



# HIDEOUT, UTAH PLANNING COMMISSION REGULAR MEETING AND PUBLIC HEARING (RESCHEDULED)

June 22, 2023

## Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Hideout, Utah will hold its Rescheduled Regular Meeting and Public Hearing electronically for the purposes and at the times as described below on Thursday, June 22, 2023.

This meeting will be an electronic meeting without an anchor location pursuant to Planning Commission Chair Anthony Matyszczyk's June 17, 2023 No Anchor Site Determination Letter.

All public meetings are available via ZOOM conference call and YouTube Live.

Interested parties may join by dialing in as follows:

**Zoom Meeting URL:** <https://zoom.us/j/4356594739>  
**To join by telephone dial:** US: +1 408 638 0986      **Meeting ID:** 435 659 4739  
**YouTube Live Channel:** <https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/>

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Regular Meeting and Public Hearing  
6:00 PM

I. Call to Order

1. [June 17, 2023 No Anchor Site Determination Letter](#)

II. Roll Call

III. Approval of Meeting Minutes

1. [May 24, 2023 Planning Commission Minutes \(DRAFT\)](#)

IV. Agenda Items

1. [Discussion of a concept plan for a potential development Hideout Pointe \(Parcel 20-8164\)](#)
2. [Presentation and discussion of an updated concept plan and potential Annexation of the Benloch Ranch property](#)
3. [Discussion of a potential new Residential Casita zoning designation](#)

V. Public Hearings

1. [Discussion and possible recommendation to Town Council regarding an amendment of the Official Town of Hideout Zoning Map to rezone parcels 00-0020-8182 and 00-0020-8184 \(the "Bloom in Hideout" Development\) from Mountain \(M\) zone to Neighborhood Mixed Use \(NMU\), Residential 3 \(R3\), Residential 6 \(R6\), Mountain Residential \(MR\), Residential 20 \(R20\), and Natural Preservation \(NP\)](#)
2. Discussion and possible recommendation to Town Council regarding a Master Development Agreement (MDA) for the Bloom in Hideout Development

VI. Meeting Adjournment

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Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Mayor or Town Clerk at 435-659-4739 at least 24 hours prior to the meeting.

**File Attachments for Item:**

1. June 17, 2023 No Anchor Site Determination Letter



June 17, 2023

DETERMINATION REGARDING CONDUCTING TOWN OF HIDEOUT PUBLIC MEETINGS  
WITHOUT AN ANCHOR LOCATION

The Planning Commission Chair of the Town of Hideout hereby determines that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location pursuant to Utah Code section 52-4-207(5) and Hideout Town Resolution 2022-R-17. The facts upon which this determination is based include: The seven-day number of positive cases has been, on average, 36.7 per day since June 14, 2023.

This meeting will not have a physical anchor location. All participants will connect remotely. All public meetings are available via YouTube Live Stream on the Hideout, Utah YouTube channel at: <https://www.youtube.com/channel/UCKdWnJad-WwvcAK75QjRb1w/>

Interested parties may join by dialing in as follows:

**Meeting URL:** <https://zoom.us/j/4356594739>

**To join by telephone dial:** US: +1 408-638-0986

**Meeting ID:** 4356594739

Additionally, comments may be emailed to [hideoututah@hideoututah.gov](mailto:hideoututah@hideoututah.gov). Emailed comments received prior to the scheduled meeting will be considered by the Planning Commission and entered into public record.

This determination will expire in 30 days on July 17, 2023.

BY:

  
Tony Matyszczyk,  
Planning Commission Chair

ATTEST:

  
Kathleen Hopkins, Deputy Town Clerk



**File Attachments for Item:**

1. May 24, 2023 Planning Commission Minutes (DRAFT)

## Minutes

### Town of Hideout Planning Commission Regular Meeting, Public Hearing and Work Session (Rescheduled)

May 24, 2023

6:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in Rescheduled Regular Meeting, Public Hearing and Work Session on May 24, 2023 at 6:00 PM electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Regular Meeting, Public Hearing and Work Session

#### **I. Call to Order**

Chair Tony Matyszczyk called the meeting to order at 6:01 PM and referenced the current No Anchor Site letter which was included in the meeting materials. All attendees were present electronically.

#### **II. Roll Call**

##### **PRESENT:**

Chair Tony Matyszczyk  
Commissioner Rachel Cooper  
Commissioner Jonathan Gunn  
Commissioner Glynnis Tihansky  
Commissioner Donna Turner  
Commissioner Peter Ginsberg (alternate)  
Commissioner Joel Pieper (alternate)

##### **STAFF PRESENT:**

Polly McLean, Town Attorney  
Thomas Eddington, Town Planner  
Jan McCosh, Town Administrator  
Timm Dixon, Director of Engineering  
Daniel Allen, Head of Public Works  
Alicia Fairbourne, Recorder for Hideout  
Kathleen Hopkins, Deputy Recorder for Hideout

**OTHERS IN ATTENDANCE:** Ty Frisby, Jason Boal, Patrick McAlearney, Jamie Mackay, Jenni Hogan, Ryan Sapp, Jim Gruber, Ron Amdur, Michelle Croyle, Murray Gardner, Kristy Harrigan, Justin Keys, Ted Kim, Alexander Kotowitz, Lorrinda Lattimore, Carl Robinson, Crystal Robinson, David Salzman, and others who may not have signed in using proper names in Zoom.

#### **III. Approval of Meeting Minutes**

##### **1. April 17, 2023 Planning Commission Minutes DRAFT**

There were no comments on the April 17, 2023 draft minutes.

1 *Motion: Commissioner Cooper made the motion to approve the April 17, 2023 Planning*  
2 *Commission Minutes. Commissioner Gunn made the second. Voting Yes: Commissioner Cooper,*  
3 *Commissioner Gunn, Chair Matyszczyk, Commissioner Tihansky and Commissioner Turner.*  
4 *Voting No: None. The motion carried.*

#### 6 IV. Agenda Items

##### 7 **1. Discussion of a concept plan for a potential development Hideout Point (parcel 00-** 8 **0021-3176)**

9 Town Planner Thomas Eddington provided an overview of this item and referenced the Staff Report  
10 which was included in the meeting materials. He noted this was a discussion item only for this  
11 meeting, and the Applicant, Mr. Ty Frisby was in attendance to take questions and hear feedback from  
12 the Planning Commissioners on the concept plan. Mr. Eddington stated the parcel consisted of  
13 approximately two acres and was currently zoned Mountain which would allow for one residential  
14 unit per acre. The Applicant was requesting feedback on a proposal to develop the property as mixed  
15 use commercial to consist of thirteen total units comprised of six flexible commercial units, two garage  
16 units for a potential boat servicing business and five cabins for short-term rentals. Mr. Eddington noted  
17 this proposal would result in a density of 6.5 units per acre and would require approvals for both a  
18 rezone and short-term rentals which were not currently allowed in the Town.

19 Mr. Eddington highlighted concerns listed in the Staff Report including density, potentially sensitive  
20 lands, the impact on traffic from Belaview Way and the configuration and sufficiency of parking. He  
21 also noted the steepness of the property could present building challenges. In response to a question  
22 from Commissioner Peter Ginsburg on the types of potential businesses proposed for the development,  
23 Mr. Eddington noted current zoning would not accommodate light industrial or boat storage  
24 operations.

25 Mr. Frisby discussed his background as a civil engineer working in the area for many years and the  
26 history of the property which had been part of a family ranch prior to the creation of the Jordanelle  
27 Reservoir. He noted his original intention to build a family home on the property, but the character of  
28 the property had significantly changed since the annexation into Hideout and build out of surrounding  
29 developments. He stated he had considered selling the property, but the only inquiries he received  
30 were from developers interested in building more townhomes.

31 Mr. Frisby noted the location was near the proposed Town Center development which could be an  
32 attractive feature of the project, and the proposed concept was consistent with some of the goals listed  
33 in the Town's General Plan. He discussed the proposed mixed use commercial units which could  
34 support a variety of small businesses and potentially include residential units above ground level office  
35 and retail spaces. He was hopeful the space could include business such as a coffee and ice cream  
36 shop, gym or yoga studio, artist studios, and nail or hair salon. He discussed the proposed garage units  
37 which were planned for recreational boat rentals and services with space for up to six boats, to be  
38 stored inside the facility. He also discussed the concept for rental cabins which would be located next  
39 to the Jordanelle State Park.

40 Mr. Frisby discussed the proposed density which he felt the ERU's were consistent with surrounding  
41 neighborhoods, taking into consideration the small units proposed versus much larger single-family  
42 homes and townhome units in the area. He stated the footprint and building mass of the proposed  
43 concept was less than the equivalents if two homes were built on property as currently zoned. He also

1 stated he would work with Town Staff on a re-design of the project to address concerns with parking  
2 sufficiency, and that he would meet all ordinance and zoning requirements related to sensitive lands.

3 In response to a question from Commissioner Jonathan Gunn, Mr. Frisby stated he did not expect the  
4 proposed project to have a negative impact on the mountain and lake views from homes on Belaview  
5 Way. Commissioner Ginsberg asked if the proposed development would be similar to one on  
6 Forestdale Drive in Park City. Mr. Frisby replied it would be similar, but with a less industrial  
7 appearance and restrictions on outside overnight parking of business vehicles, trailers and equipment.  
8 Commissioner Ginsberg asked if there would be a limit on the number of retail frontage units to which  
9 Mr. Frisby replied he hoped to see as much storefront businesses as possible across a variety of  
10 business types.

11 Commissioners Gunn and Ginsberg shared their concerns with the proposed density within the existing  
12 residential neighborhood and potential problems with traffic backing onto Belaview Way which they  
13 felt would be getting busier with the new access to Jordanelle Parkway. Mr. Frisby suggested the new  
14 commercial businesses could result in fewer resident trips into Park City and thus offset some of the  
15 increased traffic at the development. Commissioner Donna Turner asked if the amount of proposed  
16 parking was sufficient and noted an exercise class, for example, could use all twelve parking spaces.  
17 She also suggested utilizing a design without flat roofs and that would appear less industrial. In  
18 response to additional questions, Mr. Frisby stated the proposed buildings would all be in line with the  
19 street, and no utility easements ran through his property.

20 Chair Matyszczyk shared his concerns about the relative lack of open space for the proposed project.  
21 Mr. Frisby noted the small property abutted the state park which was all open space and stated he  
22 could include an easement for trail connections across the property. Commissioner Joel Pieper asked  
23 how committed the Applicant was to this flexible commercial plan which seemed out of place in this  
24 location. Mr. Frisby responded he was open to other uses but would need to decide soon whether he  
25 would develop or sell the property.

26 Commissioner Rachel Cooper asked Mr. Frisby if he would consider a restaurant rather than the  
27 cabins. Mr. Frisby replied it would be dependent on finding the right partner, but he could look into  
28 it. Commissioner Glynnis Tihansky asked if the design could be revised to move the parking to avoid  
29 traffic backing onto the street.

30 Mr. Eddington thanked the Planning Commissioners for their input and agreed to work with Mr. Frisby  
31 on a re-design. He also reminded them of the zoning change that would be necessary to advance this  
32 project, and which would not exceed the existing "light commercial" designation currently in Town  
33 code.

34 Mr. Frisby was excused and left the meeting at 6:56 PM.  
35

## 36 **2. Presentation and discussion of an updated concept plan and potential Annexation** 37 **of the Benloch Ranch property**

38 Mr. Eddington provided an overview of the project and invited Messrs. Jason Boal, Jamie Mackay  
39 and Patrick McAlearney from Benloch Ranch development team to provide an update on their concept  
40 plan since their last presentation in December of 2022. Mr. Boal reviewed the development plan which  
41 he noted had not changed significantly since the December meeting and was consistent with the plan  
42 already approved by Wasatch County. Mr. Boal noted the annexation application had been submitted  
43 and the team wanted to address any questions or concerns from the Planning Commissioners as the  
44 annexation process moved forward.

1 Mr. Eddington asked if Phase 1 construction was underway. Mr. Mackay responded that both Phases  
2 1 and 2 were ongoing, and work had commenced on landscaping entrances, acceleration/deceleration  
3 lanes and trail plans. The development continued to consist of 1,901 total units (2,046 ERUs) as  
4 approved by Wasatch County, and with a diversity of housing options. The exact mix of housing types  
5 would evolve with changing market conditions over the 8–14-year buildout period. Mr. Mackay noted  
6 there was an adjacent parcel under development by another partner which was not included in the  
7 annexation application or in the unit/ERU counts under discussion.

8 The Benloch team responded to a variety of questions from the Planning Commissioners regarding a  
9 timeline to commence the commercial development, a potential golf course, equestrian center and  
10 other amenities, whether the developer expected to request any significant variances from existing  
11 Hideout town code, and the extent of land disturbance necessary during excavation.

12 The Benloch team invited the Planning Commissioners to visit the site, either on their own or on a  
13 scheduled tour which they would help organize. Mr. Mackay stated they would be ready to submit a  
14 more detailed concept plan for review and approval in the coming weeks.

15 Commissioner Cooper asked if a financial plan had been shared with the Town regarding costs for  
16 ongoing road maintenance and other services. Mr. Mackay stated a third party financial analysis had  
17 been provided to the Town staff and economic development committee, and he expected the  
18 homeowners association (HOA) would be responsible for various services until such time as tax  
19 revenues to the Town would support these costs. Mr. Eddington added the financial analysis was  
20 included in the Annexation application and a fiscal impact analysis would be provided at a later stage  
21 of the process.

22 There being no further questions from the Planning Commissioners, the Benloch team was excused  
23 from the meeting at 7:35 PM.

## 24 25 **V. Public Hearing**

### 26 **1. Discuss and make a recommendation to Town Council regarding an amendment of** 27 **the Official Town of Hideout Zoning Map to rezone parcels 00-0020-8182 and 00-** 28 **0020-8184 (the “Bloom in Hideout” Development) from Mountain (M) zone to** 29 **Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6), Mountain** 30 **Residential (MR), Residential 20 (R20), and Neighborhood Preservation (NP)**

31 Ms. Jenni Hogan and Mr. Ryan Sapp, developers of Bloom in Hideout, joined the meeting to provide  
32 an update on the project and discuss the requested zoning changes the Planning Commission would  
33 be asked to approve at a future meeting.

34 Mr. Eddington reviewed the proposed zoning map which detailed the specific zoning for each area  
35 of the development and which tied in with the concept plan. Mr. Eddington clarified that the entire  
36 72-acre eastern parcel would be requested for rezoning as detailed on the map (including a new  
37 Casita zoning designation), and the matter of a short-term rental overlay would be addressed either  
38 under a separate Ordinance approval and/or in the Master Development Agreement (MDA).

39 Ms. Hogan reviewed the updated map and stressed the project was intended as a resort development  
40 rather than a residential development, which would provide a different revenue stream to the Town  
41 than the existing residential communities. She also reported a Letter of Intent had been signed with a  
42 hotel developer. In response to a question from Commissioner Tihansky, Ms. Hogan explained the  
43 zoning change request would not include the western parcel as the team did not intend to develop it  
44 in the foreseeable future.



1 Ms. Hogan and Mr. Sapp answered several questions from the Planning Commissioners and  
2 discussed details of the projected tax revenues for the Town which had been presented to the Town's  
3 Economic Development Committee.

4 Commissioner Gunn discussed several items which he would like to see addressed. These items  
5 included written confirmation of sufficient water shares for each phase of the project, assurance that  
6 commercial development would be included in Phase 1, a limitation on flat roofs in the building  
7 design, a detailed phasing plan, a list of issues which might require approval of variances from  
8 zoning or code, and details on the plan to limit further development of the western parcel.

9 Chair Matyszczyk shared his concerns with the entire development being zoned for short-term  
10 rentals which could set a precedent for other developments to also request this status. Ms. Hogan  
11 reiterated that the location of this new resort development would not impact any existing  
12 neighborhoods, and the project's feasibility was tied into such rentals. Mr. Sapp noted the proposed  
13 development was less than half the density of the previously proposed development of this property.

14 Discussion ensued regarding parking for the amphitheater, community events planned for the space,  
15 and connectivity to the rest of the Town. Commissioner Pieper asked if there was an alternative plan  
16 if the requested short-term rentals were not approved. Mr. Sapp replied that would be a major change  
17 in plans and would require an evaluation of the economics, traffic study and infrastructure plans if  
18 certain components were excluded from short-term rental approval.

19 In response to questions from Commissioner Ginsberg, Mr. Sapp stated the team had secured a  
20 commitment from a financial partner with whom Mr. Sapp had worked on past projects, and that the  
21 hotel partner would purchase the property where the hotel would be located and would be  
22 responsible for obtaining design and other approvals from the Town.

23 There being no further questions from the Planning Commissioners, the Public Hearing was opened  
24 at 8:43 PM. Hideout resident Mr. Jim Gruber asked for clarification on terms for short-term rentals.  
25 The Public Hearing closed at 8:46 PM.

26 Mr. Sapp discussed feedback the team had received from a zoom call with a number of Golden  
27 Eagle property owners which was generally supportive of the project. This feedback included  
28 support for a relatively small amphitheater, and requests that views be preserved. Ms. Hogan stated  
29 the standards for managing short-term rentals could be included in the MDA.

30 There being no further questions from the Planning Commissioners, Ms. Hogan and Mr. Sapp were  
31 excused and departed from the meeting at 8:49 PM.

## 32 33 **VI. Work Session (time permitting)**

### 34 **1. Discussion of potential Overlay Zone to allow for nightly rentals**

35 Chair Matyszczyk noted the late hour and asked Mr. Eddington to provide a brief overview of this  
36 matter. Mr. Eddington shared a draft ordinance for a potential Overlay Zone which would allow for  
37 nightly rentals, and asked the Planning Commissioners to think about the criteria they would want to  
38 see included to set terms for such rentals. He suggested terms such as prohibiting such rentals in  
39 established developments and setting a minimum four-day stay might be worthwhile. He also noted  
40 this Overlay Zone could be broader than the Deer Springs Cottages project discussed at a prior  
41 meeting.

42 Commissioner Tihansky noted the HOA's in the various developments disallowed such rentals and  
43 would therefore disallow such existing neighborhoods being included in an Overlay Zone. Mr.  
44 Eddington agreed and reiterated such an approval would only be applied to new developments (or new

1 phases of an existing development) which could include Bloom at Hideout, Deer Waters, Deer  
2 Springs, Lakeview Estates, and future annexations.

3 Commissioner Ginsberg noted homeowners who have purchased homes with the understanding there  
4 were no nightly rentals in their community should be considered. Commissioner Pieper suggested the  
5 Deer Springs Cottages project could serve as a concept test. Commissioner Gunn noted the resident  
6 survey conducted in 2022 did not indicate support of nightly rentals.

7 Discussion ensued regarding ideas for managing such rentals and ongoing enforcement of Town  
8 policies. Town Attorney Polly McLean noted there were services available to help municipalities  
9 monitor and enforce policies related to such rentals.

10 Commissioner Gunn suggested conducting a new resident survey focused specifically on nightly  
11 rentals under the conditions being discussed. Mr. Eddington thanked the Planning Commissioners for  
12 their feedback and agreed to do more work on the draft ordinance and a resident survey.

## 13 14 **VI. Meeting Adjournment**

15 There being no further business, Chair Matyszczyk asked for a motion to adjourn.

16 ***Motion: Commissioner Gunn moved to adjourn the meeting. Commissioner Tihansky made the***  
17 ***second. Voting Yes: Commissioner Cooper, Commissioner Gunn, Chair Matyszczyk, Commissioner***  
18 ***Tihansky and Commissioner Turner. Voting No: None. The motion carried.***

19  
20 The meeting adjourned at 9:09 PM.

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26 Kathleen Hopkins  
Deputy Recorder for Hideout

**File Attachments for Item:**

1. Discussion of a concept plan for a potential development Hideout Pointe (Parcel 20-8164)



## Staff Report for Hideout Pointe (Tim Schoen) – Concept Plan Review

To: Chairman Tony Matyszczyk  
Town of Hideout Planning Commission

From: Thomas Eddington Jr., AICP, ASLA  
Town Planner

Re: Hideout Pointe Concept Plan – Tim Schoen’s Brew Pub Proposal

Date: Prepared for the June 22, 2023 Planning Commission Meeting

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*Submittals: Concept Plan Application, Concept Master Plan, and Elevations Set (all received via email on May 10, 2023)*

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### Background

The Applicant is proposing a Concept Plan that would require an up-zoning from Mountain (M) residential to a commercial or mixed-use designation for the property – to allow commercial and higher residential development.

The subject property is just less than two (2) acres in size and is located just northwest of the KLAIM development, along SR248. The site that includes the Concept Plan is part of a larger property (15.19 acres) that the owner may consider developing in the future. This Concept Plan is limited to the property between SR248 and the driveway that leads to the Wolf property.

The site has steep slopes that slope down toward SR248. This area, whether it remains Mountain Residential or otherwise, must adhere to the Town’s Sensitive Lands zoning requirements, which may limit current building envelopes, parking pads, and/or other land disturbances.

### Site Characteristics

Total Acres of Site: +/-2 Acres

Current Zoning: Mountain Residential (M)

Allowed Density: One (1) single-family dwelling unit per acre

## Proposed Concept

Proposed Density:     Nine (9) residential units  
                                 Five (5) units designated for commercial development  
                                 One (1) restaurant / brewery

### Total Density

- Residential density = +/-4.5 units per acre
- Commercial density = +/- 3 units per acre

## Site Location (proposed site in red)





**Parcel Map - Site & Proximity Location (proposed site in red and Town-owned site in white)**



## Planning Issues & Concerns for Discussion

### Density

The proposed density (commercial and residential units) is significantly higher than what is currently allowed. Where one (1) single-family unit is permitted on each one-acre lot, the residential density proposed is +/-4.5 units per acre and +/-3 units of commercial per acre. The mixed-use characteristic – residential and commercial – generally supports higher densities, but the Planning Commission should discuss the impacts, the advantages to the Town, and adherence to the General Plan to address this proposed Concept Plan (and required rezoning request should the Applicant move forward) – trail connectivity, etc.

The Town owns the land (+/-7 acres) to the northwest of this site. This may ultimately be the location of a future fire station and/or a relocated public works building. The Town and Applicant will need to ensure the appropriate buffers are in place to allow these uses to essentially exist side by side.



### Use and Site Impacts

The proposed mix of commercial and residential should be examined closely. Site access, impacts on the surrounding properties (KLAIM, the Wolf property, and the Town-owned land), and environmental impacts given the slopes must be addressed. The revegetation/hydroseed on the existing soil pile at the Wolf property has not taken root to date and there are erosion issues. The impacts of this adjacent property are indicative of challenges with slopes in this area (see below).

The Applicant should be prepared to discuss, in general, the heights and extents of retaining walls proposed for this Concept Plan.

### Environmental Issues and Sensitive Lands

The site has areas with significant slope issues – some areas appear to be in excess of 20% and other areas in excess of 30%. The existing/native vegetation serves as a buffer offering erosion control and stormwater runoff filtration for runoff that drains into the creek located to the northwest of this property. A slope map should be provided for additional review.

### Access

The proposed Concept Plan includes access points off the driveway that provides access for the Wolf property (a single-family residential structure). Currently, this driveway does not meet the Town's requirements for higher-density residential and commercial development. Additionally, UDOT will need to confirm that the KLAIM access point to SR248 is sufficiently designed to accommodate new development in this area.

Trail access, opportunities for a partnership approach to a future underpass/overpass for SR248, etc. should be considered if the Planning Commission wishes to move forward with this Concept Plan and the Applicant moves forward with a rezoning application.

### Open Space, Buffers & Parks

The proposed development does not include any park or open space areas. The Applicant shall provide additional details regarding a small park location, protected open space, trails, etc.

### Architecture and Design Standards

The Town has historically required adherence to design and development standards for major projects. The Town should adopt a set of commercial or mixed-use standards that will ensure quality development for any commercial development.

## 2019 Hideout General Plan

The vision statement for the General Plan indicates:



The General Plan recommends preservation of viewsheds, the natural environment, and land development at intensities appropriate to the site and respectful of the natural environment. Additional site plan details must be provided to fully assess whether the proposed Concept Plan meets the standards set forth in the General Plan.

## Recommendation and Next Steps

The Planning Commission should review the Proposed Concept plan and staff report and provide input/direction to the Applicants. The Concept Plan application is an opportunity for the Planning Commission to provide input and weigh the anticipated benefits and impacts associated with the proposed development.

The proposed mixed-use development with commercial space, a restaurant/brewery and residential space appears to meet the Town's general desire to create walkable, mixed-use developments. The Planning Commission should provide direction and conditions for a follow up meeting.



**File Attachments for Item:**

2. Presentation and discussion of an updated concept plan and potential Annexation of the Benloch Ranch property



## Staff Review for Planning Commission

To: Chairman Tony Matyszczyk  
Town of Hideout Planning Commission

From: Thomas Eddington Jr., AICP, ASLA  
Town Planner

Re: Benloch Ranch – Petition to Annex – Concept Plan/Subdivision Review

Date: June 22, 2023

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*Submittals: The Applicant submitted an Application for Annexation with Conceptual Site Plans/Subdivision Layout for Review by the Planning Commission*

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### Project Background

The Planning Commission heard an update to the proposed Concept Plan for the Benloch Ranch on May 24, 2023 (see Exhibit A – Staff Report dated May 24, 2023). This review was part of the Applicant's Petition for Annexation into the Town of Hideout. At that time, the Planning Commission had questions regarding the proposed density, phasing, design, and specifically, entitlements currently allowed in Wasatch County vs. what is being proposed for the Town of Hideout.

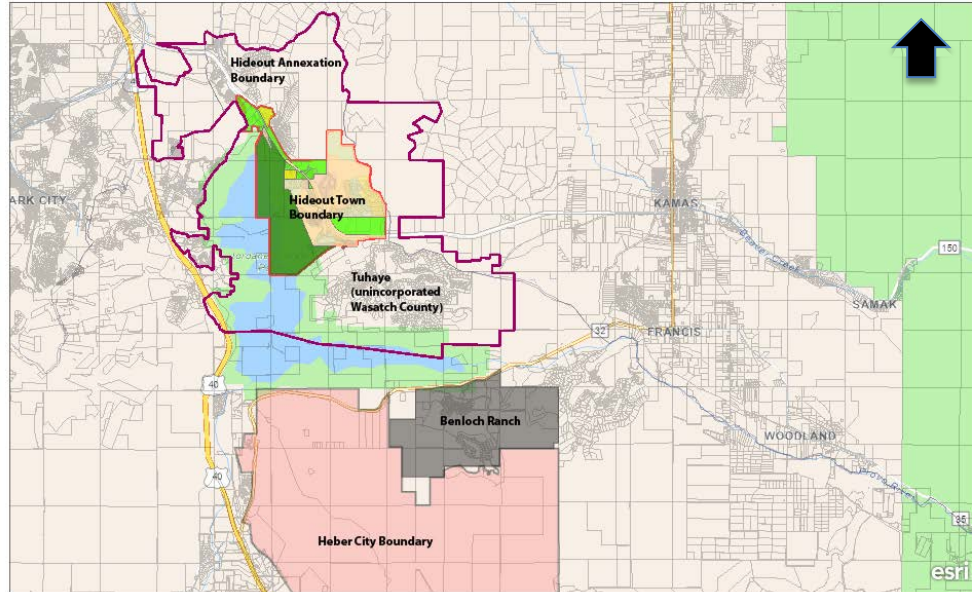
The Applicant will present responses at the Planning Commission meeting on June 22, 2024.

As a reminder, the following uses make up the Applicant's Concept Plan for Benloch Ranch:

- 2,300 acres located southeast of Hideout (southeast of Tuhaye)
- > 1,500 Single-family units/Townhouse/Condo/Casitas
- > 300 hotel rooms and/or cabins for rent (nightly rentals)
- Golf Course and Lodge
- Community Lodge
- Kids Ranch (recreation and daycare facility)
- > 65,000 SF of commercial development

## Context – Approximate Benloch Ranch Site in Relation to Hideout

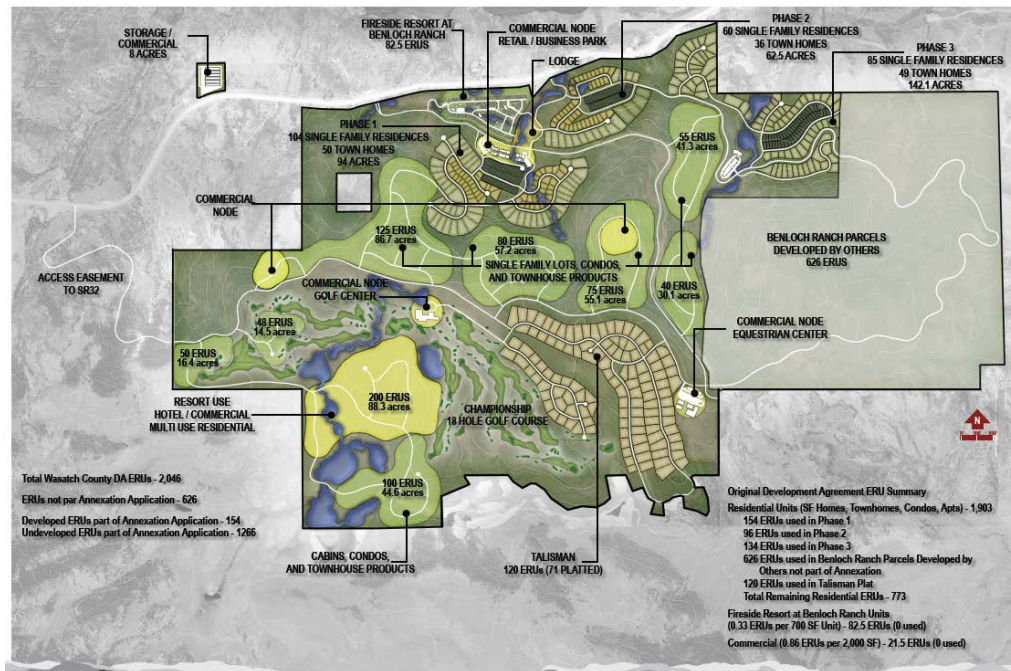
Town of Hideout Planning Map



Planning map for the Town Of Hideout

Utah AGRC | Utah Geospatial Resource Center, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA

## Concept Plan for Benloch Ranch





## **Planning Commission Issues and Concerns**

The Applicant must be prepared to address the following issues that were introduced at the May 24, 2023 meeting. Some of those questions dealt with the following, though this list is not fully inclusive:

- A comparison of the approved Plan and ERU density in Wasatch County with the proposed Plan and ERU density
- Updated phasing plans clearly illustrated on the Concept Plan
- Estimated timeline for construction of each Phase
- How many water shares has the Applicant secured? Are any additional water shares being provided to the Town?
- Road maintenance: are all roads proposed to be private and fully maintained by the HOA?
- How is the road maintenance going to be managed for the area being developed by others (626 ERUs)?
- How will the road maintenance be managed given that some roads cross over the proposed Town of Hideout's jurisdiction, then back and forth into Wasatch County?
- What is the Talisman area? Is that area proposed to be annexed? This appears to be platted and must be reviewed in detail to see if it meets Town Code requirements.

## **Recommendations and Next Steps**

The Planning Commission should be prepared to discuss the proposed Concept Plan that has been updated with additional specificity. Any input or questions regarding the project and the proposed land uses and densities, as well as additionally desired information should be conveyed at the meeting.

Ultimately, the Planning Commission should be prepared to direct Town Staff to continue working with the Applicant if the overall components of the Concept Plan are favorably received. Conversely, the Planning Commission may recommend that Staff coordinate revisions to the overall design and/or recommend that Staff discontinue discussions with the Applicant.

**File Attachments for Item:**

3. Discussion of a potential new Residential Casita zoning designation



## **Staff Report for Work Session Consideration of a New Zoning District Designation – Residential Casita (RC)**

To: Chairman Tony Matyszczyk  
Town of Hideout Council

From: Thomas Eddington Jr., AICP, ASLA  
Town Planner

Re: Creation of a New Zoning District – Residential Casita (RC)

Date: June 22, 2023 Planning Commission Meeting

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*Prior Submittals and Staff Reports: Discussion of this district for the proposed Bloom Development took place on May 24, 2023*

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### **Background**

The Planning Commission, in response to the proposed Bloom Development, is being asked to consider a new residential zoning designation, Residential Casita (RC). This zoning designation is necessary to allow for small unit / small lot developments such as a cottage or a casita development. The following is a draft ordinance for consideration.

#### **12.9.02 PURPOSE**

The Residential Casita (RC) Classification is provided to allow for small casitas (or bungalows or cottages) as an additional room type for a hotel, other lodging, timeshare or other shared use facility in a planned mixed-use (inclusive of both residential and commercial uses) development. The RC Classification is only available if it is designed as an additional product to such a development.

#### **12.10.04 LAND USES**

1. The Residential Casita (RC) Zone use table lists where the use type is permitted (P), allowed through the provision of a Conditional Use permit (C). If not indicated with either a (P) or (C), the land use is prohibited.
2. All Infrastructure Uses outside of right-of-way utilities, including but not limited to Communication Towers, Water Storage, Electric Transmission Lines, and Gas Pipelines; shall require a Conditional Use permit.



|                                       |   |
|---------------------------------------|---|
| <b>Land Uses</b>                      |   |
| <b>Residential</b>                    |   |
| Accessory Structure                   |   |
| Affordable Housing Development        |   |
| Cluster Development                   |   |
| Condominiums                          |   |
| Condominium Hotel                     |   |
| Multiple Family Unit                  |   |
| Short-Term Rental (< 30 days)         |   |
| Single Family Attached (Townhome)     |   |
| Single Family Detached                | P |
| Timeshare (Shared Ownership Facility) |   |
| <b>Community</b>                      |   |
| Amphitheatre                          | C |
| Church or Worship Center              | C |
| Community Center                      | C |
| Private Residence Clubs               |   |
| Public Building                       |   |
| Public Services Facility              |   |



|   |   |
|---|---|
| School                                      |   |
| Swimming Pool / Bath House                  | P |
| <b>Commercial</b>                           |   |
| Big Box Retail                              |   |
| Convenience Store                           |   |
| Day Care Centers                            |   |
| Equestrian Facilities                       |   |
| Fitness / Wellness Center (less than 2,500) | C |
| Gasoline, Retail                            |   |
| Golf Course and Related Services            |   |
| Grocery                                     |   |
| Health Care Facility                        |   |
| Hotel                                       |   |
| Kiosks and Street Vendors                   |   |
| Maintenance Facility (less than 1,500 SF)   | C |
| Meeting Facilities                          |   |
| Office                                      | C |
| Personal Services                           | C |
| Recreational Facilities                     |   |





|   |   |
|---|---|
| Restaurant (with Drive through support) |   |
| Restaurant (less than 2,000 SF)         | C |
| Retail                                  |   |
| Service Station                         |   |
| Storage Facility                        |   |
| Theater                                 |   |

#### 12.10.06 DIMENSIONAL STANDARDS

1. Unless otherwise specified, Development in the Residential Casita (RC) Zone shall comply with the standards set forth in the following table.
2. Maximum Density (ERU) is not guaranteed. It is dependent upon geographic, geological, topographical, community character and other limitations as outlined with Town Code.
3. All Primary Building and Accessory Structures are subject to the dimensional standards set forth in the following table. These general standards may be further limited or modified by other applicable sections of this Code.

|                            |          |
|----------------------------|----------|
| <b>Density</b>             |          |
| Maximum Density (ERU)      | 15       |
| Minimum Open Space         | 35%      |
| <b>Frontage / Lot Size</b> |          |
| Minimum Lot Size           | 3,000 SF |
| Minimum Lot Frontage       | NA       |
| Minimum Lot Width          | 50'      |
| Minimum Lot Depth          | 60'      |



|   |  |
|---|--|
| Maximum Lot Coverage (in sq. ft.)                           | 1,500 SF                               |
| <b>Setbacks</b>   |  |
| Minimum Front Setback from road edge                        | 35'                                    |
| Minimum Front Setback from road edge (Major Road)           | 40'                                    |
| Minimum Setback from Highway                                | 50'                                    |
| Minimum Rear Setback  | 25'                                    |
| Minimum Side Setback  | 20'                                    |
| Minimum Offsets (relative to roadway or neighboring Bldgs.) | 15° or 15'                             |
| <b>Building</b>   |  |
| Maximum Building Height                                     | 25' or two stories (whichever is less) |
| Maximum Units per Building                                  | 1                                      |
| <b>Driveway / Garage</b>                                    |  |
| Minimum Parking (non-residential: per 1000 sq ft)           | Conditionally                          |
| Minimum Garage Parking (residential: per unit)              | 2                                      |
| Minimum Driveway Length                                     | 25'                                    |
| Minimum Driveway Width                                      | 20'                                    |
| Maximum Driveway Width                                      | 26'                                    |



|   |                     |
|---|---------------------|
| Shared Driveway Allowed                             | Conditionally       |
| Conjoined Driveway Allowed (with adjacent property) | No                  |
| Maximum Driveways (per Frontage)                    | 1                   |
| Permitted Driveway Materials                        | Concrete or asphalt |

#### **12.9.08 LANDSCAPING AND MAINTENANCE REQUIREMENTS**

Unless otherwise specified, the Landscaping requirements within the Residential Casita (RC) Zone shall adhere to the requirements outlined in Section 10.08.32 in Title 10 of the Town Code.

#### **12.9.10 OPEN SPACE AND PUBLIC SPACE REQUIREMENTS**

Unless otherwise specified, the Open Space and Public Space requirements within the Residential Single-Family Zone shall adhere to the requirements outlined in Sections 10.08.28 and 10.08.30 in Title 10 of the Town Code.

#### **12.9.12 DESIGN REQUIREMENTS**

Unless otherwise specified, the Building Design requirements within the Commercial Zone shall adhere to the requirements outlined in Section 10.08.08 in Title 10 of the Town Code.

### **Recommendation and Next Steps**

The Planning Commission should review the draft ordinance and suggest revisions during this work-session. Once this is finalized, staff will bring this back next month for a recommendation to the Town Council.

**File Attachments for Item:**

1. Discussion and possible recommendation to Town Council regarding an amendment of the Official Town of Hideout Zoning Map to rezone parcels 00-0020-8182 and 00-0020-8184 (the “Bloom in Hideout” Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6), Mountain Residential (MR), Residential 20 (R20), and Natural Preservation (NP)



## Staff Report for The Bloom – Rezoning Request and Plan Review

To: Chairman Tony Matyszczyk  
Town of Hideout Planning Commission

From: Thomas Eddington Jr., AICP, ASLA  
Town Planner

Re: Bloom Re-Zone Request for the Salzman Property  
Master Development Agreement (MDA) Discussion Topics

Date: Prepared for the June 22, 2023 Planning Commission Meeting

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*Submittals: Rezone Application with associated documents including Rezone Breakdown map, zoning language requests for revisions, Concept Vision, etc. (all submitted and dated April 21, 2023)*

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### Background

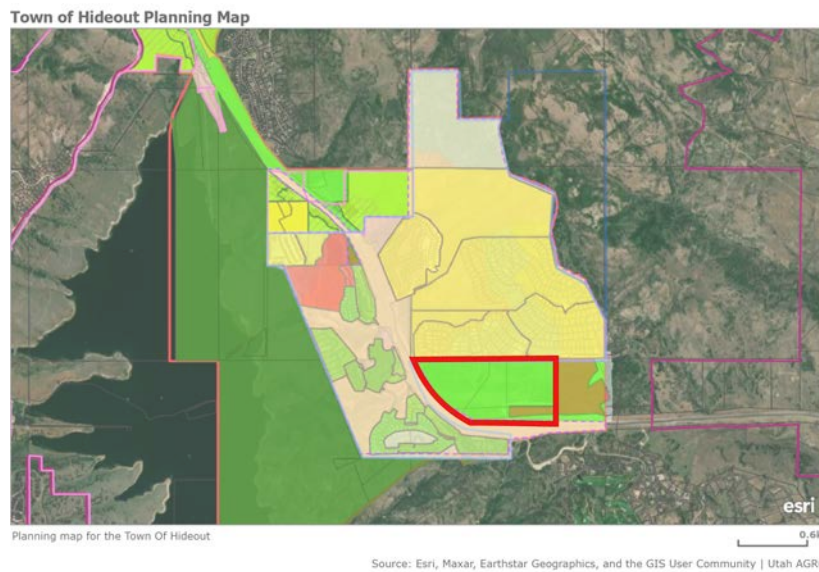
The Planning Commission approved a Concept Plan for the Bloom development (located on the eastern +/-72 acres of the total +/-112-acre Salzman property) on April 17, 2023. Overall, the Salzman property is 112 acres but the area which is being considered for development and asking for a rezone is +/-72 acres. The current proposal is a request to rezone the property with a proposed Master Development Agreement (MDA). The next steps in the process (estimated fall 2023) will be the submittal of preliminary and final subdivisions for review by the Planning Commission and Town Council.

The proposed rezone generally requests the following:

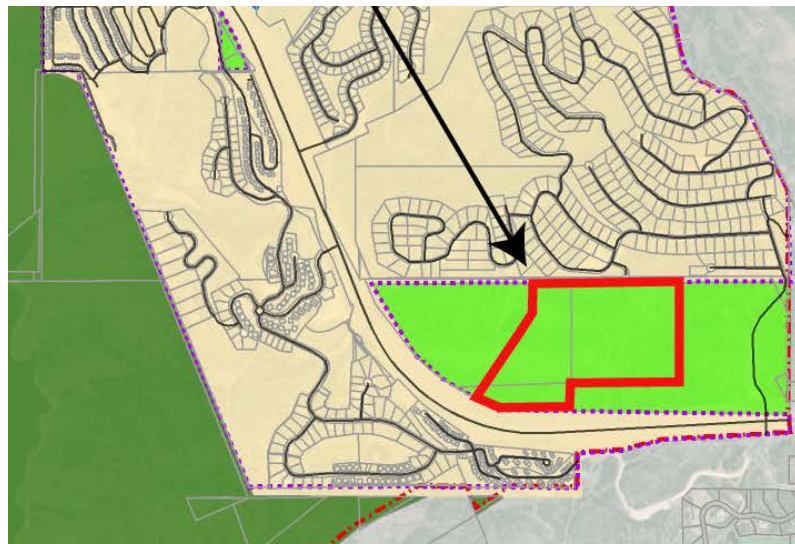
- The +/-40-acre site/parcel that surrounds the house is proposed will remain zoned Mountain (M) – minimum lot size of one acre for residential single-family use (this zoning classification is part of the Former Town Code). **The Western 40-acre property is not part of this rezoning application.**
- The remainder of the site (+/- 72 acres) is proposed as a mix of zoning districts (all from the “New” Town Code):
  - Neighborhood Mixed Use (NMU) – for the hotel and commercial area
  - Mountain Residential (MR) – for the proposed two (2) estate lots

- Residential 3 (R3) – for the proposed fourteen (14) single-family detached units (maximum three per acre)
- Residential 6 (R6) – for the proposed ninety-six (96) townhomes (maximum six per acre)
- \*Newly proposed zone – Residential Casita (RC) – for the proposed 50 casitas (maximum fifteen per acre)
- Natural Preservation (NP) – for the open space, parkland, and amphitheater

**Overall Site Location** (proposed site in red outline)



**Portion of Site Proposed for Rezoning Classification**





### Existing Site Characteristics of Rezone Area

Total Acres of Site: +/-72 Acres

Current Zoning: Mountain (M)

Allowed Density

(Eastern side only): One (1) unit per acre, or approximately 60 – 70 units after road infrastructure is built and steep slopes preserved (estimated at +/-20% of the site) on the +/-72 acre site

**Concept Density:** All density will be calculated by number of units (or doors/keys), square footage, and ERUs per the Town's ERU chart below:

| Configuration  | Notes  | ERU's |
|--|--|-------|
| <b>Motel/Hotel Room, Apartment or Condo</b>            | Up to 500 sf including bathroom areas  | .25   |
| <b>Motel/Hotel Room, Apartment or Condo</b>            | Between 501 and 1000 sf including bathroom areas   | .50   |
| <b>Motel/Hotel Room, Apartment or Condo</b>            | Between 1001 and 1500 sf including bathroom areas  | .75   |
| <b>Motel/Hotel Room, Apartment or Condo</b>            | Over 1500 sf; for each part of a 1500 sf interval (rounded up)                               | 1.00  |
| <b>Single Family Residences (attached or detached)</b> | Up to 5000 sf  | 1.00  |
| <b>Single Family Residences (attached or detached)</b> | For residences over 5000 sf; add this value for each part of a 2000 sf interval (rounded up) | .50   |
| <b>Commercial</b>                                      | For each 2000 sf of gross floor area, or for each part of a 2000 sf interval.                | .75   |

#### East Parcel:

230 units primarily concentrated on the +/-70 acres that make up the eastern part of the site. 30,000 – 35,000 SF of neighborhood commercial



space is also proposed. The units are generally designated for the following use and housing types:

- Neighborhood Commercial: 30,000 – 35,000 SF
- Multi-family: 8 units
- Boutique Hotel: 60 units (120 keys w/lockout units)
- Casitas: 50 units
- Townhomes: 96 units
- Single-Family Lots: 16 lots (2 estate lots and 14 standard lots)

West Parcel (w/ Existing House)

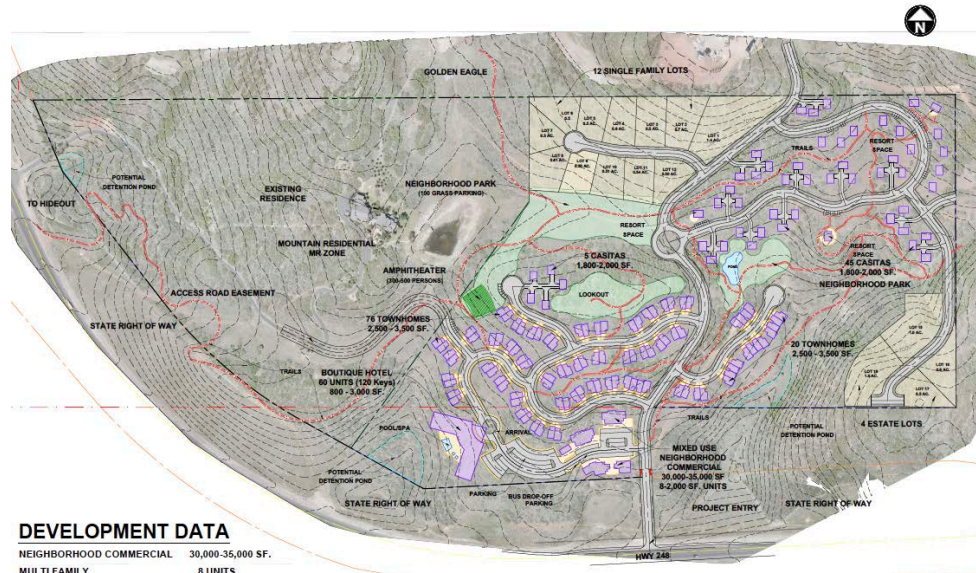
\* NOT PART OF THIS APPLICATION)

- No rezoning is proposed for this site
- Mountain Residential (M) Zoning: one single-family detached unit per acre is permitted
- The Applicant prepared a concept layout that indicated what could be built on this site given topography, road infrastructure necessary, and sensitive lands that would decrease this density:
  - Single-family Lots: 25 (maintain existing Mountain [M] zoning with one-acre minimum lot sizes)





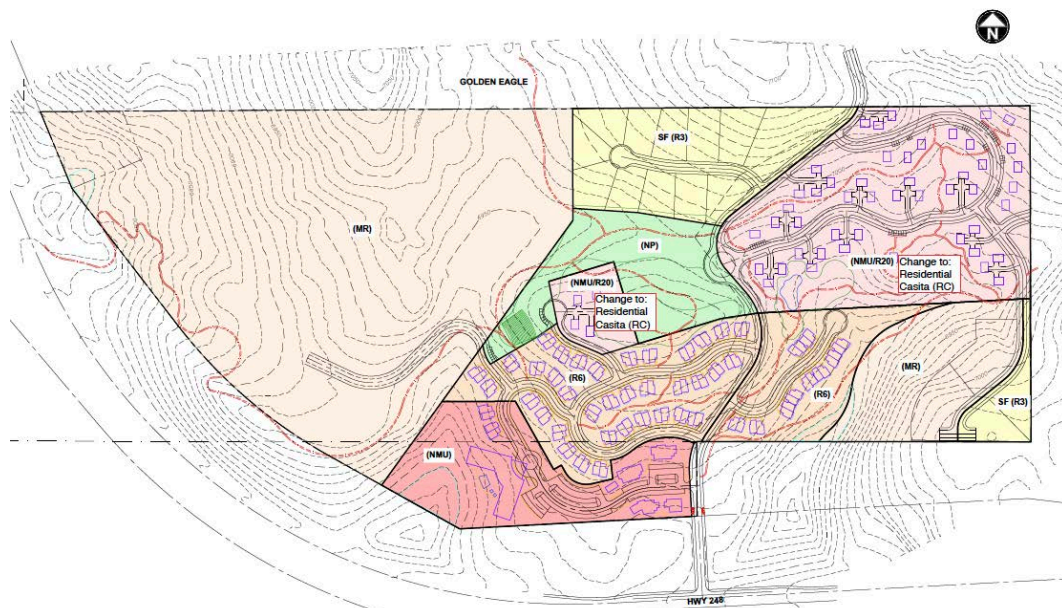
## The Bloom Concept Plan – East Parcel (April 2023)



### DEVELOPMENT DATA

|                         |                     |
|-------------------------|---------------------|
| NEIGHBORHOOD COMMERCIAL | 30,000-35,000 SF.   |
| MULTI FAMILY            | 8 UNITS             |
| BOUTIQUE HOTEL          | 60 UNITS (120 Keys) |
| SUPPORT COMMERCIAL      | 18,000 SF (MAXIMUM) |
| CASITAS                 | 50 UNITS            |
| TOWNHOMES               | 96 UNITS            |
| SINGLE FAMILY LOTS      | 16 LOTS             |
| TOTAL UNITS             | 230                 |

## Concept Plan Illustrating Proposed Zoning Changes





## **Zoning Issues for Discussion**

- The Town's current zoning code does not have a Residential Casita (RC) zoning classification. The following is a recommended zoning classification that the Town staff recommends and would have to be approved by both the Planning Commission and Town Council. This would be a separate approval that is done by way of a public hearing and noticing for a revision to the Town's existing Zoning Ordinance:

### *Residential Casita (RC)*

*The RC Classification is provided to allow for small casitas (or bungalows or cottages) as an additional room type for a hotel, other lodging, timeshare or other shared use facility in a planned mixed-use development. The RC Classification is only available if it is designed as an additional product to such a facility.*

1. *Permitted Uses. Permitted uses within the RC Classification include hospitality and short-term rental, timeshare or other shared use facilities, recreational, or hospitality support.*
2. *Density per Acre. The maximum Gross Density allowable for this Zone is 15 Units per acre.*
3. *Building Height. The maximum allowable building height is 25 feet and the maximum number of stories is two (2) stories.*
4. *Setbacks. Property line setbacks for the RC Classification are 25 feet for the rear yard and 25 feet for the front yard. Side yard setback requirements shall be 15 feet each.*

### *Additional Allowances for Consideration:*

- *No garage needed, but a minimum of one (1) parking space per bedroom*
- *Shared driveway allowed; subject to Town Planner and Town Engineer review and approval*
- *Permitted driveway material: asphalt, or concrete*
- *Maintenance Facility will be permitted (less than 1,500 SF)*
- *Swimming Pool/Bathhouse will be permitted*
- *Fitness/Wellness Center will be permitted (less than 2,500 SF)*
- *Restaurants will be permitted (less than 1,500 SF)*



### **Applicant Request for the Proposed Rezoning Map Only**

The Applicants would like the Planning Commission to forward the proposed rezoning map to the Town Council for review and input. This would not be a formal recommendation but rather an opportunity for the Town Council to provide input and direction at an early stage in the rezone request process. The Applicants are in the process of partnering with a hotel entity and believe this would help to keep them interested knowing that progress on the rezone is continuing.

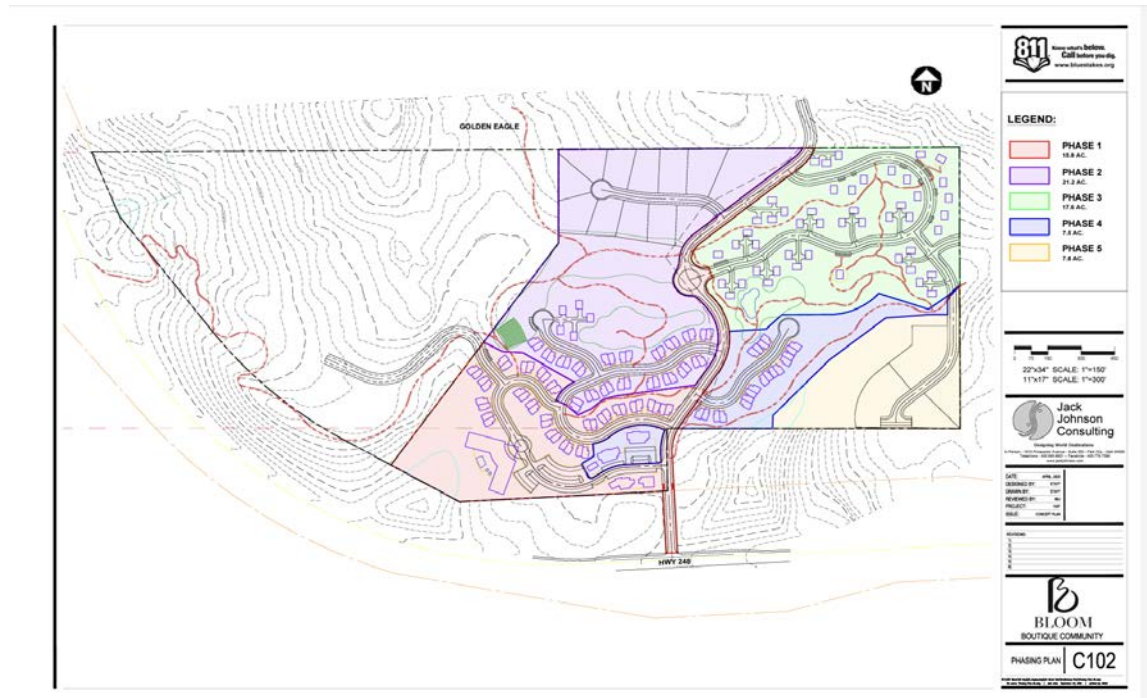
The Applicants recognize there is much work to do to finalize the Master Development Agreement (MDA) and understand this process must continue simultaneously to any Town Council input. The Planning Commission cannot formally recommend the proposed rezoning map without a recommended MDA as well.

### **Master Development Agreement (MDA) – General Conditions and Criteria to Date**

The Planning Commission has discussed a number of conditions or criteria that shall be incorporated within the MDA if the property is rezoned. The following is a list to date:

1. The Planning Commission, at the last meeting, requested that two members be included in the staff discussions relative to the MDA. Jonathan Gunn and Glynnis Tihansky have volunteered for this role. Two members of the Planning Commission do not constitute a quorum and, therefore, these working meeting with staff and the Applicants will not require public noticing. These meetings will be scheduled over the next week or so.
2. Phasing: The Planning Commission wanted to see a Phasing Plan (map and table) for the proposed development. There was a specific request to ensure that commercial development (e.g., the hotel) be constructed in Phase 1 of the development. The Applicants are working on bringing a hotel to fruition with Starwood Capital Group and AJ (Adventure Journeys) Capital Partners. These two companies are creating a new hotel brand called Field and Stream which would be the name of the property in Bloom. The Applicants submitted the following Phasing Plan:

## A Map of Building Phases



### **Phase 1:**

#### Infrastructure:

Main route through middle and lower west loop

#### Buildings:

Hotel - 120 keys

40 townhomes - 2500 to 3500 Sq ft

Commercial pads- South West - 17,500 square feet

### **Phase 2:**

#### Infrastructure:

Finish west loop middle

Upper west cul-de-sac

#### Buildings:

36 Townhomes - 2500 to 3500 Sq ft

5 casitas - 2000 square feet

12 single family





### **Phase 3:**

Infrastructure:  
Upper East loop

Buildings:  
45 casitas - 2000 sq feet

### **Phase 4:**

Infrastructure:  
Lower East side cul-de-sac

Buildings:  
Commercial pads #2 North West -17,500 square feet, 8 multifamily 2000 square ft  
20 townhomes on the east side - 2500 to 3500 Sq ft

### **Phase 5:**

Infrastructure:  
East/South corner road cul-de-sac

Buildings:  
  
4 single family

### **Phasing Plan Table**

| <b>Phase</b> | <b>1</b> | <b>2</b> | <b>3</b> | <b>4</b> | <b>5</b> |
|--------------|----------|----------|----------|----------|----------|
| Includes     |          |          |          |          |          |
| Hotel        | 120      | 0        | 0        | 0        | 0        |
| Commercial   | 17,500   | 0        | 0        | 17,500   | 0        |
| Townhomes    | 40       | 36       | 0        | 20       | 0        |
| Homes        | 0        | 12       | 0        | 0        | 4        |
| Casitas      | 0        | 5        | 45       | 0        | 0        |
| Multi Family | 0        | 0        | 0        | 8        | 0        |



3. Water Agreements: The Applicants indicated that the details of this will be written into the MDA. They further note they already have enough water secured for Phase 1, and have provided an email from their lawyer confirming the contract in place that allocates 50 water shares transferring to the Applicants upon ownership of the property. All of the water is already within the JSSD district (see Exhibit A).
4. Allowance for flat roofs (at a 2:12 pitch or less)
  - a. Roof pitch variation is generally encouraged and such standards are appropriate for inclusion in the MDA.
  - b. Current Town Zoning - Section 10.08.08.01 Roof Slopes - Roof slopes should be between 3/12 and 8/12. Flat roofs, up to a maximum of 30% of a structure's overall roof area, may be integrated into a residential structure.
  - c. While the allowance for some flat roofs should be considered, a maximum percentage of all structures with flat roofs should be included. The Applicants have requested up to 50% of the project could be allowed to have flat roofs.
5. Underpass/Overpass to connect both sides of SR248
  - a. The Applicant proposes \$1mn to be dedicated for the construction of an underpass/overpass. The Planning Commission must determine if this an adequate amount and at what point this amount will be paid to the Town, e.g., upon completion of Phase 3, etc.
  - b. Staff has been trying to determine the actual cost of a tunnel or bridge across SR248, but, at the time of this staff report, no estimates have been provided from UDOT or others that have engaged in similar efforts.
6. Short-Term Rental (< 30 days) allowance
  - a. Currently short-term rentals (<30 days) are not permitted in the Town per the Zoning Ordinance. The Planning Commission and Town Council are currently reviewing revised code amendments that may allow nightly or short-term rentals. Subject to the recommendation of the Planning Commission and adoption by the Town Council, the Applicants will include this formal rezoning request in their application. The MDA can clarify this allowance, or extent of allowance, based on the Planning Commission recommendation and Town Council approval for this proposed project.
7. Swimming Pool/Bathhouse allowed in the residential districts (R3, R6 and RC)
  - a. This allowance can be included in the MDA; details to be worked out.
8. Road Maintenance



- a. The Applicants have indicated an HOA will be created and the roads will be private; the HOA will be responsible for the maintenance of the roads throughout the development.
  - b. The emergency access road extending from the Golden Eagle neighborhood will be maintained, likely improved, for use by those residents.
9. All other Zoning Ordinance requirements will remain in effect

### **A Snapshot of the Project's Economics**

The following numbers were provided by the Applicants:

- Hotel Revenue (sales + occupancy tax): \$140k per year
- Restaurant (near hotel): \$43k per year
- Other Commercial: \$83k per year
- Casitas: \$215k per year
  
- Single family: \$28k per year
- Townhomes: \$60k per year
- Property tax increase for all improvements: \$280k per year.
- Total annual benefit: \$826k per year

*Note from the Applicant: The townhomes and single-family homes are currently estimated as occupied about five weeks per year (a conservative number). Second, please note that these figures are conservative with respect to the property tax values. They are currently calculated on the existing property tax rate, which is likely to increase in the Town's new budget. The economics of Bloom to the Town could easily reach \$1m a year as the Town finances short-term deficits with property tax increases.*

### **Next Steps**

The Planning Commission should review the proposed rezone request and MDA and provide input to the Applicants. The Applicants have asked for the Planning Commission to forward the rezoning map to the Town Council for review and input.

Before a final vote is determined, the Town Attorney, Town Planner and the Applicants have to finalize a Master Development Agreement (MDA) that clearly outlines the details of what is and is not allowed within the proposed master development, specifically if there are uses or area and bulk



standards that will vary from the strict zoning code requirements. The MDA should be continued to the next meeting or forwarded to Council for their initial review (and then remanded).





## Exhibit A – Proof of Water for Phase 1 of the Proposed Project

**From:** Justin Keys <[Justin@hlhparkcity.com](mailto:Justin@hlhparkcity.com)>  
**Date:** Monday, June 19, 2023 at 4:16 PM  
**To:** Thomas Eddington Jr. <[thomas@inplandesign.com](mailto:thomas@inplandesign.com)>, Polly McLean <[pmclean@hideoututah.gov](mailto:pmclean@hideoututah.gov)>  
**Cc:** Jenni Hogan <[jenni@jennihogan.com](mailto:jenni@jennihogan.com)>  
**Subject:** Bloom - Water Rights

Hi Thomas and Polly,

This is just to confirm that Bloom's holding company went under contract this weekend on 35 shares of culinary and 15 shares of irrigation water that have been deposited to JSSD. The contract is contemplated to close concurrently with the purchase of the property. The terms of the purchase contract itself are confidential. But let me know if you need anything more formal from me on this point.

Thanks!

Justin

### Justin Keys

Direct: [\(435\) 731-9195](tel:4357319195)

1225 Deer Valley Drive Suite 201  
Park City, UT 84060

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