

Interview Schedule
Mountain Regional Water Special Service District Administrative Control Board
Wednesday January 13, 2021

Via Zoom Meeting
(2 vacancies; 2 applicants)

1:55 PM Ian Schofield - Reapplying

2:10 PM Joel Fine

The two vacancies are a result of Ian Schofield and Bob Neumeister's terms expiring 12/31/20.

Interview Instructions (Zoom)

For your interview with Council, please use one of the two following options:

1. By phone only: Dial 1-301-715-8592, Meeting ID: 772 302 472
2. By video chat: Join Zoom meeting: <https://zoom.us/j/772302472> When you join the meeting, set up your audio preferences. You will be muted upon entering the meeting.

When Council finishes the interview prior to yours, the moderator will unmute your microphone so you can interview with Council.

If you have any questions or are not going to be able to participate in the interviews, please let me know. Thank you.

Nancy Hooton
435-336-3042



WEBER BASIN WATER CONSERVANCY DISTRICT



AGENDA

- Welcome – Introduction/Overview
- Why a Western Summit County Master Agreement?
- Current Operational Status
- Future Projects
- Purchase Agreement

WBWCD SERVICE AREA



WBWCD Service Area

- 5 types of Water
- 5 Counties
- 2,800 Square Miles
- 700,000 Residents
- 7 Dams
- 3 Power Plants
- 4 WTPs
- 500+ miles of Pipeline
- Largest contiguous secondary system in the nation



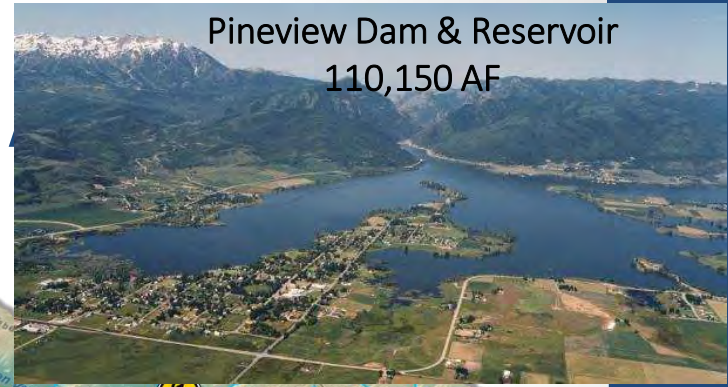
Willard Bay Reservoir/AV Watkins Dam
247,189 AF



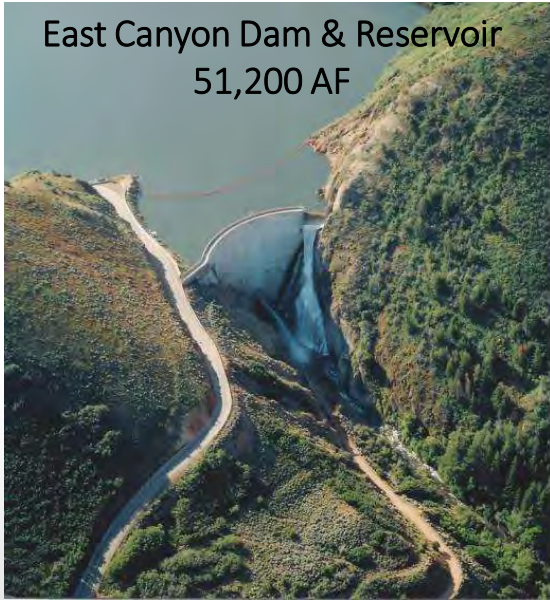
Lost Creek Dam & Reservoir
22,500 AF



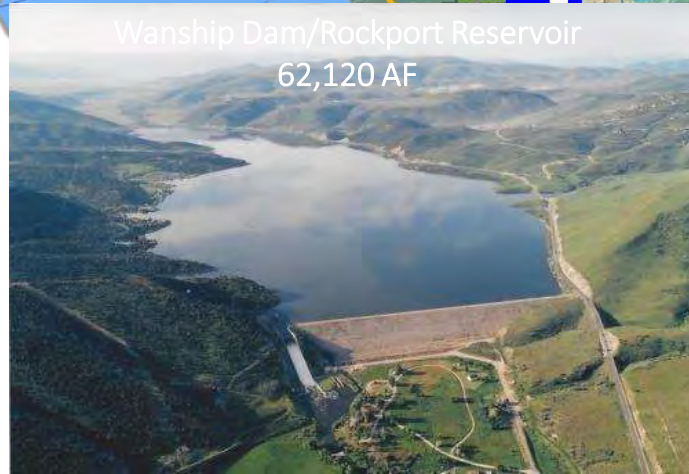
Pineview Dam & Reservoir
110,150 AF



East Canyon Dam & Reservoir
51,200 AF



Wanship Dam/Rockport Reservoir
62,120 AF



Causey Dam & Reservoir
7,870 AF



Smith & Morehouse Dam & Reservoir
8,350 AF



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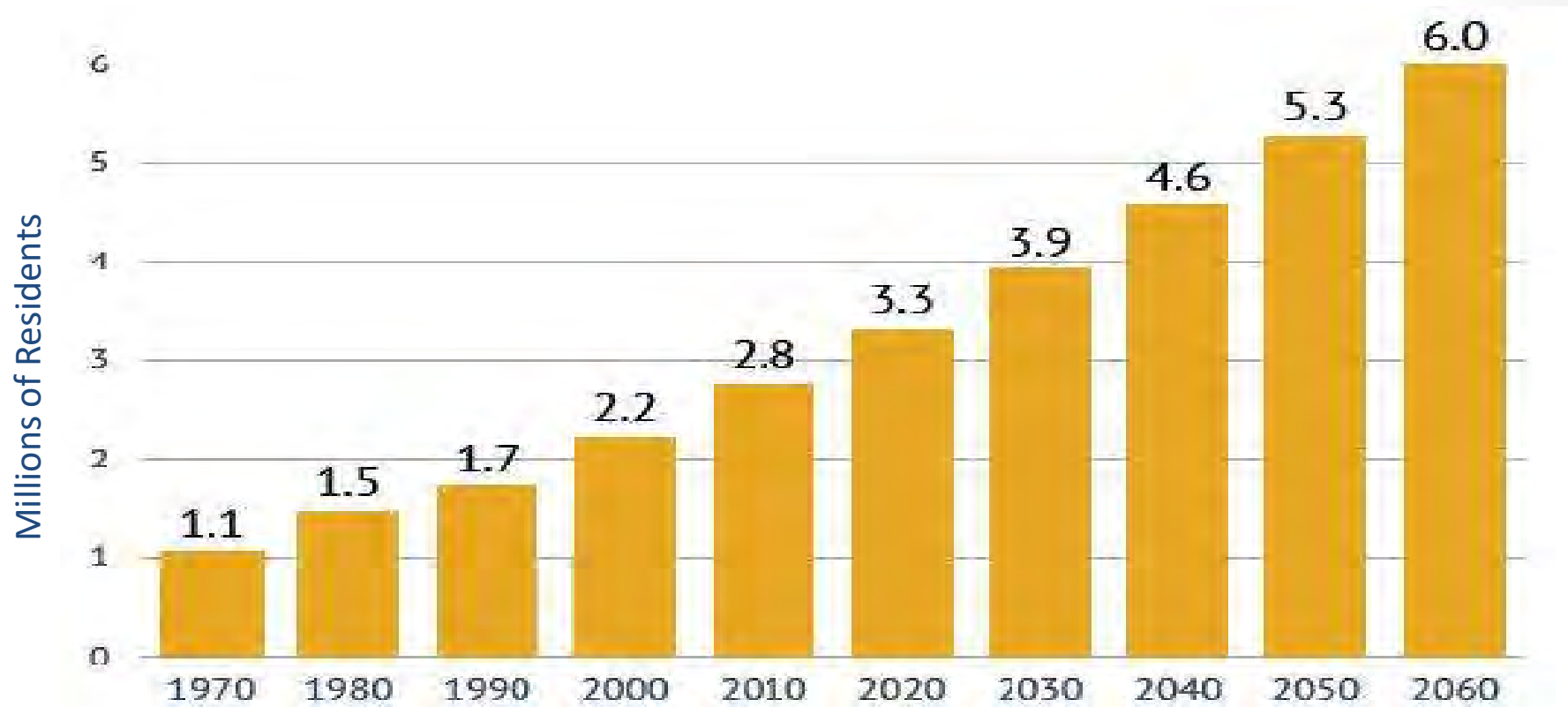


Water Supply from WBWCD

- Municipal – 60 Cities and Districts
- Industrial– Minerals, Refineries, Manufacturers
- Pressure Secondary– Wasatch Front Wholesale & Retail
- Agricultural–Five Counties
- Replacement Water – Wasatch Back, incl Snyderville



Utah Population Projected to Double by 2060



U.S. Census Bureau and GOMB 2012 Projections

DISTRICT POPULATION PROJECTIONS

	2010	2020	2030	2040	2050	2060
Davis County	307,600	364,800	406,000	451,900	493,300	527,500
Weber County (Wasatch Front)	224,000	257,600	291,700	320,500	344,000	367,600
Ogden Valley	7,200	9,500	12,500	16,400	21,700	28,800
Morgan County	9,500	13,400	17,600	20,600	22,000	23,600
Snyderville Basin	24,000	27,000	30,100	33,100	36,200	39,500
Eastern Summit	10,800	13,600	17,600	21,400	23,300	25,100
Total District Population	583,700	673,000	775,500	863,900	940,500	1,011,800



Reasons for the Master Agreement



- Parties to the Agreement: Weber Basin, Park City, Mountain Regional, Summit Water, Snyderville Basin, Trilogy, Saunders & Summit County
- 1. More than 20 pending lawsuits in 2010
- 2. Governor and Federal Delegation were involved, requested WBWCD to mediate
- 3. Create a unified approach to water supply for the basin. Providers were indistinguishable to the citizens.
- 4. Establish minimum flow goals for East Canyon Creek to maintain a fishery and to enhance wastewater compliance.
- 5. All water retailers in the basin were existing customers of WBWCD



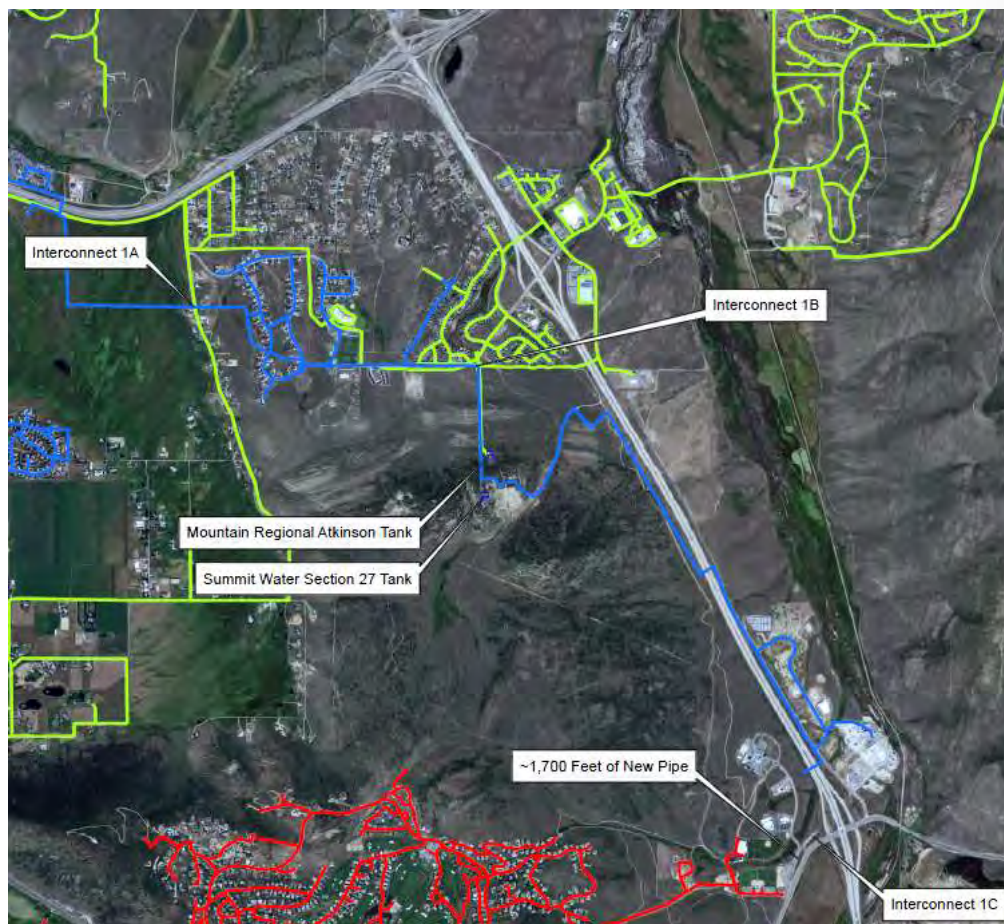
Optimization Mechanism

- Established within the master agreement to facilitate sharing of excess water supplies amongst the retailers
- Is delaying the need for a new expensive importation project
- WBWCD established as the sole importer of new water supplies
- Updated Annually with the 10 years of projections
- Most immediate next 5 years are committed for supply and use

Western Summit Interconnection Plan

- **1A - Located at approximately 5825 N Old Ranch Road in Park City, UT**
 - This interconnect will allow Mountain Regional to supply water to Summit Water.
- **1B - Located on Silver Summit Pkwy**
 - This interconnection will allow Summit Water to supply water to Mountain Regional
- **1C - Located on Hwy 248 near US-40 (Quinn's Junction)**
 - This interconnection allows Park City to supply water to Summit Water and Summit Water to supply water to Park City

Offering better Reliability, Redundancy, and Emergency supplies



What WBWCD provided the parties

- Bonded for all initial expenditures
- Covered debt service (principal and interest) for first 7 years
- Paid all D&W lease reservation fees for first 7 years
- Continues to pay all interest costs of initial expenditures
- Federal nexus for use of BOR water supplies

Current Payments by the Parties

WBWCD has paid \$1,397,500 to date for the D&W contract reservation fees

Regionalization Fees	
Starting January 2020	
Park City Water	\$200,000.00
Mountain Regional Water	\$200,000.00
Summit Water	\$500,000.00
Snyderville Basin District	\$50,000.00

Reservation Fees D&W Water Contract	
Paid by WBWCD, Reimbursed by Parties	
Starting January 2020	
Park City Water	\$45,000.00
Mountain Regional Water	\$45,000.00
Summit Water	\$112,500.00
Weber Basin	\$22,500.00

*Costs were determined with an assessment of \$45/AF

The Parties are also sharing in the O&M expense of the East Canyon WTP

Future Projects

- When surplus in the basin is exhausted
- Importation project will be selected solely by WBWCD
- Sized incrementally regardless of initial need
- Costs may require multiple initial recipients
- Decision by WBWCD will be based on engineering and cost optimization

Round Valley Reservoir - Scope



East Canyon Reservoir Pipeline System – Scope



Lost Canyon Redundant Pipeline System – Scope



Hidden Valley Reservoir and Pipeline System – Scope



Future Projects - Financing

- Expensive projects
- WBWCD to finance the design and construction of this project
 - Bonding
 - State loans
 - Federal grants/loans
- WBWCD will recover these costs through water rates



STAFF REPORT

To: Summit County Council
From: Janna Young, Deputy County Manager
Date of Meeting: January 13, 2021
Type of Item: 2021 General Session of the Utah State Legislature
Process: Work Session

During the 2021 general session of the Utah State Legislature, staff, along with Councilmember Glenn Wright, will provide the County Council weekly updates on the issues and activities the County is monitoring and working on at the State Capitol.

Requested Council Action

None.

Background

On Tuesday, January 19, 2021, the general session of Utah's 64th legislature will begin and run until Thursday, March 5, 2021 (Note: the Legislature is starting earlier in January this year after citizens voted this past November for an amendment to the state constitution, allowing the Legislature to convene sooner). Over the next 45 days, Summit County's internal legislative working group will track activity at the State Capitol and provide updates to the County Council.

The County's legislative working group is comprised of the County Assessor, Auditor, Clerk, (2) Councilmembers, Recorder, Treasurer, Health Department Director, Chief Financial Officer, Community Development Director, Economic Development Director, Transportation Planning Director, County Manager, Deputy County Manager, Sustainability Program Manager, and representatives from the County Attorney's Office and Sheriff's Office.

This group meets weekly to monitor bills, share information, decide County positions on legislation, participate in Utah Association of County's (UAC) weekly policy coordinating meetings, work closely with the County's House and Senate members and the County's lobbyist on issues, attend committee meetings, and potentially testify before committees, if appropriate.

Each week at the County Council meeting, Councilmember Glenn Wright, Deputy County Attorney, Jami Brackin, and Deputy County Manager, Janna Young will report to the Council on these activities, and request input on issues and support for proposed county positions on bills.

2021 Legislative Session

Expectations

While it is difficult to predict the tone and tenor of the legislative session at this time, we can expect the COVID-19 pandemic to play a prominent role, particularly in the state budget discussions, and that around 1,000 bills will be introduced. We are gearing up for another busy session.

Additionally, due to the pandemic, this year's general session will be conducted in person but virtually for members of the public with very limited in-person interface. Only elected Senators and House Representatives and their staffs will be allowed at the Capitol. No group meetings or events are authorized and meetings with legislators will have to be scheduled in advance. This structure will make lobbying and advocating for County issues more difficult. On January 14, the County will host a virtual meet and greet event with the Summit County Senate and House delegation to better understand how we can communicate and work together effectively this session.

Another unique aspect to this year's session is the swearing in of a new Governor. We do not expect incoming Governor Cox's administration to be extremely different from Governor Herbert's tenure. However, Governor Cox has appointed former members of the Legislature to serve in his administration. The biggest consequence of that for Summit County is the appointment of Senator Daniel Hemmert to head the Governor's Office of Economic Development (GOED). Previously, Senator Hemmert served in leadership as the Senate's Majority Whip. The Senator was supportive of Summit County, particularly regarding land use and annexation issues. We do not anticipate having the same strong relationship with the potential replacement Whip.

The good news with having Senator Hemmert at GOED is that we anticipate better alignment of state economic development opportunities with County economic development. In particular, there could be new economic development opportunities for eastern Summit County with expected initiatives on revitalizing rural main streets.

Infrastructure Development

There are early indications that legislative leadership will place a large emphasis on infrastructure development and investment, especially in the state budget this session. We expect funding opportunities for projects the County is planning for the Kimball Junction area.

Perhaps the area of greatest opportunity for Summit County will be in regional transportation. Previously and currently, the state's transportation policy was skewed to favor dense populations. However, with Governor Cox, we expect more

focus on regionalization with a comprehensive, bigger picture look at where people are moving, living, and working and an emphasis on pinch points. The County's lobbyist expects particular emphasis on Wasatch back regionalization, which fits nicely into the County's recent decision to break from Park City Transit and focus on a regional system.

Land Use

Summit County is concerned we may see fallout from the Hideout hostile annexation and the County's various lawsuits involving it. We are aware of a bill file regarding how to handle cross-county/border annexations.

We are also aware of a legislative effort by the development community to allow, in certain circumstances, automatic creation of Public Infrastructure Districts (PIDS), which have property taxing and bonding authority, without local government review and approval. Even though PID debt is separate from the municipality/county/development authority, the additional tax burden may create disparate property tax obligations on residents within the municipality/county/development. The Utah Association of Counties (UAC) and the Utah League of Cities and Towns are actively working to secure a provision in that legislation that requires county/city involvement in PIDS.

Budget

During several special sessions this past spring and summer, the Legislature made significant cuts to the state budget (approximately \$1 billion) in anticipation of economic downturn due to the COVID-19 pandemic. However, the Utah economy has not seen the sharp downturn that was expected. As such, there is about \$300-\$400 million in ongoing revenue and \$1 billion in one-time revenue available to allocate in the next fiscal year. Most of these dollars will be used to restore what was cut during the special sessions. Other areas of focus we expect to see are infrastructure investment and K-12 education.

Additionally, during the November 2020 election, Utahns adopted an amendment to the state constitution that allows the Legislature to spend income tax revenues, previously exclusively earmarked for education, on other general fund needs, such as supporting individuals with disabilities. Legislative leadership has indicated they will not need to do that this year.

Tax Policy

For the past two sessions, Transient Room Tax (TRT) has been a prevalent discussion topic with multiple efforts to allow smaller counties to utilize more TRT revenues on tourism impacts instead of tourism promotion. Unfortunately, TRT revenues are significantly down statewide. With that said, there continues to be a lot of talk around allowing 3rd-6th class counties to use TRT revenues on Emergency Medical Services and fire services.

Last legislative session, Summit County's lobbyist began planting the seed with the Utah League of Cities and Towns and specific legislators about allowing counties to take advantage of the community resort tax, previously reserved for resort cities only. The idea being a very narrowly tailored authorization for counties who have resorts within their unincorporated areas or who border a resort city and therefore, experience the impacts of the resorts on roads, transit, law enforcement, solid waste, and other areas but do not have access to the same tax revenues that resort cities do to mitigate those impacts. There may be support for this type of construct and we intend to continue the discussion this legislative session.

Notable Dates

- January 19 Legislative Session Begins
- January 21 Last day legislators can designate priority bills
- February 27 Last day for appropriations decisions to draft the final bill
- March 4 Last day to pass bills with a fiscal note of \$10,000 or more
- March 3 Final action must be taken on each appropriations bill
- March 5 Last Day of the Session
- March 25 Last day the Governor may sign or veto bills
- May 5 Normal effective date for bills
- Every Monday during session: Summit County Legislative Working Group
- Every Thursday During Session: UAC Legislative Coordinating Committee

Engagement, Access, and Transparency

Interested citizens can watch Utah's 2021 legislative session in real time or access archived materials through the Legislature's online tool. To access this tool, go to <https://le.utah.gov/> and click on the "calendar" button. Click on the desired meeting and the committee webpage will have links to materials and the audio/video recording.

Additionally, the Legislature's website allows citizens to sign up to follow individual bills and receive email alerts whenever action is taken on the measure. To sign up for alerts, go to <https://le.utah.gov/>; click on the "Bills" tab at the top of the page. Then either perform a bill request or keyword search. Once locating the desired bill, click on either the "Track this" or "Email notification" button underneath the photograph of the bill sponsor.

The website for each individual bill also provides the bill text, status information, audio/video of any committee hearings or floor debate, and details on the bill sponsor.



STAFF REPORT

To: Summit County Council
From: Janna Young, Deputy County Manager
Matt Leavitt, Financial Officer
Date of Meeting: January 13, 2021
Type of Item: Summary of CARES Act Expenditures
Process: Work Session

Requested Council Action

None

Background

On March 27, 2020, President Trump signed the Coronavirus Aid, Relief and Economic Security (CARES) Act, which Congress developed to provide relief to state and local governments in their response to the COVID-19 public health emergency.

This legislation provided \$1.25 billion in federal money to the State of Utah, \$934.8 million of which was paid directly to the state government (the remaining amounts were direct appropriations to Salt Lake County and Utah County due to their population size).

The State decided to distribute a portion of its \$934.8 million payment to Utah counties and municipalities.

Summit County directly received \$5,938,785 in CARES Act funds, allocated in three different tranches paid in June, August, and October. The municipalities located in Summit County also received their own allocations. When factoring in what Park City, Kamas City, Francis City, Oakley City, Coalville City, and the Town of Henefer received, a total of \$10.05 million of CARES Act funding went to Summit County.

Eligible Expenditures

The CARES Act provides that payments may only be used to cover costs that:

1. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)

2. Were not accounted for in the local government's most recently approved budget as of March 27, 2020 (the date of enactment of the CARES Act)
3. Were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

Spending Deadline

Initially, counties and cities had until November 30, 2020 to spend all CARES Act monies received, which was a state-imposed deadline (the federal spending deadline was December 31, 2020). Summit County was granted an extension from the state, allowing us to spend CARES Act dollars through December 31, 2020 to cover temporary staff we had supporting the Health Department with contact tracing and case investigations, among other outstanding expenditures.

On December 27, 2020, President Trump signed into law a new stimulus bill that extended the spending deadline for CARES Act funds through December 31, 2021, among other extensions to relief programs related to the COVID-19 pandemic. The state informed counties and cities soon after this extension became official that the state's new deadline for spending CARES Act funds is June 30, 2021. While the federal bill does allow additional time beyond June 30, given that the prior deadline was very near at the time it was extended, the Governor's Office felt June 30th provided sufficient time for counties and cities to spend all CARES Act funds.

Unfortunately, since the extension occurred so close to the original deadline, Summit County spent most of the funds we had been allocated and will not benefit greatly from this extension. Where this extension will be helpful is giving the County more time to spend the funds allocated to the mass vaccination clinics, which have not yet been spent entirely.

Summary of Summit County's CARES Act Expenditures

At previous Council meetings, staff has presented proposed expenditure plans for each of the three funding tranches on which the Council provided direction. Now that most of the County's funds have been expended, Staff wanted to report to the Council a summary of where all the monies went and address questions.

As challenging as it was to spend close to \$6 million in a very short period with rules and restrictions tied to it, CARES Act funds were extremely beneficial in providing relief to both the County organization and to the community.

As illustrated in the following chart, a large portion of the funding (a combined total of approximately \$2.3 million) went towards County COVID-19 related payroll (including pandemic payments to employees), equipment (hardware for employees to telework, EOC, VMS signs, and mobile command), materials and supplies, and improvements of our facilities to make them safer for staff and the public. Another significant allotment went to community aid and assistance (close to \$2.3 million), and the local school districts (\$481,356).

Included in the community aid and assistance expenditures are*:

- \$3,000 to the County’s Health promotion team for virtual physical education classes at elementary schools
- \$100,000 for the Junior Livestock booster fund at the County Fair
- \$110,000 to the Park City Chamber of Commerce, Visitors Bureau for tourism marketing
- \$1.01 million for small business and nonprofit grants
- \$1.05 million to Park City Community Foundation for community assistance/COVID-19 relief grants**

*NOTE 1: Not reflected in the list is the personal protective equipment (PPE), such as masks, gloves, and hand sanitizer that the County provided to local businesses and vulnerable populations. While originally budgeted in the County’s CARES Act tranches, the state, from whom we ordered the materials, did not charge us for them. The County distributed the equivalent of close to \$200,000 on PPE to the public.

**Note 2: Later this quarter, the Park City Community Foundation will present to the Council more detail regarding the nonprofit organizations that received grants and on which relief services they used the funds.

Summary of Summit County’s CARES Act Expenditures	
Category	Amount
Salaries & Benefits	\$610,000
Equipment	\$785,500
Facility Improvements & Rentals	\$451,095
Materials & Supplies***	\$926,150
Testing & Vaccinations	\$898,040
Community Aid & Assistance	\$1,223,000
Community Relief Grants	\$1,045,000
Total:	\$5,938,785

***Materials and Supplies includes the \$481,356 provided to the Park City School District and South Summit School District combined. These monies reimbursed the districts for costs they incurred for PPE, sanitization equipment, and other supplies to keep schools open and safe for students and staff. This line item also includes monies provided to the Park City Fire District, reimbursing them for sanitization materials.

Conclusion

Overall, as a community, Summit County received a little over \$10 million in federal relief dollars from the CARES Act when considering all the allocations that went to both the County and municipalities. The cities did a tremendous job of covering their own expenses related to the emergency and providing relief to the community in the form of grants to businesses, utility payments, and support to the schools, among other assistance. Summit County worked well with the cities in assisting with CARES Act compliance and coordinating expenditure plans.

Summit County benefitted greatly from this federal relief funding. Compared to all the other counties in the state, Summit County's expenditure plan was by far the most complex, covering myriad eligible expenditures to spread the relief as far as possible. A tremendous amount of work from multiple County departments and staff went into implementing the expenditure plan and spending these monies quickly.

Specifically, Helen Strachan in the County Attorney's Office served as counsel, reviewing expenditures for eligibility, and drafting funding agreements. She also provided legal assistance to the Special Service Districts and cities.

Jeff Jones, Economic Development Director, created and implemented the small business and nonprofit grant programs, which included a partnership with Mountainlands Association of Governments, developing the rating criteria, and reviewing and ranking all the applications received.

Ron Boyer, IT Director, and Alan Siddoway in the Sheriff's Office equipped the Emergency Operations Center.

Ron also procured a cellular gateway to improve connectivity across the County for emergency communications and more effective teleworking. Phil Bartholomew, Brian Craven, and Ed Woolstenhulme, also in the IT Department, purchased, imaged, and deployed laptops, monitors, and other hardware and software employees needed to successfully telework.

Mike Crystal, Cindy Sipe, Jaclyn Rowser, Kayli Hudson, and other individuals from the County's Facilities Department procured and installed touchless appliances, plexiglass, and sanitization devices to make our facilities safer for employees and the public.

Phil Bondurant, Chris Crowley, and Cindy Keyes in the Health Department purchased supplies and equipment needed to expand testing in the County and prepare for mass vaccination clinics. They also hired and managed the

contracts for temporary staffing for contact tracing, case investigations, and business compliance with health orders.

Derek Siddoway, Communications and Public Engagement Director, initiated and managed contracts for communications assistance, marketing, and the livestock booster fund for the County Fair. He was also instrumental in procuring branded cloth, reusable masks for the three areas of the County, and launching the #OneSummit marketing campaign.

Ed Wilde in the Sheriff's Office and the school resource officers purchased and handed out gift cards to local high school students for going above and beyond to comply with the facemask order and other COVID-19 protocols.

Derrick Radke, Public Works Director, procured several variable message signs to help with wayfinding and communications.

Kathryn McMullin, Emergency Manager, procured a mobile command center and other equipment to effectively manage emergencies regardless of where they occur in the County.

Matt Leavitt, Clay Coleman, and the entire Finance Department provided critical support in completing purchase requisitions and the accounting of all the dollars spent, as well as offering guidance for the grant programs and strategies to maneuver around the restrictions to accomplish what the Council wanted to with the dollars.

Thanks to this team, and many others, the County was successful in fully utilizing close to \$6 million in federal relief funding to provide critical assistance to the County and to many individuals, families, and businesses in the Community.

**Summit County's Updated CARES Act Expenditure Plan –
All Tranches**

Allocation	Item/Expenditure	Amount
JUNE Tranche	Expanded testing in the County (PCR & Antibody)	\$40,000
	First half of PPE and equipment expenditures for mass vaccinations and drive-thru clinics	\$300,000
	Gift cards for high school students for mask compliance education & to support local businesses	\$10,000
	Contact tracing, case investigations, business compliance contractors (majority covered by a Health Dept grant)	\$40,000
	IT upgrades to improve telework capabilities for public employees (cellular gateway, fiber at Fairgrounds, hardware)	\$200,000
	Communications related to COVID-19 health orders (includes staff positions & contract with Riester marketing and advertising)	\$100,000
	EOC equipment for two centers (2 conference phones, 10 laptops, 6 desk phones, service for the phones, high-quality printers, scanners, zoom licenses, misc. cords)	\$40,000
	Facilities improvements (touchless appliances in bathrooms; UV light sanitization; modifications to workspaces to facilitate social distancing; Ledges panels)	\$251,095
	Grant program to small businesses and nonprofits	\$600,000
TOTAL:		\$1,581,095
Allocation	Item/Expenditure	Amount
AUGUST Tranche	County payroll for employees working on the COVID-19 emergency response	\$764,530
	IT improvements to facilitate telework & emergency response (equipment for employees; network enhancements; cameras; software; WiFi (courthouse & external buildings)	\$300,000
	Livestock Sale Booster Fund	\$100,000
	Emergency Manager for Recovery Planning	\$50,000
	Temporary staffing: facilities cleaning/sanitizing; Nursing Director; DMV crowd control	\$200,000
	Assistance to individuals/families - partnership with PC Community Foundation	\$545,000
	School Districts Support: PCSD: Parent packets, touchless fixtures for restrooms, audio enhancements for remote learning, sanitization and PPE supplies, signage, and janitorial contract (\$431,356.47) South Summit: Plexiglass & sanitization materials (\$50,000)	\$481,356
TOTAL:		\$2,440,886

Tranche	Item/Expenditure	Amount
OCTOBER Tranche	Second half of PPE and equipment for mass vaccinations	\$197,000
	Various community needs identified by the Health Promotion team (senior care kits, play works)	\$3,000
	Storage for mass vaccinations equipment (lease for rental unit)	\$15,000
	Rapid tests and machines for local businesses in compliance with Governor's shortened quarantine	\$200,000
	People's Health Clinic medical professionals to conduct rapid tests for schools	\$6,865
	County expenses on mitigation or/response to COVID-19 (including payroll, purchases, etc.)	\$140,000
	Flu vaccines for part-time and seasonal County employees, and reimbursement to County health plan for the cost of COVID-19 testing of employees	\$1,500 (vaccine) \$35,000 (tests)
	VMS message towable units for COVID-19 communications, and wayfinding/directions for mass vaccination clinics (5 signs at \$19,100 each)	\$95,000
	Emergency Manager mobile command vehicle and equipment to use for mass vaccination coordination/communications, PPE distribution to first responders, and scenarios involving temporary clinical facilities (if local hospital exceeds capacity)	\$110,000
	8 mobile emergency support function workstation pods for the EOC	\$9,440
	EMS Sanitization Equipment/Materials	\$34,000
	Communications about health orders	\$50,000
	Remarketing tourism (coordinated marketing campaign with the Park City Chamber, Visitors Bureau)	\$110,000
	Second round of grants to local businesses	\$410,000
	Second round of grants to PCCF for relief to individuals/families	\$500,000
TOTAL:		\$1,916,805

TOTAL for ALL TRANCHES: \$5,938,786
Max Grant Award \$5,938,786



STAFF REPORT

TO: Summit County Council
FROM: Caroline Rodriguez, Director of Regional Transportation Planning
DATE: January 7, 2021
SUBJECT: Kimball Junction Area Plan

Background

The Utah Department of Transportation (UDOT), in partnership with Summit County, is preparing an Area Plan (the *Kimball Junction and S.R. 224 Area Plan*) to develop and evaluate existing and future transportation needs at the interchange of Interstate 80 (I-80) and S.R. 224 and through the S.R. 224 corridor from Kimball Junction to Deer Valley Drive/Empire Avenue near Park City, Utah. The current study emphasis is the I-80 interchange and the two at-grade traffic signals at Ute Boulevard and Olympic Parkway, which are close to the interchange. The recommended solutions will be phased, and potential funding mechanisms will be identified. With this study, the project partners (UDOT and Summit County) wish to accomplish the following:

- Create a community vision for improvements that address the problems and opportunities.
- Identify mobility problems and opportunities at the Kimball Junction area.
- Determine short-term and long-term transportation solutions for the Kimball Junction area.
- Position the corridor for successful and streamlined implementation of improvements.
- Generate an environment of collaboration and communication between the project partners that lasts beyond the timeframe of the study.

The following status update has been assembled by the study team and includes live links to previously completed memos, for reference.

STUDY OUTLINE AND OUTCOMES TO DATE

The following steps and outcomes that have been developed throughout this study are outlined below. Please click on the box to be taken to the full document.

March to
May 2020

Create Guiding Themes and Goals, Seek Community Input

Develop guiding themes and goals to describe what the transportation problems are in the Kimball Junction area and what solutions can address the problems.

Solicit public input on the themes, goals, problems, and opportunities during an online public survey.

[View the summary of public comments](#)

June to
August 2020

Develop Screening Criteria and Potential Capacity Improvements and Multimodal Solutions

Develop screening criteria based on community input and refined goals, problems, and opportunities.

Identify and develop short- and long-term capacity improvements and multimodal transportation solutions, based on the problems and opportunities in the study area and public comments.

[View the alternatives definitions and screening tech memo](#)

September to
November
2020

Level 1 Screening

Evaluate more than 30 alternatives using qualitative analysis and fatal-flaw assessments.

Dismiss alternatives that do not meet study goals or address problems/opportunities from further study.

[View the alternatives definitions and screening tech memo](#)

November to
January
2021

WE ARE
HERE

Level 2 Solution Screening and Community Input

Conduct in-depth evaluation including traffic analysis, high level environmental screening and transit/active transportation examination on the four alternatives that met Level 1 screening criteria.

Solicit community input on remaining solutions.

January to
February
2021

Complete Area Plan and Provide Alternative Recommendations for Further Study and Implementation

STUDY OVERVIEW

Together, UDOT, Summit County, and Park City are conducting a study to evaluate capacity, mobility, and multimodal transportation solutions at the interchange of I-80 and S.R. 224 and the surrounding areas. Once the study is complete, the Area Plan will provide a set of solutions that will move on for a more detailed environmental study and identification of potential funding mechanisms for implementation.

The Area Plan has incorporated public comments to better identify the solutions for the community.

CURRENT ACTIONS

The study team is currently working a more detailed analysis of the solutions that have moved forward from Level 1 Screening including detailed traffic analysis, assessment of multi-modal strategies, and Newark high-level environmental screening.

Descriptions and the benefits of each alternative based on Level 1 screening are included in this packet.

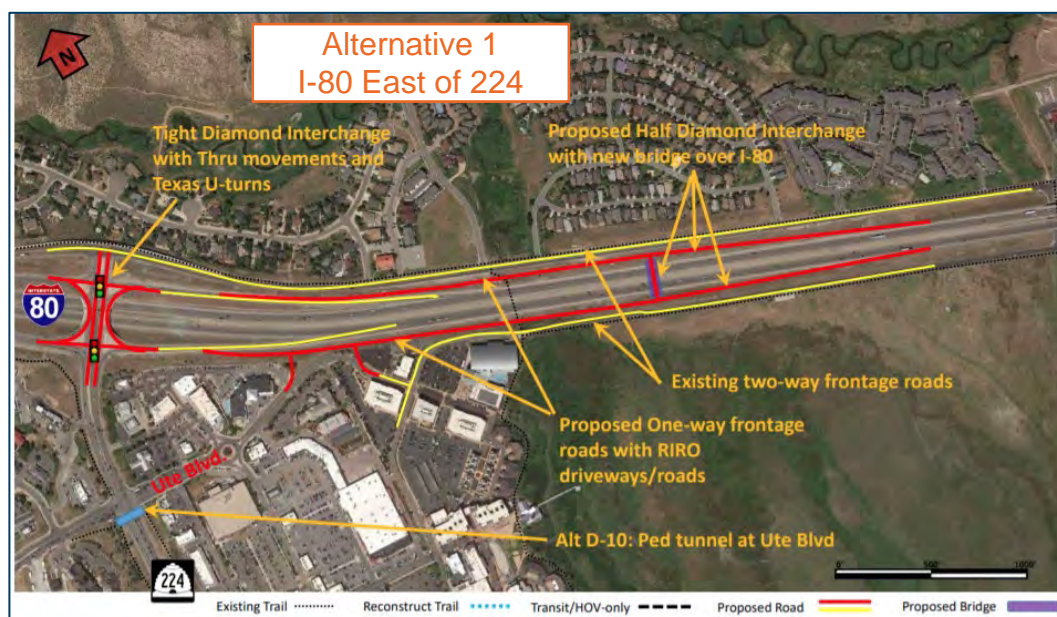
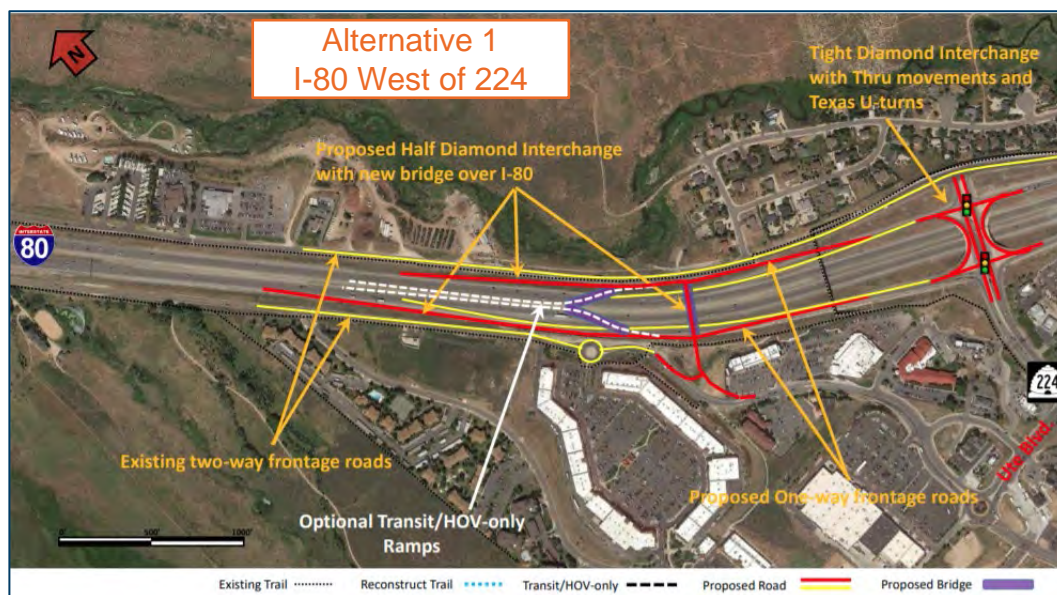
ALTERNATIVE 1

Tight-Diamond Interchange with Texas U-Turns and One-Way Frontage Roads

Approximately 50% of interchange traffic uses Kimball Junction to access commercial, residential, and recreational locations. A tight diamond interchange with Texas U-turns and half-diamond interchanges on opposing sides interconnected by one-way frontage roads will distribute interchange traffic. The two half-diamond interchanges on opposing sides of S.R. 224 will provide direct access to Kimball Junction. The one-way frontage roads along I-80 will further disperse traffic and provide easier access to residential and commercial locations. Also, a pedestrian tunnel at Ute Boulevard and intersection improvements along S.R. 224 are proposed to move all users more efficiently through the area.

Benefits

- The new half-diamond interchanges will provide direct access to Kimball Junction.
- One-way frontage roads separate local traffic.
- One-way frontage roads provide new access points into Kimball Junction on the south side of I-80.
- Half-diamond interchange west of the S.R. 224 interchange will add I-80 median access ramps to and from the west for transit/high-occupancy vehicle (HOV)-only use.
- Optional transit/HOV-only ramps are included in this alternative.
- Pedestrian tunnel proposed under S.R. 224 at Ute Boulevard (similar to the existing tunnel at Olympic Parkway) to increase connectivity and comfort.



ALTERNATIVE 2

Transit/HOV-Only Bypass Road Concept

A transit/high occupancy vehicle (HOV)-only bypass road through the interchange's southwest quadrant to offer an alternative route for transit and HOV vehicles traveling to and from I-80.

Based on past traffic counts, HOVs make up approximately 20% - 30% of traffic in the peak direction of flow during both morning and afternoon travel periods. This alternative will relieve some of the traffic that currently uses the Kimball Junction interchange and improve travel times and mobility for drivers traveling west of S.R. 224.

Benefits

- The alternative offers a bypass for transit and HOV vehicles between the Ecker Hill park and ride lot and the Kimball Junction Transit Center.
- Center-median exits from I-80 will be available to transit and HOV vehicles only; non-HOV users will not have access to the bypass.
- This alternative will not substantially increase traffic on the roundabout at the Ecker Hill park and ride lot
- A new connection and possible traffic signal added at Bear Cub Drive to serve S.R. 224 south of Kimball Junction.
- Resort shuttles and school buses will potentially use this bypass.
- Will directly benefit local Park City Transit routes 6 and 7, as well as UTA's Park City–Salt Lake City Connect bus service.
- Will run along the eastern edge of the Hi-Ute conservation easement with the least amount of encroachment onto the easement as possible.
- The Millennium Trail will be reconstructed on the west side of the bypass road and a new pedestrian crossing included at the northern end of the bypass road.



ALTERNATIVE 3

Grade-Separated Intersections with Alternate Connections to the I-80 Interchange

Traffic analysis shows that increased travel times are related to the lack of capacity of the intersections at Ute Boulevard and Olympics Parkway on S.R. 224. Grade-separated intersections at Ute Boulevard and Olympic Parkway with a braided ramp concept will help separate local and through traffic in the area.

Northbound S.R. 224 remains at or close to its current location horizontally but will be depressed below the surface streets through Kimball Junction. Ramps would diverge from S.R. 224 south of Olympic Parkway to create a one-way frontage road system. Olympic Parkway and Ute Boulevard would tie into the frontage system at intersections, crossing over S.R. 224 on bridges.

Vehicles heading northbound from S.R. 224 to I-80 eastbound will pass underneath Ute Boulevard bridge and exit on the right. The ramp will go underneath the northbound frontage road in a tunnel before climbing up to existing grade on the east side of the frontage road. Vehicles heading northbound on the frontage road to I-80 westbound will have a curb or barrier-separated left-turn lane and a through lane.

Benefits

- Vehicles on mainline S.R. 224 will connect directly to and from I-80 while ramps will provide a bypass and maintain or improve east-west connectivity on Olympic Parkway and Ute Boulevard
- Braided ramps will provide separated turn lanes to eliminate traffic weaving in the short distance where the frontage road and S.R. 224 are at the same elevation.
- Vehicles on the new S.R. 224 frontage roads will have full access to turn onto Olympic Parkway, Newpark Boulevard, and Ute Boulevard to access the surrounding businesses and will have full access to I-80 using the braided ramps.
- Braided ramps will allow direct but separated connections to I-80 from mainline S.R. 224 and the frontage roads.
- By depressing the roadway through Kimball Junction there will be fewer visual impacts.



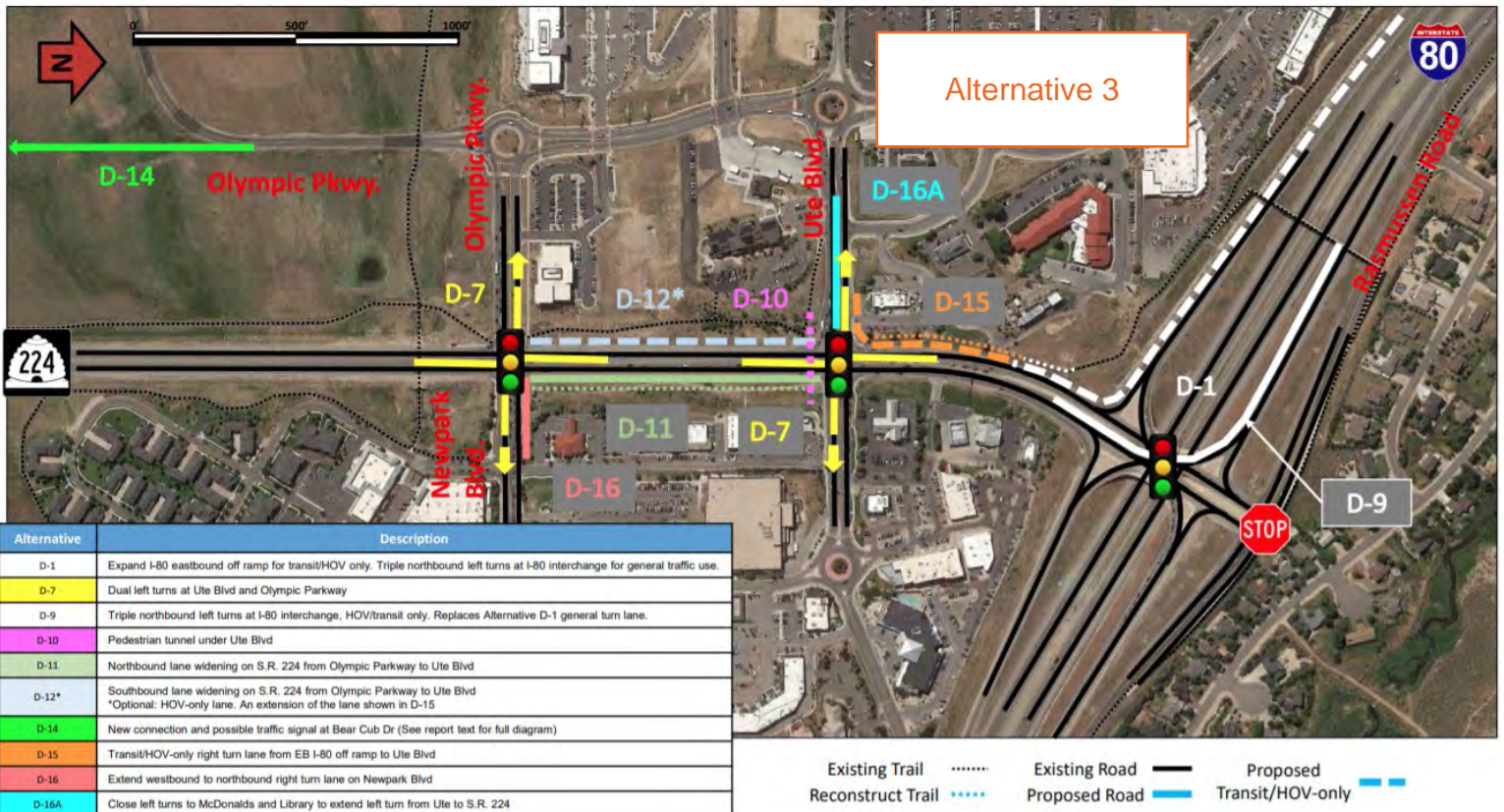
ALTERNATIVE 4

Phased Implementation of Short-Term Solutions

Combines the short-term alternatives that passed Level 1 screening in order to provide a solution that can be built incrementally, including improving traffic flow at existing facilities and adding active transportation, transit, and HOV amenities.

Individual Short-term Components

- D-1 Expand I-80 eastbound off ramp for transit/HOV only. Triple northbound left turns at I-80 interchange.
- D-7 Dual left turns at Ute Boulevard and Olympic Parkway
**A variation would be an outside northbound left turn lane at Olympic Parkway, which would be used by HOV/transit vehicles only*
- D-9 Add an additional northbound left turn lane at the existing interchange for transit/HOV
- D-10 Pedestrian tunnel under Ute Boulevard
- D-11 Northbound lane widening on S.R. 224 from Olympic Parkway to Ute Boulevard
- D-12 Southbound lane widening on S.R. 224 from Olympic Parkway to Ute Boulevard
**A variation would be to widen for HOV-lane, only*
- D-14 New connection and a possible traffic signal at Bear Cub Drive
- D-15 Transit/HOV-only, right turn lane from eastbound I-80 off ramp to Ute Boulevard
- D-16 Extend westbound to northbound right turn lane on Newpark Boulevard
- D-16A Close left turns at McDonalds and Richins building to extend left turn from Ute Boulevard to S.R. 224



STAFF REPORT

TO: Summit County Council
FROM: Matt Leavitt – Summit County Financial Officer
DATE: January 7, 2021
SUBJECT: Resolution changing the scheduled date of the public hearing for the 2021 sales tax bonds



BACKGROUND:

At the December 9, 2020 meeting of the County Council the Council adopted Resolution 2020-32 which authorized the parameters resolution for the issuance and sale of not more than \$20 million aggregate principal amount of sales tax revenue bonds. The parameters resolution listed January 13, 2021 as the date of the public hearing required for the issuance of the bonds (Section 11 of the parameters resolution attached). Due to the Council’s schedule with another public hearing on January 13th (Dakota Pacific Development Agreement) it is preferred to delay the public hearing of the bond issuance.

COUNCIL REQUIRED ACTION:

Adopt the attached Resolution 2021-___ setting the date and time of the public hearing for the 2021 sales tax bonds as February 3, 2021. The adoption of this resolution is a formality required by State Code and does not change the remainder of the parameters resolution adopted December 9, 2020.

SUMMARY INFORMATION:

The proposed projects for the 2021 sales tax bonds include:

- Renovations and improvements to the Public Works Complex including State and Environmental Protection Agency required projects.
- A new County facility along the Highway 40 corridor to accommodate staffing at the Justice Center for both Sheriff and Attorney Offices, meeting space, and general office space.
- Subsequent remodels and renovations to County-owned facilities at Richins Building and Justice Center.

Total estimated construction costs in 2020 dollars is approximately \$17.9 million not including closing costs on the bonds and inflation during the project period of 2021-2024.

Coalville, Utah

January 13, 2021

The County Council (the "Council") of Summit County, Utah, convened an electronic meeting without a physical location in accordance with Utah Code Section 52-4-207(4) on Wednesday, January 13, 2021, at the hour of 12:40 p.m., with the following members of the Council being present:

Glenn Wright	Chair/Councilmember
Roger Armstrong	Councilmember
Doug Clyde	Councilmember
Malena Stevens	Councilmember
Chris Robinson	Vice Chair/Councilmember

Also present:

Thomas C. Fisher	County Manager
Kent Jones	Clerk

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this January 13, 2021, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Councilmember _____ and seconded by Councilmember _____, was adopted by the following vote:

AYE:

NAY:

The resolution is as follows:

RESOLUTION NO. 2021-01

A RESOLUTION OF THE COUNTY COUNCIL OF SUMMIT COUNTY, UTAH (THE “ISSUER”), SETTING A PUBLIC HEARING DATE AND RATIFYING THE PUBLICATION OF A NOTICE OF PUBLIC HEARING WITH RESPECT TO THE ISSUER’S NOT MORE \$20,000,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2021 (THE “BONDS”).

WHEREAS, the County Council (the “Council”) of the Issuer did on December 9, 2020, approve and adopt Resolution Number 2020-32 (the “Parameters Resolution”) authorizing the issuance and sale of the Issuer’s Sales Tax Revenue Bonds, Series 2021 (the “Series 2021 Bonds”) pursuant to (a) the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), (b) the Parameters Resolution, and (c) a General Indenture of Trust (the “General Indenture”), and a Supplemental Indenture (the “Supplemental Indenture” and together with the General Indenture, the “Indenture”),, the form of which was before the Council at the adoption of the Parameters Resolution; and

WHEREAS, the Parameters Resolution called for a public hearing with respect to the Series 2021 Bonds and authorized the publication of a notice with respect to such hearing (the “Original Notice”); and

WHEREAS, due to a scheduling conflict, the Issuer desires to (i) ratify the publication of a new notice, in substantially the same form as the Original Notice, and (ii) hold a public hearing to receive input from the public with respect to (a) the issuance of the Series 2021 Bonds and (b) any potential economic impact that the project to be financed with the proceeds of the Series 2021 Bonds may have on the private sector.

NOW, THEREFORE, it is hereby resolved by the County Council of Summit County, Utah, as follows:

Section 1. The Council hereby ratifies its approval and adoption of the Parameters Resolution and the matters contemplated therein, including the issuance and sale of the Series 2021 Bonds.

Section 2. The Council shall hold a public hearing on February 3, 2021, to receive input from the public with respect to (a) the issuance of the Series 2021 Bonds and (b) the potential economic impact that the improvements to be financed with the proceeds of the Series 2021 Bonds will have on the private sector, which hearing date shall not be less than fourteen (14) days after a revised notice of the public hearing (the “Notice of Public Hearing”) in substantially the following form was first published (i) once a week for two consecutive weeks in the Park Record, a newspaper of general circulation within the Issuer, (ii) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (iii) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The Council hereby directs its officers and staff to publish a “Notice of Public Hearing and Bonds to be Issued” in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), that on December 9, 2020, the County Council (the “Council”) of Summit County, Utah (the “Issuer”), adopted a resolution (the “Resolution”) in which it authorized the issuance of the Issuer’s not to exceed \$20,000,000 Sales Tax Revenue Bonds, Series 2021 (the “Series 2021 Bonds”) (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer), and called a public hearing for January 13, 2021. The Issuer hereby amends the public hearing date from January 13, 2021 to February 3, 2021.

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer shall hold a public hearing on February 3, 2021, at the hour of 6:00 p.m., convened an electronic meeting without a physical location in accordance with Utah Code Section 52-4-207(4). The purpose of the hearing is to receive input from the public with respect to (a) the issuance of that portion of the Series 2021 Bonds issued under the Act and (b) any potential economic impact that the Series 2021 Project to be financed with the proceeds of that portion of the Series 2021 Bonds issued under the Act may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE SERIES 2021 BONDS

The Series 2021 Bonds will be issued for the purpose of (a) financing all or a portion of the cost of various public works and infrastructure projects, and all related improvements (the “Series 2021 Project”), (b) funding any debt service reserve funds, as necessary, and (c) paying costs of issuance of the Series 2021 Bonds.

DATED this January 13, 2021

/s/Kent Jones
County Clerk

Section 3. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

APPROVED AND ADOPTED this January 13, 2021.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
Clerk

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
Clerk

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Kent Jones, the duly appointed and qualified Clerk of Summit County, Utah (the “County”), do hereby certify according to the records of the County Council of the County (the “Council”) in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the Council held on January 13, 2021, including a resolution (the “Resolution”) adopted at said meeting as said minutes and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on January 13, 2021, and as ratified by the Resolution, a Notice of Public Hearing was (a) published twice in the Park Record, a newspaper having general circulation within the County, the affidavit of which publication will be attached upon availability, (b) posted on the Utah Public Notice Website created under Section 63F-1-701 Utah Code Annotated 1953, as amended and (c) posted on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of said County, this January 13, 2021.

(SEAL)

By: _____
Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Kent Jones, the undersigned Clerk of Summit County, Utah (the “County”), do hereby certify, according to the records of the County in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the January 13, 2021, public meeting held by the County Council of the County (the “Council”) as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the County at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Park Record pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2021 Annual Meeting Schedule for the Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the Council to be held during the year, by causing said Notice to be (a) posted on December 11, 2020, at the principal office of the County, (b) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year and (c) provided to at least one newspaper of general circulation within the geographic jurisdiction of the County pursuant to its subscription to the Utah Public Notice Website (<http://pmn.utah.gov>).

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this January 13, 2021.

(SEAL)

By: _____
Clerk

SCHEDULE 1
NOTICE OF MEETING

SCHEDULE 2

ANNUAL MEETING SCHEDULE

Coalville, Utah

December 9, 2020

The County Council (the "Council") of Summit County, Utah, convened an electronic meeting without a physical location in accordance with Utah Code Section 52-4-207(4) on Wednesday, December 9, 2020, at the hour of 3:45 p.m., with the following members of the Council being present:

Roger Armstrong	Councilmember
Doug Clyde	Chair/Councilmember
Kim Carson	Councilmember
Chris Robinson	Councilmember
Glen Wright	Councilmember

Also present:

Tom Fisher	County Manager
Kent Jones	Clerk

Absent:

After the meeting had been duly called to order and after other matters not pertinent to this resolution had been discussed, the County Clerk presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this December 9, 2020, meeting, a copy of which is attached hereto as Exhibit A.

The following resolution was then introduced in written form, was fully discussed, and pursuant to motion duly made by Councilmember _____ and seconded by Councilmember _____, was adopted by the following vote:

AYE:

NAY:

The resolution is as follows:

RESOLUTION NO. _____

A RESOLUTION OF THE COUNTY COUNCIL OF SUMMIT COUNTY, UTAH (THE “ISSUER”), AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$20,000,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2021; FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE AUTHORITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE BONDS WITHIN THE PARAMETERS SET FORTH HEREIN; PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD AND SETTING OF A PUBLIC HEARING DATE; AUTHORIZING AND APPROVING THE EXECUTION OF AN INDENTURE, A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL STATEMENT, A BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; AND RELATED MATTERS.

WHEREAS, the County Council (the “Council”) of the Issuer desires to (a) finance all or a portion of the cost of various public works and infrastructure projects, and all related improvements (the “Series 2021 Project”), (b) fund any necessary debt service reserve funds, and (c) pay costs of issuance with respect to the Series 2021 Bonds herein described; and

WHEREAS, to accomplish the purposes set forth in the preceding recital, and subject to the limitations set forth herein, the Issuer desires to issue its Sales Tax Revenue Bonds, Series 2021 (the “Series 2021 Bonds”) (to be issued from time to time as one or more series and with such other series or title designation(s) as may be determined by the Issuer), pursuant to (a) the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), (b) this Resolution, and (c) a General Indenture of Trust (the “General Indenture”), and a Supplemental Indenture (the “Supplemental Indenture” and together with the General Indenture, the “Indenture”), with such Indenture in substantially the form presented in the meeting at which this Resolution was adopted and which is attached hereto as Exhibit B; and

WHEREAS, the Act provides that prior to issuing bonds, an issuing entity must (a) give notice of its intent to issue such bonds and (b) hold a public hearing to receive input from the public with respect to (i) the issuance of the bonds and (ii) the potential economic impact that the improvement, facility or property for which the bonds pay all or part of the cost will have on the private sector; and

WHEREAS, the Issuer desires to call a public hearing for this purpose and to publish a notice of such hearing with respect to the Series 2021 Bonds, including a notice of bonds to be issued, in compliance with the Act; and

WHEREAS, there has been presented to the Council at this meeting a form of a bond purchase agreement (the “Bond Purchase Agreement”), in substantially the form attached hereto as Exhibit C to be entered into between the Issuer and the underwriter or the purchaser (the “Underwriter/Purchaser”) selected by the Issuer for any portion of the Series 2021 Bonds; and

WHEREAS, in the event that the Designated Officers (defined below) determine that it is in the best interests of the Issuer to publicly offer all or a portion of the Series 2021 Bonds, the Issuer desires to authorize the use and distribution of one or more of a Preliminary Official Statement (the “Preliminary Official Statement”) in substantially the form attached hereto as Exhibit D, and to approve one or more of a final Official Statement (the “Official Statement”) in substantially the same form as the Preliminary Official Statement, and other documents relating thereto; and

WHEREAS, in order to allow the Issuer flexibility in setting the pricing date of the Series 2021 Bonds to optimize debt service costs to the Issuer, the Council desires to grant to any one of the Chair or Chair pro tem (collectively, the “Chair”), the County Manager, or the Finance Officer (collectively, the “Designated Officers”), the authority to (a) determine whether all or a portion of the Series 2021 Bonds should be sold pursuant to a private placement or a public offering; (b) approve the principal amounts, interest rates, terms, maturities, redemption features, and purchase price at which the Series 2021 Bonds shall be sold; and (c) make any changes with respect thereto from those terms which were before the Council at the time of adoption of this Resolution, provided such terms do not exceed the parameters set forth for such terms in this Resolution (the “Parameters”);

NOW, THEREFORE BE IT RESOLVED by the County Council of Summit County, Utah, as follows:

Section 1. For the purpose of (a) financing the Series 2021 Project, (b) funding a deposit to a debt service reserve fund, if necessary, and (c) paying costs of issuance of the Series 2021 Bonds, the Issuer hereby authorizes the issuance of the Series 2021 Bonds which shall be designated “Summit County, Utah Sales Tax Revenue Bonds, Series 2021” (to be issued from time to time as one or more series and with such other series or title designation(s) as may be determined by the Issuer) in the aggregate principal amount of not to exceed \$20,000,000. The Series 2021 Bonds shall mature in not more than twenty-one (21) years from their date or dates, shall be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, shall bear interest at a rate or rates of not to exceed five percent (5.0%) per annum, as shall be approved by the Designated Officers, all within the Parameters set forth herein.

Section 2. The Designated Officers are hereby authorized to specify and agree as to the method of sale, the final principal amounts, terms, discounts, maturities, interest rates, redemption features, and purchase price with respect to the Series 2021 Bonds for and on behalf of the Issuer, provided that such terms are within the Parameters set by this

Resolution. The selection of the method of sale, the selection of the Underwriter/Purchaser, appointment of a Trustee, and the determination of the final terms and redemption provisions for the Series 2021 Bonds by the Designated Officers shall be evidenced by the execution of the Bond Purchase Agreement in substantially the form attached hereto as Exhibit C or a term sheet if the selected Underwriter/Purchaser prefers.

Section 3. The Indenture and the Bond Purchase Agreement in substantially the forms presented in this meeting and attached hereto as Exhibits B and C, respectively, are hereby authorized, approved, and confirmed. The Chair and County Clerk are hereby authorized to execute and deliver the Indenture and the Designated Officers are hereby authorized to execute and deliver the Bond Purchase Agreement in substantially the forms and with substantially the content as the forms presented at this meeting for and on behalf of the Issuer, with final terms as may be established by the Designated Officers within the Parameters set forth herein, and with such alterations, changes or additions as may be necessary or as may be authorized by Section 5 hereof. The Designated Officers are hereby authorized to select the Underwriter/Purchaser.

Section 4. Should the Designated Officers determine to have the Series 2021 Bonds underwritten, the Issuer hereby authorizes the utilization of the Preliminary Official Statement in the form attached hereto as Exhibit D in the marketing of the Series 2021 Bonds and hereby approves the Official Statement in substantially the same form as the Preliminary Official Statement. The Chair is hereby authorized to execute the Official Statement evidencing its approval by the Issuer.

Section 5. The Designated Officers or other appropriate officials of the Issuer are authorized to make any alterations, changes or additions to the Indenture, the Preliminary Official Statement, the Official Statement, the Series 2021 Bonds, the Bond Purchase Agreement, or any other document herein authorized and approved which may be necessary to conform the same to the final terms of the Series 2021 Bonds (within the Parameters set by this Resolution), to conform to any applicable bond insurance or reserve instrument or to remove the same, to correct errors or omissions therein, to complete the same, to remove ambiguities therefrom, or to conform the same to other provisions of said instruments, to the provisions of this Resolution or any resolution adopted by the Council or the provisions of the laws of the State of Utah or the United States.

Section 6. The form, terms, and provisions of the Series 2021 Bonds and the provisions for the signatures, authentication, payment, registration, transfer, exchange, redemption, and number shall be as set forth in the Indenture. The Chair and the County Clerk are hereby authorized and directed to execute and seal the Series 2021 Bonds and to deliver said Series 2021 Bonds to the trustee (the "Trustee") for authentication. The signatures of the Chair and the County Clerk may be by facsimile or manual execution.

Section 7. The Designated Officers or other appropriate officials of the Issuer are hereby authorized and directed to execute and deliver to the Trustee the written order of the Issuer for authentication and delivery of the Series 2021 Bonds in accordance with the provisions of the Indenture.

Section 8. Upon their issuance, the Series 2021 Bonds will constitute special limited obligations of the Issuer payable solely from and to the extent of the sources set forth in the Series 2021 Bonds and the Indenture. No provision of this Resolution, the Indenture, the Series 2021 Bonds, or any other instrument, shall be construed as creating a general obligation of the Issuer, or of creating a general obligation of the State of Utah or any political subdivision thereof, or as incurring or creating a charge upon the general credit of the Issuer or its taxing powers.

Section 9. The Designated Officers and other appropriate officials of the Issuer, and each of them, are hereby authorized and directed to execute and deliver for and on behalf of the Issuer any or all additional certificates, documents and other papers (including, without limitation, any escrow agreement permitted under the Indenture and tax compliance procedures) and to perform all other acts they may deem necessary or appropriate in order to implement and carry out the matters authorized in this Resolution and the documents authorized and approved herein.

Section 10. After the Series 2021 Bonds are delivered by the Trustee to the Underwriter/Purchaser and upon receipt of payment therefor, this Resolution shall be and remain irrevocable until the principal of, premium, if any, and interest on the Series 2021 Bonds are deemed to have been duly discharged in accordance with the terms and provisions of the Indenture.

Section 11. The Issuer shall hold a public hearing on January 13, 2021 to receive input from the public with respect to (a) the issuance of the Series 2021 Bonds issued under the Act, and (b) the potential economic impact that the improvements to be financed with the proceeds of the Series 2021 Bonds issued under the Act will have on the private sector, which hearing date shall not be less than fourteen (14) days after notice of the public hearing is first published and such publication shall be made (i) once a week for two consecutive weeks in the Park Record, a newspaper of general circulation within the jurisdiction of the Issuer, (ii) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended, and (iii) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended. The County Clerk shall cause a copy of this Resolution (together with all exhibits hereto) to be kept on file in the Summit County offices, for public examination during the regular business hours of the Issuer until at least thirty (30) days from and after the last date of the newspaper publication thereof. The Issuer directs its officers and staff to publish a “Notice of Public Hearing and Bonds to be Issued” in substantially the following form:

NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended (the “Act”), that on December 9, 2020, the County Council (the “Council”) of Summit County, Utah (the “Issuer”), adopted a resolution (the “Resolution”) in which it authorized the issuance of the Issuer’s Sales Tax Revenue Bonds, Series 2021 (the “Series 2021 Bonds”) (to be issued in one or more series and with such other series or title designation(s) as may be determined by the Issuer), and called a public hearing to receive input from the public with respect to (a) the issuance of that portion of the Series 2021 Bonds issued under the Act and (b) any potential economic impact that the Series 2021 Project, defined below which is to be financed with the proceeds of the Series 2021 Bonds issued under the Act may have on the private sector.

TIME, PLACE AND LOCATION OF PUBLIC HEARING

The Issuer shall hold a public hearing on January 13, 2021, at the hour of 6:00 p.m, convened an electronic meeting without a physical location in accordance with Utah Code Section 52-4-207(4). The purpose of the hearing is to receive input from the public with respect to (a) the issuance of that portion of the Series 2021 Bonds issued under the Act and (b) any potential economic impact that the Series 2021 Project to be financed with the proceeds of that portion of the Series 2021 Bonds issued under the Act may have on the private sector. All members of the public are invited to attend and participate.

PURPOSE FOR ISSUING THE SERIES 2021 BONDS

The Series 2021 Bonds will be issued for the purpose of (a) financing all or a portion of the cost of various public works and infrastructure projects, and all related improvements (the “Series 2021 Project”), (b) funding any debt service reserve funds, as necessary, and (c) paying costs of issuance of the Series 2021 Bonds.

PARAMETERS OF THE SERIES 2021 BONDS

The Issuer intends to issue the Series 2021 Bonds in the aggregate principal amount of not more than Twenty Million Dollars (\$20,000,000), to mature in not more than twenty-one (21) years from their date or dates, to be sold at a price not less than ninety-eight percent (98%) of the total principal amount thereof, and bearing interest at a rate or rates not to exceed five percent (5.00%) per annum. The Series 2021 Bonds are to be issued and sold by the Issuer pursuant to the Resolution, including as part of said Resolution, a General and a Supplemental Indenture (together, the “Indenture”) which were before the Council in substantially final form at the time of the adoption of the Resolution and said Indenture is to be executed by the Issuer in such form and with such changes thereto as shall be approved by the Issuer; provided that the principal amount, interest rate or rates, maturity, and discount of the Series 2021 Bonds will not exceed the maximums set forth above. The Issuer reserves the right to not issue the Series 2021 Bonds for any reason and at any time up to the issuance of the Series 2021 Bonds.

SALES AND USE TAXES PROPOSED TO BE PLEDGED

The Issuer proposes to pledge all or any portion of the revenues produced by local sales and use and excise taxes levied by the Issuer and legally permitted to be used for the Series 2021 Project (the "Revenues").

OUTSTANDING BONDS SECURED BY PLEDGED TAXES

The Issuer currently has \$7,955,000 of bonds outstanding secured by the Revenues.

OTHER OUTSTANDING BONDS OF THE ISSUER

Additional information regarding the Issuer's outstanding bonds may be found in the Issuer's financial report (the "Financial Report") at: <http://secure.utah.gov/auditor-search/>. For additional information, including any information more recent than as of the date of the Financial Report, please contact Matt Leavitt, Finance Officer at (435) 336-3017.

TOTAL ESTIMATED COST OF BONDS

Based on the Issuer's current plan of finance and a current estimate of interest rates, the total principal and interest cost of the Series 2021 Bonds to be issued under the Act to finance the Series 2021 Project, if held until maturity, is \$24,859,793.

A copy of the Resolution and the Indenture are on file in the office of the Summit County Clerk, 60 North Main, Coalville, Utah, where they may be examined during regular business hours of the County Clerk from 8:00 a.m. to 5:00 p.m. Monday through Friday, for a period of at least thirty (30) days from and after the date of publication of this notice.

NOTICE IS FURTHER GIVEN that a period of thirty (30) days from and after the date of the publication of this notice is provided by law during which (i) any person in interest shall have the right to contest the legality of the Resolution, the Indenture (as it pertains to the Series 2021 Bonds), or the Series 2021 Bonds, or any provision made for the security and payment of the Series 2021 Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality, or legality thereof for any cause whatsoever and (ii) registered voters within Summit County, Utah may sign a written petition requesting an election to authorize the issuance of the Series 2021 Bonds. If written petitions which have been signed by at least 20% of the registered voters of Summit County, Utah are filed with the Issuer during said 30-day period, the Issuer shall be required to hold an election to obtain voter authorization prior to the issuance of the Series 2021 Bonds. If fewer than 20% of the registered voters of Summit County, Utah file a written petition during said 30-day period, the Issuer may proceed to issue the Series 2021 Bonds without an election.

DATED this December 9, 2020.

/s/Kent Jones
County Clerk

Section 12. The Issuer hereby reserves the right to opt not to issue the Series 2021 Bonds for any reason, including without limitation, consideration of the opinions expressed at the public hearing.

Section 13. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Resolution shall be in full force and effect immediately upon its approval and adoption.

Section 14. The Issuer hereby declares its intention and reasonable expectation to use proceeds of tax-exempt bonds to reimburse itself for initial expenditures for costs of the Series 2021 Project. The Series 2021 Bonds are to be issued, and the reimbursements made, by the later of 18-months after the payment of the costs or after the Series 2021 Project is placed in service, but in any event, no later than three years after the date the original expenditure was paid. The maximum principal amount of the Series 2021 Bonds which will be issued to finance the reimbursed costs of the Series 2021 Project is not expected to exceed \$20,000,000.

APPROVED AND ADOPTED this December 9, 2020.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
County Clerk

(Other business not pertinent to the foregoing appears in the minutes of the meeting.)

Upon the conclusion of all business on the Agenda, the meeting was adjourned.

(SEAL)

By: _____
Chair

ATTEST:

By: _____
County Clerk

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

I, Kent Jones, the duly appointed and qualified County Clerk of Summit County, Utah (the “County Clerk”), do hereby certify according to the records of the County Council of Summit County (the “County Council”) in my official possession that the foregoing constitutes a true and correct excerpt of the minutes of the meeting of the County Council held on December 9, 2020, including a resolution (the “Resolution”) adopted at said meeting as said minutes and Resolution are officially of record in my possession.

I further certify that the Resolution, with all exhibits attached, was deposited in my office on December 9, 2020, and pursuant to the Resolution, there was published a Notice of Public Hearing and Bonds to be Issued no less than fourteen (14) days before the public hearing date: (a) once a week for two consecutive weeks in the Park Record, a newspaper having general circulation within Summit County, the affidavit of which publication will be attached upon availability, (b) on the Utah Public Notice Website created under Section 63F-1-701, Utah Code Annotated 1953, as amended and (c) on the Utah Legal Notices website (www.utahlegals.com) created under Section 45-1-101, Utah Code Annotated 1953, as amended.

IN WITNESS WHEREOF, I have hereunto subscribed my signature and impressed hereon the official seal of Summit County, this 9th day of December, 2020.

(SEAL)

By: _____
County Clerk

EXHIBIT A

CERTIFICATE OF COMPLIANCE WITH
OPEN MEETING LAW

I, Kent Jones, the undersigned County Clerk of Summit County, Utah (the “County Clerk”), do hereby certify, according to the records of Summit County (the “County”) in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the December 9, 2020, public meeting held by the Summit County Council of the County (the “County Council”) as follows:

(a) By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the County on _____, 2020, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

(b) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to the Park Record on _____, 2020, at least twenty-four (24) hours prior to the convening of the meeting; and

(c) By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>) at least twenty-four (24) hours prior to the convening of the meeting.

In addition, the Notice of 2020 Annual Meeting Schedule for the County Council (attached hereto as Schedule 2) was given specifying the date, time, and place of the regular meetings of the County Council to be held during the year, by causing said Notice to be (a) posted on _____, at the principal office of the County Council, (b) provided to at least one newspaper of general circulation within the County on _____, and (c) published on the Utah Public Notice Website (<http://pmn.utah.gov>) during the current calendar year.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this December 9, 2020.

(SEAL)

By: _____
County Clerk

SCHEDULE 1
NOTICE OF MEETING

SCHEDULE 2
ANNUAL MEETING SCHEDULE

(attach Proof of Publication of
Notice of Public Hearing and Bonds to be Issued)

EXHIBIT B

FORM OF INDENTURE

(See Transcript Document Nos. __ and __)

EXHIBIT C

FORM OF BOND PURCHASE AGREEMENT

(See Transcript Document No. __)

EXHIBIT D

FORM OF PRELIMINARY OFFICIAL STATEMENT

(See Transcript Document No. __)



Memorandum:

Date: January 13, 2021

To: Council Members

From: Nancy Hooton

Re: Mountain Regional Water Special Service District Administrative Control Board

Appoint two members to serve the on the Mountain Regional Water Special Service District Administrative Control Board. Terms of service to expire December 31, 2024.

Council interviewed the following applicants on January 13, 2021:

Ian Schofield – Reapplying

Joel Fine



Proclamation No. 2021-01

**A PROCLAMATION MEMORIALIZING
THE 1,330 UTAHNS AND SIX SUMMIT COUNTY RESIDENTS WHO HAVE
SUCCUMBED TO COVID-19
SUMMIT COUNTY, UTAH**

Whereas, On March 11, 2020, the World Health Organization (WHO) declared the novel coronavirus (COVID-19) outbreak a global pandemic; and

Whereas, COVID-19 is a disease caused by a new strain of coronavirus (SARS-CoV-2). It produces a respiratory illness ranging from mild flu-like symptoms to severe pneumonia; and

Whereas, COVID-19 has taken a toll on communities worldwide, from crowded hospitals, strain on medical providers and systems, economic downturn and lost wages, to mental health challenges and death; and

Whereas, The number of COVID-19 related deaths has become a key indicator to track the impact of the pandemic in countries and across the world; and

Whereas, The Centers for Disease Control and Prevention (CDC) projects that by the end of January 2021, between 405,000 and 438,000 COVID-19 deaths will be reported in the United States; and

Whereas, Since March, a total of 292,720 Utahns have been infected by the coronavirus, 3,489 of which are residents of Summit County; and

Whereas, 1,330 Utahns have died from COVID-19, six of whom were residents of Summit County; and

Whereas, Due to the efforts of the Summit County Health Department, businesses, and the community to enact, follow, and promote safety protocols, such as wearing face coverings, social distancing, and sanitization, and due to the excellent care provided by Park City Hospital and medical professionals across the state, more deaths have been prevented; and

Whereas, On January 19, 2021 at 3:30pm MDT/5:30pm EDT, counties across the nation will stand in tribute and memorial, honoring all those Americans who have succumbed to COVID-19; and

Now, therefore, be it resolved that the Summit County Council does hereby recognize and honor the 1,330 individuals in Utah and six Summit County residents who have died from COVID-19 since the pandemic was declared and encourages all Summit County residents to stand in a moment of silence on January 19, 2021 at 3:30pm Mountain Standard Time to pay tribute to all those who have perished due to this virus. We are optimistic that with the distribution of vaccines, the ongoing heroics of medical providers, and the actions being taken by members of the community, such as wearing facemasks and social distancing, lives will be saved.

APPROVED AND ADOPTED this 13th day of January 2021.
SUMMIT COUNTY COUNCIL

Glenn Wright, Chair

Christopher Robinson, Vice Chair

Roger Armstrong

Doug Clyde

Malena Stevens

Kent Jones, Clerk

Public Comment and Public Hearing Instructions
1/13/2021

If you would like to make public comments on any public hearing item, or an item not on the agenda, please email publiccomments@summitcounty.org by 12:00 p.m. on Wednesday, January 13th. Your comments will be read to the Council and made part of the meeting record.

If you are wishing to interact with Council during Public Input and/or the Public Hearing at 6:00 p.m., please:

1. Go to <https://zoom.us/j/772302472>
2. Enter meeting ID: 772-302-2472
3. Type in your full name, so you are identified correctly.
4. Set up your audio preferences.
5. You will be muted upon entering the meeting.
6. If you would like to comment, press the "Raise Hand" button at the bottom of the chat window.
7. When it is your turn to comment, the moderator will unmute your microphone. You will then be muted again after you are done speaking.



STAFF REPORT

To: Summit County Council
From: Kirsten Whetstone, MS, AICP- County Planner
Date of Meeting: January 13, 2021
Subject: 2008 Summit Research Park Development Agreement Amendments
Type of Item: Development Agreement Amendment- Public Hearing

I. Recommendation

Staff recommends the Council conduct a public hearing on an application to amend the 2008 Summit Research Park Development Agreement. The applicant is requesting an amendment to Exhibit C of the Development Agreement (Use Table) to allow a variety of residential uses, retail and restaurants, a hotel, and office uses as allowed by the underlying Community Commercial District. The applicant will present a concept site plan, traffic study summary, economic analysis summary, walkability plan, design concepts, and sustainability elements that address mitigation of the proposed amendments.

II. Project Description

Project Name: Summit Research Park Development Agreement Amendments
Applicant(s): Jeff Gochnour, Dakota Pacific Real Estate
Property Owner(s): Park City Junction, L.L.C.
Parcels: PCTC 401-AM, 402-AM, 403-AM, 404-AM, and 5B-AM
Location: Southwest of SR 224 and West Ute Blvd at Kimball Junction
Parcel Size: 58.26 acres (includes Skullcandy site, excludes Visitor Center, Transit Center, Richins Building and platted streets)
Zone District: Community Commercial (CC) subject to Development Agreement
Final Land Use Authority: Summit County Council

III. Background

Approval

On December 10, 2008, a previous property owner, Boyer Snyderville Junction L.C., entered into a Development Agreement with Summit County for development of the Summit Research Park (aka Park City Tech Center). See **Exhibit A for Development Agreement and Exhibits A-C.** ([link to Recorded Development Agreement and all Exhibits](#)). The Development Agreement was recorded on December 11, 2008, as Ordinance 698. In conjunction with approval of the Development Agreement, a re-zone of the property from Rural Residential and Hillside Stewardship to Community Commercial was adopted by Ordinance 706.

Allowed Uses

Specific permitted and conditional uses were included as Exhibit C. Primary allowed uses are laboratories, offices and prototype production facilities related to research facilities and technology. Sports medicine related uses, including research and treatment facilities, churches, and incidental commercial uses to support allowed uses are also allowed. Public service and transit facilities, chamber bureau visitor's center, and offices and/or research facilities for outdoor product companies are allowed as conditional uses.

Subdivision

An initial subdivision plat was recorded in 2010 creating six lots, known as the Park City Tech Center Subdivision. Lot 5 was amended creating 2 lots in 2012 and Lot 4 was amended creating 4 lots in 2016. An amendment to the Development Agreement was approved in 2014, providing clarity as to process for "use" determinations. The current application is contained to amended Lot 4 and Lot 5B (e.g., Lots 401-404 of the Lot 4 Subdivision and Lot 5B of the Lot 5 Subdivision).

What has been Constructed to date

In the twelve years since approval of the Development Agreement, two buildings have been constructed, namely the Visitor Information Center/Offices (on Lot 5-A) and Skullcandy Corporate Headquarters (on Lot 401-AM). A public transit center was constructed on Lot 6 (Summit County). Roads, roundabouts, sidewalks, trails, utilities, storm drainage systems, and landscaping were installed and/or constructed.

Affordable Housing Constructed

Liberty Peak Apartments were constructed on Overland Trail providing 152 one- and two-bedroom deed restricted units on a 6.61-acre parcel (Lot 3). These rental units are affordable to residents earning below 60% of Summit County Average Median Income (AMI). These units were required by the Development Agreement to satisfy an affordable housing requirement for the entire Summit Research Park approval and are subject to a Housing Agreement (see Exhibits J and K of the 2008 Agreement [link to Recorded Development Agreement and Exhibits](#)). These apartments are fully occupied.

Open Space and Trails provided

Acquired public open space and trails located to the south and west of the project area will remain as open space and as originally zoned. These open space lands are not part of this application. A 4.37-acre church site (Lot 1) remains undeveloped and is owned by Property Reserve Inc. A 6.49-acre lot (Lot 2) is owned by Basin Recreation Special Service District. Neither of these lots are included in this application.

Application to Amend the Development Agreement

On August 2, 2019, Dakota Pacific Real Estate submitted application to amend the 2008 Summit Research Park Development Agreement (Development Agreement). The request included an amendment to the Use Table (Exhibit C of the Development Agreement) to allow a mix of residential unit types (apartments, condominiums, townhouses), support retail and commercial, hospitality and hotel uses, as well as a variety of office uses consistent with the

underlying Community Commercial District. The initial application included a concept plan showing County civic uses moved interior to the site, an expanded transit center/multi-modal hub along Hwy 224, a future gondola from the transit center through the site to the Olympic Park, and a pedestrian overpass connecting the east and west sides of the Kimball Junction neighborhood. **Please see Exhibit B for the initial concept plan.**

Revisions submitted

On March 24, 2020, following several work sessions with the Planning Commission, the applicant submitted a revised application responding to comments raised by the Commission and Staff. These revisions included reducing the overall square feet of development to be less than illustrated in Exhibit D of the Development Agreement. The applicant also clarified the affordable housing proposal as follows:

1. The proposed application includes 256 deed restricted Affordable Units (<80% AMI) and 844 market rate units, of which 50 are to be deed restricted to 80-120% AMI and are considered attainable units (see table below).
2. Proposal includes a mix of “for rent” units (306 rent restricted and 714 unrestricted) in form of studios, 1- bedroom, 2- bedroom, and 3-bedroom apartments, townhouses, senior specific units, and live/work units as well as “for sale” condominiums (80 total). All units to have restrictions on short-term/nightly rental.
3. Snyderville Basin Development Code Chapter 5 (20% inclusionary zoning) requires 168 deed restricted Affordable units for the proposed uses. A surplus of 88 units is provided.
4. Chapter 5 requires 229.91 affordable unit equivalents (AUE) based on the number and type of units proposed and 232.1 AUE are proposed. A surplus of 2.19 AUEs.
5. All proposed Affordable units/AUE (256 units plus additional 50 attainable) are in addition to the 152 affordable deed restricted units already provided and constructed at Liberty Peak Apartments that fulfill the housing requirement stipulated in Development Agreement for the 2008 entitlement. See below for proposed unit restriction table.

	ALLOCATION OF RESTRICTED RATE UNITS								TOTAL
	MODERATE INCOME						MIDDLE INCOME		
	30% AMI	40% AMI	50% AMI	60% AMI	70% AMI	80% AMI	100% AMI	120% AMI	
AMI Unit Mix Options									
Baseline Criteria	128 units			128 units			50 units		306 units
<i>As a % of Total Restricted Units</i>	42%			42%			16%		
<i>Cumulative Total</i>	42%			84%			100%		
Area Median Income	\$23,919	\$31,892	\$39,865	\$47,838	\$55,811	\$63,784	\$79,730	\$95,676	
<i>Maximum Monthly Rent (Single Person)</i>	\$598	\$797	\$997	\$1,196	\$1,395	\$1,595	\$1,993	\$2,392	
	Ski Patrol \$30,339	Hotel & Resort Desk Clerks \$26,600	Cooks, Restaurant \$32,852	Police, Fire, & Ambulance Dispatchers \$40,009	Walders \$50,949	Skullcandy Executive Assistant† \$08,000	Accountants \$65,845	Skullcandy Motion Designer† \$93,000	
	Waiters & Waitresses \$21,448	Retail Salesperson \$28,714	Skullcandy Accounts Receivable Analyst† \$38,000	Bus Drivers \$42,634	Skullcandy Logistics Analyst† \$53,000	Registered Nurses \$66,472	Mechanical Engineers \$87,584		
	Childcare Workers \$23,129	Skullcandy Loss Prevention Specialist† \$18,000		Skullcandy Junior Designer† \$45,000	Loan Officers \$53,974	Special Education Teachers \$59,228	Skullcandy Graphic Designer† \$70,000	Financial Analysts \$88,830	
				Concierges \$45,760			Architects \$71,100	Lawyers \$92,482	

† Glassdoor.com, (March 2020)

Table- Proposed Allocation of restricted rate units (Dakota Pacific)

The concept plan was also revised to include only those properties owned or controlled by Dakota Pacific. This removed from the current revised concept plan a proposed land swap with the County to move civic uses interior to the site in exchange for office uses on County property. It also set aside community transportation and mobility improvements due to on-going UDOT corridor planning and necessity for lengthy discussions regarding private-public partnerships required for those elements. To formally propose these improvements at this time, Summit County would have to be a party to the application.

The applicant noted that they intend to dedicate the easement area necessary for a future gondola, landing area for a future pedestrian crossing of Hwy 224 and have preserved the land area for a future expanded multi-modal transportation hub. The applicant reiterated that these items are still long-term goals, and they are committed to working with Summit County to make these improvements happen.

In August 2020, following public hearings and much public and Commission input, the applicant submitted a further revised concept site plan and connectivity plan. These revisions provided live/work units and additional public gathering areas. **Please see Exhibit C for the current revised concept plan and Exhibit D for the current connectivity plan. The traffic study summary (Exhibit E) and Economic Analysis (Exhibit F) are attached, along with Staff memorandums addressing these studies.**

Planning Commission Recommendation

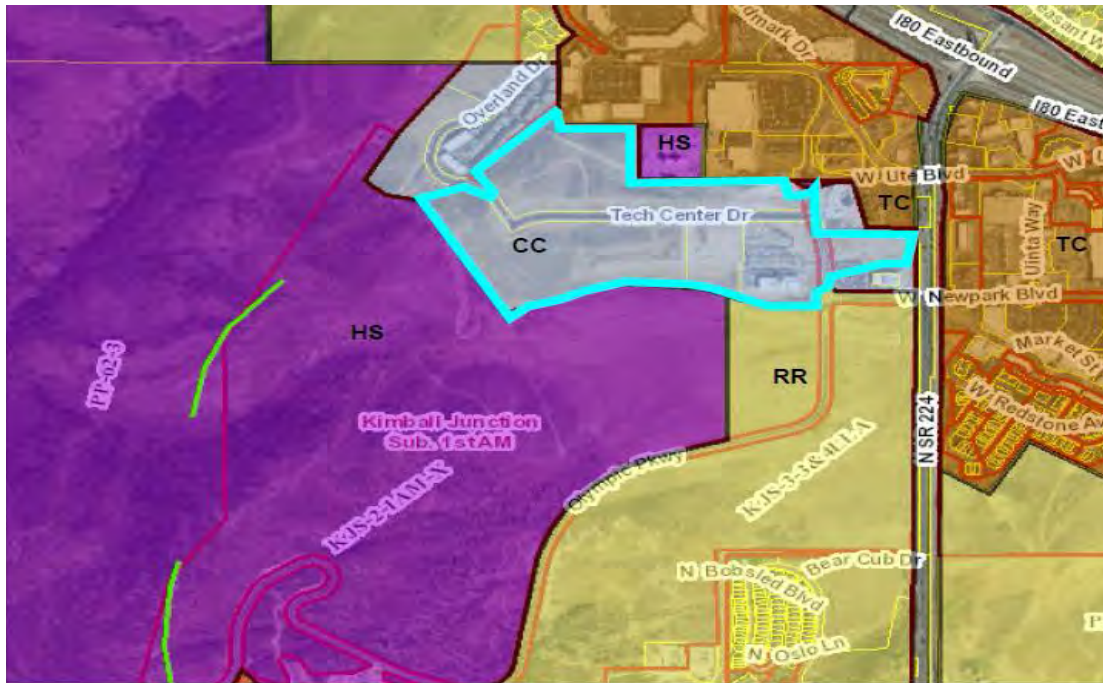
On September 8, 2020, the Planning Commission deliberated on the request to amend the Development Agreement to allow additional land uses. Following a failed motion to forward a positive recommendation to allow the amended uses, with a list of concerns outlined for further Council consideration, the Commission voted 5-2 to forward a negative recommendation to the Council. In forwarding a negative recommendation, the Commission outlined concerns for Council consideration. These included:

- A completely new Development Agreement should be prepared.
- The mix/ratio of uses needed careful evaluation and there should be flexibility.
- Maximum density should be described for the new uses.
- Net benefit of the proposed housing should be further studied.
- The traffic study should be independently reviewed.
- Other findings as provided on the record (see link below).

Please see the following link to the September 8th Planning Commission meeting.

<https://summitcounty.box.com/s/p5xi1jpe0nd3gpwq62x6qjhmw2227tc1>

IV. Current Zoning and Vicinity Map



V. Description of Application

The applicant requests an amendment to the Development Agreement to allow a mixed-use neighborhood consisting of a variety of residential unit types, sizes, and affordability; as well as office, support commercial/ retail, and hospitality/hotel uses, as described below. Requested uses are consistent with the underlying Zoning District. [link to CC District and Land Use Chart](#)

DPRE SITE PROGRAM PROJECT COMPARISON						6/19/2020
Product Type	Park City Tech Center		DPRE Mixed-Use ORIGINAL SUBMITTAL		DPRE Mixed-Use CURRENT PROPOSAL	
	SF	UNITS	SF	UNITS	SF	UNITS
Research Park / Office	1,295,000		300,000		235,000	
Civic			50,000			
Housing	195,000	152	1,353,000	1,135	1,248,000	1,100
Commercial / Retail	-		25,500		19,000	
Hospitality	-		211,500		122,500	
Gross Total	1,490,000	152	1,940,000	1,135	1,624,500	1,100
Less Workforce Housing	(195,000)		(366,900)		(335,400)	
Net Total	1,295,000	152	1,573,100	1,135	1,289,100	1,100

Note: includes the existing 45,000 sf Skullcandy Bldg. and 30,000 sf Visitor Center. SF of Tech Center are approximated from volumetric outlined in Design Guidelines- Exhibit D of DA.

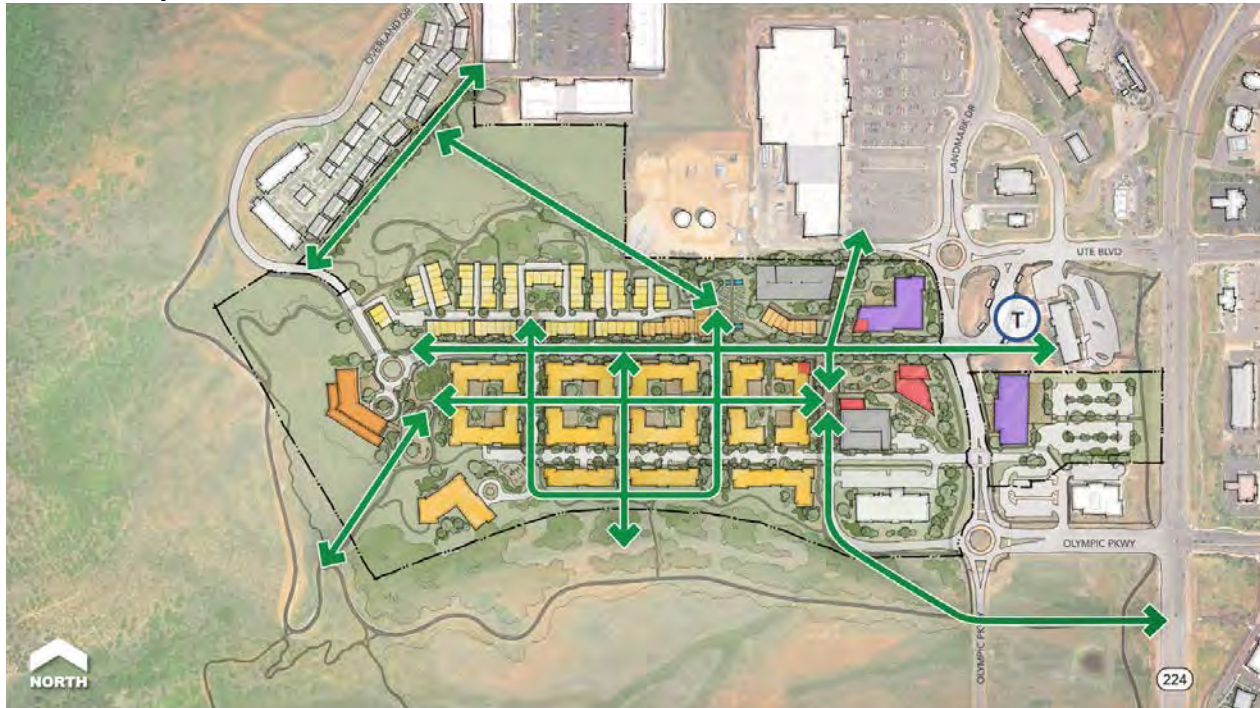
Current Proposal Summary

- Includes only Dakota Pacific controlled properties.
- Transportation and Civic uses proposed with the initial application depend on possible land exchange with the County as well as planning and partnerships with UDOT and others and depend on the outcome of the UDOT Hwy 224 corridor study. These are future goals of the development.
- Comparative square footages for residential, retail, office, and hotel are shown in the table above. Deed restricted housing is not included in the net totals.
- Concept site plan includes 235,000 sf of office/research uses (75,000 sf are built), 19,000 sf of support retail/commercial, 122,500 sf of hotel/hospitality and 1,248,000 sf of residential (includes the deed restricted affordable housing units). Office uses are proposed as those allowed, low impact or conditional in the Community Commercial District.
- The following uses are not proposed: Adult/sex-oriented facilities and businesses; Auto repair; Construction related equipment rental and storage; Construction related wholesale goods; Truck stops; Drive-in and Drive-up businesses; RV, Boat, and Vehicle storage; Gas and fuel storage and sales; Gas station; Horse boarding and horse stables; and Hospital. Consider allowing a neighborhood vehicle charging/fueling station.
- Includes 1,100 total residential units in a variety of types and sizes including for-rent studios to three- bedroom apartments, senior specific units, two and three-bedroom townhouses, live/work townhouse units and 80 for-sale market rate condominiums (306 rate restricted units and 714 unrestricted units).
- Includes 256 deed restricted Affordable Units (<80% AMI) and 844 market rate units, of which 50 are to be deed restricted to 80-120% AMI and considered attainable units.
- The applicant stipulates that Nightly Rental (short term rental) would not be allowed.
- Snyderville Basin Development Code's 20% inclusionary zoning requires 168 deed restricted Affordable units for the proposed uses (excluding Skullcandy and Visitor Center) and a surplus of 88 units is provided.
- The Chapter 5 worksheets require 229.91 affordable unit equivalents (AUE) based on the number and type of units proposed and 232.1 AUE are proposed, a surplus of 2.19 AUEs.
- These affordable units/AUE are in addition to the 152 affordable deed restricted units already provided at Liberty Peak Apartments to fulfill the housing requirement stipulated in the 2008 Agreement for the 2008 entitlement.
- The applicant also proposes to permanently deed restrict an additional 50 units of "attainable" or "middle" income housing for those earning between 80% AMI and 120% AMI. This action is consistent with Ordinance Number 905 adopted on November 25, 2019, providing future affordability as addressed in the General Plan housing goals for attainable units.
- The 50 attainable units are included in the 844 market rate units because they do not meet the "affordable" requirement of 80% or less AMI.

- Parking is primarily structured in garages or beneath buildings in contrast to primarily surface parking allowed by the research park plan.
- Surface parking for the office use on Lot 5B preserves future options for an underground parking/BRT enhanced transit center and possible pedestrian connections to east side of Kimball Junction.
- Proposed mixed use concept plan provides useable open space within the neighborhood area and opportunities for playgrounds, trails, passive park land, plazas, and other public and neighborhood gathering spaces.
- Multiple connections to adjacent trails and open space are proposed to enhance the walkability of the neighborhood. Locations and design will be coordinated with Basin Recreation.
- Sidewalks and trails are provided within the neighborhood and to adjacent properties to connect people to, from and through the neighborhood and general Kimball Junction area.
- Concept Plan:



Connectivity Plan



VI. Criteria for Review and Approval of Development Agreements (and Amendments)

Amendments to the 2008 Agreement that alter or modify terms of the Agreement, the Allowed Uses, approved density or intensity of use, and others as described in Development Agreement Section 1.11.1 are considered Substantial Amendments. Substantial Amendments require a public hearing and recommendation by the Planning Commission, with further public hearing and final action by the County Council. Amendments that are not Substantial Amendments are considered Administrative Amendments, as further described in Section 1.11.2 of the Development Agreement.

Staff reviewed the request for a Substantial Amendment to the 2008 Development Agreement, to modify the Allowed Uses, for compliance with Snyderville Basin Development Code, Section 10-3-19 (D) (1-11) Criteria for Approval as follows:

1. The development agreement has been duly adopted in accordance with the provisions stated in this section, unless it comprises an SPA plan, in which case, it is subject to the adoption and approval provisions of section 10-3-11 of this chapter; ***To amend the land use table in Exhibit C, an amended Agreement and amended Land Use Table Exhibit shall be drafted for adoption by the Council, in accordance with provisions stated in this Section. All references to those land uses shall be amended in the Agreement and a revised concept site plan and connectivity plan shall be included.***

2. The development agreement includes written consent by each landowner whose properties are included within the area described; ***An amended Agreement shall include written consent by each landowner within the specific amended Development Agreement area that would be subject to the amended Agreement.***
3. The County Council, after receipt of a recommendation from the planning commission, and review and consideration of the development agreement, finds that the specific proposals, terms and conditions contained in the agreement promote the intent of the general plan, result in benefits to the general public that would not otherwise occur under the literal application of this title, and effectively protect the health, safety and general welfare of the public; a public hearing is required to be held; ***County Council will review and consider whether the requested land uses promote the intent of the general plan, result in benefits to the general public that would not otherwise occur under the literal application of this title, and effectively protect the health, safety and general welfare of the public. County Council shall conduct a public hearing upon receipt of a recommendation from the Planning Commission. Planning Commission conducted public hearings on June 23, July 28, August 11, and August 25, 2020. Staff has reviewed the proposed amendment for consistency with the General Plan and with the Kimball Junction Neighborhood Plan, as noted below in Section VII.***
4. Development allowed under a development agreement shall comply with appropriate concurrency management provisions of this title, the infrastructure standards of this title, and all appropriate criteria and standards described in the development agreement; ***The proposed amendment to the land use table does not change the concurrency provisions or infrastructure standards memorialized in the 2008 Agreement.***
5. When appropriate, based on the size of the project, the landowner or applicant agrees to, at a minimum, contribute all capital improvements and facilities necessary to mitigate the impacts of the project on the county and its special districts; ***The proposed amendment to land uses does not change the capital improvements and facilities provisions and requirements memorialized in the 2008 Agreement.***
6. The landowner or applicant will mitigate all fiscal impacts on the general public; ***Mitigation measures for fiscal impacts of development of the site were negotiated prior to the 2008 approval and are included in the 2008 Development Agreement. Any additional mitigation of fiscal impacts on the public due to the change of uses, will be further discussed, and determined by the County Council and will be included in an amended Agreement.***
7. Development shall not be permitted to create unacceptable construction management impacts; ***The proposed amendment to land uses does not change existing provisions and requirements of construction management impact mitigation memorialized in the 2008 Agreement.***
8. While a creative approach to the development and use of the land and related physical facilities may be allowed by a development agreement, all development approved in the agreement shall meet or exceed development quality objectives of the general plan and this title; ***The proposed amendment to land uses does not relieve the applicant from existing Development Agreement requirements to meet or exceed development quality objectives of the general plan or the development code.***
9. The development shall be consistent with the goal of orderly growth and minimize construction impacts on public infrastructure within Snyderville Basin; ***Phased approach to***

development of the site will be necessary for orderly growth and to minimize construction impacts on public infrastructure. Staff recommends conditions of approval, related to submittal of an overall phasing plan prior to approval of any Development Application, to be timely reviewed throughout the duration of development and consistent with the general phasing language in the 2008 Development Agreement. Phases shall stand on their own. Phases shall take into consideration timing of infrastructure and roadway improvements, including transit and UDOT work on Hwy 224 and the I-80 interchange.

10. The development shall protect life and property from natural and manmade hazards; ***The proposed amendment to land uses does not change existing provisions and requirements in the 2008 Agreement regarding protection of life and property from natural and manmade hazards.***

11. The development shall prevent harm to neighboring properties and lands, including nuisances. ***The proposed amendment to land uses does not change existing provisions and requirements in the 2008 Agreement regarding prevention of harm to neighboring properties and lands, including nuisances.***

VII. General Plan Review

Amendments to Development Agreements are subject to review for consistency with the Snyderville Basin General Plan ([Link to Snyderville Basin General Plan](#)) and specifically with the recently adopted 2019 Kimball Junction Neighborhood Plan (**beginning on Page 47 of the Snyderville Basin General Plan (link above)**). Staff presented the objectives and opportunities of the 2019 Kimball Junction Neighborhood Plan at the August 11th and 25th public hearings and identified the planning and community design principles that were established in the Neighborhood Plan to achieve them. The request to amend allowed land uses in the 2008 Development Agreement, is consistent with the General Plan goals that include the following:

- Sustainability, both in terms of development and the environment, in that complete, connected, and compact development is the first tier of sustainability.
- Quality growth and economic development that provides a positive contribution to the community's quality of life and the mountain resort economy, by providing live, work, and play opportunities for people of diverse social and economic backgrounds in a compact, complete, and connected quality-built environment. By creating a resilient community that can support existing local businesses and the local economy.
- Improves the visual quality of the built environment by creating a sense of place with areas designed for a variety of experiences that are lively and pleasant to use, such as creating open space, green areas and gathering plazas in place of surface parking lots and office buildings that go dark (empty and void of activity) after 5 pm.
- Preservation of open space, view corridors and scenic mountainsides, by utilizing the existing development areas and setback parameters from Hwy 224 allocated to the Research Park, decreasing surface parking lots, increasing building separation and diversity of massing, and including wide connected sidewalks,

interspersed pocket parks, connected trail systems and community gathering areas and community dog park.

- Preservation of Critical Lands (as defined in Section 10-4-3 of the Code) natural resources and the environment, including clean air and water, by utilizing existing development areas and maintaining existing open space.
- Provide for interconnectivity and traffic mitigation through a variety of creative alternatives for all modes of transportation by developing a mixed-use neighborhood near transit center the uses can provide a catalyst for public and private investment in transit improvements that benefit the entire community. By enhancing pedestrian connectivity to, from and throughout the development providing interconnectivity for surrounding neighborhoods and uses.
- Provision and inclusion of affordable housing as it provides a variety of housing choices, a key component of a strong and healthy (resilient) community that meets the diverse needs of the region, in a variety of forms that responds to our local context, by providing a wide range of affordability and unit types giving people of many social and economic backgrounds, including the “missing middle” the opportunity to live and work in a quality-built environment and contribute to community life. By exceeding minimum affordable housing requirements. By providing additional deed restricted Attainable housing units to ensure future affordability for an additional 50 units. By strengthening the neighborhood’s mix of uses it fosters a diversity of people, uses and experiences to create a greater sense of community.

The request to amend allowed land uses in the 2008 Development Agreement, is consistent with the 2019 Kimball Junction Neighborhood Plan element of the General Plan, in that the amendment to land uses:

- Provides a variety of housing choices, a key component of a strong and healthy (resilient) community that meets the diverse needs of the region, in a variety of forms that responds to our local context.
- Provides live, work, and play opportunities for residents in a compact, complete, and connected manner creating a resilient community that can support local businesses and the local economy.
- Provides a wide range of affordability giving people of all social and economic backgrounds the opportunity to live in a quality-built environment.
- Strengthens the neighborhood’s mix of uses and fosters a diversity of people, uses and experiences to create a greater sense of community.
- Creates a mixed-use neighborhood designed with people in mind, promoting efficiencies in people, services, mobility, and infrastructure.
- Uses traditional neighborhood building – street patterns for town center development with buildings at the street, diversity of massing, wide connected sidewalks, interspersed pocket parks and community gathering areas, support retail and live-work space in proximity to residential, office, civic and transit uses.
- Accommodates vehicles in an environment designed for people.
- Provides more centralized parking and decreases surface parking lots

- Improves overall neighborhood connectivity and walkability connecting people to adjacent land uses in a simple, safe, comfortable, and enjoyable manner.
- Enhances opportunities for community and civic spaces.
- Improves the visual quality of the built environment by creating a sense of place with areas designed for a variety of experiences that are lively and pleasant to use, such as creating open space, green areas and gathering plazas in place of surface parking lots.
- Is designed to be flexible in response to future changes in demographics and lifestyle.
- Provides transit-oriented development opportunities for traffic mitigation, environmental sustainability, neighborhood resiliency, and affordability.
- Provides compact, complete, and connected space and uses for energy and resource efficiency, addressing climate change concerns and affordability.
- Provides positive economic and social progress for this and for future generations.
- Promotes community participation in the neighborhood planning process

Additional minor amendments to general street layout, block sizes and locations, trails and pedestrian connections, public gathering areas, and other architectural design and volumetric details, are considered Administrative Amendments as outlined in the 2008 Development Agreement. The Amended Development Agreement will specify the process for review and approval of specific development applications (such as Final Site Plans, Conditional Use Permits, and others).

VIII. Public Notice

Planning Commission conducted Public hearings on June 23rd, July 28th, August 11th, and August 25th, 2020. Please see **Exhibit G** for written public input provided during Planning Commission review of this application. Public input ranges from opposition due to traffic, economic and character of development concerns to support due to reasons consistent with the vision of the Kimball Junction Master Plan.

The applicant conducted two virtual open houses, developed a website (www.HeyKimballJunction.com), distributed posters throughout the Kimball Junction area, and requested public input on an on-line survey.

Legal notice of this public hearing was published in the Park Record, posted on the County's website (www.summitcounty.org) and posted on the Utah Public Notice websites. Postcards were sent to property owners within 1,000 feet of the project site. See **Exhibit H** for public input received by January 6, 2021 (additional comments received will be forwarded).

IX. Next Steps

Staff proposes the following next steps:

- Schedule review of draft Development Agreement

- Review of Amended Design Guidelines by CDD Staff
- Final Council deliberation and action

X. Recommendation

Staff recommends the Council conduct a public hearing on an application to amend the 2008 Summit Research Park Development Agreement. The applicant is requesting an amendment to Exhibit C of the Development Agreement (Use Table) to allow a variety of residential uses, retail and restaurants, a hotel, and office uses as allowed by the underlying Community Commercial District.

XI. Draft Findings of Fact, Conclusions of Law and Conditions

Staff provides the following draft findings of fact, conclusions of law, and possible conditions of approval for Council discussion:

Draft Findings of Fact

1. On December 10, 2008, Boyer Snyderville Junction L.C., entered into a Development Agreement with Summit County for development of the Summit Research Park (aka Park City Tech Center).
2. The Development Agreement was recorded on December 11, 2008, as Ordinance 698.
3. In conjunction with approval of the Development Agreement, a re-zone of the property from Rural Residential and Hillside Stewardship to Community Commercial District was adopted by Ordinance 706.
4. Summit Research Park (aka Park City Tech Center) was approved in 2008 for research and tech related uses and support commercial uses dispersed over 22 development blocks. 195,000 square feet of workforce housing (152 units) and 3,910 parking spaces (primarily surface) were also included.
5. The 2008 Development Agreement has no statement of maximum allowable density.
6. The Community Commercial District does not include maximum density regulations; stating that “Density shall be determined by the ability of the proposed development to meet all required development and performance standards and criteria set forth in this title.”
7. Exhibit B of the Development Agreement includes a general Master Plan for the Research Park approval, including an area context map, general site plan, open space map, slope constraints map and aerial massing plans.
8. Exhibit C of the Development Agreement lists allowed, and conditional land uses for the Research Park, including restricted research office uses, support retail commercial, moderate income housing and a future church site.
9. Exhibit D of the Development Agreement consists of Design Guidelines, building volumetric, height and setbacks, architectural guidelines, and other parameters within which development can occur. In combination with the Development Agreement these guidelines outline development limits and desired development patterns.
10. Exhibit E of the Development Agreement is Chapter 4 (2008 version) of the Snyderville Basin Development Code- includes Standards for Approval of Development Permits and Exhibit F includes specific Height Regulations.

11. Exhibit G of the Development Agreement is the initial 2 lot Kimball Junction Subdivision plat that created the development parcel (Lot 1) and the surrounding open space (Lot 2) parcel. Amendments to the Kimball Junction Subdivision plat were recorded in 2010, 2014 and 2016.
12. Lot 1 of the Kimball Junction Amended Subdivision was subdivided into six (6) development lots, recorded in 2010 as the Park City Tech Center Subdivision.
13. Lot 5 of the Park City Tech Center Subdivision was amended creating 2 lots in 2012 (Park City Tech Center Lot 5 Subdivision) and Lot 4 was amended creating 4 lots in 2016 (Park City Tech Center Lot 4 Subdivision).
14. Exhibit H of the Development Agreements includes plan updates for a transit station and county uses. Exhibit I includes the preliminary Transportation Analysis for the Research Park. Exhibit J includes the Section 10-5-3 of the 2008 Development Code regarding Work Force Housing requirements. Exhibit K includes the Research Park Work Force Housing proposal. A 2007 Battelle Study – Characteristics and Trends in North American Research Parks is included.
15. Exhibit L is Sign Regulations of the 2008 Development Code. Exhibit M is Chapter Six of the 2008 Code- Installation and Guarantee of Development Improvements. Exhibit N is Code Section 10-3-11 Sketch Plan submission requirements. Exhibit O is Code Section 10-2-7 - Community Commercial Zone.
16. Section 1.11 of the Development Agreement describes the process for Substantial and Administrative Amendments.
17. Amendments to the Agreement that alter or modify terms of the Agreement, the Allowed Uses, approved density, or intensity of use that may be constructed consistent with the height limitations or open space requirements, and other amendments as described in Section 1.11.1 are considered Substantial Amendments requiring a public hearing and recommendation by the Planning Commission, with further public hearing and final action by the County Council.
18. Amendments that are not Substantial Amendments are considered Administrative Amendments as further described in Section 1.11.2 of the Development Agreement.
19. An amendment to the Development Agreement was approved in 2014, providing clarity as to process for “use” determinations.
20. On August 2, 2019, Dakota Pacific Real Estate applied to amend the Development Agreement allowed uses stipulated in Exhibit C to include a mix of residential unit types, support retail and commercial, hospitality and hotel uses, as well a variety of office uses as allowed in the CC District.
21. On March 24, 2020, following several work sessions with the Planning Commission, the applicant submitted a revised application responding to comments raised by the Commission.
22. On August 10, 2020, following public hearings, the applicant submitted a further revised concept site plan and a connectivity plan. Those revisions, along with the March 24th amendments, constitute the application currently under review.
23. The current application is contained to Lot 4 (as amended) and Lot 5B of the Park City Tech Center Subdivision.

24. The application includes only Dakota Pacific controlled properties.
25. Enhanced Transportation and Civic uses, as initial proposed, will depend on possible land exchange with the County as well as planning and partnerships with UDOT and the outcome of the UDOT Hwy 224 corridor study.
26. Proposed concept site plan includes 235,000 sf of office/research uses (75,000 are built), 19,000 sf of support retail/commercial, 122,500 sf of hotel/hospitality and 1,248,000 sf gross of residential (includes the deed restricted affordable housing units).
27. Proposed concept plan includes 1,100 total residential units in a variety of types and sizes including for-rent studios to three- bedroom apartments, senior specific units, two and three-bedroom townhouses, live/work townhouse units and 80 for-sale market rate condominiums (306 rate restricted units and 714 unrestricted units).
28. Includes 256 deed restricted Affordable Units (<80% AMI) and 844 market rate units, of which 50 are to be deed restricted to 80-120% AMI and considered attainable units.
29. Office uses are proposed as those that are allowed, low impact or conditional in the Community Commercial District as listed in the Use Table- Section 10-2-10 of the Code.
30. The following uses are not proposed and should be restricted on an amended Exhibit C Land Use table:
 - a. Adult/sex-oriented facilities and businesses
 - b. Auto repair
 - c. Construction related equipment rental and storage
 - d. Construction related wholesale goods
 - e. Truck stop
 - f. Drive-in and Drive-up business
 - g. RV, Boat, and Vehicle storage
 - h. Gas and fuel storage and sales
 - i. Gas station
 - j. Horse boarding and horse stables
 - k. Hospital
31. The application and concept site plan include 1,100 total residential units in a variety of types and sizes including for-rent studios to three- bedroom apartments, two and three-bedroom townhouses, live/work townhouse units and 80 for-sale market rate condominiums as further described in the application.
32. Staff reviewed the request for a Substantial Amendment to the 2008 Development Agreement, to modify the allowed uses for compliance with Snyderville Basin Development Code, Section 10-3-19 (D) (1-11) Criteria for Approval, as described in this Staff Report and include herein those findings of compliance.
33. In the eleven years since approval of the Development Agreement, two buildings have been constructed, namely the Visitor Information Center/Offices (on Lot 5-A) and Skullcandy Corporate Headquarters (on Lot 401-AM). A bus transit center was constructed on Lot 6. Roads, round-abouts, sidewalks, trails, utilities, storm drainage systems, and landscaping were built.
34. Liberty Peak Apartments were constructed on Overland Trail providing 152 one- and two-bedroom deed restricted units on a 6.61-acre parcel (Lot 3), affordable to residents earning below 60% of Summit County Average Median Income (AMI). These units were

- required by the Development Agreement to satisfy an affordable housing requirement for the entire Summit Research Park approval.
35. Acquired public open space and trails located to the south and west of the project area remain as originally zoned and are not part of this application. A 4.37-acre church site (Lot 1) remains undeveloped and is owned by Property Reserve Inc. A 6.49-acre lot (Lot 2) is owned by Basin Recreation Special Service District. Neither of these lots are included in this application.
 36. The Skullcandy Offices and Park City Visitor Center buildings were constructed under the 2008 Agreement.
 37. Public open space and trails located to the south and west of the project were approved with the Tech Center approval and remain. These surrounding open space areas are not part of the Dakota Pacific development plan and no change of use of the open space areas are requested.
 38. On September 24, 2019, staff and the applicant presented an initial review of the proposed application.
 39. On October 8, 2019, staff presented a history of the 2008 Agreement and the applicant presented their vision, rationale, and context for requesting amendments to the 2008 Agreement.
 40. On October 22 and November 12, 2019, the applicant presented further details on proposed land uses and general massing of proposed buildings.
 41. On December 10, 2019, the applicant presented transportation and connectivity components.
 42. On April 28, 2020, the applicant presented revisions to their initial application including a breakdown of uses and square feet, as well as a review of the required affordable housing units and proposal to include and deed restrict an additional 50 units as attainable units (80-120% AMI).
 43. On June 23, 2020, the Commission conducted an initial public hearing. An overview of the proposal was presented as well as specific information about the land uses and the affordable housing component.
 44. On July 28, 2020, the Commission conducted a continued public hearing and requested additional information regarding housing, transportation, site connectivity, and other items.
 45. On August 11th and 25th, 2020, the Commission conducted a continued hearing and discussed transportation and economic analysis.
 46. The public hearing was closed at the August 25th meeting.
 47. The proposed application includes 256 deed restricted Affordable Units (<80% AMI) and 844 market rate units, of which 50 are to be deed restricted to 80-120% AMI and considered attainable units.
 48. Snyderville Basin Development Code Chapter 5 (20% inclusionary zoning) requires 168 deed restricted Affordable units for the proposed uses. A surplus of 88 units is provided.
 49. Chapter 5 worksheets require 229.91 affordable unit equivalents (AUE) based on the number and type of units proposed and 232.1 AUE are proposed, a surplus of 2.19 AUEs.

50. The proposed Affordable units/AUE are in addition to the 152 affordable deed restricted units already provided and constructed at Liberty Peak Apartments to fulfill the housing requirement stipulated in the 2008 Agreement for the 2008 entitlement.
51. The applicant stipulates to permanently deed restrict an additional 50 units of “attainable” or “middle” income housing for those earning between 80% AMI and 120% AMI. This action is consistent with Ordinance Number 905 adopted on November 25, 2019, providing future affordability as addressed in the General Plan housing goals for attainable units. The 50 attainable units are included in the 844 market rate units because they do not meet the requirement of 80% or less AMI for Affordable.
52. The applicant stipulates that nightly rental uses would not be allowed in residential units.
53. Parking is proposed primarily as structured parking in garages or beneath buildings in contrast to primarily surface parking allowed by the research park plan.
54. Surface parking for office uses on Lot 5B preserves future options for an underground parking/BRT enhanced transit center and possible pedestrian connections to eastern Kimball Junction.
55. The proposed mixed-use concept plan provides more useable open space within the neighborhood area and opportunities for playgrounds, trails, passive park land, plazas, and other public and neighborhood gathering spaces in comparison to the research park uses.
56. Multiple connections to adjacent trails and open space are proposed to enhance the walkability of the neighborhood. Locations and design of trails will be coordinated with Basin Recreation.
57. Sidewalks and trails are provided within the neighborhood and to adjacent properties to connect people to, from and through the neighborhood and general Kimball Junction area.
58. The applicant submitted an updated Traffic Study (Fehr and Peers August 2020) reflecting the revised application. The Traffic Study and conclusions were presented to the Planning Commission on August 11 and August 25, 2020.
59. The Traffic Study concluded that the impact of the proposed land use amendments would have minimal impact on vehicle LOS and delay at most of the study intersections during typical weekday peak hours, except for three intersections. LOS (Level of Service) does not degrade below UDOT or County LOS standards. Three of the study intersections that have the most impact from traffic added by the development are a) I-80/SR-242, b) Ute Boulevard/SR-224 and c) Tech Center/Landmark Drive. The first two intersections will continue to struggle to maintain LOS D conditions with or without the proposed development. This stretch of SR-224 is being studied by UDOT where potential mitigation measures will be evaluated. Minor mitigation to both Ute Boulevard/SR-224 and Tech Center/Landmark Drive could improve traffic operations in the area.
60. The Engineering Department has reviewed the updated traffic study and finds the methodology and findings to be reasonable. Initially it was thought that the new development would bring an approximate increase of 50% of daily trips from the originally approved land uses. On August 25, 2020 the applicant’s transportation consultant, Jim Charlier, presented a 2% decrease in daily trips when comparing “apples

to apples” with the 2008 study. In calculating the trips for different land uses there are a range of different rates that can be used. Engineering has reviewed what Jim Charlier presented in that meeting when he converted the 2008 trip rates to 2020 trip rates and concluded that it has approximately the same daily trips and Engineering agrees with his methodology. In addition, there is a reduction to the AM and PM peak trips. There was no midday data provided for Research and Development land use, therefore we could not do a comparison of the original land uses and the proposed land uses. Based on time-of-day factor found in Jim Charlier’s last presentation, the midday traffic should be like the AM peak traffic.

61. Phasing and timing of build out is a concern. If the project is built out faster than UDOT has time to make modifications to the SR-224/Ute Blvd intersection, there will be an average delay per vehicle of 3.5 minutes. Looking at specific movements at this intersection, the southbound left turn at build out is expected to have a delay around 8 minutes. The eastbound left turning movement would experience a 6.5-minute delay, which would back up traffic to the roundabout causing it to fail. As a condition of approval, Engineering recommends that the proposed project is built in phases considering the impact of traffic on the surrounding roads, with clearly identified benchmarks that will allow evaluation of intermittent impacts.
62. Phasing and specific traffic mitigations are recommended to be included in the amended Development Agreement along with the updated Traffic Analysis.
63. To help mitigate the eastbound left turn movements from backing up into the roundabout, Engineering recommends eliminating the left turns from Ute Blvd into the library parking lot and left turns onto Landmark Loop. One of the mitigations measures suggested by the applicant would be to eliminate left turns out of the transit center onto Landmark Drive. This will need to be better understood on how it impacts transit service. This, in combination with traffic backing up to the roundabout on Ute Boulevard would bottleneck the transit center. With BRT being considered along Hwy 224, it is essential to keep the transit center flowing.
64. The applicant submitted a July 26, 2020 Economic and Fiscal Impacts Analysis prepared by Matt Prosser, Economic and Planning Systems. The Economic Analysis was reviewed by the County’s Economic Development Department and was presented to the Planning Commission on August 25, 2020.
65. The Economic Analysis outlines four primary findings regarding the proposed mixed-use plan. Those findings include 1) generation of \$36 million annual taxable retail and lodging sales with 2,774 new residents and 1,034 new jobs at build out; 2) generation of \$5.3 million annual tax revenue at buildout from sales, lodging and property tax; 3) generation of \$15.4 million in development fees to cover services for permits, review fees, development impact fees (exclusive of SBWRD fees); and 4) generation of annual, on-going economic impact of \$358 million at build out, in addition to \$471 million in construction related one-time impacts.

66. Findings of the Economic Analysis suggest that the application to amend the land uses will not negatively impact the County economically and will likely increase economic activity in the area and provide support to existing local businesses.
67. The request to amend allowed land uses in the 2008 Development Agreement, is consistent with the General Plan goals that include the following:
- Sustainability, both in terms of development and the environment, in that complete, connected, and compact development is an important aspect of sustainability.
 - Quality growth and economic development that provides a positive contribution to the community's quality of life and the mountain resort economy, by providing live, work, and play opportunities for people of diverse social and economic backgrounds in a compact, complete, and connected quality-built environment. By creating a resilient community that can support existing local businesses and the local economy.
 - Improves the visual quality of the built environment by creating a sense of place with areas designed for a variety of experiences that are lively and pleasant to use, such as creating open space, green areas and gathering plazas in place of surface parking lots and office buildings that are mostly vacant after dark and on weekends.
 - Preservation of open space, view corridors and scenic mountainsides, by utilizing the existing development areas and setback parameters from Hwy 224 allocated to the Research Park, decreasing surface parking lots, increasing building separation and diversity of massing, and including wide connected sidewalks, interspersed pocket parks, connected trail systems and community gathering areas.
 - Preservation of Critical Lands (as defined in Section 10-4-3 of the Code) natural resources and the environment, including clean air and water, by utilizing existing development areas and maintaining existing open space.
 - Provide for interconnectivity and traffic mitigation through a variety of creative alternatives for all modes of transportation by developing a mixed-use neighborhood near a transit center the uses can provide a catalyst for public and private investment in transit and mobility improvements that benefit the entire community. By enhancing pedestrian connectivity to, from and throughout the development, interconnectivity for surrounding neighborhoods and uses is enhanced.
 - Provision and inclusion of affordable housing as it provides a variety of housing choices, a key component of a strong and healthy (resilient) community that meets the diverse needs of the region, in a variety of forms that responds to our local context, by providing a wide range of affordability and unit types giving people of many social and economic backgrounds, including the "missing middle" the opportunity to live and work in a quality-built environment. By exceeding minimum affordable housing requirements. By providing additional deed restricted Attainable housing units to ensure future affordability for an additional 50 units. By strengthening the neighborhood's mix of uses it fosters a

diversity of people, uses and experiences to create a greater sense of community. The proposed deed restricted units are in addition to those already provided to satisfy the affordable housing requirements of the 2008 Agreement.

68. Proposed amendments to the land uses, as illustrated by the proposed concept site plan and connectivity plan, were reviewed for consistency with the Kimball Junction

Neighborhood Plan finding that the amendments:

- Provide a variety of housing choices, a key component of a strong and healthy (resilient) community that meets the diverse needs of the region, in a variety of forms that responds to our local context.
- Provide live, work, and play opportunities for residents in a compact, complete, and connected manner creating a resilient community that can support local businesses and the local economy.
- Provide a wide range of affordability giving people of all social and economic backgrounds the opportunity to live in a quality-built environment.
- Strengthen the neighborhood's mix of uses and fosters a diversity of people, uses and experiences to create a greater sense of community.
- Create a mixed-use neighborhood designed with people in mind, promoting efficiencies in people, services, mobility, and infrastructure.
- Allow utilization of traditional neighborhood building – street patterns for town center development with buildings at the street, diversity of massing, wide connected sidewalks, interspersed pocket parks and community gathering areas, support retail and live-work space in proximity to residential, office, civic and transit uses.
- Accommodate vehicles in an environment designed for people.
- Provide more centralized parking and decreases surface parking lots
- Improve overall neighborhood connectivity and walkability connecting people to adjacent land uses in a simple, safe, comfortable, and enjoyable manner.
- Enhance opportunities for community and civic spaces.
- Improve the visual quality of the built environment by creating a sense of place with areas designed for a variety of experiences that are lively and pleasant to use, such as creating open space, green areas and gathering plazas in place of surface parking lots.
- Allow the development and design to be flexible in response to future changes in demographics and lifestyle.
- Provide transit-oriented development opportunities for traffic mitigation, environmental sustainability, neighborhood resiliency, and affordability.
- Provide compact, complete, and connected space and uses for energy and resource efficiency, addressing climate change concerns and affordability.
- Provide positive economic and social progress for this and for future generations.
- Provide opportunities for the “missing middle” to live and contribute to the community.

- Promote a resilient community that includes live, work, and play opportunities for all residents in a compact, complete, and connected manner. Resilient communities support local businesses and the local economy.
69. The Kimball Junction Neighborhood Plan recognizes the need to design for change. This includes designing for uses that are flexible and able to respond to future changes in demographics and lifestyle. Mixed uses, diversity of both housing and types of office uses (health services, financial, venture capital, legal services, etc.), provide this flexibility and support the local economy.
 70. The applicant conducted two virtual open houses, developed a website (www.HeyKimballJunction.com), distributed posters throughout the Kimball Junction area, and requested public input on an on-line survey.
 71. The Planning Commission conducted public hearings on June 23rd, July 28th, August 11th, and August 25th.
 72. On September 8, 2020, the Planning Commission voted 5-2 to forward a negative recommendation to change Exhibit C, the Land Use Table, citing issues with Transportation impacts, Economic Analysis, and uncertainty regarding the proposed uses.
 73. The Planning Commission received much public input at the public hearings and through written comments. All written comments are compiled and part of the record of this application and have been forwarded to the County Council.

Draft Conclusions of Law

1. Proposed amendments to the 2008 Summit Research Park Development Agreement regarding land uses, are consistent with Section 10-3-19 of the Snyderville Basin Development Code.
2. Proposed amendments to the 2008 Summit Research Park Development Agreement, regarding land uses, as illustrated by the proposed concept site plan and concept connectivity plan, are consistent with the Snyderville Basin General Plan.
3. Proposed amendments to the 2008 Summit Research Park Development Agreement, regarding land uses, as illustrated by the proposed concept site plan and concept connectivity plan, are consistent with the Kimball Junction Neighborhood Plan, an element of the Snyderville Basin General Plan.

Draft Conditions of Approval

Staff recommends the following conditions for consideration by the County Council:

1. An Amended Development Agreement shall be prepared to document proposed changes to the land uses, the illustrative concept plan, and design guidelines specific to a mixed-use neighborhood as described by the submittal.
2. A Housing Plan shall be included as an Exhibit to the Amended Development Agreement consistent with the revised land uses and Chapter 5- Affordable Housing. Housing Agreements shall be executed by the applicant and County prior to issuance of building permits for individual developments within the project area.
3. An overall Phasing Plan shall be included as an Exhibit to the Amended Development Agreement. The phasing plan shall be reviewed from time to time throughout the

duration of development. Phases shall stand on their own. Phases shall take into consideration timing of infrastructure and roadway improvements, including transit and UDOT work on Hwy 224 and the I-80 interchange.

4. The August 2020 Traffic Study and specific recommended traffic mitigations and phasing shall be included as an Exhibit to the amended Development Agreement. The proposed development shall be built in phases that consider the impact of traffic on surrounding roads, with clearly identified benchmarks that allow evaluation of intermittent impacts.
5. An Amended Land Use Table shall be included as an Exhibit to the Amended Development Agreement. This amended Land Use Table shall be drafted in accordance with provisions stated in Snyderville Basin Development Code, Section 10-3-19 (D) (1-11) Criteria for Approval and shall include uses described in the Community Commercial District, except as further restricted by the Agreement. Vehicle charging station, bike share station, and other amenities consistent with County goals for Energy, Transportation, Mobility and Trails, Green House Gas emission reduction, etc. shall be expressly permitted. All references to allowed land uses will need to be amended in the Agreement to be consistent with the Amended Land Use Table.
6. The following uses shall be restricted: Adult/sex-oriented facilities and businesses; Auto repair; Construction related equipment rental and storage; Construction related wholesale goods; Truck stops; Drive-in and Drive-up businesses; RV, Boat, and Vehicle storage; Gas and fuel storage and sales; Gas station; Horse boarding and horse stables; and Hospital.
7. Design Guidelines specific to the proposed concept plan and land uses shall be included as an Exhibit to the final Amended Development Agreement. Design Guidelines help to establish the design vision and set parameters within which development can occur. In combination with the Development Agreement, Design Guidelines outline development limits, such as building massing, volumetrics, height, and setbacks, and provide a desired development pattern by including such items as urban design guidelines, architectural design guidelines, and landscape design guidelines that further define and describe the desired neighborhood character. These design guidelines can include architectural styles and materials, landscaping materials and themes, parking and street design, energy and sustainability goals, water conservation, outdoor lighting, wayfinding and signs, street furniture, trails and sidewalk design concepts, and other items that address the overall vision for the neighborhood.
8. Mobility amenities such as transportation, transit, trails, bike share station, connectivity to surrounding property, etc. shall be described in the amended Development Agreement.

Attachments

Exhibit A – 2008 Summit Research Park Development Agreement and Exhibits A-C ([link to Recorded Development Agreement and Exhibits](#))

Exhibit B – Initial Concept Site Plan

- Exhibit C – Revised Current Concept Site Plan
- Exhibit D – Revised Current Connectivity Plan
- Exhibit E – Traffic Study (summary only, not Appendices)
- Exhibit F – Economic Analysis
- Exhibit G – Public input received during the Planning Commission review
- Exhibit H – Public input received for County Council public hearing

**SUMMIT COUNTY
ORDINANCE NO. 698**

**AN ORDINANCE APPROVING AND ADOPTING
THE DEVELOPMENT AGREEMENT FOR THE
SUMMIT RESEARCH PARK AT KIMBALL JUNCTION**

Preamble

WHEREAS, this matter came before the Summit County Board of Commissioners [hereinafter "County Commission"] for consideration of a Development Agreement in order to implement the Summit Research Park Community Commercial Zone District, pursuant to an application submitted by Boyer Snyderville Junction, L.C.; and,

WHEREAS, Summit County, acting pursuant to its authority under Utah Code Ann. § 17-27a-101, *et. seq.*, has made certain determinations with respect to the proposed Summit Research Park and, in the exercise of its legislative discretion, has elected to process the Summit Research Park pursuant to Summit County Code, § 10-3-8, resulting in the negotiation, consideration and approval of this Development Agreement after all necessary public hearings; and,

WHEREAS, the Board of Commissioners of Summit County considered a Development Agreement on December 3, 2008, all necessary public hearings having been satisfied for consideration and adoption of such, and determined that it is in the best interests of Summit County and the health, safety, and general welfare of its citizens to adopt this Development Agreement by Ordinance in order to provide for the processes, design, density, and uses of the Summit Research Park and to address other issues and policies as reflected in the Development Agreement;

NOW THEREFORE, the Board of Commissioners of the County of Summit, the State of Utah, ordains as follows:

Section 1. Adoption. Ordinance No. 698, the Development Agreement for the Summit Research Park, Snyderville Basin, Summit County, Utah, consisting of 39 pages and including exhibits and schedules which has been published in code book form, three copies of which have been filed for use and examination in the Office of the Clerk, Summit County, Utah, is hereby adopted by Summit County, and the Chairman is authorized to sign and execute the Development Agreement on behalf of Summit County.

ENTRY NO. 00860845

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Ordinance PAGE 1/258

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE 0.00 BY SUMMIT COUNTY CLERK

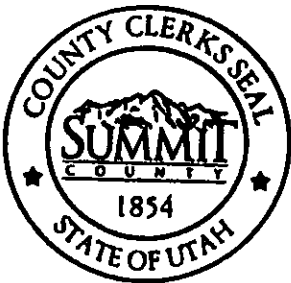


Section 2. **No Rights Created in Third Parties.** This Ordinance is not intended to, nor shall it be construed to create any rights, claims, or causes of action in third parties.

Section 3. **Savings Clause.** In the event one or more of the provisions of this Ordinance shall, for any reason, be held to be unenforceable or invalid in any respect under any applicable laws, such unenforceability or invalidity shall not affect any other provision; and in such an event, this Ordinance shall be construed as if such unenforceable or invalid provision had never been contained herein.

Section 4. **Effective Date.** This Ordinance shall take effect 15 days after passage by the Board of Commissioners of Summit County and subsequent publication in a newspaper of general circulation in Summit County, Utah.

APPROVED, ADOPTED, AND PASSED and ordered published by the Summit County Board of Commissioners, this 0th day of December, 2008.



**BOARD OF COUNTY COMMISSIONERS
SUMMIT COUNTY, STATE OF UTAH**

By: K.E. Woolstenhulme
Chairman

Commissioner Woolstenhulme voted:
Commissioner Richer voted:
Commissioner Elliott voted:

Aye
Aye
Aye

ATTEST:

K. Richer
County Clerk
Summit County, Utah

APPROVED AS TO FORM:

David L. Thomas
Deputy County Attorney
Summit County, Utah

WHEN RECORDED RETURN TO

The Boyer Company
90 South 400 West, Suite 200
Salt Lake City, UT 84101
Attn: H. Roger Boyer

**DEVELOPMENT AGREEMENT
FOR SUMMIT RESEARCH PARK**

THIS DEVELOPMENT AGREEMENT is entered into as of this 10th day of December, 2008, by and among BOYER SNYDERVILLE JUNCTION, L.C. ("Developer") and SUMMIT COUNTY, a political subdivision of the State of Utah, by and through its Board of County Commissioners (the "County").

RECITALS:

A. Developer is the owner of approximately 89 acres of land and appurtenant real property rights located in Summit County, Utah, the legal description of which land attached hereto as Exhibit A (the "Property"). Developer has proposed the development of a new research park on the Property ("Research Park"). The Research Park will be constructed in several distinct subdivision and vertical improvement development projects (as described more fully below, the "Projects") within certain development sites to be created (as described more fully below, the "Project Areas").

B. The proposed Research Park involves uses for the Property that are generally consistent with the Snyderville Basin General Plan (the "General Plan"). Prior to or contemporaneously with the approval of this Development Agreement, the County has zoned the Property as Community Commercial pursuant to the provisions of the Snyderville Basin Development Code (the "Code").

C. Developer and the County desire to establish certain standards and procedures that will be applied to certain additional administrative approvals contemplated in connection with the development of the Research Park and the Projects and the construction of improvements located on the Property, to establish certain standards for the phased development and construction of the Research Park and certain Research Park improvements.

D. The County also recognizes that the development of the Research Park and the Projects will result in tangible benefits to the County through the increase of the County's tax base and the development of businesses and employment that will enhance its economic development and is willing to agree to vest the development of the Research Park and the Projects pursuant to the terms of this Development Agreement against future legislative changes in the General Plan, the Code and applicable rules and regulations of the County (the

“Land Use Laws”) that would be inconsistent with the provisions in this Development Agreement.

E. This Development Agreement, which implements the Summit Research Park Rezone, provides detailed data regarding the Project. The County and the Developer agree that each shall comply with the standards and procedures contemplated by the Summit Research Park Rezone, this Development Agreement and its accompanying exhibits, the Code, and the General Plan with respect to the required development approvals.

F. Summit County, acting pursuant to its authority under Utah Code Annotated, Section 17-27a-101, et seq. and the Code, has made certain determinations with respect to the proposed Research Park and the Projects, and, in the exercise of its legislative discretion, has elected to process and approve the use, densities permitted by other provisions of this Agreement including, without limitation, any height limitations and Open Space requirements, general configuration and development standards for the Research Park pursuant to Section 10-3-18 of the Code, resulting in the negotiation, consideration and approval of this Development Agreement after all necessary public hearings.

DEFINITIONS

Administrative Amendments has the meaning set forth in Section 1.7.2.

Affordable or Moderate Income Housing means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the Average Median Income (“AMI”) for households of the same size in Summit County. An Affordable Housing Plan is provided at Exhibit K.

Allowed Uses means the uses listed on Exhibit C attached hereto and incorporated herein by this reference

Applications has the meaning set forth in Section 2.1.1.

Architectural Design Standards means those requirements governing the architectural design of structures and the development of other improvements on the Property, which is provided at Exhibit D.

Board of County Commissioners or Board of Commissioners means the Board of County Commissioners for Summit County, State of Utah.

Building Permit means a permit issued pursuant to the requirements of the Code, Uniform Building Code and related building codes as applicable in the Snyderville Basin Planning District, including permits for grading, footings and foundations and construction of other improvements.

Code means the Snyderville Basin Development Code, adopted December 2004, as amended; provided, however that for purposes of establishing the vested rights of the Developer, the Code shall consist of the Code as it exists on the Vesting Date and that for purposes other than vesting, successor provisions of the Code that are less onerous to Developer shall be deemed to replace the Code Sections referred to as they exist as of the Vesting Date.

Completion of Development has the meaning set forth in Section 6.3.1.

Construction Plan means the maps or drawings accompanying a final subdivision plat or Final Site Plan and showing the specific location and design of improvements to be installed on the site of the Project in accordance with the conditions of approval of the Final Site Plan or plat.

County means Summit County, a political subdivision of the State of Utah. The County has entered into this Agreement as a party acting by and through its Board of County Commissioners.

County Council means the Summit County Council.

Design Review Committee means the committee of the Master Association designated to review building plans and enforce the requirements of the Architectural Design Standards.

Developer means Boyer Snyderville Junction, L.C., its affiliate entities, and its assignees or transferees.

Development Improvements Agreement means an agreement incorporating approved development plans and by which Developer covenants to complete all required development improvements no later than twenty-four (24) months following the date upon which the Final Site Plan is approved unless an extension is permitted by the County Manager upon written request of Developer, which requested extension will not be unreasonably refused. The agreement must be approved by the County Manager and may also require Developer to complete and dedicate public improvements. Such agreements are generally governed by Chapter 6 of the Code which is attached herewith as Exhibit M.

Development Standards means the development standards contained in Exhibits E, F, and L.

Director means the Summit County Community Development Director.

Effective Date means the effective date of the Summit County Ordinance that approves this Agreement.

Event of Default has the meaning set forth in Section 5.2.2(1).

Final Site Plan means any Final Site Plan establishing detailed development layout, architectural, landscaping, lighting, and other development details for a Project Site within the Research Park, the process for which is established in this Agreement. A site plan is a

development plan of one or more parcels designated for the construction of all Allowed Uses, Public Facilities and any other facilities or other similar structures constructed on the Property or of benefit to the Research Park and allowed by this Development Agreement.

General Plan means the Snyderville Basin General Plan of the County, adopted December 2004, as amended as of the Vesting Date.

Incidental Uses means those uses which are directly related to the service needs of the Research Park and that will not primarily generate off site trips for purposes of traffic generation.

Indemnified Claim has the meaning set forth in Section 7.4.1.

Land Use Laws means zoning, subdivision, development, growth management, platting, environmental, open space, transportation and other land use plans, policies, ordinances and regulations existing and in force for the County. For purposes of determining the Vested Rights of Developer, the Land Use Laws shall be those Land Use Laws in force on the Vesting Date.

Low Impact Development means when specifically designated as a Low Impact Activity in the Development Agreement, such uses shall be subject to a Low Impact Permit review and approval by the Director in accordance with the provisions of this Development Agreement and all applicable provisions of the Snyderville Basin Development Code.

Master Association has the meaning set forth in Section 3.1.

Master Declaration has the meaning set forth in Section 3.1.

Master Plan means the master concept plan of the Research Park, a copy of which is attached hereto as Exhibit B.

Material Master Plan Modification has the meaning set forth in Section 1.3.4.

Open Space means land which is unoccupied or unobstructed by any above ground buildings including, without limitation, all such open and unobstructed areas adjacent to the Transit Facilities or the County Services Building described in Section 3.3.1, slope areas, landscaped areas or strips of land between buildings and between paved parking areas and access lanes, areas left or replanted in natural vegetation, setback areas that are not used for actual parking and other similar open and unobstructed areas. At the option of Developer, Open Space may be held in conservation easements so as to ensure its maintenance in perpetuity. Developer may claim the Open Space adjacent to the Transit Facilities and the County Services Building on land conveyed by Developer to the County pursuant to Section 3.3.1 as an Open Space credit applicable to any Open Space requirement imposed on Developer with respect to any Project Area within the Research Park. Notwithstanding any inconsistent provision of this

Development Agreement or the Development Standards, Developer shall be entitled to calculate landscaped areas within parking lots as Open Space.

Planning Commission means the Snyderville Basin Planning Commission.

Project means the development project to be developed on the Property pursuant to this Agreement.

Project Areas has the meaning set forth in Section 1.3.2.

Property means approximately 89 acres of land and appurtenant real property rights located in Summit County, Utah, the legal description of which land is shown in Exhibit A to this Development Agreement.

Public Facilities means the arterial and access roads and the other public infrastructure or public service facilities serving the Property.

Remaining undeveloped land within the Property has the meaning set forth in Section 6.3.2(2).

Research Park has the meaning set forth in Recital A.

Sketch Plan means a sketch preparatory to an application for Final Site Plan review and consideration by Summit County. The Sketch Plan is intended to contain sufficient information, in graphic and text form, to adequately describe the Applicants intentions with regard to site layout and compliance with this Agreement. The requirements of the Sketch Plan are contained at Exhibit N.

Staff means the planning staff of Summit County, State of Utah.

Substantial Amendment has the meaning set forth in Section 1.7.1.

Summit Research Park Rezone means the zone district adopted by Ordinance No. 706 for the purposes of permitting the adoption of a comprehensive development plan specifically required to implement the unique uses, densities permitted by other provisions of this Agreement including, without limitation, any height limitations and Open Space requirements, development locations, and programs and other features of the Property.

Transit Facilities means the Transit Facilities to be constructed by the County as contemplated by Section 3.3.1.

Vesting Date has the meaning set forth in Section 2.2.1.

SUMMIT COUNTY AND DEVELOPER HEREBY AGREE AS FOLLOWS:

1. Approved Use, Density, General Configuration and Development Standards Affecting the Research Park; Amendments.

1.1 Legal Description of Property. The legal description of the Property included with the Research Park is attached hereto as Exhibit A, which is incorporated into this Development Agreement by this reference. Except as contemplated by Section 1.3.3 below with respect to adjustments to the boundaries of the Property, no other property may be added to the legal description of the Research Park for purposes of this Development Agreement, except by written amendment. Except as expressly set forth in this Agreement, this Development Agreement shall not affect any land other than the Property.

1.2 General Description of Research Park. The Research Park covered by this Development Agreement consists of 89 acres of land located generally nearby and to the south of the existing commercial development with the Kimball Junction Area and west of Highway 224. The Research Park is proposed to incorporate uses of the type allowed by the Use Table, Exhibit C.

1.3 Development Configuration of Research Park.

1.3.1 Master Plan. The development configuration of the Research Park is shown generally on the Master Plan, Exhibit B

1.3.2 Project Areas and Research Park Roads. The Master Plan reflects the general location and configuration of certain Project development sites ("Project Areas") and the major access and circulation roads serving the Research Park. The exact locations and legal descriptions for the Project Areas are not required to be provided in connection with the approval of this Agreement. The exact locations and legal descriptions for specific Project Areas shall be specified initially by Developer at the time Developer proposes the approval of a specific Project site plan and all such specific legal descriptions are subject to approval and minor adjustment by the County as a part of site plan approval processes for specific Projects, provided, however, that such approvals and minor adjustments shall be consistent with the "Development Standards" and the vested rights of Developer set forth in this Development Agreement. Developer may propose a Project Area and Project consisting of more than one building as a part of a single site plan process and thereafter seek building permits with respect to such buildings within the Project Area on a phased basis. Specific locations and legal descriptions of the Project Areas so determined and approved shall be deemed incorporated in the Master Plan and this Development Agreement and substituted in place of the more general or any inconsistent descriptions set forth on the Master Plan or in this Development Agreement upon such approval by the County (and the approval by Developer of any adjustments to any such location or legal description proposed by the County), without a formal amendment to the underlying Master Plan or this Development Agreement.

1.3.3 Property Boundary Adjustment. The County is the owner of certain open space land located adjacent to and generally to the south of the Research Park which was acquired in a transaction with Developer. The County acknowledges that the common boundary between the Research Park and the adjacent open space was established based on preliminary planning of the Research Park and that adjustments to the common boundary of the Research Park and the County open space may be appropriate to accommodate the final development configuration for Project Areas, the proposed locations for buildings, roadways and other improvements within Project Areas and considerations related to seismic risk, geotechnical factor, soil conditions and topography; provided that the boundary adjustment results in an even exchange of acreage between Developer and the County. The County agrees that any such boundary adjustment may be proposed by Developer or any successor developer of a Project Area at the time Developer or Developer's successor proposes the approval of a specific Project. The proposed boundary adjustment shall be subject to approval and minor adjustment by the County as a part of subdivision approval processes for specific Projects, or as a part of a separate lot line adjustment process under the provisions of Section 10-3-16 of the Code, provided, however that such approvals and minor adjustments shall be consistent with the Development Standards and the vested rights of Developer set forth in this Development Agreement. Upon completion of any boundary adjustment, the definition of "Property" and the legal description of the Property shall be deemed modified to refer to the Property after the completion of the boundary adjustment, and the Master Plan shall be deemed amended to conform to the revised description of the Property without a formal amendment to the underlying Master Plan or this Development Agreement.

1.3.4 Master Plan Modifications. Developer shall generally develop the Property in accordance with the configuration shown on Exhibit B, but shall be permitted to modify the location and size of Project Areas based on specific engineering and geotechnical analysis undertaken at the time specific Project Areas are proposed for platting and development. Developer and the County agree that any such modifications proposed will generally be necessary to achieve one or more of the following purposes: (i) to assure that development is occurring on land appropriate for development, (ii) to preserve as Open Space land that is not appropriate for development due to soils or environmental conditions, (iii) to allow the construction of roads to serve the subject Project Area or neighboring Project Areas in accordance with the Development Standards, (iv) to refine the proposed boundaries of the Project Site based on the specific intensity of use and configuration of the Project Area or adjacent Project Areas, (v) or required because of the use, configuration or other factors relating to a previously approved Project Area. Any "Material Master Plan Modification" shall require an Administrative Amendment to the Master Plan as that term is defined in Section 1.11.2 below. A "Material Master Plan Modification" is defined as the inclusion on a proposed site plan of a Project Area that either (a) does not overlap with at least two-thirds of the area of the Project Area shown on Exhibit B to this Development Agreement or (b) expands a Project Area into land not previously included in a Project Area by more than 25% of the area of the Project Area reflected in Exhibit B to this Development Agreement, or (c) is not necessary to meet one of the purposes (i) through (v) listed above in this paragraph. Any Master Plan modification that does not meet the definition of a Material Master Plan Modification shall be deemed to not require any amendment under Section 1.11 below.

Developer may relocate one or more of the major circulation roads shown on the Plan where necessary to accommodate revisions to the locations of Project Areas or adjacent open space, to avoid areas of environmental sensitivity or to comply with any of the Development Standards. No specific approval of any such change in road location shall be required if the major circulation roads still provide required access to the Project Areas shown on the Master Plan (or as modified under the standards of this paragraph) and such a relocation shall not be deemed to be Material Master Plan Modification or to require an amendment to this Agreement. Any Master Plan modification not constituting a Material Master Plan Modification and not requiring an amendment under Section 1.11.2 shall be deemed incorporated into the Master Plan upon approval of a Final Site Plan for the modified Project Area in the site plan approval process.

1.4 General Description of the Projects. The Research Park covered by this Development Agreement is intended to be developed into types of uses as are generally described as the Allowed Uses and set forth on Exhibit C. The Research Park will be developed in Project Areas, each of which may consist of one or more specific real estate products addressing one or more segments of the real estate market of Allowed Uses. This Development Agreement may include general descriptions of the uses contemplated for the various Project Sites, references to specific types of real estate products and suggested locations for Projects as shown on Exhibit B. Unless expressly set forth elsewhere in this Development Agreement, any such descriptions or references shall not limit the description or nature of any Project that may be proposed for an approved Project Area and shall not limit the particular mix of real estate products that can be included within a Project consistent with Exhibit C.

1.5 Approved Use, Density and Configuration. This Development Agreement shall, subject to the conditions and requirements of this Development Agreement, vest with respect to the Summit Research Park as to each of the following:

1.5.1 Uses, pursuant to Section 1.6 of this Agreement and Exhibit C.

1.5.2 Densities, configuration, and massing, which are generally shown in a conceptual fashion in Exhibit B and permitted by other provisions of this Agreement including, without limitation, the density or intensity of development allowed within the development envelope created within a Project Area consistent with any height limitations, Open Space requirements or other Development Standards contained in Exhibits E and F.

1.5.3 Architectural Design Standards, pursuant to Exhibit D of this Agreement.

1.5.4 Development standards, environmental criteria, Open Space, water, sewer, fire protection, parking, transit, transportation, utilities, snow removal, parks, trails, landscaping, lighting, road placements and designs (including the size of the road), road grades, road curbs, cuts and connections, and other development requirements and improvements pursuant to Exhibits E, F, and L.

1.5.5 Site plan, plat and other approval processes, pursuant to Section 4.6 through 4.9 and Exhibit N to this Agreement.

1.5.6 Height limitations and methods of calculation of height pursuant to Exhibit F.

1.5.7 Subdivision of entire Lot of Record within which the Property lies consistent with the Subdivision Plat contained at Exhibit G, which is approved by the County upon execution of this Agreement.

1.5.8 Community Commercial Zone District designation pursuant to Exhibit O. All Exhibits shall be deemed a part of this Development Agreement and shall be binding upon all parties hereto.

1.5.9 Workforce and Moderate Income Housing Provisions pursuant to Exhibits J and K.

1.5.10 Development Improvements requirements pursuant to Exhibit M.

1.6 Permitted and Conditional Uses. Approved uses shall include all permitted and conditional uses as outlined in the Use Table at Exhibit C subject only to the requirements of this Development Agreement. Uses not otherwise included in the Use Chart shall be prohibited.

1.7 Approval of Final Site Plans. Within the Summit Research Park, Project Areas and individual building pads for buildings and structures within a Project Area shall be approved pursuant to a Final Site Plan. Section 4.6 of this Development Agreement sets forth a process for approval of specific site plans within the Summit Research Park.

1.8 Building Permit Required. Prior to the commencement of development activity on any lot designated on a Final Site Plan, or before the commencement of construction on any structure authorized in this Development Agreement, a Building Permit must be obtained from the County in accordance with all applicable requirements of the Code.

1.9 Meetinghouse. The Church Site in the general location depicted on Exhibit H shall be an approved permitted use for a church meetinghouse or other structure used for religious purposes, up to a 25,000 square foot building footprint, a maximum building height (excluding the steeple) of 33 feet from the top of the foundation (but not to exceed 45 feet as measured in Exhibit F), a maximum steeple height of 70 feet from finished grade immediately surrounding the steeple, with up to 300 parking stalls, subject to approval by the Director pursuant to Article 6.2 as governed and limited by the Utah Religious Land Use Act, Code Section 63L-5-101 – 403. The Church site shall not be subject to the Architectural Design Standards, Exhibit D, but the external trim elements of the meetinghouse shall be generally consistent with the external trim elements of the Trailside LDS Meetinghouse, subject to the limitation that the reasonable estimate of the cost of the meetinghouse including such external

trim elements shall not exceed 105% of the reasonable estimate of cost of a “Legacy Building with the classic standard trim package” used from time to time by the Corporation of the Presiding Bishopric (CPB). As an alternative and at the option of the CPB, the CPB may choose to subject the meetinghouse to the alpine external trim elements contained in the Architectural Design Standards of Exhibit D and its design review committee.

1.10 Conflicts.

1.10.1 To the extent there is any ambiguity in or conflict with the provisions of this Agreement, the more specific provision or language shall take precedence over more general provisions or language.

1.10.2 The County has reviewed the Code, General Plan and the Rezone Ordinance and has determined that the Developer has substantially complied with the provisions thereof and hereby finds that the Summit Research Park is consistent with the purpose and intent of the relevant provisions of the Snyderville Basin Development Code, General Plan and the Rezone Ordinance. The parties further agree that the omission of a limitation or restriction herein shall not relieve the Developer of the necessity of complying with all applicable County Ordinances and Resolutions not in conflict with the provisions of this Development Agreement, along with all applicable state and federal laws.

1.11 Amendments.

1.11.1 Substantial Amendments. Any amendment to this Agreement that alters or modifies the Term of this Agreement, the Allowed Uses, the approved density or intensity of use that may be constructed consistent with the height limitations or Open Space requirements set forth in this Agreement and the other Development Standards set forth in the Exhibits hereto, the text of the Development Agreement relating to the foregoing items, the requirement of any amenity described herein that is available to the public, provisions for reservation and dedication of land or provisions of the Development Agreement or any approved mechanism that imposes financial obligations on Developer, the property owners within the Research Park (including assessments through any association of owners within the Research Park) shall be deemed a “Substantial Amendment” and shall require a noticed public hearing and recommendation by the Planning Commission and a noticed public hearing and decision by the County Council prior to the execution of such an amendment.

1.11.2 Administrative Amendments. Unless otherwise provided by law, all amendments to this Development Agreement that are not Substantial Amendments shall be deemed “Administrative Amendments” and may be approved and executed without a noticed public hearing, recommendation by the Planning Commission or action by the County Council. The Board of County Commissioners shall designate in the approval motion for this Development Agreement a County planning official and empower that official to make all final Administrative Amendment decisions. Administrative Amendments may be reflected in a written approval or formal written amendment to this Development Agreement. In any event, Administrative Amendments will be deemed approved upon the issuance of the

applicable building permit if not covered by a specific, separate approval or a written amendment to this Development Agreement.

1.11.3 Effect of Amendment. Any amendment to this Agreement shall be operative only as to those specific portions of this Agreement expressly subject to the amendment, with all other terms and conditions remaining in full force and effect without interruption.

2. Summary of County Determinations Relating to the Research Park.

The Board of Commissioners of Summit County, acting in its legislative capacity, has made the following determinations with respect to the Research Park, including all findings of fact and law as are necessary to make each of the following determinations:

2.1 County Approvals Relating to the Research Park.

2.1.1 Applications. Developer made the following three applications (the “Applications”) related to the proposed Research Park: (i) an application to rezone the Property to Community Commercial; (ii) an application for the approval of this Development Agreement to authorize and regulate the Research Park, and (iii) an application for subdivision approval, all in accordance with applicable provisions of the Code.

2.1.2 Approval Process. Following a lawfully advertised public hearing, the Summit Research Park received a recommendation for approval through a Development Agreement by action of the Planning Commission taken on November 12, 2008. The Board of County Commissioners held a lawfully advertised public hearing on November 19, 2008, and during a lawfully advertised public meeting on December 10, 2008 approved the Summit Research Park under the processes and procedures set forth in the Code and General Plan. With respect to the terms and conditions of approval, the Board of County Commissioners made such findings of fact and conclusions of law as are required as a condition to the approvals, as reflected in the staff recommendation adopted with any modifications, as reflected in the minutes of the above referenced public meetings, and as reflected by the other enumerated findings herein.

2.1.3 Compliance With Requirements. The following is an analysis of the Research Park’s compliance with the requirements of the General Plan and the Code that was utilized by the Planning Commission in making its favorable recommendations and by the Board of County Commissioners in making its final approval of the Applications.

2.1.3.1 Community Commercial Zone District Rezoning Requirements. The following requirements of the Snyderville Basin Development Code, which constitute all of the requirements for the amendment of the Zoning Map to rezone the Property to Community Commercial (CC), are met by the Research Park, as reflected in and to be regulated by this Development Agreement.

2.1.3.2 Development Agreement Approval Requirements. The following requirements of section 10-3-18 of the Code, which constitute all of the requirements for the approval of this Development Agreement:

2.1.3.2.1 This Development Agreement has been reviewed and considered in accordance with the provisions of Section 10-3-18 of the Code and meets all applicable requirements of that Section.

2.1.3.2.2 This Development Agreement includes the written consent of each landowner whose properties are included within the boundaries of the Property.

2.1.3.2.3 This Development Agreement advances policies, implements goals and achieves other desired results not generally available under the other implementation strategies of the County. The elements of the Research Park proposal that satisfy this requirement include the following:

(1) The Research Park will develop new offices, research and development facilities and other uses that will generate substantial employment for Summit County residents.

(2) The Research Park will develop Research Park facilities not otherwise permitted that are likely to enhance the economic development of Summit County consistent with the goals and policies of the General Plan.

(3) This Development Agreement assures that the Research Park will have a positive fiscal impact on Summit County by enhancing the County's property tax base and the development of employment opportunities for Summit County residents.

(4) This Development Agreement obligates Developer to provide for workforce housing for a portion of the new employees that will be required by the Research Park.

2.1.3.2.4 The Research Park as reflected in and conditioned by the terms and conditions of this Development Agreement, is in conformity and compliance with the General Plan, any existing capital improvements programs, the provisions of the Code (including concurrency and infrastructure requirements), and all other development requirements of the County.

2.1.3.2.5 Developer has committed to comply with all appropriate concurrency and infrastructure requirements of the Code, and all appropriate criteria and standards described in this Development Agreement.

2.1.3.2.6 There shall be no construction management impacts that are unacceptable to the County.

2.1.3.2.7 The Summit Research Park meets or exceeds development quality and aesthetic objectives of the General Plan and the Code, is consistent with the goal of orderly growth in the Snyderville Basin, and minimizes construction impacts on public infrastructure within the Snyderville Basin.

2.1.3.2.8 The proposed development reasonably assures life and property within the Snyderville Basin and the community is protected from any adverse impact of this development.

2.1.3.2.9 Developer shall take appropriate measures to prevent harm to neighboring properties and lands from development, including nuisances.

2.1.3.2.10 This Development Agreement implements the rezoning ordinance for the Research Park.

2.1.3.2.11 The Summit Research Park is consistent with the findings required in the 2004 Snyderville Basin Development Code for approval.

2.1.4 Approval Motions.

2.1.4.1 Motion in Favor of Rezoning the Property to the Community Commercial (CC) District. The County Commission, upon favorable recommendation of the Planning Commission, found that the Research Park as described in and as proposed to be regulated by this Development Agreement meets all applicable requirements of the Development Code for the rezoning of the Property to the Community Commercial (CC) District, and the County Commission, upon favorable recommendation of the Planning Commission, approved the amendment to the Zoning Map to reclassify the Property to the Community Commercial (CC) District for the purposes of allowing the development of a new Research Park as permitted by the Development Code on the terms and conditions incorporated into this Development Agreement.

2.1.4.2 Motion for Approval of Development Agreement for the Research Park. The County Commission, upon favorable recommendation of the Planning Commission, found that this Development Agreement meets all applicable requirements of the Code for a development agreement that would authorize and regulate a new Research Park subject to the approval of the rezoning of the Property to the CC zone (which approval is covered by a separate motion). The County Commission, upon favorable recommendation of the Planning Commission, approved this Development Agreement for the Research Park for the purposes of allowing the development of the proposed Research Park as permitted by the General Plan and the Code on the terms and conditions incorporated into this Development Agreement.

2.1.4.3 Motion for Approval of Subdivision Plat for the Research Park. The County Commission, upon favorable recommendation of the Planning Commission, found that the subdivision plat, Exhibit G, to this Development Agreement meets all applicable

requirements of the Snyderville Basin Development Code for such an approval.

2.1.4.4 Designated County Planning Official. The designated County planning official that is designated to determine Administrative Amendments and to otherwise administer certain provisions of this Development Agreement is the Summit County Community Development Director, as that position is filled from time to time. The County may designate another person or the holder of another position by separate resolution of the County Council without a required amendment to this Agreement.

2.2 Vested Rights and Reserved Legislative Powers.

2.2.1 Vested Rights and Vested Projects. Subject to Section 2.2.2, Developer shall have the vested right to develop and construct the Research Park, to develop and construct specific Projects within the Project Areas and to develop and construct necessary infrastructure and other improvements in accordance with the uses, densities or intensities permitted to be constructed consistent with the application of the other provisions of this Agreement including, without limitation, any height limitations and Open Space requirements, general configuration of development and Development Standards described and incorporated in Paragraphs 1.3, 1.4, 1.5, and 1.6 applying the Land Use Laws in existence and effective on January 1, 2009 (the "Vesting Date") to the extent such existing Land Use Laws are not inconsistent with the terms and conditions of this Development Agreement. Further, subject to Section 2.2.2, Developer shall have the right to have subdivision and other development or construction applications for Projects within the Research Park processed and approved in accordance with the procedures and standards set forth in this Development Agreement. Any such Projects so approved shall be deemed vested in accordance with this Section as of the Vesting Date.

2.2.2 Compelling, Countervailing Public Interest. Nothing in this Agreement shall limit the future exercise of the police power of the County in enacting generally applicable Land Use Laws after the date of this Agreement. Notwithstanding the retained power of the County to enact such legislation under the police powers, such legislation shall only be applied to modify the vested rights described in Paragraph 2.2.1 based upon policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. (Western Land Equities, Inc., v. City of Logan, 617 P.2d 388 (Utah 1980) or successor case and statutory law). Any such proposed change affecting the vested rights of the Research Park or any Project shall be of general application to all development activity in Summit County; and, unless the County declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect to the proposed change and its applicability to the Research Park or any Project under the compelling, countervailing public policy exception to the vested rights doctrine. The regulations, ordinances, policies and plans governing the permitted uses, densities or intensities permitted to be constructed consistent with the other provisions of this Agreement including, without limitation, any height limitations and Open Space requirements, general plan configuration and Development Standards of the Research Park or any Project hereby vested shall be the terms and conditions of this Development Agreement, and those Land Use

Laws in effect on the Vesting Date that are not inconsistent with the terms and conditions of this Development Agreement.

2.2.3 Duration. The term of this Agreement shall commence on, and the effective date of this Agreement shall be, the effective date of the Ordinance approving this Agreement. The Term of this Agreement shall extend for a period of twenty five (25) years following the effective date unless the Agreement is earlier terminated, or its term modified by written amendment to this Agreement.

2.2.4 Governing Land Use Laws. The respective rights of the parties in the event the County seeks to apply or enforce Land Use Laws to the Project in a manner that is inconsistent with the terms and conditions of this Development Agreement shall be governed by then existing state and federal land use case law and statutes.

2.3 Fees and Exactions.

2.3.1 Development Application and Review Fees. The Project has paid application and review fees for the following applications: (i) the rezoning of the Property to a Community Commercial (CC) zoning district, (ii) the approval of this Development Agreement; and (iii) the approval of the subdivision plat. No further fees or engineering expenses shall be charged to Developer for these approvals, but the Developer shall pay all advertising and other out of pocket expenses incurred by the County in processing these Applications. Application and review fees for the Architectural Design Guidelines, Low Impact Permits, Sketch Plans, Conditional Use Permits, Building Permits, and Final Site Plans for each phase of the Research Park and each Project shall be paid at the time of application for any such approval. Pursuant to Code Section 10-5-12, the County waives 75% of County Planning, Engineering and Building Department Fees in connection with the moderate income housing element of the Research Park. The intent of this waiver is to reward the Developer for targeting a mix of affordable units between 40% and 80% of AMI which is consistent with the requirements of the Code.

2.3.2 Plan Engineering Review Fees. The County may charge such standard engineering review fees for Final or amended Final Site Plans, development or construction approvals for the Research Park or a Project as are generally applicable on a non-discriminatory basis at the time of application for any such approval.

2.3.3 Other Fees. The County may charge other fees that are generally applicable, including but not limited to standard building permit review fees for improvements to be constructed on improved parcels.

2.3.4 Impact Fees. In consideration for the agreements of the County in this Development Agreement, Developer agrees that the Summit Research Park shall be subject to all impact fees, including but not limited to the Transportation Impact Fee, which are (1) imposed at the time of issuance of building permits, and (2) generally applicable to other

property in the Snyderville Basin; and Developer waives its position with respect to any vested rights to the imposition of such fees (to include the Transportation Impact Fee), but shall be entitled to similar treatment afforded other vested projects if the impact fee ordinance makes any such distinction. If fees are properly imposed under the preceding tests, the fees shall be payable in accordance with the payment requirements of the particular impact fee ordinance and implementing resolution. Notwithstanding the agreement of Developer to subject the Research Park to impact fees under the above-stated conditions, Developer does not waive Developer's rights under any applicable law to challenge the reasonableness of the amount of the fees within thirty (30) days following imposition of the fees on the Research Park based upon the application of generally applicable state and federal law including the Rational Nexus Test (as defined in Section 2.3.5). Pursuant to Code Section 10-5-12 and Summit County Ordinance #652A (the "Transportation Impact Fee"), the County waives 75% of the Transportation Impact Fees in connection with the moderate income housing element of the Research Park. The Developer, at Developer's option, may apply for a waiver of greater than 75% pursuant to the criteria under Ordinance #652A

2.3.5 Rational Nexus Test. For purposes of this Development Agreement, the Rational Nexus Test shall mean and refer to a standard of reasonableness whereby the property shall not bear more than an equitable share of the capital costs financed by an impact fee or exaction in relation to the benefits conferred on and impacts of the project. The interpretation of "rational nexus" shall be governed by the federal or Utah case law and statutes in effect at the time of any challenge to an impact fee or exaction imposed as provided herein including, but not limited to, the standards of *Banberry Development Corp. v. South Jordan City*, 631 P.2d. 899 (Utah 1981) or its successor case law.

3. Specific Research Park Requirements.

3.1 Research Park Documents.

3.1.1 Master Declaration. Developer shall implement a common plan of development throughout the Research Park as reflected in a Master Declaration of Covenants, Conditions and Restrictions (the "Master Declaration"). The Master Declaration shall be adopted and applied to the entire Research Park on or before the recordation of the first Final Site Plan within the Research Park. The Master Declaration shall contain provisions authorizing a master association of owners within the Research Park (the "Master Association") to impose assessments on the owners within Research Park for the operation, maintenance, repair and replacement of common private elements within the Research Park benefiting the owners and users of property within the Research Park. The Master Declaration shall also authorize the collection of fees to offset specific costs of the Master Association including without limitation design review, construction management and road damage costs resulting from construction activities of property owners. The Master Declaration, the Articles of Incorporation and Bylaws of the Master shall be submitted to the County for review and comment in connection with the approval of the first Final Site Plan within the Research Park. Notwithstanding any inconsistent provision in this Development Agreement to the contrary, Developer and the Master Association shall be obligated to establish,

implement and enforce the covenants, assessment procedures, Master Association operation and maintenance requirements relating to the common elements of the Research Park and the Architectural Design Standards, and any owners of property within the Research Park shall look solely to the Developer and the Master Association, and not the County, for the establishment, implementation and enforcement of any such requirements.

3.1.2 Architectural Design Standards The development of the Summit Research Park must be consistent with those Architectural Design Standards approved as set forth in Section 4.7 of this Agreement, which provides a process for obtaining approval of the master Architectural Design Standards. The Architectural Design Standards so approved shall be inserted into this Agreement as Exhibit D and shall be binding upon all parties to this Agreement.

3.1.3 Design Review Committee. As part of the Master Declaration, a Design Review Committee shall be established to review site plans consistent with the Architectural Design Standards. A member of the Snyderville Basin Planning Commission shall be a voting member of the Design Review Committee

3.2 Essential Research Park Facilities. Developer and the County agree to design and obtain all necessary approvals and construct the facilities necessary for the operation of Research Park as provided in the following subsections of this Section 3.2.

3.2.1 Internal Roads and Secondary Access. In connection with or prior to the approval of the first Final Site Plan within the Research Park and to the extent necessary to serve the first phase of development in the Research Park, Developer shall have designed and obtained all necessary approvals for the construction of roads, including the spine road (which shall become a Class C public thoroughfare when properly dedicated and accepted by the County Engineer in accordance with County standards and shall be credited against the transportation impact fees assessed against the Developer by the County) and any other road constituting secondary access serving the first phase of development. Developer shall construct or cause to be constructed any roads and secondary access necessary to serve a Project in connection with the development and improvement of each subsequent Final Site Plan. The provisions of this Section shall not apply to the road described in Section 3.2.2.

3.2.2 Kimball Junction – Olympic Parkway Connector Road. In connection with or prior to the approval of the first Final Site Plan within the Research Park, the County shall have designed and obtained all necessary approvals for the construction of the connector road between the existing Kimball Junction commercial area and the Olympic Parkway in the location shown on Exhibit E attached hereto (the “Connector Road”), and shall have constructed the Connector Road at the County’s sole cost and expense. The County shall complete construction of the connector road no later than October 31, 2010.

3.2.2.1 Road Easement. Developer shall dedicate to the County an appropriate form of easement for 108 feet of right of way, as approved by the County Engineer, to make the road connection between the Landmark Drive Roundabout and

Olympic Parkway. Said easement location shall be consistent with the County's Transportation Master Plan and shall be delivered to the County no later than May 31, 2009.

3.2.3 Water, Fire Flow and Public Safety. Developer has selected Summit Water Distribution Company as its water service provider. In connection with or prior to the approval of the first Final Site Plan within the Research Park, Developer shall have (i) acquired all water shares in Summit Water Distribution Company sufficient to meet the culinary and irrigation requirements for the Research Park, and (ii) designed and obtained all necessary approvals for the construction and operation of water systems with sufficient fire flow and storage to meet the culinary, irrigation and public safety standards for the first phase of development in accordance with the Development Standards. Developer shall be required to comply with the County's Water Concurrency Ordinance, as amended, in connection with the issuance of all Building Permits.

3.2.3.1 Water Conservation Measures. Water conservation measures (including irrigation) shall be built into the design and operation of the Project, including the use of drought tolerant and natural plant species.

3.2.4 Other Infrastructure. In connection with or prior to the approval of the first Final Site Plan within the Research Park, Developer shall have designed and obtained all necessary approvals for the construction and operation of any other onsite and any necessary offsite utility infrastructure with sufficient capacity to meet the requirements of the first phase of development. Developer shall thereafter construct or cause to be constructed any such other utility infrastructure necessary to serve a Project in connection with the development and improvement of each subsequent Final Site Plan.

3.2.5 Drainage and Flood Control. Drainage and flood control facilities shall be constructed by Developer as a part of completion of other major facilities and development of the Project in accordance with the Development Standards and County Ordinance 381-A; provided, such drainage and flood control facilities shall be limited to storm water runoff (including natural runoff) from the Property and unless the County Engineer requires otherwise, and in that case the Developer is simultaneously compensated for increased costs, Developer shall not be required to accommodate additional storm water drainage caused by development of any adjoining lands.. Major facilities, where appropriate, will be dedicated to the County upon completion. Drainage and flood control maintenance (e.g. , major channel maintenance, etc.) shall be provided by the County and/or Developer, as appropriate.

3.2.6 Traffic. A summary of the traffic impacts from the Summit Research Park and mitigation plans is contained at Exhibit I.

3.2.7 Lighting Guidelines. All exterior street and other lighting shall be kept to a minimum. A specific project-related lighting plan shall be provided within 180 days of the effective date of this Agreement or the filing of the first Final Site Plan, whichever comes first. Only high pressure sodium, incandescent, or sources appearing to be amber in color consistent with the County Code provisions for the protection of the night sky will be allowed.

The CC&Cs should maintain specific guidelines that ensure there will be minimal exterior lighting impact from all structures.

3.3 Other Research Park Requirements. Developer and County agree to the following additional provisions relating to the development and operation of the Research Park:

3.3.1 Land Conveyance for County Building and Transit Facilities. Developer agrees to convey by special warranty deed to the County two parcels of land sufficient for the County's purposes; namely, (a) a County Office Building, which is a mirror image of the existing Richins Building; said parcel shall not exceed 5 acres (but may be smaller based on topography, layout and the application of shared parking principles); and (b) a regional bus depot/transit center/visitors center serving the Kimball Junction area (the "Transit Facilities") not to exceed 1.5 acres. Both parcels shall be generally located in the area shown on Exhibit H.. The exact size and location of the parcels shall be agreed upon by the parties in connection with the Final Site Plan application for the first building of the Project, which is anticipated to be approximately twelve (12) months from the Effective Date. The conveyance of the County Office Building parcel shall occur within thirty (30) days after the completion by the County of the Connector Road described above in Section 3.2.2. The conveyance of the Transit Facility parcel shall occur on or before May 31, 2009. Developer shall have no responsibility to improve the parcel to be conveyed to the County or to contribute toward the cost of, or to construct, the County office building or any Transit Facilities. The County shall give Developer credit for the value of the land donated for the Transit Facilities against Transportation Impact Fees. The value of the donated land shall be determined at the time of transfer by an independent appraisal where the appraiser is jointly agreed upon by the County and Developer. Notwithstanding anything to the contrary, the valuation of the land for purposes of a credit toward impact fees shall not exceed \$500,000.

3.3.2 Event Use of Parking Facilities. Developer agrees that Master Declaration will contain a provision allowing the use of improved parking facilities within the Research Park after the normal operating hours for its tenants and users for evening and weekend events at the direction and under the supervision of the County or another governmental entity. The County agrees to provide not less than fourteen (14) days advance notice of any such event to both Developer and the owner of any property that will be used for event parking. The use of such parking shall be subject to the confirmation of commercial liability insurance coverage in favor of Developer and any owner of any property to be used for parking in an amount of not less than Two Million Dollars (\$2,000,000) per occurrence. The County acknowledges that certain users of the Research Park may work extended hours and require parking in the evening and on weekends, and Developer may restrict access to certain parking spaces to accommodate those users.

3.3.3 Workforce Housing. The parties agree that the operation (and not the construction) of the uses to be developed and constructed within the Research Park (the "Employment Generators") will result in the addition of new employment positions and that the Research Park should make provision for the creation of housing for some of the new employees as new employment positions are generated by the Research Park. The parties also

agree that the Research Park should not be required to supply employee housing based solely on the number of new jobs but rather should provide dedicated housing for rental to and occupancy by employees of facilities and businesses in the Research Park in accordance with the following standards:

3.3.3.1 Moderate Income Housing. Developer shall build or cause to be built the housing specified in this paragraph, which the County agrees is sufficient to satisfy the Code requirements for affordable housing associated with the Research Park. The County has determined that the Research Park shall construct housing for not less than 139 Workforce Unit Equivalents (WUE). Any WUE or moderate income housing required in connection with the development of the Research Park shall be sufficient to satisfy Code requirement if such units are affordable to those residents earning below 80% of the Average Median Income (AMI) for Summit County. Such units must conform to the restrictions contained in Code Section 10-5-3, which is attached as Exhibit J. The Moderate Income Housing Plan, which contains the approved site plan, Battelle Report on North American Research Parks (independent moderate income housing study), and particulars of the plan, is attached hereto as Exhibit K.

3.3.4 Trails. Developer shall construct and maintain an internal trail system with connections from Summit Research Park to the Kimball Junction Town Center. Such trails will provide connections between the Research Park and the retail commercial facilities within the Town Center. As Final Site Plans are approved, the internal trail system and connections to the Town Center shall be indicated on such Plans together with specific deadlines for installation of the trails.

3.3.5 Highway 224 Underpass. The Developer shall contribute to Summit County \$300,000 for an underpass which connects the east and west sides of SR 224 at Kimball Junction in order to provide connectivity between the Redstone Development and the Research Park (both developments are owned by Developer). The condition of this contribution is as follows: said contribution shall not take place until the latter of (i) construction of 300,000 gross square feet of research space based upon the issuance of Certificates of Occupancy, or (ii) when Summit County actually has designs and all other funding required to complete the underpass, has entered into contractual obligations to commence the construction and has established commercially reasonable arrangements to assure that the \$300,000 from Developer will be applied to assure the completion of the underpass.

4. Research Park Development Processes and Amendment Processes.

4.1 Phases. In connection with or prior to the approval of the first Final Site Plan within the Research Park, Developer shall have proposed a phasing plan reflecting the proposed phases for construction of the Research Park. For purposes of the phasing plan, a phase shall consist of several Project Areas, not necessarily adjacent to each other, which Developer intends to develop and improve during a specified time period. Open Space requirements shall be satisfied by the entire Research Park as a whole, and each Project Area

alone shall not be required to satisfy the Open Space requirement if the Developer can demonstrate that sufficient area for Open Space remains within the entire Research Park to satisfy the Open Space requirements. The phasing plan shall describe the essential infrastructure, services and other improvements necessary for each phase. The phasing plan shall describe the proposed first phase in reasonable detail, specifying the intended densities of use for the Project Areas in the first phase of the phasing plan based upon and as permitted by other provisions of this Agreement including, without limitation, height limitations and Open Space requirements. Subsequent phases may be described in a more general way, and Developer may provide alternative development schemes for subsequent phases. Developer may amend the phasing plan from time to time to respond to market conditions. The development of the Research Park shall generally proceed in accordance with the phasing plan so developed. Developer may proceed by constructing each phase at one time, or by constructing portions of a phase, with each portion providing a logical extension of the road system through the phase; provided, however, that (i) Developer has completed at a minimum those infrastructure elements and services improvements identified on the phasing plan as essential for any phase or Project within the Research Park, and (ii) adequate offsite facilities and services exist to serve each phase or Project or Developer has paid applicable impact, connection, reservation or similar fees so as to provide adequate facilities or services to the extent such payment is required by the terms of this Agreement and applicable impact fee or other applicable ordinances.

4.1.1 Phasing of Moderate Income Housing. The Moderate Income Housing element of this Development Agreement, Section 3.3.3, shall be constructed at the same time as or prior to the first building of the Research Park. No Certificates of Occupancy shall be approved for the development portion of the Research Park unless all Certificates of Occupancy have previously been issued for all moderate income units.

4.2 Construction of Infrastructure Improvements. Developer shall construct those improvements indicated on each Final Site Plan involving any part of the Research Park in accordance with the engineering requirements of the County consistent with the Development Standards. Developer shall have no responsibility to construct or pay for the Connector Road.

4.3 Utility Capacity Verification. Developer shall demonstrate the continued availability of the following for the portion of the Research Park or any Project subject to the Final Site Plan approval at the time of each application for Final Site Plan approval within the Research Park: (a) sewage treatment capacity to cover anticipated development within the area, (b) water and water pressure adequate for commercial or industrial consumption and fire flows, (c) capacity for electrical and telephone service, and (d) internal road capacity within the Research Park. Utility capacity shall be available and verified in accordance with the "Standards for Approval of Development Permits" included as a part of Exhibit E.

4.4 Major Road and Master Development Parcel Approvals. Developer may apply for the approval of major roadways within the Research Park and for the approval of Project Areas as separate development parcels based on metes and bounds descriptions of the roadways and Project Areas. Such approvals shall occur pursuant to the applicable provisions

of the Utah Code and need not be accompanied by a subdivision plat meeting the County's normal plat requirements. Such approval shall permit Developer to sell Project Areas so approved as development parcels to one or more subdevelopers or users. Any such master parcel subdivision approvals shall not entitle Developer or any subdeveloper or user to subdivide a parcel further without following normal subdivision plat approval processes or to construct any improvements on the parcel without following normal building permit approval processes.

4.5 Approval of Final Construction Documents. In conjunction with a Final Site Plan approval, but in all instances prior to the issuance of a building, grading, or other development permit, Developer shall submit all applicable construction plans to the County for review in accordance with then applicable building codes and the Development Standards and shall otherwise comply with any requirements for the issuance of building permits not inconsistent with the Development Standards. The County agrees that Developer or any Project Area developer may apply for permits on a "fast track" basis for any Project (meaning the approvals may be separately applied for and issued for grading, footings and foundations and the balance of improvements). The County agrees that the County will process separately any required permits for grading, excavation and site work and further agrees to issue in the ordinary course of its business any building permits that are applied for and that comply with the Development Agreement, the Development Standards approved Final Site Plan, and generally applicable building codes to the extent not inconsistent with this Development Agreement or the Development Standards. Prior to the issuance of a permit, Developer or any Project Area developer shall comply with any such additional requirements of the County that are applied to all builders and developers on a non-discriminatory basis and that are not inconsistent with the Development Agreement or the Development Standards.

4.6 Procedure for Approval of Final Site Plans. Approval of a Final Site Plan for any Project Area, permitted structure or use shall follow the process set forth herein. In the event of a procedural conflict between the Code and this Agreement, the provisions of this Agreement shall govern.

4.6.1 Design Review Committee Preliminary Review. Prior to submission to the County of any sketch plans for a Project Area or proposed structure, an applicant shall submit its sketch plan to the Design Review Committee for review under the Architectural Design Standards then in force. The applicant shall be required to have obtained the preliminary opinion of the Design Review Committee prior to submitting a sketch plan for Final Site Plan approval to the County.

4.6.2 Sketch Plan. An applicant shall submit a sketch plan of the proposed Final Site Plan to the Staff for preliminary review prior to submittal of a Final Site Plan. The Staff shall review and take into consideration the written opinion of the Design Review Committee where such an opinion was obtained. Sketch plans submitted shall meet all of the requirements of this Agreement.

4.6.3 Staff Review of Sketch Plans. The Staff shall review a sketch plan for compliance with the requirements of this Agreement and shall conduct discussions with the Developer to review any modifications necessary to comply with such requirements.

4.6.4 Submission of Final Site Plan. Developer shall submit to the County an application with applicable fees for Final Site Plans for Project Areas or structures within the Summit Research Park. A Final Site Plan shall comply with all of the applicable requirements of this Agreement and the provisions of the Code not modified or vested by this Agreement.

4.6.5 Staff Review and Recommendation. The Staff shall review the information submitted pursuant to Section 4.6.4 for conformance with this Development Agreement and the provisions of the Code not modified by this Agreement and shall provide its recommendation to the Planning Commission. The recommendation shall be based solely upon the Developer's compliance with the requirements and standards set forth in this Agreement and the provisions of the Code not modified or vested by this Agreement.

4.6.6 Planning Commission Review and Recommendation. The Planning Commission shall review the information submitted pursuant to this Agreement and shall provide its recommendation to the Director. The recommendation shall be based solely upon Developer's compliance with the requirements and standards set forth in this Agreement and applicable provisions of the Code that are not modified or vested by this Agreement

4.6.7 Director Approval of Final Site Plan. The Director shall render a decision approving, denying or conditionally approving the Final Site Plan. The decision shall be based solely upon Developer's compliance with the requirements and standards set forth in this Agreement and the Code, to the extent not modified or vested by this Agreement. This shall be the final decision of the County.

4.6.8 Recordation. Upon approval by the County Attorney of the Final Site Plan following a review of a preliminary title report for the Property, and once all required service provider signatures are obtained, the Director shall execute the Final Site Plan and any other applicable documents to be recorded in the records of the Summit County Recorder. Developer shall pay all applicable recording fees. The Plan must be recorded within one (1) year of final approval.

4.6.9 Appeal. Following the exhaustion of the administrative remedies herein ending in a final determination by the Director, that final determination shall be appealable to the County Council within ten (10) calendar days. Appeals of decisions of the County Council shall be to the District Court and shall be limited to the Record before the County Council.

4.7 Procedure for Approval of Architectural Design Standards.

4.7.1 Submission of Architectural Design Standards. Developer shall submit to the County its Architectural Design Standards for approval. Staff shall conduct a review of

the Standards to ensure compliance with the General Plan and this Development Agreement.

4.7.2 Planning Commission Review and Recommendation. The Planning Commission shall review the Architectural Design Standards submitted pursuant to this Agreement and shall provide its recommendation to the Director. The recommendation shall be based solely upon Developers compliance with the requirements and standards set forth in this Agreement and the General Plan.

4.7.3 Director Approval of Architectural Design Standards. The Director shall render a decision approving, approving with modifications, or denying the Architectural Design Standards. The decision shall be based solely upon Developer's compliance with the requirements and standards set forth in this Agreement and the General Plan. The approved Architectural Design Standards shall be inserted into this Development Agreement as Exhibit D and shall be binding upon all parties to this Agreement.

4.8 Procedure for Approval of Low Impact Permits.

4.8.1 Developer shall submit to the Director a sketch plan for review that is consistent with Exhibit N to this Development Agreement and the General Plan.

4.8.2 The Director, at his or her option, may take the sketch plan to the Planning Commission for review and comment. Said Planning Commission review may include a public hearing if the Director agrees to such.

4.8.3 The Director shall approve, approve with conditions, or deny the Low Impact Permit application and communicate that decision to the Developer. The Director may impose all reasonable conditions on the Permit that are consistent with this Development Agreement and the General Plan.

4.9 Procedure for Approval of Conditional Use Permit. Approval of a Conditional Use Permit for any structure shall follow the process set forth herein. In the event of a procedural conflict between the Code and this Agreement, the provisions of this Agreement shall govern.

4.9.1 Design Review Committee Preliminary Review. Prior to submission to the County of any sketch plans for a proposed Conditional Use Permit, an applicant shall submit its sketch plan to the Design Review Committee for review under the Architectural Design Standards then in force. The applicant shall be required to have obtained the preliminary opinion of the Design Review Committee prior to submitting a sketch plan for Conditional Use Permit approval to the County. The initial review of the Design Review Committee may be conducted by an executive or screening subcommittee which need not include the County representative but in all events, the subcommittee shall submit its decision to the entire Design Review Committee for a final vote.

4.9.2 Sketch Plan. An applicant shall submit a sketch plan of the proposed Conditional Use Permit to the Staff for preliminary review prior to submittal of a completed

application for Conditional Use Permit. The Staff shall review and take into consideration the written opinion of the Design Review Committee where such an opinion was obtained. Sketch plans submitted shall meet all of the requirements of this Agreement.

4.9.3 Staff Review of Sketch Plans. The Staff shall review a sketch plan for compliance with the requirements of this Agreement and shall conduct discussions with the Developer to review any modifications necessary to comply with such requirements.

4.9.4 Application for Conditional Use Permit. Developer shall submit to the County an application with applicable fees for a Conditional Use Permit for buildings within the Summit Research Park consistent with the Use Table. A Conditional Use Permit shall comply with all the applicable requirements of this Agreement, the provisions of the Code not modified or vested by this Agreement, and state law.

4.9.5 Staff Review and Recommendation. The Staff shall review the information submitted pursuant to Section 4.9.5 for conformance with this Development Agreement and the provisions of the Code not modified by this Agreement, and shall provide its recommendation to the Planning Commission. The recommendation shall be based solely upon the Developer's compliance with the requirements and standards set forth in this Agreement, the Code to the extent not modified or vested by this Agreement, and state law.

4.9.6 Planning Commission Approval of Conditional Use Permit. The Planning Commission shall render a decision approving, denying or conditionally approving the Conditional Use Permit. The decision shall be based solely upon Developer's compliance with the requirements and standards set forth in this Agreement and the Code, to the extent not modified or vested by this Agreement, and state law. This shall be the final decision of the County.

4.9.7 Recordation. Upon approval by the County Attorney of the Conditional Use Permit following a review of a preliminary title report for the property, and once all required service provider signatures are obtained, the Chair of the Planning Commission shall execute the Final Site Plan and Conditional Use Permit and any other applicable documents to be recorded in the records of the Summit County Recorder. Developer shall pay all applicable recording fees. The Final Site Plan and Conditional Use Permit must be recorded against the subject property within one (1) year of final approval.

4.9.8 Appeal. Following the exhaustion of the administrative remedies herein ending in a final determination by the Planning Commission, that final determination shall be appealable to the County Council within ten (10) calendar days. Appeals of decisions of the County Council shall be to the District Court and shall be limited to the Record before the County Council.

4.10 Development Improvements Agreement Required. A Development Improvements Agreement ("DIA") shall be required. No building, grading, or other related development permit shall be issued for any project or structure within the Research Park until

a Development Improvements Agreement in a form acceptable to Summit County has been accepted by the County. The Staff shall review the Developer's proposal for a Development Improvements Agreement and provide its recommendation to the County Engineer for approval. A separate Development Improvements Agreement may be established for each phase of the development and/or for each building pad.

Improvements which shall be guaranteed include:

- All utilities, including water and sewer service.
- All Public and Private roads, inclusive of all "Civil Improvements" associated with the roadway.
- All "Civil Improvements" associated with individual project Final Site Plans.
- Temporary and permanent, structural and non-structural soil conservation measures.
- Bus Shelters.
- Temporary and permanent, structural and non-structural run off control measures.
- Required buffering, screening, and landscaping.
- All public trails shall be constructed, with respect to timing and design, as required by this Agreement.
- All private trails.
- The County shall have the option of using the guarantee for Site Restoration, should development not be completed within the required construction schedule or complete the project per the approved Final Site Plan.

The Development Improvements Agreement, in a form and amount of guarantee to be approved by the County Engineer, shall establish a security to complete improvements, warranties after completion, schedules for completing all improvements, and remedy provisions in the event of a default. All improvements shall be warranted by the Developer for a period of two full years of normal operation from the date of completion, as established by the County Engineer. the County shall retain 10% of the security for a period of 24 months from the date of completion of the improvements. In the case of landscaping, 40% shall be retained.

4.11 Comprehensive Sign Plan. Prior to approval of an certificate of occupancy for any residential or commercial building within the Summit Research Park, the Developer shall submit an application for a comprehensive sign plan. The application shall be reviewed as a Low Impact development activity pursuant to Exhibit L. The sign plan shall address all design, size, location, lighting, and other related standards for all commercial business identification signs, residential development identification signs, construction related signs, Project identification signs, banners, temporary signs, directional signs, and any other signs that may be contemplated by the Developer.

4.11.1 Entryway Signage. Entryway signage in the Research Park shall be subject to review by the Planning Commission with a recommendation to the Director who shall retain final decision making authority for signage.

4.12 Construction Mitigation and Management Plan Required. A grading and/or building permit will not be issued for any facility or structure within the Summit Research Park until an adequate Construction Mitigation and Management Plan has been established for the Project and approved by the County Engineer, who may require changes to address any unforeseen impacts that occur during construction. The plan shall address the following matters specifically, together with any other related matters identified by the Director and the Developer. A separate plan may be established for each phase of the Research Park.

4.12.1 Revegetation/erosion protection/runoff control;

4.12.2 Wetland and watershed protection; wetlands enhancement plan;

4.12.3 All disturbance areas shall be carefully marked/fenced to the extent possible prior to construction. Whenever construction occurs near riparian and drainage areas and significant vegetation which shall be retained on the site, there shall be an appropriate amount of screening/buffering from construction disturbance;

4.12.4 Site grading;

4.12.5 Dust and debris control;

4.12.6 Recycling construction material waste;

4.12.7 Damage to public roadways as a result of construction;

4.12.8 Traffic control/construction management control;

4.12.9 Hours of construction;

4.12.10 Impact of noise on adjacent residential and commercial uses;

4.12.11 Staging and screening of construction materials and equipment (short term basis only)

4.12.11.1 Major stockpiles and construction staging unrelated to construction in the near vicinity shall be located outside of viewshed areas identified in the General Plan in order to minimize the visual impact of such facilities.

4.12.12 Solid Waste Disposal for construction wastes

4.12.13 Parking.

4.13 Concurrency Management Required. Prior to the approval of a building permit for any structure approved in the Summit Research Park, an application for a building permit shall demonstrate that all concurrency management requirements of Exhibit E have been met. The Director shall cause the issuance of a building permit upon demonstration of compliance with all such requirements. In addition to the requirements of Exhibit E, the following shall also continue to be required.

4.13.1 Construction of Infrastructure Improvements. The Developer shall construct those infrastructure improvements, shown on the Final Site Plan or the Conditional Use Permit, and as required by this Development Agreement, the Code, County Engineer, and any applicable special service district or county service area.

5. Successors and Assigns.

5.1 Binding Effect. This Development Agreement shall be binding on the successors and assigns of Developer in the ownership or development of any portion of the Summit Research Park. Notwithstanding the foregoing, a purchaser of the any lot or parcel within the Summit Research Park or any portion thereof shall be responsible for performance of Developer's obligations hereunder as to the portion of the Summit Research Park so transferred.

5.2 Transfer of Research Park. Developer shall be entitled to transfer any portion of the Research Park subject to the terms of this Agreement upon written notice to the County and subject to obtaining the assumption of Developer's obligations to the extent required by Section 5.3 below. Notwithstanding the foregoing, neither Developer, nor its successors, shall be required to notify the County or obtain the County's consent with regard to the sale of individual lots or parcels within the Research Park which have received development approval in accordance with the terms of this Agreement. In the event of any such complete transfer of all or a portion of Developer's interest in the Research Park, the transferee shall be deemed to take the place of the transferor for all purposes under this Agreement with respect to that portion of the Research Park transferred. All obligation to notify or obtain any consent of the County shall terminate with respect to portions of the Research Park on which all of the improvements required by this Agreement have been substantially completed.

5.3 Release of Developer. Except for the sale of lots or parcels which have received development approval in accordance with the terms of this Agreement, in which case this requirement shall not apply, in the event of a transfer of all or a portion of the Research Park, the transferring party shall obtain an assumption by the transferee of the transferor's obligations under this Agreement, and, in such event, the transferee shall be fully substituted for the transferor under this Agreement as to the parcel so transferred, and the transferor executing this Agreement shall be released from any further obligations with respect to this Agreement as to the parcel so transferred.

5.4 Obligations and Rights of Mortgage Lenders. Developer may finance the Property and may execute one or more mortgages, deeds of trust or other security arrangements with respect to the Property and may assign this Development Agreement to a holder of any such financial instrument without prior written notice to or consent of the County. The holder of any mortgage, deed of trust, or other security arrangement with respect to the Property, or any portion thereof, shall not be obligated under this Agreement to construct or complete improvements or to guarantee such construction or completion, but shall otherwise be bound by all of the terms and conditions of this Agreement which pertain to the Property or such portion thereof in which it holds an interest. Any such holder who comes into possession of the Property, or any portion thereof, pursuant to a foreclosure of a mortgage or a deed of trust, or deed in lieu of such foreclosure, shall take the Property, or such portion thereof, subject to any pro rata claims for payments or charges against the Property, or such portion thereof, deed restrictions, or other obligations which accrue prior to the time such holder comes into possession. Nothing in this Agreement shall be deemed or construed to permit or authorize any such holder to devote the Property, or any portion thereof, to any uses, or to construct any improvements thereon, other than those uses and improvements provided for or authorized by this Agreement, and, as would be the case in any assignment, the purchaser of the Property from the holder shall be subject to all of the terms and conditions of this Agreement, including the obligation to complete all required amenities and improvements.

6. Review, Default, Termination and Disputes.

6.1 Periodic Review. The County may initiate a formal review of progress pursuant to this Agreement no more often than once every twelve (12) months to determine if there has been demonstrated compliance with the terms hereof. If the County finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms hereof, this Agreement may be revoked or modified by the County in accordance with the provisions of this Agreement, after a public hearing which has been noticed by publication, and for which notice has been expressly provided to Developer. County's failure to review at least annually Developer's compliance with the terms and conditions of this Agreement shall not constitute or be asserted by any party as a breach of this Agreement by Developer or County. The foregoing provisions shall not preclude the County from taking enforcement action or declaring a default under this Agreement.

6.2 Default.

6.2.1 Events of Default. Developer is in default under this Agreement upon the happening of one or more of the following events or conditions.

(1) If a warranty, representation or statement made or furnished by Developer to the County is false or proves to have been false in any material respect when it was made.

(2) A finding and determination made by the County that, upon the basis of substantial evidence, Developer has not complied in good faith with one or more of the

terms or conditions of this Agreement.

(3) Any other event, condition, act or omission which materially interferes with the intent and objectives of this Agreement.

(4) Developer shall have failed to submit at least one complete application for a site plan approval for an approved use within the ten (10) year period after execution of this Development Agreement or during any five (5) year period thereafter within the term of this Agreement.

6.2.2 Procedure Upon Default.

(1) After the occurrence of a default under Section 6.2.1, the County Council may exercise a right to declare an “Event of Default” by authorizing the County to give Developer written notice specifying the nature of the alleged default and, when appropriate, the manner in which the Event of Default must be satisfactorily cured. Developer shall have thirty (30) days after receipt of written notice to cure the Event of Default. After proper notice and expiration of the thirty (30) day cure period without cure, the County may terminate or amend this Agreement by giving written notice in accordance with the procedure adopted by the County. Failure or delay in declaring or giving notice of an Event of Default shall not constitute a waiver of any default by Developer under Section 6.2.1, nor shall it change the time of such default. Notwithstanding the thirty-day cure period provided above, in the event more than thirty days is reasonably required to cure an Event of Default and Developer, within the thirty-day cure period, commences actions reasonably designed to cure the Event of Default, then the cure period shall be extended for such additional period as Developer is prosecuting those actions diligently to completion. Any exercise by the County of a termination right after notice and opportunity to cure shall be subject to the provisions of Section 6.3 below.

(2) County does not waive any claim of default in performance by Developer, if on periodic review the County does not propose to modify or terminate this Agreement.

(3) Any default or inability to cure a default caused by strikes, lockouts, labor disputes, acts of God, inability to obtain labor or materials or reasonable substitutes therefor, governmental restrictions, governmental regulations, governmental controls, enemy or hostile governmental action, civil commotion, fire or other casualty, and other similar causes beyond the reasonable control of the party obligated to perform, shall excuse the performance by such party for a period equal to the period during which any such event prevented, delayed or stopped any required performance or effort to cure a default.

(4) Adoption of a law or other governmental activity making performance by the applicant unprofitable or more difficult or more expensive does not excuse the performance of the obligation by Developer.

(5) All other remedies at law or in equity which are not inconsistent with the provisions of this Agreement are available to the parties to pursue in the event there is an incurred Event of Default.

6.3 Termination.

6.3.1 Termination Upon Completion of Development. This Agreement may be terminated by agreement of both parties that “Completion of Development” (defined below) has occurred and the last to be satisfied of the Developer’s and the County’s obligations under this Development Agreement have been satisfied (except those obligations of the parties which expressly survive the termination of this Development Agreement as provided below). The phrase “Completion of Development” means that (i) all of the Project Areas within the Property have been approved through a Final Site Plan, (ii) all road improvements and utilities within the Research Park have been fully completed (or permits have been issued for the construction of any such improvements that have not been fully completed), and (iii) all Project Areas within the Research Park have been covered with the Master Declaration. In the event either party believes the requirements of this Section for termination of the Agreement have been met, the party may give to the other party a notice of Completion of Development. The party receiving the notice may disagree with the position of the party giving the notice of Completion of Development by giving a written objection within thirty (30) days after the notice of Completion of Development is received. When the parties are in agreement that requirements of this Section have been met, the County shall record a notice that the Agreement has been terminated (other than the obligations of the parties which expressly survive the termination of the Development Agreement) by agreement of the parties upon Completion of Development as contemplated by this Section.

6.3.2 Termination Before Completion of Development.

(1) This Agreement shall terminate at the end of its Term unless the Term is extended by the County Council as a Substantial Amendment.

(2) This Agreement shall be subject to termination by the County Council prior to Completion of Development when an Event of Default by Developer remains uncured after notice and opportunity to cure as provided in this Section 6. The termination of this Agreement shall be exercised by the County Council after written notice to all owners of the remaining undeveloped land within the Property and after a public hearing providing an opportunity of all such parties to be heard on the appropriateness of termination. The termination shall not be effective until the remaining undeveloped land within the Property is rezoned from the CC Zone to another established zoning district or districts then available under the Snyderville Basin Development Code. For purposes of Article 6, the “remaining undeveloped land within the Property” or similar phrase shall refer to all land covered by this Development Agreement that has not been subdivided for future sale or development and improved with road and utility improvements and at the time is not the subject of a pending or approved application for a subdivision plat, or a pending or approved permit application for road and utility infrastructure.

(3) In the event of a termination pursuant to this Section 6.3.2 and the rezoning of the remaining undeveloped land within the Property, the County shall record a notice against the remaining undeveloped land within the Property indicating that the Agreement has been terminated and that further development activity shall be governed by the provisions of Section 6.3.3 of this Agreement and the terms of the Snyderville Basin Development Code as it then exists and is thereafter amended from time to time.

6.3.3 Effect of Termination on Future Land Uses.

(1) Notwithstanding the termination of this Agreement for any reason, any portion of the Property that is improved in accordance with this Agreement and parcels created by the subdivision and other approvals contemplated hereby shall be entitled to be used and improved, and any improvements located or permitted to be located thereon at the time of termination shall be entitled to be constructed, used, remodeled and reconstructed in accordance with the provisions of this Agreement. The foregoing provisions shall apply even if such use or the improvements authorized by this Agreement do not conform to the requirements of otherwise applicable Summit County laws and regulations at the time.

(2) Notwithstanding the termination of this Agreement for any reason, any portion of the Property that is the subject of a pending or approved application for a Final Site Plan approval shall be entitled to be processed, approved or not approved, used and improved, and any improvements located or permitted to be located thereon at the time of termination shall be entitled to be constructed, used, remodeled and reconstructed in accordance with the provisions of this Agreement provided the owner of the portion of the Property that is the subject of the application proceeds in a commercially reasonable manner to finalize necessary approvals and thereafter proceeds in a commercially reasonable manner to commence and complete the improvements required by the application. The foregoing provisions shall apply even if such use or the improvements authorized by this Agreement do not conform to the requirements of otherwise applicable Summit County laws and regulations at the time.

(3) The benefits extended by preceding subparagraphs (1) or (2) shall apply to the uses and structures permitted at the time of the termination to be constructed on lots or parcels approved and subdivided under subparagraphs (1) or (2) above, regardless of when an application for a building permit is submitted for structures on any such lot or parcel.

(4) Developer does not waive any rights Developer may have to assert the vested right to develop the Property after the expiration of the Development Agreement under then applicable laws or regulations.

6.3.4 Effect of Termination on Developer Obligations. Termination of this Agreement as to any Developer of the Property or any portion thereof shall not affect any of such Developer's obligations to comply with the terms and conditions of any applicable zoning, or subdivision plat, site plan, building permit, or other land use entitlements approved

with respect to the Property, nor shall it affect any other covenants or any other development requirements specified or created pursuant to this Agreement. Termination of this Agreement shall not affect or invalidate in any manner the following specific obligations of Developer, which shall survive the termination of this Agreement: (i) the obligation of Developer to complete the Final Site Plan and other infrastructure improvements covered by any issued permit (including permits issued after the termination of this Agreement based on vested applications or the provisions of Section 6.3.3; (ii) the dedication of any trails and Open Space as requiring dedication or the granting of protection through conservation easements over such lands as delineated in the Summit Research Park to the extent shown on the Final Site Plans for the Park; (iii) the construction of any roads or public improvements covered by a recorded plat unless vacated to the extent shown on the Final Site Plans for the Park; (vi) the payment of impact fees to the extent such fees are payable under the terms of his Development Agreement and any applicable impact fee ordinance or implementing resolutions; and (v) the compliance with Developer's Mutual Releases and Hold Harmless Covenants under this Development Agreement.

6.3.5 Effect of Termination on the County Obligations. Upon any termination of this Agreement, the entitlements, conditions of development, limitations on fees, and all other terms and conditions of this Agreement shall no longer be vested by reason of this Agreement with respect to the remaining undeveloped land within the Property except to the extent set forth in Section 6.3.3. The remaining undeveloped land within the Property may thereafter be subject to then existing planning and zoning law to the extent not inconsistent with Section 6.3.3. Upon such a termination, the County shall no longer be prohibited by this Agreement from making any changes or modifications to such entitlements, conditions, or fees applicable to such undeveloped portions of the Property subject to the effect of Section 6.3.3. The County shall remain obligated after termination of this Agreement to recognize and apply the provisions of Section 6.3.3, which incorporates the use, intensity, development standards and configuration contained in this Development Agreement under the circumstances described therein.

6.3.6 Damages upon Termination. Except with respect to just compensation and attorneys' fees under this Agreement and the enforcement of the terms hereof, Developer shall not be entitled to any damages against the County upon the unlawful termination of this Agreement.

6.4 Disputes. In the event that a dispute arises in the interpretation or administration of this Agreement or if the default mechanism contained herein shall not resolve a default under this Agreement, then prior to taking any action to terminate this Agreement and subject to the right of the County to exercise enforcement of its police powers in the event Developer is in direct violation of a provision of this Agreement or of any otherwise applicable law or regulation not inconsistent with this Agreement, every continuing dispute, difference, and disagreement shall be referred to a single mediator agreed upon by the parties, or if no single mediator can be agreed upon, a mediator or mediators shall be selected from the mediation panel maintained by the United States District Court for the District of Utah in accordance with any designation process maintained by such court. The parties shall mediate such

dispute, difference, or disagreement in a good faith attempt to resolve such dispute, difference or disagreement. The mediation shall be non-binding.

6.5 Institution of Legal Action. In addition to any other rights or remedies, either party may institute legal action to cure, correct, or remedy any default or breach, to specifically enforce any covenants or agreements set forth in the Agreement or to enjoin any threatened or attempted violation of the Agreement; or to obtain any remedies consistent with the purpose of the Agreement. Legal actions shall be instituted in the Third Judicial District Court of the County of Summit, State of Utah.

6.6 Other Enforcement Provisions. The parties to this Agreement recognize that the County has the right to enforce its rules, policies, regulations, ordinances, and the terms of this Agreement by seeking an injunction to compel compliance with the terms of this Agreement. In the event that Developer or any user on the subject property violates the rules, policies, regulations or ordinances of the County or violates the terms of this Agreement, the County may, without seeking an injunction and after ten (10) days written notice to correct the violation, take such actions as shall be deemed appropriate under law until such conditions have been honored by Developer. The County shall be free from any liability arising out of the exercise of its rights under this paragraph.

7. Relationship Between the Parties; No County Financial Responsibility.

7.1 Relationship of Parties. The contractual relationship between the County and Developer arising out of this Agreement is one of independent contractor and not agency. This Agreement does not create any third party beneficiary rights. It is specifically understood by the parties that: (a) the Research Park is a private development; (b) except as provided herein with respect to the Connector Road, the County building and transit facilities, County has no interest in or responsibilities for or duty to third parties concerning any improvements to the Property until the County accepts dedication, ownership or maintenance of the improvements pursuant to a specific written agreement providing for acceptance of dedication, ownership or maintenance; and (c) Developer shall have the full power and exclusive control of the Property subject to the obligations of Developer set forth in this Agreement.

7.2 Mutual Releases. At the time of, and subject to, (i) the expiration of any applicable appeal period with respect to the approval of this Agreement without an appeal having been filed or (ii) the final determination of any court upholding this Agreement, whichever occurs later, and excepting the parties' respective rights and obligations under this Agreement, Developer, on behalf of itself and Developer's partners, officers, directors, employees, agents, attorneys and consultants, hereby releases the County and the County's board members, council members, officials, employees, agents, attorneys and consultants, and the County, on behalf of itself and the County's board members, officials, employees, agents, attorneys and consultants, hereby releases Developer and Developer's partners, officers, directors, employees, agents, attorneys and consultants, from and against any and all claims, demands, liabilities, costs, expenses of whatever nature, whether known or unknown, and whether

liquidated or contingent, arising on or before the date of this Agreement in connection with the application, processing or approval of applications relating to the Research Park or any Project, to include any past claims for vested development rights that are not provided for in this Development Agreement.

7.3 Hold Harmless.

7.3.1 Agreement of Developer. Developer agrees to and shall hold the County, its officers, agents, employees, consultants, attorneys, special counsel and representatives harmless from liability for damages, just compensation, restitution, judicial or equitable relief arising out of claims for personal injury, including health, and claims for property damage which may arise from the direct or indirect operations of Developer or its contractors, subcontractors, agents, employees or other persons acting on their behalf which relates to the Research Park or the actions of Developer taken pursuant to or the failure of Developer to comply with the terms of this Development Agreement. Any such action shall be referred to as an “indemnified claim.” Developer agrees to pay all costs for the defense of the County and its officers, agents, employees, consultants, attorneys, special counsel and representatives regarding any indemnified claim. This hold harmless agreement applies to all claims for damages, just compensation, restitution, judicial or equitable relief suffered or alleged to have been suffered by reason of the events referred to in this section regardless of whether or not the County prepared, supplied or approved this Agreement, plans or specifications, or both, for the Research Park or any Project. County may make all reasonable decisions with respect to its representation in any legal proceeding relating to an indemnified claim.

7.3.2 Exceptions to Hold Harmless. The agreements of Developer in Section 7.3.1 shall not be applicable to (i) any claim arising by reason of the negligence or intentional actions of the County, or (ii) any claim reserved by Developer for itself or any owner of any portion of the Property under the terms of this Agreement for just compensation or attorney fees.

7.3.3 Hold Harmless Procedures. The County shall give written notice of any claim, demand, action or proceeding which is the subject of Developer’s hold harmless agreement as soon as practicable but not later than 10 days after the assertion or commencement of the claim, demand, action or proceeding. In the event any such notice is given, the County shall be entitled to participate in the defense of such claim. Each party agrees to cooperate with the other in the defense of any claim and to minimize duplicative costs and expenses.

8. **General Terms and Conditions.**

8.1 Agreements to Run with the Land. This Development Agreement and its accompanying Exhibits shall be recorded against the Property described in Exhibit A. The agreements contained herein shall be deemed to run with the land and shall be binding on and shall inure to the benefit of all successors in ownership of the Property. As used herein, Developer shall include the parties signing this Development Agreement and identified as

“Developer,” and all successor owners of any part of the Property.

8.2 Construction of Agreement. This Agreement should be construed so as to effectuate the public purpose of implementing long-range planning objectives, obtaining public benefits and protecting any compelling, countervailing public interest while providing reasonable assurances of continuing vested development rights.

8.3 Laws of General Applicability. Where this Agreement refers to laws of general applicability to the Property or the Research Park and other properties, this Agreement shall be deemed to refer to laws which apply to other developed and subdivided properties in Summit County, Utah.

8.4 State and Federal Law. The parties agree, intend and understand that the obligations imposed by this Agreement are only such as are consistent with state and federal law. The parties further agree that if any provision of this Agreement becomes, in its performance, inconsistent with state or federal law or is declared invalid, this Agreement shall be deemed amended to the extent necessary to make it consistent with state or federal law, as the case may be, and the balance of the Agreement shall remain in full force and effect.

8.5 No Waiver. Failure of a party hereto to exercise any right hereunder shall not be deemed a waiver of any such right and shall not affect the right of such party to exercise at some future time said right or any other right it may have hereunder. Unless this Development Agreement is amended by vote of the County Council taken with the same formality as the vote approving this Development Agreement, no officer, official or agent of the County has the power to amend, modify or alter this Development Agreement or waive any of its conditions as to bind the County by making any promise or representation not contained herein.

8.6 Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, whether oral or written, covering the same subject matter. This Agreement may not be modified or amended except in writing mutually agreed to and accepted by both parties to this Agreement.

8.7 Attorneys Fees. Should any party hereto employ an attorney for the purpose of enforcing this Agreement, or any judgment based on this Agreement, for any reason or in any legal proceeding whatsoever, including insolvency, bankruptcy, arbitration, declaratory relief or other litigation, including appeals or rehearings, and whether or not an action has actually commenced, the prevailing party shall be entitled to receive from the other party thereto reimbursement for all reasonable attorneys' fees and all costs and expenses. Should any judgment or final order be issued in that proceeding, said reimbursement shall be specified therein.

8.8 Notices. All notices hereunder shall be given in writing by certified mail, postage prepaid, at the following addresses:

To the County:

Summit County Manager
Summit County Courthouse
60 N. Main
P.O. Box 128
Coalville, UT 84017

With copies to:

David L. Thomas
Chief Civil Deputy Summit County Attorney
60 N. Main
P.O. Box 128
Coalville, UT 84017

To Developer:

Boyer Snyder Junction, L.C.
Attn: H. Roger Boyer
The Boyer Company
90 South 400 West Suite 200
Salt Lake City, UT 84101

With copies to:

Thomas A. Ellison
Stoel Rives LLP
201 South Main Suite 1100
Salt Lake City, UT 84111

8.9 Applicable Law. This Agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Utah.

8.10 Rights of Third Parties. This Development Agreement is not intended to affect or create any additional rights or obligations on the part of third parties.

8.11 Third Party Legal Challenges. In those instances where, in this Development Agreement, Developer has agreed to waive a position with respect to the applicability of current County policies and requirements, or where Developer has agreed to comply with current County policies and requirements, Developer further agrees not to participate either directly or indirectly in any legal challenges to such County policies and requirements by third parties, including but not limited to appearing as a witness, amicus, making a financial contribution thereto, or otherwise assisting in the prosecution of the action.

8.12 Computation of Time. In computing any period of time pursuant to this Development Agreement, the day of the act, event or default from which the designated period of time begins to run shall be included, and the time shall be computed on a calendar, not work day, basis.

8.13 Titles and Captions. All section titles or captions contained in this Development Agreement are for convenience only and shall not be deemed part of the context nor affect the interpretation hereof.

8.14 Severability. If any provision of this Development Agreement, or the application of such provision to any person or circumstance, is held invalid, void, or unenforceable, but the remainder of this Development Agreement can be enforced without failure of material consideration to any party, then the remainder of this Development Agreement shall not be affected thereby and it shall remain in full force and effect, unless amended or modified by mutual consent of the parties. If any material provision of this Development Agreement is held invalid, void, or unenforceable or if consideration is removed or destroyed, the Developer or the County shall have the right in their sole and absolute discretion to terminate this Development Agreement by providing written notice of such termination to the other party.

8.15 Recordation of Agreement. This Development Agreement may be recorded by either party with the Summit County Recorder.

8.16 Exhibits Incorporated. All Exhibits to the Summit Research Park are incorporated by reference herein as if fully set forth herein.

8.17 Execution of Agreement. This Agreement may be executed in multiple parts as originals or by facsimile copies of executed originals; provided, however, if executed and evidence of execution is made by facsimile copy, then an original shall be provided to the other party within seven (7) days of receipt of said facsimile copy.

IN WITNESS WHEREOF, this Agreement has been executed by Summit County, acting by and through the Board of County Commissioners of Summit County, State of Utah, pursuant to Ordinance No. 698, authorizing such execution, and by a duly authorized representative of Developer as of the above-stated date.

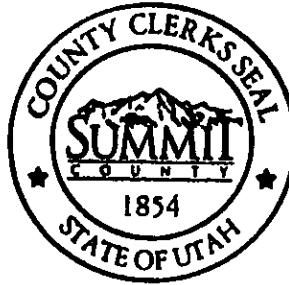
COUNTY:

BOARD OF COUNTY COMMISSIONERS OF
SUMMIT COUNTY, STATE OF UTAH

By: K.E. Woolstenhulme
Ken Woolstenhulme, Chairman

ATTEST:

[Signature]
Kent Jones
County Clerk



APPROVED AS TO FORM:

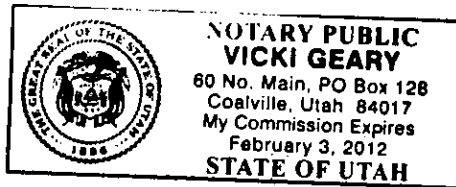
[Signature]
David L. Thomas
Chief Civil Deputy

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

The foregoing instrument was acknowledged before me this 10 day of Dec, 2008,
by Ken Woolstenhulme, the Chairman of the Board of County Commissioners of Summit
County, State of Utah.

[Signature]
NOTARY PUBLIC
Residing at: Summit Co.

My Commission Expires:
2/3/2012



DEVELOPER:

BOYER SNYDERVILLE JUNCTION, L.C., a Utah limited liability company, by its Manager:

THE BOYER COMPANY, L.C., a Utah limited liability company

By: *H. Roger Boyer*
H. Roger Boyer, Its Manager

STATE OF UTAH)
 : ss.
COUNTY OF SALT LAKE)
Summit

The foregoing instrument was acknowledged before me this 10 day of Dec, 2008, by H. Roger Boyer, the Manager of The Boyer Company, L.C., which is the Manager of Boyer Snyderville Junction, L.C.

Vicki Geary
NOTARY PUBLIC
Residing at: *Summit Col.*

My Commission Expires:
2/3/2012

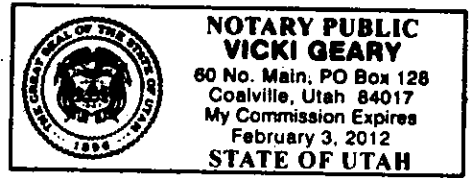
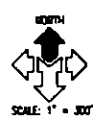


EXHIBIT A

BOYER PARCEL

BEGINNING AT A POINT ON THE SECTION LINE, SAID POINT BEING SOUTH 00°01'25" EAST ALONG THE SECTION LINE 943.04 FEET FROM A FOUND BRASS CAP MONUMENT MARKING THE NORTHEAST CORNER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 3 EAST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE SOUTH 89°13'11" EAST 433.13 FEET TO A POINT ON THE WESTERLY LINE OF A PARCEL OF GROUND CONVEYED TO SUMMIT COUNTY UNDER SPECIAL WARRANTY DEED RECORDED MAY 22, 2008 AS ENTRY NO. 845125 IN BOOK 1931 AT PAGE 612 OF OFFICIAL RECORDS, THENCE ALONG SAID WESTERLY AND SOUTHERLY LINE OF SAID SUMMIT COUNTY PARCEL THE FOLLOWING (13) COURSES: (1) SOUTH 00°01'19" WEST 3.15 FEET, (2) SOUTH 85°30'27" EAST 10.33 FEET, (3) SOUTH 54°10'21" EAST 21.97 FEET, (4) SOUTH 44°21'57" EAST 7.62 FEET TO A POINT ON THE ARC OF A 93.50 FOOT NON TANGENT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 59°55'58" EAST), (5) SOUTHEASTERLY ALONG THE ARC OF SAID 93.50 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 72°35'50" A DISTANCE OF 118.47 FEET (CHORD BEARS SOUTH 66°21'57" EAST 110.70 FEET, (6) NORTH 77°06'12" EAST 1.51 FEET TO A POINT ON THE ARC OF A 132.00 FOOT NON TANGENT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 12°53'40" WEST), (7) NORTHEASTERLY ALONG THE ARC OF SAID 132.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 17°01'26" A DISTANCE OF 39.22 FEET (CHORD BEARS NORTH 68°35'37" EAST 39.08 FEET) TO A POINT ON THE ARC OF A 128.70 FOOT NON TANGENT RADIUS CURVE TO THE RIGHT (CENTER BEARS SOUTH 29°55'03" EAST), (8) NORTHEASTERLY ALONG THE ARC OF SAID 128.70 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 10°43'29" A DISTANCE OF 24.09 FEET (CHORD BEARS NORTH 65°26'42" EAST 24.05 FEET), (9) NORTH 70°48'26" EAST 15.85 FEET TO A POINT OF CURVATURE, (10) NORTHEASTERLY ALONG THE ARC OF A 486.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 08°55'54" A DISTANCE OF 75.76 FEET (CHORD BEARS NORTH 75°16'24" EAST 75.68 FEET) TO A POINT OF COMPOUND CURVATURE, (11) SOUTHEASTERLY ALONG THE ARC OF A 19.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 36°32'55" A DISTANCE OF 12.12 FEET (CHORD BEARS SOUTH 81°59'04" EAST 11.92 FEET) TO A POINT ON THE ARC OF A 27.00 FOOT NON TANGENT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 26°17'02" EAST), (12) SOUTHEASTERLY ALONG THE ARC OF SAID 27.00 FOOT RADIUS CURVE THROUGH A CENTRAL ANGLE OF 30°42'23" A DISTANCE OF 14.47 FEET (CHORD BEARS SOUTH 79°04'10" EAST 14.30 FEET), (13) NORTH 85°34'39" EAST 77.48 FEET; THENCE SOUTH 14°09'25" EAST 383.71 FEET; THENCE SOUTH 89°29'10" EAST 320.00 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 248 (SR-224 PROJECT NO. 060(2)); THENCE SOUTH 00°30'50" WEST ALONG SAID WESTERLY RIGHT OF WAY LINE 500.10 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF OLYMPIC PARK ROAD; THENCE WESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING (6) COURSES: (1) SOUTH 45°13'13" WEST 20.98 FEET, (2) NORTH 89°44'53" WEST 497.12 FEET, (3) NORTH 44°48'43" WEST 42.46 FEET, (4) NORTH 89°46'02" WEST 80.00 FEET, (5) SOUTH 45°11'17" WEST 42.39 FEET, (6) SOUTH 00°08'36" WEST 106.00 FEET; THENCE WEST 370.40 FEET; THENCE NORTH 69°36'38" WEST 348.42 FEET; THENCE NORTH 82°37'29" WEST 227.70 FEET; THENCE NORTH 86°19'15" WEST 217.19 FEET; THENCE SOUTH 86°54'09" WEST 227.85 FEET; THENCE SOUTH 78°30'42" WEST 47.54 FEET; THENCE SOUTH 70°10'43" WEST 628.69 FEET; THENCE NORTH 28°37'26" WEST 49.66 FEET; THENCE NORTH 30°15'24" WEST 1013.16 FEET; THENCE NORTH 80°54'09" WEST 242.51 FEET; THENCE NORTH 48°17'46" WEST 190.47 FEET; THENCE NORTH 30°00'00" EAST 374.54 FEET; THENCE NORTH 29°36'00" EAST 56.16 FEET; THENCE NORTH 37°20'42" EAST 664.96 FEET; THENCE NORTH 25°32'15" EAST 383.64 FEET; THENCE NORTH 88°04'50" EAST 211.18 FEET; THENCE SOUTH 00°17'31" EAST 302.24 FEET; THENCE SOUTH 89°38'58" EAST 257.40 FEET; THENCE SOUTH 00°00'23" EAST 503.65 FEET; THENCE SOUTH 89°27'42" EAST 526.75 FEET; THENCE SOUTH 00°01'25" EAST 440.00 FEET; THENCE NORTH 89°58'35" EAST 420.00 FEET; THENCE SOUTH 89°29'26" EAST 144.31 FEET TO THE POINT OF BEGINNING.

CONTAINS: 3,912,266 SQ. FT. OR 89.813 ACRES

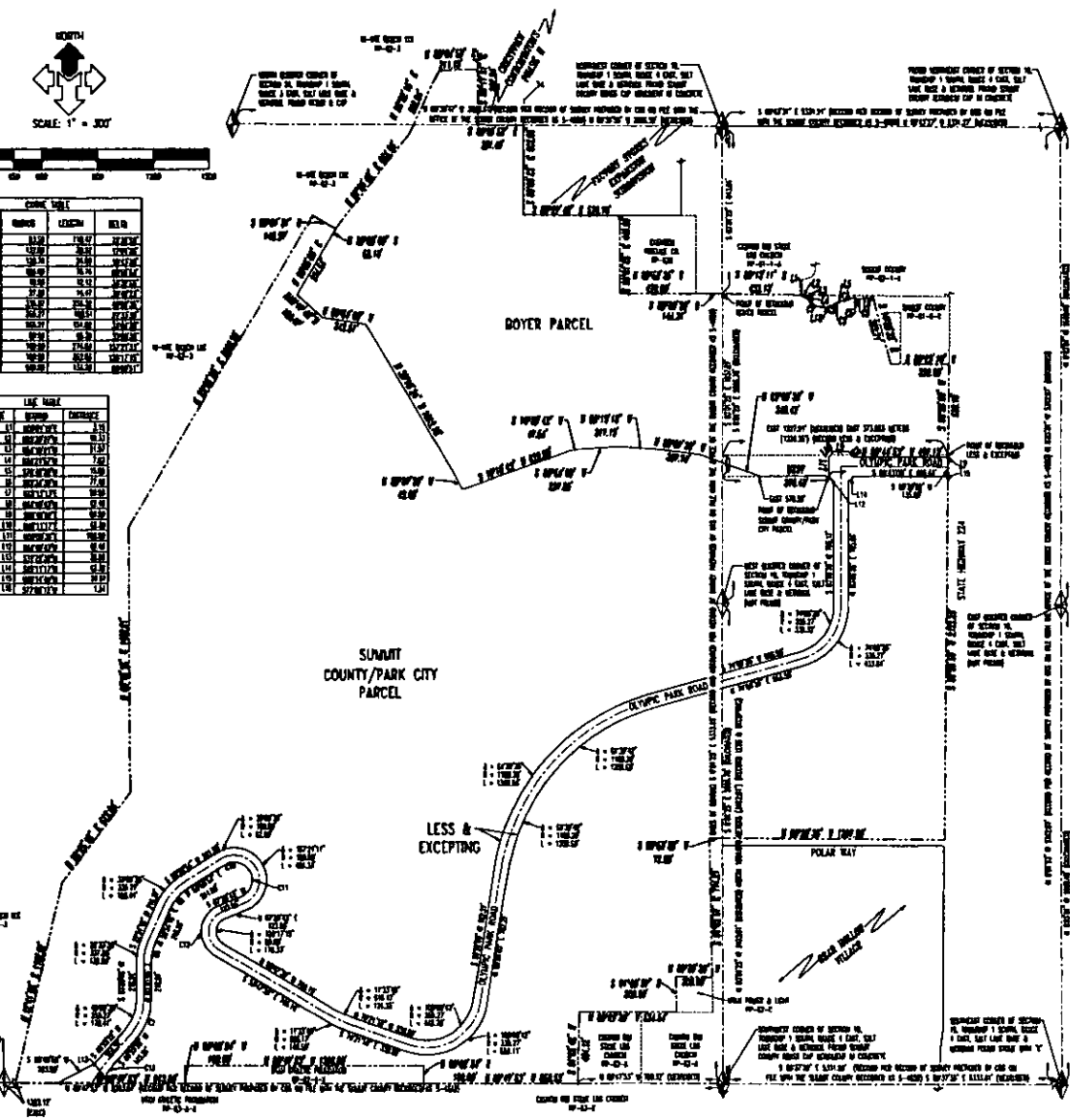


CURVE TABLE

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24	100+00	100+00	100+00	100+00	100+00

LINE TABLE

LINE	STATION	CHANGING
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20	100+00	100+00
21	100+00	100+00
22	100+00	100+00
23	100+00	100+00
24	100+00	100+00



AS-SHOWN DESCRIPTION

THIS PROJECT CONSISTS OF THE CONSTRUCTION OF A NEW ROADWAY AND RELATED UTILITIES AND STRUCTURES IN THE BOYER PARCEL AND SURROUNDING AREAS. THE PROJECT IS BEING CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ARIZONA HIGHWAY CODE AND THE ARIZONA LAND USE ACT. THE PROJECT IS BEING CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ARIZONA HIGHWAY CODE AND THE ARIZONA LAND USE ACT. THE PROJECT IS BEING CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ARIZONA HIGHWAY CODE AND THE ARIZONA LAND USE ACT.

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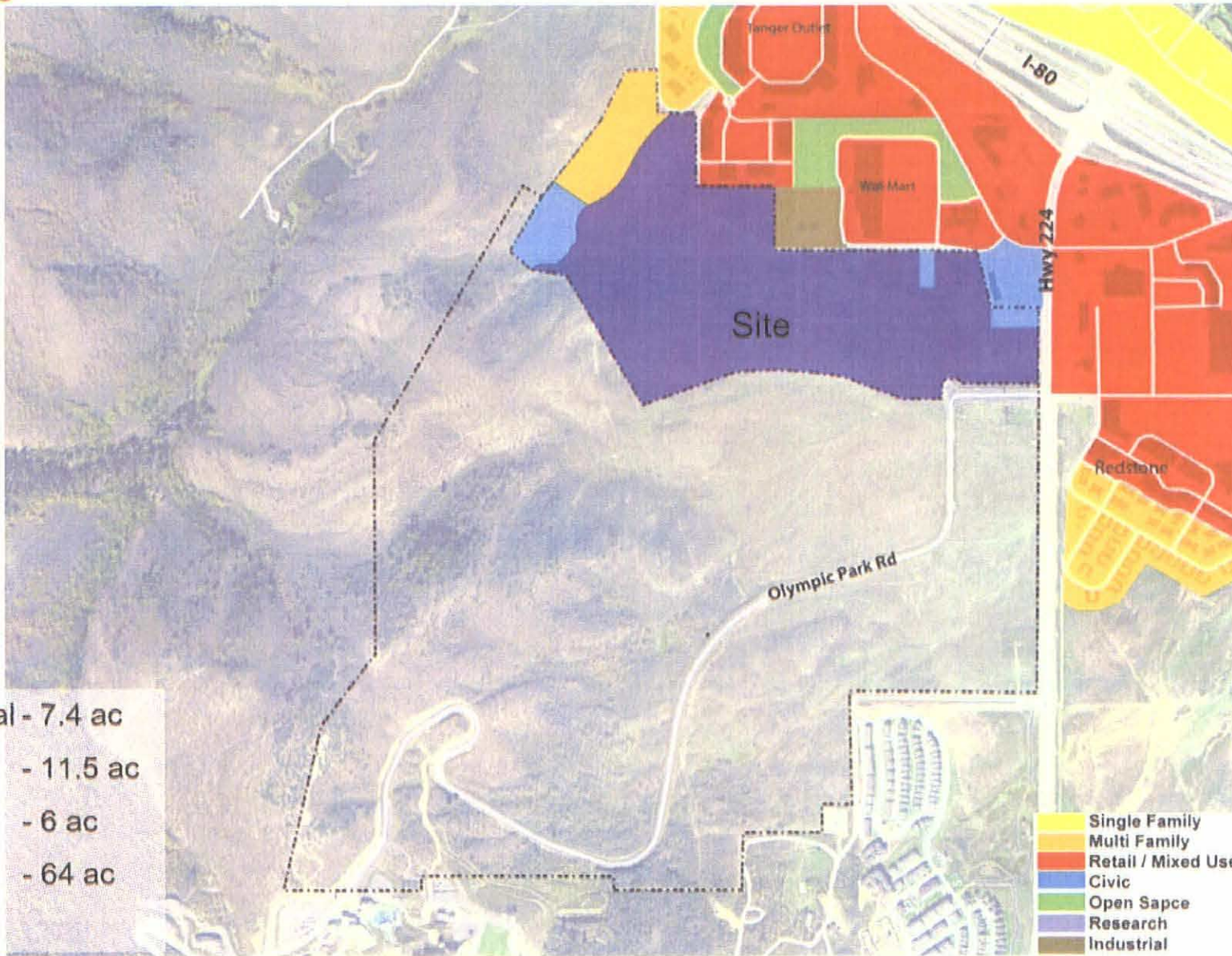
MCNEIL GROUP
 ENGINEERS ARCHITECTS PLANNERS
 1000 N. CENTRAL AVENUE, SUITE 100
 MESA, ARIZONA 85201
 PHONE: (480) 961-1111
 FAX: (480) 961-1112
 WWW.MCNEILGROUP.COM

SMALL JUNCTION PROJECT
THE BOYER CORNER
 SMALL JUNCTION PROJECT
 THE BOYER CORNER

101

EXHIBIT B

Land Use



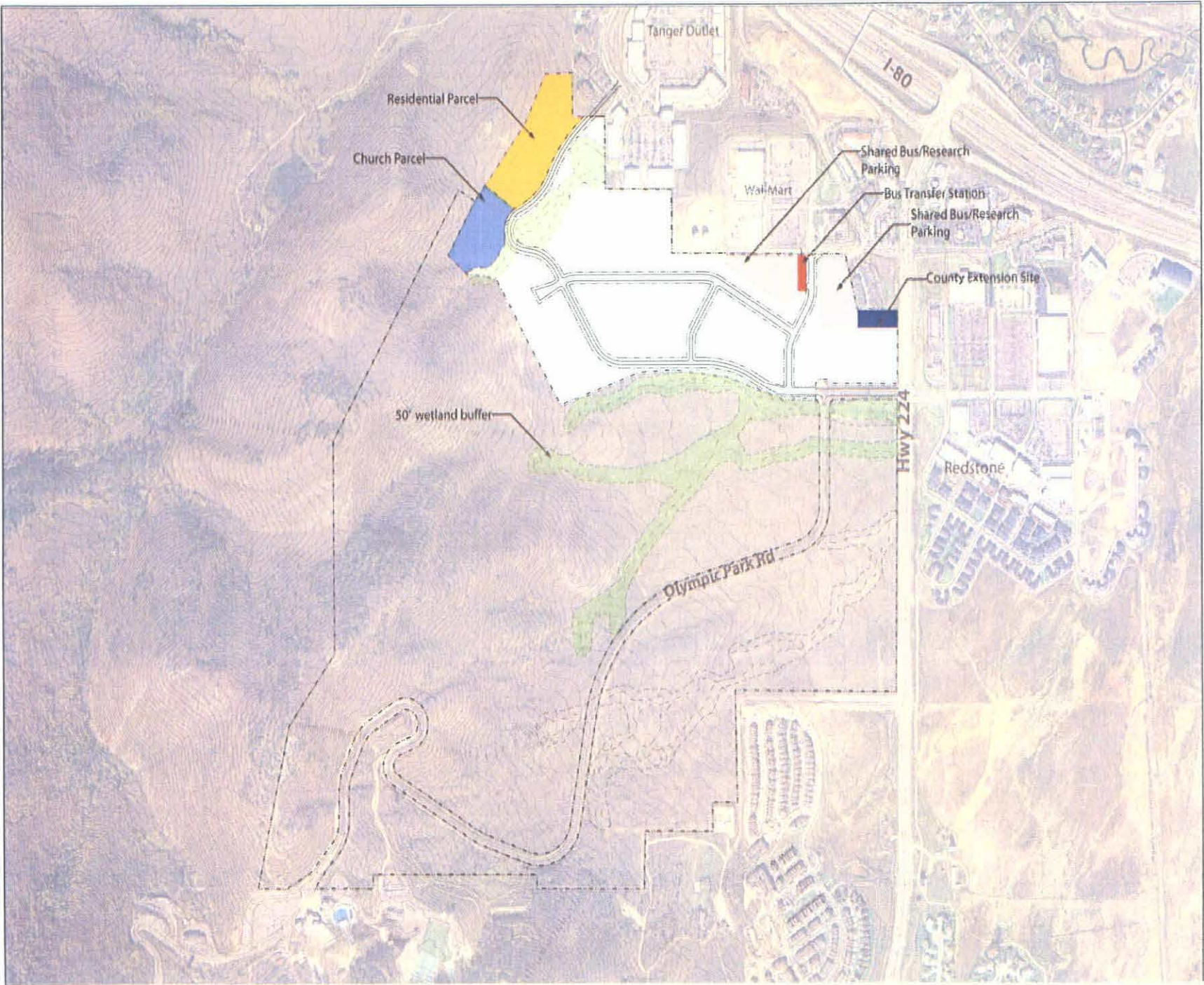
Residential - 7.4 ac
 Civic - 11.5 ac
 Wetlands - 6 ac
 Research - 64 ac

- Single Family
- Multi Family
- Retail / Mixed Use
- Civic
- Open Sapce
- Research
- Industrial

Summit
Research Park

Boyer Snyderville
Junction, LLC

Site Elements

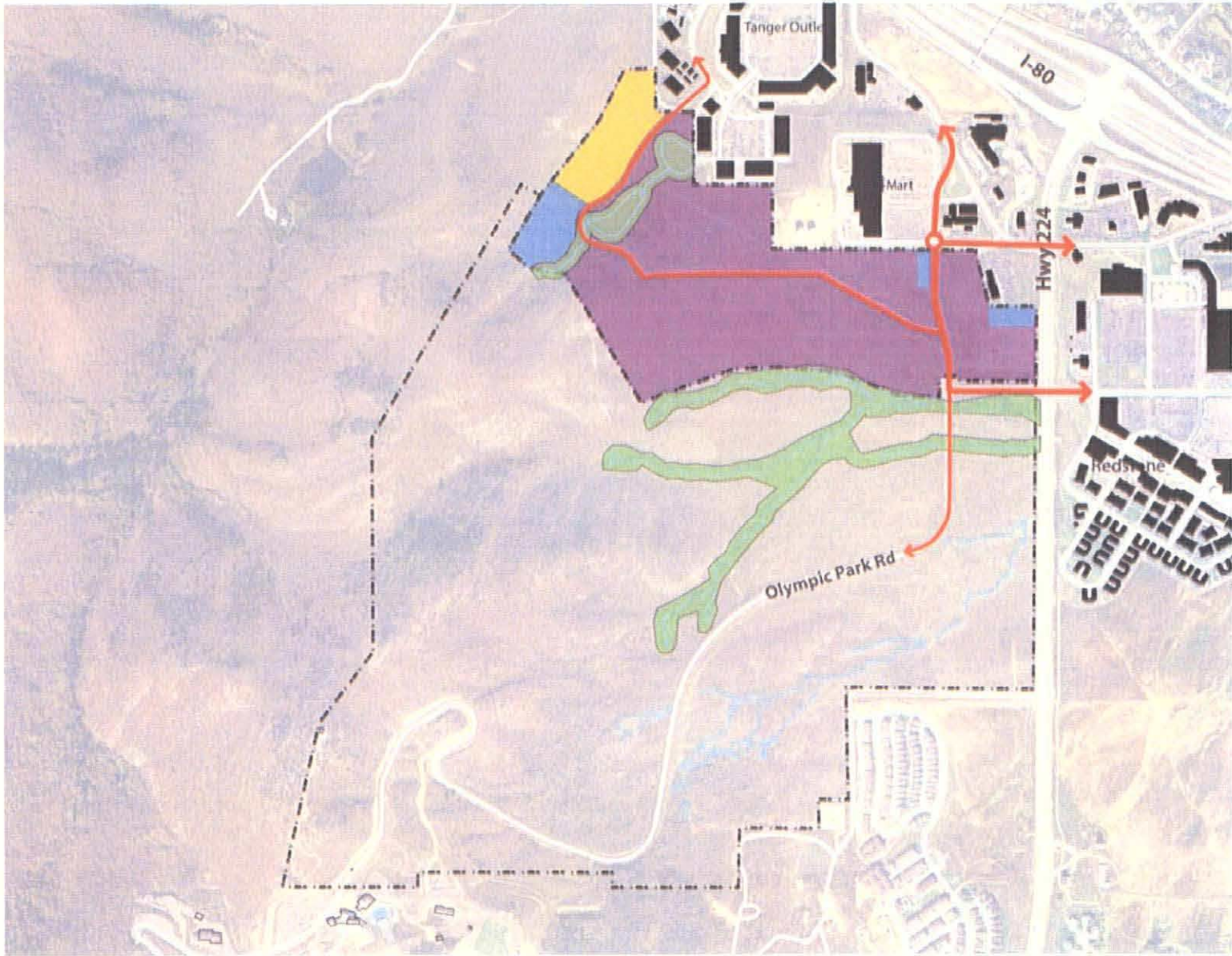


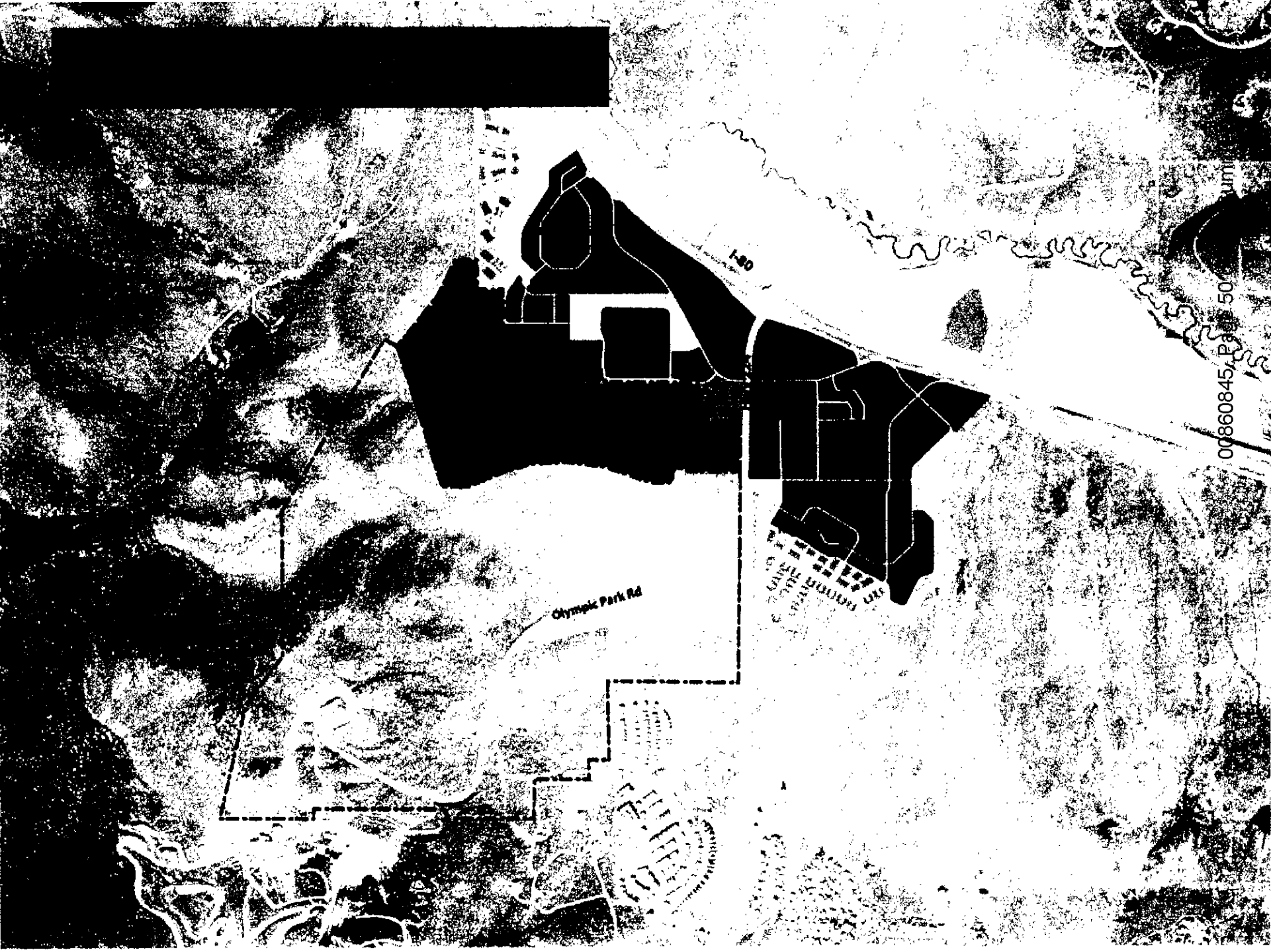
0 150 300 450 600 Feet

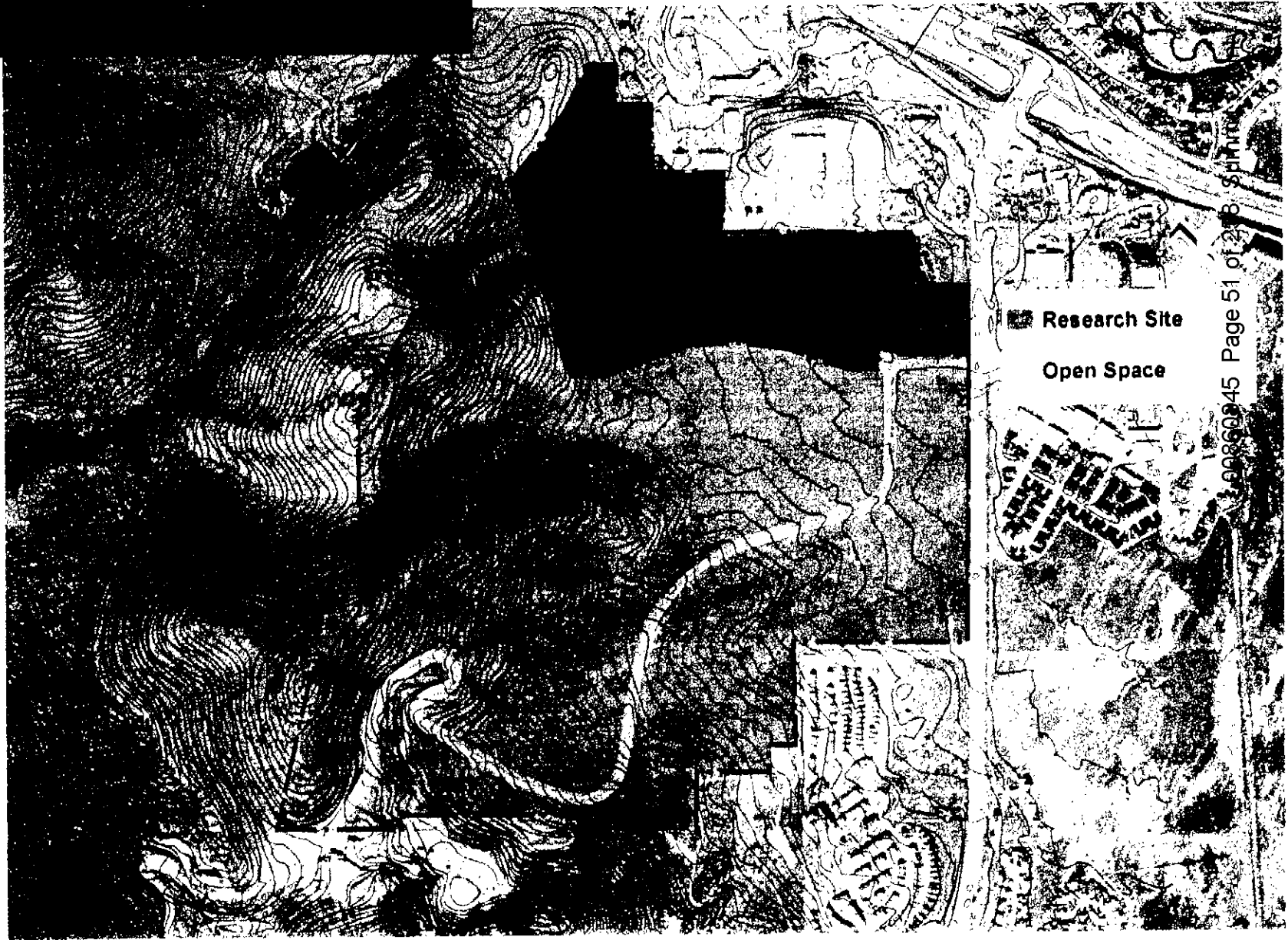
November 2008

SCALE

Site Circulation







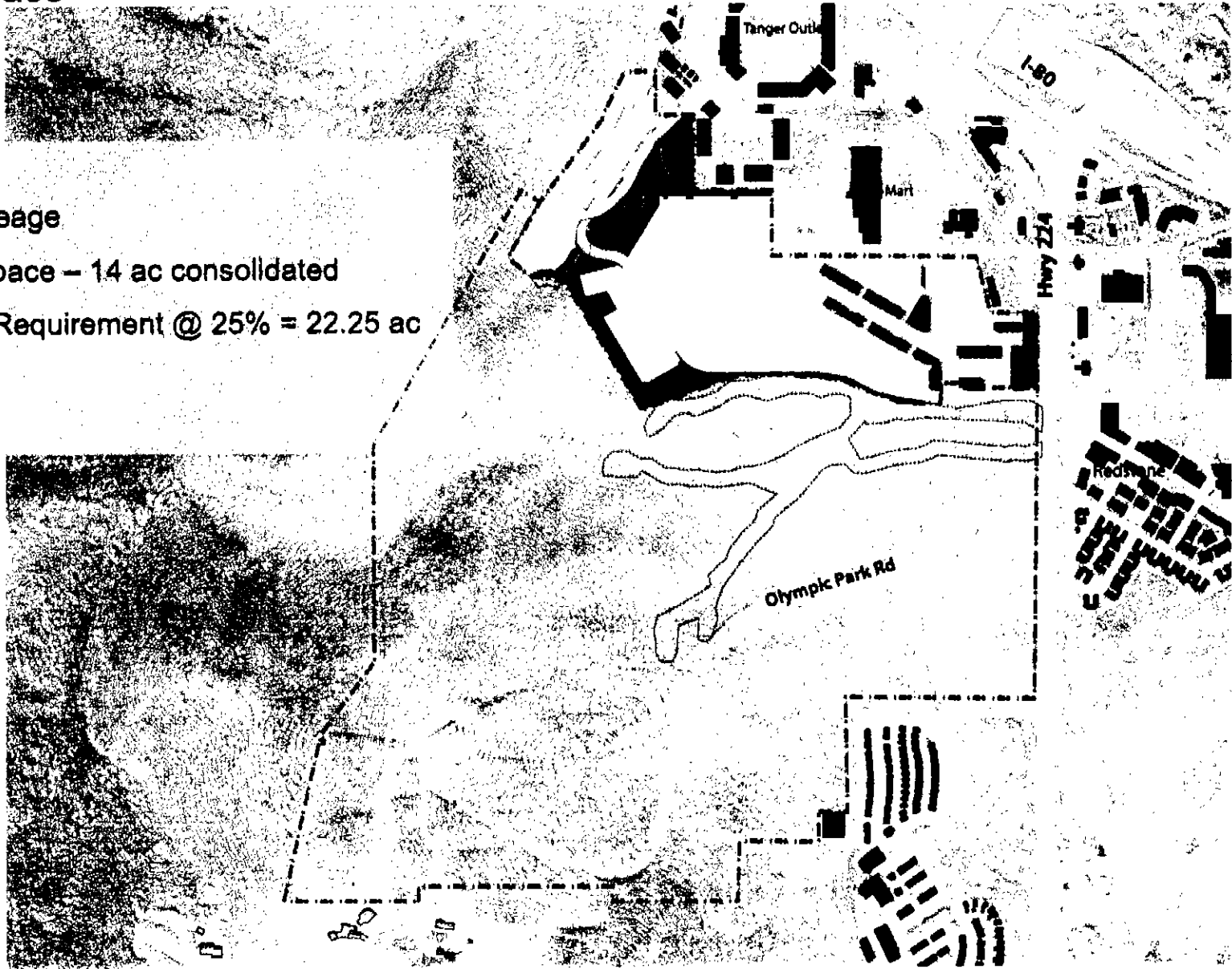
30086045 Page 51 of 28 sheets

Open Space

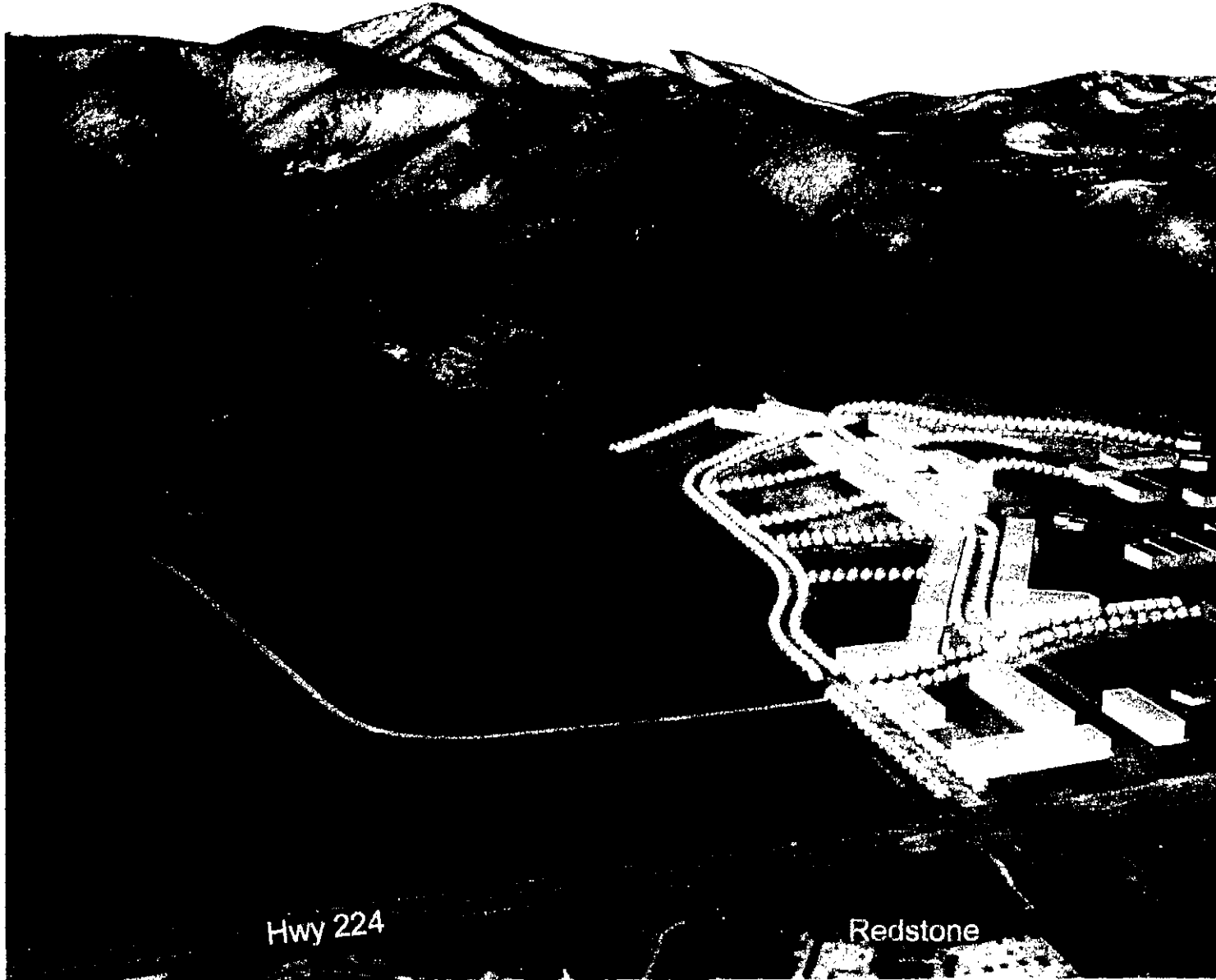
Site Acreage

Open Space – 14 ac consolidated

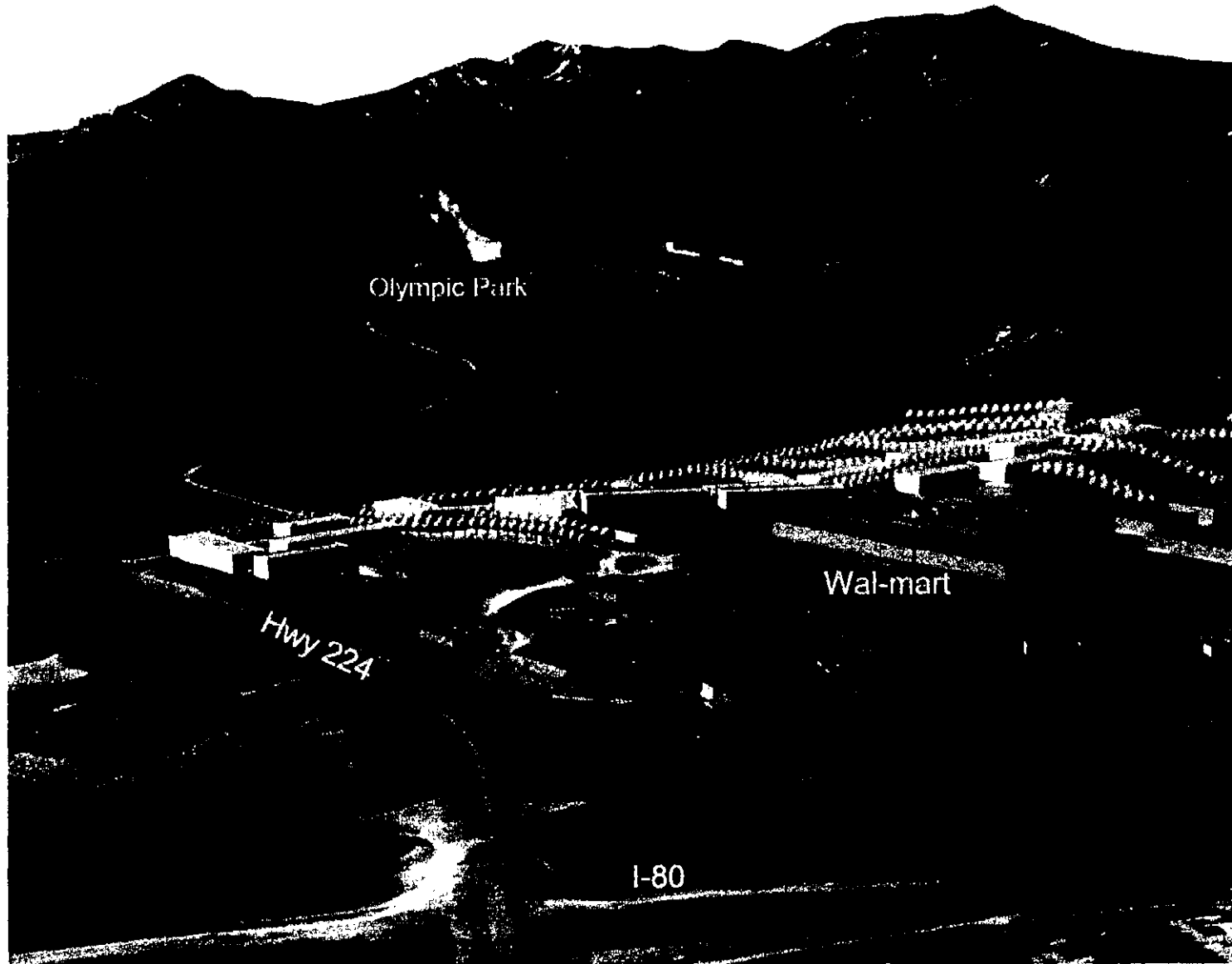
County Requirement @ 25% = 22.25 ac



Aerial view from southeast



Aerial view from northeast



Slopes

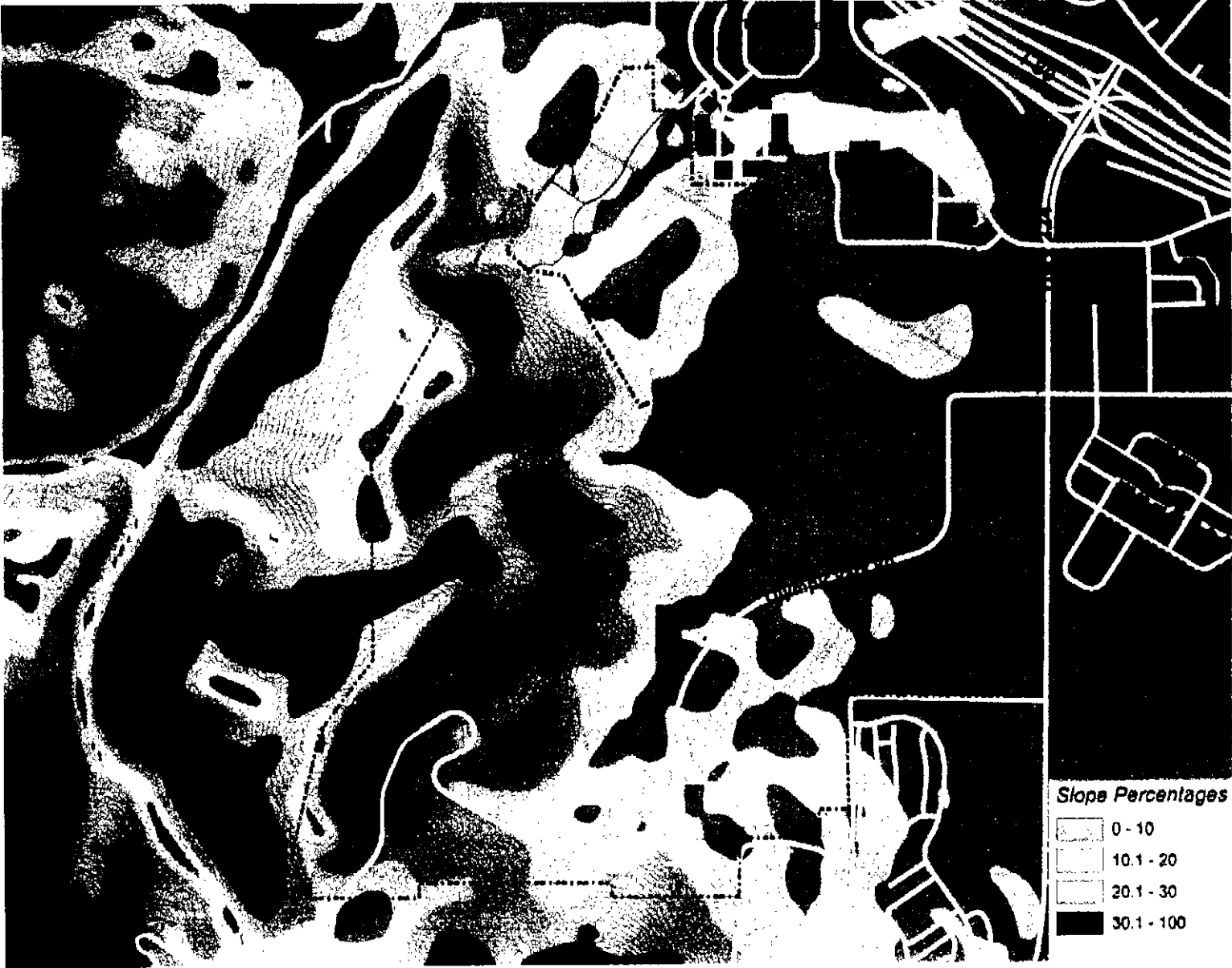


EXHIBIT C



Use Table – Summit Research Park

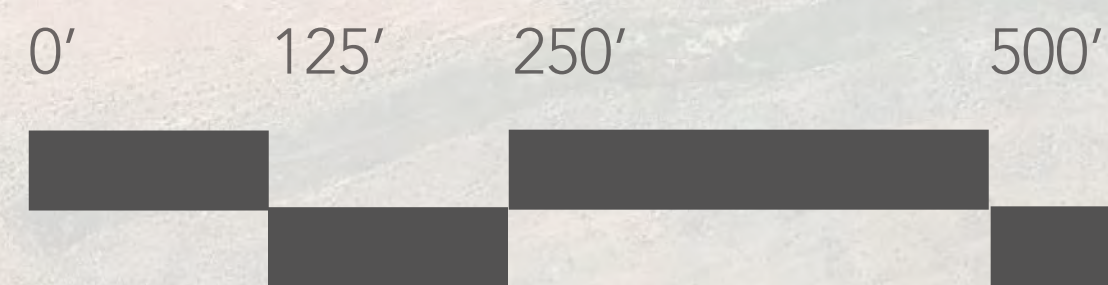
- **Permitted Uses:**
 - Laboratories, offices, and prototype production facilities related to research facilities and technology.
 - Sports medicine related uses, including research and treatment facilities (no hospital allowed).
 - Incidental commercial uses principally located within the Research Park to support other permitted and approved conditional uses, such as restaurants, private clubs, retail, banks, financial services, recreation facilities, health care facilities, accessory uses authorized by the Code as of the Vesting Date and facilities for limited indoor production, warehousing, and distribution.
 - Churches
 - Utility Facilities, Water lines, Sewer lines

- **Conditional Uses:**
 - **Offices and/or research facilities for outdoor product oriented companies**
 - **Public Service Facilities**
 - **Chamber Bureau Visitor's Center**
 - **Transit Facilities**

EXHIBIT B- INITIAL SUBMITTAL CONCEPT PLAN



OLYMPIC VIEW
ILLUSTRATIVE PLAN



SCALE : 1" = 100'

1000'



EAST END

The East End is Olympic View's "front door" to the broader region. It is **active, fun, creative and bustling**. The East End is highly visible along State Route 224; sits adjacent to other Kimball Junction districts, shops and services; and includes a robust Transit Center and potential gondola that welcome people from throughout Summit County, the state, the country and around the world. It also includes many uses and activities that attract a wide range of people to this village hub.



USES

- Offices
- Restaurants/cafes
- Retail shops
- Hotel
- Transit Center

OPEN SPACES AND AMENITIES

- Transit Center plaza
- Potential Gondola
- Pedestrian and bicycle connections to the center of Olympic View and east and north to Kimball Junction shops and services

ARCHITECTURE

- Modern design with landmark features along State Route 224
- Three- to five-story buildings
- Permeable ground-floor design with active uses

PARKING

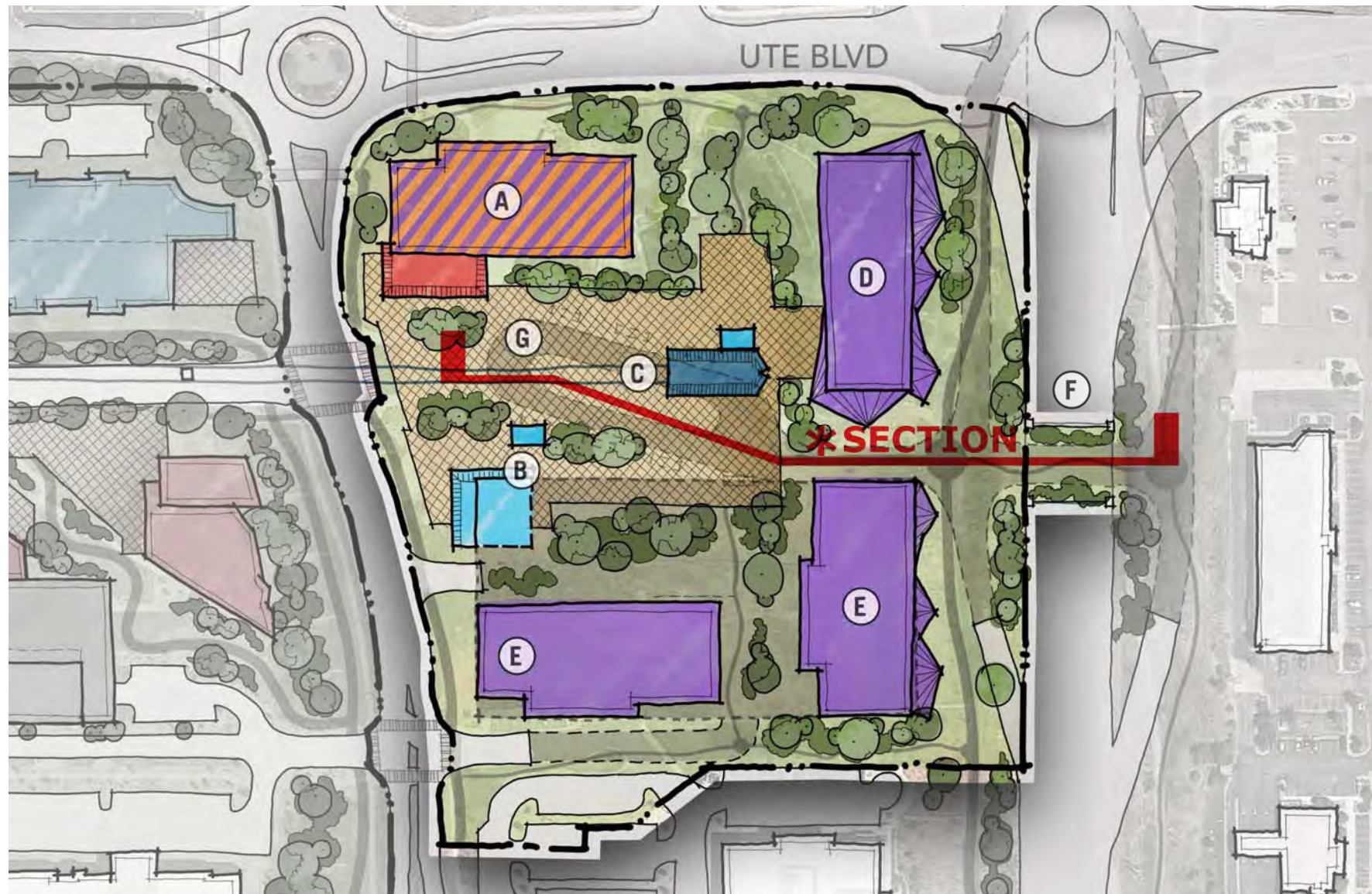
- 1000+ space underground shared-use facility



Transit Center Plaza - Looking East

EAST END

LAND USES AND DESIGN ELEMENTS



Example of a below-grade transit facility

- (A) Hotel or Office with Attached Retail/Dining
- (B) Transit Station Pavillion
- (C) Potential Gondola and Transit Plaza
- (D) Primary Office
- (E) Office Expansion Above Below-Ground Parking Structure
- (F) Pedestrian Land Bridge/Overpass
- (G) Below-Ground Bus Station + Vertical Conveyance

*NOTE: Refer to "Section (looking north)" on page 33

IDEAS AND PRECEDENTS



Section (looking north) illustrating underground bus terminal and access



Precedent images illustrating office development above a below-grade transit center, below-grade transit access, and pedestrian bridges

CIVIC CORE

The Civic Core area marks the transition between the energy of the East End and the Residential Core of Olympic View. Beginning at the intersection of Olympic View Drive and Landmark Drive, this area has many elements that create a **strong sense of entry, activity and place for the entire community**. It is framed by retail shops, restaurants, plazas and a new Civic facility. Generous landscaping with drought-tolerant trees and plantings, entry monumentation, wayfinding elements, and public art combine to create a welcoming and inviting street scene.



USES

- Civic (potentially including Summit County offices and services, meeting rooms, library)
- Restaurants/cafes
- Retail shops

OPEN SPACES AND AMENITIES

- Community park with potential outdoor amphitheater, shade pavilions and activity programming
- Plaza/gathering space adjacent to retail/restaurants
- Trail and greenway along the existing utility easement
- Pedestrian and bicycle connections to the East End, Residential Core, northern hillside, and nature preserve to the south

ARCHITECTURE

- Modern design with inspiring architecture for the Civic facility
- Two- to three-story buildings transitioning westward toward four-story buildings
- Iconic retail-oriented building that highlights regional recreation opportunities, such as rock climbing

PARKING

- 250+ space shared-use facility; and small surface parking lots



Olympic View Drive - Looking West

CIVIC CORE

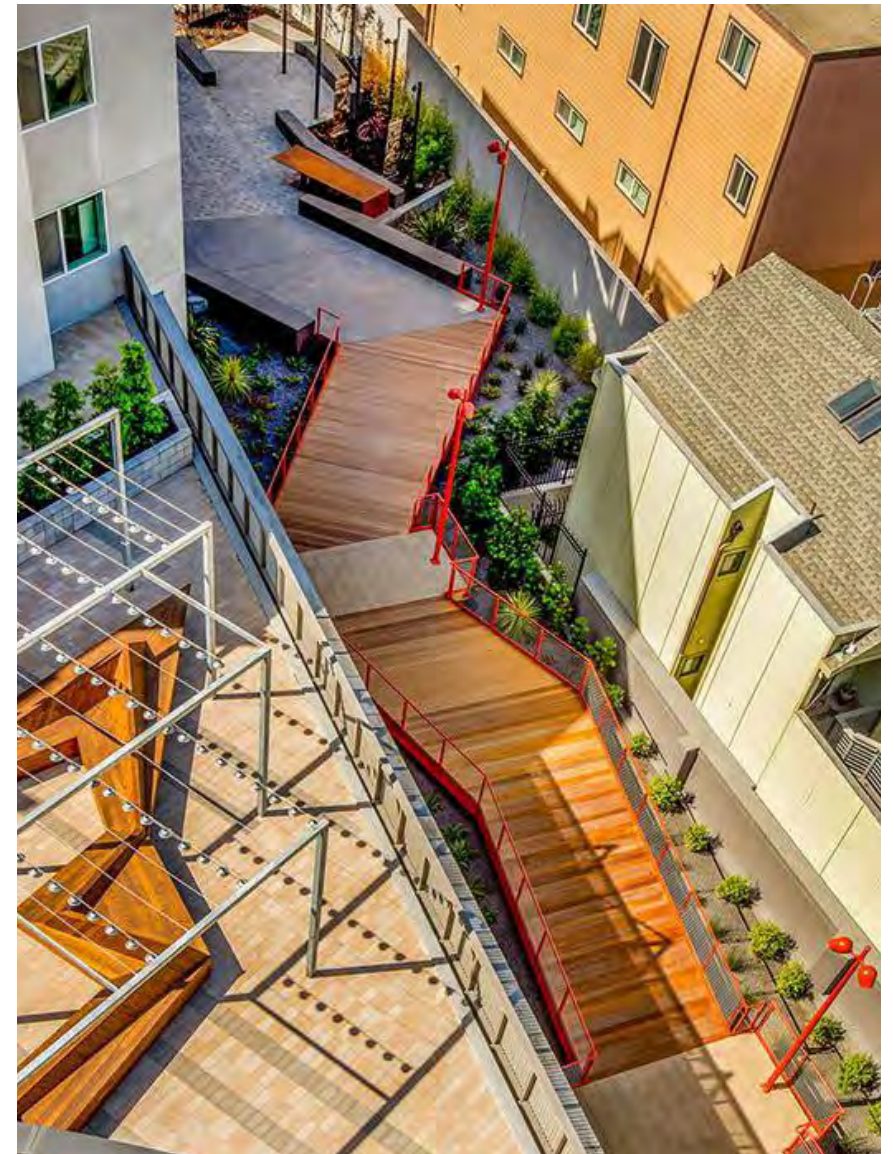
LAND USES AND DESIGN ELEMENTS



Example of a Civic facility gathering space

- Ⓐ New Richins Building
- Ⓑ Summit County Arts Museum/Civic Expansion
- Ⓒ Public Park + Amphitheatre
- Ⓓ Retail with Iconic Architecture
- Ⓔ Small Parking Garage + Retail
- Ⓕ Retail Plaza
- Ⓖ Vegetation Buffer

IDEAS AND PRECEDENTS



Precedent images illustrating iconic architecture, amphitheatres and gathering spaces, civic buildings and urban trails

RESIDENTIAL CORE

The Residential Core is located in the middle of Olympic View and comprises a majority of the site program. With a range of housing products and types – set along walkable streets and greenways with nearby amenities for daily needs – the Residential Core is the **livable and inclusive heart of the community**. This area feels like an intimate village, where residents walk right outside their doors to go for a bike ride or walk to a farmer’s market and visitors come to dine or stroll along tree-lined streets.



USES

- Residential (including a large component of workforce housing) in multi-family buildings and townhomes, potential live/work units, senior housing and potential athlete housing to support Utah Olympic Park
- Restaurants/cafes
- Retail shops

OPEN SPACES AND AMENITIES

- Central gathering plaza along Olympic View Drive
- Trails and greenways with pedestrian and bicycle connections to the East End, Civic Core, West End, northern hillside, and nature preserve to the south
- Public pocket parks and gathering areas
- Semi-private open spaces within courtyards of residential buildings

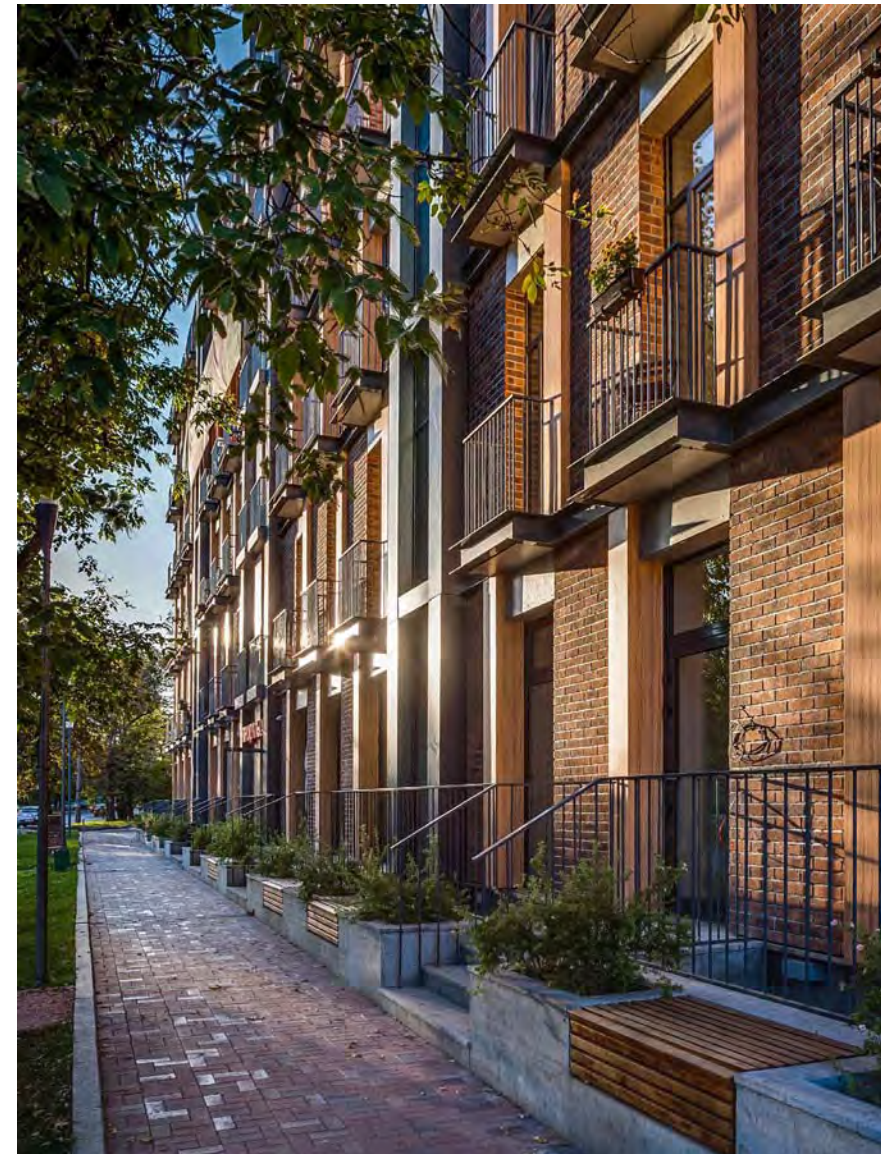
ARCHITECTURE

- Modern design, with quality materials, colors and textures, creating a village-like atmosphere
- Three- to six-story multi-family buildings with upper floor setbacks and ground-floor activation at key corners, including restaurant/retail, and leasing offices
- Townhomes oriented to the street frontage with stoops, porches and attractive landscaping

PARKING

- Podium parking for multi-family buildings and tuck-under parking for townhomes
- On-street parking
- Small surface lots for guest parking

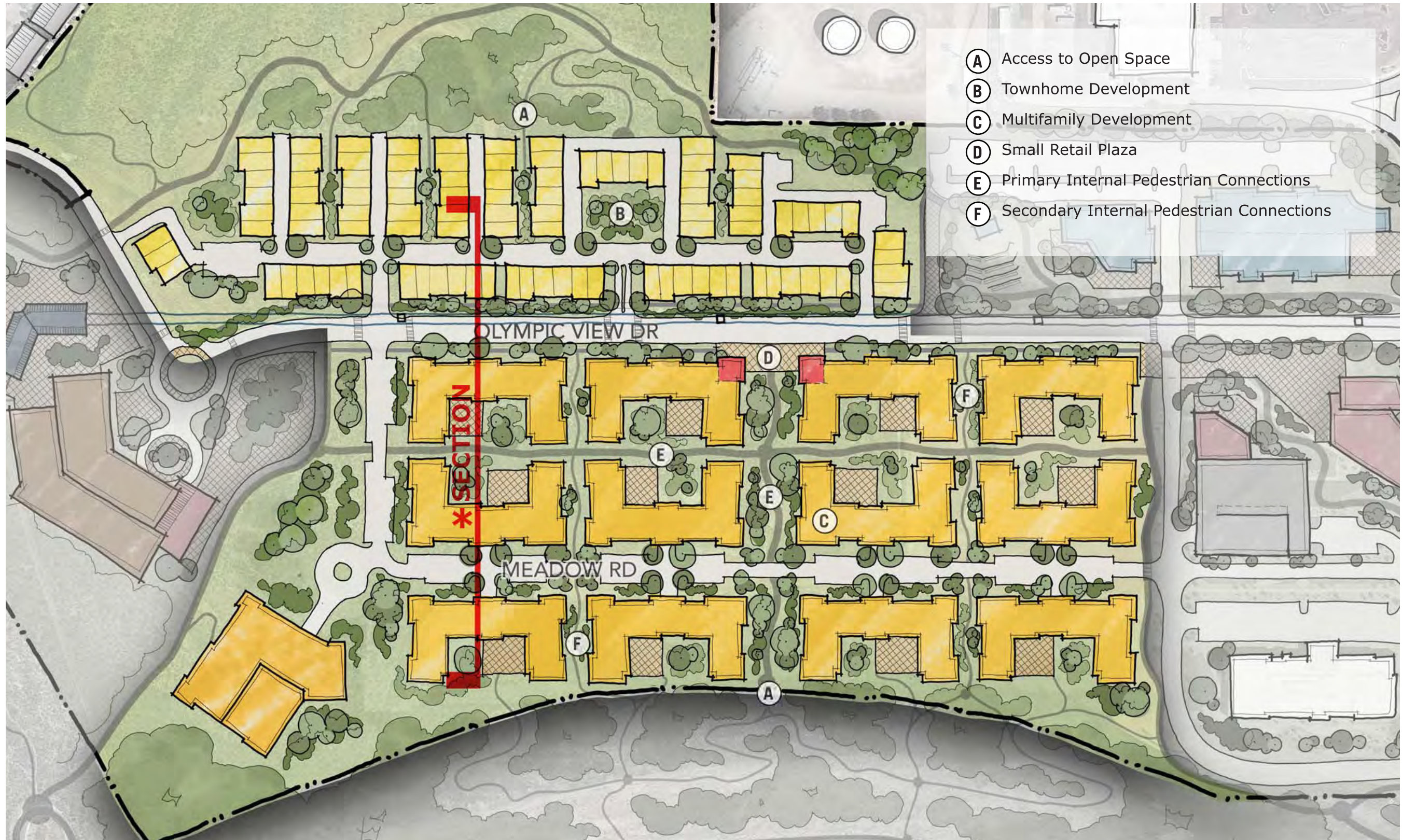
IDEAS AND PRECEDENTS



Precedent images illustrating indoor/outdoor restaurant spaces, walkways, all-season outdoor gathering, and multi-family development

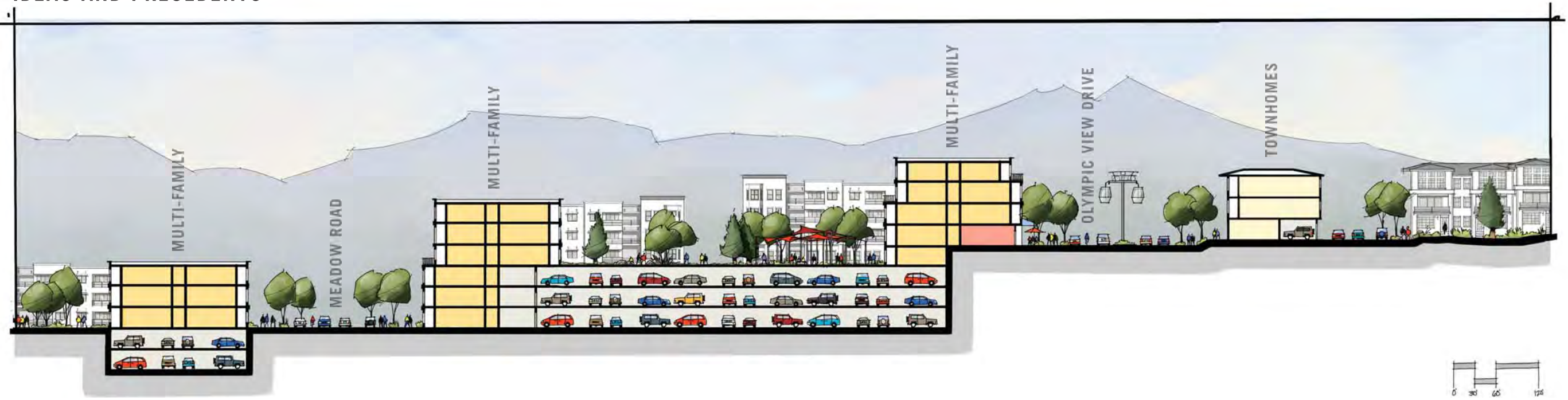
RESIDENTIAL CORE

LAND USES AND DESIGN ELEMENTS

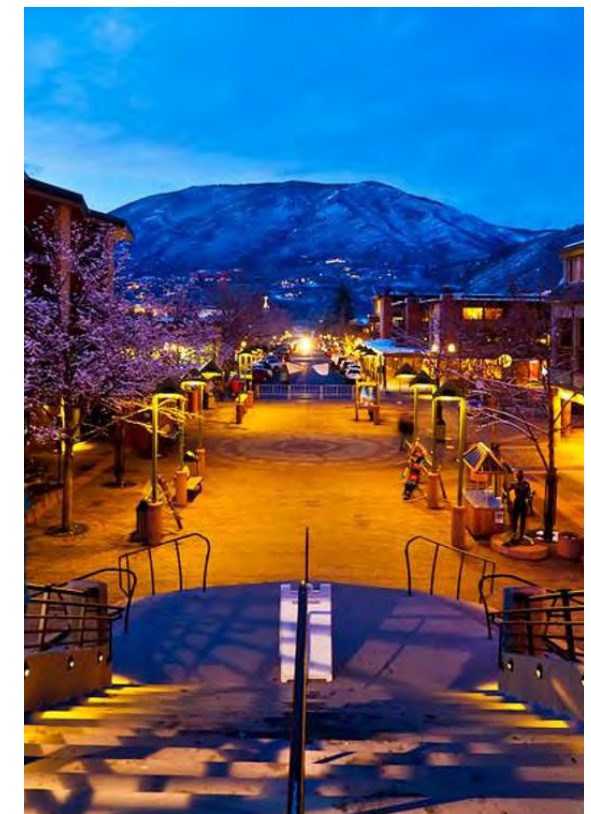


*NOTE: Refer to "Section (looking west)" on page 43

IDEAS AND PRECEDENTS



Section (looking west) illustrating site topography, residential units, streets, and podium/underground parking



Precedent images illustrating multi-family development patterns, gathering spaces in-between buildings, trail systems, and plaza spaces

WEST END

The West End is nestled along the foothills of the Wasatch Range. Tucked into the hillside, this area has beautiful views looking south and east toward Utah Olympic Park, Park City, and the Snyderville Basin. The West End's main element is an attractively designed hotel, which serves as an **inviting destination for visitors to Olympic View and the greater Summit County region.**



USES

- Hospitality
- Hotel- and visitor-serving restaurants

OPEN SPACES AND AMENITIES

- Plaza at the potential gondola stop
- Trails and greenways with pedestrian and bicycle connections to the Residential Core, northern hillside, and nature preserve to the south
- Gathering areas and viewing decks in and around the hotel

ARCHITECTURE

- Modern design, with quality materials, colors and textures, creating a village-like atmosphere
- Multi-story hotel with upper floor setbacks and ground-floor activation, including hotel entry, restaurant/retail, and gym space

PARKING

- Podium parking for hotel
- Porte cochere area
- Small surface lot(s) for short-term parking



West End Hotel - Looking East

WEST END

LAND USES AND DESIGN ELEMENTS



Example of open space abutting a hotel

- Ⓐ Potential Gondola Station + Plaza
- Ⓑ Hotel + Dining
- Ⓒ Access to Open Space
- Ⓓ New Round-about on Olympic View Drive
- Ⓔ Porte-cochère
- Ⓕ Unprogrammed Open Space/Residential Expansion

IDEAS AND PRECEDENTS



Precedent images illustrating hotel plazas, gondola stations, elevated access to open space, and trail systems

Places for People

Ultimately, the creation of Character Areas supports the **overall health and vitality of the people of Olympic View**. Within each area are special places that are active, accessible, fun, unique, surprising, restorative, contemplative. This community inspires creativity and connectivity among people. It is a place **where everyone feels comfortable and where everyone is welcome.**

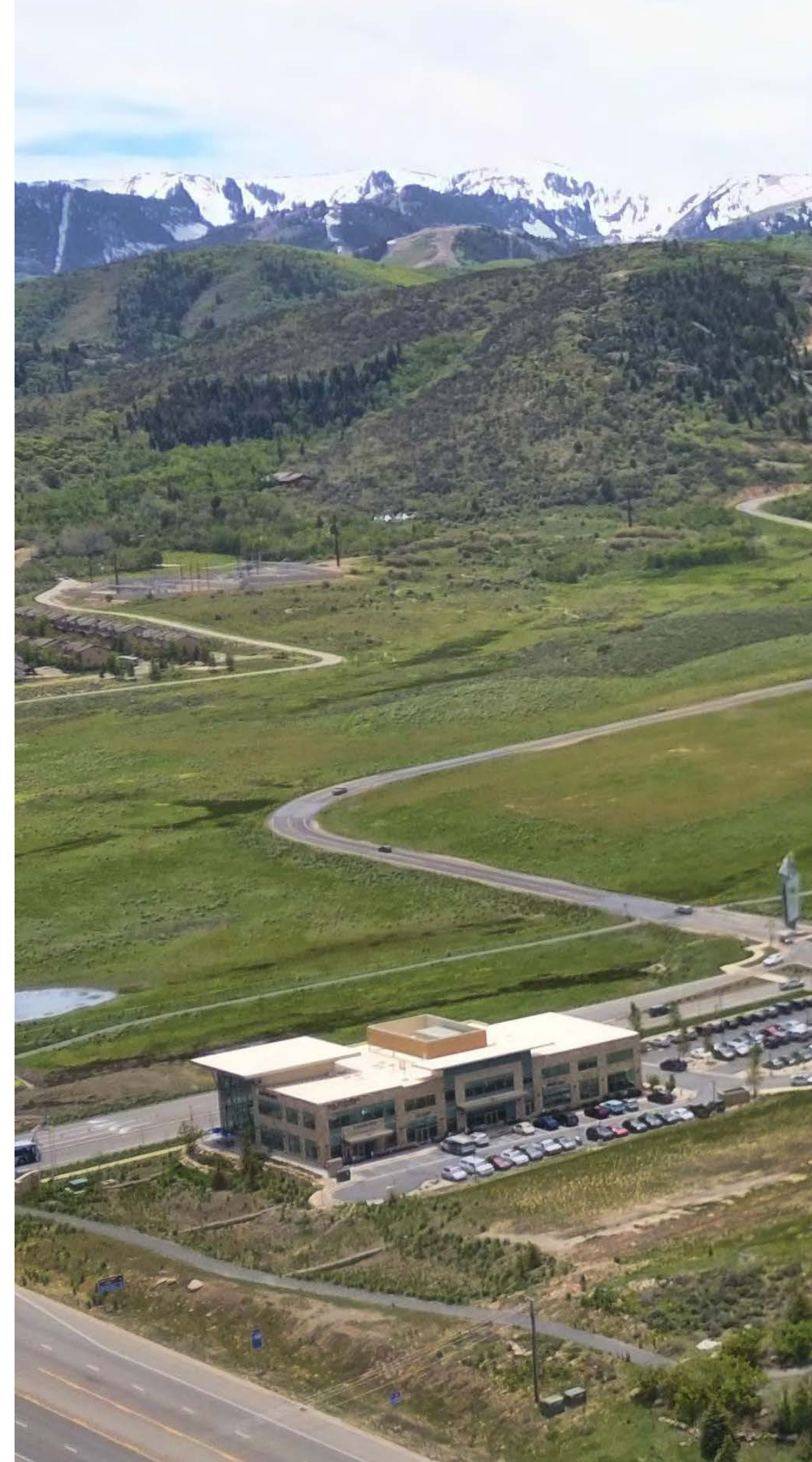


Moving Forward

The project as illustrated in this document represents an end state in which all of these ambitious pieces come together to create a bright and innovative future for Olympic View, Kimball Junction and Summit County. **Realizing this vision will require intensive partnership and collaboration among many parties.** This includes Dakota Pacific Real Estate, Summit County, Utah Olympic Park, UDOT, Kimball Junction business and property owners, State and local agencies, and many others. Importantly, the site plan is designed in such a way that the integrity of the community design is not compromised should one or several pieces not come to fruition.

Given the complexities and unknowns related to the range of potential infrastructure investments – such as a potential gondola to Utah Olympic Park or grade separation traffic solutions across State Route 224 – as well as market factors for development of various land uses, **Olympic View must be phased over time.** It is anticipated that one of the first components will include development of the Residential Core. Several residential and mixed-use buildings constructed together at the inception of development would begin to create a critical mass for both the built form and public environment. This will **establish a sense of community from the project onset, help address Summit County’s acute need for workforce housing, and initiate key infrastructure improvements near term.** Future phases will be contingent upon development of key partnerships, identification of funding opportunities, and other strategic conversations, which should all begin in earnest concurrent with the entitlement process.

The development team looks forward to partnering with Summit County to support the County’s near- and long-term goals, advance the site plan, and create a new path forward to a bold future together.





Updated Site Plan

August 11, 2020

LEGEND

- Townhomes
- Multifamily
- Hotel
- Retail
- Parking
- Office



EXHIBIT D

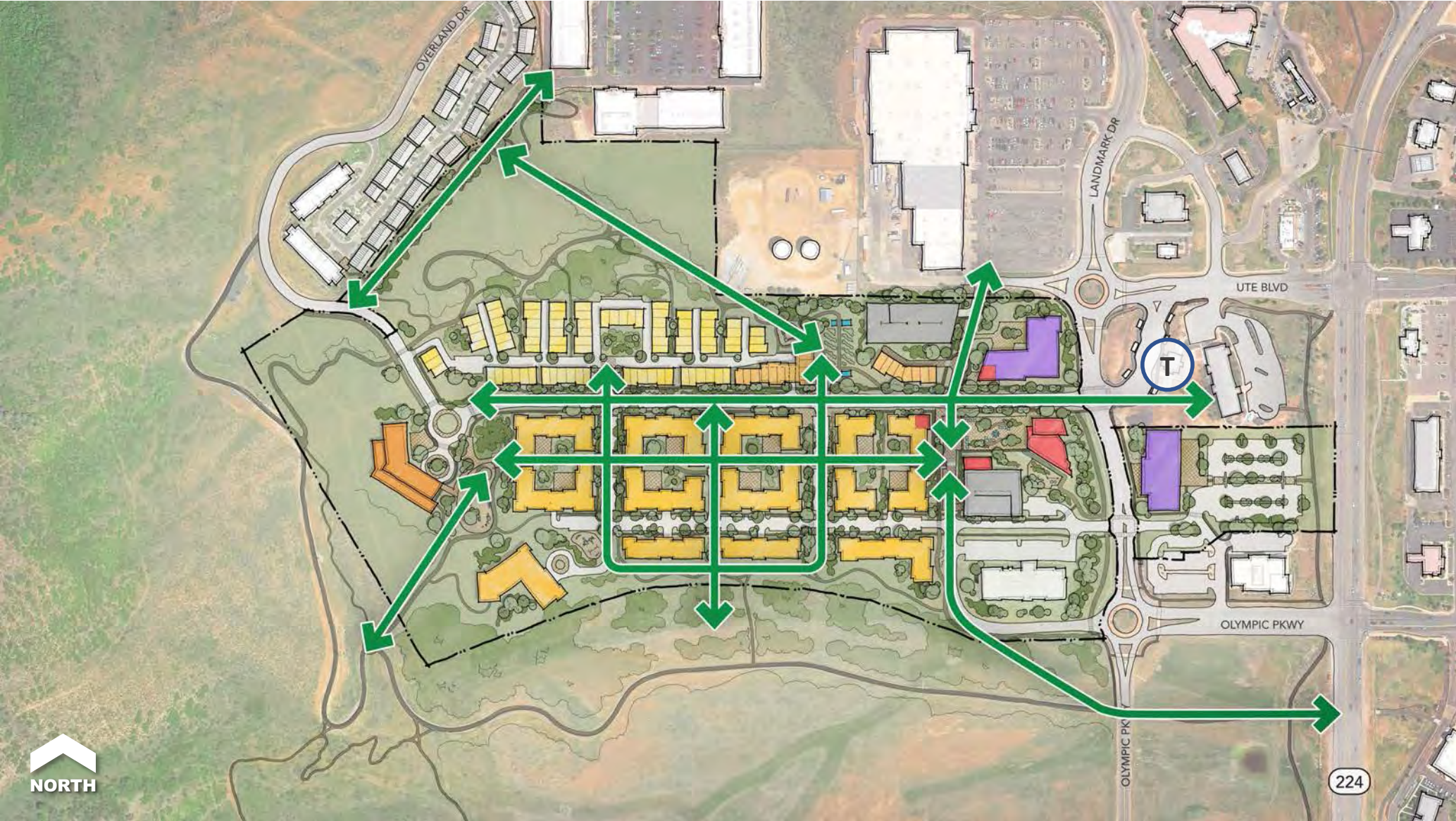


EXHIBIT E

Olympic View Traffic Impact Study

Prepared for:

Dakota Pacific Real Estate

August 2020

UT19-2154

FEHR  PEERS

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Turning Movement Counts

Detailed Level of Service Reports



EXECUTIVE SUMMARY

The purpose of this study is to provide a summary of the potential transportation-related impacts from the proposed Olympic View project located in Summit County, Utah. This study is an update to the analysis completed on August 2019. This study analyzes the traffic operations and impacts for 2019, 2023, and 2028, including background and background plus project for future years.

STUDY INTERSECTIONS

This study analyzes the traffic impacts of key intersections adjacent to the site. Impacts are specifically addressed at the following study intersections:

- 1) SR-224 / I-80 (Kimball Junction)
- 2) SR-224 / Ute Boulevard
- 3) SR-224 / Olympic Parkway
- 4) Landmark Drive / Olympic Parkway
- 5) Landmark Drive / Ute Boulevard
- 6) Landmark Drive / Tech Center
- 7) Powerwood Drive / Kilby Road

The following accesses to the site were also included for analysis for the plus project conditions:

- 1) Access 1 / Tech Center
- 2) Access 2 / Tech Center
- 3) Access 3 / Tech Center
- 4) Access 5 / Tech Center
- 5) Access 4 / Tech Center
- 6) Access 6 / Tech Center
- 7) Access 8 / Landmark Drive

TRAFFIC VOLUMES

Traffic counts were recorded during the AM and PM peak periods from 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM on weekdays in April and May of 2019. The hours analyzed during the AM and PM peak periods



were 7:45-8:45 AM and 4:30-5:30 PM, respectively. The Utah Department of Transportation's (UDOT) automatic traffic recorder (ATR) on SR-224 indicates that April and May typically have approximately 80% of the traffic of an average day of the year. Therefore, the traffic counts collected on SR-224 were adjusted to reflect an average day of the year.

PROJECT CONDITIONS

The proposed land uses for the Olympic View development includes the following:

- 31,000 sf of retail
- 130 hotel rooms
- 100 townhomes
- 1,000 multi-family units
- 160,000 sf of new offices

The site currently has three accesses: one onto Landmark Drive, one onto Olympic Parkway, and One onto Tech Center Drive. The proposed site plan includes:

- 1) Total of six new access onto Tech Center.
- 2) The existing Landmark Drive access will be a three-quarter access, allowing only southbound left-turns in addition to the right-in/right-out movements. Left-turns out of the site and northbound left-turns will not be allowed.
- 3) The existing Olympic Parkway access will allow access to the new proposed office building north of the Park City Visitors Bureau Building.
- 4) A forth leg to the Olympic Parkway / Landmark Drive roundabout will be added.

Trip generation for the project was computed using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation, 10th Edition, 2017*, and Fehr & Peers' mixed-use development (MXD) methodology via MainStreet, a Fehr & Peers web application that captures the traffic benefits of developments by looking at interactions among the mixture of land uses and patron usage of alternative modes (i.e. transit, bicycling, and/or walking).

The net external vehicle trips expected to be generated by the Olympic View development and the percent reductions due to trips that start and end within the development and trips that are done by transit, biking, or walking (vehicle trip reduction) are shown in **Table 1**.



TABLE 1. OLYMPIC VIEW MXD TRIP GENERATION AND REDUCTION ESTIMATES

Time Period	Project Gross Trips	Net External Vehicle Trips	Vehicle Trip Reduction	Additional Transit Reduction	Net External Trips
Daily	12,308	11,262	8.5%	3%	10,893
AM Peak Hour	837	724	13.5%	1.5%	711
PM Peak Hour	1,049	899	14.4%	1.3%	886

Source: Fehr & Peers, 2020.

CONCLUSION

The analysis described in this report shows that the impact of the proposed Olympic View development would have minimal impact (LOS does not degrade below UDOT or County LOS standards) to the vehicle LOS and delay at most of the study intersections during typical weekday peak hours except for three intersections. The three of the study intersections that have the most impact from traffic added by the development are:

- I-80 Ramps / SR-224
- Ute Boulevard / SR-224
- Tech Center / Landmark Drive

The I-80 interchange and the Ute Boulevard intersections on SR-224 are intersections that will continue to struggle maintaining LOS D conditions with or without the proposed Olympic View (as indicated in the future background conditions in **Table 2** below). Potential mitigations for to improve the performance of these intersections are:

- Restrict the eastbound left-turn movements at Tech Center Drive / Landmark Drive
- Make the southbound right-turn and westbound right-turn overlap
- Restripe the northbound right-turn lane as a shared through-right lane
- Add dual left-turn lane for southbound left-turn

This stretch of SR-224 is anticipated to be studied by UDOT where potential mitigation measures will be evaluated.



LOS SUMMARY

Table 2 and **Table 3** report LOS at each study intersection. Detailed descriptions of the intersection operations can be found in the subsequent chapters.

TABLE 2. LEVEL OF SERVICE SUMMARY AT MAJOR INTERSECTIONS

ID	Intersection Location	Period	Existing Average	2023 Background	2023 Background + Project	2028 Background	2028 Background + Project
			Avg. Delay ¹ / LOS ²	Avg. Delay ¹ / LOS ²	Avg. Delay ¹ / LOS ²	Avg. Delay ¹ / LOS ²	Avg. Delay ¹ / LOS ²
1	I-80 / SR-224	AM	52 / D	50 / D	65 / E	57 / E	77 / E
		PM	27 / C	27 / C	30 / C	27 / C	31 / C
2	Ute Blvd/SR-224	AM	15 / B	15 / B	14 / B	15 / B	15 / B
		PM	66 / E	82 / F	108 / F	100 / F	136 / F
3	Olympic Pkwy/SR-224	AM	9 / A	11 / B	20 / C	18 / B	21 / C
		PM	27 / C	28 / C	30 / C	12 / B	32 / C
4	Olympic Pkwy/Landmark Dr.	AM	13 / B	13 / B	13 / B	13 / B	14 / B
		PM	15 / C	15 / C	20 / C	15 / C	21 / C
5	Ute Blvd/Landmark Dr.	AM	12 / B	12 / B	11 / B	12 / B	11 / B
		PM	15 / B	15 / C	16 / C	16 / C	17 / C
6	Tech Center/Landmark Dr.	AM	14 / B (EBTL)	14 / B (EBTL)	19 / C (EBTL)	14 / B (EBTL)	19 / C (EBTL)
		PM	16 / C (EBTL)	17 / C (EBTL)	32 / D (EBTL)	17 / C (EBTL)	34 / D (EBTL)
7	Kilby Road / Powerwood (2200W)	AM	15 / B (NBL)	15 / B (NBL)	16 / C (NBL)	15 / C (NBL)	16 / C (NBL)
		PM	17 / C (NBL)	17 / C (NBL)	19 / C (NBL)	18 / C (NBL)	19 / C (NBL)

1. Worst movement LOS and average delay for the unsignalized intersections and overall average delay for the signalized intersections.
2. Represents adjusted traffic conditions for the average day of the year since the traffic counts for this study were collected during April and May.

Source: Fehr & Peers, 2020.



TABLE 3. LEVEL OF SERVICE SUMMARY AT PROJECT ACCESSES

ID	Intersection Location	Period	Existing Average	2023 Background	2023 Background + Project	2028 Background	2028 Background + Project
			Avg. Delay ¹ / LOS ²	Avg. Delay ¹ / LOS ²	Avg. Delay ¹ / LOS ²	Avg. Delay ¹ / LOS ²	Avg. Delay ¹ / LOS ²
A1	Access 1/Tech Center	AM	-	-	10 / B (SB)	-	10 / B (SB)
		PM	-	-	10 / A (SB)	-	10 / A (SB)
A2	Access 2/Tech Center	AM	-	-	5 / A	-	5 / A
		PM	-	-	5 / A	-	5 / A
A3	Access 3/Tech Center	AM	-	-	11 / B (SB)	-	11 / B (SB)
		PM	-	-	11 / B (SB)	-	11 / B (SB)
A4	Access 4/Tech Center	AM	-	-	10 / B (NB)	-	10 / B (NB)
		PM	-	-	10 / B (NB)	-	10 / B (NB)
A5	Access 5/Tech Center	AM	-	-	11 / B (SB)	-	11 / B (SB)
		PM	-	-	11 / B (SB)	-	11 / B (SB)
A6	Access 6/Tech Center	AM	-	-	12 / B (SB)	-	12 / B (SB)
		PM	-	-	12 / B (SB)	-	12 / B (SB)
A8	Access 8/ Landmark Dr.	AM	-	-	11 / B (EBR)	-	11 / B (EBR)
		PM	-	-	11 / B (EBR)	-	11 / B (EBR)

1. Worst movement LOS and average delay for the unsignalized intersections and overall average delay for the signalized intersections.
2. Represents adjusted traffic conditions for the average day of the year since the traffic counts for this study were collected during April and May.

Source: Fehr & Peers, 2020.



INTRODUCTION

PURPOSE

The purpose of this study is to provide a summary of the potential transportation-related impacts from the proposed Olympic View development in Summit County, Utah (see **Figure 1** for a project location map). This study analyzes the Average Annual Daily Traffic (AADT) and Average Daily Traffic (ADT) at roadways near the site, and traffic operations and impacts for existing 2019 conditions, base year 2023 conditions, and future 2028 conditions at key intersections.

SCOPE

This study analyzes the AADT, ADT, and traffic impacts of key intersections adjacent to the site. Impacts are specifically addressed at the following study intersections:

- 1) SR-224 / I-80 (Kimball Junction)
- 2) SR-224 / Ute Boulevard
- 3) SR-224 / Olympic Parkway
- 4) Landmark Drive / Olympic Parkway
- 5) Landmark Drive / Ute Boulevard
- 6) Landmark Drive / Tech Center
- 7) Powerwood Drive / Kilby Road

The following accesses to the site were also included for analysis for the plus project conditions:

- 1) Access 1 / Tech Center
- 2) Access 2 / Tech Center
- 3) Access 3 / Tech Center
- 4) Access 5 / Tech Center
- 5) Access 4 / Tech Center
- 6) Access 6 / Tech Center
- 7) Access 8 / Landmark Drive





 Proposed Development



Figure 1
Project Location

AADT AND ADT

The Utah Department of Transportation (UDOT) has AADT data available for interstate, state, and federal aid routes in the state of Utah. UDOT also has Automatic Traffic Recorder (ATR) stations to count and monitor traffic in several locations across the state. These stations provide average traffic counts for weekdays, weekends, months, and years. These two sources provide data to obtain traffic trends and seasonal variations in roadways near the proposed Olympic View development.

AADT DATA

AADT data is available for the following roadways near the site:

- I-80
- SR-224
- Ute Boulevard

AADT data for I-80 was not used in this study since the data is reported for I-80 mainline only and this study only used the on- and off-ramps from/to SR-224.

For this study, 2008-2017 AADT data was used to understand the traffic growth trends near the proposed site. **Figure 2** shows the AADT trends between 2008 and 2017. As shown in the figure, traffic has steadily grown over the past few years, with SR-224, Ute Boulevard East, and Ute Boulevard West having over 30,000, 5,000, and 4,000 vehicles per day on the road, respectively.



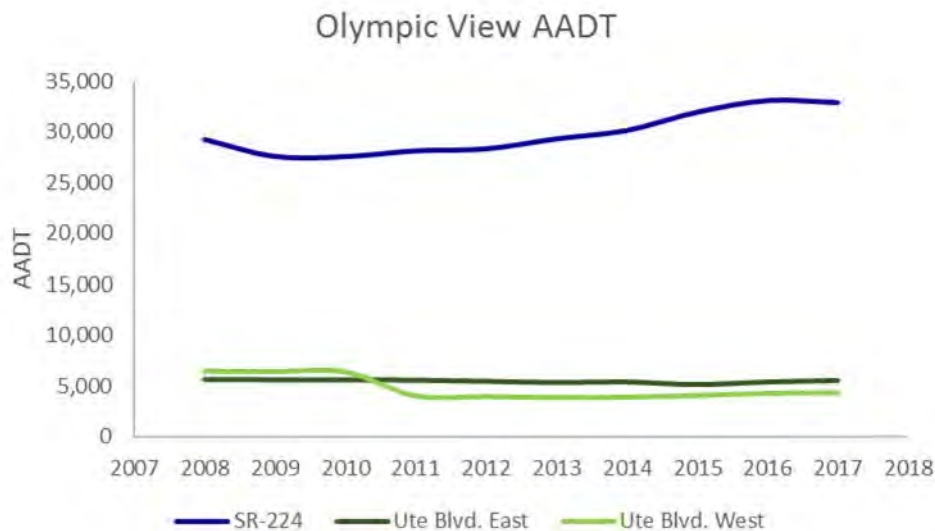


FIGURE 2. AADT NEAR OLYMPIC VIEW.

ADT

The AADT data available through UDOT was also used to obtain ADT. The ADT was obtained for three seasons of the year:

- Winter months (December through March)
- Summer months (June through August)
- Off-season months (remaining months)

To calculate ADT, three data sources were used: historic AADT, SR-224 ATR station (approximately 2.5 miles south of the site), and traffic counts collected for this study. The following process was followed to obtain ADT values for winter, summer, and off-season:

- The traffic counts collected for this study (2019) and 2017 AADT were used to estimate what percentage of the peak hour traffic corresponds to the AADT for Ute Boulevard and SR-224.
- That percentage was then applied to the traffic counts collected for the study to obtain May 2019 ADT.
- The SR-224 ATR provides monthly percent of AADT for 2008-2017. The monthly percentages from 2012 to 2017 were averaged to obtain seasonal factors for winter months, summer months, and off-season months (remaining months). Since the counts used to obtain the 2019 ADT were conducted in April-May, the seasonal adjustments were estimated using May as the baseline. The



ATR 2012-2017 shows an average seasonal factor for winter, summer, and off-season months as 112%, 106%, and 87%. The May seasonal factor used as the baseline was 80%. The seasonal factors to estimate ADT by season were 132%, 125%, and 106% for winter, summer, and off-season months.

- ADT values for winter, summer, and off-season months were obtained using the 2019 AADT and seasonal factors

Table 4 and **Table 5** shows the seasonal factors and 2019 ADT, respectively. **Figure 3** shows the 2019 ADT.

TABLE 4. SEASONAL FACTORS

January-March	June-August	Off-Season
132% ¹	125% ¹	106% ¹

1. Seasonal factors were estimated using the seasonal factors reported by the ATR on SR-224. May was used as the baseline.

TABLE 5. 2019 SEASONAL ADT

Segment	2019 ADT		
	December-March	June-August	Off-Season
SR-224 - North of Ute Boulevard	50,400	47,900	40,700
SR-224 - Between Ute Boulevard and Olympic Parkway	35,400	33,700	28,600
SR-224 - South of Olympic Parkway	44,200	42,000	35,700
Landmark Drive - North of Ute Boulevard	6,200	5,900	5,000
Landmark Drive - Between Ute Boulevard and Olympic Parkway	3,100	3,000	2,500
Landmark Drive - South of Olympic Parkway	700	700	600
Ute Boulevard - Between Landmark Drive and SR-224	5,300	5,000	4,300
Olympic Parkway - Between Landmark Drive and SR-224	3,800	3,600	3,000





Figure 3
Average Daily Traffic

ANALYSIS METHODOLOGY

To analyze the traffic conditions, the term Level of Service (LOS) is used to describe the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. **Table 6** provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections. The Highway Capacity Manual 2010 Edition (HCM 2010) methodology was used in this study. This methodology has different quantitative evaluations for signalized and unsignalized intersections. The LOS for signalized intersections is provided for the overall intersection (weighted average of all approach delays). For unsignalized intersections, the level of service is reported based on the approach with the worst delay. Although roundabouts are unsignalized intersections, the LOS is provided for the overall intersection.

TABLE 6. LEVEL OF SERVICE DESCRIPTIONS

LOS	Description	Signalized Intersections	Unsignalized Intersections and Roundabouts
		Avg. Delay (sec/veh) ¹	Avg. Delay (sec/veh) ²
A	<i>Free Flow / Insignificant Delay</i> Extremely favorable progression. Individual users are virtually unaffected by others in the traffic stream.	< 10.0	< 10.0
B	<i>Stable Operations / Minimum Delays</i> Good progression. The presence of other users in the traffic stream becomes noticeable.	> 10.0 to 20.0	> 10.0 to 15.0
C	<i>Stable Operations / Acceptable Delays</i> Fair progression. The operation of individual users is affected by interactions with others in the traffic stream	> 20.0 to 35.0	> 15.0 to 25.0
D	<i>Approaching Unstable Flows / Tolerable Delays</i> Marginal progression. Operating conditions are noticeably more constrained.	> 35.0 to 55.0	> 25.0 to 35.0
E	<i>Unstable Operations / Significant Delays Can Occur</i> Poor progression. Operating conditions are at or near capacity.	> 55.0 to 80.0	> 35.0 to 50.0
F	<i>Forced, Unpredictable Flows / Excessive Delays</i> Unacceptable progression with forced or breakdown of operating conditions.	> 80.0	> 50.0

1. Overall intersection LOS and average delay (seconds/vehicle) for all approaches.

2. Worst movement LOS and delay (seconds/vehicle) only.

Source: Fehr & Peers descriptions, based on *Highway Capacity Manual 2010 Edition*.



EXISTING 2019 BACKGROUND CONDITIONS

PURPOSE

The purpose of the 2019 existing conditions analysis is to study the pertinent intersections and roadways during the peak travel periods of the day under existing traffic and geometric conditions. Through this analysis, existing traffic operational deficiencies can be identified and serves as a baseline to analyze future conditions.

TRAFFIC VOLUMES

Traffic counts were recorded during the AM and PM peak periods from 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM on weekdays in 2019 April/May at the following intersections:

- SR-224 / I-80 (Kimball Junction)
- SR-224 / Ute Boulevard
- SR-224 / Olympic Parkway
- Landmark Drive / Olympic Parkway
- Landmark Drive / Ute Boulevard
- Landmark Drive / Tech Center
- Access 8 / Landmark Drive

From these traffic counts, the peak hours were identified as 7:45-8:45 AM and 4:30-5:30 PM for the AM peak period and PM peak period, respectively. These traffic counts were collected during the months of April and May and the ATR at SR-224 indicates that April and May usually have approximately 80% of the traffic of an average day of the year. Therefore, the traffic counts collected on SR-224 were adjusted to reflect an average day of the year. The existing weekday AM and PM peak hour traffic volumes on an average day are shown in **Figure 4**.

LEVEL OF SERVICE ANALYSIS

Synchro and VISSIM software were used to compute the weekday AM and PM peak hour for each study intersection. Synchro was used to analyze signalized and stop-controlled intersections and VISSIM was used to analyze the roundabout intersections. The HCM 2010 delay thresholds previously introduced were used to report the LOS in this study. The results of this analysis are reported in **Table 7** (see Appendix for the



detailed LOS reports). The intersection of SR-224 / I-80 is a SPUI, an unorthodox interchange configuration with six legs, which HCM 2010 does not recognize for analysis. Therefore, this study used HCM 2000 to analyze the SR-224 / I-80 intersection. Synchro may not be the appropriate tool to analyze an interchange with a SPUI configuration. This interchange and other SR-224 intersections will be analyzed in a separate UDOT study. These results serve as a base for the analysis of the impacts of the proposed Olympic View development.

TABLE 7. EXISTING CONDITIONS LOS RESULTS ON AN AVERAGE DAY

ID	Intersection			Worst Movement		Overall Intersection ²
	Location	Period	Control	Movement ³	Delay / LOS	Avg. Delay / LOS
1	SR-224 / I-80	AM	Signal	-	-	52 / D
		PM		-	-	27 / C
2	SR-224 / Ute Boulevard	AM	Signal	-	-	15 / B
		PM		-	-	66 / E
3	SR-224 / Olympic Parkway	AM	Signal	-	-	9 / A
		PM		-	-	27 / C
4	Landmark Drive / Olympic Parkway	AM	Roundabout	-	-	13 / B
		PM		-	-	15 / C
5	Landmark Drive / Ute Boulevard	AM	Roundabout	-	-	12 / B
		PM		-	-	15 / B
6	Landmark Drive / Tech Center	AM	EB/WB Stop	EBL	14 / B	-
		PM		EBL	16 / C	-
7	Kilby Road / Powerwood (2200W)	AM	NB Stop	NBL	15 / B	-
		PM		NBL	17 / C	-

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds/vehicle).

3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound,

Source: Fehr & Peers, 2019.

As shown in **Table 7**, the SR-224 / Ute Boulevard intersection operates at LOS E during the PM peak hour. All other intersections operate within acceptable LOS (LOS D or better) in both the AM and PM peak hours. It is important to note that the SR-224 / Ute Boulevard intersection has LOS B during the AM peak hour with little delay per vehicle even though there are high traffic volumes because the northbound and southbound through movements are high volumes but they experience little delay, whereas the side street are lower volumes but experience high delay. These two situations combined result in LOS B for the overall intersection.



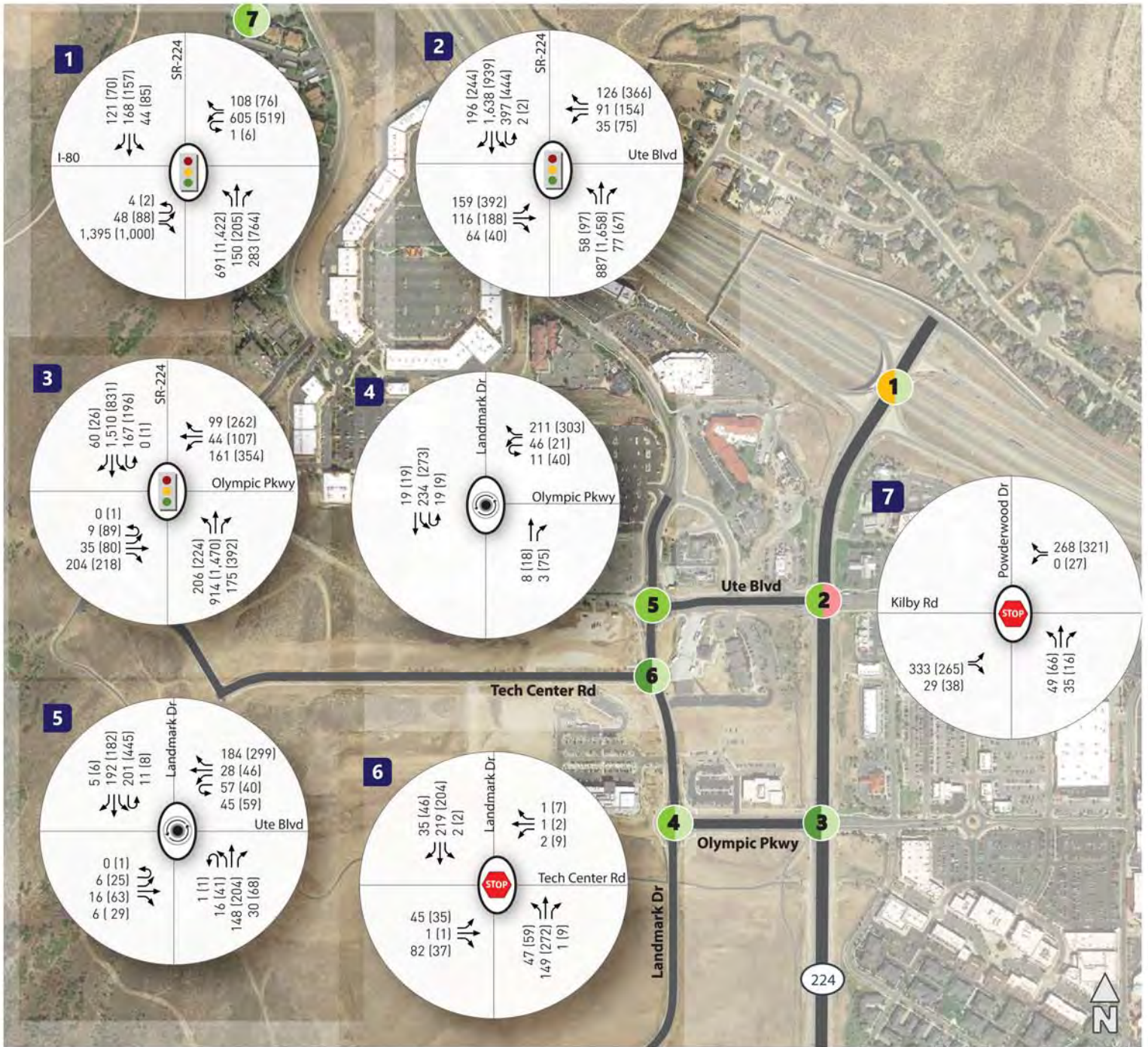


Figure 4
Existing Average Day Conditions

MITIGATION MEASURES

Ute Boulevard operates below an acceptable level of service today. To improve the traffic operations for this intersection, Fehr & Peers recommends the following mitigations:

- Provide right-turn overlap phases for the southbound and westbound right-turns
- Restripe the northbound right-turn lane as a shared through-right lane
- Add dual left-turn lane for southbound left-turn

Dual southbound left-turn lanes may not be needed to improve the overall intersection level of service, however, currently there are more than 300 vehicles making that movement and it could improve queue lengths and overall operation near the intersection.



PROJECT CONDITIONS

PURPOSE

The project conditions analysis explains the type and intensity of the proposed Olympic View development in the study area. This analysis provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in the Scope.

PROPOSED DEVELOPMENT

The proposed land uses for the Olympic View development include the following:

- 31,000 sf of retail
- 130 hotel rooms
- 100 townhomes
- 1,000 multi-family units
- 160,000 sf of new offices

TRIP GENERATION

Trip generation for the project was computed using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation, 10th Edition, 2017*, and Fehr & Peers' mixed-use development (MXD) methodology via MainStreet, a Fehr & Peers web application that captures the traffic benefits of developments by looking at interactions among the mixture of land uses and patron usage of alternative modes (i.e. transit, bicycling, and/or walking).

The MXD trip generation methodology accurately captures the trip-reducing benefits of mixed-use development projects and is used throughout the United States to help developers, agencies, and the public to quantify these trip reductions. The MXD trip generation model is promoted by the United States Environmental Protection Agency (EPA) and has been adopted by the San Diego Association of Governments (SANDAG), American Society of Civil Engineers (ASCE), American Planning Association (APA), and many others as a recommended resource for trip generation of smart-growth developments. The MXD model uses ITE trip generation rates and applies additional variables to those trip generation rates. Some of the additional variables include:



- Employment
- (Population + Employment) per square mile
- Land area
- Total jobs / population diversity
- Retail jobs / population diversity
- Employment within a mile
- Employment within a 30-minute trip by transit
- Average household size
- Vehicles owned per capita

The ITE Land Use codes used for this mixed-use development were:

- Retail: Shopping Center – ITE Code 820
- Hotel: Hotel – ITE Code 310
- Townhome and Multi-Family units: Multifamily Housing Low Rise – ITE Code 220
- Office: General Office Building – ITE Code 710

Currently, the Skullcandy Corporate Headquarters is located on the site and although is not a proposed new land use for the project, it was included in the trip generation to account for internal capture. The Park City Visitors Bureau Building is also located on the site; however, it is farther from the proposed land uses and traffic counts were not collected at the access onto Olympic Parkway. It was also discussed a new County BRT plan in the area which could increase the transit mode share to 5% for all periods.

The net external vehicle trips expected to be generated by the Olympic View development (including SkullCandy Corporate Headquarter and excluding the Park City Visitors Bureau Building) and the percent reductions due to trips that start and end within the development and trips that are done by transit, biking, or walking (vehicle trip reduction) are shown in **Table 8**.



TABLE 8. OLYMPIC VIEW MXD TRIP GENERATION AND REDUCTION ESTIMATES

Time Period	Project Gross Trips	Net External Vehicle Trips	Vehicle Trip Reduction	Additional Transit Reduction	Net External Trips
Daily	12,308	11,262	8.5%	3%	10,893
AM Peak Hour	837	724	13.5%	1.5%	711
PM Peak Hour	1,049	899	14.4%	1.3%	886

Source: Fehr & Peers, 2020.

TRIP DISTRIBUTION AND ASSIGNMENT

Background project traffic was assigned to the roadway network based primarily on the proximity of the development to major streets and freeways, roadway network, and regional trip attractions. The project-generated trips were distributed to and from these directions, in the corresponding percentages:

- 30% North (using I-80 East)
- 30% North (using I-80 West)
- 2.5% East (using Ute Boulevard)
- 2.5% East (using Newpark Boulevard)
- 25% South (using SR-224)
- 5% North (using Landmark Drive)
- 5% North-West (using Powerwood Drive)

The trip distributions previously mentioned were used to distribute project generated traffic to the study area intersections. **Figure 5** shows the resulting project-generated weekday AM and PM peak hour trips.

The site currently has three accesses:

- 1) Landmark Drive: right-in/right-out only for both the SkullCandy Corporate Headquarters and Park City Visitor Center
- 2) Tech Center: minor full access to SkullCandy Corporate Headquarters
- 3) Olympic Parkway: right-in/right-out only for the Park City Visitor Center



The proposed development will maintain the existing Landmark Drive and Olympic Parkway access and redevelop the existing Tech Center access. The following additional changes are proposed:

- 5) Total of six new access onto Tech Center
- 6) The existing Landmark Drive access will be a three-quarter access, allowing only southbound left-turns in addition to the right-in/right-out movements. Left-turns out of the site and northbound left-turns will not be allowed.
- 7) The existing Olympic Parkway access will allow access to the new proposed office building north of the Park City Visitors Bureau Building
- 8) A fourth leg to the Olympic Parkway / Landmark Drive roundabout will be added.

The accesses to the Olympic View development and the corresponding trips are shown in **Figure 6**.



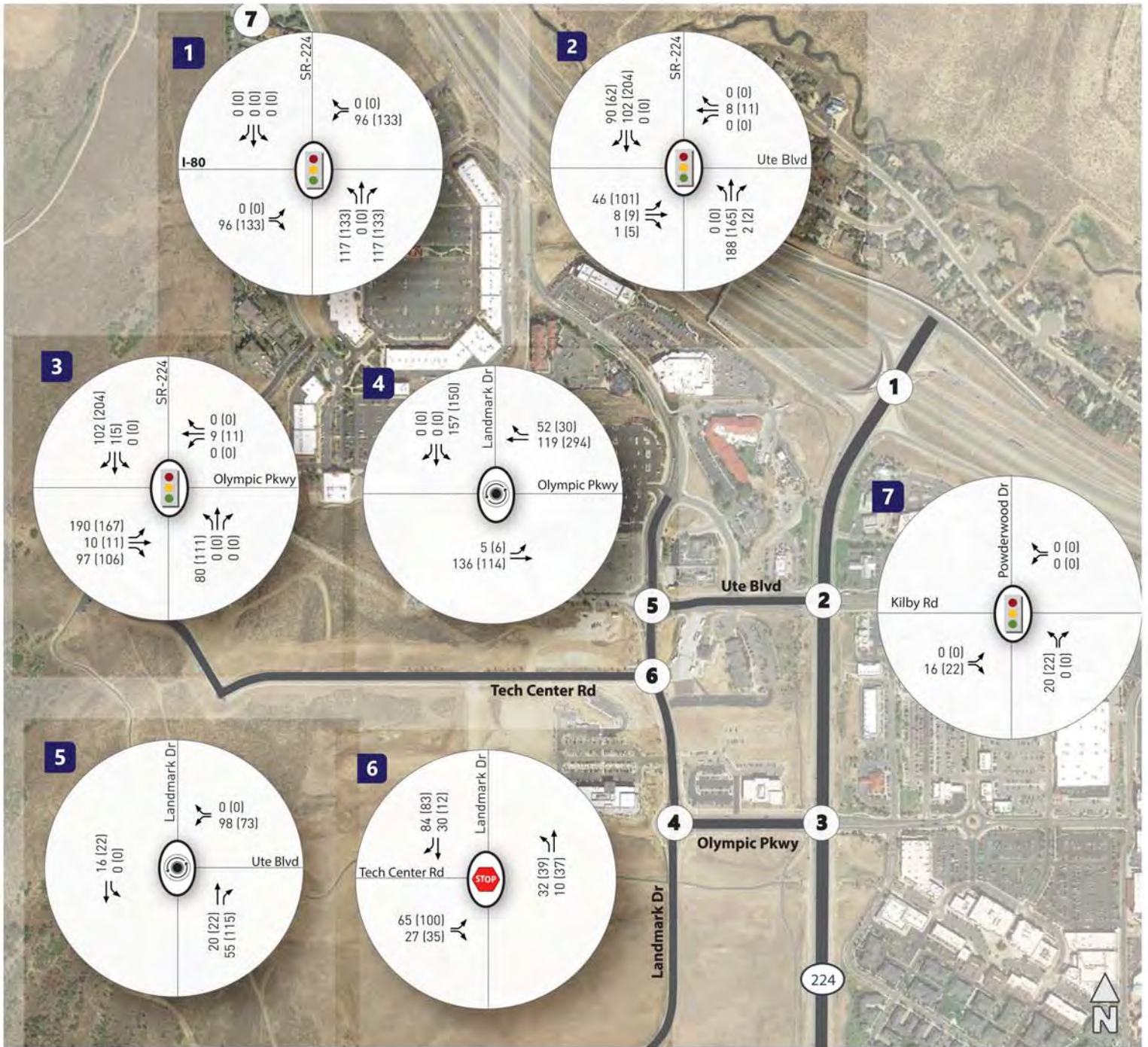


Figure 5
Project Trips - Major Intersections

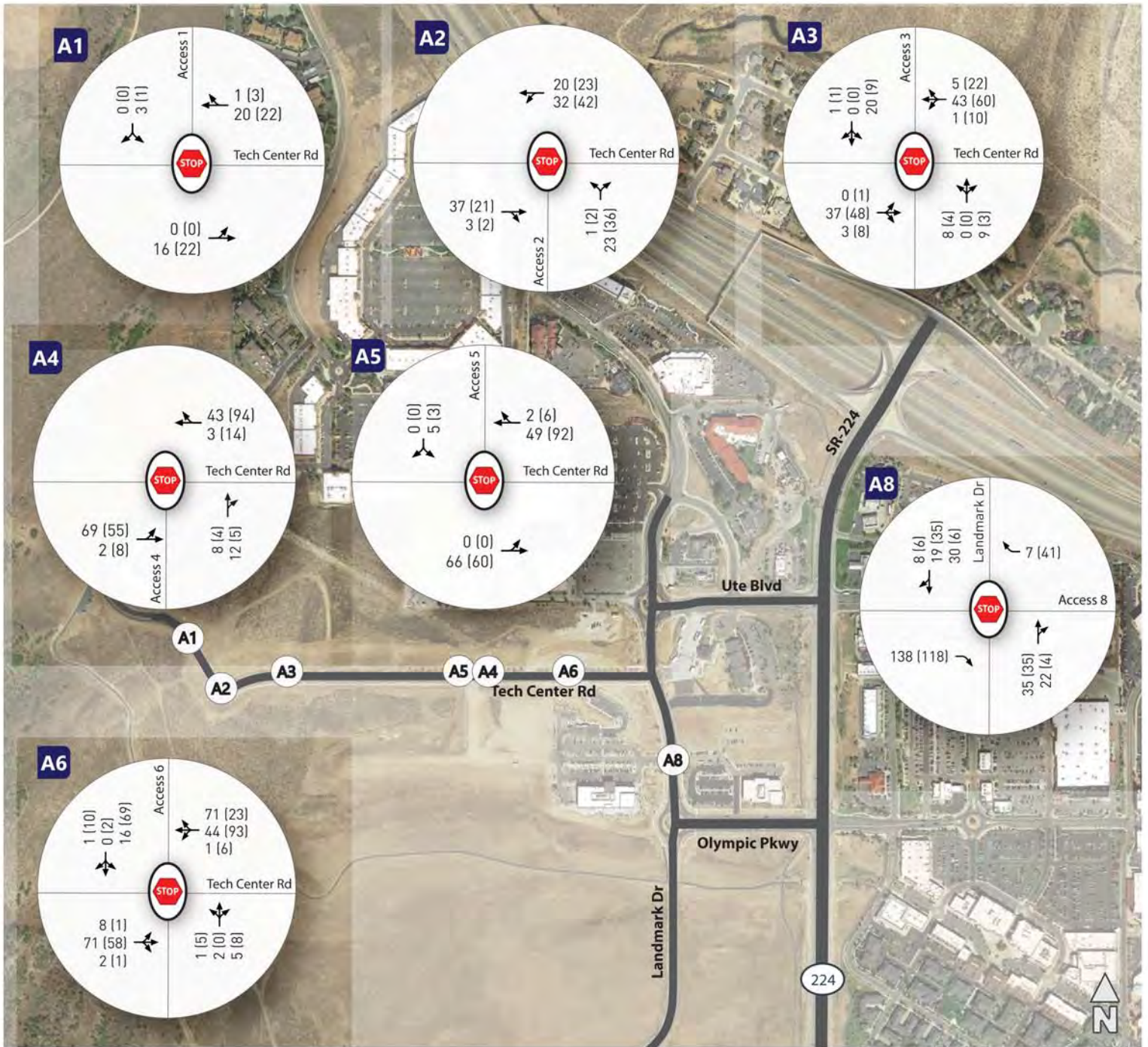


Figure 6
Project Trips - Access

FUTURE 2023 BACKGROUND CONDITIONS

PURPOSE

The purpose of the future 2023 background conditions is to evaluate the study intersections during the peak travel periods of the day in 2023, assuming that traffic near the site will increase in the future. This analysis provides a baseline for the plus project conditions with the proposed Olympic View development in 2023.

TRAFFIC VOLUMES

Fehr & Peers projected 2023 volumes using the Winter Summit Travel Demand Model dated 2019-04-17. The following annual growth rates were used:

- 1% for SR-224 / I-80
- 1% for SR-224
- 0.5% for Ute Boulevard
- 0.5% for Olympic Parkway
- 0.5% for Landmark Drive
- 1% for Tech Center

The preceding growth rates were applied to the existing 2019 average day volumes to formulate the traffic volumes for the future 2023 background conditions. The resulting weekday AM and PM peak hour traffic volumes displayed in **Figure 7**.

LEVEL OF SERVICE ANALYSIS

Synchro and VISSIM software were used to compute the weekday AM and PM peak hour for each study intersection. Synchro was used to analyze signalized and stop-controlled intersections and VISSIM was used to analyze the roundabout intersections. The HCM 2010 delay thresholds previously introduced were used to report the LOS for the future 2023 weekday AM and PM peak hour. The results of this analysis are reported in **Table 9** (see Appendix for the detailed LOS report).



As shown in **Table 9**, SR-224 / Ute Boulevard intersection fails in 2023 during the PM peak hour, primarily due to the high number of eastbound left-turning vehicles. All other intersections operate within acceptable LOS in both the AM and PM peak hours.

TABLE 9. 2023 BACKGROUND CONDITIONS LOS RESULTS ON AN AVERAGE DAY

ID	Intersection			Worst Movement		Overall Intersection ²
	Location	Period	Control	Movement ³	Delay / LOS	Avg. Delay / LOS
1	SR-224 / I-80	AM	Signal	-	-	50 / D
		PM		-	-	27 / C
2	SR-224 / Ute Boulevard	AM	Signal	-	-	15 / B
		PM		-	-	82 / F
3	SR-224 / Olympic Parkway	AM	Signal	-	-	11 / B
		PM		-	-	28 / C
4	Landmark Drive / Olympic Parkway	AM	Roundabout	-	-	13 / B
		PM		-	-	15 / C
5	Landmark Drive / Ute Boulevard	AM	Roundabout	-	-	12 / B
		PM		-	-	15 / C
6	Landmark Drive / Tech Center	AM	EB/WB Stop	EBL	14 / B	-
		PM		EBL	17 / C	-
7	Kilby Road / Powerwood (2200W)	AM	NB Stop	NBL	15 / B	-
		PM		NBL	17 / C	-

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds/vehicle).

3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound,

Source: Fehr & Peers, 2020.





Figure 7
2023 Background Conditions

MITIGATION MEASURES

To improve the performance of Ute Boulevard / SR-224, Fehr & Peers recommends the same mitigation measures as for Existing Conditions:

- Provide right-turn overlap phases for the southbound and westbound right-turns
- Restripe the northbound right-turn lane as a shared through-right lane
- Add dual left-turn lane for southbound left-turn

As in existing conditions, dual southbound left-turn lanes may not be needed to improve the overall intersection level of service, however, this movement is expected to have over 400 vehicles and it could improve queue lengths and overall operation near the intersection.



FUTURE 2023 PLUS PROJECT CONDITIONS

PURPOSE

The purpose of the future 2023 plus project conditions analysis is to evaluate the impact of the proposed development traffic on the surrounding roadway network in 2023 conditions. 2023 is assumed to be the opening day of the project. In order to analyze this impact, the peak hour 2023 traffic volumes were combined with volumes generated by the proposed project at its peak hour. Intersection LOS analyses were then performed and compared to the results of the 2023 background traffic volumes. This comparison shows the impact of the proposed project.

TRAFFIC VOLUMES

Project-generated traffic (**Figure 5** and **Figure 6**) was added to the 2023 background volumes (**Figure 7**) to yield "2023 plus project" weekday AM and PM peak hour traffic volumes at the study intersections with the following caveats:

- Since the proposed Olympic View development currently has the SkullCandy Corporate Headquarters on site and vehicles are already the current access onto Landmark Drive, the background traffic using this access was subtracted for the "Future 2023 plus project" conditions.
- Background trips removed from the existing accesses were subtracted from all intersections using the trip distributions percentages. For example, 30% of the trips entering Landmark Drive access were removed from I-80 West and corresponding path. Low volume movements were removed from closest location.
- Although project trips that start and end at the development are subtracted in trip generation (internal capture), Olympic View has external roads as part of their internal network, therefore, a portion of the internal capture trips was still assigned to these roads.
- All trips generated by the south-west area of the development and going to Kimball Junction use the Olympic Parkway / Landmark Drive roundabout as their access.

The resulting peak hour traffic volumes are displayed in **Figure 8** and **Figure 9**.



LEVEL OF SERVICE ANALYSIS

Synchro and VISSIM software were used to compute the weekday AM and PM peak hour for each study intersection. Synchro was used to analyze signalized and stop-controlled intersections and VISSIM was used to analyze the major roundabout intersections. The HCM 2010 delay thresholds previously introduced were used to report the LOS for the future 2023 background plus project weekday AM and PM peak hour. The results of this analysis for the peak hours are reported in **Table 10** (see Appendix for the detailed LOS report).

As shown in **Table 10**, all intersections operate within acceptable LOS with the exception of the following intersections:

- SR-224 / I-80: This intersection operates at LOS E in the weekday AM peak hour. This is due to the high number of vehicles making a westbound left-turn and eastbound right-turn not having enough time to clear the interchange.
- SR-224 / Ute Boulevard: This intersection operates at LOS F in the weekday PM peak hour. This is due to high traffic in several movements at the intersection and not having enough time to clear the intersection (eastbound left turn, westbound right turn, northbound through, southbound left turn).
- Landmark Drive / Tech Center: This intersection operates at LOS D in the weekday PM peak hour. This intersection is a two-way stop-controlled intersection with a high number of left-turning vehicles (project trips). These vehicles wait for a long time to turn, causing this intersection to operate at LOS D.

Figure 8 and **Figure 9** shows the LOS results at each intersection and access location, respectively. **Figure 9** also shows the proposed lane configuration for the site accesses.



TABLE 10. 2023 PLUS PROJECT CONDITIONS LOS RESULTS ON AN AVERAGE DAY

ID	Intersection			Worst Movement ¹		Overall Intersection ²
	Location	Period	Control	Movement ³	Delay / LOS	Avg. Delay / LOS
1	I-80 / SR-224	AM	Signal	-	-	65 / E
		PM		-	-	30 / C
2	Ute Blvd/SR-224	AM	Signal	-	-	14 / B
		PM		-	-	108 / F
3	Olympic Pkwy/SR-224	AM	Signal	-	-	20 / C
		PM		-	-	30 / C
4	Olympic Pkwy/Landmark Dr.	AM	Roundabout	-	-	13 / B
		PM		-	-	20 / C
5	Ute Blvd/Landmark Dr.	AM	Roundabout	-	-	11 / B
		PM		-	-	16 / C
6	Tech Center/Landmark Dr.	AM	EB Stop	EBTL	19 / C	-
		PM		EBTL	32 / D	-
7	Kilby Road / Powerwood (2200W)	AM	NB Stop	NBL	16 / C	-
		PM		NBL	19 / C	-
A1	Access 1/Tech Center	AM	SB Stop	SB	10 / B	-
		PM		SB	10 / B	-
A2	Access 2/Tech Center	AM	Roundabout	-	-	5 / A
		PM		-	-	5 / A
A3	Access 3/Tech Center	AM	NB/SB Stop	SB	11 / B	-
		PM		SB	11 / B	-
A4	Access 4/Tech Center	AM	SB Stop	NB	10 / B	-
		PM		NB	10 / B	-
A5	Access 5/Tech Center	AM	NB Stop	SB	11 / B	-
		PM		SB	11 / B	-
A6	Access 6/Tech Center	AM	NB/SB Stop	SB	12 / B	-
		PM		SB	12 / B	-
A8	Access 8/ Landmark Dr.	AM	WB Stop	EBR	11 / B	-
		PM		EBR	11 / B	-

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds/vehicle).

3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound,

Source: Fehr & Peers, 2020.



MITIGATION MEASURES

Ute Boulevard operates below an acceptable level of service today and will worsen as the area grows. To improve the traffic operations for this intersection, Fehr & Peers recommends the following mitigations:

- Restrict the eastbound left-turn movements at Tech Center Drive / Landmark Drive
- Provide right-turn overlap phases for the southbound and westbound right-turns at Ute Blvd / SR-224
- Restripe the northbound right-turn lane as a shared through-right lane at Ute Blvd / SR-224
- Add dual left-turn lane for southbound left-turn at Ute Blvd / SR-224

As in existing conditions, dual southbound left-turn lanes may not be needed to improve the overall intersection level of service, however, this movement is expected to have over 400 vehicles and it could improve queue lengths and overall operation near the intersection.



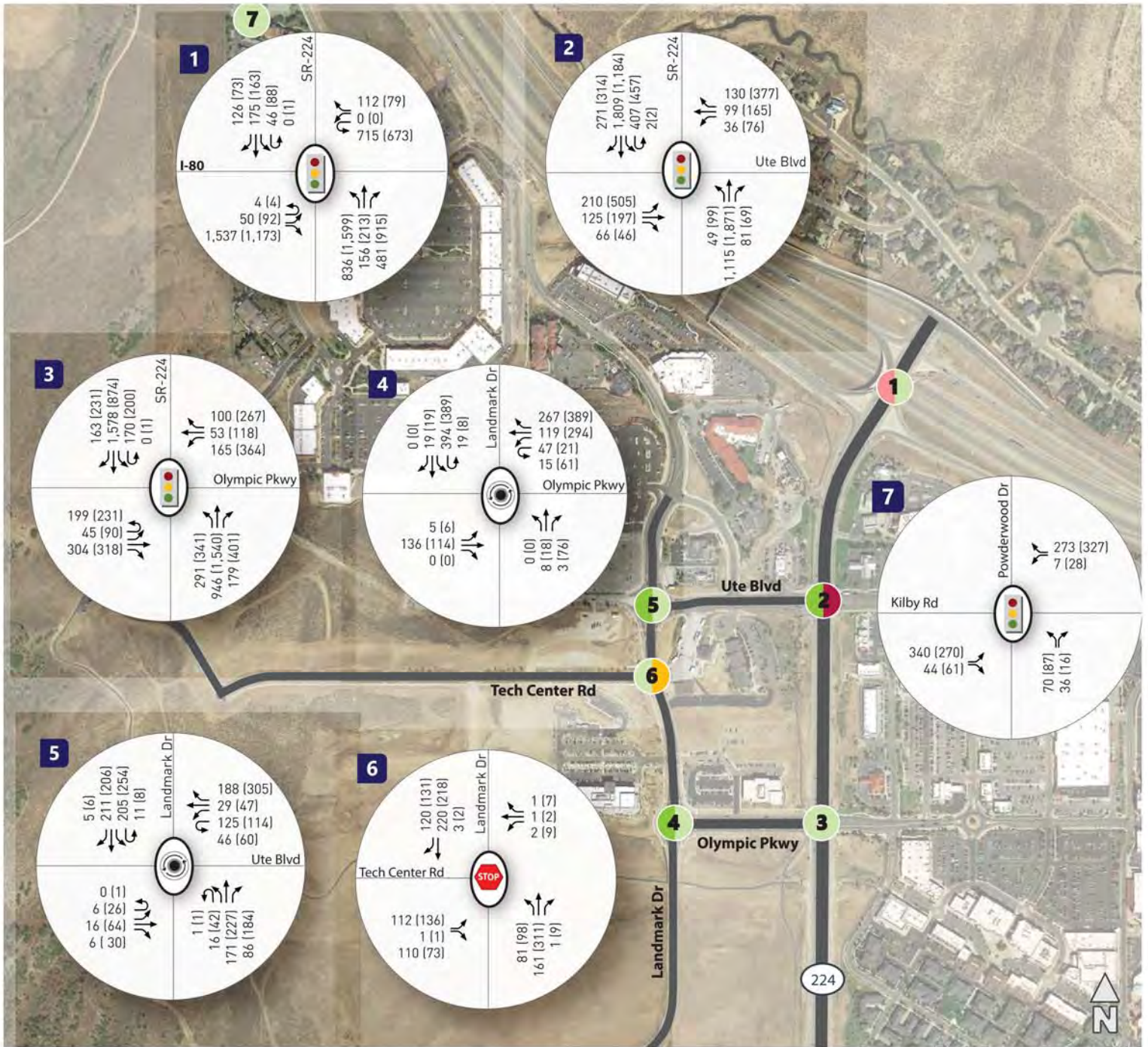


Figure 8
2023 Background plus Project - Major Intersection Conditions



Figure 9
2023 Background plus Project - Access Conditions

FUTURE 2028 BACKGROUND CONDITIONS

PURPOSE

The purpose of the future 2028 background conditions is to evaluate the study intersections during the peak travel periods of the day in 2028, assuming that traffic near the site will increase in the future. This analysis provides a baseline for the plus project conditions with the proposed Olympic View development in 2028.

TRAFFIC VOLUMES

Fehr & Peers projected 2028 volumes using the same annual growth rates than for 2023 volumes. The resulting weekday AM and PM peak hour traffic volumes displayed in **Figure 10**.

LEVEL OF SERVICE ANALYSIS

Synchro and VISSIM software were used to compute the weekday AM and PM peak hour for each study intersection. Synchro was used to analyze signalized and stop-controlled intersections and VISSIM was used to analyze the roundabout intersections. The HCM 2010 delay thresholds previously introduced were used to report the LOS for the future 2028 weekday AM and PM peak hour. The results of this analysis are reported in **Table 11** (see Appendix for the detailed LOS report).



TABLE 11. 2028 BACKGROUND CONDITIONS LOS RESULTS ON AN AVERAGE DAY

ID	Intersection		Control	Worst Movement		Overall Intersection ²
	Location	Period		Movement ³	Delay / LOS	Avg. Delay / LOS
1	SR-224 / I-80	AM	Signal	-	-	57 / E
		PM		-	-	27 / C
2	SR-224 / Ute Boulevard	AM	Signal	-	-	15 / B
		PM		-	-	100 / F
3	SR-224 / Olympic Parkway	AM	Signal	-	-	18 / B
		PM		-	-	12 / B
4	Landmark Drive / Olympic Parkway	AM	Roundabout	-	-	13 / B
		PM		-	-	15 / C
5	Landmark Drive / Ute Boulevard	AM	Roundabout	-	-	12 / B
		PM		-	-	16 / C
6	Landmark Drive / Tech Center	AM	EB/WB Stop	EBTL	14 / B	-
		PM		EBTL	17 / C	-
7	Kilby Road / Powerwood (2200W)	AM	NB Stop	NBL	15 / C	-
		PM		NBL	18 / C	-

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds/vehicle).

3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound.

Source: Fehr & Peers, 2020.

As shown in **Table 11**, all intersections operate within acceptable LOS with the exception of the following intersections:

- SR-224 / I-80: This intersection operates at LOS E in the weekday AM peak hour. This is due to the high number of vehicles making a northbound left-turn and eastbound right-turn not having enough time to clear the interchange.
- SR-224 / Ute Boulevard: This intersection operates at LOS F in the weekday PM peak hour. This is primarily due to high traffic in several movements at the intersection and not having enough time to clear the intersection (eastbound left turn, westbound right turn, northbound through, southbound left turn).



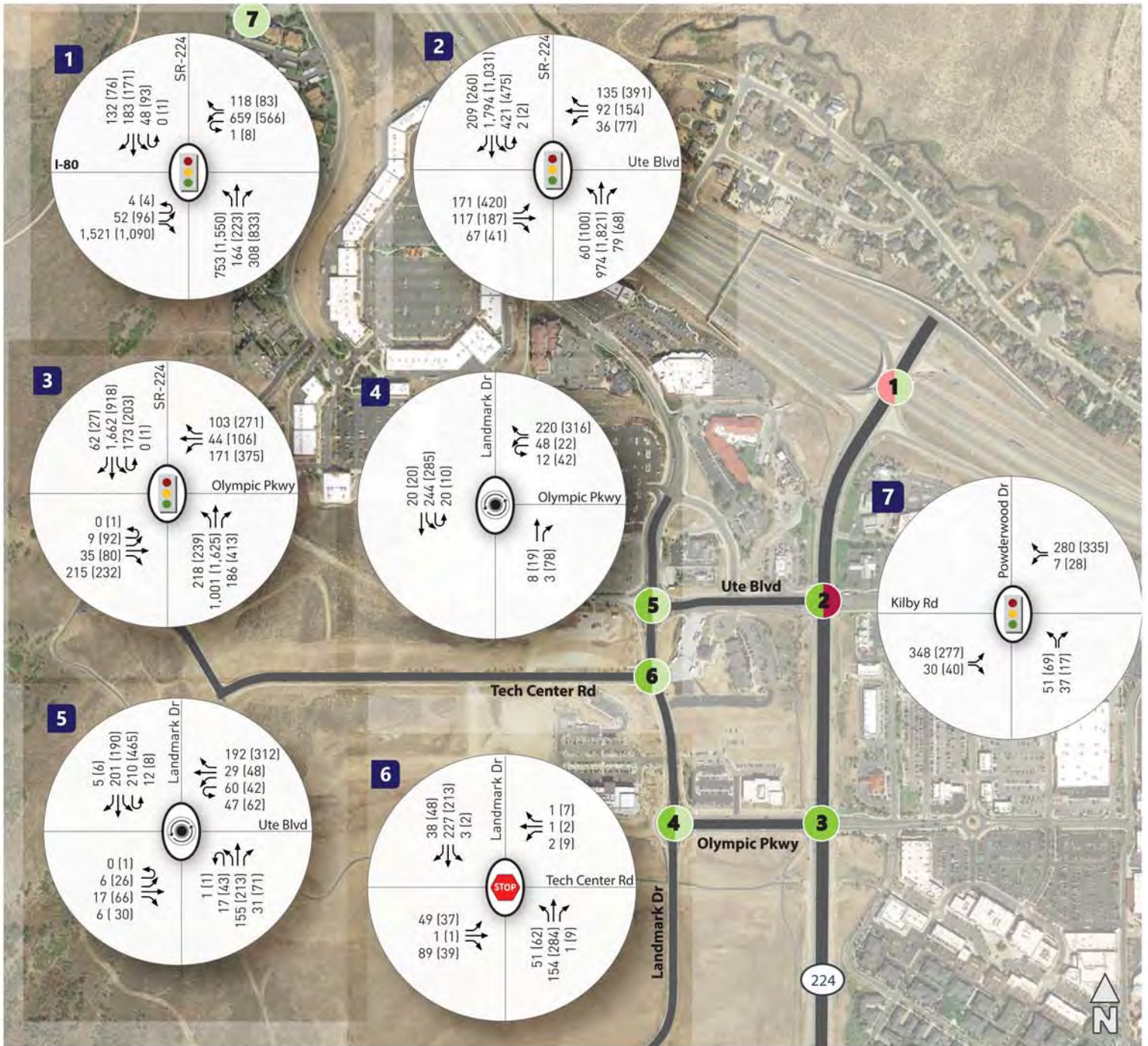


Figure 10
2028 Background Conditions

MITIGATION MEASURES

To improve the performance of Ute Boulevard / SR-224, Fehr & Peers recommends the same mitigation measures as for Existing Conditions:

- Provide right-turn overlap phases for the southbound and westbound right-turns
- Restripe the northbound right-turn lane as a shared through-right lane
- Add dual left-turn lane for southbound left-turn

As in existing conditions, dual southbound left-turn lanes may not be needed to improve the overall intersection level of service, however, this movement is expected to have over 400 vehicles and it could improve queue lengths and overall operation near the intersection. With those mitigations in place, all major intersections perform within acceptable levels of service.



FUTURE 2028 PLUS PROJECT CONDITIONS

PURPOSE

The purpose of the future 2028 plus project conditions analysis is to evaluate the impact of the proposed development traffic on the surrounding roadway network in 2028 conditions. In order to analyze this impact, the peak hour 2028 traffic volumes were combined with volumes generated by the proposed project at its peak hour. Intersection LOS analyses were then performed and compared to the results of the 2028 background traffic volumes. This comparison shows the impact of the proposed project.

TRAFFIC VOLUMES

Project-generated traffic (**Figure 5** and **Figure 6**) was added to the 2028 background volumes (**Figure 10**) to yield "2028 plus project" weekday AM and PM peak hour traffic volumes at the study intersections. The same methodology used in the 2023 plus project was used to obtain 2028 plus project conditions. The resulting peak hour traffic volumes are displayed in **Figure 11** and **Figure 12**.

LEVEL OF SERVICE ANALYSIS

Synchro and VISSIM software were used to compute the weekday AM and PM peak hour for each study intersection. Synchro was used to analyze signalized and stop-controlled intersections and VISSIM was used to analyze the major roundabout intersections. The HCM 2010 delay thresholds previously introduced were used to report the LOS for the future 2028 background plus project weekday AM and PM peak hours. The results of this analysis for the peak hours are reported in **Table 12** and **Table 13** (see Appendix for the detailed LOS report).

As shown in **Table 12** and **Table 13**, all intersections operate within acceptable LOS with the exception of the following intersections:

- SR-224 / I-80: This intersection operates at LOS F and LOS E in the weekday AM and PM peak hour, respectively. As in previous years, this is due to the high number of vehicles making a westbound left-turn and eastbound right-turn not having enough time to clear the interchange.
- SR-224 / Ute Boulevard: This intersection operates at LOS F in the weekday PM peak hour. As in previous years, this is due to high traffic in several movements at the intersection and not having



enough time to clear the intersection (eastbound left turn, westbound right turn, northbound through, southbound left turn).

- Landmark Drive / Tech Center: This intersection operates at LOS E in the weekday PM peak hour. This intersection is a two-way stop-controlled intersection with a high number of left-turning vehicles (project trips). These vehicles wait for a long time to turn, causing this intersection fall below acceptable LOS.

Figure 11 and **Figure 12** shows the LOS results at each intersection and access location, respectively. **Figure 12** also shows the proposed lane configuration for the site accesses.

TABLE 12. 2028 PLUS PROJECT CONDITIONS LOS RESULTS ON AN AVERAGE DAY FOR MAJOR INTERSECTIONS

ID	Intersection			Worst Movement ¹		Overall Intersection ²
	Location	Period	Control	Movement ³	Delay / LOS	Avg. Delay / LOS
1	I-80 / SR-224	AM	Signal	-	-	77 / F
		PM		-	-	31 / C
2	Ute Blvd/SR-224	AM	Signal	-	-	15 / B
		PM		-	-	136 / F
3	Olympic Pkwy/SR-224	AM	Signal	-	-	21 / C
		PM		-	-	32 / C
4	Olympic Pkwy/Landmark Dr.	AM	Roundabout	-	-	14 / B
		PM		-	-	21 / C
5	Ute Blvd/Landmark Dr.	AM	Roundabout	-	-	11 / B
		PM		-	-	17 / C
6	Tech Center/Landmark Dr.	AM	EB Stop	EBTL	19 / C	-
		PM		EBTL	34 / D	-
7	Kilby Road / Powerwood (2200W)	AM	NB Stop	NBL	16 / C	-
		PM		NBL	19 / C	-

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds/vehicle).

3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound,

Source: Fehr & Peers, 2020.



TABLE 13. 2028 PLUS PROJECT CONDITIONS LOS RESULTS ON AN AVERAGE DAY FOR PROJECT ACCESSES

ID	Intersection		Control	Worst Movement ¹		Overall Intersection ²
	Location	Period		Movement ³	Delay / LOS	Avg. Delay / LOS
A1	Access 1/Tech Center	AM	SB Stop	SB	10 / B	-
		PM		SB	10 / A	-
A2	Access 2/Tech Center	AM	Roundabout	-	-	5 / A
		PM		-	-	5 / A
A3	Access 3/Tech Center	AM	NB/SB Stop	SB	11 / B	-
		PM		SB	11 / B	-
A4	Access 5/Tech Center	AM	SB Stop	SB	11 / B	-
		PM		SB	11 / B	-
A5	Access 4/Tech Center	AM	NB Stop	NB	10 / B	-
		PM		NB	10 / B	-
A6	Access 6/Tech Center	AM	NB/SB Stop	SB	12 / B	-
		PM		SB	12 / B	-
A8	Access 8/ Landmark Dr.	AM	EB/WB Stop	EBR	11 / B	-
		PM		EBR	11 / B	-

1. This represents the worst movement LOS and delay (seconds/vehicle) and is only reported for unsignalized intersections.

2. This represents the overall intersection LOS and delay (seconds/vehicle).

3. NB=Northbound, SB=Southbound, EB=Eastbound, WB=Westbound,

Source: Fehr & Peers, 2020.

MITIGATION MEASURES

Fehr & Peers recommends the same mitigation measures as for 2023 Plus Project.



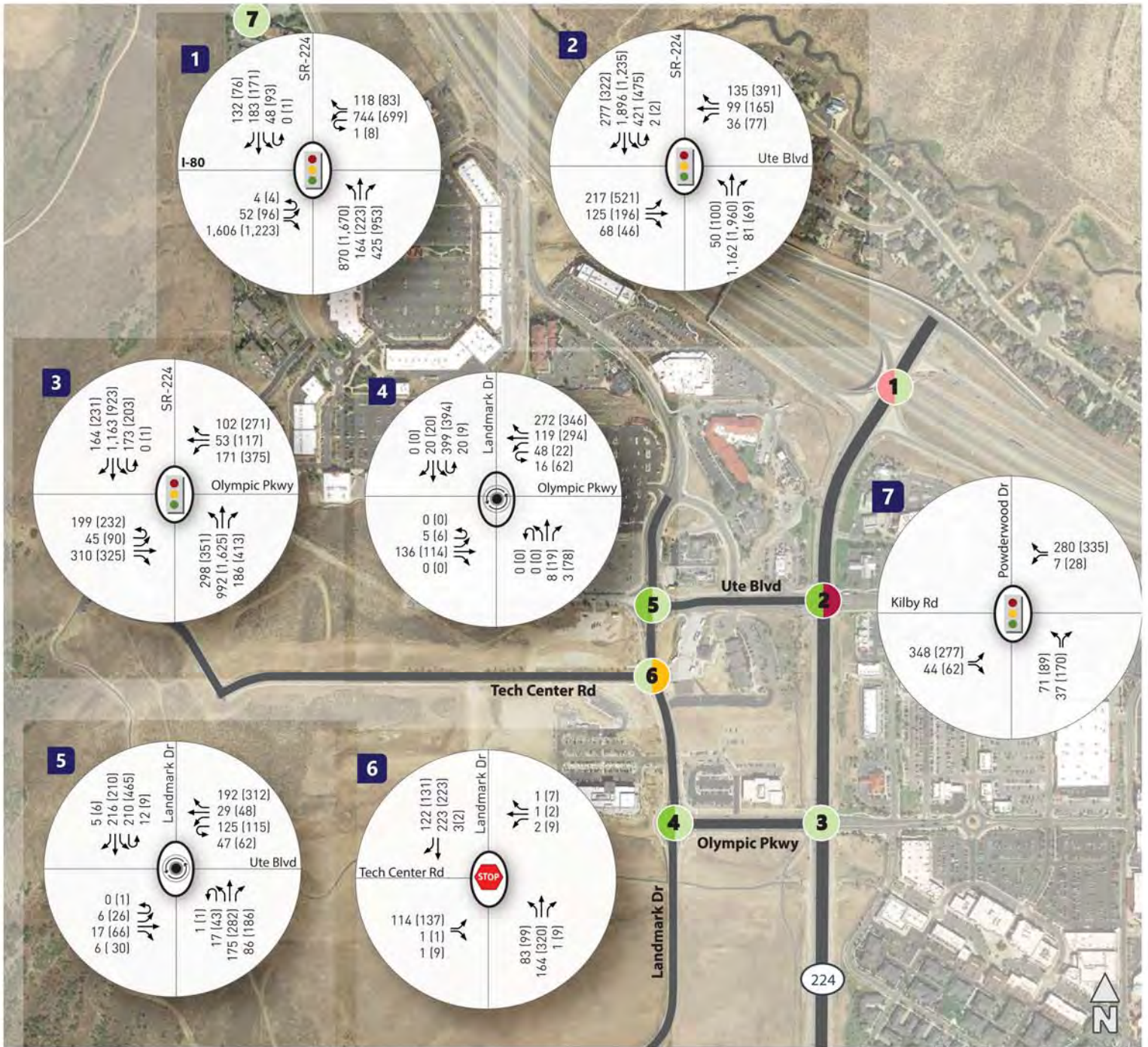


Figure 11

2028 Background plus Project - Major Intersection Conditions



Figure 12
2028 Background plus Project - Access Conditions

CONCLUSION

The analysis described in this report shows that the impact of the proposed Olympic View development would have minimal impact (LOS does not degrade below UDOT or County LOS standards) to the vehicle LOS and delay at most of the study intersections during typical weekday peak hours except for three intersections. Three of the study intersections that have the most impact from traffic added by the development are:

- I-80 / SR-224
- Ute Boulevard / SR-224
- Tech Center / Landmark Drive

The I-80 interchange and the Ute Boulevard intersections on SR-224 are intersections that will continue to have struggle maintaining LOS D conditions with or without the proposed Olympic View (as indicated in the future background conditions in Table 2). This stretch of SR-224 is anticipated to be studied by UDOT in an upcoming study later in 2019 where potential mitigation measures will be evaluated. Minor mitigation to both Ute Boulevard / SR-224 and Tech Center / Landmark Drive could significantly improve the traffic operations near the area.





MEMORANDUM

Date: August 21, 2020
To: Jim Charlier, Charlier Associates, Inc.
From: Christopher Bender, PE, Fehr & Peers
Preston Stinger, PTP, LEED GA, Fehr & Peers
Subject: Midday Peak Hour Synchro Analysis of SR-224 & Ute Blvd

UT19-2154

This technical memorandum summarizes an addendum to the traffic analysis performed for the Traffic Impact Study (TIS) for the proposed Olympic View development in Summit County, Utah. The analysis was performed to evaluate the midday traffic conditions at the SR-224 & Ute Blvd intersection during an average month of the year to supplement the AM and PM peak hour conditions analyses in the previously submitted TIS.

Data from the Continuous Count Station (CCS) along SR-224 was used to create adjustment factors to modify the previously obtained AM and PM peak hour counts at SR-224 & Ute Blvd to represent midday turning movement counts. Since traffic patterns differ in the morning, midday, and evening periods, the AM and PM peak hour counts were multiplied by 141% and 81%, respectively, and then averaged to approximate the turning movement volumes during the noon to 1 PM hour.

Project trip generation was also modified by time-of-day factors published in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition to reflect the noon to 1 PM hour.

Table 1 reports LOS of the previous and updated analyses. Since SR-224 & Ute Blvd is a signalized intersection, average vehicular delay and LOS are reported. All columns reflect conditions with current lane configurations and intersection controls and no mitigations. Trips generated by the development in the AM and PM peak hours are the same as were outlined in the *Trip Generation Comparison Memo*, dated August 8, 2020. The level of service analysis was performed according to



the HCM 2010 methodology to be consistent with previous analyses. Detailed synchro report sheets that include the LOS and queuing results of the midday analyses are included in the appendix.

Table 1: Level of Service Comparison

SR-224 & Ute Blvd		Existing Background	2023 Background	2023 Plus Project	2028 Background	2028 Plus Project
Scenario	Period	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹
Average Month ²	AM	15 / B	15 / B	14 / B	15 / B	15 / B
	PM	66 / E	82 / F	108 / F	100 / F	136 / F
	MIDDAY	15 / B	14 / B	21 / C	16 / B	23 / C

1. Intersection average LOS and delay for signalized intersections.
2. Represents adjusted traffic conditions for the average day of the year since the traffic counts for this study were collected during April and May.

Source: Fehr & Peers, 2020.

As shown in **Table 1**, the midday traffic is expected to perform within acceptable levels of service, similar to the AM peak hour. As previously outlined in the TIS, the intersection will likely struggle to maintain LOS D conditions with or without the proposed Olympic View during in the PM peak period. The stretch of SR-224 near the Ute Blvd intersection is anticipated to be studied by UDOT in an upcoming study where potential mitigation measures will be evaluated.

Table 2 reports the difference in delay between the 2023 & 2023 Plus Project, and between the 2028 & 2028 Plus Project. As shown in the table, in the 2023 horizon year, the impact that the project has on the level of delay during the midday is slightly more than the impact during the AM peak hour, but less than the impact experienced in the PM peak hour in both the 2023 and 2028 scenarios.

Table 2: Project Impact Comparison

SR-224 & Ute Blvd		2023	2028
Scenario	Period	Sec/Veh ¹	Sec/Veh ¹
Average Month ²	AM	0	0
	PM	26	36
	MIDDAY	7	7

1. Change in delay between background and plus project scenarios.
2. Represents adjusted traffic conditions for the average day of the year since the traffic counts for this study were collected during April and May.

Source: Fehr & Peers, 2020.

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APPENDIX
SYNCHRO REPORT SHEETS



MEMORANDUM

Date: August 20, 2020
To: Jim Charlier, Charlier Associates, Inc.
From: Christopher Bender, Fehr & Peers
Subject: Peak Winter Month Synchro Analysis of SR-224 & Ute Blvd

UT19-2154

This technical memorandum summarizes Fehr & Peers' update to the Synchro analysis performed for the Traffic Impact Study (TIS) for the proposed Olympic View development in Summit County, Utah. The analysis was performed to update the background traffic at the SR-224 & Ute Blvd intersection to reflect peak winter month conditions, instead of the average yearly conditions that were analyzed in the previously submitted TIS.

As reported in the TIS, the previous analysis used a factor of 125% to scale the traffic counts that were observed in April to an average day of the year volume. Similar to the method used to calculate the average day factor, the monthly percentages from 2012 to 2017 were used to obtain a peak winter month factor. From 2012 to 2017, ATR on SR-224 observed 146% as much traffic volume in the peak winter month, January, as it did in April when the traffic data was collected. Therefore, the background traffic volumes were scaled by a factor of 146% for the peak winter month analysis.

Table 1 reports LOS of the previous and updated analyses. Since SR-224 & Ute Blvd is a signalized intersection, average vehicular delay and LOS are reported. All columns reflect conditions with current lane configurations and intersection controls and no mitigations. Trips generated by the development are the same as were outlined in the *Trip Generation Comparison Memo*, dated August 8, 2020. The level of service analysis was performed according to the HCM 2010 methodology to be consistent with previous analyses.



Table 1: Level of Service Comparison

SR-224 & Ute Blvd		Existing Background	2023 Background	2023 Plus Project	2028 Background	2028 Plus Project
Scenario	Period	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹
Average Month ²	AM	15 / B	15 / B	14 / B	15 / B	15 / B
	PM	66 / E	82 / F	108 / F	100 / F	136 / F
Peak Winter Month ³	AM	17 / B	23 / C	24 / B	26 / C	37 / D
	PM	139 / F	158 / F	185 / F	176 / F	208 / F

1. Intersection average LOS and delay for signalized intersections.
2. Represents adjusted traffic conditions for the average day of the year since the traffic counts for this study were collected during April and May.
3. Represents adjusted traffic conditions for a typical day during the peak winter month of the year (January).

Source: Fehr & Peers, 2020.

As shown in **Table 1**, the increased volumes resulted in increased average delays and worse LOS at the intersection in the winter peak month scenario. As previously outlined in the TIS, the intersection will likely struggle to maintain LOS D conditions with or without the proposed Olympic View, especially in the PM peak period. The stretch of SR-224 near the Ute Blvd intersection is anticipated to be studied by UDOT in an upcoming study where potential mitigation measures will be evaluated.

Table 2 reports the difference in delay between the 2023 & 2023 Plus Project, and between the 2028 & 2028 Plus Project.

Table 2: Project Impact Comparison

SR-224 & Ute Blvd		2023	2028
Scenario	Period	Sec/Veh ¹	Sec/Veh ¹
Average Month ²	AM	-1	0
	PM	26	36
Peak Winter Month ³	AM	1	11
	PM	27	32

1. Change in delay between background and plus project scenarios.
2. Represents adjusted traffic conditions for the average day of the year since the traffic counts for this study were collected during April and May.
3. Represents adjusted traffic conditions for a typical day during the peak winter month of the year (January).

Source: Fehr & Peers, 2020.



As shown in the table, in the 2023 horizon year, the impact that the project has on the level of delay typically remains mostly consistent, regardless of background volume. However, during the 2028 horizon year, the AM impact did slightly increase in the 2028 horizon year, while the PM impact slightly decreased in the same year.

Table 3 reports LOS of the previous and updated analyses, but only for the eastbound left turn movement, as this is an area of concern for the development. Like the previous analyses, trips generated by the development are the same as were outlined in the *Trip Generation Comparison Memo*, dated August 8, 2020. The level of service analysis was performed according to the HCM 2010 methodology to be consistent with previous analyses.

Table 3: Level of Service Comparison

SR-224 & Ute Blvd		Existing Background	2023 Background	2023 Plus Project	2028 Background	2028 Plus Project
Scenario	Period	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹	LOS & Sec/Veh ¹
Average Month ²	AM	60 / E	61 / E	132 / F	69 / E	145 / F
	PM	184 / F	198 / F	245 / F	219 / F	305 / F
Peak Winter Month ³	AM	66 / E	62 / E	69 / E	61 / E	73 / E
	PM	272 / F	291 / F	375 / F	316 / F	399 / F

4. Intersection average LOS and delay for signalized intersections.
 5. Represents adjusted traffic conditions for the average day of the year since the traffic counts for this study were collected during April and May.
 6. Represents adjusted traffic conditions for a typical day during the peak winter month of the year (January).
- Source: Fehr & Peers, 2020.

APPENDIX
SYNCHRO REPORT SHEETS

MEMORANDUM

To: Jeffery L Gochnour, Dakota Pacific Real Estate
From: Matt Prosser, Economic & Planning Systems
Subject: Kimball Junction Mixed-Use Development Economic and Fiscal Impacts Analysis; EPS #203085
Date: July 26, 2020

The Economics of Land Use



Dakota Pacific Real Estate (Dakota Pacific) is in process of obtaining approval for development of a large mixed-use development project near the interchange of I-80 and Highway 224 in the Snyderville Basin area of Summit County Utah. Dakota Pacific purchased a largely undeveloped site that is entitled for an office park and research & development uses. The current development program was approved in 2008. The program was entitled for over 1.2 million square feet of office uses. However, to date the project has only been able to attract development of two office buildings and 152 workforce housing units over 10 years. Dakota Pacific purchased the property in 2018 and is planning to build a mixed-use project that includes multifamily residential, townhomes, retail, office, and hotel uses. The project matches with current market demand and will likely be able to attract the diversity of uses planned in much shorter time period than the current rate of the current approved project.

To support the approval of its development plan, Dakota Pacific wanted to understand the economic and fiscal benefits that could be generated by the proposed project. This memorandum summarizes the estimated economic and fiscal impacts of the project based on the proposed development program. The fiscal impacts of the proposed project are compared to the estimated impacts of the approved development program (assuming it is able reach full buildout). The economic impact and development fees to be generated are also summarized. A summary of the approach and methodology to develop the impact estimates are also provided within the memorandum.

Dakota Pacific's proposed project is referred to within this memorandum as the Kimball Junction Mixed-Use Project or Mixed-Use Project. The currently approved development on the site is referred to as the Summit Research Park or Tech Center.

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Summary of Findings

The major findings of the fiscal and economic impact analysis of the proposed Kimball Junction Mixed-Use Project are summarized below.

- 1. The proposed Kimball Junction Mixed-Use Project is estimated to generate \$36 million in annual taxable retail and lodging sales in Summit County. The project will generate 2,774 new residents and 1,034 jobs within the Snyderville Basin area of Summit County that will substantially increase economic activity in the area.***

The proposed mixed-use project's future residents, visitors, and workers are estimated to generate \$36 million in annual taxable sales. The 1,100 housing units will be accessible to residents earning the full spectrums of incomes from 30% of AMI to market rate for-sale housing. The hotel uses will accommodate 83,463 annual visitors and 41,732 room nights. The non-residential uses will generate 1,034 new jobs with an estimated average wage for all jobs of \$56,000, which is above the county-wide average (\$49,720 in 2019 according to US Bureau of Labor Statistics). In addition, the activity generated by the project, Dakota Pacific is also investing over \$15 million into regional and site infrastructure including sanitary sewer improvements, trails, and community gathering spaces that will serve the greater Snyderville Basin area.

- 2. The proposed Kimball Junction Mixed-Use Project is estimated to generate \$5.3 million in annual tax revenue at buildout from sales, lodging, and property tax.***

The proposed mixed-use project's future residents, visitors, and workers are estimated to generate \$2.8 million in annual sales tax revenue from sales in Summit County and \$262,137 in annual lodging tax (Transient Room Tax) revenue from hotel stays within the project, as shown in **Table 1**. The land and building improvements are estimated to generate \$2.2 million in annual property tax revenue. The proposed mixed-use project is estimated to generate more annual tax revenue than the existing Tech Center once it is built out. The Tech Center program is estimated to generate a total of \$2.4 million per year comprised of \$89,800 in sales taxes and \$2.3 million in property taxes.

Table 1. Annual Tax Revenue Summary

Revenue Source	Mixed Use Project	Tech Center
Sales Tax	\$2,821,090	\$89,859
Lodging Tax	\$262,137	\$0
Property Tax	<u>\$2,217,332</u>	<u>\$2,303,055</u>
Annual Total	\$5,300,559	\$2,392,914

Source: Economic & Planning Systems

- 3. The proposed Kimball Junction Mixed-Use Project would also generate over \$15.4 million in one-time development fees.***

The proposed mixed-use project is estimated to generate \$3.1 million in one-time building permits and review fees as shown **Table 2**. The project would also pay over

\$12.3 million in development impact fees. The impact fee estimate does not include the impact fees to the Snyderville Basin Water Reclamation District (SBWRD) for commercial uses as those fees are calculated by the SBWRD engineer and could not be estimated without additional understanding of the exact commercial uses that will locate in the project.

Table 2. One-time Development Fees Summary

Revenue Source	Kimball Junction Mixed Use Project
Build and Permit Fees	\$3,104,385
Impact Fees ¹	\$12,302,795

¹ Does not include SBWRD commercial impact fees
Source: Economic & Planning Systems

4. The proposed Kimball Junction Mixed-Use Project is estimated to generate an annual ongoing economic impact of \$358 million on Summit County at buildout. The construction of the project will generate \$471 million in one-time economic impacts.

The proposed mixed-use project is estimated to generate an overall economic impact of \$358 million annually to Summit County at buildout, as shown in **Table 3**. The project will generate 1,553 jobs including 1,034 direct jobs, 364 indirect jobs, and 155 induced jobs. The construction-related activity will generate \$471 million in one-time economic impacts and generate 1,990 jobs during the construction period. The proposed Mixed-Use Project will generate a diversity of jobs both on site and also indirect and induced jobs. These impacts will likely be materialized in a shorter time period, as the Tech Center development has not been able to attract the employment uses, especially the sheer amount of jobs, promised with the development proposal.

Table 3. Economic Impact Summary

Item	Mixed-Use Project
One-Time Economic Impacts of Construction	
One-Time Construction Impacts [1]	\$470.9 M
One-Time Construction Jobs (Job Years) [2]	1,990
Annual Ongoing Economic Impacts	
Annual Ongoing Operational Impacts [3]	\$358.0 M
Annual Ongoing Operational Jobs (Annual Average) [4]	1,553

Source: IMPLAN; Economic & Planning Systems

[1] Includes direct and indirect impacts.

[2] Employment includes both full-time and part-time workers. Job years refer to the number of jobs in each year summed over the entire construction period of the Project.

[3] Includes direct, indirect, and induced impacts of the anticipated land uses within the Project.

[4] Employment includes both full-time and part-time workers.

Project Approach and Overview

Approach

The estimated fiscal and economic impacts of the proposed mixed-use project were analyzed. Three major impacts were estimated including tax revenues, development fee revenues, and economic impacts.

- **Fiscal Impacts** – The fiscal impacts are illustrated by the estimated annual tax revenue generated by the programs. The annual sales tax revenue, transient room tax (lodging tax), and property tax. The fiscal impacts for both the proposed mixed-used project and the approved Tech Center project are estimated for comparison.
- **Development Fees** – The estimated development fees to be generated by the proposed mixed-use project are calculated. Building and permit fees include building fees, plan review fees, plumbing permit fees, electrical permit fees, and mechanical permit fees. One-time impact fees assessed to new development in the Snyderville Basin area were also estimated (where possible) including the County Transportation Impact Fee, Snyderville Basin Special Recreation District Impact Fee, and the Snyderville Basin Water Reclamation District Impact Fee.
- **Economic Impacts** – The economic impacts of the proposed mixed-use project were estimated using the IMPLAN input-output economic model. IMPLAN is a software and database platform that allows users to estimate the impacts of land uses and development on specified areas of geography, in this case Summit County. The economic impacts are estimated based on project construction costs and estimated jobs within the project. The outputs include one-time impacts of construction (economic impacts shown in total dollars and construction jobs generated shown in job years). The outputs also include annual on-going economic impacts including total economic dollars and ongoing operational jobs including jobs directly on the project site (direct), indirect jobs, and induced jobs.

Development Program

The existing project site currently has 75,000 square feet of office uses in two buildings and 152 workforce housing apartment units. The existing development was not considered in this analysis as it was assumed to have the same impact on both project programs.

The proposed development program for the Kimball Junction Mixed-Use Project is shown in **Table 4**. The proposed mixed-use project includes 160,000 square feet of office use, 19,000 square feet of retail, and a 122,500 square feet hotel. It also includes 1,100 residential units including 306 income restricted workforce housing units, 714 market rate apartment units, and 80 for-sale townhomes. The proposed development program totals 1.6 million square feet comprised of 1.2 million square feet of residential and 376,500 square feet of commercial development.

The existing, approved Summit Research Park (Tech Center), if completed as proposed, would total 1.49 million square feet of development including 1.22 million of additional office and research park uses that are unbuilt.

In total, the Mixed-Use Project will result in 1.6 million square feet of development including 1,252 residential units. The Tech Center would result in 1.49 million square feet of development including 152 residential units.

Table 4. Kimball Junction Project Development Programs

Land Uses	Kimball Junction Mixed Use Project	Tech Center
Existing		
Office/Commercial (square feet)	75,000	75,000
Workforce Rental Housing (units)	152	152
Proposed/Planned		
Office/Commercial (square feet)	160,000	1,220,000
Retail	19,000	0
Workforce Rental Housing (units)	306	0
Market Rate Rental Housing (units)	714	0
For-Sale Townhomes (units)	80	0
Hotel (square feet)	122,500	0
Total		
Commercial/Office (square feet)	376,500	1,295,000
Residential (square feet)	<u>1,248,000</u>	<u>195,000</u>
Total (square feet)	1,624,500	1,490,000
Residential (units)	1,252	152

Source: Summit County, Dakota Pacific Real Estate

Resident and Worker Generation Analysis

Future residents and employees that live and work on the site are the drivers of the estimated sales tax revenue generated by the project and on-going annual economic impacts. The estimated jobs and annual wages from nonresidential uses in both project programs are shown in **Table 5**. The estimated annual household income from each residential unit type is provided as well.

The Kimball Junction Mixed-Use Project is proposed to include 1,100 residential units within a mixture of apartment and townhomes. There would also be 306 workforce housing units available to potential residents earning between 30% of Area Median Income (AMI) up to 120% of AMI. The units are spread among these AMI cohorts with the majority of units planned for household earning between 30% and 80% of AMI. A total of 714 market rate apartment units and 80 market rate townhomes are also planned.

The project is estimated to generate 2,774 residents with an average household income of \$79,575. The average household income for each housing product type were estimated based on the rental rate or home prices assumed for each project type. The mixed-use project will also have 301,500 square feet of nonresidential space, generating 1,034 jobs on site within an estimated average annual wage of \$56,090

The Tech Center program is planned for 1.22 million additional square feet of office and research and development space and no additional residential development. This space would generate 3,050 jobs with an average annual wage of \$67,088.

Table 5. Kimball Junction Program Demographic Summary

Residential Program	Kimball Junction Mixed-Use				Tech Center			
	Housing Units	Residents Per Household	Estimated Residents	Estimated HH Income	Housing Units	Residents Per Household	Estimated Residents	Estimated HH Income
Workforce Rental Housing								
30% to 50% AMI	128	2.5	320	\$31,892	0	2.5	0	---
60% to 80% AMI	128	2.5	320	\$55,811	0	2.5	0	---
100% to 120% AMI	50	2.5	125	\$79,730	0	2.5	0	---
Market Rate Rental Housing	714	2.5	1,785	\$80,000	0	2.5	0	---
For-Sale Townhomes	80	2.8	224	\$190,000	0	2.8	0	---
Total	1,100		2,774	\$79,575	0		0	---
Non-Residential Program	Square Feet	Jobs per Sq Ft	Estiamted Jobs	Estimated Annual Wage ¹	Square Feet	Jobs per Sq Ft	Estiamted Jobs	Estimated Annual Wage ¹
Office / Flex R&D ²	160,000	272	588	\$67,088	1,220,000	400	3,050	\$67,088
Retail	19,000	500	38	\$33,138	0	500	0	\$33,138
Hotel	122,500	300	408	\$45,284	0	300	0	\$45,284
Total/Average	301,500		1,034	\$56,090	1,220,000		3,050	\$67,088

¹ - Annual Wages estimated based on average annual wage in Summit County, Utah for corresponding employment industry.

² - Employment in the office and flex R&D estimated to be split between four NAICS industries: 334=15%, 53=35%, 54=25%, 561=25%

Source: Dakota Pacific Real Estate; ESRI; US Bureau of Labor Statistics (BLS); Economic & Planning Systems

Retail Spending

A retail spending model was developed to estimate the retail sales that would be generated from residents and workers living and working on the project site. The retail spending analysis estimates the annual retail spending potential for residents and workers by retail store category. A sales flow analysis was completed to estimate the portion of total spending captured within Summit County versus spent outside the county by residents and workers. The average percentages of sales captured by store within Summit County by county residents and workers are applied to the expenditure potential from the residents and workers generated by the proposed project. Sales tax revenues are then estimated based on the portion of sales captured within the county.

The first step in the spending analysis is to estimate the total personal income (TPI) generated by the residents living in the proposed project. The Mixed-Use Project residents are estimated to have a TPI of \$87.5 million as shown in **Table 6**. The TPI is calculated by multiplying the number of households (1,100) by the average household income (\$79,575). The Tech Center has no additional households.

Table 6 Kimball Junction Project Residents' Total Personal Income

	Build Out
--	-----------

Mixed-Use Project

Households	1,100
Avg. Household Income	<u>\$79,575</u>
Total Personal Income	\$87,532,500

Tech Center

Households	0
Avg. Household Income	<u>\$79,575</u>
Total Personal Income	\$0

Source: US Census; ESRI; Economic & Planning Systems

The TPI of the mixed-use project residents is applied to the average percent of retail sales made by Utah residents by retail store category. On average, a Utah resident spends 38.1 percent of their income on retail goods based on data from the 2017 US Census of Retail Trade for Utah. The project residents are estimated to generate \$33.3 million in annual retail sales, as shown in **Table 7**.

Table 7. Kimball Junction Project Residents' Expenditure Potential

Store Type	Retail Sales % TPI (2017)	MXD Project Build Out (\$000s)
Total Personal Income (TPI)	100%	\$87,533
Convenience Goods		
Supermarkets	6.1%	\$5,329
Convenience Stores (incl. Gas Stations)	4.1%	\$3,567
Specialty Food and Beer, Wine, & Liquor Stores	0.6%	\$563
Health and Personal Care	1.9%	<u>\$1,635</u>
Total Convenience Goods	12.7%	\$11,095
Shopper's Goods		
General Merchandise		
Department Stores	0.6%	\$487
Warehouse Clubs & Supercenters, other GM	<u>8.0%</u>	<u>\$7,002</u>
Subtotal	8.6%	\$7,489
Other Shopper's Goods		
Clothing & Accessories	2.0%	\$1,784
Furniture & Home Furnishings	1.6%	\$1,434
Electronics & Appliances	0.9%	\$755
Sporting Goods, Hobby, Book, & Music Stores	1.3%	\$1,150
Miscellaneous Retail	<u>0.9%</u>	<u>\$805</u>
Subtotal	6.8%	\$5,927
Total Shopper's Goods	15.3%	\$13,416
Eating and Drinking	5.9%	\$5,122
Building Material & Garden	4.2%	\$3,690
Total Retail Goods	38.1%	\$33,323

Source: 2017 Census of Retail Trade; Economic & Planning Systems

The retail expenditure potential from workers employed on the project site was also estimated in addition to the resident expenditure potential. Based on surveys completed by the International Council of Shopping Centers (ICSC) the average office worker spends \$5,272 annually on retail goods and services while at work. The total employment estimated for both development programs were used to estimate working spending. The total employment was discounted by 38.8 percent to account for workers that are also Summit County residents to avoid double counting. The annual expenditure potential by store type is estimated in **Table 8**.

Table 8. Kimball Junction Project Employees' Expenditure Potential

	Weekly Spending	Annual Spending ¹	Tech Center Total Annual Expenditure Potential	Mixed-Use Total Annual Expenditure Potential
Employment			3,050	1,034
Non-Resident Employees			61.2%	61.2%
Non-Resident Employment			1,867	633
Restaurants	\$26.29	\$1,262	\$2,355,500	\$798,811
Goods and Services				
Department Stores	\$6.52	\$313	\$584,171	\$198,107
Discount Stores	\$8.19	\$393	\$733,798	\$248,850
Drug Stores	\$6.13	\$294	\$549,228	\$186,257
Grocery	\$15.98	\$767	\$1,431,757	\$485,546
Clothing	\$3.25	\$156	\$291,190	\$98,750
Shoe	\$2.43	\$117	\$217,720	\$73,835
Sporting Goods	\$2.16	\$104	\$193,529	\$65,631
Electronics/Phone/Computers	\$4.86	\$233	\$435,440	\$147,669
Jewelry	\$3.92	\$188	\$351,219	\$119,108
Office Supplies	\$7.37	\$354	\$660,328	\$223,934
Warehouse Clubs	\$7.80	\$374	\$698,855	\$237,000
Other Goods	\$3.95	\$190	\$353,907	\$120,019
Personal Care	\$7.83	\$376	\$701,543	\$237,911
Personal Services	\$3.16	\$152	\$283,126	\$96,015
Goods and Services Total	\$83.55	\$4,010	\$7,485,813	\$2,538,631
Total	\$109.84	\$5,272	\$9,841,313	\$3,337,442

1 - Annual is estimated as 48 weeks to reflect time off

Source: ICSC; Economic & Planning Systems

A retail sales flow model was built to estimate the portion of retail sales to residents that are made in Summit County. The model estimates actual sales generated by ESRI and Info Group data at establishments in each store category (categories are based on NAICS for the retail trade industry 44-45). The actual sales are compared to the expenditure potential from residents and workers. EPS estimates sales capture rates of expenditure potential for residents and workers based on the existing store and retail mix within Summit County. This capture rate assumption results in an estimate of sales capture by consumer type which is residents, employees, and visitors (inflow). There was an estimated \$875 million in retail sales made in retail stores in Summit County in 2020 (according to ESRI). EPS estimates the 62 percent of these sales were made to residents of the county, 32 percent were made to visitors to Summit County, and 6 percent were made to people working in Summit County who do not live in the county, as shown in **Figure 1** and **Table 9**.

Figure 1. Summit County Estimated Retail Sales by Source

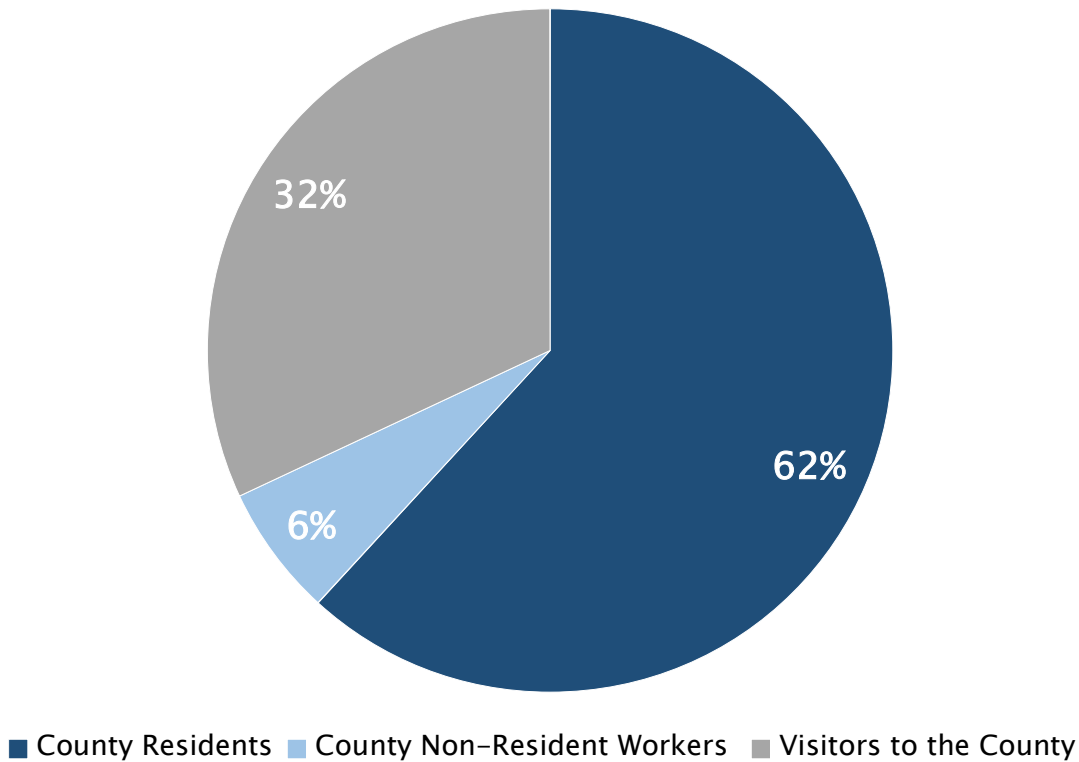


Table 9. Summit County Retail Sales Flow Model

Store Type	Actual Sales (\$000s)	Resident Expenditure Potential (2020) (\$000s)	Resident Capture			Employee Expenditure Potential (2020) (\$000s)	Employee Capture			Inflow to Summit County	
			Ex. Pot. Capture Rate	Sales Capture Rate	Est. Sales		Ex. Pot. Capture	Sales Capture Rate	Est. Sales	Sales Capture Rate	Est. Sales
			% of Total	% of Total	(\$000s)		% of Total	% of Total	(\$000s)	% of Total	(\$000s)
Total Personal Income (TPI)		\$2,251,677				\$110,955					
Convenience Goods											
Supermarkets	\$165,519	\$137,093	90%	75%	\$123,384	\$16,142	75%	7%	\$12,107	18%	\$30,028
Convenience Stores (incl. Gas Stations)	\$102,797	\$91,768	90%	80%	\$82,591	\$0	0%	0%	\$0	20%	\$20,206
Specialty Food and Beer, Wine, & Liquor Stores	\$23,378	\$14,485	90%	56%	\$13,036	\$0	0%	0%	\$0	44%	\$10,342
Health and Personal Care	<u>\$22,306</u>	<u>\$42,063</u>	<u>40%</u>	<u>75%</u>	<u>\$16,825</u>	<u>\$6,192</u>	<u>75%</u>	<u>21%</u>	<u>\$4,644</u>	<u>4%</u>	<u>\$837</u>
Total Convenience Goods	\$313,999	\$285,408	83%	75%	\$235,836	\$22,334	75%	5%	\$16,751	20%	\$61,413
Shopper's Goods											
General Merchandise											
Department Stores	\$5,594	\$12,518	10%	22%	\$1,252	\$14,859	25%	66%	\$3,715	11%	\$628
Warehouse Clubs & Supercenters, other GM	<u>\$56,421</u>	<u>\$180,124</u>	<u>25%</u>	<u>80%</u>	<u>\$45,031</u>	<u>\$7,879</u>	<u>25%</u>	<u>3%</u>	<u>\$1,970</u>	<u>17%</u>	<u>\$9,420</u>
Subtotal	\$62,015	\$192,642	10%	75%	\$46,283	\$22,739	25%	9%	\$5,685	16%	\$10,048
Other Shopper's Goods											
Clothing & Accessories	\$136,856	\$45,892	90%	30%	\$41,303	\$5,738	25%	1%	\$1,434	69%	\$94,119
Furniture & Home Furnishings	\$24,200	\$36,877	60%	91%	\$22,126	\$0	0%	0%	\$0	9%	\$2,074
Electronics & Appliances	\$45,752	\$19,413	90%	38%	\$17,471	\$4,909	75%	8%	\$3,682	54%	\$24,598
Sporting Goods, Hobby, Book, & Music Stores	\$29,868	\$29,594	75%	74%	\$22,196	\$3,960	25%	3%	\$990	22%	\$6,682
Miscellaneous Retail	<u>\$57,487</u>	<u>\$20,698</u>	<u>90%</u>	<u>32%</u>	<u>\$18,628</u>	<u>\$11,435</u>	<u>50%</u>	<u>10%</u>	<u>\$5,717</u>	<u>58%</u>	<u>\$33,141</u>
Subtotal	\$294,163	\$152,474	80%	41%	\$121,724	\$26,042	45%	4%	\$11,824	55%	\$160,615
Total Shopper's Goods	\$356,178	\$345,116	49%	47%	\$168,007	\$48,780	36%	5%	\$17,508	48%	\$170,662
Eating and Drinking	\$164,794	\$131,766	75%	60%	\$98,824	\$26,557	75%	12%	\$19,918	28%	\$46,052
Building Material & Garden	\$39,707	\$94,918	40%	96%	\$37,967	\$0	0%	0%	\$0	4%	\$1,740
Total Retail Goods	\$874,679	\$857,208	63%	62%	\$540,635	\$97,672	55%	6%	\$54,177	32%	\$279,867

Source: ESRI, 2017 Census of Retail Trade; ICSC Office Worker Retail Spending; Economic & Planning Systems

The estimated capture rate of sales to residents and workers in Summit County was applied to expenditure potential from the residents and workers estimated to be generated by the Mixed-Use Project. The residents and workers from the Mixed-Use Project are estimated to generate \$8.5 million in annual retail sales in Summit County, as shown in **Table 10**.

Table 10. Kimball Junction Mixed Use Project Estimated Annual Retail Sales

Store Type	Kimball Junction Mixed use Project			Capture Rate	Estimated Sales 2018
	Resident Exp. Potential	Employee Exp. Potential	Total Exp. Potential		
Convenience Goods					
Supermarkets	\$5,329,400	\$485,546	\$5,814,945	75%	\$4,361,209
Convenience Stores (incl. Gas Stations)	\$3,567,411	\$0	\$3,567,411	0%	\$0
Specialty Food and Beer, Wine, & Liquor Stores	\$563,081	\$0	\$563,081	0%	\$0
Health and Personal Care	<u>\$1,635,156</u>	<u>\$186,257</u>	<u>\$1,821,413</u>	75%	<u>\$1,366,060</u>
Total Convenience Goods	\$11,095,047	\$671,803	\$11,766,850		\$0
Shopper's Goods					
General Merchandise					
Department Stores	\$486,638	\$446,957	\$933,595	25%	\$233,399
Warehouse Clubs & Supercenters, other GM	<u>\$7,002,214</u>	<u>\$237,000</u>	<u>\$7,239,213</u>	25%	<u>\$1,809,803</u>
Subtotal	\$7,488,852	\$683,957	\$8,172,809		\$2,043,202
Other Shopper's Goods					
Clothing & Accessories	\$1,784,032	\$172,584	\$1,956,616	25%	\$489,154
Furniture & Home Furnishings	\$1,433,552	\$0	\$1,433,552	0%	\$0
Electronics & Appliances	\$754,652	\$147,669	\$902,321	75%	\$676,740
Sporting Goods, Hobby, Book, & Music Stores	\$1,150,457	\$119,108	\$1,269,564	25%	\$317,391
Miscellaneous Retail	<u>\$804,628</u>	<u>\$343,953</u>	<u>\$1,148,581</u>	50%	<u>\$574,291</u>
Subtotal	\$5,927,320	\$783,314	\$6,710,634		\$2,057,576
Total Shopper's Goods	\$13,416,172	\$1,467,271	\$14,883,443		\$4,100,778
Eating and Drinking	\$5,122,319	\$798,811	\$5,921,129	75%	\$4,440,847
Building Material & Garden	\$3,689,879	\$0	\$3,689,879	0%	\$0
Total Retail Goods	\$33,323,417	\$2,937,885	\$36,261,302		\$8,541,625

Source: 2017 Census of Retail Trade; Economic & Planning Systems

The estimated annual retail sales from the Tech Center would only come from workers on the site as there is not additional residential planned. The workers at the Tech Center are estimated to generate \$1.1 million in annual retail sales, as shown in **Table 11**.

Table 11. Tech Center Estimated Annual Retail Sales

Store Type	Tech Center			Capture Rate	Estimated Sales 2018
	Resident Exp. Potential	Employee Exp. Potential	Total Exp. Potential		
Convenience Goods					
Supermarkets	\$0	\$1,431,757	\$1,431,757	75%	\$1,073,818
Convenience Stores (incl. Gas Stations)	\$0	\$0	\$0	0%	\$0
Specialty Food and Beer, Wine, & Liquor Stores	\$0	\$0	\$0	0%	\$0
Health and Personal Care	\$0	\$186,257	\$186,257	75%	\$139,693
Total Convenience Goods	\$0	\$1,618,014	\$1,618,014		\$0
Shopper's Goods					
General Merchandise					
Department Stores	\$0	\$446,957	\$446,957	25%	\$111,739
Warehouse Clubs & Supercenters, other GM	\$0	\$237,000	\$237,000	25%	\$59,250
Subtotal	\$0	\$683,957	\$683,957		\$170,989
Other Shopper's Goods					
Clothing & Accessories	\$0	\$172,584	\$172,584	25%	\$43,146
Furniture & Home Furnishings	\$0	\$0	\$0	0%	\$0
Electronics & Appliances	\$0	\$147,669	\$147,669	75%	\$110,752
Sporting Goods, Hobby, Book, & Music Stores	\$0	\$119,108	\$119,108	25%	\$29,777
Miscellaneous Retail	\$0	\$343,953	\$343,953	50%	\$171,977
Subtotal	\$0	\$783,314	\$783,314		\$355,651
Total Shopper's Goods	\$0	\$1,467,271	\$1,467,271		\$526,641
Eating and Drinking	\$0	\$798,811	\$798,811	75%	\$599,108
Building Material & Garden	\$0	\$0	\$0	0%	\$0
Total Retail Goods	\$0	\$3,884,096	\$3,884,096		\$1,125,749

Source: 2017 Census of Retail Trade; Economic & Planning Systems

Hotel Visitation Analysis

The proposed hotel use within the Mixed-Use Project will be 122,500 square feet with an estimated 130 rooms and additional hotel amenities including dining options and conference space. The hotel is planned as a boutique hotel product aimed at luxury travelers. Hotel visitor and spending estimates were generated to estimate sales tax, tourism restaurant tax, and transient room tax (lodging tax). The assumptions (with data sources) used to estimate lodging related sales are shown in **Table 12**.

The proposed hotel uses is estimated to generate 30,843 annual room nights and 92,528 annual visitors. These visitors are estimated to spend \$467 per person per night on lodging and retail while visiting, based on estimates from the University of Utah's Gardner Policy Institutes' annual tourism impact profile for Summit County. Hotel visitors are therefore expected to generate \$7.9 million annually in lodging sales and \$19.5 million in food, retail, and entertainment sales.

Table 12. Hotel Development Visitors' Estimated Annual Spending

Hotel Estimates	Factor	Source
Hotel Assumptions		
Square feet	122,500	Dakota Pacific Real Estate
Estimated Rooms	130	EPS Estimate
Estimated Average Occupancy	65%	Estimated stabilized occupancy rate
Room Nights	30,843	EPS Estimate
Average Guests per Room	3.0	EPS Estimate
Estimated Annual Visitors	92,528	EPS Estimate
Daily Expenditure Assumptions		
Lodging (Average Daily Rate)	\$256	Utah Travel and Tourism County Profiles, 2018 - Gardner Policy Institute, Univ. of Utah
Food/Drink	\$106	EPS Estimate
Retail/Entertainment/Recreation	<u>\$106</u>	EPS Estimate
Total	\$467	2017/2018 Ski Utah Skier Study/2017 Park City Summer Guest Study
Annual Spending		
Lodging	\$7,895,680	EPS Estimate
Food Sales	\$9,761,651	EPS Estimate
Retail/Entertainment Sales	<u>\$9,761,651</u>	EPS Estimate
Total	\$27,418,983	

Source: Economic & Planning Systems

Fiscal Revenue Analysis

This section provides estimates of fiscal revenues generated by the proposed Mixed-Use Project and is compared to the existing Tech Center project. The sales tax, lodging tax (transient room tax), and property taxes from the project area estimated. Also estimated are the development fees expected to be generated by the proposed mixed-use project.

Sales Tax

The proposed Mixed-Use Project is estimated to generate \$26.2 million in retail sales, as shown in **Table 13**. The residents and employees from the project are estimated to generate \$8.5 million annually in retail sales and visitors are estimated to generate \$19.5 million in retail sales in Summit County. In addition, the hotel will generate \$7.9 million in lodging sales, which results in \$35.9 million sales that are subject to sales tax. Restaurant sales were broken out of the \$28.1 million to estimate restaurant tourism tax and total \$14.2 million.

The Tech Center program is estimated to generate \$1.1 million in retail sales, no lodging sales, and \$599,108 in restaurant sales.

Table 13. Kimball Junction Project Estimated Annual Sales by Type

Description	Mixed Use Project	Tech Center
Retail Sales		
Residents and Employees	\$8,541,625	\$1,125,749
Visitors	<u>\$19,523,303</u>	<u>\$0</u>
Total	\$28,064,928	\$1,125,749
Lodging Sales	\$7,895,680	\$0
Restaurant Sales	\$14,202,498	\$599,108

Source: Economic & Planning Systems

The estimated sales tax revenue from taxable retail sales, restaurant sales, and lodgings sales are provided in **Table 14**. The total sales tax rate in the Snyderville Basin Transit District is 7.45 percent. The \$35.9 million in taxable sales generated by the Mixed-Use Project will generate an estimated \$2.7 million in sales tax annually. In addition to the 7.45 percent, a 1.0 percent restaurant tourism tax is applied to sales at food establishments in counties that opt to apply the tourism tax including Summit County. The restaurant tourism tax is estimated to generate \$142,025 from sales to the mixed-use project residents, workers, and visitors. Lastly, the lodging sales from the hotel use in the proposed project will generate an estimated \$262,137 in transient room tax annually. In total, the Mixed-Use Project is estimated to generate \$3.1 million in sales tax revenue. The Tech Center program is only estimated to generate \$89,816 annually.

Table 14. Kimball Junction Project Estimated Annual Sales Tax Revenue

	Rate	Mixed-Use Project Estimated Sales Tax	Tech Center Estimated Sales Tax
Estimated Sales (includes Lodging sales)		\$35,960,608	\$1,125,749
Snyderville Basin Transit District			
State Sales and Use Tax	4.85%	\$1,744,089	\$54,599
Local Sales and Use Tax	1.00%	\$359,606	\$11,257
County Option Sales Tax	0.25%	\$89,902	\$2,814
Mass Transit Tax	0.30%	\$107,882	\$3,377
Additional Mass Transit Tax	0.25%	\$89,902	\$2,814
County Option Transportation Tax	0.25%	\$89,902	\$2,814
Transportation Infrastructure	0.25%	\$89,902	\$2,814
County Transit	0.20%	\$71,921	\$2,251
Botanical, Cultural, Zoo Tax	<u>0.10%</u>	<u>\$35,961</u>	<u>\$1,126</u>
Sales Tax	7.45%	\$2,679,065	\$83,868
Restaurant Sales		\$14,202,498	\$599,108
Restaurant Tourism Tax	1.00%	\$142,025	\$5,991
Estimated Lodging Sales		\$7,895,680	\$0
Snyderville Basin Transit District			
County Transient Room Tax	3.00%	\$236,870	\$0
State Transient Room Tax	<u>0.32%</u>	<u>\$25,266</u>	<u>\$0</u>
Total	3.32%	\$262,137	\$0
Total Tax		\$3,083,227	\$89,859

Source: State of Utah; Economic & Planning Systems

Property Tax

Property market values were estimated as a basis for estimating annual property tax revenues. EPS utilized three sources of data on property values including construction cost estimates using RS Means and input from Dakota Pacific, development values based on achievable rental rates and sales prices, and actual market values and assessed values from recently developed buildings in Summit County based on the valuations given by the Summit County Assessor.

The Mixed-Use Project is estimated to have a total development value (land plus buildings) of \$430.5 million at buildout, as shown in **Table 15**. The Tech Center is estimated to generate \$305 million in total property value. The higher value for mixed-use development is generated by higher average property values from the more diverse development program and the additional total development space within the Mixed-Use Project program.

Table 15. Kimball Junction Project Estimated Property Value by Use Type

Description	Square feet/units	Estimated Value	Value per Sq Ft/Unit
Tech Center			
Office/Flex	1,220,000	\$305,000,000	\$250
Kimball Junction Mixed-Use Project			
Office/Flex	160,000	\$40,000,000	\$250
Retail	19,000	\$4,940,000	\$260
Workforce Rental Housing (units)	306	\$58,070,880	\$189,774
Market Rate Rental Housing (units)	714	\$218,094,545	\$305,455
For-Sale Townhomes (units)	80	\$56,000,000	\$700,000
Hotel	122,500	<u>\$53,416,533</u>	\$436
Total		\$430,521,959	

Source: Summit County Assessor, Dakota Pacific Real Estate, Economic & Planning Systems

In the State of Utah, residents’ primary residences are entitled to an exemption of their property tax. The residents’ primary residence (either for-sale or rental units) will have a 45 percent reduction in the assessed value of the property they live in. As a result, the residential market values for a large portion of the Mixed-Use Project will have an assessed value lower than the actual market value. All of the rental units in the program are assumed to receive the exemption. Half of the townhome projects are assumed to be owned and occupied by Utah residents using the home as their primary residence. The other half is assumed to be owned by out of state owners or Utah residents as a second home. This estimate of half is based on the current housing vacancy rate in Summit County which is approximately 50 percent, which is driven predominately by units used for seasonal or recreational use (e.g. second homes, short term rental units). The total market value of the residential program is estimated to be \$332 million. However, the assessed value is estimated to be \$195 million as shown in **Table 16**.

Table 16. Mixed Use Project Estimated Residential Assessed Value

Kimball Junction Mixed-Use Project	Units	% Primary Residence	Full Tax Units	Assessed Value	Exempt Units	Assessed Value	Total Assessed Value
Workforce Rental Housing	306	100%	0	\$0	306	\$31,938,984	\$31,938,984
Market Rate Rental Housing	714	100%	0	\$0	714	\$119,952,000	\$119,952,000
For-Sale Townhomes	<u>80</u>	50%	<u>40</u>	<u>\$28,000,000</u>	<u>40</u>	<u>\$15,400,000</u>	<u>\$43,400,000</u>
Total	1,100		40	\$28,000,000	1,060	\$167,290,984	\$195,290,984

Source: Economic & Planning Systems

The Mixed-Use Project is estimated to have a total assessed value of \$293.6 million, which will generate \$2.2 million in total annual property tax, as shown in **Table 17**. The Tech Center project is estimated to have a total assessed value of \$305 million and generate an estimate \$2.3 million in annual property tax, due to its entirely nonresidential program.

Table 17. Kimball Junction Project Estimated Annual Property Tax

Description	Tax Rate	Mixed Use Development			Tech Center		
		Residential	Non-Residential	Total	Residential	Non-Residential	Total
Actual Market Value		\$332,165,425	\$98,356,533	\$430,521,959	\$0	\$305,000,000	\$305,000,000
Assessed Value		\$195,290,984	\$98,356,533	\$293,647,517	\$0	\$305,000,000	\$305,000,000
Taxing Entities							
Summit County Municipal Service	0.000559	\$109,168	\$54,981	\$164,149	\$0	\$170,495	\$170,495
Summit County General Fund	0.000756	\$147,640	\$74,358	\$221,998	\$0	\$230,580	\$230,580
State Assessing and Collecting	0.000009	\$1,758	\$885	\$2,643	\$0	\$2,745	\$2,745
Local Assessing and Collecting	0.000155	\$30,270	\$15,245	\$45,515	\$0	\$47,275	\$47,275
Weber Basin Water Conservation	0.000153	\$29,880	\$15,049	\$44,928	\$0	\$46,665	\$46,665
Park City Fire District	0.000667	\$130,259	\$65,604	\$195,863	\$0	\$203,435	\$203,435
Mosquito Abatement	0.000027	\$5,273	\$2,656	\$7,928	\$0	\$8,235	\$8,235
Snyderville Basin Recreation	0.000801	\$156,428	\$78,784	\$235,212	\$0	\$244,305	\$244,305
Park City School District	0.004384	\$856,156	\$431,195	\$1,287,351	\$0	\$1,337,120	\$1,337,120
Charter School Levy - Park	<u>0.000040</u>	<u>\$7,812</u>	<u>\$3,934</u>	<u>\$11,746</u>	<u>\$0</u>	<u>\$12,200</u>	<u>\$12,200</u>
Total	0.007551	\$1,474,642	\$742,690	\$2,217,332	\$0	\$2,303,055	\$2,303,055

Source: Economic & Planning Systems

One-time Development Fees

The one-time development fees assessed to new developments in the Snyderville Basin area were estimated for the Mixed-Use Project. To estimate the development fees, the estimated construction cost is needed. EPS estimated the construction cost for the project based on comparable project experience, input from Dakota Pacific, and utilizing RS Mean construction cost estimating software. The estimated construction value based on the International Building Code (IBC) and the International Residential Code (IRC) are also required to estimate building fees due to the valuation guidelines provided by Summit County. EPS estimates the total construction cost of the project to be \$273 million, as shown in **Table 18**. The estimated construction valuation based on the Summit Code valuation guidelines driven by the IBC and IRC is \$240 million.

Table 18. Mixed-Use Project Estimated Construction Cost and Valuation

Description	Square feet / units	Estimated Construction Costs	Cost per Sq Ft / Unit	IBC/IRC Valuation per Sq Ft	IBC/IRC Valuation
Kimball Junction Mixed-Use Project					
Office/Flex	160,000	\$32,480,000	\$203	\$181.12	\$28,979,200
Retail ¹	19,000	\$3,990,000	\$210	\$154.36	\$2,932,840
Workforce Rental Housing	306	\$44,370,000	\$145,000	\$152.86	\$53,068,545
Market Rate Rental Housing	714	\$135,660,000	\$190,000	\$152.86	\$123,826,605
For-Sale Townhomes	80	\$21,200,000	\$265,000	\$102.91	\$9,340,486
Hotel	122,500	<u>\$35,525,000</u>	\$290	\$182.28	<u>\$22,329,300</u>
Total		\$273,225,000			\$240,476,976

¹ Retail assumed to be 50% restaurant/bar and 50% retail shops

Note: All residential units assumed to be same size (1,135 sq ft) for purposes of estimating IRC valuation

Source: RS Means, Summit County, Dakota Pacific Real Estate, Economic & Planning Systems

The Building and Permit Fees that would be generated by the Mixed-Use Project are shown in **Table 19**. The project is estimated to generate \$3.1 million in one-time building and permit fees. The estimated impact fees that will be generated by the Mixed-Use Project include the County Transportation Impact Fee, the Snyderville Basin Special Recreation District Impact Fee, and Snyderville Basin Water Reclamation District Impact Fee. EPS estimates the project will generate at least \$12.3 million in impact fees for the three fee sources. The impact fees from commercial development for the Snyderville Basin Water Reclamation District were not calculated because the fees are based on estimated water use tied to specific uses proposed. EPS does not have sufficient information to estimate the fees and they are calculated by the SBWRD engineer based on construction plans.

Table 19. Mixed Use Project Estimated One-time Development Fees

Description	Rate	Factor	Mixed Use Development	
			Unit	Estimated Fee
Building and Permit Fees				
Building Fees				
Commercial	0.75%	of IBC construction value	\$54,241,340	\$406,810
Residential	0.75%	of IRC construction value	\$186,235,636	\$1,396,767
Permit Fees				
Commercial	65%	of building permit fee	\$406,810	\$264,427
Residential	65%	of building permit fee	\$1,396,767	\$907,899
Plumbing Permit Fee				
Commercial	\$0.030	per square foot	301,500	\$9,045
Residential	\$0.025	per square foot	1,248,000	\$31,200
Mechanical Permit Fee				
Commercial	\$0.030	per square foot	301,500	\$9,045
Residential	\$0.025	per square foot	1,248,000	\$31,200
Electrical Permit Fee				
Commercial	\$0.035	per square foot	301,500	\$10,553
Residential	\$0.030	per square foot	1,248,000	\$37,440
Total Building and Permit Fees				\$3,104,385
Impact Fees				
Transportation Impact Fees				
Business Park	\$2,234	per 1,000 sq ft	160	\$357,474
Specialty Retail Center	\$5,584	per 1,000 sq ft	9.5	\$53,046
Sit Down Restaurant	\$20,260	per 1,000 sq ft	9.5	\$192,469
Hotel	\$1,282	per 1,000 sq ft	123	\$157,001
Multifamily Residential	\$1,160	per unit	1,100	\$1,276,440
Snyderville Basin Special Recreation District Impact Fees				
Commercial	\$0.56	per square foot	301,500	\$168,840
Residential	\$3,444	per unit	1,100	\$3,788,279
Snyderville Basin Water Reclamation District				
Residential				
2 bedroom units	\$5,848	per unit	1,020	\$5,964,960
3 bedroom units	\$8,772	per unit	80	\$701,760
Commercial				
Dependent on use	8,772	per RE equivalent	To Be Estimated by SBWRD Engineer	
Total Impact Fees (less SBWRD fees for commercial)				\$12,302,795

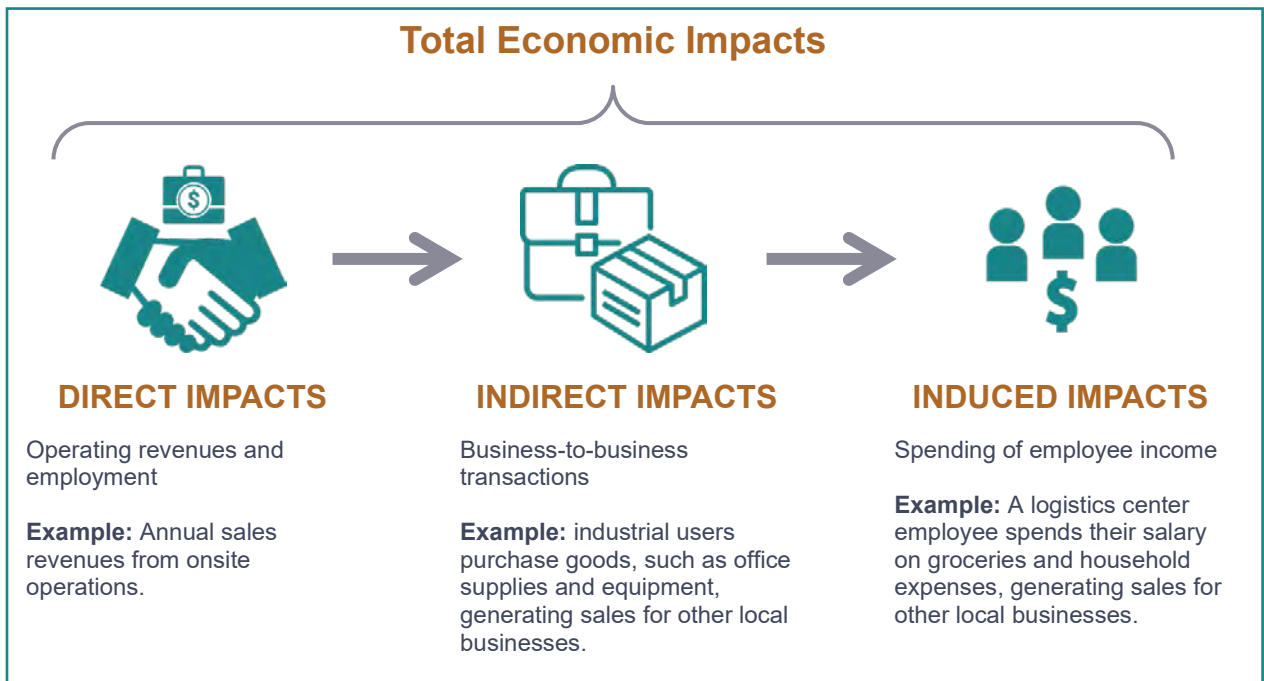
Source: Economic & Planning Systems

Economic Impact Analysis

EPS prepared an Economic Impact Analysis of the proposed Mixed-Use Project. The purpose is to estimate the quantifiable one-time construction and ongoing operational impacts of the proposed project on the local economy with respect to jobs, income, and total economic output. The economic stimulus generated by the project will have a multiplying effect throughout the economy as local businesses, consumers, and employees associated with the project make local expenditures. This Economic Impact Analysis quantifies these impacts using an input-output (I/O) economic modeling system, which measures the change in regional economic activity resulting from a specific economic stimulus.

In this Economic Impact Analysis, the local economy is defined as Summit County, and the economic impacts measured include the direct contributions of the project, as well as indirect and induced impacts resulting from project construction and operations. **Figure 2** illustrates the activities captured by this Economic Impact Analysis.

Figure 2. Economic Impact Analysis



Source: EPS.

The inputs into the IMPLAN economic model are shown in **Table 20**. The primary inputs to the model are the construction costs of the development program and the estimated number of jobs (by industry) that will be located at the project once built.

Table 20 Kimball Junction Project IMPLAN Inputs

Description	Square feet / units	Construction Costs	Jobs	NAICS Code	
Kimball Junction Mixed-Use Project					
Office/Commercial (square feet)	160,000	\$32,480,000	588	See Mix on the Right	
Retail	19,000	\$3,990,000	38	50% - 44-45, 50% 722	
Workforce Rental Housing (units)	306	\$44,370,000	0		334 15%
Market Rate Rental Housing (units)	714	\$135,660,000	0		53 35%
For-Sale Townhomes (units)	80	\$21,200,000	0		54 25%
Hotel (square feet)	122,500	\$35,525,000	408	72111	561 25%

Source: Economic & Planning Systems, Dakota Pacific Real Estate

The Mixed-Use Project has an estimated construction cost of \$273 million, as shown in **Table 21**. The construction of the project is estimated to generate a total one-time economic output to the Summit County economy of \$471 million. The construction of the project will also generate the need for 1,990 total job years.

The Mixed-Use Project is estimated to result in space to accommodate 1,034 jobs within multiple industry sectors within the office, retail, and hotel uses. The total annual on-going operating impacts on the Summit County economy from the jobs located in the project is estimated to be \$358 million. The 1,034 direct jobs will result in an additional 364 indirect jobs and 155 induced jobs, as shown in **Table 22**.

A mixed-use development, even with a more residential orientation, still generates positive economic impacts. The proposed Mixed-Use Project will generate a diversity of jobs both on site and also indirect and induced jobs. **Table 23** shows the indirect and induced employment generated by the project in key industries including near 100 jobs in professional, scientific, and technical services. Other industries with indirect and induced employment being generated by the project include management of companies, real estate, administrative services, and other financial services. These impacts will likely be generated in shorter time period, as the Tech Center program has not been able to attract the types of jobs promised with the development proposal.

Table 21. Mixed-Use Project One-Time Construction Impacts

Activity/Impact Categories	Impact Type			Total One Time Impacts
	Direct	Indirect	Induced [1]	
Key Input				
Project Construction Costs	\$273,225,000			
One-Time Construction Impacts				
Summit County Output [2]				
Industry Output (excl. Income)	\$273,230,000	\$59,100,000	-	\$332,330,000
Income [3]	\$117,660,000	\$20,940,000	-	\$138,600,000
Total Output	\$390,890,000	\$80,040,000	\$0	\$470,930,000
Summit County Employment (Job years) [4]				
	1,623	367	-	1,990

Source: IMPLAN, 2018 Dataset, Summit County, Dakota Pacific Real Estate, EPS.

[1] Note that total construction impacts include direct and indirect impacts only; induced impacts were not estimated because construction activities are temporary and thus are not anticipated to generate net new household expenditures in the local economy.

[2] Analysis based on Summit County data. Output is the amount of business expenditures on goods and services retained within the local economy.

[3] Includes employee compensation, proprietors income, and other income (industry profits, rents, and royalties).

[4] Employment includes both full-time and part-time workers. Job years refer to the number of jobs in each year summed over the entire estimated period of construction of the Project. For example, a single worker employed for two years would equate to two job years.

Table 22. Mixed-Use Project Annual On-going Operations Impacts

Activity/Impact Categories	Impact Type			Total Annual Ongoing Impacts
	Direct	Indirect	Induced	
Key Input				
Ongoing Project Employment	1,034			
Annual Ongoing Operating Impacts				
Summit County Output [1]				
Industry Output (excl. Income)	\$194,140,000	\$58,120,000	\$21,620,000	\$273,880,000
Income [2]	\$57,220,000	\$19,820,000	\$7,030,000	\$84,070,000
Total Summit County Output	\$251,360,000	\$77,940,000	\$28,650,000	\$357,950,000
Summit County Employment (Annual Average) [3]				
	1,034	364	155	1,553

Source: IMPLAN, 2018 Dataset, Summit County, Dakota Pacific Real Estate, EPS.

[1] Analysis based on Summit County data. Output is the amount of business expenditures on goods and services retained within the local economy.

[2] Includes employee compensation, proprietors income, and other income (profits, rents, and royalties).

[3] Reflects stabilized operational employment Project. Employment includes both full-time and part-time workers.

Table 23 Summary of Key Industry Employment – Indirect and Induced Impacts

Item	Key Indirect and Induced Employment by Industry [1]
Key Industry Category	
Professional, Scientific, and Technical Services	92
Food Services and Drinking Places	72
Management of Companies and Enterprises	46
Real Estate	45
Administrative and Support Services	42
Construction	21
Securities, Commodity Contracts, and Other Financial Investments and Related Activities	18
Wholesale Trade	14
Repair and Maintenance	13
Ambulatory Health Care Services	10
Personal and Laundry Services	10
Other Industries	<u>1,169</u>
Total Key Industry Employment	1,553

Source: IMPLAN; Economic & Planning Systems

[1] Reflects key industry indirect and induced employment supported by the direct economic activity generated by the project.

EXHIBIT G

From: [TOM RICHARDS](#)
To: [Kirsten Whetstone](#)
Subject: Kimball Junction Development Plan
Date: Monday, June 22, 2020 5:15:31 PM

As a Summit County resident for over 25 years, I feel this is way to many new residences. Kimball Junction is very busy with auto traffic without this large influx. I walk almost everywhere in the Kimball Junction area, but I know that the majority of people with my identical access to trails and path don't walk, they drive, so more traffic. A fix might be to design some larger, higher priced residences and reduce some of the small units. Since I have your ear, I also feel an alternative access and egress to Park City should be planned to alleviate through traffic from Park City to I-80 that has no business in Kimball Junction. Just a choice for drivers who wish to save time and trouble of passing through Kimball Junction. I know it is a difficult task to find a way, but in a few years of development it will be impossible. Thanks for your ear. Tom Richards

From: [Susan Adams](#)
To: [Kirsten Whetstone](#)
Subject: Dakota Pacific Development Agreement Amendments: Summit Research Park
Date: Tuesday, June 23, 2020 12:15:24 PM

Hi Kirsten,

After attending the first "Hey, Kimball Junction" webinar put on by Dakota, I have some further questions/concerns regarding the proposed Summit Research Park development that I hope can be addressed in the planning committee meeting. (I am an owner/year round resident in the Crestview condos and work in Park City.)

1. How will the "no nightly rentals" for all units be guaranteed/enforced?
2. What would the height of the buildings be, measuring from street level, and how far back set from the street would they be?
3. Will solar panels be incorporated on the buildings to help mitigate energy use?
4. Will rain water be collected to use for watering the green/park spaces within the development?
5. How will storm water run-off be managed?
6. Will the "opportunities" for playgrounds, trails, passive park land, and plazas within the development actually be implemented?
7. Traffic: In their webinar they said the residential traffic of the new plan vs the worker traffic of old plan is less. They did not address the impact of traffic from the hotel visitors and hotel employees. How would that affect the overall traffic in the area?
8. Hotel: In their webinar they said there was interest for a boutique style hotel in the area. Who/what parties are interested in this hotel?
9. Snyderville Basin General Plan, Chapter 2, Objective D,
Policy 2.17: Within defined mixed use areas, a range of uses should be supported that are appropriate for each individual location and neighborhood, and may include small scale retail, offices, business and personal services, schools, and parks designed to meet the needs of the neighborhood.

This policy does not support the implementation of a hotel in this area/development. Particularly since this area is being promoted as a "community neighborhood."

It makes no sense to me to have a hotel in this area. There are already numerous hotels/motels, condo nightly rentals in the Kimball Junction area and a hotel at the Olympic Park. Plus, the ski resorts are currently building more lodging units and have future plans of building more on/near the resorts. I think the land proposed for the hotel would be better kept as open space to minimize a feeling of being in a canyon

when traveling on Tech Center Drive. With tall buildings on both sides of Tech Center Drive, to have a tall hotel at the end of the road would not provide the "open mountain land" experience that people think of in regards to Park City. Also, the hotel would add more traffic and general congestion to this small area.

9. How many units/people would the hotel accommodate? How many employees would the hotel require?

10. What would the height of the hotel be, measuring from street level, and how far back set from the street would it be?

Thank you for your time.

Sincerely,

Susan Adams

From: [Sherri Connery](#)
To: [Kirsten Whetstone](#)
Subject: Mixed Use Proposal for Kimball Junction
Date: Monday, June 22, 2020 7:37:02 PM

I am strongly against any mixed use for the "Tech Center". The "Tech Center" was forced on us years ago when we asked for open space. We were promised that it would only be light office space. It is already an ugly blemish on the entry corridor. I support either the county purchasing as open space or requiring the use to remain as is. Kimball Junction is dysfunctional as is, we do not need to add to the problem with hundreds of residential units.

Sherri Connery

From: [scott johnson](#)
To: [Kirsten Whetstone](#)
Subject: Dakota Pacific Real Estate"s proposed mixed-use development
Date: Tuesday, June 23, 2020 7:41:04 AM

As a longtime resident of the kimball junction area. I strongly oppose any changes in the development code for the tech center land. The original development code issued in 2008 was carefully thought out and should not be amended to accommodate for the new owners requests. This is a congested area and cannot accommodate another development of this size. The addition of potentially thousands of cars would place overwhelming stress on the infrastructure and natural environment. This proposed project is obviously an attempt to maximize the developers profits with limited concern regarding any Impact on the community.

Scott johnson

From: [Kim Knutson](#)
To: [Kirsten Whetstone](#)
Subject: Dakota Pacific Development
Date: Monday, June 22, 2020 5:53:05 PM

While I know that my voice will be unheard since developers and real estate agents are the only ones with enough clout to make things happen in this town, but the proposed development is totally insane. Sure- if you build it, they (might) come, but why are developers bent on destroying Park City. The 224 corridor cannot handle the traffic we already have in a normal year. There are only two egresses - 224 and 248 and both are overburdened with the traffic load we already have. Trying to cross 224 to access the library, outlet malls, Walmart, Whole Foods is almost impossible even now. The traffic is at a standstill from approximately 3:30 pm til 6 pm on a regular basis, which funnels huge traffic issues down Old Ranch Rd negatively impacting the neighborhood and all the bicycle traffic ORR normally receives. Putting 1100+ rooms on that beautiful open space will add a minimum of 3300 automobiles and 224 CANNOT handle that load. Please reconsider and put that size of development somewhere else. Park City is being destroyed, it by bit.

Sent from my iPad

From: [Kathy Mears](#)
To: [Kirsten Whetstone](#)
Subject: Fwd: Kimball Junction Business park use change request comments
Date: Tuesday, June 23, 2020 3:28:24 PM

See below

I am adamantly opposed to allowing the proposed use change. The planners for the development company have prepared an artistic and appealing looking plan with all the buzz words of walkability, trails, open space and workforce housing. It is a nice design for an expanding urban area but, in my opinion, absolutely inappropriate in the Snyderville Basin area and Kimball Junction...

I live in Highland Estates and I was a member of BOSAC (Basin Open Space Advisory Committee) for 5 years and at the time of the BOSAC/COSAC land purchase from the Boyer Company and PRI. It was, as I recall, the same agreement that designated the area now known as the business park for that specific use. The land acquisition of \$25M was a joint effort of the county and the city and was to preserve the entry to Park City's scenic value, to reduce the proposed possible housing development and provide open space and recreational opportunities at Kimball Junction and leading to the Olympic Park. NEVER was there any intent to, in the future, allow an area with 1100 housing units and a hotel. At the time of the land acquisition, \$25M was a huge acquisition price and the business park was established. I think all of us who live in Snyderville Basin and Park City are very grateful for the foresight and collaborative efforts of Summit County and Park City to preserve this area.

I have spoken with many residents and have yet to hear that that housing would be any benefit to our community. In fact, everyone views this as a future nightmare at Kimball Junction. Many locals already are so upset about Kimball Junction traffic and congestion. I am on the just say No side of this discussion. Of course, there is also the school issue which seems to have been left out of developer discussions. I hope you and the other planners will also see this from the eyes of local residents.

The request for 1100 units and a hotel is outrageous and has no community benefit. There are 306 workforce housing units approved for the Silver Creek Village area ,30 approved at Discovery Ridge, 79 approved at Park City Heights and over 1100 workforce beds in the Canyons starting to get ready to be built. Plus the 157 currently built workforce housing apartments at Liberty Peak. It is my understanding that that development satisfied the workforce housing development requirement for the business park approval. Please say NO and put this to rest. Thank you!

Kathy

Kathy Mears
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e fax 800.353.3430



Kirsten Whetstone

From: Jill Gildea <jgildea@pcschoools.us>
Sent: Tuesday, June 23, 2020 8:48 PM
To: Kirsten Whetstone
Subject: Comment

<https://youtu.be/jwuPui0pmO4>

Throughout the comments, this song was stuck in my head!

Please consider economic diversity and entry aesthetic to Park City 👍

Thanks to all! Jill Gildea

Sent from my iPhone

From: [Ed](#)
To: [Kirsten Whetstone](#)
Subject: comment for SBPC mtg tonite
Date: Tuesday, June 23, 2020 4:51:20 PM

Hi Kirsten, unfortunately I am unable to attend tonight's mtg, but my public comment is that some type of dedicated, deed restricted, senior living apts would be appreciated by our seniors, and would go a long way toward satisfying any compelling community interest obstacles. Thank you in advance for giving this large project the utmost of your attention to make sure it corresponds to ALL applicable county codes and desires. The developers are asking a lot, and they need to provide things we want to get the changes they desire.

Thanks and take care,
Ed Parigian,
Old Town, Park City

Public Hearing - Research Park Redesign

June 23, 2020

Colin DeFord - public comment

TO: Snyderville Basin Planning Commission & Summit County Planning Department;

The number one question you should ask as Commissioners is, “why?” Why should you recommend a redesign and redevelopment of the Research Park? You do not have to do anything.

As I read through Dakota Pacific’s presentation from August of 2019, below is what I can find as a benefit to the community;

- More work-force housing
- Rental units / Senior units.

That is it; that is the only benefit to the community.

There is no doubt the Research Park has issues. The Sasaki Research Park design was exciting for its time. We dodged another project that in 2008 also looked great, but as we now know is not sustainable without some other research park anchor, such as a major university.

We have an opportunity to reimagine these 71 acres and create something we can all benefit from in the basin.

My understanding is that in 2008, the county struck a deal with PRI (who owned the acreage of the Research Park and the now open space below the Olympic Park) to help decrease the build density that was proposed on the entire parcel. The county was then able to keep the now-open space, opening and pushing the commercial density toward Walmart.

With this deal in mind, the Dakota Pacific design negates what the County intended in 2008, which was keeping the density low. The change in use from the research park’s use-restricted table to the currently proposed lifting of those uses will by far increase the density on the project.

Things to think about when making your recommendation, although not all of this is within your purview, but I am stating them regardless:

- Part of the approval for the Research Park was higher-paying jobs:
 - There is very little in economic development that comes back to the county in this project, except for a few retail and hotel jobs;

- Kimball Junction should be a county revenue generator. The project should contribute back more than it takes in funds, considering property tax, sales tax and school tax contributions to the county and school district;
- The design does very little for anyone that does not live on-site, it simply contributes to people and car density in Kimball Junction;
- The preamble to Dakota Pacific's design states that it, "fosters inclusivity, creates authentic places, and connects people in meaningful ways." What exactly does this mean?
 - Who does it connect? From what I can see, it only connects the people that will actually live inside the complex;
 - Fosters inclusivity? Is this a definition of the multiple types of housing? This project, as designed, is not designed to include anyone from outside the project;
 - What is an authentic place? I do not understand what that means in this context;
 - Lastly, "connecting people in meaningful ways" should instead be defined as connecting our community and Kimball Junction - not just internal building to building, as exists in the current design.

The presentation from Dakota Pacific goes on to state that they need a partnership with many parties. For a project this large and this impactful, there needs to be more of a benefit for the residents in the basin.

This project is poor design. I understand that there is a vested use on this land, but you now have an opportunity to steer the use into something that is beneficial to the county and its residents.

With this current plan, imagine yourself as a pedestrian: why would you be at Olympic View, unless you were a resident? Probably biking or hiking through to access trails, highlighting that Olympic View is not a destination.

What this should be is a real Town Center, not a town center that is tied to a ski resort, but one that can stand alone, on its own merits.

Where in the basin are we able to enjoy day to day living, interact, celebrate, stroll, have a place to peacefully protest, sit and watch the world go by? Where can we park once and then walk to the corner store, go to the square, the library, a cafe, a sledding hill where parents can watch while drinking a latte from a locally-owned vendor? With this project, we are simply creating another isolated and poorly connected development.

We have a chance to reimagine Kimball Junction as a place to gather, to linger, to play, to hang, to have the amenities of the old downtowns that many remember from their childhood.

This parcel is begging to be a walkable, integrated open-air development anchored in affordable retail rents for businesses, restaurants, and leisure services. Vertically mixed residential types with office space and civic use, all smartly placed.

Let's connect this community, not isolate it as is the current plan. We need a central place for our community, a boulevard that reminds us of the old main street that encourages exploration. An enduring, memorable public realm that is characterized by a pleasant and walkable environment where pedestrians can window-shop while others dine al fresco. Good design promotes mental well-being.

This is an opportunity for a public domain to host community events with the open space appropriate to host them. Walkability, good circulation, connectivity, and ample underground parking, which helps with the snow removal that plagues larger developments.

Commissioners, you have spent countless hours on Kimball Junction Master Planning and this project does not fit within that new vision. This project design is with its back to the rest of Kimball Junction, the doors are closed to this development's neighbors.

Send this project back to the architect with a request to "do better," with a negative recommendation. Tell Dakota Pacific not to come back until this project is the example and genesis of the redesign of the rest of the underdeveloped and poorly designed Kimball Junction.

Regards,

Colin DeFord

From: [Brook Connery](#)
To: [Kirsten Whetstone](#)
Subject: Kimball jct project
Date: Monday, June 22, 2020 8:53:44 PM

Hi - there is no way kimball jct can support the additional traffic the proposed mixed use project will generate. Keep it office space as originally zoned. Brook Connery

From: Amy Mills <amills3912@yahoo.com>

To: County Council <countycouncil@summitcounty.org>

Sent: Wednesday, June 17, 2020, 10:06:49 AM MDT

Subject: Kimball Junction development

Summit County Council,

I have filled out the "Hey Kimball Junction" survey, but I must say that it left me cold. It seems that the last thing the community needs is another behemoth development, ruining open space and further clogging the Kimball Junction traffic interchange. Ideally, this land could be bought by the County or conserved as a conservation easement. But it appears that the development is a 'done deal', and the public may only be able to influence the details.

With those lowered sights in mind, I have 4 suggestions:

1. Preserve as much open space as possible, without greater building density or greater building heights.
2. To meet local housing needs, consider supporting an assisted living facility so those of us that age in Park City don't have to move away.
3. For stores (which we probably don't need, given the empty storefronts in Newpark), we could use some practical businesses such as a hardware store, rather than trendy gifts and pillows and more places to overeat. If we must have businesses, maybe the County could encourage businesses that serve the community.
4. The County could locate a recycling hub such as a set of drop-off bins for residents in the KJ area who don't have curbside recycling and can't or won't travel to Recycle Utah.

Thank you for anything you can do along these lines.

Amy Mills, Park City

From: [Aaron Sandler](#)
To: [Kirsten Whetstone](#)
Subject: Park City Tech Center Question
Date: Tuesday, June 16, 2020 10:56:50 AM

Hi Kirsten-

I took part in a presentation from the developers who purchased the Park City Tech Center land in Kimball Junction last week.

A question I posed to them was whether they have been in contact with Basin Rec or given any thought to including a park facility, including an outdoor field, possibly tennis or pickle ball courts, a basketball court and a child playset area. They said this is not something they've considered so far in their development plans, but that if residents pushed for it then it is something they'd be open to considering.

I strongly feel that if Summit County representatives are going to approve a change in the development rights for this land and allow developers to build more housing and retail then the stipulations should include not just ample open space, but building a park similar to Willow Creek for the community.

What is the best way to relay my thoughts to the Summit County planning commission?

Thanks,

Aaron Sandler
1695 Redstone Ave. #B2
Park City, UT 84098

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Thursday, July 23, 2020 2:00:27 PM

-----Original Message-----

From: Angela Wambach [<mailto:info@heykimballjunction.com>]
Sent: Thursday, July 23, 2020 10:17 AM
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal

07/23/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- * Generates less traffic than approved Tech Center office park plan.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Angela Wambach
570 N Dexter St 84116

As a new Skullcandy employee and avid visitor of Park City for mountain biking, I would love to see Kimball Junction focus on sustainability, cycling and pedestrian access, and a more diverse community. This will be beneficial to locals and guests, and make me more likely to continue spending more time and money there.

From: [William Mammen](#)
To: [Kirsten Whetstone](#)
Subject: Tech Park Plans
Date: Thursday, July 16, 2020 4:00:52 PM

Kirsten,

I am alarmed at the proposal to replace the tech park with rental units and a hotel. I believe very strongly that this is the wrong thing for that location.

1. The tech park would be able to control traffic much better than a hotel or rental units ever could. The Tech park could encourage car pooling and public transit while also offering flexible hours to compensate for peak traffic times. Rental units could not control traffic at all.

2 The big problem with the Tech Park is that they were too strict about what constituted "Tech." For years Nutraceutical tried to purchase a pad but they wouldn't sell to them because they were essentially just offices and their Lab facilities were elsewhere. I have heard of other businesses who wanted to locate there but they too did not qualify as "Tech." If any change is needed, they should just make it a "Business Park" Skull Candy is not anything other than a business.

3. There is no real reason for Tech to locate in Park City. Most of the people they would hire live in the valley.

Bill Mammen, AIA, LEED AP
Mammen Associates Architecture

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Thursday, July 23, 2020 2:02:19 PM

-----Original Message-----

From: Brooke Jacobs [<mailto:info@heykimballjunction.com>]
Sent: Tuesday, July 21, 2020 11:48 AM
To: zack@schematik.io
Subject: In support of the Dakota Pacific Development proposal

07/21/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
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- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Brooke Jacobs
65 Saint Moritz Ter, Park City, UT 84098 Local resident for 30 years.

July 21, 2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

1. The current Tech Center zoning is too restrictive to attract an array of tenants, particularly with less-expensive office space available elsewhere in the same area. If the current zoning remains in place, it could take decades to entice tech companies to invest in the area.
2. By rezoning the neighborhood, much needed affordable housing could be offered to benefit the entire Kimball Junction and Park City community.
3. Rezoning will offer economic opportunities for local residents today and into the future.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,



Clair Christoffersen

Owner and Broker C&W Premier Insurance Agency, Inc. Park City, Summit County and Utah
Park City Resident since 1989: 2532 Annie Oakley Drive, Park City, UT 84060
Townhome Owner: FoxPointe at Redstone (Kimball Junction)

From: [Dee Macaluso](#)
To: [Kirsten Whetstone](#)
Subject: Dakota Pacific
Date: Friday, July 17, 2020 11:36:03 AM

Dear Kirsten,

Please do not support the plans Dakota Pacific has for development near Kimball Junction. I'll keep it at that, as you have already heard all the reasons why.

Thanks,

Dee Macaluso

Recent Park Record issues have presented letters and opinion pieces expressing valid concern over the proposed Dakota Pacific development in Kimball Junction. While each has presented concerns about the proposal, most especially traffic congestion, each has in my opinion, overlooked some compelling reasons why this proposal is good for Kimball Junction and Summit County.

In the spring of 2017 Summit County named a committee to take a comprehensive look at Kimball Junction, with the specific charge to address Land Use, Transportation/Transit, Neighborhood Connectivity and Way-Finding Signs. The committee comprised of area residents was supported by Summit County staff planners. Over the next 20 months the committee developed the proposed Kimball Junction Neighborhood Plan Amendment to the Snyderville Basin General Plan. In subsequent public hearings before the Snyderville Basin Planning Commission and the Summit County Council broad public comment was heard and factored into the approval decisions by these two bodies.

The Neighborhood Plan as approved paves the way for a sustainable environment where people can live, work and recreate. It envisions the following attributes:

- A Mixed-Use Neighborhood
- A People Oriented Walkable Environment
- A Seamlessly Connected Neighborhood
- A Variety of Housing Choices
- High Visual Quality
- Centralized Parking

The Dakota Pacific proposal that impacts the west side of 224 is in sync with these positive attributes, and the approved vision. Its implementation is supported by the Neighborhood Mixed Use zoning proposal being prepared by Summit County. Traffic studies show the peak time traffic load added by the Dakota Pacific development when fully built, appears to be less than what would occur with the build out of the original entitlement. That said, the Snyderville Basin and Park City traffic problem needs to be resolved. Allowing the current agreement for this property to remain in place as the Park Record suggested last week does not address the current traffic congestion, merely kicks it down the road, until the public will demand the necessary political resolve to improve it.

The Kimball Junction Planning Committee met with the head of UDOT during the analysis and planning process to focus directly on how current and future traffic concerns could be addressed. It was advised that it would be necessary for Park City and Summit County to bring an agreed solution to UDOT. Past planning conversations have suggested that Bus Rapid Transit (BRT) is likely the preferred solution. The Dakota Pacific proposal reserves appropriate land to enable an appropriate transit center to be integrated into the project at a later date. While it would be preferable to incorporate a solution to our ages old traffic problem now, preserving the ability to add it later is relevant. While it is appropriate to expect the developer to

participate in the cost to solve this problem, they should not be expected to carry the entire cost. In my opinion It should appropriately be shared by Summit County, Park City, and UDOT.

The substantial growth that Utah and Summit County have seen and will continue to see must also be considered. New residents are going to live somewhere, and a sustainable transit-oriented development will provide an opportunity to lower their carbon footprint.

The Kimball Junction Neighborhood Plan along with the Neighborhood Mixed Use zoning, lay the groundwork for a world class live-work-play environment. The Dakota Pacific proposal gives us an opportunity to begin moving towards that vision within the next few months. In preparation for whatever may happen in Kimball Junction, it critical that we begin moving now to address the traffic problem.

Gordon Mills, FAIA
Snyderville Basin

Henry Sigg
Summit County Resident for 42 years
Profession: Real Estate Developer

Honorable Commissioners and Council

As a multi decade resident of Summit County I am here to voice my opposition to the Dakota-Pacific development at the Park City Tech Park.

As a real estate developer in support of regulated responsible and sustainable growth in our community. I am in support of nodal development that preserves open space and creates sustainable balance between economic viability and population growth in a live work setting.

This development is akin to Hideout – it is all residential at the expense of the citizens that have worked long and hard to preserve the amenity which is our community. This proposal will have the effect of Increasing our already over run capacity of trails, services and amenities while giving zero back to the community other than the false narrative of providing affordable housing.

The county has plenty of potential options available for the creation of affordable rental housing AND has established a county housing authority to ensure that such housing remains in the control of the county and not a developer looking to profiteer from the desirable Summit County aesthetic.

This proposed project has ZERO balance, increases density beyond what was previously entitled and proposes to create a Disneyland like entry statement to our mountain community that increasingly is becoming metropolitan and exponentially losing its charm. A one third increase in density to the originally approved density is just NOT acceptable and should be wholeheartedly and unanimously denied!

I would urge that Summit County create economic sustainability and impact standards for development applications and not approve bold egregious applications like this by opportunists that attempt to take advantage of “ hot Market “ dynamics without regard to the community at large and with total disregard to the Impacts that their self-serving proposals attempt to mask behind a false narrative of community benefit.

As an alternative the county should seek to amend the existing development agreement that encumbers the property to provide for more flexibility in permitted business uses within the context of the spirit for which the property was originally entitled.

Respectfully,



Henry Sigg

From: [Howard Kantor](#)
To: [Kirsten Whetstone](#)
Subject: Kimball Junction/Dakota Pacific
Date: Thursday, July 16, 2020 6:04:09 PM

As residents of Snyderville Basin area, we are totally OPPOSED to the proposed change in the Tech Park Agreement. Please vote NO to this proposal!

Howard and Anna Lea Kantor
4859 Silver Springs Drive
Park City, UT 84098

Pat....

It is a wonder to see you still contributing to the success of this county. Your work in Park City, and now in the county as a whole is nothing short of amazing. I wish I were still in a position where I could enjoy your work, and watch your success.

I thought I would write you some thoughts about the proposal for the re-planning of the Boyer project at Kimball Junction. I was a member of the West Side Planning Commission at the time of the Boyer approval, and I have some insights which might be helpful. I, for one was proud to be a part of the process and glad to assist in some small way to make sure this got done.

I believe, as I remember that the goals were to:

- Bring high quality employees to the basin, have them work here, invent here and enjoy the mountain living in the Snyderville Basin.
- Bring creative companies into the basin and secure the business friendly nature of the valley.
- Reduce congestion of automobiles yet build the traffic of having more wallets moving around the community shedding their dollars on our retail, recreational, and cultural assets. (Plus... the taxes paid to the county would be a benefit.)
- Secure a significant amount of affordable housing to fill the counties deficit.
- Build an environmental community that is sensitive.
- And — get all that open space. (No small triumph)
- And get it all built out in 10 to 15 years.

I remember leaving one of the meetings and thinking, "In 10 years will I be proud of this addition to the community?"

Well, now, it is almost 15 years into the future, and only one building (other than the Welcome Building) has been built. The transit center is built and functioning, and the Congestion has continued to grow.

I drove through that neighborhood last week and wondered what had happened that was keeping the high quality companies from moving up here and taking advantage of this employee friendly valley?

But then, the Market rules these decisions, and the market for this type of Research Park Facility just hasn't moved up the canyon.

Then I learned of the new proposal.

I was impressed:

- It could all be built at once, avoiding the annual construction traffic over the next 15 years.
- It would more than double the Affordable Housing over the Boyer development. Almost like getting that for free.
- It would bring real living beings to the basin. They would live here, shop here, and increase the viability of the existing retail without materially increasing retail.
- It would bring a moderately priced hotel allowing ordinary folks to come, ski, and summer in this basin.
- The buildings would be designed to be together, not one building after another, one architect after another trying to make a statement.
- It would enhance the Kimball Junction neighborhood. (I understand a Neighborhood Plan has been developed in which this new project materially fits)

Patrick, I'm sure your feelings about this new proposal are complex, and that you may already feel it is either good or bad. But I wanted to express an opinion from someone who served on that Planning Commission, and remember the discussions, and now see the benefit of the new proposal.

I wish you the best. I hope you will continue to provide your wise and educated council to the county. Your good work is all around us now, and it is a joy to have been a small part of it. Not so bad knowing you this long and watching your success.

Kindest Regards

Jeff Smith
801 550-1925

From: [Jennifer Seabury](#)
To: [Kirsten Whetstone](#)
Subject: NO to revising the 2008 Tech Park agreement
Date: Thursday, July 16, 2020 7:58:20 PM

Dear County Council:

We do not need more people and more industry and more traffic. We can't park at trailheads, we sit in traffic, and development is everywhere and growth is exploding. Stop. Let us rest for awhile.

Thank you for all your hard work.

Best wishes,
jen Seabury

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Thursday, July 23, 2020 2:01:29 PM

-----Original Message-----

From: Jenny Preece [<mailto:info@heykimballjunction.com>]
Sent: Wednesday, July 22, 2020 10:18 AM
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal

07/22/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
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- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Jenny Preece
3400 pine valley road, Woodland, Utah 84036

Kirsten Whetstone

From: Jill Gildea <jgildea@pcschoools.us>
Sent: Tuesday, June 23, 2020 3:53 PM
To: Kirsten Whetstone
Subject: Comment related to Dakota Pacific Development

Statement on Residential Development

Summit County has attracted developers and outdoor enthusiasts alike. Although this has not been the case through the area's entire history, it is a key driver today. With increased attention to our community and its offerings comes the desire to be a permanent part of the community.

As a community amenity along with the many county services required to support this community growth, we desire to be part of the necessary conversations to develop a thriving community and provide high quality education to our residents, no matter how recently they have joined our community.

One challenge we face as a school district is the ability to anticipate growth in demand for educational services. Under Title 17, Chapter 27a the County is not required to notice the school district when development projects are introduced or development plans amended. The statute also does not prohibit communication between our two entities. We desire to improve the communication regarding development so that we can anticipate and support the community growth the County encourages and manages.

In particular is the Summit Research Park Development at Kimball Junction. Originally planned as a research park, it is now under public comment to include residential units, upwards to 1,100. The impact to the school district is an estimated 500 school age children moving into the development. This is the equivalent of introducing a new school or at least the requirement to adjust boundaries to all our elementary schools. The District did not know of these changes until it attended a public meeting where some details were shared. The District was also in the midst of its educational master plan. A revelation like this is very disruptive to our efforts to plan for the District's future.

As a community, we should be working together and pulling together to maintain the quality of life we expect. We desire to open a communication process that is conducive to supporting growth and provides a way to cooperatively plan for our community's health, vitality, economic growth and responsible development.

Thank you.

From: [Jill Gildea](#)
To: [Kirsten Whetstone](#)
Subject: The concern...
Date: Friday, July 3, 2020 10:02:12 AM

Here is the concern in large housing project...

"We cannot expect to address our most serious educational issues if the most disadvantaged of the nation's children are concentrated in separate neighborhoods and schools," [Richard Rothstein wrote in an essay for PDK last year.](#)

The "de facto" title references an idea cited by Chief Justice Roberts in the 2007 Supreme Court case *Parents Involved*, which prohibited school districts from engaging in race-conscious de-segregation efforts. In his opinion, Roberts wrote that governmental entities cannot constitutionally intervene to remedy *de facto* segregation - segregation that resulted from the decisions of individual homeowners and renters - by taking race into account to de-segregate schools.

Kirsten Whetstone

From: Jill Gildea <jgildea@pcschoools.us>
Sent: Friday, July 3, 2020 10:02 AM
To: Kirsten Whetstone
Subject: The concern...

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From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Thursday, July 23, 2020 2:01:36 PM

-----Original Message-----

From: Jill Smoot [<mailto:info@heykimballjunction.com>]
Sent: Wednesday, July 22, 2020 9:40 AM
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal

07/22/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

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- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Jill Smoot
3500 Pine Valley Rd. Woodland, Utah
We access all the local business often in this area because of where we live.

From: [Kayley Cassity](#)
To: [Kirsten Whetstone](#); [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Subject: Please vote "No" on land use change at Tech Park
Date: Thursday, July 16, 2020 3:49:04 PM

Dear Summit County Planner and Snyderville Basin Planning Commissioners,

Please vote "NO" on the upcoming Kimball Junction-Dakota Pacific proposal regarding a change to high density residential/hotel from the approved use of Tech Park.

As a long-time Basin resident, I'm very concerned at the increase in traffic, congestion, and density happening around our town, and especially at Kimball Junction. It is absolutely the wrong place to add 1,100 residential units and a hotel.

A Technology Park, as originally envisioned and approved, is still the best use for that property (*unless it could possibly be preserved as Open Space*).

I implore you to vote "No" to the proposed change.

Future Park City/Snyderville Basin will thank you!

Best Regards,
Kayley Cassity
Silver Springs

I will not be able to attend the Planning Commission Zoom Call on July 28, but please enter my comments for the record.

From: [Karen Emerson](#)
To: [Kirsten Whetstone](#)
Subject: No to kimball tech development
Date: Wednesday, July 22, 2020 10:09:50 PM

Please don't approve the Dakota development. NO

We are saturated

I live in Silver springs and traffic is horrible during peak hours 3-6pm, construction during summer, ski and workers during winter

Ive waited 1 hour to get from my job in Deer Valley to my home. 7 miles!!
Stop the madness. No more cars, people, retail

Karen Emerson
435-513-5583

From: [Kathryn Deckert](#)
To: [Kirsten Whetstone](#); [Thomas Cooke](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Subject: DakotaPacific Proposed Development
Date: Sunday, July 19, 2020 3:04:59 PM

I recall in the late 70's and early 80's the sentiment was expressed by Park City residents that the entry corridor of 224 be a protected landscape as the entrance to Park City. At the time I do not know what the zoning allowances were, but the sentiment steered towards keeping the landscape intact. As we see today the fruition of an entryway with no development did not transpire and the intentions expressed may have been a romantic version of how the future of ParkCity was desired to be. The ensuing development that has occurred I believe has been not overdone and for the most part it is an attractive entrance into town with a lean towards a conservative approach to development along Hwy 224.

That being said it would be just absolutely abhorant to view the beginning of the entryway into town as a Salt Lake City landscape. The TechPark has earned its space there with development rights that were deemed by officials to reflect the community needs and ambiance. To mar this space with an additional Parking Garage, Another Cultural/Arts facility, 1135 new dwelling units adding in more retail at 15000 square feet would mar the spaces that now invite the visitors into a mountain town experience.

To even mention the nightmare experience of driving out to the junction from Old Town to get supplies is one we can imagine as we have all been there in the middle of some really awful traffic jams. Park City as a place of Liveability would be something of the past.

I ask our representatives to make decisions that reflect residents desires for a livable environment. This space has already been approved for a specific need in our community and I am hopeful that the Council will reflect our community's vision of goals pursuing a quality of life experience we all value here.

Please vote for no further entitlements or changes in density or usage from the previous approval for this space.

Thank You for your foresight and forbearance in protecting the original intentions as approved for this large and conspicuous parcel at the entrance to our mountain home.

Kathryn Deckert

From: [Kathy Mears](#)
To: [Kirsten Whetstone](#); [Pat Putt](#); ryan@dickeypartners.com
Subject: Re: Kimball Junction Business park workforce housing clarification
Date: Wednesday, June 24, 2020 3:02:13 PM

Thanks for your work last evening. After 6 hours on Zoom, I left the meeting and I was not able to hear the final questions and comments from the commissioners. Can you please clarify for me if the proposal is for **all** the "workforce" housing to be rentals? No path to ownership? Also, I heard deed restricted and I heard income restricted?

1. Does that mean the developer's ownership of the rental units and any future ownership is deed restricted to the annual 3% allowable appreciation. I ask that in the case of a future transfer of ownership on the rental units from this developer in the future.
2. If all the workforce housing is rentals, is that what is broken down by the income restrictions? Are those income restrictions protected in the future? I recognize the guidelines for the area median income, etc changes.
3. I do not remember who asked the question about if the rentals will be restricted to employees in Summit County. Seems the answer was something like "we will try" but if they do not fill up right away, we may have to remove that limitation.

Also, yesterday was very tedious for everyone involved and I think you may have lost some potential public input by the long time before the public hearing started and the lengthy 40 minutes with the developer before any one got to comment.

I want to recommend two things for the July 28th meeting:

1. Set a specific time for the public hearing and give the developer a specific amount of time so the public know exactly when to jump on the Zoom meeting and make comments. Given the magnitude of this request, I think the public deserves that convenience.
2. In the past, I have attended many public hearings. As I recall, it was always protocol to sign in and to indicate where you lived. I feel this is very important so you know who is providing you with comments. Are they residents of Summit County? Do they have any financial interest in the development?

Thanks

Kathy

Kathy Mears
2009 Park City REALTOR® of the Year
Summit Sotheby's International Realty
[email: kathy.mears@sothebysrealty.com](mailto:kathy.mears@sothebysrealty.com)
[website: www.owninparkcity.com](http://www.owninparkcity.com)
Facebook: www.facebook.com/owninparkcity
1750 Park Ave | PO Box 2370 | Park City UT 84060
m 435.901.9964 | o 435.649.1884 | tf 800.641.1884
e fax 800.353.3430

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Thursday, July 23, 2020 2:01:45 PM

-----Original Message-----

From: Krista Woolley [<mailto:info@heykimballjunction.com>]
Sent: Wednesday, July 22, 2020 9:39 AM
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal

07/22/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- * Generates less traffic than approved Tech Center office park plan.
- * Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Krista Woolley
7962 ranch club trail park city Utah 84098

Kirsten Whetstone

From: lsgorton@gmail.com
Sent: Tuesday, June 23, 2020 4:17 PM
To: Kirsten Whetstone
Subject: Dakota project comments

I'm sorry I cannot attend the meeting today. I want to comment on the project.

I have been following it and have some concerns.

I would like to see less residential due to the traffic impact. The developers argue that residential traffic will be more spread out during the day and thus have less of an impact than business traffic, which would heavily impact certain times of day. As a resident of the area (I live in Powderwood), I would much rather have traffic jammed up during rush hours during the week than have increased traffic all day, every day of the week. Either way, Kimballs traffic will be negatively impacted. To me, business/office traffic is the lesser of two evils because at least I get a break from it on weekends and evenings.

When I brought this up at the open house, the representatives said reducing residential would be bad because we need more affordable housing. This is true. We do need more affordable housing. How about reducing the number of market properties? And get rid of the hotel.

I would also argue that we need to diversify the economy and need good paying jobs that are not related to the tourist industry. That was the idea behind the earlier research park idea and I think it is still a good idea. I think this year is a prime example of why we need to diversify the economy. If tourism dries up, we're S-O-L. I think that idea could be revisited and maybe not focus so much on just the tech industry. There could be an orthopedic center, more financial offices, county offices, things of that nature.

In my opinion, part of the reason the tech park idea failed was the economic downturn in 2008. I'm not sure that project ever really got off the ground because of it. In my mind, a combination of business and residential with an emphasis on businesses with good paying jobs would better suit the needs of the community than just a lot more homes and a few bits of retail/restaurants.

I'm not completely opposed to the plan. There are aspects I like and support; making it walkable, have open/green spaces, access to trails, affordable housing. All great ideas and the visuals the developers have presented are appealing.

Finally, please, God, no hotel. Isn't there a hotel that just failed in Landmark Drive? A Hampton Inn I think? Please keep this areas emphasis on residents of the area and not tourists. The area has plenty of hotels. We need better jobs.

Thanks,
Linda Gorton

Kirsten Whetstone

From: larry moffitt <larry7171@gmail.com>
Sent: Tuesday, June 30, 2020 12:15 PM
To: Kirsten Whetstone
Subject: Dakota Pacific/Tech Center

Please forward to the Snyderville Basin Planning Commission.

June 29, 2020

Tech Center Proposal,

In regards to the rezoning of the Tech Center property at Kimball Junction, this re-development should receive a negative recommendation for several reasons:

1. The community came together and said that residential was not appropriate or desired on this parcel in 2008 and that a tech center was better for the community as a whole. A tech center provides well-paying jobs and property taxes.
2. There will be a great increase in traffic into Park City, especially during rush hour with residents going to work, taking kids to school etc.
3. There will be no improvements to Hwy 224 until at least 2025 and very possibly longer for traffic or buses.
4. Residents will not be walking or riding bikes to work or errands during the winter months due to snow and ice on sidewalks and bike lanes. No amount of snow removal will clear the walks completely during this time. They will take their cars.
5. The county recently gave final approval to 1290 units in Silver Creek Village, 78 units at Lincoln Station and 169 units of workforce housing at the canyons. These units need to be finished to see how many and of what type of impacts this many new units will have in the future before we add another 1100 plus new residential units with no mitigation to impacts.

Thank You, Laurence Moffitt

1471 Fletcher Ct.

29 year basin resident.

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Thursday, July 23, 2020 2:01:56 PM

-----Original Message-----

From: Lindsay Hadley [<mailto:info@heykimballjunction.com>]
Sent: Wednesday, July 22, 2020 9:09 AM
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal

07/22/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- * Generates less traffic than approved Tech Center office park plan.
- * Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Lindsay Hadley
846 East 270 South, Kamas Utah 84036

From: [Maxine Turner](#)
To: [Thomas Cooke](#); [Ryan Dickey](#); [Joel Fine](#); [Canice Harte](#); [John Kucera](#); [Crystal Simons](#); [Malena Stevens](#); [Pat Putt](#); [Peter Barnes](#); [Kirsten Whetstone](#)
Subject: Dakota Pacific Development
Date: Thursday, July 23, 2020 12:03:45 PM
Attachments: [Maxine's Signature - Email-2018jpeg\[117\].png](#)

Good Afternoon. I wanted to take this opportunity to comment on the Dakota Pacific development project to build a mixed use community space at Kimball Junction. I read about the development in the Park City Chamber newsletter and curious about the project so participated recently in a webinar. This is a very exciting project and one that addresses many of the concerns of the community regarding traffic congestion, affordable housing and work/living convenience.

This last year, my husband and I looked for such housing to move to our dream location of Park City. I only wish we had known about this project a year ago because we would have absolutely considered this site would have delayed our move to take advantage of this location. Here is what we wanted in a Park City new home:

- Equitable cost of housing

- Low Traffic congestion

- Amenities within the project for condo owners

- Security

- Conservation of Green Space

- Convenience within walking distance to enhance community life

- Outside the Park City tourist hub but the opportunity to enjoy and be active within the Park City community.

What this development provides met every one of our criteria. I do hope that every consideration is given to the thoughtful manner in which the developers have addressed the needs of the community. To have this near businesses for job opportunities is a major plus and very much in tune to the needs and desires of a fast growing number of people.

Thank you and I look forward to hearing more about this exciting project.

Regards,

Maxine Turner
Founder



Maxine Turner, Founder
maxine@cuisineunlimited.com
4641 South Cherry Street
Salt Lake City, Utah 84123
Direct: 385.246.8210
Cell: 801.231.5599

Dear Summit County Planning Commission and Planning Staff,

I write this letter with a great sense of urgency. There is currently a proposal by Dakota Pacific to reopen and amend the development agreement for the Tech Park parcel at Kimball Junction. The Snyderville Basin Planning Commission is scheduled to hear public comment on this item on July 28th and is receiving public input until that date. I encourage everyone in our community who cares about potentially adding residential density through a change in the Tech Park Development Agreement to take the time to learn about the history of this land, the agreements that were put in place and what is at stake with this proposal.

In the early 2000's, the land that we know as the Tech Park was owned by the real estate arm of the LDS Church and was designated as a "village center" at the time, with intensive commercial space, a school, and over 800 individual homes in a sprawling subdivision.

County and City officials worked out a deal that would be equitable for the people of Summit County. The community's goals were:

1. Remove the residential density (reducing impacts to schools, infrastructure & traffic)
2. Preserve the open views along HWY 224
3. Create areas for public recreation
4. Allow for development of business park that would offer high paying jobs (not service jobs)

In December of 2008, the City and County together paid \$25 million to acquire the 350 acres, as well as an additional 350 acres in Round Valley. The Community used \$25 million of open space bond money to remove residential density from both the open space and the Tech Park parcels.

Summit County and Park City, with great care and consideration, created the Tech Park with the intention of removing residential density, creating high paying jobs and preserving open space. The 2020 Visioning Process makes clear that residents in both 84060 and 84098 overwhelmingly value open space and limited growth. Residents have made clear we are not in support of creating more residential entitlements, period. We are especially against the undoing of the development agreement and our \$25 million investment on this land.

"We" invested \$25 million to strip the residential density entitlement from this land and to create a development that would create high paying jobs, not service level jobs for the hotel and mixed-use commercial proposed in the project. The proposal by Dakota Pacific seeks to add 1100 residential units, along with a hotel and mixed-use commercial to this site and goes completely against the intent of the development agreement.

According to Todd Hauber, Park City School District Business Administrator, this project is projected to increase our student enrollment in Park City School District by 500+ students; necessitating the need to build another school.

I ask the Planning Commission, Planning Staff and County Council, to honor the wisdom and work of our community elders, who with care, and at great expense, created the Tech Park to

limit residential density, sprawl, impacts to schools, traffic congestion, and create a space for high paying jobs. It is simply inappropriate to undo the \$25 million investment in this land. Just say NO, period.

Sincerely,
Mary Christa Smith

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Thursday, July 23, 2020 2:00:51 PM

-----Original Message-----

From: michael quigley [<mailto:info@heykimballjunction.com>]
Sent: Thursday, July 23, 2020 10:11 AM
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal

07/23/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
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- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

michael quigley
1161 East 1700 South #A

From: [Anne Guenard](#)
To: [Kirsten Whetstone](#)
Subject: No bueno to Kimball Development
Date: Thursday, July 23, 2020 10:33:33 AM

Good morning, Kirsten. My neighbor, Karen Emerson, forwarded your email detailing the proposed Kimball development. Park City is being developed beyond recognition and Kimball is already a failed junction. I've lived in Park City since 1991. My friends and I often comment that we are taking advantage less and less of what the town offers because of the existing gridlock. Did you read Sally Elliot's letter in the Park Record? I agree with her perspective and am highly suspicious when it comes to developers' spin of how our quality of life will be improved. Our once scenic historic town is fast becoming any town USA.

Sign me,

Opposed in 84098
Anne Guenard

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Thursday, July 23, 2020 2:01:07 PM

-----Original Message-----

From: Ryan Fish [<mailto:info@heykimballjunction.com>]
Sent: Wednesday, July 22, 2020 1:58 PM
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal

07/22/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- * Generates less traffic than approved Tech Center office park plan.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Ryan Fish
4179 N New Lane Oakley, UT 84055
Business owner providing services throughout Summit County and my family and I shop at Kimball Junction regularly.

July 22, 2020

Malena Stevens, Chair, Snyderville Basin Planning Commission
60 North Main Street
P.O. Box 128
Coalville, UT, 84017

Dear Chair Stevens and Planning Commission Members:

I am writing to lend my support to the amendment to the development agreement submitted by Dakota Pacific on the old Park City Tech Center development near Kimball Junction.

On behalf of Salt Lake City and other cities we work with, we have been at the forefront of affordable housing legislation in the State. During the 2018 legislative session, my daughter and partner Ashley Spatafore and I were asked to facilitate and organize an affordable housing work group. During that session, we worked with Rep. Becky Edwards and were instrumental in drafting and passing under the leadership of Rep. Edwards, HB 430, Affordable Housing Amendments. This bill created the state's Housing Affordability Commission which has been meeting since that time. e

We were instrumental in assisting the drafting and passage during the 2019 legislative session of SB 34, Affordable Housing Modifications in which Utah's cities, towns and counties were provided a menu of items to be included in their local housing plans. More than 95 of all local governments responded by adopting a moderate income housing plan. I understand Summit County adopted their housing plan in December, 2019.

During the two plus years of the Housing Affordability Commission, our affordable housing group has been recognized as one of the working groups under the Commission. Currently, we are chairing a working group focusing on housing production and preservation. We are to make a presentation to the Commission on July 28.

In my understanding of this request by Dakota Pacific to amend the development agreement follows the housing plan adopted by Summit County. (By the way, I have no involvement with Dakota Pacific in any way and am not involved with this development whatsoever)

What I like about this development is

- That this development follows the principles and recommendations adopted in the Kimball Junction Master Plan approved by you and the Commission
- that of the nearly 1100 housing units, 256 units will be affordable housing at the 40-80% average median income (AMI) of Summit County
- 50 units will be classified as attainable units at the 80-120% of AMI.

- This development will put more than 300 affordable units on the market
- These affordable and attainable units will be deed restricted for this use which will ensure these units will be available well into the future.
- This will be a walkable community

As you consider your recommendation to the full County Council, please consider these facts and the positive impact this development will make to meet the affordable housing needs of Summit County.

Respectfully submitted,

David Spatafore



July 16, 2020

Snyderville Basin Planning Commission
Sheldon D. Richins County Services Building
1885 W. Ute Boulevard
Park City, UT 84098

Dear Planning Commission,

Sundance Institute has been proud to call Summit County its home for nearly 40 years. We, like other employers in the County and Park City, and as members of the Summit County community, are supportive of projects that will make available more much-needed affordable housing in the County for those that live and work in this beautiful area and especially of development that places emphasis on maintaining greenspace, walkability, and ready access to public transportation. We ask that you will also support projects that will bring these benefits to our community.

Sincerely,

A handwritten signature in black ink that reads "Betsy Wallace". The signature is fluid and cursive, with a long horizontal stroke at the end.

Betsy Wallace
Managing Director and CFO

From: [Tom Horton](#)
To: [Thomas Cooke](#); [Malena Stevens](#); [Joel Fine](#); [Ryan Dickey](#); [Canice Harte](#); [Crystal Simons](#); [John Kucera](#)
Cc: [Kirsten Whetstone](#)
Subject: Public Input for 7/28 Research Park Hearing
Date: Thursday, July 16, 2020 4:24:29 PM

Greetings Planning Commissioners,

I have public input for the above hearing that I wish to be made part of the hearing record, as follows:

"For the following reasons, I generally support the current development outline and I encourage you to report it favorably to the county council.

"The original tech industry park concept for the site was always unrealistic due to local economic conditions and effective competition from the Wasatch Front. It needs to be repurposed as it is too far afield from the core business of western Summit County, sports resort tourism, and any sentimental desire to stay with the original concept is unwise.

"Well-intentioned public desires for low density, calm traffic and affordable housing are unrealistic. It is economically infeasible in the western county to have all three things, and the one that has to give is low density, because higher density can be reasonably mitigated. Higher density of affordable housing in this project, whether rental or owned, can have the effect of moderating traffic if it meets a few achievable requirements:

-- It is adjacent to a major transit hub, with transit frequency and capacity continually being improved. The transportation study outlines adjacency and improvement opportunities.

-- Deed restrictions can be structured between the developer, the county and Mountainlands CHT, to prefer Summit County employment and offer housing for a full range of income segments.

"With wise design of the development agreement, the project can pull significant numbers of SLC-based employees in single-occupancy vehicles off of I-15 and SR 2241 and put them in local housing that primarily uses transit. It has good potential to mitigate traffic congestion and provide affordable housing for lower income segments. It can also respond to new realities made clear by the pandemic: that lower-income workers in our community have a far greater role in our stability and resilience than we previously realized or admitted, and they deserve all the housing support we can wrangle for them."

Tom Horton
1885 Prospector Ave
Park City 84060
(mobile) +1 801 739-1499

From: [Alison Child](#)
To: [Kirsten Whetstone](#); [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#); [Crystal Simons](#)
Subject: Dakota Pacific Proposal
Date: Sunday, July 26, 2020 4:47:15 PM

Hello Commissioners and Kirsten,

Most of you don't know me but I was a City Planner for Park City in the early 80's and I was a Planning Commission member in the 90's for 6 years. "Back in my day" we didn't have a general plan that amounted to much of anything except broad strokes of generally where we wanted things. While not perfect, at least you have the Kimball Junction Neighborhood Plan to guide you.

In reading Kirsten's report, I can't imagine how anyone could argue that the Dakota proposal meets the objectives of the Neighborhood Plan. The Plan calls for the creation of a "mixed-Use neighborhood designed with people in mind". This is nothing but 1100 housing units and a hotel put on a piece of property that can be found in Anywhere, USA. The whole concept of "work, live, play" has been thrown out the window. If you approve this plan, then you should just throw out the Kimball Junction Neighborhood Plan altogether.

This proposal will do nothing but create more mindless traffic congestion at Kimball Junction and a bigger wait time to get into Park City on any given day. You are under no obligation to approve this plan. Use the Kimball Junction Neighborhood Plan to just say "no".

Thanks for your service to Summit County,

Alison Child
3001 Meadows Drive
Park City

July 28, 2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

After a great deal of research, including attending a Dakota Pacific community outreach session, attending a Snyderville Basin Planning Commission meeting, and taking part in a one-on-one meeting with Jeff Gochmour regarding the development I cannot support the Snyderville Basin Planning Commission altering the zoning at this time in order to allow Dakota Pacific to build a new neighborhood in the Kimball Junction area for the following reasons:

1. There is limited prevailing benefit to the owners and residents of Kimball Junction in the current Dakota Pacific development plan.
2. Traffic is already an issue in Kimball Junction. It will only get worse, not better with the approval of this zoning change. A comprehensive plan should be in place between Summit County, Park City and UDOT for a long-term solution to traffic in Kimball Junction before any change in zoning is granted.
3. A determination should first be made regarding Utah's 2030 Olympic bid which could change the needs for the community.

Sincerely,



Aaron Sandler
1695 Redstone Ave. #B2
Park City, Utah 84098
Kimball Junction Resident & President, Fox Point at Redstone HOA

From: [Alison Weyher](#)
To: [Kirsten Whetstone](#)
Subject: Comments on Summit Research Park Redevelopment Proposal
Date: Monday, July 27, 2020 7:18:11 PM

Kristen,

Unfortunately I will not be able to attend tomorrow evening's zoom meeting. However, here are my comments on the Summit Research Park Redevelopment proposal.

The Snyderville Basin/Park City area imports service sector workers and exports white collar workers. Workforce housing is an attempt to provide more housing for our lower income work force, while the tech center was a deeply flawed attempt to keep some of our white collar workers in the community.

The US Census Bureau 2014-2018 show the following statistics for Park City and Snyderville basin:

84060 84098

bachelor's degree or higher 60% 70%
in workforce 70% 77%
mean travel time to work 22.1 21.3
median income 105,263 108,464

Current office vacancy rate in the Basin is 1.5%, nothing over 5,000 sq. feet is available and there is a pent up demand for space.

The tech center was an attempt to provide jobs for some of our white collar workers to help stem the reverse commute. It could not succeed because proximity to a research university is a necessity for a research park. The development agreement is also incredibly restrictive about what types of businesses are allowed there. Back in the day Backcountry wanted to move across the street, but was not permitted to do so.

While there is a huge need for more deed restricted workforce housing in Summit County. I am not so sure that 306 affordable rental units at this location meets the desired outcome. Is there a way some of these proposed attainable units be for-sale units? Would they be interspersed throughout the development or congregated together?

In Summit County we know it's only open space until someone builds on it, and

we are running out of developable land. But this is the gateway into our community and i think it is important to get it right. This is a chance to resolve longstanding 224 corridor issues, as well as Kimball Junction gridlock. It is a chance to, over time, to build a business complex that compliments our wonderful lifestyle and, by shortening their commute, allows residents to spend more time in their communities instead of on the freeway.

This proposal is a quick and dirty use of very valuable land and future generations will be greatly impacted by the decision the Planning Commission makes.. All of this proposal can be built in the near future. But I'm not sure this is the best option.

Thank you.

Alison Weyher
522 Parleys Road
Park City, 84098

Kirsten Whetstone

From: Bev Harrison <bevhharrison@gmail.com>
Sent: Thursday, July 23, 2020 3:26 PM
To: Pat Putt; Peter Barnes; Kirsten Whetstone
Subject: Fwd: Kimball Junction development

Hi Planners,

Regarding the Dak-Pac project, I'm forwarding you an email I received recently from a friend, Amy Mills, who spent her career working for the EPA; also, was a Board member of the Sierra Club here in Utah; and is an officer in the LWV. I think it contains some sound ideas to consider as the developers move their project forward. Regardless of how the Dak-Pac mixed-use application turns out, I can't imagine

a string of office bldgs going in there--makes me think of, is it exit 5 or 6, off of Rt 215 where you exit to go up and into the Cottonwood Canyons. Ick--what an awful foreground. And what a horrible gateway view, and view-blocker an office park would be on that parcel of land in KJ. As I said earlier to Kirsten, can't they make this work with a lot fewer residential units? It'd be great if the development met some energy efficiency codes, too. Plenty of sun on that plot of land that's for sure.

I saved these websites below a while ago--pretty interesting. I sent the Solei Lofts article to Glenn Wright; I think I forwarded Peter the one about Olympia Hills, which is bigger than anything I can fathom.

Hope everyone's well.

-Bev

<https://www.soleilloftsisyourse.com/soleil-lofts-herriman-ut/>
<https://olympiahillsproject.com/>

----- Forwarded message -----

From: **Amy Mills** <amills3912@yahoo.com>
Date: Wed, Jun 17, 2020 at 8:14 PM
Subject: Re: Kimball Junction development
To: Bev Harrison <bevhharrison@gmail.com>

Thanks for the compliment. Just thinking out loud. You can forward if you like.
Amy

On June 17, 2020, at 8:05 PM, Bev Harrison <bevhharrison@gmail.com> wrote:

OMG, this is wonderful! You write SO WELL! Can I pass it on to my buddies in the planning dept with a note? They're on my list to get in touch with.-Bev

On Wed, Jun 17, 2020 at 10:11 AM Amy Mills <amills3912@yahoo.com> wrote:

Bev - fyi. My comments sent this morning to SCC.

----- Forwarded Message -----

From: Amy Mills <amills3912@yahoo.com>
To: County Council <countycouncil@summitcounty.org>
Sent: Wednesday, June 17, 2020, 10:06:49 AM MDT
Subject: Kimball Junction development

Summit County Council,

I have filled out the "Hey Kimball Junction" survey, but I must say that it left me cold. It seems that the last thing the community needs is another behemoth development, ruining open space and further clogging the Kimball Junction traffic interchange. Ideally, this land could be bought by the County or conserved as a conservation easement. But it appears that the development is a 'done deal', and the public may only be able to influence the details.

With those lowered sights in mind, I have 4 suggestions:

1. Preserve as much open space as possible, without greater building density or greater building heights.
2. To meet local housing needs, consider supporting an assisted living facility so those of us that age in Park City don't have to move away.
3. For stores (which we probably don't need, given the empty storefronts in Newpark), we could use some practical businesses such as a hardware store, rather than trendy gifts and pillows and more places to overeat. If we must have businesses, maybe the County could encourage businesses that serve the community.
4. The County could locate a recycling hub such as a set of drop-off bins for residents in the KJ area who don't have curbside recycling and can't or won't travel to Recycle Utah.

Thank you for anything you can do along these lines.

Amy Mills, Park City

From: [Brian Schiller](#)
To: [Kirsten Whetstone](#)
Subject: proposed change in approved planning for the tech center
Date: Friday, July 31, 2020 8:42:02 AM

To Whom It May Concern-Please do not overturn the existing approved plan for a tech center just west of highway 224 near Kimball Junction. As a Park City/Summit County resident since 1981 (39 years) I have observed planning and development in both Park City and Summit County go from relatively uninformed and uneducated to much more inclusive of the demanding public and reflective of much improved land and community planning today. The decision to approve the tech park is illustrative of the commitment to and developing skills and knowledge of planning boards and government decision making bodies. It would be a shame to change a wise plan to succumb to more commercial and housing development in this already overburdened area. It would be far smarter to reverse all of the plans and keep the space in question as open space. Just across the street, Swaner is a beautiful example of what preservation of open space can mean for our environment and the aesthetic appeal it brings to all residents and guests. Please do not change the approved original plan! Kimball Junction and the ill-conceived Kilby Road redesign little need some 3,000 more vehicles negotiating these frightening roads and intersections. Keep the original tech park plan!

Thank you,

Brian Schiller
P.O. Box 2035
1919 Evening Star Drive
Park City, Utah 84060
schillerbt@aol.com
801-209-6845

From: [Kimball Junction](#)
To: [Thomas Cooke](#); [Ryan Dickey](#); [Joel Fine](#); [Canice Harte](#); [John Kucera](#); [Crystal Simons](#); [Malena Stevens](#); [Kim Carson](#); [Roger Armstrong](#); [Douglas Clyde](#); crobinson@summitcounty.org; [Glenn Wright](#); [Peter Barnes](#); [Kirsten Whetstone](#)
Subject: Celena Wood- In support of the Dakota Pacific Development proposal
Date: Monday, July 27, 2020 1:21:47 PM

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- Protects open space and embraces local sustainability goals.
- Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- Generates less traffic than approved Tech Center office park plan.
- Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- Includes space for community events like concerts and farmers markets.
- More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Celena Wood
celena.wood@yahoo.com
(I work in the area.)

From: [Kimball Junction](#)
To: [Thomas Cooke](#); [Ryan Dickey](#); [Joel Fine](#); [Canice Harte](#); [John Kucera](#); [Crystal Simons](#); [Malena Stevens](#); [Kim Carson](#); [Roger Armstrong](#); [Douglas Clyde](#); crobinson@summitcounty.org; [Glenn Wright](#); [Peter Barnes](#); [Kirsten Whetstone](#)
Subject: Claudia- In support of the Dakota Pacific Development proposal
Date: Monday, July 27, 2020 1:24:57 PM

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- Generates less traffic than approved Tech Center office park plan.
- Compact design and little surface parking maximize open space.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Claudia
Claudia@theofficecoworking.com

To: Snyderville Basin Planning Commission

Date: Saturday, July 25, 2020

RE: Summit Research Park Development Agreement Amendments

I attended my first planning charrett in 1989 at Parley's Park Elementary School. Thirty one years ago. I was deeply impressed by the community interest in Long-Range Planning and immediately became an advocate for limited well-planned development, open space preservation, and the provision of adequate public services and facilities as some inevitable development occurred. At the time, the Planning Department consisted of a Planning Director and a recently graduated planning assistant (that was more qualified than her boss). For a \$100 application fee and \$10 per lot, developers were submitting residential and commercial subdivision applications by the boat load.

With the election of Gene Moser to the County Commission in 1990 and with the support of his fellow commissioners, application fees were significantly increased to create funding for larger and more qualified Planning and Engineering Departments. Long-Range Planning for the Snyderville Basin received greater attention than ever, and the expertise of Utah State and Harvard Universities were engaged.

Nonetheless, huge development applications such as the Wal-Mart and Kmart shopping centers and the 3 million square foot Canyons Master Plan poured in. Ruth Wagner and I appealed the Planning Commission approval of the Canyons, because it, like every other development application FAILED TO ADDRESS THE CUMMULATIVE IMPACTS OF NEW DEVELOPMENT ON PUBLIC FACILITIES AND SERVICES such as water, sewer, storm drainage, roads, parklands and schools. That appeal was lost...Summit County did not yet have any tools to assess the cumulative impacts of individual development applications on public facilities and services, but it did help lead to the subsequent adoption of impact fees based upon rudimentary master plans for some public improvements.

In 1994, I introduced new construction school fee legislation which was adopted by Summit County and Park City, only to see the real estate dominated State

Legislature strike it down 2 years later, claiming that “counties and cities had no such taxing authority.” As a result of that short-sighted legislative act, our school facilities have suffered greatly.

Slowly, the county planning process has become more diligent, and other County Commissioners including Bob Richer and Sally Elliot, and Planning Commissioners Chuck Klingenstein and Colin DeFord brought increased attention to the cumulative impacts that ongoing development has had on our regional public facilities and services. The advent of Development Agreements has more clearly specified the land use and intensity of new projects and the contributions each will make to public facilities and services.

So now, here comes Dakota Pacific Real Estate with an application to change the use and intensity of a thoughtfully crafted Development Agreement, with no credible evaluation of its impacts on our public facilities and services. Sure, they have a hired-gun traffic engineer that says this application will improve the HWY 224 traffic...does ANYONE BELIEVE THAT? And the school district has pointed out that this application will create the need for another school for approximately 500 students...when they CANNOT FIGURE OUT HOW TO PAY FOR EXISTING NEEDS. And what about water? No one seems to be able to put their arms around that not-too-distant problem. And what about foreclosing the opportunity for better tech center jobs and economic diversification, in exchange for the more rapid build-out of 1,100 residential units...what a travesty.

Getting back to all of those planning charretts and Long Range Planning studies...did any of them contemplate mid-rise residential housing blocks, clogging the entry corridor to a “World Class Ski Area”, and bland urban architecture that has no connection whatsoever with our mountain town character? I don’t think so. I could go on. Suffice to say, I hope the Snyderville Basin Planning Commission will forward a NEGITIVE RECOMMENDATION to the County Council regarding this application. We can do better...much better!

Thank you,

Clay Stuard

Snyderville Basin Planning Commission
Public Hearing Response
7/28/20

To: kwhetstone@summitcounty.org

Subject: Public Comment – Dakota Pacific at Kimball Junction

Snyderville Basin Planning Commission-

Habitat for Humanity of Summit and Wasatch County submits the following comments regarding the Dakota Pacific at Kimball Junction development, scheduled on the agenda for Tuesday, July 28, 2020.

Kimball Junction, and more specifically parcels PCTC 401-AM - PCTC 404-AM AND PCTC-5B-AM, are an ideal location for affordable housing units in Summit County. Often affordable housing for a community's workforce is placed on the outskirts of town due to the generally lower price of land away from services and employment bases. Where you live affects how you move. The closer affordable housing is to major employment centers, the numbers of additional efforts reduce, such as transportation.

Traffic is listed as a top concern by community members in all Wasatch Back communities. Infill parcels, those already surrounded by development, allows housing near commercial districts and employment centers and can reduce traffic impacts from residents driving to services and/or work.

As part of our local advocacy efforts, Habitat for Humanities of Summit and Wasatch Counties has reviewed successful affordable housing policies in other communities. One strategy communities adopt is locating affordable high-density residential and mixed-use developments along transportation corridors.

Characteristics of transit-oriented developments include:

- High-density development within a 10-minute walk circle around a transit station.
- A mixed-use development that includes schools, retail uses, shopping, and various housing types.
- Street facilities for walking and biking.
- Street grid, connectivity, and traffic calming features to control vehicle speeds.
- Parking management to reduce the land devoted to parking.
- Street trees and lighting.

All of these exist in proximity to and within the proposed Dakota Pacific at Kimball Junction project.

Habitat acknowledges the parcels, approved through the Summit Research Park Development Agreement, would have allowed high-tech development and jobs to move into the county. Not only has the real estate market shown a lack of demand for such offices, Summit County continues to be short on its needed supply of affordable housing.

Habitat for Humanity of Summit and Wasatch Counties supports the amendments to the Summit Research Park Development Agreement that support the proposed development by Dakota Pacific and asks the Snyderville Basin Planning Commission support such changes.

From: [jbrooke](#)
To: [Kirsten Whetstone](#); [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Subject: Kimball Junction-Dakota Pacific proposal
Date: Monday, July 27, 2020 10:15:49 AM

As a Summit County resident I am very concerned about the proposed change in the Tech Park Agreement. The proposal to add 1100 new rental housing units and a 130 room hotel will significantly add to the traffic and congestion that is already a huge problem in town and in Kimball Junction. We currently have as many as 1510 projected units of workforce housing nearby at Discovery Ridge, Canyons Base of Park City Mountain and Silver Creek. The addition of 1100 units in this location will produce additional traffic and congestion. The current zoning for this location should be maintained to offer the potential for high tech diversity in the future.

Please send a recommendation of No for this change to the County Council.

Thank you for your time and consideration,

Jeri Brooke
9036 Sackett Dr
Park City, UT 84098
jbrooke@tribalexpressions.com

Kirsten Whetstone

From: Peter Barnes
Sent: Thursday, August 6, 2020 2:25 PM
To: Kirsten Whetstone
Subject: FW: Concerning the Dakota Pacific development (July 28, 2020)

FYI

From: Jane Riley [mailto:janeparkcity@gmail.com]
Sent: Thursday, August 6, 2020 12:16 PM
To: Peter Barnes <pbarnes@summitcounty.org>
Subject: Concerning the Dakota Pacific development (July 28, 2020)

Hello Peter and others in the Summit County development department,

I attended the Zoom meeting on July 28 but was not able to state my concerns about this huge proposed Dakota Pacific development project. I am adamantly against changing the Code to allow this monstrosity. I know Sally Elliott has been in attendance at both of the meetings, and I agree whole heartedly with her opinions and all that she has said against this development moving forward. Truly, our community cannot handle much more development at all. Please vote against changing the code to allow this inappropriate development.

Thank you,
Jane Riley
(435)655-0749

From: [Jesse Curtis](#)
To: [Thomas Cooke](#); [Ryan Dickey](#); [Joel Fine](#); [Canice Harte](#); [John Kucera](#); [Crystal Simons](#); [Malena Stevens](#); [Pat Putt](#); [Peter Barnes](#); [Kirsten Whetstone](#)
Subject: Kimball Junction development; Dakota Pacific Development
Date: Friday, July 24, 2020 1:53:46 PM

Hello Commissioners and County Staff,

I am writing this email in support of the Dakota Pacific Development proposal to build a new neighborhood in Kimball Junction.

I teach history and spanish at Ecker Hill Middle School in Kimball Junction and believe this project will positively impact the community.

Not only will the mixed use development provide a variety of businesses, jobs and shops for the economy, but it will also provide open space and community amenities that will be of much service to the families in the school district.

On a personal note, I am excited about the opportunities of affordable housing units in such a competitive area. I have been commuting to work for several years from the Salt Lake valley and I know several colleagues in the school district who also commute from neighboring towns and would like to live in the city but can't find anything that fits their income.

Please vote in favor of this project and opportunity for progress in Park City/Kimball Junction.

Sincerely, Jesse Curtis

Ecker Hill Middle School

Spanish I & 6th Grade Social Studies

From: [Julianne Rosen-Carone](#)
To: [Kirsten Whetstone](#)
Subject: Public Comment - Dakota Pacific
Date: Monday, July 27, 2020 7:00:00 PM

I have great respect for the attempt our former commissioners made to negotiate the Tech Park plan. But to be a realist, the Tech Park is never going to materialize. It has had 13 years to attempt success with very little to show. Even the original developer has declared it a bust and sold the property. Statements that we should hold on to the original development plan to bring those middle income jobs to Park City is just another way to say that we don't want **anything** built. If that's your goal, then state that's the goal. Don't continue to argue good jobs will come. They won't. And if they do, where will those workers live? The answer, somewhere else. All those workers would be commuting in from somewhere else. I am greatly concerned with several comments I have heard recently that with approved projects in the pipeline we no longer require more rentals or more affordable or attainable units. My job offers me a unique insight to the plight of a great many of our workers in this community and the living conditions they choose because it's all they can manage. The problem is real and far more prevalent than is ever mentioned publicly. They quietly go about their lives working hard and not sharing their personal stories often. We talk about housing prices and housing shortages, but we all too often glaze over the real story of what is occurring every day in this community. These individuals are not unemployed, not seasonal workers, or even entry level staffing. They are teachers in our schools, the dental hygienist who cleans your teeth, your bankers, as well as countless others who we take for granted have a safe and stable place to live. They are doubling up (sometimes tripling) their families into one house or apartment in order to make ends meet. I met with dozens of families in the last year who have a child in their household using their parent's closet as their bedroom because it's all they can afford. Even with everything approved in the pipeline, it's not enough!

Dakota Pacific has offered an alternative to even more commercial development that I think warrants further discussion. From the plans I have seen, we still get to keep all the open space the original commissioners fought for. (Well done!) We don't lose the affordable housing that's already been built and we hopefully can work with the developer on making this project fit the current community vision. I for one don't feel big office buildings and large asphalt parking lots are any better. I'm not in big favor of the hotel, but understand the economics of it and how it will help support the rest of the project. Let's please sit down at the table and keep the conversation going. If not at Kimball Junction, where do we meet our ongoing community housing needs? In areas that don't currently have transit or services or grocery stores and send everyone to Kimball Junction anyway?

~Julianne Carone
Resident, Silver Creek

--

Remember yesterday, dream about tomorrow, live for today!

From: [Kathleen Metcalf](#)
To: [Kirsten Whetstone](#)
Subject: Dakota Pacific wrong for Park City
Date: Tuesday, July 28, 2020 7:23:21 PM

Please do NOT approve the Dakota Pacific proposal - Height, density, and urban form, style and scale as proposed by Dakota Pacific (the current applicant's for a change to the already approved Tech Park development agreement from 2008) does not reflect our community norms, which have been repeatedly reaffirmed.

thank you-
Kathleen Metcalf
30 yr. Park City resident

.... iPhone message KRMetcalf

From: [Katie Johnson](#)
To: [Kirsten Whetstone](#)
Subject: Dakota Pacific Development Agreement Amendment: Summit Research Park
Date: Monday, July 27, 2020 4:33:12 PM

Contributing input before meeting tomorrow.

PLEASE DO NOT ALLOW MORE DENSITY! No more building, no more people, no more traffic, no more pollution. Please, just stop!!

Katie Johnson

From: [Katherine Wright](#)
To: [Kirsten Whetstone](#)
Subject: Research Park and Affordable Housing
Date: Monday, July 27, 2020 6:24:38 PM

Dear Kirsten,

I hope this email finds you well. I want to write and let you know that I think that affordable housing should be the top priority as we develop the research park. The community is clear that this is important, as evidenced by the Community Foundation's Social Equity Strategic Plan. The idea of a research park, per se, is a lot lower on people's vision for our community.

I understand that the current submission prioritizes housing, and if that maximizes affordable housing, I'm supportive.

Thanks, Katie

--

Katie Wright
435-659-8929

I've switched! Use my new gmail address please:
katherine.d.wright@gmail.com

From: [Kimball Junction](#)
To: [Thomas Cooke](#); [Ryan Dickey](#); [Joel Fine](#); [Canice Harte](#); [John Kucera](#); [Crystal Simons](#); [Malena Stevens](#); [Kim Carson](#); [Roger Armstrong](#); [Douglas Clyde](#); crobinson@summitcounty.org; [Glenn Wright](#); [Peter Barnes](#); [Kirsten Whetstone](#)
Subject: Kysha Hill- In support of Dakota Pacific Development proposal
Date: Monday, July 27, 2020 1:14:18 PM

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Kysha Hill
Hill.kysha@gmail.com
Phone #:8015471156
304 S Maryfield Dr
(I am a regular shopper and skier in the area.)

Summit County Planning Commission

I have been a resident of Park City and Summit County since 1971 and, of course, have watched incredible growth in this area. I have sat through innumerable planning and city and county council meeting as a concerned citizen and as an elected official.

After all this time, it amazes that we would even consider allowing any more development than is allowed by code. The Dakota Pacific project at Kimball Junction exceeds all negative expectations in their expansive plan.

Here is my argument. There was great concern decades ago about climate change and its effect on our economy. "Save our Snow" was a brilliant campaign to consider solutions, as was the concept of a technology park to diversify our economy. Its base at Kimball Junction meant workers there could commute from Salt Lake and back without requiring housing.

We are facing uncertain times, not only with a shortened ski season but with a virus that may not allow a vibrant winter season. More than ever a tech park (or a use which does not create traffic, become an eyesore with high buildings and add to our overload of services) makes sense.

The developers seem creative enough to come up with a solution that fits the code and reflects our long term planning. Just say no.

Respectfully,

Marianne Cone Chaplin
2885 Holiday Ranch Loop Rd.
Park City, UT 84060
435 659-9700

From: [Margie Hadden](#)
To: [Kirsten Whetstone](#)
Subject: NO to Dakota Pacific
Date: Saturday, July 25, 2020 11:57:58 AM

Please encourage the county council to vote NO on the Dakota Pacific Proposal! We don't need any more congestion at the junction. Please keep it as open space or used as originally stated in the 2008 Tech Park agreement.

Thank you,
Margery Hadden
1449 Willow Lane
Park City, UT

From: michaelo@xmission.com
To: sallycousinselliott@gmail.com; [Kirsten Whetstone](#); [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Subject: Re: Dakota Pacific
Date: Tuesday, July 28, 2020 4:58:11 PM

Dear Planning Commissioners et al:

I was in the "Zoom Room" hoping to give comments, but I got kicked out by the system before the discussion started and was unable to rejoin due to the 100-participant restriction.

To be brief, as a resident of Kimball Junction, I concur with Sally Elliott's comments and wish to add my concerns about the project's impact on traffic, open space, and the long-term diversity of our local economy.

Thank you for your service,

Michael G. O'Malley
6080 Park Ln S Unit 48
Park City UT 84098
801-652-5578

From: Mark Krueger
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal
Date: Tuesday, July 28, 2020 6:35:26 AM

07/28/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- * Generates less traffic than approved Tech Center office park plan.
- * Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Mark Krueger
2007 Saddlehorn Drive
We live in Promontory + shop in kimball junction often.

From: [Kimball Junction](#)
To: [Thomas Cooke](#); [Ryan Dickey](#); [Joel Fine](#); [Canice Harte](#); [John Kucera](#); [Crystal Simons](#); [Malena Stevens](#); [Kim Carson](#); [Roger Armstrong](#); [Douglas Clyde](#); crobinson@summitcounty.org; [Glenn Wright](#); [Peter Barnes](#); [Kirsten Whetstone](#)
Subject: Mark Lindner- In support of the Dakota Pacific Development proposal
Date: Monday, July 27, 2020 1:03:07 PM

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- Protects open space and embraces local sustainability goals.
- Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- Generates less traffic than approved Tech Center office park plan.
- Offers tremendous opportunity to implement the community's vision for a reimaged Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Mark Lindner
mdlind18@gmail.com
4937 E. Meadows Drive
(I live nearby.)

From: [Kimball Junction](#)
To: [Thomas Cooke](#); [Ryan Dickey](#); [Joel Fine](#); [Canice Harte](#); [John Kucera](#); [Crystal Simons](#); [Malena Stevens](#); [Kim Carson](#); [Roger Armstrong](#); [Douglas Clyde](#); crobinson@summitcounty.org; [Glenn Wright](#); [Peter Barnes](#); [Kirsten Whetstone](#)
Subject: Mark Lisonbee- In support of the Dakota Pacific Development proposal
Date: Monday, July 27, 2020 1:08:38 PM

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- Protects open space and embraces local sustainability goals.
- Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- Generates less traffic than approved Tech Center office park plan.
- Compact design and little surface parking maximize open space.
- Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- Includes space for community events like concerts and farmers markets.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Mark Lisonbee

mark@rlgcap.com

Phone #: 4356404482

8787 Ranch Club Court Park City, UT 84098

(We have lived here for over 21 years I have an office in the area. I go to Kimball Junction every day. I am for improvement.)



July 23, 2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners:

As owners of Outlets Park City, we fully support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of residential, office, restaurants, open space and areas for community events.

As such, we support the proposed amendments to the Development Agreement for the following reasons:

1. One of the largest obstacles our retailers have filling open positions is the availability of housing in the Park City area, so we trust that the proposal will help alleviate some of these issues.
2. The plan is consistent with the recently updated Master Plan for Kimball Junction, which includes a mixture of uses, increased pedestrian connectivity and a mix of housing choices.
3. Provides impetus for state and local authorities to implement transit improvements on SR-224 and identify ways to reduce congestion and improve traffic flow.
4. Modernizes the current Tech Center zoning, which is outdated and too restrictive to attract tenants in today's market.
5. The increased residential population will benefit all businesses, including ours, in Kimball Junction.

We urge you to vote in favor of this exciting new direction for Kimball Junction.

Very truly yours,

DocuSigned by:
Adam Greenebaum

5AA9C2138EB34E0...
Adam Greenebaum

Vice President of Asset Management
Singerman Real Estate

Snyderville Basin Planning Commission
Public Hearing Response
7/28/20

To: kwhetstone@summitcounty.org

Subject: Public Comment – Dakota Pacific at Kimball Junction

Snyderville Basin Planning Commission-

Habitat for Humanity of Summit and Wasatch County submits the following comments regarding the Dakota Pacific at Kimball Junction development, scheduled on the agenda for Tuesday, July 28, 2020.

Kimball Junction, and more specifically parcels PCTC 401-AM - PCTC 404-AM AND PCTC-5B-AM, are an ideal location for affordable housing units in Summit County. Often affordable housing for a community's workforce is placed on the outskirts of town due to the generally lower price of land away from services and employment bases. Where you live affects how you move. The closer affordable housing is to major employment centers, the numbers of additional efforts reduce, such as transportation.

Traffic is listed as a top concern by community members in all Wasatch Back communities. Infill parcels, those already surrounded by development, allows housing near commercial districts and employment centers and can reduce traffic impacts from residents driving to services and/or work.

As part of our local advocacy efforts, Habitat for Humanities of Summit and Wasatch Counties has reviewed successful affordable housing policies in other communities. One strategy communities adopt is locating affordable high-density residential and mixed-use developments along transportation corridors.

Characteristics of transit-oriented developments include:

- High-density development within a 10-minute walk circle around a transit station.
- A mixed-use development that includes schools, retail uses, shopping, and various housing types.
- Street facilities for walking and biking.
- Street grid, connectivity, and traffic calming features to control vehicle speeds.
- Parking management to reduce the land devoted to parking.
- Street trees and lighting.

All of these exist in proximity to and within the proposed Dakota Pacific at Kimball Junction project.

Habitat acknowledges the parcels, approved through the Summit Research Park Development Agreement, would have allowed high-tech development and jobs to move into the county. Not only has the real estate market shown a lack of demand for such offices, Summit County continues to be short on its needed supply of affordable housing.

Habitat for Humanity of Summit and Wasatch Counties supports the amendments to the Summit Research Park Development Agreement that support the proposed development by Dakota Pacific and asks the Snyderville Basin Planning Commission support such changes.

Snyderville Basin Planning Commission
Public Hearing Response
7/28/20

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July 26, 2020

Dear Summit County Planning Commissioners:

I would like to provide a perspective as a neighboring land owner of the Utah Olympic Park, a past Economic Development Director for Park City, and an active participant in the Kimball Junction Neighborhood Master Plan Committee (“Neighborhood Committee”). My summarized thoughts are as follows:

1. The Research Park / Tech Center concept is not working and won’t, given too many factors to list here. In fact, if left to continue down this path, the majority of workforce would be commuting in from the Valley or from Wasatch and Eastern Summit County. A proactive change is needed in the Development Agreement to lesson the impacts and to smooth out the transportation impacts. This has been known by County leaders for some time now.
2. Rather than sit back and let Kimball Junction continue to be added to in a patchwork fashion, the County smartly formed the Neighborhood Committee with representatives of businesses, residents, land owners, concerned citizens, and elected officials – all of whom were or became very familiar with the current Kimball Junction challenges and opportunities. The County staff provided excellent support to this group and provided perspectives, best practices, helpful comparisons, and a very good process to talk through ideas.
3. By now, most everyone who has dug into the current predicament has seen the key findings of this groups 20+ month efforts, that include:
 - a. Improve flow of regional traffic
 - b. Strengthen the neighborhood’s mix of uses
 - c. Reestablish traditional neighborhood building
 - d. Centralize parking
 - e. Improve overall neighborhood connectivity and walkability
 - f. Enhance and expand community and civic spaces
 - g. Improve the visual quality of the built environment
 - h. Promote community participation in the neighborhood planning process
4. In my view, the team from Dakota Pacific digested these findings and proposed a plan that addresses some of the recommendations directly and others more indirectly. Creating affordable housing options is certainly a big plus and the mixed use elements are on target with the recommendations made by the Neighborhood Committee. Creating residential uses instead of office structures would actually create a more steady flow of traffic through the day compared with large morning and evening traffic periods. Those components should be applauded and supported. However, what is still missing is the key “community benefit” piece that would/could address much needed transportation infrastructure improvements. Those have been identified by Dakota Pacific with targeted land place holders, and quite frankly will take some time to work through the funding needs that extend well beyond the responsibility of Dakota

LEGACY

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435.654.2002

Pacific alone. This is where the State, UDOT, and Summit County need to ratchet up their efforts to find the necessary funding plan for key elements such as a much more robust multi-modal transportation hub, centralized parking, bus rapid transit (BRT), possible gondola connection, civic spaces, etc. This will require a two step process that starts by finalizing whatever final DA amendments the County can do with Dakota, and then having them be a partner in helping the region organize much needed public transit and through traffic transportation infrastructure funding.

5. Preserving the past agreement is the equivalent of saying no to an opportunity to positively shape the future. Kimball Junction needs an impetus to set the table to do these much needed transportation infrastructure improvements that would also focus efforts to create neighborhood connectivity and walkability on both sides of Rt 224. The town center concept was a good one, and this is an opportunity to really shape it to a more appealing possibility.
6. In respect to a future Olympic Winter Games, I am very concerned that the entryway to the greater Park City area at Kimball Junction will be much worse if a collaborative effort is not created with the Tech Center property owners. The County alone won't be able to make this happen and I believe everyone shares a desire to showcase to the world in 2030 or '34 a Town Center and main transportation entryway that saw vast improvements towards something that we can take pride in.

I support Dakota Pacific's request to amend the current failing Development Agreement in favor of a more mixed-use development that lays the groundwork for key public transportation improvements in an area that needs it very badly. Perhaps consider some conditions of approval that tie later development densities of the project to key milestones on the transportation infrastructure plan.

Please feel free to contact me should you desire further information.

Sincerely,



Colin Hilton
Pres/CEO, Utah Olympic Legacy Foundation
chilton@uolf.org

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From: [Andy Fletcher](#)
To: [Kirsten Whetstone](#); [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Subject: Opposition to Park City / Kimball Junction Tech Center Development Amendment
Date: Monday, August 10, 2020 10:35:27 AM

Hello,

As a homeowner and resident in Kimball Junction I want to express my strong opposition to amending the Tech Center development agreement. The proposal set forth by Dakota Pacific goes completely against the intent of the original development agreement.

There seems to be a complete lack of countervailing public benefit in DP's current proposal. Park City/Kimball Junction does not need more residential development that is not focused on affordable housing, nor do we need more service jobs brought to the area.

Further, there is no comprehensive traffic plan. UDOT, Summit County, and Park City should have a comprehensive traffic study and plan in place to fix the entryway before this amendment is even considered, let alone approved.

Lastly, the commission should wait until we see the outcome of Park City's bid for the 2030 Olympics, because that decision could drastically change the needs of the community in the near future.

I urge the commission to reject any amendment to the approved Tech Center development plan.

Thank you,
Andrew Fletcher

Andrew Fletcher
6170 Park Lane South, Unit 32
Park City, UT 84098
avfletcher@gmail.com
+1-703-655-4452

From: Beverly Harrison
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal
Date: Friday, August 7, 2020 1:58:51 PM

08/07/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- * Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Beverly Harrison
1669 Redstone Ave. B-1

Input to Basin Planning Commission Regarding the Dakota Pacific Project

Bruce Carmichael
1015 Abilene Way
Park City, UT 84098
435-565-0560

8/17/2020

In my previous input of 7/28/2020 I outlined some concerns I had with the timing and scope of the project. The latest meeting on August 11th answered some of my questions and concerns and showed the applicant to be open to suggestions and improvements to the planned development based on public input.

With that in mind, I suggest that we recognize that the original premise envisaged for the development of the area has not come to pass and is unlikely to do so. We also need to recognize that the community has a need for the type of housing opportunities that are addressed by the new concept for the development and we should work to craft the project in a way that sets an example for the future.

If the project goes forward I suggest that the County Staff and the Applicant work to include more sustainable features in the development. A good starting point would be to include a comprehensive solar energy component as the location and siting appears to be suited to favor rooftop solar arrays. For instance, with the addition of pitched roof design features the arrays could be incorporated into the design and not appear to be an “add-on” as they would with the current mainly flat roof design. Incorporation of solar energy generation would also fit in with the affordability aspects of the development. This could serve as an example for the incorporation of solar energy into future projects and in concert with the County’s past efforts that teamed with solar energy contractors to encourage rooftop solar array additions to homes.

Similarly, we should consider the communication infrastructure of such a large project and work with the applicant to anticipate and ensure that high-speed connectivity needs are accommodated in the planning, from the start, to meet the continued and increasing demand on those services by both residential and commercial users. Typically, this is an after-thought in design but such capability can now be leveraged as a positive and attractive aspect in the marketing of the project. When the Basin is provided with true high-speed services this project should be ready to accept it on behalf of its residents and businesses. Future-proofing, to the extent feasible, should be the goal.

I think we need to hear more about the hotel part of the project as that seems to have been under-emphasized in the discussion and depictions. The location of the hotel seems to indicate that the traffic associated with it will be largely through the middle of the development and thus have a potential negative impact on the (safe) walkability claims made by the Applicant. Is this really an attractive location for a hotel? Who are the target customers for such a hotel at this location? Would more space for community-serving venues be a better use for that area?

Finally, the issue of traffic still remains a major concern. It was disheartening to hear that UDOT is waiting to see development move forward before it reveals (or even develops?) its vision for the Basin/I-80/224 interchange(s) in a forward-looking manner. This issue needs to be addressed in cooperation with state agencies as not doing so can easily result in non-congruent outcomes that are not in accord with the needs of the Basin and furtherance of the Neighborhood Plan.

From: [Dede Lewis](#)
To: [Kirsten Whetstone](#)
Subject: Dakota pacific development
Date: Tuesday, August 11, 2020 6:31:48 AM

I am opposed to this development because

Not in keeping with the research park intent

More diversity in employment is needed, not this development

Traffic concerns at kimball junction will be worsening with this high impact plan

Not enough workforce housing is proposed

VOTE NO ON DAKOTA PACIFIC!

Thank you
Dede Lewis

Sent from my iPhone

From: [Jane Washington](#)
To: [County Council](#); [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#); [Kirsten Whetstone](#)
Subject: Comments on the Dakota proposal
Date: Friday, August 14, 2020 9:22:39 AM

After the August 1 public input part of the public hearing on the Dakota proposal, we (Mike and I) went for a walk. Upon returning at 9 pm, the meeting was STILL going on and I listened for awhile.

These comments by Crystal Simons stood out and frankly, shocked me. (She talked a lot!...it's all recorded).

9:08pm she stated that:

“WE”. Just. Need. To. Accept. That. This. Is. Evolution. (Emphatic)

Followed a bit later by:

“WE” don’t want a debate over 20 years ago.

And:

“It’s IMPERATIVE to have flexibility. The old plan didn’t have that.” (Maybe for a reason, Crystal!)

So why bother with a public hearing when clearly this planning commissioner has already made up her mind? And who is “WE?” Her? Me? County Council? Anyone?

History: The current development agreement was part of a successful negotiation between the county, the development arm of the LDS church and a commercial real estate development company. We already bought out a mixed use development on this site. Now we are asked to give it back. Two mixed use development proposals were turned down. This is not the location for mixed use!

Just asking....what happens when the snow and skiing takes a long downturn and we need more industrial businesses at the Junction to take up the slack - and we have already given the land away? Or is that part of “flexibility?” Since we are not to look back 20 years, are we really looking 20 years into the future???

I continued to be struck by the developer labeling slides as “Potential Future Partnership Opportunity” which is double speak for - “we’re not building or paying for these opportunities, but we’ll make you think they are part of the project and they look good in our slides.” There were lots and lots of “Potential Future Partnership Opportunities” but no financial commitment as in, “WE are building this as part of the project.” Good ideas, no money behind them.

What happened with the garages? It looks like they started out near the residence buildings, which makes sense in a ski area. They ended up as a couple of multiple story buildings near the “Park”. (Are they even building that or is that a Potential Future Partnership Opportunity?). So mom and 4 kids are going to slog through snow - for some six months of the year- to get to a parking garage, leave to shop, and then slog back from a parking garage, with those 4 kids plus packages or grocery bags in hand, to their residence? Yes, they will drive, not take the bus. Come on....that’s terrible planning. A far different picture than smiling people walking on a lovely sidewalk (is that finish included - or just ugly concrete?) in the summer. Loved the gondola - I assume yet another Potential Future Partnership Opportunity?

What’s with the mystery about the motel? Where is the county council in approving design, size, traffic, lighting in a project of this size? Or are the visitors all going to use the Ecker Hill park and ride, packing kids, skis, luggage and take the bus to the motel?

As Mike (Washington) asked, if there will be 1900 employees building this monolith, along with hundreds of huge trucks carrying building materials, how will this affect Kimball Junction? There is no way to get that amount of material to this site without total gridlock for not just a snow season, but for a multi year buildout. . Not to mention parking for the employees the construction will need. Are we going to build an underpass under H224 from I80 to

facilitate all of those vehicles? Or is that another Potential Future Partnership Opportunity?

1100 or so units, some 3000 people thus adding some 50% to the basin population. Ridiculous! And those are estimates. Many, if not most, of whom will head to downtown Park City for events. How? Oh, on the bus system they're slogging through snow to get to.

And those 1100 units will house some 1100 - 1500 employees? Where are those jobs? Not in this development. If they can "walk to work" where, exactly, is "work?" In some nameless boutique?

Snow storage: where?

How many busses will be required and where will they be stored? Or is that another "Potential Future Partnership Opportunity" to be placed....where? Under H224? It's going to be pretty crowded under there.

The taxes and fees are gross, not net. There will be very little net (IMPORTANT)...It has "always" been understood that residential does not pay it's way and there is very little commercial here.

Where is the demonstrated ability to complete a project of this scale by Dakota? What have they done? What happens if they go bankrupt? Who finishes it? Summit County? So many Potential Future Partnership Opportunities, so little financial commitment.

Dakota is not proposing any material community benefit to offset the community harm caused. The only "trails" I noticed look a lot like sidewalks. So does Basin Rec through yet another Potential Future Partnership Opportunity bear the cost of trails for these 3000 people? Or do these 3000 people just jam up the trails and trailheads even more?

Bob Richer was right - the planning commission should deny this and let the County Council, those with actual power, negotiate this, not just rubber stamp this project.

Could be a good project, wrong place. Too Big, Too Dense, Too Many Community Impacts for this location.

Jane Washington
Washpark@xmission.com
435-513-1867

From: lsgorton@gmail.com
To: [Kirsten Whetstone](#)
Cc: [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Subject: Dakota project
Date: Saturday, August 8, 2020 4:45:16 PM

I am writing to let you know that I oppose this project and would like to see a project that more closely resembles the 2008 development agreement that is currently in place for that area. It is my understanding that the current development agreement was put into place for several reasons- to reduce residential density and to increase economic diversity. This project does the exact opposite.

The residential aspect will add students to the school district but won't generate enough tax revenue to cover the costs associated with new students. It will also generate a lot of traffic in an area that already has major traffic difficulties. The current developers think the residential would be less burdensome than businesses but I disagree. Businesses would only generate traffic during business days/hours. Residential traffic will be at all times of day and night 7 days a week.

This county needs economic diversity and this project does nothing to promote that. The current pandemic conditions and global warming are a prime examples of why we need to diversify the economy so we are not as dependent on tourism. It also does nothing to create new jobs except for the hotel, which is exactly the type of business we do not need. We need good paying jobs that don't rely on tourism.

The tech park idea was a good one but it came at a bad time due to the 2008 market crash and the fact that the state was actively seeking to build the up tech industry down in the valley. Now might be a better time and the restrictions on the types of businesses allowed could be loosened to include things like healthcare, finance, etc.

I feel like this project does not benefit the community in any way and only adds to the overall problems. (Adding affordable housing doesn't count because the current agreement already requires an affordable element)

And please, no hotel. There are hotels on the other side of 224 that are more walkable for guests to get to restaurants and such. There is also an unoccupied hotel on Landmark drive.

Please do not approve this plan.

Linda Gorton

From: Linda Pflughaupt <pflughauptlinda@gmail.com>

Sent: Monday, August 10, 2020 2:10 PM

To: Vicki Geary <vgeary@summitcounty.org>

Subject: 8/11/20 Comment for Agenda Item#2 Application for proposed amendments to the Summit Research Park Dev. Agreement

From:

Linda Pflughaupt
5328 Sandhill Court
Park City, UT

I am in full agreement with the comments made on KPCW Local News Hour 8/7/20. Bob Richer's Interview with Leslie Thatcher in which he endorsed **slow growth, a plan to address traffic issues before more development, and save the land for diversification of our economy.** Please vote "NO" to Dakota Pacific's current plan.

Thanks for all you do for our community!

Best Regards,

Linda Pflughaupt

From: Linda Pflughaupt <pflughauptlinda@gmail.com>

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Thanks for all you do for our community!

Best Regards,

Linda Pflughaupt

From: [Kathy Mears](#)
To: [Marilyn Burrell](#)
Cc: [Kirsten Whetstone](#); [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#); [Kathy Mears](#); [Sally Cousins Elliott](#)
Subject: Re: Dakota Pacific Hearing, zone change
Date: Tuesday, August 11, 2020 3:13:32 PM

Excellent

Kathy Mears, Realtor
Summit Sotheby's International Realty
435-901-9964
Kathy.mears@sothebysrealty.com

On Aug 11, 2020, at 1:46 PM, Marilyn Burrell <mkburrell9@gmail.com> wrote:

To: Summit County Planning Commission

RE: Dakota Pacific Hearing, zone change Parcels: PCTC-404-AM and PCTC-403-AM

Commissioners:

I tried to participate in the Commission meeting call the end of July regarding the zoning change request by Dakota Pacific for the property known as the Park City Tech Center without success.

I have been a resident of Park City since 1983 and have seen many changes, some good, some not so good. The growth has been incredible in these years. I felt it was a great move when Summit County zoned the area South of WalMart as industrial to bring in new business with different career choices and employers to diversify the work force opportunities was a great idea. We do need diversity in employment opportunities outside of resort operations, restaurant and hotels.

I do not want to see this area re-zoned as residential, we need the tech business and more technical employment opportunities in Summit County. The developer knew the zoning when they bought the property and should be concerned with development in the business/tech areas, not assuming they can brow beat the county planners to re-zone residential, where they can make much more money.

If this is changed to residential and the developer allowed to build with the density impact they are indicating, the impact in that area will be huge. The traffic at the Kimball Junction area is already a nightmare, I drive it every day. Adding an additional 2500 cars to the works with residents commuting to work, whether in Park City or Salt Lake, will be a huge impact to the junction area. I understand the developer is presenting a lovely residential area, with parks and trails and lots of open space but I cannot see how the numbers they are presenting with an excess of 1000 residential units and a hotel in 40 acres will be lovely and desirable. The Liberty Peak Apartments adjacent to the property in question have 150 units in 6 acres. Many of these buildings have commonwall apartments, multiple floors and limited parking. There is very little open space, one play area and no trails. If you take the 6 acres Liberty Peak lies on x6.5

or 39 acres, that puts 975 units in the same acreage the developer is trying to re-zone (44 acres). This number is less than the number the developer is looking to inhabit with single family homes, on individual lots? There is not enough land to accommodate these numbers without going up, more than 2 levels. No developments have been allowed that height. That does not leave any space for open space parks trails and aesthetically pleasing atmosphere on the area. I just don't see it. And then the developer pockets millions and leaves town for residents to deal with. They do not live here or have any investment in our community, they just want to build as big as possible and leave.

Please vote no on any zoning change. This will be an impact that will not be a positive experience for any residents of the area. We need the development of new employers and technical employment for the current residents of Summit County, Kimball Junction and Park City.

Thank you for your time.

Marilyn Burrell

435-655-5244

From: [Mark J Fischer](#)
To: [Kerlan Wheelstone](#); [Thomas Cooke](#); [Candice Harle](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Finn](#); [John Kucera](#); [Ryan Dickey](#)
Cc: [Sally Cousins Elliott](#)
Subject: Tech Center opinion from Mark J Fischer: opposed
Date: Wednesday, August 19, 2020 10:16:03 AM

All,

Please register my opposition to this Dakota proposal. I too think "history is relevant" as Bonnie states in her attached letter. Why in the world would you ever seriously consider this mixed use proposal? It makes no sense and will only add to the congestion in the area. A deal is a deal as they say. Please leave this land as it is currently approved!

Mark J Fischer
Cell: 435-640-6858

https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.parkrecord.com%2Fopinion%2Fguest-opinion-the-current-tech-center-serves-the-communitys-goals%2F%3Futm_source%3Dsocial%26utm_medium%3Demail%26utm_campaign%3Drecord-roundup&data=02%7C01%7Ckwhelstone%40summitcounty.org%7C4d346ad838744a781f6d08d844582963%7C4978086ed7845149cc43715b1894e4e%7C0%7C%7C63734505624312524&campdata=ffPonWvHT8TOHX%2FgCh63epsDorQI2ygbW%2FuwCnd8%2F%3D&reserved=0

From: [mary christa smith \(CTC Summit County\)](#)
To: [Malena Stevens](#); [Canice Harte](#); [Thomas Cooke](#); [Joel Fine](#); [Ryan Dickey](#); [John Kucera](#); [Crystal Simons](#)
Cc: [Kirsten Whetstone](#); [Janna Young](#)
Subject: Public comment on the proposal to change the Tech Park development agreement
Date: Monday, August 10, 2020 12:35:46 PM

Hi Snyderville Basin Planning Commission members,

Good morning. I have an additional public comment I would like to make regarding the proposal by Dakota Pacific to redevelop the tech park.

One of the main points Dakota Pacific makes to illustrate “community benefit” is a discussion of how their proposal would reduce traffic during peak hours and provide affordable housing for those who live and work in Park City. Their analysis is simply incorrect.

I have the honor and privilege of serving on the board of Mountainlands Community Housing Trust. I am also a homeowner of an affordable unit in Central Park and I work in substance use and suicide prevention with CTC Summit County. Lack of affordable housing has been identified as the #1 risk factor for mental health issues in mountain resort communities by the Katz Amsterdam foundation. This is a topic that is near and dear to my heart and my time on the board has shown how complicated it can be.

I recently completed a webinar with Patrick Matheson from Mountainlands - this is a presentation he has offered in the past and I originally first saw it at Mountain Life Church. If you don't want to watch the whole thing (which I highly recommend!), you can skip to minute 14 - here is the part of the presentation which illuminates the flaws in Dakota Pacific's claims regarding housing and transportation. Here is the link to the video. <https://youtu.be/qi0Q-OP1jBo>

Here are the bullet points:

- Costs for affordable housing are based on AMI (area median income)
- The AMI for Snyderville is \$91,000 for a family of 4
- The wage paid to workers/employees in Snyderville is \$44,000 for a family of 4. Wages for employees in Snyderville are much lower than the average income of the residents of Snyderville. Herein lies the rub.
- 13,000 people commute OUT OF Summit County for work every day
- 13,000 people commute INTO Summit County for work every day
- The folks who work in Snyderville cannot afford a unit based on 80% AMI. This includes the hundreds of employees that will be generated by the hotel and retail of Dakota Pacific's proposal.
- The folks who will live in the units will likely commute to the Wasatch Front for the high paying jobs that allow them to afford to live in PC. This includes both affordable and market rate units.

The proposal by Dakota Pacific actually may double the traffic impacts. We will have families who will drive their kids to school, and then drive to work out of Summit County. We will also have hundreds of employees who will then drive into Summit County to work the low wage service level jobs at the proposed hotel and retail. I ask you to consider the metrics

offered by our community housing experts alongside the very biased and inaccurate study done by the developer.

In gratitude,
Mary Christa

Mary Christa Smith

Executive Director

Communities That Care

Pronouns (she, her, hers)

435-640-9189

mcsmith@ctcsummitcounty.org

From: [P.L. Bodell](#)
To: [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#); [Kirsten Whetstone](#)
Cc: [Sally Cousins Elliott](#)
Subject: DAKOTA Pacific development
Date: Saturday, August 8, 2020 10:30:17 AM

I have reviewed the proposal as submitted to the Summit County Planning Commission and community comments.

I am in 100% agreement with Sally Elliott.

Please add my name to the concerned residents urging each commission member to vote NO.

Thank you for your continued dedication and service to our community,

Peg Bodell

44 year Summit County resident

817 Woodside Avenue

8016510541

--

P L Bodell

4silverqueens@gmail.com

From: Raymond Freer <rayfreer@comcast.net>
Sent: Saturday, August 8, 2020 2:36 PM
To: Vicki Geary <vgeary@summitcounty.org>
Subject: Dakota Pacific proposed development

I have contemplated the development and spoken with people who advocate for the development as well as those who are negative about it.

I have arrived at the following conclusions.

My preference is to have it remain as it is, that being undeveloped. Just retain the zoning regulations in place with the tech park concept. If demand for development arises consistent with the existing plan enable that to occur.

The second choice is to allow development as requested but only if density is diminished substantially. My understanding is that 1,100 units are requested of which approximately 80 are townhouses for sale. In defense of the proposal either as is or possibly as modified in the future, according to one person with whom I spoke it is pretty much in compliance with many of the objectives of the Kimball Junction master plan. Also, if density were halved, perhaps it could be reviewed more favorably.

No matter how many units would be acceptable to the planning commission it should include very substantial low income and workforce housing. This would be subject to and at a cost to the developer (not Summit County) and be in the form of CCand R's and deed restrictions and prescribed metrics to which the developer/owner agrees. In addition a strong requirement would be made to provide support to transportation mitigation efforts for the county as a whole.

In essence all it appears to be is a glorified apartment project. It is suggested that transportation circulation issues are capable of being resolved. Before the first approval is granted those transportation issues must be fully resolved in the sense of timelines and which entity does them, be it UDOT, Summit County or Park City and who pays for them. Just as an aside we already gaffe our second home owners excessively.

I commend the planning commission for its efforts. The foregoing are conceptual suggestions. I have not reviewed the specific proposal.

Ray Freer

From: Raymond Freer <rayfreer@comcast.net>
Sent: Saturday, August 8, 2020 2:36 PM
To: Vicki Geary <vgeary@summitcounty.org>
Subject: Dakota Pacific proposed development

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I commend the planning commission for its efforts. The foregoing are conceptual suggestions. I have not reviewed the specific proposal.

Ray Freer

From: shirin@curbitrecycling.com
To: [Kirsten Whetstone](#)
Subject: Dakota Pacific Development Agreement
Date: Monday, August 10, 2020 11:35:34 AM

It is crucial that we keep this space open. It's one of our entryways to Park City and the intent was to keep it open space. We can not keep developing these beautiful lands.

Shirin Spangenberg resident Summit County

Recycling Is A Resource!



Shirin Spangenberg
PO Box 681397
Park City, UT 84068
shirin@curbitrecycling.com
435-503-1840

From: [Ryan Dickey](#)
To: [Crystal Simons](#); [Canice Harte](#); [Malena Stevens](#); [Thomas Cooke](#); [Joel Fine](#); [Ryan Dickey](#); [John Kucera](#); [Pat Putt](#); [Kirsten Whetstone](#)
Subject: Fwd: Dakota/Pacific Proposal
Date: Monday, August 17, 2020 10:04:24 AM

—
Ryan Dickey
Snyderville Basin Planning Commission
rdickey@summitcounty.org
(435) 901-9784

Begin forwarded message:

From: Laila Tedford <laxmomma@yahoo.com>
Subject: **Dakota/Pacific Proposal**
Date: August 16, 2020 at 4:19:19 PM MDT
To: rdickey@summitcounty.org

Hi,
We are residents of Sun Peak. We are very much opposed to changing the zoning on this parcel to accommodate more residential units. The development should be limited to the current allowed square footage. There is no valid reason to increase the square footage. Kimball Junction and the entryway to Park City are already a mess. This will only make it worse. Since we can't find a way to send this message to everyone on the Planning Commission, we would appreciate it if you could forward it for us.
Jim & Laila Tedford 541-490-2308

From: [Tyler Quinn-Smith](#)
To: [Kirsten Whetstone](#)
Subject: Full support of Dakota Pacific proposal
Date: Tuesday, August 11, 2020 11:51:18 AM

08/11/2020

Snyderville Basin Planning Commission Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I strongly support the Dakota Pacific development proposal to build a complete transit- and community-oriented neighborhood in Kimball Junction. There is no better location in the entire county for a forward-thinking, sustainable project like this. Once approved, Olympic View will bring undeniable benefits for our climate, our workforce, and to long-time Snyderville Basin/Park City residents who are bashing this proposal with baseless claims for traffic, obstructed views, etc.

My rationale for amending the existing development agreement (suggestions for improvement are underlined):

- **Research Parks are dead.** The empty promises of the original Tech Park proposal are rooted in planning mistakes of decades past. If the 2008 site plan was built out (which no market forces exist, especially now with momentum toward remote working), the resulting single-use, auto-oriented environment would be a complete disaster for Kimball Junction and the nemesis of the Kimball Junction Neighborhood Plan. Enormous amounts of parking would incentivize more driving and the area lifeless for the majority of the day.
- **Aligned with goals of community plans and Kimball Junction Neighborhood Master Plan.** The Dakota Pacific proposal includes the following elements: a mixed-use, people-oriented, walkable neighborhood; multimodal connectivity; a variety of housing choices; high visual quality; and centralized parking — all of which are explicit goals of the KJ Neighborhood Plan.
- **Expands housing choice.** The current proposal includes housing for a range of incomes, needs and lifestyles. I do, however, suggest that the Planning Commission advocates for a stronger affordable housing component for renters and owners.
- **Economic Diversity.** The proposed site plan opens up space for new small-scale retail, restaurants, and services. It also offers a serious opportunity for establishing innovative companies in three large office buildings along 224. I suggest the Planning Commission reconsider both the hotel on the west end of the site plan and the hotel (marked "hotel/office") on the east end of the site plan. These buildings should instead be intended for office, mixed-use office, or something else that will be clearly perceived as a step toward economic diversification.
- **Open space protection.** The Dakota Pacific proposal preserves more open space than

the original entitlement. There's also planned open space scattered throughout the Olympic View site plan made possible by public parks and plazas, pedestrian ways, and semi-private space between smaller, human-scaled buildings.

- **Generates less traffic than the existing entitlement.** This is well documented in the 2019 traffic study. Plus, the estimated traffic volumes could be reduced even more if the Planning Commission advocates for fewer parking spaces and/or decouples parking from residential units.
- **Transit Proximity.** It also provides a critical mass of local employees needed to support a high functioning and reliable transit service. Increased ridership of this magnitude is our only hope for improved frequency and could justify dedicated lanes, which should convince other Parkites to ditch their personal cars and enjoy our world-class buses.
- **Mobility and Safety.** The Olympic View concept clearly prioritizes accessibility and safety for pedestrians and cyclists over automobiles. The site is well-connected to an existing trail network and also perfectly situated to encourage transit use.
- **Benefits for existing residents.** The Dakota Pacific proposal includes space for authentic community events and entertainment that our entire community will enjoy. The new neighborhood also establishes a sense of place absent in much of Kimball Junction.

I urge the Planning Commission and County Council to support the new development agreement with the minor tweaks presented above. The outcome of this critical parcel will have a tremendous impact on the vulnerable families, teachers, service workers, hospitality staff, recreation workers, etc. who cannot afford to live in Snyderville and deserve a safe and well-connected place to thrive. The resulting development will also have a significant impact on the sustainability and livelihood of the next generation of Parkites (Millenials like myself) compared to the older, gas guzzling homeowners who speak blindly about the "consequences" a project like this brings. Voices from these groups are largely absent from this decision-making period and I encourage you to ramp up targeted outreach to those most impacted by these plans.

This is Summit County's last chance to enable a catalytic project in a strategic location. Saying "no" simply means deflecting our housing needs elsewhere in a much less livable, unsustainable, and sprawled-out fashion.

Sincerely,

Tyler Quinn-Smith
Former Land Use & Development Associate at Smart Growth America
Master of Urban Planning Candidate, University of Washington
Jeremy Ranch Resident

From: [Wendy Cryan](#)
To: [Kirsten Whetstone](#)
Subject: Tech park
Date: Sunday, August 9, 2020 2:11:40 PM

The original decision of a decade ago was a sound and reasoned action. Now more than ever that decision was and continues to be the right one and should not be revised/modified or otherwise negated. Thank you for listening

Wendy Cryan
Voelker Court
84098

From: [Amanda Kail](#)
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal
Date: Monday, August 24, 2020 9:51:35 PM

08/25/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

My name is Amanda Kail. My connection to Kimball Junction is I own a home in Silver Creek, and do much of my shopping in the Kimball Junction area. In addition, I support the Dakota Pacific development mixed use proposal for the following reasons:

- Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- Protects open space and embraces local sustainability goals.
- Offers economic opportunities for today and tomorrow.
- Generates less traffic than approved Tech Center office park plan.
- Fresh approach offers opportunities to address important community needs in the Snyderville Basin.
- Compact design and little surface parking maximize open space.
- Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- Includes space for community events like concerts and farmers markets.
- Replacing today's planned surface parking lots with open space eliminates heat islands and encourages trail use and outdoor activity.
- More residents at Kimball Junction will boost transit ridership, making the system more efficient and cost-effective.
- Highway and transit access make Kimball Junction the best location in western Summit County for multifamily housing that's affordable for a range of incomes.
- Provides 306 units of workforce and attainable housing.
- Creates a true walkable neighborhood with a mix of housing, shops, restaurants, offices, and community amenities.
- Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- Convenient transit access is fully integrated into the proposal, including potential for future improvements.
- Sloping site allows views from lower floors, while keeping rooflines similar to or below those of other buildings in the area.
- More residents will mean more customers for all Kimball Junction businesses.

I want to thank you for your service to the County and for your thoughtful consideration of my support for this proposal.

Sincerely,

Amanda Kail

From: [Ben Berend](#)
To: [Kirsten Whetstone](#)
Subject: Showing my support
Date: Tuesday, August 25, 2020 4:05:34 PM

Hello Kristen,

My name is Ben Berend, I'm 25 years old and I've lived in Park City, Utah for 8 years. I just wanted to voice my support for the mixed use neighborhood on Kimball Junction. This town is amazing but I've struggled to afford living here and I have a pretty awesome job in town. There is no better time or place to approve this neighborhood. The town of Park City needs this so badly, as I see amazing young people leaving because they can't afford to live here or don't feel there is a place for them here. Thank you so much.

Ben Berend
2018 Olympian
970-819-3730
Sent from my iPhone

From: Beverly Harrison
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal
Date: Friday, August 7, 2020 1:58:51 PM

08/07/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- * Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Beverly Harrison
1669 Redstone Ave. B-1

From: [Bev Harrison](#)
To: cooke@summitcounty.org; [Ryan Dickey](#); [Joel Fine](#); [Canice Harte](#); jkucera@summitcounty.or; [Crystal Simons](#); [County Council](#); jgochnour@dakotapacific.com
Cc: [Kirsten Whetstone](#); [Pat Putt](#); [Peter Barnes](#)
Subject: A Demonstration of Sustainability through Solar Design and Natural landscaping
Date: Tuesday, August 11, 2020 2:56:07 PM

To Commissioners, Planners, Councilors, Developers,

First of all, I live in Fox Point condominiums at Redstone, adjacent to the Swaner Preserve. As such, I am smack dab in the center of KJ/224 and the proposed DPRE development will be in my neighborhood. I am passionate about getting around via transit, cycling and walking. I am happy to hear these means of travel will be strongly supported in the design of the project. As I have stated before, however, I hate the thought of having 1100 housing units "across the street" whether or not they are deed restricted or market priced. Is this number negotiable? I am curious, for density comparison purposes, about how many total housing units are here on the east side of 224 combining Fox Point, the Newpark Townhomes, Newpark Flats, Newpark Terraces, Nevis, Newpark Studios and The Commons. I think it is important to compute, compare and message to the public the eastside density with that proposed on the west. Can we find that out?

Also, what are the chances of this project being a solar-designed community? The site gets full sun; it is flat, open and especially windy. Its location at the gateway to Snyderville Basin and Park City, positions DPRE to send a strong message to the community and beyond that environmentally sustainable design is a priority. I would like DPRE to give some serious thought to solar.

And finally, I would like to see **the landscape stay as natural as possible** to blend in with the surrounding open space. We don't need--nor should we want--a lot of lawn or bark. Swaner Preserve staff may be available to help in the selection of suitable native grasses, shrubs and plants. In addition to accessible sidewalks, making short trails for people to walk on throughout the community, would complete the natural-look of the grounds--all of it requiring little irrigation. We need this landscaping practice now. Grass could be reserved for small "parks" or other community spaces where people can sit, spread out a blanket, and watch concerts and other performances. Irrigation required.

I hope DPRE, the SBPC and County Council give serious consideration to making

this project a solar-designed, mixed use, naturally-landscaped community. Our change to living sustainably and reducing our carbon footprint is seriously overdue. Tick-tick-tick.

-Bev Harrison



Reply

Forward

From: [Bev Harrison](#)
To: [Thomas Cooke](#); [Malena Stevens](#); [Joel Fine](#); [Ryan Dickey](#); [John Kucera](#); [Canice Harte](#); [Crystal Simons](#)
Cc: [Kirsten Whetstone](#)
Subject: DPRE PROJECT/Guest Editorial
Date: Thursday, August 27, 2020 11:14:10 AM

Hello Commissioners,

I was unable to participate in your Tues. 8/25/20 virtual meeting. Just as well. Instead, I am submitting my comments to you here. They will also be copied into a Guest Editorial that Bubba Brown indicated would appear in the Sat. or more likely, next Wed. Park Record. 'Tis the season for sharing opinions and the editorial page is crowded. My letter re: the DPRE project is below, with a few changes for your consideration.

To Planning Commissioners,

I hope you will make a recommendation to the County Council of a change to mixed use zoning on the Tech Park site at the Ute Blvd/224 intersection. This will allow Dakota-Pacific (DPRE) to continue with their project's journey through the approval process before the County Council. I've had conversations with Peter Barnes and Pat Putt, and with Jeff Gochmour since before the KJNP approved mixed-use zoning. I know Peter and Pat think mixed-use is a superior community design; they hate a lot of blacktop and cars; they love a lot of cyclists and pedestrians.

I request that fewer than 1100 residential units be approved. I also request this be a solar-designed community. The site is perfect for solar with a flat, open, south facing exposure. It is also a particularly windy site. Located at the gateway to our ski resorts it is a wonderful way to showcase our commitment to sustainable living at the base of mountains we hope will

continue to be covered with snow.

I live in Fox Point which is one of several east side Kimball Junction (KJ) neighborhoods in Redstone/Newpark along the Swaner Trail. I love the look and vibe of this mixed use area. I tell people all of us who call KJ home live in the eye of a storm—the storm being traffic going to, from and through The Junction; the eye being the quiet streets of its residential neighborhoods. For us, the DPRE project would be joining us as a major mixed-use addition.

I like that the DPRE community would make use of the underused 224 pedestrian/cycling underpass which connects the east and west sides of 224. With that, and on sidewalks, trails and streets you can travel most anywhere by foot and bicycle. The circulator and PC buses are other great ways for us to travel car-less around, to and from KJ and there is plenty of room for more people on them. Within KJ, we have easy access to places like: the library and county meeting site; the Transit Center; Walmart; Staples, bakeries; grocery, clothing, furniture, pet, home goods, crafts, toy, and framing stores; sports, bike and ski shops; pharmacies; dental and medical offices; the field house; The Swaner Preserve; a liquor store; businesses, e.g. Back Country, Skull Candy; restaurants; The Outlets, and our extensive trail system. (I put 5000 miles on my car in 2019 and had one oil change.) If the DPRE project is built, there'll be more places to go carless like a cultural events center, a farmers' market, maybe a hardware store, and senior housing. I've heard, DPRE would include an extended stay hotel which could accommodate families of athletes and multi-week

visitors.

I would never want to see an office park on the DPRE site, with a backdrop of the UOP and Wasatch Back. I'm aware it would likely never be built. After studying the DPRE plans, I can (sorta) see their proposed community.

Bev Harrison
1669 Redstone Ave. B1

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Friday, August 21, 2020 4:48:06 PM

Found in my junk mail

-----Original Message-----

From: Brooke Jacobs [<mailto:info@heykimballjunction.com>]
Sent: Wednesday, August 19, 2020 10:42 AM
To: zack@schematik.io
Subject: In support of the Dakota Pacific Development proposal

08/19/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

My name is Brooke Jacobs. My connection to Kimball Junction is Local resident for 30 years..
In addition, I support the Dakota Pacific development mixed use proposal for the following reasons:

- * Protects open space and embraces local sustainability goals.
- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Generates less traffic than approved Tech Center office park plan.
- * Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I want to thank you for your service to the County and for your thoughtful consideration of my support for this proposal.

Sincerely,

Brooke Jacobs
65 Saint Moritz Ter, Park City, UT 84098

From: Charles Van Maren
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal
Date: Monday, August 10, 2020 6:08:19 PM

08/11/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
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- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Charles Van Maren

Work at five guys

From: Caroline Rodriguez <crodriguez@summitcounty.org>

Sent: Wednesday, August 26, 2020 9:59 AM

To: John Kucera <jkucera@summitcounty.org>

Subject: RE: Hi!!

Hi John,

Thanks for the email. I was also hoping to speak but it didn't seem like that was going to happen, so I have to give up at hour four. I tried to send a chat to all panelists to provide what info I could.

The answer is – we want to be fully operational with BRT by **2025**. In fact, we should hear on our \$50 million grant application within the week. If we are not successful, we will pursue other funding, but still move forward.

Our RFQ for the environmental analysis is with our attorney and should also be released next week, which is a huge leap forward.

Specifically, it would mean transit-only dedicated lanes on both sides of SR-224, so the buses could run unobstructed by other traffic. They would also have signal priority, so the light would remain green to allow the transit vehicle to flow freely through the signals on SR-224.

The proposed BRT would impact the DP project in a few ways.

First, as you've heard from Jim, the project is focused on providing a transit friendly neighborhood. A successful BRT would only enhance the success of that project. Conversely, the DP project provides a critical mass of riders for our BRT and a carless entryway into our entire transit network. Those that would choose to live and work in that neighborhood are also much, much more likely to choose to use transit, rather than drive a personal vehicle. It also activates the space around a future BRT hub. Would the BRT work without the DP project? Yes, but not as effectively.

The location of the DP development also is prime to open access to all of KJ by transit, because of its proximity to existing essential services.

I recall hearing someone during public comment last night that was "dismayed" because of the appearance that some staff supported this project. Speaking for our tiny Transportation Department – HECK YEAH I DO – OF COURSE I DO! This project directly and positively impacts everything I've been working for, for the past five years.

Happy to provide as much detail on the BRT, interchange, or corridor as you'd like. Let me know.

Thank you,
Caroline

From: [Greg Hughes](#)
To: [Kirsten Whetstone](#)
Subject: Opposition to Dakota Pacific Development Amendment
Date: Monday, August 24, 2020 4:23:25 PM

I would like to add my voice as a resident of Snyderville Basin in opposition to this development and the landuse changes required to allow this. The increased traffic and congestion would be very impactful. There is already enough commercial development that is under utilized at Kimball Junction to require additional retail and commercial. The benefits for this change and project would all seem to be for the developer with no focus on the needs for the area.

Thank you,

Greg

--

Greg Hughes
(970) 389-4811 | greg.l.hughes@gmail.com

From: [Heather Currie](#)
To: [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Cc: [Kirsten Whetstone](#)
Subject: A Continuation Of My Public Comment Today
Date: Tuesday, August 11, 2020 11:59:01 PM

Dear Planning Commissioners and County Planner,

Sincerest thanks for your time and efforts as you navigate the public's response to this controversial development proposal. I truly believe you have Park City's best interest in mind.

The 2 biggest takeaways for me today are this:

- I am concerned that the developers have had far more opportunity to represent their perception of the public's interest than the public has had to represent itself. There was such a large turnout of passionate locals today (I saw 135 attendees when I was a panelist). Over these last 9+ months, the planning team has had far more than 3 minutes per-person to hear from the developers. Our public interest is simply not represented well enough at this time. Thank you for continuing the conversation.
- **All of our community needs expressed in today's public meeting can be achieved without developing another hotel. Another hotel is NOT reflective of our community values and needs, especially on this particular land.**

A woman said in today's meeting that those who do not support the development don't have the facts that she apparently has (and didn't share with us). Such a blanket generalization of so many thoughtful and engaged community members is unlikely, and of course, cannot be proven. As such, this generalization was unnecessary, unhelpful and divisive. I hope this comment was taken with a grain of salt.

Many concerned with the development were engaged in (and are leaning on information derived from) a year-long 2020 Visioning Process in Summit County provided by a renowned third-party organization. A large portion of respondents of the Visioning's surveys are from the 84098 area, which will be most impacted by the development. The results are well documented on the [Future IQ Website](#).

The Planning Commission has heard the developer's perception of our community's "wants and needs". I firmly request the Planning Commission carefully studies the 2020 Visioning results. Without taking this survey into account, the Planning Commission will have failed to regard (and therefore failed to have acted in) the well-documented compelling and countervailing public's interest.

I've run my interpretation of the proposed development through each critical pillar as defined by the Vision 2020 Process:

Affordability and Equity:

- Affordable housing is a critical aspect of this pillar, and was mirrored in today's meeting by teachers and others who want to live where they work.
- Based on today's presentation and the information listed below, I do not have confidence that this development will actually allow the majority of people to live where they work.
- It does NOT benefit the community to solve our need for affordable housing with a bargaining chip for developers to build another hotel (especially adjacent to land we spent \$25 million to preserve as a low density area).
- There are a number of ways to generate affordable housing in our community - it does not need to be contingent on unnecessary/unwanted hotel developments.
- We must explore how to best generate affordable housing together as a community, with the aid of **local experts** such as Pat Matheson from Mountain Lands Affordable Housing Trust.
- Please watch the [Recorded Zoom Interview](#) of Pat Matheson from Mountain Land's Affordable Housing Trust in its entirety: affordable housing prices are based on average median income (\$119,000) instead of average wages in summit county (\$44,000).

This means our local workforce (including those that would work the newly developed hotel) would not be able to afford to live in the newly developed affordable housing.

This is not in alignment with our "Sustainable Tourism" Pillar, and will greatly impact commuter traffic as mentioned below.

- **Based on today's presentation and the information listed above, I am very concerned that the developer's attempt to provide affordable housing and economic diversity may inadvertently result in unwanted gentrification.**

There is no current countervailing public interest that compels us to build this hotel - especially on land we spent \$25 million to preserve as a low-density area.

Transportation Innovation:

- 26,000 people per day commute in and out of Summit County for work:
 - 13,000 people who work in Summit County commute from SLC (or other).
 - 13,000 people who live in Park City commute to SLC for higher paying jobs.
- Because affordable housing prices in Summit County are not based on average wages (\$44,000) **traffic would increase dramatically with more commuting:**

Those who can afford to live in the Tech Park's affordable housing will likely commute to SLC (or other) for higher paying jobs.

The countless staff who would work in the newly developed hotel would NOT be able to afford to live in Greater Park City, and will have to commute home to SLC (or other).

There is no current countervailing public interest surrounding our Transportation Innovation Pillar that compels us to build another hotel, especially on this land. Rather, the values in this pillar reject a number of interpreted transportation impacts of such a development.

Sustainable Tourism:

Sustainable Tourism is defined as "A harmonious balance between the quality of life residents and the quality of experience for visitors."

Our Sustainable Tourism Pillar is not considered if:

- Our local workforce cannot afford to live in the new affordable housing units.
- Those who reside in the new units are commuting to SLC for higher paying jobs.
- The Majority of these units are used for nightly rentals (Air B n B, etc).

There is no current countervailing public interest surrounding our Sustainable Tourism Critical Pillar that compels us to build this hotel - especially on this specific land. Rather, the values of this pillar reject a number of interpreted impacts on Sustainable Tourism.

Environmental Leadership:

There is no current countervailing public interest surrounding our Environmental Leadership Pillar that compels us to build another hotel, especially on this land. Rather, the values in this pillar reject a number of interpreted environmental impacts of this specific development.

Arts, Culture & Local Economy:

There is no current countervailing public interest surrounding this critical pillar that demands a new hotel adjacent to land we spent \$25 million to preserve as low density.

Sincerest thanks again for your time and efforts as you navigate this controversial proposal. I'm thankful for your commitment to providing the best service possible to our public interest.

Gratefully,

Heather Currie

From: [Jan Perkins](#)
To: [Ryan Dickey](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Cc: [Kirsten Whetstone](#); [Peter Barnes](#)
Subject: Public Hearing comments on Dakota proposal
Date: Sunday, August 23, 2020 1:26:43 PM

Dear Snyderville Planning Commission:

I ask you to deny this developer's proposal for the following reasons:

As it is designed now, I think by the time it is built, this project will be mostly irrelevant and outdated. Along with exacerbating the traffic problem - not solving it - the project is urban.

As you know, especially since Covid-19, people are fleeing from cities - not to them. Look at our trail heads, mountains, and rivers - people are fleeing to nature. People are desperate for calm, nurturing, and beautiful, environments.

This proposed development puts thousands of people close together and it paves over almost everything but the sky. And it would be a very noisy place to live. How does that fit with what we value?

This is obvious, and it needs to be said: in the last couple Dakota hearings we talked as if everything is same old, same old, normal. Everything is not normal. I think we don't know what the new normal looks like yet. We have all been through a major shift since Covid19 began. Will offices and work situations ever be the same? I doubt it. It appears that our collective values have changed and are changing - rapidly. What was once important, holds far less importance in our lives. Simple more meaningful things and experiences are more appreciated and valued. New ways to living and working are emerging. Some people are realizing that they really like working from home, others maybe not so much - probably depending on one's home life. For many, the days of going to the office are gone forever. Jobs are and will change. Are we really designing for these changes yet? I don't think so. There is an insane amount of job loss, in the multi-millions, as you know, along with the massive loss of life. What's next? Millions on the street hungry and homeless? At this date, we simply don't know. So why design and approve a project this massive when there are so many vital unknowns at this moment?

How many Summit County office spaces were *empty* pre Covid-19 and then post Covid-19? We are adding mixed use in New Park and Silver Creek, do we really need this project too? I think we are over building.

This project is not net-zero, not even close, or did I miss that part? I think a development this large should be nothing less. Are the developers going to buy into 100% renewable energy in this, or other locations? If you look at tech projects around the world, is this project state of the art? Would it even be inviting to tech companies? Has anyone asked tech companies what types of facilities and housing they will need in the coming years? What is *their* vision of a great workspace? Has anyone asked Skull Candy and other tech companies if the majority of their employees are still working from home and if so, do they see this trend in the tech industry continuing after Covid? It seems a prudent question. As a tech company, their answers may point to a need for less - much less office space, and therefore possibly fewer buildings - not more. Does this project really reflect the future in tech? Here's one example of what I mean regarding the future of tech - and this presentation was over 4 years ago. You may have seen it.

https://www.ted.com/talks/maurice_conti_the_incredible_inventions_of_intuitive_ai.

Bob Richer, Mike Washington, Miles Rademan, Sally Elliot made excellent points in previous meetings. I agree with much of what they said. I am not convinced that there is enough real in-depth analysis on how this would actually be built and how it would be of any real benefit to our community and a lot of what was presented is not practical. As it was presented and designed, I don't think this project fits who we are as a community nor does it benefit us enough to make it worthwhile given our rapidly changing world.

The good news is that we have the opportunity of starting again, in so many ways we are at ground zero and this is true for all development in the County, or could be. We have an opportunity to design differently and more consciously and wisely than we ever have before. Hopefully we will continue to appreciate how much nature is a valuable asset that supports our collective wellbeing and do all we can to preserve it, enhance it, and design in harmony with it.

Thank you,
Jan Perkins

From: [June Krigman](#)
To: [Kirsten Whetstone](#)
Subject: Summit Research Park
Date: Monday, August 24, 2020 3:30:15 PM

I am very much opposed to Dakota Pacific's proposal for Summit Research Park. Kimball Junction traffic is already a nightmare. Traffic has been everyone's major complaint for a long time, but the reason we have this traffic problem is because of over development. This project will only exacerbate an existing problem and will also increase the need for more schools, police, and fire.

It seems that every time there is a general plan or specific zoning, the council overrides it. Let's not do it this time. The plan was originally written because it is what people wanted, and we still want it.

Please do not approve this project in the best interest of our community.

Respectfully,

**June Krigman
Summit Park**

From: Kellee Johnson
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal
Date: Saturday, August 8, 2020 8:46:06 PM

08/09/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Kellee Johnson
5944 N. Market St. Park City, UT 84098

From: [Linda George](#)
To: [Kirsten Whetstone](#)
Subject: Dakota Pacific development
Date: Tuesday, August 11, 2020 4:24:07 PM

As a resident of Summit County, I strongly oppose changing the development code for the Tech Park land.

The proposal has minimal clear gain to our community, and there is already a lot going on: in addition to several major construction projects in progress in the county, a re-visioning of the Redstone/Kimball area, and considerable traffic congestion, the pandemic may well bring permanent shifts in how we work, recreate, and live. The proposed changes will impact future generations in ways that are not easily foreseen - it's hard to envision what will be needed in the future, even over as short a period as 10 years from now.

I appreciate the County's foresight in protecting open-space areas and encouraging local input for Kimball-area redesign efforts. If, over time, it becomes clear that there is a need to change the development code at the Tech Park, this question can be revisited - but if additional development is approved now, we lose other alternatives.

There appears to be no requirement to approve this change; "no" is a viable response. Please vote against changing the code to allow this development.

Linda George
Park City

From: [Marilyn Burrell](#)
To: [Kirsten Whetstone](#); [Thomas Cooke](#); [Canice Harte](#); [Malena Stevens](#); [Crystal Simons](#); [Joel Fine](#); [John Kucera](#); [Ryan Dickey](#)
Cc: [Kathy Mears](#); [Sally Cousins Elliott](#)
Subject: Dakota Pacific Hearing, zone change
Date: Tuesday, August 11, 2020 1:46:38 PM

To: Summit County Planning Commission

RE: Dakota Pacific Hearing, zone change Parcels: PCTC-404-AM and PCTC-403-AM

Commissioners:

I tried to participate in the Commission meeting call the end of July regarding the zoning change request by Dakota Pacific for the property known as the Park City Tech Center without success.

I have been a resident of Park City since 1983 and have seen many changes, some good, some not so good. The growth has been incredible in these years. I felt it was a great move when Summit County zoned the area South of WalMart as industrial to bring in new business with different career choices and employers to diversify the work force opportunities was a great idea. We do need diversity in employment opportunities outside of resort operations, restaurant and hotels.

I do not want to see this area re-zoned as residential, we need the tech business and more technical employment opportunities in Summit County. The developer knew the zoning when they bought the property and should be concerned with development in the business/tech areas, not assuming they can brow beat the county planners to re-zone residential, where they can make much more money.

If this is changed to residential and the developer allowed to build with the density impact they are indicating, the impact in that area will be huge. The traffic at the Kimball Junction area is already a nightmare, I drive it every day. Adding an additional 2500 cars to the works with residents commuting to work, whether in Park City or Salt Lake, will be a huge impact to the junction area. I understand the developer is presenting a lovely residential area, with parks and trails and lots of open space but I cannot see how the numbers they are presenting with an excess of 1000 residential units and a hotel in 40 acres will be lovely and desirable. The Liberty Peak Apartments adjacent to the property in question have 150 units in 6 acres. Many of these buildings have commonwall apartments, multiple floors and limited parking. There is very little open space, one play area and no trails. If you take the 6 acres Liberty Peak lies on x6.5 or 39 acres, that puts 975 units in the same acreage the developer is trying to re-zone (44 acres). This number is less than the number the developer is looking to inhabit with single family homes, on individual lots? There is not enough land to accommodate these numbers without going up, more than 2 levels. No developments have been allowed that height. That does not leave any space for open space parks trails and aesthetically pleasing atmosphere on the area. I just don't see it. And then the developer pockets millions and leaves town for residents to deal with. They do not live here or have any investment in our community, they just want to build as big as possible and leave.

Please vote no on any zoning change. This will be an impact that will not be a positive experience for any residents of the area. We need the development of new employers and technical employment for the current residents of Summit County, Kimball Junction and Park City.

Thank you for your time.

Marilyn Burrell

435-655-5244

From: [Peter Barnes](#)
To: [Kirsten Whetstone](#)
Subject: FW: In support of the Dakota Pacific Development proposal
Date: Friday, August 21, 2020 4:47:45 PM

FYI from my junk mail folder

-----Original Message-----

From: Mark Niehus [<mailto:info@heykimballjunction.com>]
Sent: Wednesday, August 19, 2020 11:05 AM
To: Juan@relicagency.com
Subject: In support of the Dakota Pacific Development proposal

08/19/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

My name is Mark Niehus. My connection to Kimball Junction is I live nearby (Jeremy Ranch) In addition, I support the Dakota Pacific development mixed use proposal for the following reasons:

- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.

I want to thank you for your service to the County and for your thoughtful consideration of my support for this proposal.

Sincerely,

Mark Niehus
8815 Silver Spur Road Park City UT 84098
(206) 380-0082

Honorable Planning Commissioners:

I appreciate the opportunity to comment on the proposed Dakota Pacific development at Kimball Junction.

Background

I was a member of the Basin Open Space Committee that helped negotiate the sale of the PRI property, that included the parcel in question. Previous to serving in that capacity, I served on the Basin Planning Commission. The planning commission had designated the PRI parcel as part of a Town Center. It was our vision to create a walkable community, with a variety of housing types, shops, trails, meeting areas, entertainment, and employment centers. Residents would walk to shop, recreate, work, and socially mingle! When the opportunity arose to purchase the PRI parcel with community raised funds, I experienced some consternation in giving up on having a true town center. Ultimately, I sided with my colleagues in the recommendation to acquire the vast majority of the parcel as open space. Roughly 80 acres of the PRI parcel were earmarked for affordable housing and a tech center that would provide good paying jobs. After the completion of the affordable housing and two tech buildings, the property has been sold to a developer that now wishes to convert most of the area set aside for the tech center to housing. My thoughts about the proposal are as follows:

1. High density housing, especially affordable housing, is better situated in mixed use communities, not spread-out on the side of a mountain. Accordingly, I support converting some of the development parcel to housing.
2. The configuration of the development parcel, especially the housing buildings, resembles “the projects” -- high density housing complexes you’d find in metropolitan areas. The dwelling units relate more to one another, instead of the open space that abuts the property and the splendid views in the background.

3. I recommend consideration of two alternative ways to configure the development as follows:

Plan A is to follow the development scheme of Redstone and Newpark, wherein the housing is placed on the periphery, abutting the open spaces, and the retail shops and office spaces are situated on the interior of the development. (Residential units abutting open space will garner much higher prices.) A community trail would meander along the edge of the open space, similar to the one at Redstone/Newpark.

Plan B is to follow the Whistler Resort development pattern, wherein the housing is situated above the commercial uses in a circular configuration. This pattern has been deployed at the Canyons Village Center and the Gateway in SLC. You also see this configuration in part of Newpark, where housing is built on top of a commercial strip and parking structure.

4. In the northern half of Newpark, there’s affordable housing, restaurants, a hotel, office buildings, and a recreation center, all inter- mingled in a relatively small area. It would be interesting to compare the acreage of that area and the subject parcel. That kind of configuration (with a little less office space and a little more housing) is more akin to the mixed use communities envisioned in the County’s General Plan.

5. with either of the above noted development patterns, you could provide flexibility of uses for the parcel adjacent to Skull Candy.

6. The developer should be required to provide offsets to the impacts associated with the conversion from office to residential uses. Such contributions could include providing funds to enlarge the round-about or create other traffic congestion mitigations.

Thank you for the opportunity to opine! Best wishes in your efforts to make our community great!

Max Greenhalgh
435 714-1720

From: [John Kucera](#)
To: [Ryan Dickey](#); [Crystal Simons](#); [Kirsten Whetstone](#); [Joel Fine](#); [Thomas Cooke](#); [Malena Stevens](#); [Canice Harte](#)
Subject: Public Input Received - Tech Park
Date: Tuesday, August 25, 2020 1:38:29 PM

From: Minda Stockdale <mindabond@gmail.com>
Sent: Tuesday, August 25, 2020 10:42 AM
To: John Kucera <jkucera@summitcounty.org>
Subject: Hello and input from Minda

Hi John!

I hope you are doing well and having a wonderful summer, despite all of the strange circumstances. I can't believe the season is coming to an end!

I thought I would reach out to you with input regarding the commission's consideration of Summit Research Park Proposed Modifications this evening. I recently moved in with my fiancé into the Redstone neighborhood, so have been following west side topics a little more closely, and through my work with the City am aware of the approved development in Wasatch and Summit County surrounding Park City. As you know, there's an incredible amount of new construction on the horizon in the next few years!

My input considers regional development and turbulent times, with a touch of my mother's dating advice. Please consider a recommendation to hold off on re-zoning the research park for now. With no legal obligation to act, you continue to hold the cards and see how current events and future development shake out – don't hand over the keys to the first bidder and limit your options! Is a transit center really needed, with an existing one 0.2 miles down the road? Do we need another hotel in addition to what's being added at Canyon's base? My spidey senses tell me we're considering buying into what's being sold to us – rather than considering our community's true & future needs (tbd) in the face of already-approved, future development.

Thanks for your consideration John, and hope to see you soon. Stay well!

Warmly,

From: [Tom Horton](#)
To: [Thomas Cooke](#); [Malena Stevens](#); [Joel Fine](#); [Ryan Dickey](#); [Canice Harte](#); [Crystal Simons](#); [John Kucera](#)
Cc: [Kirsten Whetstone](#)
Subject: Pubic Comment, Dakota Pacific hearing, 8/25/2020
Date: Tuesday, August 25, 2020 9:47:36 AM

Greetings Planning Commissioners,

This is the text of a guest editorial I authored for the Park Record appearing on 8/22/2020 about the Dakota Pacific amendment application that I wish to have placed in the public comment record of your public hearing on 8/25/2020. Thank you.

"GUEST EDITORIAL: The evidence is ample that tech centers and ski resort economies aren't a good pair

Tom Horton
Prospector

Has it occurred to Parkites that tech innovation centers and resort economies don't work well together? Apparently not, judging by the number of letters and statements supporting the existing Summit Research Park as opposed to the new Dakota Pacific development plan. It should be possible to easily defend the research park concept by citing the research parks in similar communities like Aspen, Jackson Hole, Tahoe, Vail, Sedona, and so on. Wait, you say there are none? What could that possibly mean?

It means two things. First, there is something mythological about our notions of how the tech innovation sector works; and second, diversifying not will solve our growth/development/traffic problems and build community resilience.

We have this image of tech entrepreneurs arriving with buckets of venture capital they spend lavishly to attract brilliant minds that demand a resort lifestyle. Nothing else matters. But apparently it doesn't work like that. Growing tech firms want the same things other businesses want – cheap land and infrastructure; low facility costs; low-cost, well-educated, mobile labor living in affordable housing. Tech wants immediate adjacency to major universities where it can turn expiring student visas into J-1 visas.

It should be clear that little of the above exists in Park City. But it does just down the hill, along the Wasatch Front, where this thing called Silicon Slopes has popped up. In other words, Park City can't compete with urban Utah for tech business. Never could, and it puzzles me how the idea ever went forward.

We actually possess one small piece of data about how tech employment works in Park City: Skullcandy, the only Summit Research Park tenant. People in a position to know tell me that 70% of Skullcandy employees commute from SLC, and they do so because they like their affordable, high-amenity housing in engaging neighborhoods. In other words, Skullcandy dumps a bunch more traffic onto I-15 and Kimball Junction while its payrolls get spent in the valley. Great, let's do that 15 more times. The new Dakota Pacific proposal tries to build that kind of diverse, walkable, high-amenity community locally, where its adjacency to transit won't generate new traffic, and its income will get spent locally. If the enemies of traffic realized this, they would love the

idea.

And then there's the idea that diversification reduces Park City's vulnerability to recessions that damage tourism and travel – such as the 2008 real estate meltdown. We recovered from that, of course, and you can argue that the local power for that recovery came from – wait for it – real estate. Now we have the 2020 pandemic recession, whose story is still unfinished. But recovery is on the horizon, and it is pretty clear the community's resilience has been enabled by the non-profit sector, the philanthropy that supports it, and intelligent government. Neither 2008 nor 2020, so far, support the idea that diversification is a magic recession bullet.

A telling fact is that in developing Park City's Bonanza district, a higher-density, affordable, walkable, diverse, transit-oriented development with a strong community feel makes sense to a great many people. So why, when Dakota Pacific proposes that for Kimball Junction, does it become a traffic-generator and community-killer? Beats me. So let's be bold -- dump this outmoded notion that a Summit Research Park will solve any of our problems, when the evidence is that it would do nothing and possibly worsen them. We are lucky, actually, that it was economically unfeasible in the first place."

Tom Horton

<https://www.instagram.com/further2fly/>

<https://www.facebook.com/Further2Fly>

<https://FurtherToFly.com>

(mobile) +1 801 739-1499

From: Tyler Q Smith
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal
Date: Tuesday, August 11, 2020 9:49:15 AM

08/11/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

I support the Dakota Pacific development proposal to build a new neighborhood featuring a mix of housing, shops, offices, restaurants, open space, and areas for community events. I support amending the development agreement for the following reasons:

- * Protects open space and embraces local sustainability goals.
- * Designed from the ground up to reflect goals and recommendations of community plans, including recent Kimball Junction Neighborhood Master Plan.
- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Provides affordable housing options, specifically 306 units of workforce and attainable housing.
- * Generates less traffic than approved Tech Center office park plan.
- * Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * More residents will mean more customers for all Kimball Junction businesses.

I urge you to vote in favor of this exciting new direction for Kimball Junction. Thank you for your consideration.

Sincerely,

Tyler Q Smith

4118 Moose Hollow Road

Downtown Park City is often a stretch (20-30min drive/bus ride) from my neighborhood, Jeremy Ranch, so Kimball Junction has become a town center destination instead. It's an easy bus, bike, or drive from home and a convenient place for meeting friends, picking up groceries, attending concerts, going out to dinner, etc. I strongly support a well-integrated and connected mixed-use neighborhood at your project site.

From: [Andrea Buchanan](#)
To: [Kirsten Whetstone](#)
Subject: I OPPOSE THE DAKOTA/KIMBALL JUNCTION TECH CENTER
Date: Thursday, September 10, 2020 4:54:19 PM

Hello,

As a citizen and taxpayer of Park City and resident in Silver Springs/Kimball Junction I oppose this. Vehemently Oppose this proposal. We don't want more people living here and congesting the streets. We don't want a gondola taking you from Kimball Junction to UOP. THIS ISN'T LAS VEGAS!! Our schools can't handle it. Our roads can't handle it. The city is going to collapse upon itself if the planning commission doesn't start planning better.

Please for the love of God STOP THE MADNESS.

Sincerely,

Andre Buchanan

From: Ivor Allsop
To: noreply@heykimballjunction.com
Subject: In support of the Dakota Pacific Development proposal
Date: Wednesday, August 26, 2020 6:59:26 PM

08/27/2020

Snyderville Basin Planning Commission
Summit County Planning & Zoning
60 N. Main Street
Coalville, UT 84017

Dear Commissioners,

My name is Ivor Allsop. My connection to Kimball Junction is My primary residence, which I own, is in Highland Estates. In addition, I support the Dakota Pacific development mixed use proposal for the following reasons:

- * Offers much-needed housing choices for a range of incomes, needs and lifestyles.
- * Promotes walkability, with tree-lined streets and trails offering easy access throughout the project, with neighboring properties and the regional trail network.
- * Protects open space and embraces local sustainability goals.
- * Generates less traffic than approved Tech Center office park plan.
- * Compact design and little surface parking maximize open space.
- * Most parking will be underground or within building podiums, improving aesthetics and safety for pedestrians and cyclists.
- * Includes space for community events like concerts and farmers markets.
- * Replacing today's planned surface parking lots with open space eliminates heat islands and encourages trail use and outdoor activity.
- * More residents at Kimball Junction will boost transit ridership, making the system more efficient and cost-effective.
- * Highway and transit access make Kimball Junction the best location in western Summit County for multifamily housing that's affordable for a range of incomes.
- * Offers tremendous opportunity to implement community's vision for a reimagined Kimball Junction that addresses critical issues and connects fragmented elements to create a regional town center.
- * Convenient transit access is fully integrated into the proposal, including potential for future improvements.

I want to thank you for your service to the County and for your thoughtful consideration of my support for this proposal.

Sincerely,

Ivor Allsop
6448 countryside circle

From: [Crystal Simons](#)
To: [Marylynne Buford](#)
Subject: Re: Tech Park Proposal
Date: Wednesday, September 9, 2020 4:17:41 PM

Thank you, Marylynne, for your comments. As of yesterday, the Snyderville Basin Planning Commission passed this item onto the Summit County Council. There will be more opportunity for public comment (written and verbal) at future County Council meetings, which will be publicly noticed. In the meantime, I'm forwarding your email below to the planning staff for inclusion in the record of public comment to date.

Sincerely,
Crystal Simons

Sent from my iPad

> On Sep 9, 2020, at 3:53 PM, Marylynne Buford <mbuford62@gmail.com> wrote:

>

>

> I am concerned about the Tech Park (Dakota Pacific Real Estate) proposal of building 1100 housing units at Kimball Junction. Those encouraging this proposal in the newspaper indicate the people in these housing units can use the bus system that is nearby. I think it is foolish to think that the people living in these homes will not drive cars and add traffic to Kimball Junction. Please do not say yes to this kind of project when we already have so much traffic congestion at Kimball Junction. Lets focus on better traffic mitigation, not adding to the current congestion problems by adding 1100 households to this area.

> Thank you. Marylynne Buford

EXHIBIT H

January 2, 2021

My name is Jeff Smith

I have been a resident of this area for 35 + years. I was a member of the Snyderville Basin Planning Commission for six years. And was present and involved at the approval of the PRI/Boyer/Open Space project for which this commission is meeting to judge the request for amendment.

I was there! I voted for the development. But, I would leave those meetings wondering if I would be proud to say I was a part of the approval. A few weeks ago, I drove through this development and wondered “whatever happened to that Research Park we approved?”

Now I know. It died, not to be revived. The market, and the trends in that segment of the commercial real-estate market simply refused to move up the mountain. And I understand that almost everywhere in the country, developments such as this Research Park are failing, being re-developed, or sitting as empty as ours.

We need a new thinking to secure the benefits suggested in the original proposal. To refuse to consider an amended plan is to stick our heads in the sand and ignore the economic realities of the marketplace. To reject them out of hand is simply foolish. We need to seriously consider what the community, the potential tenants, and the marketplace will allow.

I suggest a few observations to be seriously considered:

1. This project as currently on the books is failing, and it will not be revived without substantial redirection. That is an untenable position for the County, the Public, the Tax Base, and the Neighborhood. It’s partially developed but vacant lots show failure, and that failure can be healed.
2. The benefits to the community which were promised are clearly failing to materialize.
 - a. The \$2,500,000 in property and sales taxes have not materialized. This new development will contribute some \$5,500,000 annually to the tax base of the county. Those funds largely supporting schools and community services. To ignore that economic benefit is naive.
 - b. The impact fees of almost \$16,000,000 which benefit our Sewer, Water and other public amenities should not be cast off without fair consideration.
 - c. The added employment of construction and full time workers and the economic impact of those jobs will also benefit the county and it’s tax payers.
 - d. The retail in Kimball Junction has also not thrived as expected because of a lack of critical mass close by. We need more housing, close to the existing community to make these retail and service assets thrive.
 - e. Affordable Housing of some 300+ units are absolutely necessary in this county. It is almost impossible to build enough affordable units to fill the need. And just because other Workforce housing is proposed, is no reason to ignore this gift

from the developer. Remember, the development already has contributed the housing necessary to satisfy the code. These 300+ units are a bonus.

3. Finally.... The State will not come to the table to improve the intersection of 224 and I80 until there is a significant node of residential density. So, the congestion challenges of those intersections are not even on the calendar to be solved and won't be until density such as this is developed.

So... Tinker with this proposal if you see fit, but don't ignore the benefits just because...

I am thrilled that this project is now on the table and someday I can look back be proud I was involved.

Thankyou

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