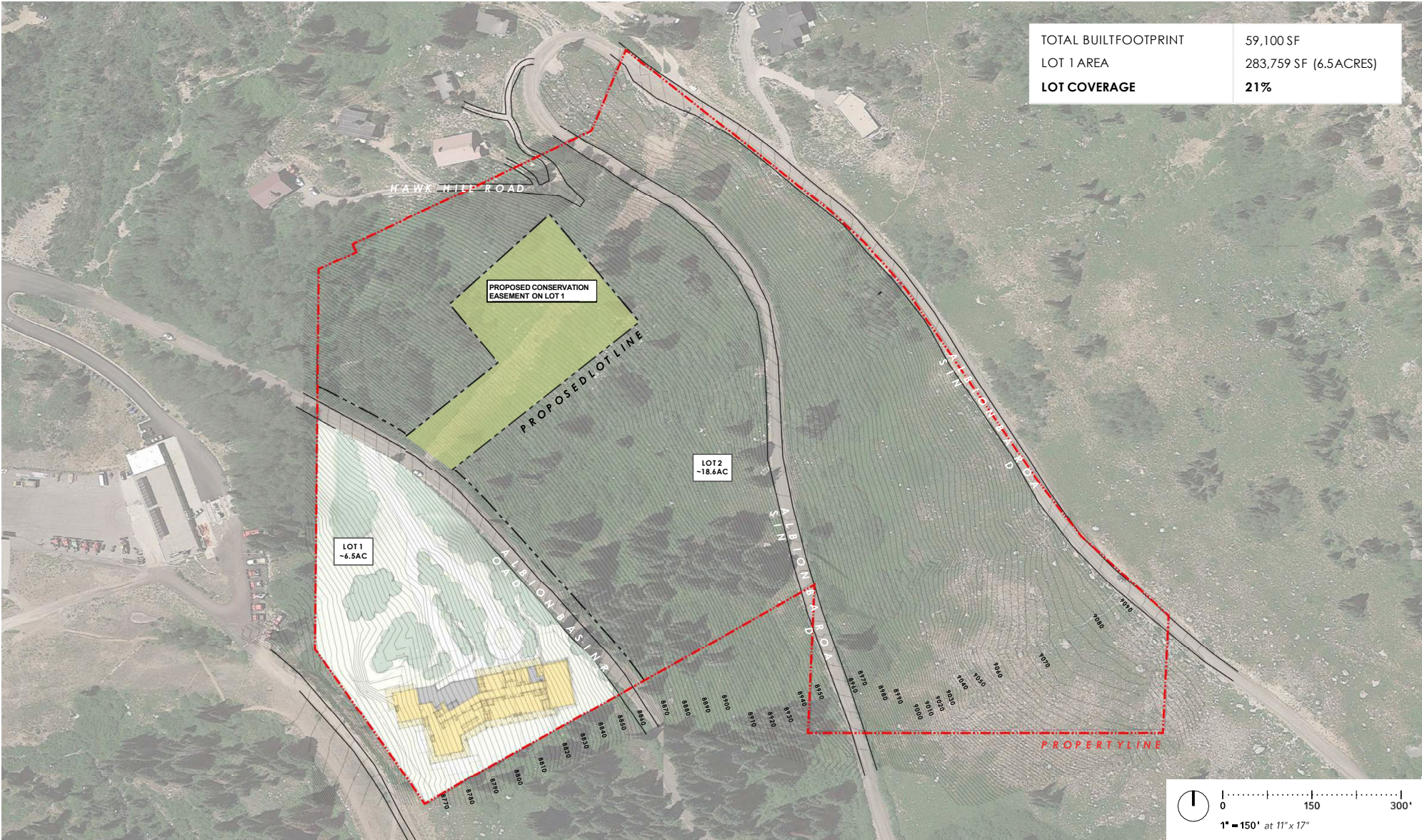
PROJECT
PROPOSED PATSEY MARLEY HILL
ALBION BASIN ROAD
ALTA TOWN, UTAH
NW1/4 SEC 4, T3S, R3E, S1E4M

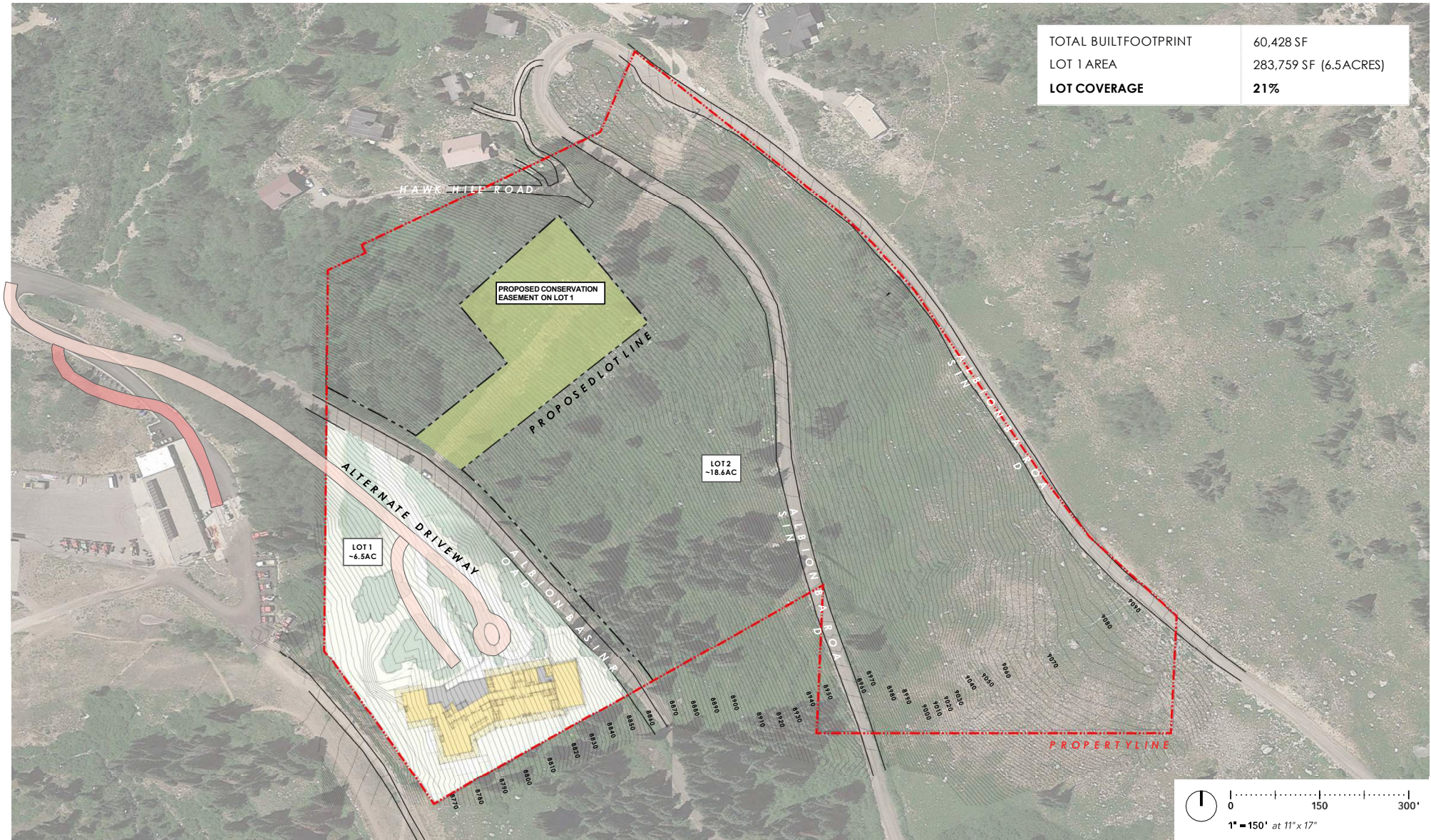
SHEET TITLE
CONCEPT LAYOUT EXHIBIT

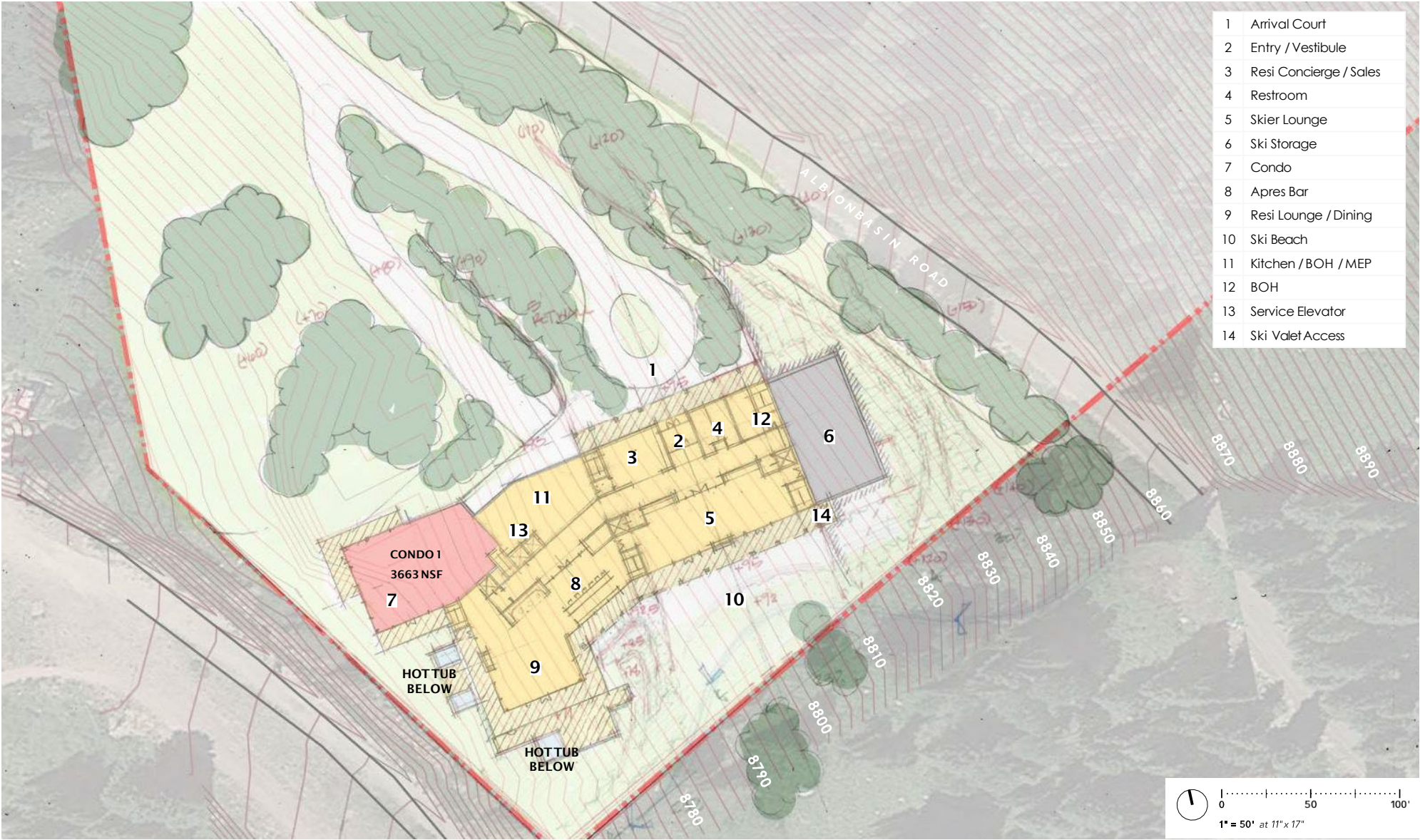
NUMBER:
ACCOUNT:

SHEET
1
OF 1



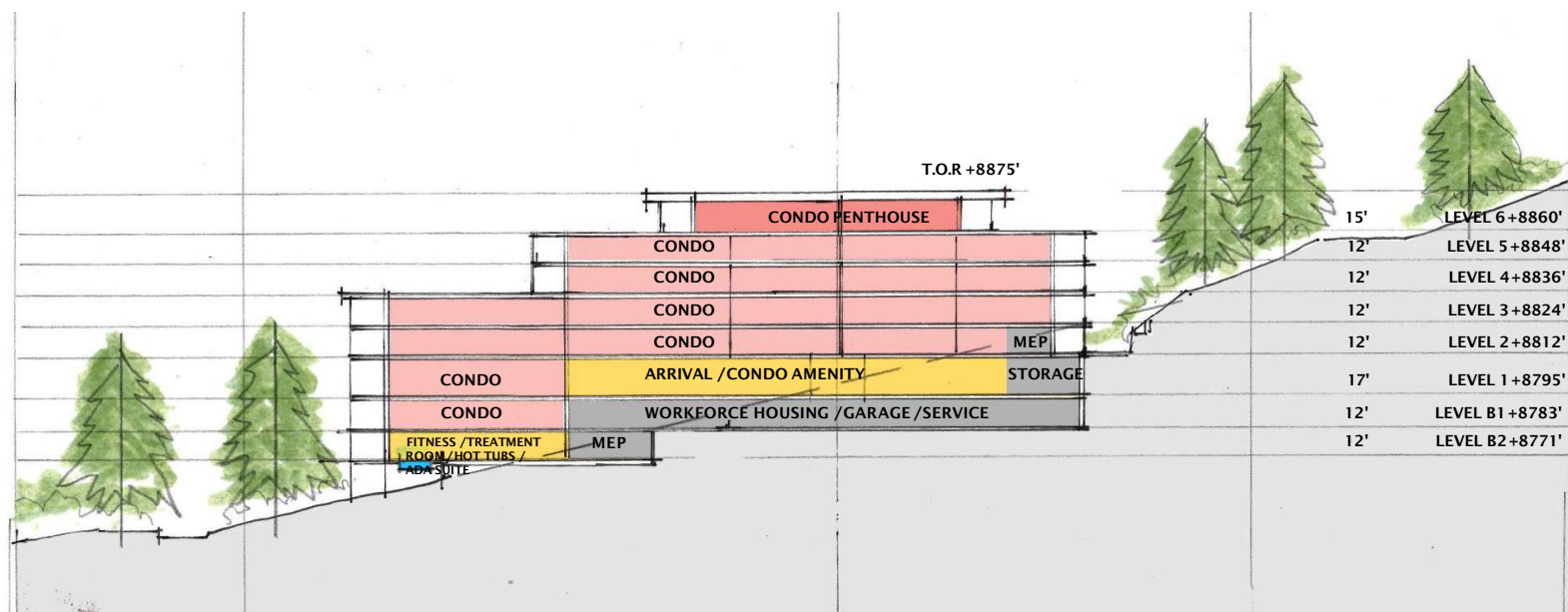






Floor Plan | Level 1 +8795 (Arrival)
Alta Patsey Marley, Alta UT December 06, 2024

Alta Patsey Marley, Alta UT July 15, 2025



0 50 100'

1" = 50' at 11" x 17"

Diagrammatic Section

Alta Patsey Marley, Alta UT December 06, 2024

Alta Patsey Marley, Alta UT July 15, 2025

HART HOWERTON

Patsey Marley Development Alternative

1. Preservation of Patsey Marley Hill

- 18.6 acre parcel above Summer Road protected with Conservation Easement.
- 6.5 acre parcel rezoned for condo development, with 1.5 acres of parcel above Summer Road protected with Conservation Easement.

2. Building height consistent with Snowpine lodge (25' above Summer Road)

- FM-20 Zone permits height as approved by Planning Commission.
- Proposed project consolidates density in small corner of 25 acre property, pushing up height in that corner and leaving 20 acres above Summer Road untouched.

3. Proposed Density

- Project limited to maximum 29 condos with maximum 85,000 sf salable area.
- Project limited to maximum 132 bedrooms/guest rooms.

4. Workforce Housing

- Project proposing minimum 3 workforce housing units with minimum 8 bedrooms in addition to the salable condo units.

5. Access

- Widen shared section of Summer Road for OSV on NE (high) side with pavement for cars on SW (low) side.
- Widen Summer Road on Patsey Marley property for OSV parking just past start of project driveway.
- Alternative separate driveway is possible, but subject to cooperation from USFS and Ski Corp.

6. Water

- Based on water meter data from similar properties in Deer Valley, proposed condo project should use less water than is currently allocated to the 10 approved single family lots.
- Project team pulling water consumption data from properties within Town of Alta for comparison.
- Salt Lake Public Utilities has provided letter confirming support for project.
- DDW has granted exception based on consultant's analysis.
- SLCPU has reviewed consultant report and DDW exception and is supportive of proposed condo alternative.

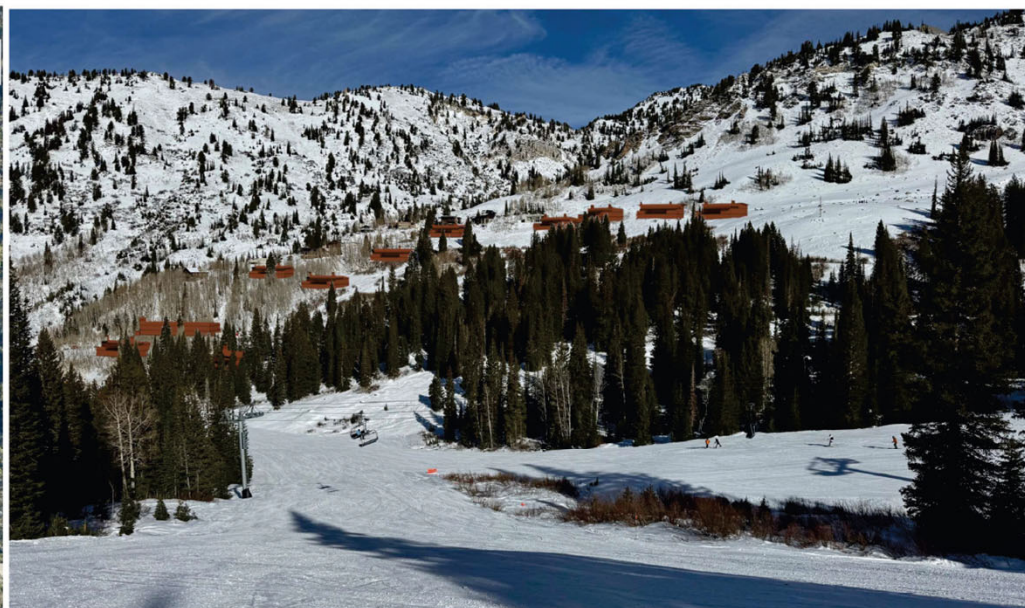
7. Summary

- Proposed rezoning facilitates preservation of 20 acres of Patsey Marley Hill.
- Development Agreement would clarify entitlements and obligations for property.
- Final building design subject to Conditional Use Permit.

Patsey Marley Development Alternative

Item	10 SFH as approved Condition	Condominium Condition	Preferred Condominium Condition
Access	Winter maintained driveway to parking area (20 spaces or parking structure).	Similar drive approach as 10 SFH option, except that driveway drops off summer road 400 feet from the gate.	New access, connected to ASL maintenance drive, paralleling and below the summer road.

10 Lot Subdivision per 2014 Development Agreement



Alta Patsey Marley, Alta UT July 15, 2025

Condo Alternative with 20 Acre Conservation Easement



Alta Patsey Marley, Alta UT July 15, 2025

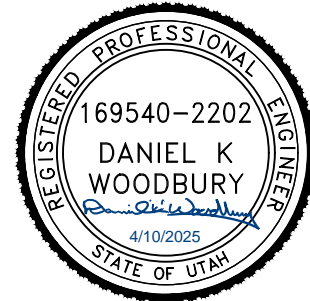
Community Benefits:

1. Over 80% of property left in natural state.
2. Conservation easement on 20 acres above Summer Road.
3. Interlodge agreement for additional refuge during storms.
4. Workforce housing - 3 units with minimum 8 bedrooms
5. Significant tax revenues.

Alta Patsey Marley, Alta UT July 15, 2025

TECHNICAL MEMORANDUM

TO: Nathan Lundstad, PhD, P.E.
 Director, Utah Division of Drinking Water
 Utah Department of Environmental Quality
FROM: Daniel Woodbury, P.E.
REVIEWED BY: Darin Hawkes, P.E, Principal
DATE: April 10, 2025
SUBJECT: Patsey Marley Project
PROJECT NO.: 001628.C



BACKGROUND

The historical background concerning the application for approval of development of the Patsey Marley property (owned by the Shrontz Estate) is a matter of record, including the settlement agreement between the Town of Alta (Town), Salt Lake City Corporation (SLC) and the Estate. This settlement agreement includes a water allocation of 800 gallons of potable water per day for each of the 10 single-family homes allowed per the Town's FR-1 Zone. This equates to an allotment of 8,000 gallons per day for the entire development.

The purpose of this Technical Memorandum is to present the anticipated water usage requirements for an alternative development other than the 10-lot single family development. The proposed, or alternative, development includes construction of a condominium style structure to include up to 33 residential units. These units will be similar in size and scope to those constructed and occupied in various other mountainous resort communities throughout the state. Specifically, this development will be similar in size and scope to several at Deer Valley and one in Alta, Utah.

The proposed Patsey Marley Condominium Development will consist of:

	Units*	Bedrooms	Square Footage
Residential Condos	29	123	84,000
Workforce Housing	3	8	4,200
ADA Housing	1	1	1,100
Total:	33		
Available water:			
8000 GPD	242 GPD/ERC		

*1 Unit = 1 ERC

The State of Utah Division of Drinking Water code (R309-510-5) allows for a request for "Reduction of Sizing Requirements" which necessitates an analysis to establish the level of service, scope of the development, and the proposed water usage of any such development so as not to exceed the 8,000 gallons per day usage. Therefore, following the criteria outlined in R309-510-5 we respectfully request a review of the following data provided in this Technical Memorandum and a reduction in source sizing requirements based on the steps outlined in R309-510-5.

In addition to the requirements of R309-510-5, we are including a copy of the *“Information Needed for Reduction in Source Sizing”* checklist document with appropriate responses to each item. This document was provided by the State Division of Drinking Water (February 2025) in response to a request for guidance regarding the potential for obtaining an exception to the minimum sizing requirements for the design of a new system. A copy of the email thread is included in the Appendix.

Responses to the requirements of R309-510-5 and the checklist document are provided below in red text.

State Code:

R309. Environmental Quality, Drinking Water.

[...]

R309-510-5. Reduction of Sizing Requirements.

- (1) Water systems that want to use system-specific design criteria that are below the state's minimum sizing requirements may submit a request for a reduction to the Director. Each request shall include supporting information justifying the reduction in source, storage, or pipeline sizing.
 - The owners, or its representatives, of the PM Development request a reduction in sizing requirements using system-specific design criteria that are below the state's minimum sizing requirements. The supporting information required by this item (R309-510-5.(1) justifying the reduction is submitted below under the heading “Supporting Information.”
- (2) Depending on the reduction being sought, the supporting information may include actual water use data representing peak day demand, average day demand for indoor and irrigation uses, fire flow requirements established by the local fire code official, etc. Each reduction request and supporting information will be reviewed on a case-by-case basis because of the wide variety of factors to be considered, such as water system configuration and size, built-in redundancy, water user type, safety factors, method and quality of data collected, water losses, reliability of the source, etc.
 - The proposed development is solely an indoor usage demand, with no outside landscaping or irrigation. It will be located on the Patsey Marley property adjacent to, and part of the Town of Alta. Three similar developments currently existing and occupied at the Deer Valley Ski Resort in Park City, Utah have provided water usage data for the year 2023. The data set actually contains 18 months of information, which helps identify trends leading up to and extending past the full year's data set used for the analysis. Additional data submitted includes an existing condominium complex in the Town of Alta proper and also a single-family full-time residential home in Park City to get a feel for typical usage at a single-family mountain setting – comparable to one Equivalent Residential Connection (ERC).
- (3) Prior to collecting or compiling water use data for a reduction request, a public water system shall consult with the Division of Drinking Water to identify the information needed for a reduction request and to establish a data collection protocol.
 - Prior to collecting and compiling the water use data presented herein, contact was made with staff at the Division of Drinking Water to identify information needed for a reduction request and to establish a data collection protocol. One of the items received in February 2025 was the *“Information Needed for Reduction in Source Sizing”* checklist document discussed in the Background section above. The responses to the items outlined in that document are presented herein.



- (4) The data submitted for a source reduction request shall be sufficient to account for daily, seasonal, and yearly variations in source and demand.
 - As identified, the data collected covers an 18-month period for the existing developments that are used as “similar” examples for recreational use located in ski-resort community condominium complexes.
- (5) If data justifying a reduction are accepted by the Director, the sizing requirements may be reduced. The requirements shall not be less than the 90th percentile of acceptable readings.
 - Current water usage at each of the similar developments used for comparison is significantly lower than the allowable usage set forth in the settlement agreement. The requested reduction of use is lower than the State-wide guidance for recreational use but is significantly higher than the site-specific metered usage of the similar developments.
- (6) If a reduction is granted on the basis of limited water use, enforceable water use restrictions must be in place, shall be consistently enforced by the water system or local authority, and shall be accepted by the Director.
 - A de facto water use restriction is already in place, as a result of the development agreement. Our request is that the Director acknowledge and accept this agreement as being adequate to move forward with the plans for the development as proposed.
- (7) The Director may re-evaluate any reduction if the nature or use of the water system changes.
 - We concur that any changes to the nature and use of the water system, beyond that which is proposed herein, should prompt a re-evaluation of the water system plan and usage.

Supporting Information:

Similar condominium complexes include three separate developments at Deer Valley, Utah and one in the Town of Alta. They are Argent, One Empire, Flagstaff, and Sugarplum Townhomes, respectively. The following table summarizes the existing water consumptive use at each of these four developments. Also included is a brief description of the type of water uses, the number of units in each development, and the total square footage of each development so as to gain a clearer understanding of the comparison being made. A summarized breakdown of each development by unit and total number of bedrooms with a copy of the raw data is included in the appendix. Also included is an aerial photograph of the Flagstaff Condominium to show the area of landscaping/lawn that is maintained with that particular development.

	Argent Condos	One Empire Condos	Flagstaff Condos	Sugarplum Townhomes
Total Square Footage	68,500	67,000	75,500	54,600
Total Number of Units	31	29	40	26
Average Unit Square Footage	2,210	2,310	1,888	2,100
Additional Amenities	Swimming Pool	Swimming Pool	Swimming Pool & Landscaping (sod)	None
Total Annual Water Used (gallons)	988,732	1,423,277	2,550,000	502,970
Average Daily Demand (GPD)	2,709	3,899	6,986	1,378
Water per Unit (GPD per ERC)	87.4	134.5	174	53



Adjusting the Flagstaff Condos by estimating the usage for outdoor irrigation of the grass and swimming pool usage reduces the average demand per ERC to under 160 GPD.

	Single Family Home	Proposed Patsey Marley Development
Total Square Footage	4,500	89,000
Total Number of Units	1	33
Average Unit Square Footage	4,500	2,697
Additional Amenities	none	none
Allowable Annual Water Use (gallons)	Winter only	2,929,000
Average Daily Available (GPD)	168	8,000
Available Water per Unit (GPD per ERC)	168	242



INFORMATION NEEDED FOR REDUCTION IN SOURCE SIZING

Public Drinking Water Systems (PWSs) are required to have sufficient source capacity to meet both (1) the anticipated water demand on the day of highest water consumption ("Peak Day Demand") and (2) the quantity needed for the entire year ("Average Yearly Demand"). Both demand types apply to indoor water use and irrigation water use if a drinking water system also supplies irrigation water. The Director may allow a reduced source sizing requirement per Utah Administrative Code R309-510-5 if the water system presents sufficient and acceptable water specific data justifying the reduced source requirement (instead of the default source requirements in R309-510-7). The reduction request and the data supporting the request are reviewed on a case-by-case basis due to a wide variety of factors to consider and differences in water systems.

Prior to collecting or compiling the data supporting a reduction request, the PWS representative should **consult with the Division of Drinking Water engineering staff to identify the information needed for a reduction request and to establish a data collection protocol.**

The list below outlines typical issues to address when requesting a reduction in the **source** sizing. The review will include, but is not limited to, the issues identified below.

Intent of the Reduction Request

- Specifics of sizing reduction being sought (e.g., reduction in source sizing; reduction in peak day or yearly average demand, indoor water use, etc.)
 - Reduction in Average yearly demand for recreational use (condominiums at or near a ski resort). Hot tubs are available in some units. No outside uses. No landscaping or irrigation uses.
- Proposed reduced amount versus the default requirement.
 - Default requirement is: 400 gpd/ERC. Proposed is up to 242 gpd/ERC. See attached calculations and existing "similar" uses. Sources of similar existing uses are from similar condominiums, town homes, and housing at Deer Valley, UT, Park City, UT, and Alta, UT resorts.

Water System Type, Size, Complexity, and Water Use Demand

- Type of water system (e.g., community, non-community, etc.).
 - Community water system: Town of Alta (PWS #18049) will be the source supply of water to the development that consists of no more than 29 condominium units, 3 employee or "workforce" units, and 1 ADA unit, for a total of 33 units.
- Size and complexity of water system (e.g. number of sources, number of connections, area served, facilities, ability to move water from multiple locations)
 - Condo complex with 33 units to be served by Town of Alta water system, at a rate of not more than 8,000 gallons per day.
- Types and purposes of water use (e.g., industrial, residential, restaurant, camp ground, mixed use, etc.).
 - Residential use (33 condo units and one club house reception area)
- Water system configuration and operation strategy in providing redundancies (e.g., backup power, spare parts, number of sources, service area served by multiple tanks or sources, etc.).
 - Connection to Town of Alta water system which provides water from the Bay City mine, including the community's redundancies. The development becomes another connection to this system with O&M being provided by the Town of Alta.
- Redundancy of water sources (e.g., emergency source, wholesale connection, etc.).
 - Town of Alta water system.
- Reliability and consistency of water sources (e.g., range of seasonal fluctuation of spring flows, reliability and availability of additional water sources, period of record, etc.).
 - Town of Alta water system.



Equivalent Residential Connections

- Rationale and methodology in determining number of Equivalent Residential Connections (ERCs) for present connections and estimated future connections (if ERCs are used in the calculations).
 - The average unit size is 2,697 square feet and is assumed to be roughly equivalent to the average single family home size in Utah, so 1 Unit = 1 ERC (assumed). No potential for future connections.
- Accounting of commercial, industrial, and other significant water uses if applicable.
 - Not applicable. (there are no additional water uses beyond the 33 condo units. No irrigation, no commercial uses, no industrial uses.)

Future Growth and Usage Projections

- Extent of the service area or the water system that is built out.
 - The extent of the service area will be limited to the single building, 33-unit condominium development. The property is subject to restrictions and concepts protecting designated lands and permissions controlled by the United States Forest Service (ie: wetlands, roadway access, etc.)
- History relevant to growth and water system capacity.
 - Water use and sizing was established by the 2014 Settlement Agreement between Town of Alta and the Shrontz Estate, with approval from Salt Lake City Corporation at the rate of 8,000 gallons per day.
- Future development and annexation potential within the service area of the water system.
 - Not applicable. (One-time development – no future annexations.)
- How future growth is determined and managed (e.g., zoning ordinances, established process in reviewing and approving new developments, master plans, etc.).
 - Future growth, beyond that presented with this development, is not applicable at this location. It is bounded by the Forest Service and/or the ski resort. Additionally, the Town of Alta zoning ordinances will not allow further growth to this area.
- Current demand versus capacity needed to meet obligated and future demands.
 - Not applicable. This is a proposed development and as such has no current water demand.

Indoor versus Irrigation Water Use

- Extent of service connections that are served by a secondary irrigation system versus the ones that do not have irrigation water use demand (i.e., the information needed to estimate the irrigation water use demand imposed on the drinking water system).
 - Not Applicable. (There is no irrigation water use.)
- How the indoor and irrigation water use data is separated and measured.
 - Not Applicable.
- Future plan for conversion from an irrigation system to drinking water or vice versa (if applicable).
 - Not Applicable.
- Urban versus rural (more irrigation use) land use.
 - Not Applicable.

Water Use Data

- Actual water use data indicative of **peak day** demand. (e.g., daily data from residential meters, daily metered/measured data from sources and storage sources, etc.)
 - Existing water use data from “similar” developments was obtained from several condominium developments in the Deer Valley, Park City, and Alta areas. See attached analysis.



- Actual data indicative of **indoor water** use during peak day demand (if use data includes indoor and irrigation use); how is it separated and accounted for.
 - See attached analysis.
- Types of water use data (i.e., metered at the service connections, metered at the sources or pump stations, etc.).
 - Water use data for the comparison project is metered at the service connection.
- Tank levels and associated water outflows during the study period if using water use data metered at the sources and pump stations.
 - Not available.
- Sufficient data to establish a statistically significant demand value (e.g., sufficient data points to represent or account for all or the majority of water uses; sufficient data points indicative of historical trend such as a minimum of 3 years; removing the outliers of non-usage service connections from the number of ERCs used for calculation when the water use data were metered at the service connections; etc.).
 - See the attached analysis.

Water Loss

- Assessment of water loss through the distribution system (if the water use data is metered at the service connections).
 - Not available
- Accounting of water loss in peak day estimates.
 - Not Available

Safety Factor

- Safety factors applied in the analysis and rationale.
 - The requested reduction is source sizing of 242 gpd/ERC is roughly 1.5x greater than the highest recorded average water demand of any of the comparable developments, and nearly 2.2x greater than the average of all four of the comparable developments.
- Examples
 - Redundant or excessive available storage capacity. N/A
 - Emergency connection to another water system. N/A
 - Reduced source sizing amount being 12% above the actual peak day indoor water use data. Not yet built so actual peak day indoor water use is not available.

APPENDICES

Appendix A	Argent Water Usage Summary
Appendix B	One Empire Water Consumption Summary
Appendix C	Flagstaff Water Consumption Summary
Appendix D	Flagstaff Condominium Photograph
Appendix E	Sugarplum Water Consumption Summary
Appendix F	Email thread



Appendix A Argent Water Usage Summary

Argent Water Usage

	Water Read	Gallons			
12/15/2022	549,359				
1/15/2023	646,428	97,069			
2/15/2023	713,081	66,653			
3/15/2023	794,211	81,130			
4/15/2023	873,903	79,692			
5/15/2023	924,352	50,449			
6/15/2023	980,899	56,547			
7/15/2023	1,067,644	86,745			
8/15/2023	1,250,355	182,711	Pool/Irrigation		
9/15/2023	1,406,465	156,110	Pool/Irrigation		
10/15/2023	1,463,120	56,655			
11/15/2023	1,504,605	41,485			
12/15/2023	1,538,091	33,486		988,732	2023 Total
1/15/2024	1,640,559	102,468		2,709	GPD (365)
2/15/2024	1,714,276	73,717		87.38241273	GPD/Unit (31)
3/15/2024	1,720,601	6,325			
4/15/2024	1,804,482	83,881			
28 Condos					
2 Workforce/1 ADA					

Appendix B One Empire Water Consumption

One Empire Water Consumption

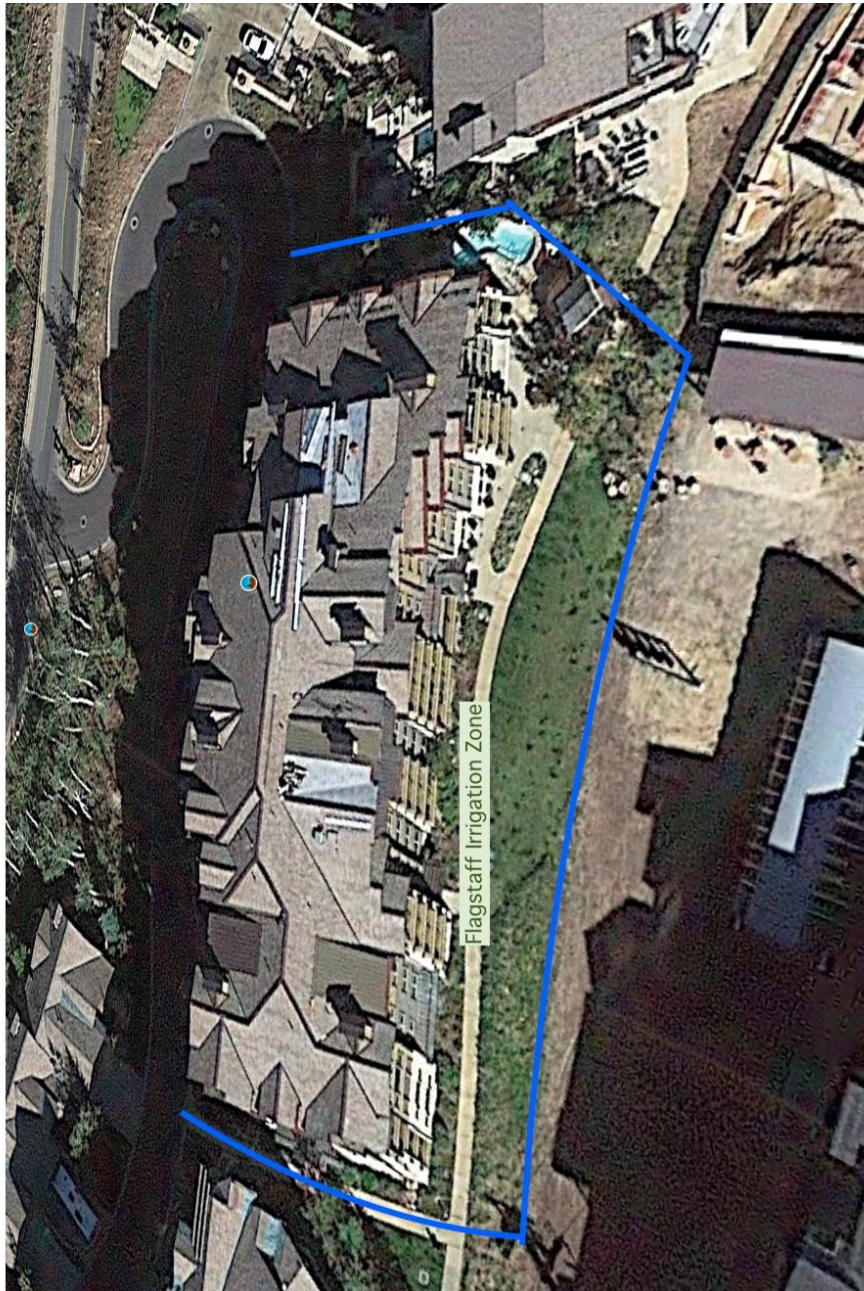
	Water Read	Gallons			
11/15/2022	5,677,970				
12/15/2022	5,732,540	54,570			
1/15/2023	5,885,672	153,132			
2/15/2023	6,004,433	118,761			
3/15/2023	6,154,086	149,653			
4/15/2023	6,366,067	211,981	Drain pool?		
5/15/2023	6,541,740	175,673			
6/15/2023	6,610,601	68,861			
7/15/2023	6,730,653	120,052			
8/15/2023	6,850,033	119,380			
9/15/2023	6,956,286	106,253			
10/15/2023	7,077,333	121,047			
11/15/2023	7,114,300	36,967			
12/15/2023	7,155,817	41,517		1,423,277	2023 Total Gallons
1/15/2024	7,272,262	116,445		3,899	GPD (365)
2/15/2024	7,354,276	82,014		134.4616911	GPD/Unit (29)
3/15/2024	7,462,003	107,727			
4/15/2024	7,556,375	94,372			
27 Condos					
1 Workforce/1 ADA					

Appendix C Flagstaff Water Consumption

Flagstaff Water Consumption

	Water Read	Gallons			
11/15/2022	7,341,005				
12/15/2022	7,438,325	97,320			
1/15/2023	7,677,364	239,039			
2/15/2023	7,863,270	185,906			
3/15/2023	8,096,231	232,961			
4/15/2023	8,344,973	248,742			
5/15/2023	8,617,367	272,394			
6/15/2023	8,833,013	215,646			
7/15/2023	9,098,413	265,400			
8/15/2023	9,339,762	241,349			
9/15/2023	9,497,056	157,294			
10/15/2023	9,719,821	222,765			
11/15/2023	9,891,723	171,902			
12/15/2023	10,027,372	135,649		2,589,047	2023 Total Gallon
1/15/2024	10,305,652	278,280		7,093	GPD (365)
2/15/2024	10,501,706	196,054		177.3319863	GPD/unit (40)
3/15/2024	10,742,611	240,905			
4/15/2024	10,998,148	255,537			

Appendix D Flagstaff Condominium Photograph



Appendix E Sugarplum 2024 Water Consumption

Sugarplum 2024 Water Consumption

Unit	2024 Avg. Day	2023 Avg. Day	Unit Type		Size
1 45		12			
2 69		41	3 BD		1770
3 70		79	3 BD	Nightly Rental	2323
4 66		69	3 BD	Nightly Rental	1926
5 12		12			
6 67		127	4 BD	Nightly Rental	
7 7		73	4 BD	Nightly Rental	1938
8 22		15			
9 144		129			
10 8		19			
11 64		45			
12 27		18			
13 40		53			
14 50		38			
15 62		39	3 BD	Nightly Rental	2250
16 105		69			
17 11		7			
18 57		58	3 BD	Nightly Rental	1900
19 33		30			
20 61		71			

	21	89	85			
	22	9	15			
	23	67	34	3 BD	Nightly Rental	2450
	24	77	86			
	25	24	16			
	26	96	123			
AVERAGE	53	52	GPD	Average Size	2,080	
TOTAL	1,381	1,364				

Appendix F Email Thread Concerning Project

To: Douglas Ogilvy <douglas.ogilvy@gmail.com>; Jason Boal <jboal@swlaw.com>
Cc: Dan Woodbury
Fri 2/21/2025 12:13 PM
Doug and/or Jason,

Please clarify the location of the PC meeting on 2/26. Dan is planning to be in attendance as I will be at a conference in St. George.

Darin Hawkes, P.E.
Principal

AQUA Engineering
533 W 2600 S Suite 275, Bountiful, UT 84010
M: 801.450.7592 | D: 801.683.3727

aquaeng.com

From: Douglas Ogilvy <douglas.ogilvy@gmail.com>
Sent: Wednesday, February 19, 2025 11:58 AM
To: Jason Boal <jboal@swlaw.com>
Cc: Darin Hawkes <darin.hawkes@aquaeng.com>; Dan Woodbury <Dan.Woodbury@aquaeng.com>
Subject: Re: Reduction in Sizing Requirements - Patsey Marley Project

Thanks Jason!!!

D

Sent from my iPhone

On Feb 19, 2025, at 12:55 PM, Boal, Jason <jboal@swlaw.com> wrote:

Just to clarify, the meeting is on February 26th, 2025.

Jason Boal, AICP
Urban Planner

O: [801.257.1917](tel:801.257.1917) | M: [208.313.9493](tel:208.313.9493)
jboal@swlaw.com

**SNELL
& WILMER**
swlaw.com | [LinkedIn](#)

From: Douglas Ogilvy <douglas.ogilvy@gmail.com>
Sent: Wednesday, February 19, 2025 11:46 AM
To: Darin Hawkes <darin.hawkes@aquaeng.com>
Cc: Boal, Jason <jboal@swlaw.com>; Dan Woodbury <Dan.Woodbury@aquaeng.com>
Subject: Re: Reduction in Sizing Requirements - Patsey Marley Project

[EXTERNAL] douglas.ogilvy@gmail.com

Hi Darin,

Would you or Dan be available for Planning Commission 2/27 to answer questions related to this proposed approach? Meeting is at 3:00 MT. If you can't make it in person which would be preferable, you could join by Zoom.

We are seeking a project approval with a condition of approval that DDW confirm we have enough water for our private water system. We obviously won't have DDW approval that quickly but Aqua could speak to the process we will follow with DDW.

Please let me know on Planning Commission attendance so we can plan accordingly.

Thanks,

Doug.

Sent from my iPhone

On Feb 18, 2025, at 1:30 PM, Douglas Ogilvy <douglas.ogilvy@gmail.com> wrote:
Thanks Dustin

Jason and I will study what other data we can get from Alta. We will also gather additional Deer Valley unit (2 full years for for each complex).

D.

Sent from my iPhone

On Feb 18, 2025, at 1:09 PM, Darin Hawkes <darin.hawkes@aquaeng.com> wrote:

Doug,

See below for the response from UDDW on a specific request for reduction of water demand requirements. It appears this approach of using comparable data may be acceptable to the division. I have attached the form Michael included which is essentially a checklist for items, or information, they will require to consider the reduction exception. You mentioned you may be able to acquire additional water use data for a location at Alta. If so, this would be helpful to our cause. If not, we will plan to use the data from Deer Valley and will reach out if additional information is required.

As per our last phone conversation, we will proceed with this formal request to the division unless you tell us otherwise. We will plan to bill these efforts on a T&M basis to the existing project we have established for Patsey Marley which is currently billed to RQN attention Charles Livsey. If this is not the appropriate billing contact, please let me know.

I am out of the office all next week for a conference but Dan plans to dive into this shortly.

Darin Hawkes, P.E.
Principal

AQUA Engineering
533 W 2600 S Suite 275, Bountiful, UT 84010
M: 801.450.7592 | D: 801.683.3727

aquaeng.com

From: Michael Newberry <mnewberry@utah.gov>
Sent: Tuesday, February 18, 2025 10:20 AM
To: Darin Hawkes <darin.hawkes@aquaeeng.com>
Cc: Dan Woodbury <Dan.Woodbury@aquaeeng.com>
Subject: Re: Reduction in Sizing Requirements - Patsey Marley Project

Darin, thanks for the information. We've had an occasion or two with this request and as you've pointed out, we would need an engineering report to back up the request. I think applying similar water use to this scenario would be acceptable.

I've attached some information that might be helpful. Please let me know if this is helpful and if you have any further questions.

Regards,

[<image001.png>](#)

Michael Newberry, P.E.

Permitting Section Manager | Division of Drinking Water

P: (385) 515-1464

drinkingwater.utah.gov

Emails to and from this email address may be considered public records and thus subject to Utah GRAMA requirements.

On Tue, Feb 18, 2025 at 10:09 AM Darin Hawkes <darin.hawkes@aquaeeng.com> wrote:
Mike,

I have a client located at the top of Little Cottonwood canyon, Patsey Marley Subdivision. In the past, they have created a water system and submitted at least one project to the division for plan approval. This project is a storage tank and pump station to service the proposed building lots with indoor demand and fire flow. This development has a very long history, including litigation by the landowner/developer and the Town of Alta. This litigation was settled years ago and resulted in a development agreement which stipulates, among other items, the allowable allotment of water the Town of Alta will supply via their sources (Bay City Mine) and storage facilities. This allotment is capped at 8,000 gpd currently.

The owners have been working with the town and other stakeholders for the last several years to come up with a plan that makes financial sense to the owners while maintaining as much open

space as possible as this is the town's desire. The current idea is to construct a condominium complex similar to those at Deer Valley (i.e. Empire One, Ardent, etc.). This complex would contain 33 units. From a water demand standpoint, this works out to be approximately 242 gpd/unit. There have been several meetings between the Town, Owner and SLCDPU to work out the details, including water demands which is where AQUA comes into play. Since there is no current development at the site, there is not site-specific water demand or use data. However, with the similarities of this project to those currently operating at Deer Valley and Park City (Empire One, Ardent, etc.), the owner has suggested they be allowed to use this data to justify their proposed water use. The town is amenable to this approach but asked that a third-party (AQUA) review the data and provide an opinion.

I have told the owner that a reduction in demand would require an exception be granted by the Division which brings us to this email. The data we were provided seems to justify a peak demand significantly lower than 250 gpd/unit during peak months with an average demand in the range of 80-120 gpd depending on the specific complex. Most of those provided also include some outdoor irrigation which will not be part of the Patsey Marley project.

What is the Division's appetite for granting reductions in demand exceptions (R309-510-5)? We can supply the request for reduction along with supporting data from similar projects located in mountain resort areas.

Thanks,

Darin Hawkes, P.E.
Principal

AQUA Engineering
533 W 2600 S Suite 275, Bountiful, UT 84010
M: 801.450.7592 | D: 801.683.3727

aquaeng.com

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<Reduction in Source Sizing.docx>



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of Environmental Quality

Tim Davis
Executive Director

DIVISION OF DRINKING WATER
Nathan Lunstad, Ph.D., P.E.
Director

June 5, 2025

Sent via Email Only

Charles Livsey
Patsey Marley Water Company
Salt Lake City, Utah 84414
clivsey@rqu.com

Subject: **Temporary Exception to R309-510-7, Source Sizing.**
Patsey Marley Water System, System #18163, File #20897

This Temporary Exception Expires on June 1, 2029.

Dear Charles Livsey:

On April 11, 2025, the Division of Drinking Water (the Division) received your request for an exception to Rule *R309-510-7* regarding source sizing through your consultant Daniel Woodbury of Aqua Engineering. According to this rule, your water system is required to supply a source capacity of 800 gallons per day (gpd) per equivalent residential connection (ERC).

The Division received the Technical Memorandum Report from your consultant, Aqua Engineering. The report was stamped, and signed by Daniel Woodbury, P.E. and dated April 10, 2025. The updates on the project were received by Division staff on May 12, 2025.

Exception Request

According to Source Sizing Rule *R309-510-7*, system sources must be able to legally and physically supply minimum flows during Peak Day and Average Yearly demand scenarios.

Patsey Marley is planning to have their own water system and is in the process for this designation. They are moving forward with their development plans and continue applying to the Town of Alta by addressing the Town's questions and conforming to the Town's requirements of development.

Charles Livsey
Patsey Marley Water Company
Page 2 of 3
June 5, 2025

Per a technical memo provided by Aqua Engineering, the Settlement Agreement stipulates that Salt Lake City (through the Salt Lake City Department of Public Utilities --SLCDPU) will be the provider of the source water supply to Patsey Marley, and that this water will be conveyed through the pipeline infrastructure of the Town of Alta up to the point of demarcation. At that point, Patsey Marley will be responsible for the operation and maintenance of the infrastructure. The Settlement Agreement limits the water consumption to an average of 8,000 gpd on a 30-day billing period, or 240,000 gallons/month. For the 33-unit development, this equates to 242 gpd/unit.

Water use data for four comparable developments was submitted to support the reduced source sizing standard. Over a 24-month period for all four developments, there is only one winter month where the flow exceeded 242 gpd/unit. This was at the Silver Strike condo (an older building with possibly higher consumption uses) that reported consumption of 281,000 gallons from mid-December of 2023 through mid-January of 2024. This translates to 272 gpd/unit over a 31-day billing period. The prior year had a consumption of 219,000 gallons over Christmas 2022 at approximately 235,000 gallons. None of the other three properties exceeded 200 gpd/unit in the winter billing period. During the peak winter month, the other three adjacent properties had a consumption of 38, 50, and 127 gpd/unit. The month prior to the peak month at Silver Strike had a consumption of just 94 gpd/unit, and the month after the peak month had a flow of 131 gpd/unit. This would suggest that a water storage tank designed for the Patsey Marley project should be able to accommodate any possible fluctuation in demand if it were to ever exceed the 242 gpd/unit, by ensuring the tank is filled prior to the holiday period.

In analyzing the summer months usage, with no irrigation or outdoor usage allowed at the Patsey Marley development, it is anticipated that the summer month consumptive use will be much lower than the peak winter months use, which is targeted to be less than 242 gpd/unit.

On this basis, **an exception (or exceptions) to R309-510-7, Source Sizing is hereby granted for Patsey Marley Water System.**

- 1. This Temporary Exception expires on June 1, 2029.**
- 2. You must measure and record the peak day demand, starting in 2025 as soon as possible, and submit the data to the Division of Water Rights each following year. Three total years of data are required.**
- 3. This Temporary Exception may be rescinded at any time if new evidence indicates that the conditions of this exception are no longer being met or a public health risk exists due to this exception.**

Please maintain a copy of this letter with your permanent records for future reference.

Charles Livsey
Patsey Marley Water Company
Page 3 of 3
June 5, 2025

If you have any questions regarding this approval, please contact Nagendra Dev, P.E., of this office, at (801) 680-5296, or Michael Newberry, P.E., Engineering Manager, at (385) 515-1464.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Russell Seeley', is positioned above the printed name.

Russell Seeley, P.E.
Assistant Director

ND/mrn/mdb

cc: Jorge Mendez, Salt Lake County Health Department, jmendez@slco.org
Charles Livsey, Patsey Marley Water System, clivsey@RQU.com
Darin Hawkes, AQUA Engineering, darinh@aquaeng.com
Dan Woodbury, AQUA Engineering, dan.woodbury@aquaeng.com
Nagendra Dev, P.E., Division of Drinking Water, ndev@utah.gov
Brandon Mellor, Division of Water Rights, bmellor@utah.gov
Jen Yee, Division of Drinking Water, jyee@utah.gov

DDW-2025-005124

**SpencerFane®**

Snow Christensen & Martineau

Scott H. Martin
Direct Dial: 801-322-9161
smartin@spencerfane.com

July 3, 2025

Via e-mail only

Town of Alta
c/o Chris Cawley
ccawley@townofalta.utah.gov
Shawn Ferrin
SFerrin@parsonsbehle.com

Estate of JoAnne L. Shrontz
c/o Wade Budge
wbudge@swlaw.com

RE: Patsey Marley Hill Property – Estate’s Rezone Application
SLC Comments re: 4/10/2025 Aqua Engineering Technical Memorandum and
6/5/2025 DDW Temporary Exception to R309-510-7

Dear Town of Alta, Estate of JoAnne L. Shrontz and others it may concern:

As you are aware, this firm represents Salt Lake City Department of Public Utilities (SLC) in this matter. This letter follows my June 17, 2025 telephone conversation with Wade Budge regarding the above referenced documents in relation to the 8,000 gallons per day (gpd) requirement stated in the February 18, 2014 Stipulation and Motion, and Stipulated Order of the Third District Court concluding the Estate/TOA/SLC litigation. As I indicated to Wade, SLC appreciates the Estate’s prior indication that its’ condominium project underlying the rezone application meets the three conditions of paragraph 4.a. of the 2014 Stipulation and Order. I also indicated to Wade that SLC has a few concerns about the Aqua Engineering Technical Memorandum (Aqua Memo) and the DDW Temporary Exception that followed. These are:

- 1) the Aqua Memo does not include or reference any “back of the house” – style water uses depicted in the Estate’s January 22, 2025 project visuals, which include “skier lounge,” “apres bar/resi lounge/dining,” “kitchen,” “spa/treatment rooms,” “toilet/changing rooms,” “fitness,” public restrooms, and hot tubs. I also raised the prospect of on-property laundry and housekeeping;
- 2) the Aqua Memo does not build in a contingency or buffer in per unit water use to ensure the 8,000 gpd cap is not threatened;

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- 3) the Aqua Memo is inaccurate in that it states that TOA will be the provider from its water system when, in fact, the Estate is to employ its own “stand-alone” water system; and
- 4) the DDW Exception speaks in terms of water “consumption” when, in fact, the correct metric is water delivered for use in the project.

Based on our conversation, the Estate regards the Aqua Memo as an effort at “feasibility” for purposes of the rezone application. It is understood that later project stages, such as design and permitting, will include sufficient planning detail regarding all specific water uses throughout the project and the measures to be taken to ensure the 8,000 gpd cap is fully respected and adhered to year-round. With this understanding and without waiving any rights under the 2014 Stipulation and Motion, and Stipulated Order, SLC now regards the three paragraph 4.a. conditions currently satisfied, leaving its role in the Estate’s rezone application process as peripheral at this time.

SLC remains supportive of the conveyance of the 21+/- acres of the Patsey Marley Hill property for open space/conservation purposes. SLC commends the Estate for this approach and looks forward to its continued inclusion in the Estate’s planning.

Sincerely,

SPENCER FANE LLP



Scott H. Martin

SHM:mlr