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Dustin A. Grabau

**COUNTY PLANNERS**

Doug G. Smith, Director  
Austin Corry, Assistant Director  
Anders Bake, Planner  
Nathan Rosvall, Planning Tech.

**COUNTY COUNCIL**

Kendall Crittenden  
Steve Farrell  
Karl McMillan  
Mark Nelson  
Spencer Park  
Erik Rowland  
Luke Searle

## MEMORANDUM

**To: JSPA Planning Committee**  
**From: Planning Staff**  
**Date: 9 October 2024**  
**Re: Items 1, 2, and 3 Jordanelle Golf Lodge**

JSPA Committee Members,

This memo is not a replacement for the staff report. All of the changes submitted by the applicant will be included in an updated staff report including the building renderings. The intent of this memo is to let the committee know, in summary, what changes have been made.

The Golf Lodge was reviewed by the JSPA Planning Committee on September 17<sup>th</sup>. The three items associated with the proposal were continued in order for the applicant to address comments by the planning committee. There was a lot of discussion regarding the three items.

The report of action from the meeting is attached and includes comments made by the commission, staff, applicant and public.

According to the applicant the following changes have been made since the last meeting:

- Reduced Room count from 84 Hotel Rooms to 70 Hotel Rooms (this total includes the 3 MIDA rooms).
- ERU Reduction from 35 to 34.
- Elimination of the top floor on the southeast corner closest to the existing homes.
- Room balconies on the southeast corner (adjacent to the existing homes) have been adjusted from east facing to now facing south.
- Multiple roof changes throughout the building.
- Lightened overall stone and wood siding exterior materials.
- Building massing throughout and stone columns have been broken up.
- Additional window openings on the stone columns.
- Added horizontal reveals to the building.

## Wasatch County JSPA Planning Committee

# Report of Action

17-September-2024

*Commissioner Bill Redkey was present as Chair.*

**ITEM #1** – Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests consideration by the County legislative body for approval of ordinance 24-11 enacting, approving, adopting or authorizing the execution of a legislative development agreement in order to address aspects of the SkyRidge Lodge project. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (Jon Woodard and Doug Smith)*

**ITEM #2** - Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests Final Site Plan approval for SkyRidge Golf Lodge, a proposed condo-hotel including 65 units (35 ERUs), reception area, fitness center, and other amenity spaces located at 1393 W SkyRidge Drive in the Jordanelle Specially Planned Area (JSPA) zone. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (DEV-9177; Anders Bake)*

**ITEM #3** - Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests Final Subdivision and Site Plan approval for the Jordanelle Golf Lodge Overflow Parking, a proposed subdivision and site plan to construct an off-site parking lot located off the Jordanelle Parkway on parcel 21-2807 in the Jordanelle Specially Planned Area (JSPA) zone. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (DEV-9178; Anders Bake)*

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

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

- Allison Aafedt did a power point presentation reiterating many of the issues discussed by the planning staff.
- Jamie Hewlett - how much space is allowed for the golf course? She asked about the military discount for the units in the SkyRidge Lodge.
- Laurie Higgen – property owner in Marcella asked about the use of chemicals used for treating the golf course as well the heavy metals in the water.
- Nick Lopez – Heber City Resident and firefighter. He is concerned with the fire access and life safety issues. Narrow roads and fire access and response time. Little or no access for latter trucks to the lodge.
- Vaughn Hokanson – Concerned citizen. Stated that he had serious concerns with the political climate and he feels that there are major problems with the proposal. Please consider that if you choose to pass this forward please do so with more public comment. He feels that this is not in the best interest for the people.
- Johnathan Jackson – Wasatch County citizen. The interest should be for the full time residents not what is best for the people visiting. He would like to preserve the culture. The height restriction should not be allowed and bothers him. He felt that there should be additional landscaping. What is the benefit to me as a resident?
- David Lewis – general contractor who has purchased a number of lots in the SkyRidge community. He thinks it is a great development and appreciates the clubhouse and lodge and believes it will add value to the rest of the community.
- Joe Rubinstein - owns lot 115 in SkyRidge. Believes that the magnitude of this lodge is out of scale. They have had no offers for the lot they are trying to sell. They thought that the height for the lodge would be similar to the heights of the rest of the project. He believes that the lodge should be the same size as the lodge that was intended when he purchased their lot.
- Tracy Kienitz – Property owner in SkyRidge intends to sell their house if the lodge is approved. Believes that there is a huge safety problem with the traffic increase and no sidewalks on SkyRidge Drive. Believes that we are moving away from the code and that should not be allowed.
- David Ryan – Property owner in SkyRidge is concerned with the size and height of the lodge. He has not considered the issues with the fire district. Parking is an issue. If the lodge is full where would they park? The paved trails are not accessible from every lot. People need to walk in the street to get to the trails. If the parking lots are full where will people park? Why are all these variances being allowed? 5 different parking codes. Please don't rubber stamp this until some of these issues are answered.

- Kate Terrell – She participated in a letter that was sent and wants the committee to be careful in their decision. The lodge is too large and does not fit into the community.
- Michael Gladson – A lot owner in SkyRidge and a full time resident. They are supportive of the lodge and are happy for the amenities.
- Michael Gones – Believes that the approval of the lodge will increase the housing prices and people cannot afford to live here. He is completely against this proposal.
- Michael Hewlett – Would like state that he does not think this benefits the community. Why don't we say no. Heber and the County will say yes to everything. This is all motivated by money. There is no benefit to the community.
- Matt Hutchinson – Attorney for SkyRidge Lodge. LDA's are contemplated by the Utah code. The applicant is asking for the reallocation of 8 ERU's from single family lots to the lodge. The parking requirements do not take into account seasonal parking changes. Height takes advantage of the topography and the lodge was already approved at that location. The only change is going from 27-35 ERU's. Matt stated that there were disclosures for all purchasers that stated that a lodge was being pursued with 65-70 units. Homes have 10' setbacks and privacy is difficult.
- Vaughn Hokanson – stated again that he is opposed to the proposal.
- Jack Johnson – developer addressed the committee and stated that it has been a long time for them to get to this place. They have not skipped any steps and there has been a lot of review.

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

- Pete Meuzelaar – stated that the fire district takes these things very seriously. Chemicals and pollutants are things that are out of their scope. His specific expertise, as an architect, is that he looks at the building for compliance with the requirements of the JSPA. In February he had a concern that the building looked top heavy. He was not sure that the plans addressed his concerns.
- Ray Whitchurch – Concerned with the LDA which seems like we are saying that the code does not mean anything.
- Craig Hahn – Feels that there needs to be some discussion on the building massing. He is concerned about the size of the building increasing and not so much that the ERU's are increasing. The February discussion did not include any input from the public. The renderings showed decks overlooking the neighbors could these be moved? Could the height on the side adjacent to the residents be stepped? Concerns about the rooftop deck and the noise from the rooftop deck and does it even need to be there? What happens if there is a wedding? Where will all the parking go? I Craig has worked with the Fire Marshall and does not believe he would be a pushover. How does this help the average person here? He believes that is subjective. Landscaping on the parking lot seems not to be enough. Craig does not have a problem with the shuttle system. He would rather see shuttles than individual cars.
- Ray Whitchurch – Stated that he seconds what Craig stated. He believes that the proposal needs to be continued so that they can review all the issued that have been brought up.
- Chair Redkey - The general consensus is to continue.
- Craig Hahn – Felt that a Grading plan would be helpful, more information on the site plan, stepping the height of the lodge, view study showing how the neighboring homes are effected, Would like to see more emphasis on screening and breaking it up, the valet parking and double stacked parking is fairly normal, 9x18 is an industry standard. Details on how the parking lot works and screening,
- Pete Meuzelaar – concerned about the reverse shed roofs, would appreciate an effort to bring the north side down, it's a beautiful building, there needs to be more adjustment.
- Chair Redkey – asked if there was sufficient direction.

**MOTION**

Committee Member Whitchurch made a motion to continue the three items to the most convenient and acceptable date. Chairman Redkey seconded the motion.

**VOTE**                      **( 4 TO 0 )**

Bill Redkey	<u>AYE</u>	NAY	ABSTAIN	Craig Hahn	<u>AYE</u>	NAY	ABSTAIN
Peter Meuzelaar	<u>AYE</u>	NAY	ABSTAIN	Ray Whitchurch	<u>AYE</u>	NAY	ABSTAIN

**FINDINGS / BASIS OF JSPA PLANNING COMMITTEE DETERMINATION**

1. On February 15, 2017, the County Council approved the master plan for SkyRidge formerly Mayflower Lakeside North with a total density of 503 ERU's.
2. On February 25, 2021, the JSPA planning committee recommended approval of the amended preliminary and master plan that included the lodge and offsite parking parcel.
3. On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council. The amendments included the lodge and offsite parking parcel.
4. The master plan changes also included allowing a Golf Academy Lodging Facility ("Lodge") as a permitted use, and such

amendments were required to be memorialized in a Third Amendment to DA.

5. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.
6. The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.
7. The approval of an amended master plan and overall preliminary that included the off-site parking and the lodge still required a number of approvals including site plan, plat and LDA.
8. The proposal is for approval of a legislative development agreement, a small-scale subdivision plat approval and site plan approvals for the lodge and parking lot, including the parking plan.
9. Due to the uniqueness of the proposal, among other reasons stated in the development agreement, the County Legislative body has decided to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii).
10. The Vision and purpose of the JSPA as stated in 16.41.01 is to: Create a globally recognized "Year-Round" resort, to provide amenities supporting year-round activities, the quality standards of 4 and 5 star hotels, encourage golf, fitness and wellness centers, retail dining and entertainment, adequate and accessible parking and a wide range of well segmented real estate products.
11. The legislative development agreement process was discussed with the council on May 1, 2024, in a public meeting and no reason for not following this process was given by the council.
12. The proposal is located in the JSPA (Jordanelle Specially Planned Area) overlay zone.
13. The original master plan for the project showed single family residential uses in a townhouse configuration that included 20 units.
14. Utah Code states that a land use authority shall approve a conditional use if reasonable conditions are proposed to mitigate anticipated detrimental effects. See Utah Code 17-27a-506(2)(a)(ii). The applicant has proposed a legislative development agreement through which the application can be approved outside of the conditional use process.
15. For reasons explained in the development agreement and this staff report, the legislative development agreement makes both the lodge and its height a permitted use, whereas without the development agreement, the lodge and the height would have to be approved through a different process.
16. Normally under Utah Code, if an application meets the requirements of the code, the land use authority must approve the application. Due to the legislative development agreement, which allows a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, the Council has greater discretion than would normally be allowed.
17. Single family homes in this area of the JSPA are allowed to have a maximum height of 35' from natural grade.
18. The Lodge is proposed to be ~75' tall at its highest point.
19. The setbacks for the Lodge are significantly greater than setbacks required by code.
20. The legislative development agreement gives the county legislative body the discretion to allow or require the height they believe is a benefit to the health, safety, and welfare of the community.
21. The Development Review Committee has reviewed the project and forwarded the item for planning commission and JSPA planning committee consideration and council decision.
22. The development agreement explains the rationale for many of the matters addressed therein. The council hereby adopts the recitals of the development agreement, and the body of the development agreement, as findings for those matters addressed therein.
23. Ordinance 24-11 authorizes the adoption of the development agreement. The council adopts Ordinance 24-11.
24. This staff report and the presentations made by staff during the public meetings are hereby incorporated into these findings.
25. The Council finds that, based on the findings, the Lodge as proposed, the small-scale subdivision, the site plans, and the parking plans, advance the general welfare of Wasatch County.

#### **CONDITIONS**

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

  
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Wasatch County JSPA Planning Committee - Chairman

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



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

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**Project:** DEV-9177, 9178 | Legislative Development agreement, Lodge off-site parking and lodge site plan  
**Meeting Date:** 17 October 2024  
**Report Date:** 9 October 2024  
**Report Author(s):** Doug Smith/Anders Bake, Planners  
**Council Action Required:** Yes  
**Type of Action:** Legislative  
**Applicant:** Allison Aafedt  
**Address:** 1393 W. SkyRidge Drive  
**Acreage:** 5.37 ac. Lodge parcel 3.39 ac. parking parcel

**Proposed Density:** 34 ERU's, 27,760 sf. footprint, 64 units, 67 keys, 3 MIDA units with 3 keys, 60,630 total square feet  
**Zoning Designation:** JSPA (Jordanelle Specially Planned Area)  
**Related Applications:** Master Plan (2016, amended 2021), Development agreement (amended 2021), Preliminary approval (2018, amended 2021), Final plat for lodge parcel (2022)

### DETERMINATION ISSUE

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

### RECOMMENDATION

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

## BACKGROUND

The request is for approval of the SkyRidge Golf Lodge site plan, associated Legislative Development Agreement (LDA), an off-site parking lot and an associated small scale subdivision for the offsite parking. The Golf Lodge contains 64 individually owned condominium units that will be in a short-term rental pool and managed as a hotel. Within the 64 units there are a total of 67 keys meaning that there are units that include lock-offs. In theory there could be 67 units rented at any given time if the hotel was at 100% occupancy and all the lock-offs were utilized. The hotel also includes 3 units with 3 keys that will be owned by MIDA (Military Installation Development Authority) for a total of 70 units. Staff is not sure the details of how the MIDA units will be managed. Within the lodge is a spa, restaurant, bar, dining room, conference room, roof bar terrace and a grab and go restaurant. The footprint of the lodge is 27,760 square feet and overall square footage is 60,630 square feet. The lodge is situated on a 5.37-acre parcel that is already platted and is adjacent to the SkyRidge clubhouse currently under construction.

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

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

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

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

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

1. Ordinance 24-11, approving the Legislative Development Agreement.
2. Offsite parking lot and parking plan with small scale subdivision creating two parcels with the offsite parking parcel being 3.39 acres and site plan approval for the off-site parking.
3. Site plan approval for the 60,630 square foot lodge on 5.37 acres.

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

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

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

The proposed applications were reviewed by the Planning Commission on September 12<sup>th</sup> and recommended to be forwarded to the council with a unanimous vote. The JSPA Planning Committee, in a public hearing held on 17 September 2024 reviewed the proposal. In this meeting, the JSPA Planning Committee continued all three items related to this report and requested some modifications to the applicant's proposal. The following is a summary of the changes that have been made to the project being proposed compared to what was proposed in the 17 September meeting:

- Reduced Room count from 84 Hotel Rooms to 70 Hotel Rooms (this total includes the 3 MIDA rooms).
- ERU Reduction from 35 to 34.
- Elimination of the top floor on the southeast corner closest to the existing homes.
- Room balconies on the southeast corner (adjacent to the existing homes) have been adjusted from east facing to now facing south.
- Multiple roof changes throughout the building.
- Lightened overall stone and wood siding exterior materials.
- Building massing throughout and stone columns have been broken up.
- Additional window openings on the stone columns.
- Added horizontal reveals to the building.

## STAFF ANALYSIS

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

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

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

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

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

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

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

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

The major items addressed in the LDA include the following:

1. The height of the building is allowed to be a maximum of 75' as shown in the exhibit in the development agreement. The single-family portions of the JSPA code allows for a maximum height of 35' or two- and one-half stories, whichever is greater.
2. County code 16.33.07 and 16.41.5.8 requires all the parking to be on-site or within 200' of the use. The project includes onsite parking and offsite parking. The offsite parking is approximately 1 mile from the site. The offsite parking will only be valet parking or employee parking and is intended only for overflow for employees and special events.
3. Parking stalls proposed are 9'x18' not 9'x20' as required by WCC.
4. The proposed off-site parking site includes three driveways, exceeding the two driveways per lot allowed by WCC.
5. The code does not allow double-stacked parking which is the case with the stalls on the lodge site. Stalls on the lodge site will be valet only, as is not unusual for a four- or five-star hotel.
6. The proposal also uses shared parking with the clubhouse to accomplish the parking numbers for the proposal which is intended in the JSPA code but is ratified in the LDA.
7. The code requires parking to be at the rear or sides of the use. The proposal has parking in front of the lodge, but due to the change in grade on the site, it will not be visible from the street. Part of the concern in the code for the location of parking lots is that parking should not dominate the streetscape. Buildings, especially in a village, would front the street, not parking lots.
8. The original approved master plan showed 20 ERU's on the lodge site (10 buildings 20 townhomes) which was then changed in addendum 3 to a lodge with 27 ERU's. Addendum 4 states that there are 34 ERU's for the lodge plus 3 MIDA units with 3 keys. The SkyRidge development is limited to 503 total ERU's. The development will need to limit future lots so that at the final approval of the final plat there is no more than 503 ERU's. The 3 MIDA units are not counted in the ERUs, as is clarified in the LDA.
9. The hotel use and parking do not comply with the permitted uses for the residential land use category of the JSPA code. This has been addressed in the amended master plan and development agreement and will be further approved through this LDA.
10. Removal of the requirements for the welcome center and the amenities stipulated in addendum 3.

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

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

One of the necessary items requiring approval is a small scale 2 lot subdivision that creates the 3.39-acre offsite parking parcel and a 1.96-acre parcel that may be used for future amenities. The offsite parking parcel is approximately 1 mile

from the Lodge site. The code requires that parking lots be on the same parcel as the main use but allows exceptions if within a distance from the use of not more than 200'. The third amended development agreement showed a welcome center on this property which may be done on the remaining 1.96 acre parcel.

The code for parking is the following:

**16.33.07: LOCATION OF PARKING FACILITIES**

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

- 1. **All or part of the substitute location must be on an adjacent lot, or within two hundred feet (200') from the use, and easily accessible for pedestrian traffic so pedestrians are not required to cross a public street to access the use for which the parking is provided.***
- 2. **The substitute lot must be in the same possession as the use it is intended to service and must be maintained as long as the use or structure exists.** Such possession may be by recorded deed or long-term lease and should run concurrently with the life of the building or use. The length of such lease shall be at least twenty-five (25) years but may be terminated or modified earlier with the consent of the county planning department, if the use for which the parking is required is terminated or modified.*
- 3. **Off-street parking spaces required in connection with a use shall be in the same zone as the use the parking is intended to serve and shall not be located within a different zone, unless off-street parking lots are listed as a stand-alone permitted use within the adjacent different zone.***
- 4. **Parking shall not be located in required front or side yards.***

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

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

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

The proposal also allows for shared parking. The shared parking would be on the adjacent clubhouse site. There are two factors that allow for decreased parking numbers for the lodge. The clubhouse will have the peak parking demand in the summer when the golf course is open. The hotel will have the peak parking demand in the winter when ski resorts are open. This allows for shared parking with the clubhouse since the peak demands of the clubhouse and hotel are during different seasons. There is also an expectation that the occupants at the hotel will be the majority of the users of the

amenities in the hotel i.e., the restaurant, wellness center, bars etc. not the public driving in separate cars. The clubhouse has a total of 102 parking stalls. The table below shows the peak parking uses and total parking requirements.

Hotel Parking	Number of stalls
Offsite lot	115
Hotel lot	52
Total Lodge and off-site parking	167
Clubhouse parking (needed depending on the season)	102 total/23 available summer stalls/49 available winter stalls
Total of Lodge parking, off-site parking lot and seasonal parking with clubhouse	190/summer available stalls 216/winter available stalls
Code requirement and number of stalls short	72 (lodge)+72 (employees) +77 (amenities) =221 Total required by code (31 summer short and 5 winter short)

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

The Lodge is proposed to consist of 64 (67 with MIDA units) condos of various sizes, with the ability to lock off portions of some suites to result in a maximum of 67 units (70 with MIDA units/keys). Modified parking rates for the Lodge are appropriate based on a review of the Wasatch County Code, Peer Resort Communities, Urban Land Institute rates and other mountain resort parking studies. The lodge parking rate modification is also appropriate based on the high levels of non-auto and carpooling for lodge employees and the high rate of out-of-town guests. As the peak parking demand occurs at different times – overnight in the winter for the Lodge and midday in the summer for the Clubhouse, shared parking between the two facilities reduces the parking demand for additional onsite parking.

#### *– LANDSCAPING –*

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

#### *– PUBLIC UTILITY EASEMENT REQUIREMENTS –*

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

#### *– LIGHTING –*

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

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

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

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

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

#### **– LAND USE AND DENSITY –**

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

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

Some of the stipulations for villages include:

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

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

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

#### **– ROADS, ACCESS AND TRAFFIC –**

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

#### **– SETBACKS –**

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

- The setback off SkyRidge Drive is approximately 141'.

- The setback to the north single family lot line at the closest point is approximately 210’.
- The setback to the south is approximately 14’.
- The setback to the east property line is 53’.

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

– *OPEN SPACE/LANDSCAPING* –

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

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

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

– *BUILDING HEIGHT* –

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

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

– *LIGHTING* –

The lighting for the proposal is regulated under the recently adopted lighting code. The primary intent of the lighting code is to ensure that all lighting is at the minimum levels required by code for the IBC (International Building Code) required lighting for egress from the building to a public way and lowest recommended levels of lighting for the IES (Illuminating Engineers Society) for the parking lots including associated walkways. Lighting outside of required lighting

by the IBC and recommended lighting by the IES for parking lots is limited to 25,000 lumens per improved acre. The lodge has a total of 24,716 lumens per improved acre.

– *SIGNAGE* –

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

– *ARCHITECTURE* –

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

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

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

Following the JSPA Planning Committee meeting held on 17 September 2024, the applicant has made revisions to the architecture plan of the Stelle Lodge per the request of the JSPA Planning Committee members. These revisions include the removal of balconies located on the Northeast facing side of the building in an effort to reduce the visual impact of the lodge on the properties located to the Northeast of the building. The building architecture has also been altered to include a downward sloping roof at the Northeast corner of the building instead of an upward sloping roof. See comparison images in Exhibit 29.

#### **DEVELOPMENT REVIEW COMMITTEE**

This proposal has been reviewed by the various members of the Development Review Committee (DRC) for compliance with the respective guidelines, policies, standards, and codes. A report of this review has been attached in the exhibits. The Committee has accepted the item for Planning Commission, JSPA Planning Committee and County Council to render a decision. Deputy County Attorney Jon Woodard has reviewed the development agreement and the ordinance and has no legal objections to them as drafted. Reports of these reviews have been attached in the exhibits.

#### **POTENTIAL MOTION**

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

*Findings:*

1. On February 15, 2017, the County Council approved the master plan for SkyRidge formerly Mayflower Lakeside North with a total density of 503 ERU's.
2. On February 25, 2021, the JSPA planning committee recommended approval of the amended preliminary and master plan that included the lodge and offsite parking parcel.
3. On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council. The amendments included the lodge and off-site parking parcel.
4. The master plan changes also included allowing a Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA.
5. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.
6. The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.

7. The approval of an amended master plan and overall preliminary that included the off-site parking and the lodge still required a number of approvals including site plan, plat and LDA.
8. The proposal is for approval of a legislative development agreement, a small-scale subdivision plat approval and site plan approvals for the lodge and parking lot, including the parking plan.
9. Due to the uniqueness of the proposal, among other reasons stated in the development agreement, the County Legislative body has decided to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii).
10. The Vision and purpose of the JSPA as stated in 16.41.01 is to: Create a globally recognized “Year-Round” resort, to provide amenities supporting year-round activities, the quality standards of 4 and 5 star hotels, encourage golf, fitness and wellness centers, retail dining and entertainment, adequate and accessible parking and a wide range of well segmented real estate products.
11. The legislative development agreement process was discussed with the council on May 1, 2024, in a public meeting and no reason for not following this process was given by the council.
12. The proposal is located in the JSPA (Jordanelle Specially Planned Area) overlay zone.
13. The original master plan for the project showed single family residential uses in a townhouse configuration that included 20 units.
14. Utah Code states that a land use authority shall approve a conditional use if reasonable conditions are proposed to mitigate anticipated detrimental effects. See Utah Code 17-27a-506(2)(a)(ii). The applicant has proposed a legislative development agreement through which the application can be approved outside of the conditional use process.
15. For reasons explained in the development agreement and this staff report, the legislative development agreement makes both the lodge and its height permitted uses, whereas without the development agreement, the lodge and the height would have to be approved through a different process.
16. Normally under Utah Code, if an application meets the requirements of the code, the land use authority must approve the application. Due to the legislative development agreement, which allows a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, the Council has greater discretion than would normally be allowed.
17. Single family homes in this area of the JSPA are allowed to have a maximum height of 35’ from natural grade.
18. The Lodge is proposed to be ~75’ tall at its highest point.
19. The setbacks for the Lodge are significantly greater than setbacks required by code.
20. The legislative development agreement gives the county legislative body the discretion to allow or require the height they believe is a benefit to the health, safety, and welfare of the community.
21. The Development Review Committee has reviewed the project and forwarded the item for planning commission and JSPA planning committee consideration and council decision.
22. The development agreement explains the rationale for many of the matters addressed therein. The council hereby adopts the recitals of the development agreement, and the body of the development agreement, as findings for those matters addressed therein.
23. Ordinance 24-11 authorizes the adoption of the development agreement. The council adopts Ordinance 24-11.
24. This staff report and the presentations made by staff during the public meetings are hereby incorporated into these findings.
25. The Council finds that, based on the findings, the Lodge as proposed, the small-scale subdivision, the site plans, and the parking plans, advance the general welfare of Wasatch County.
26. On 12 September the Planning Commission unanimously recommended approval of all three items to the County Council.
27. On 17 September 2014 the JSPA Planning Committee Continued the proposed applications and requested that the applicant make changes to the applications. The applicant has provided updated information and changes that are included and explained in this report.

## **RECOMMENDED CONDITIONS**

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

## **ALTERNATIVE ACTIONS**

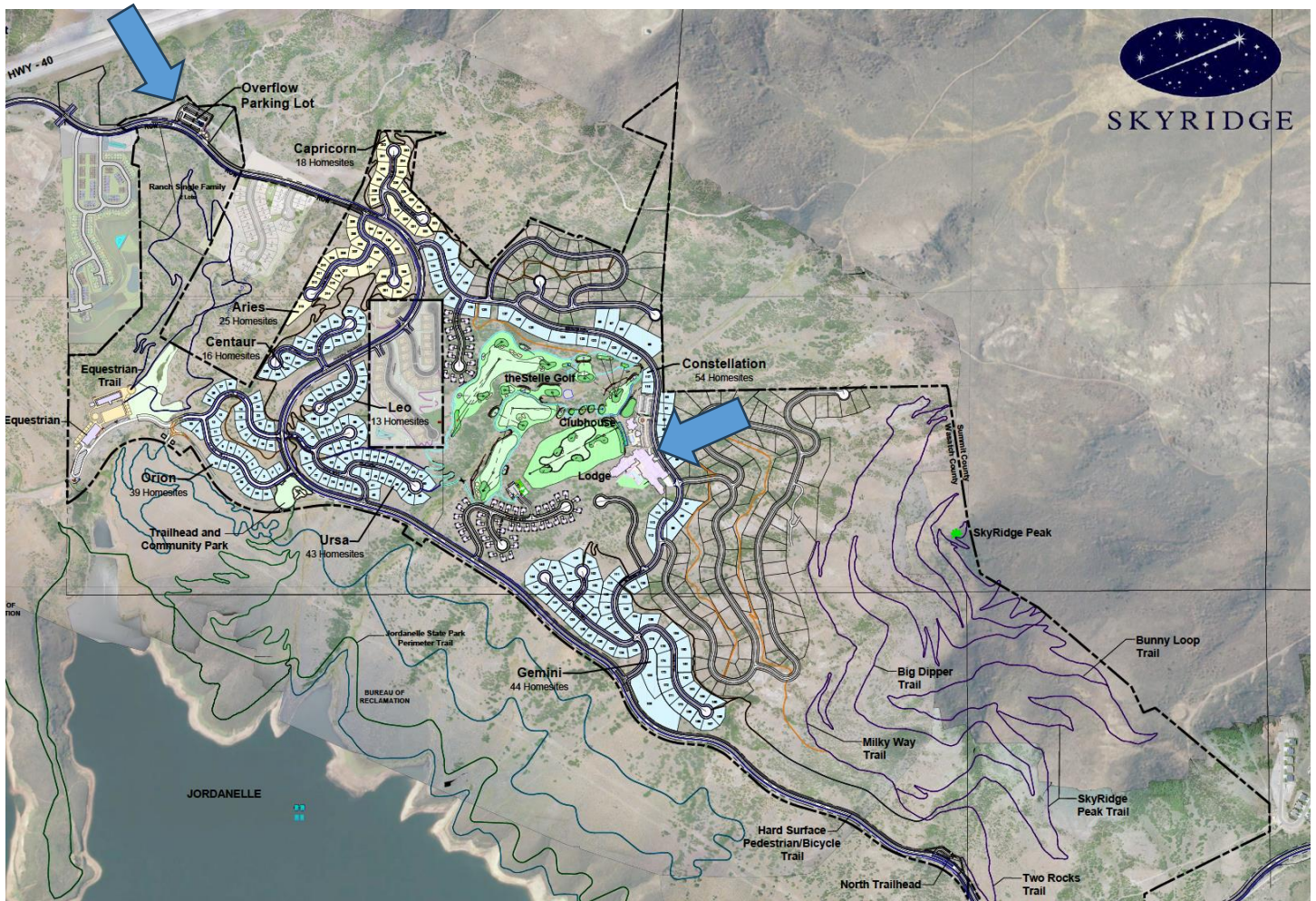
The following is a list of possible motions the Planning Commission and JSPA planning committee can take. If the action taken is inconsistent with the potential findings listed in this staff report, the JSPA PC or Planning Commission should state new findings.

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

## **EXHIBITS**

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Exhibit K – Report of Action 17 September 2024 JSPA PC Meeting.....	25
Exhibit L – LSC Updated Parking Study Executive Summary.....	28
Exhibit M – LSC Parking Summary.....	29
Exhibit N – Hales Engineering Trip Generation Report.....	31
Exhibit O – Comparison of previous and updated Lodge Materials.....	32
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## Exhibit A – Vicinity Plan



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*Exhibit B – Site Plan with clubhouse context*

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*Exhibit C – Site Plan with Potential Future Development context*

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## Exhibit D – Proposed Subdivision Plat for offsite parking

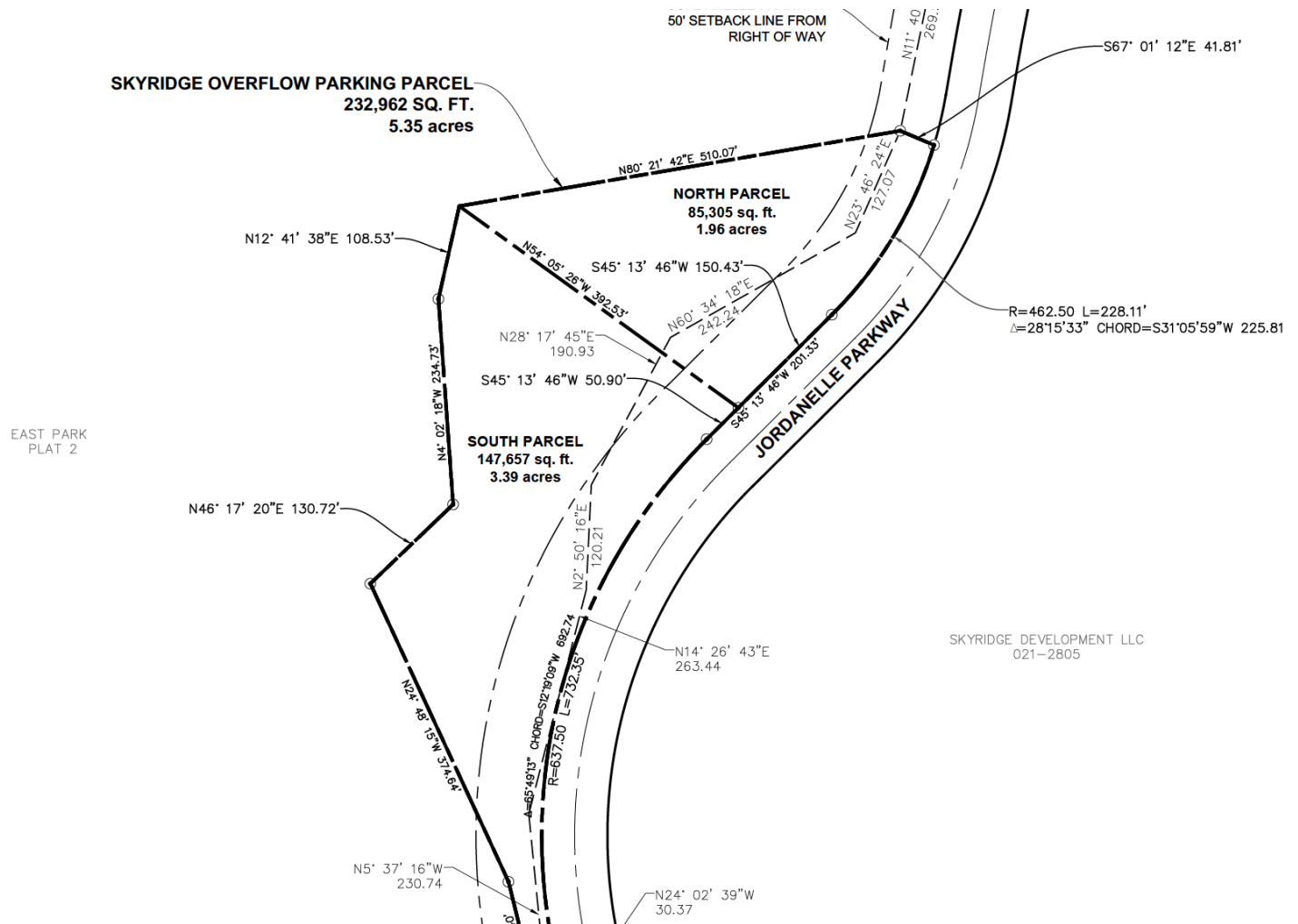


Exhibit E – Proposed site plan for offsite parking

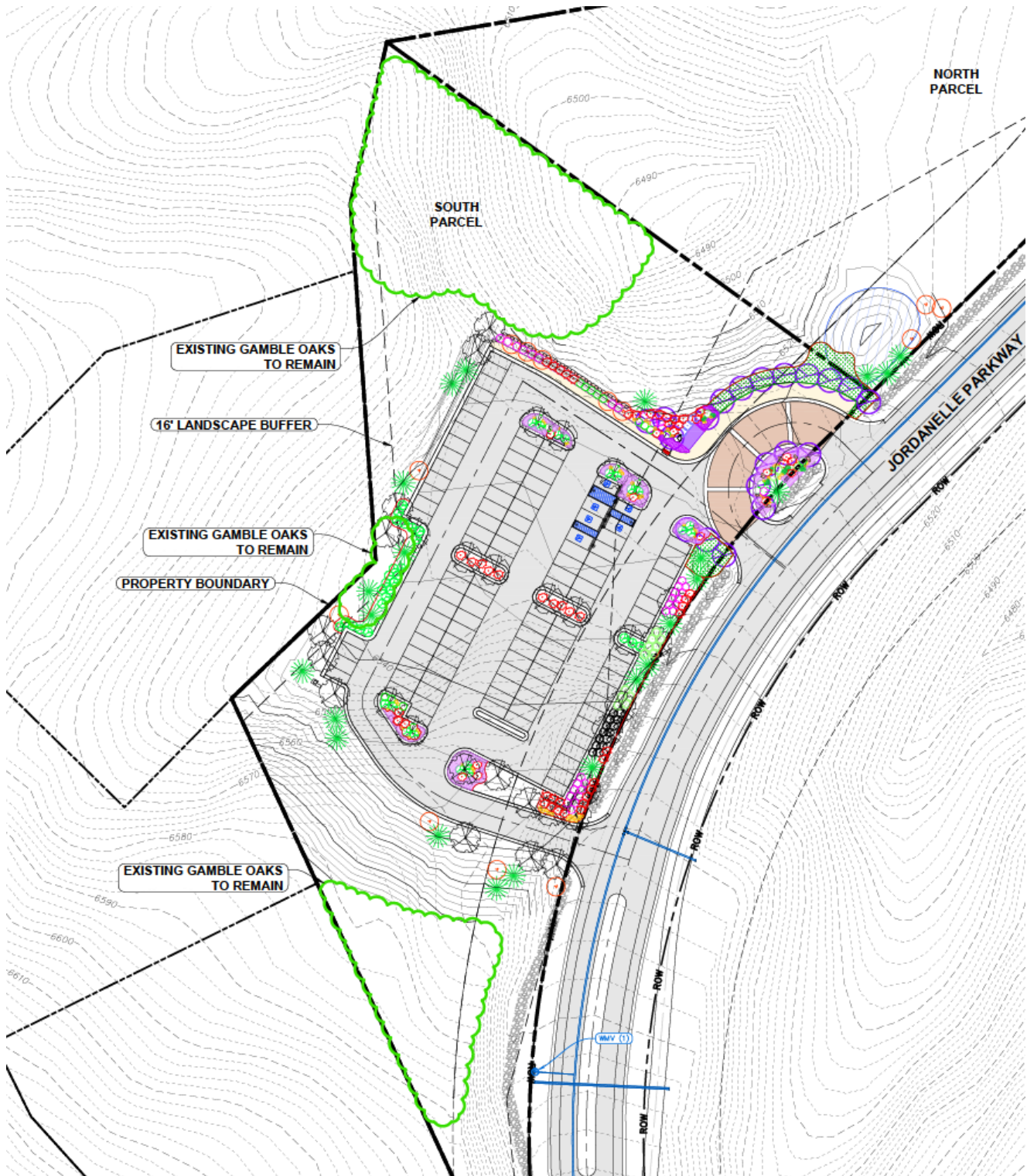
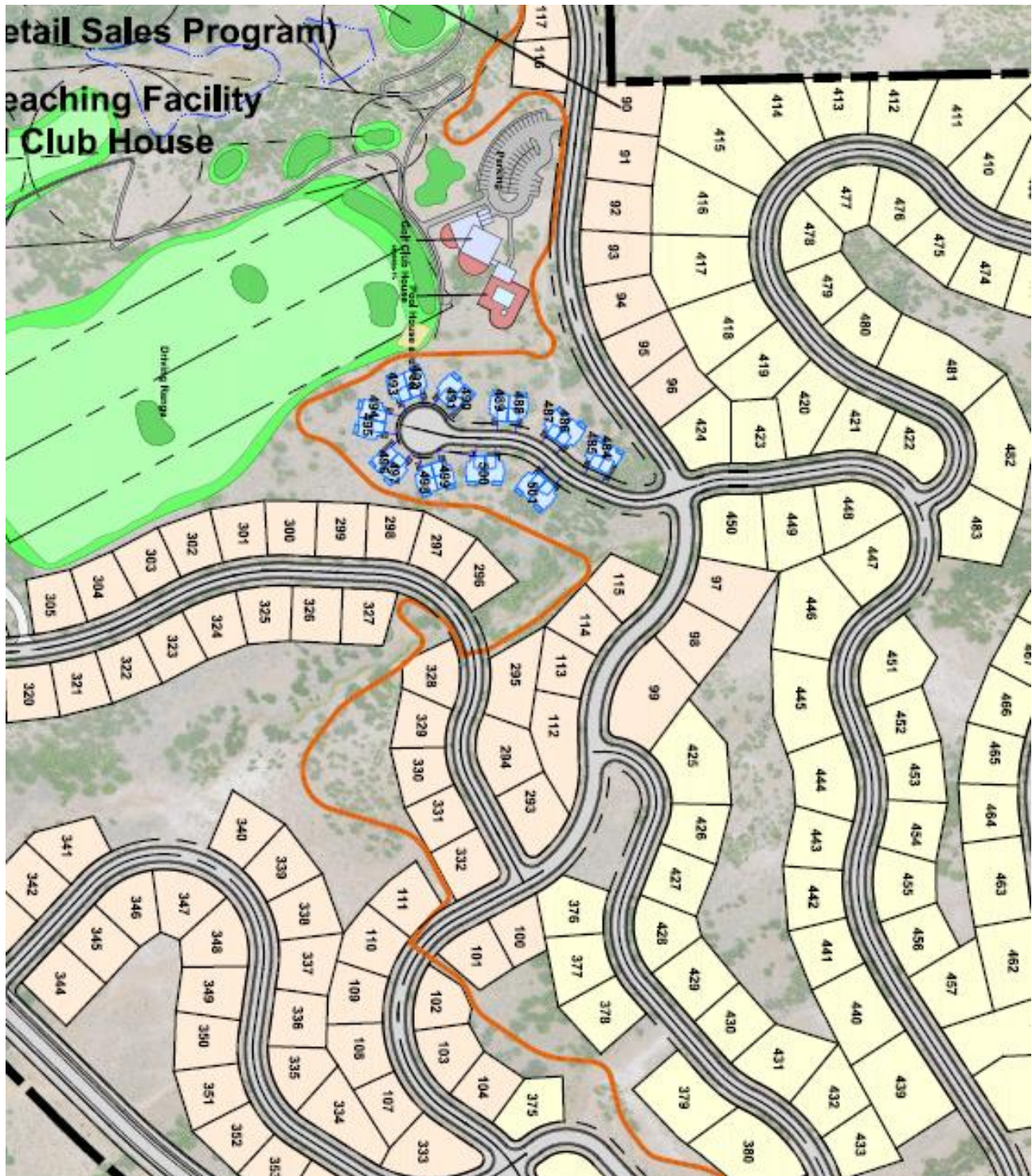
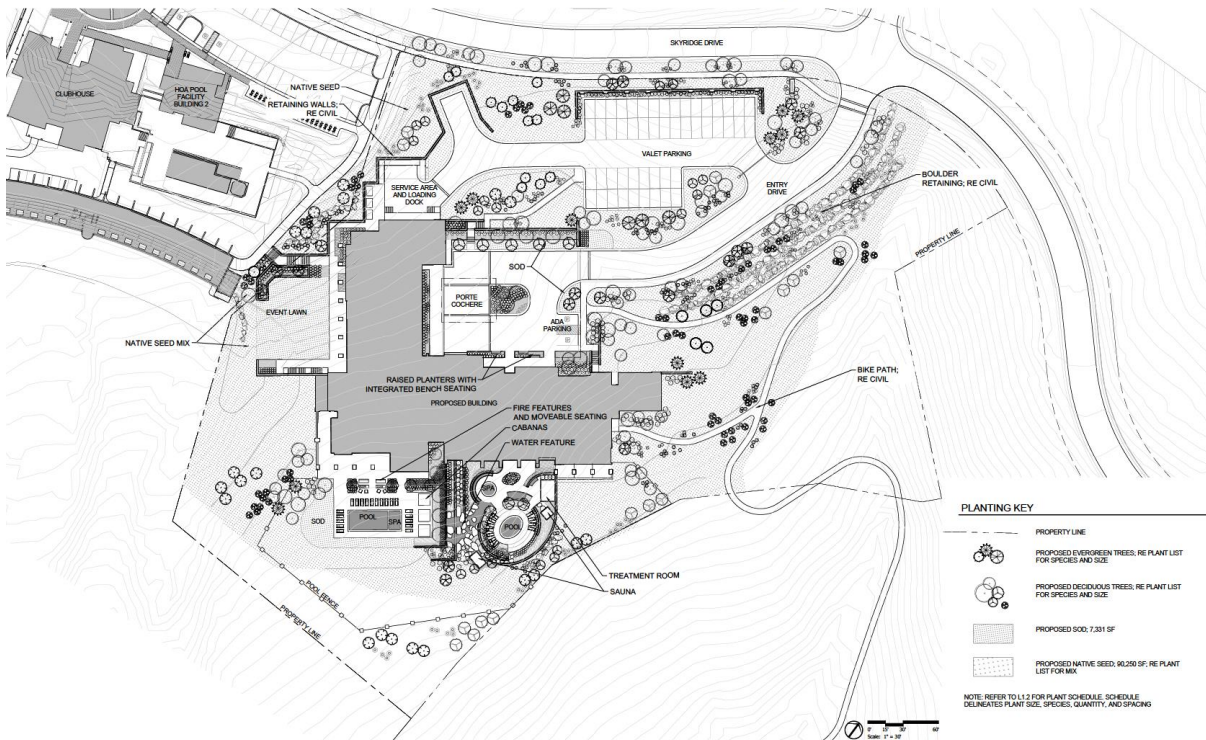
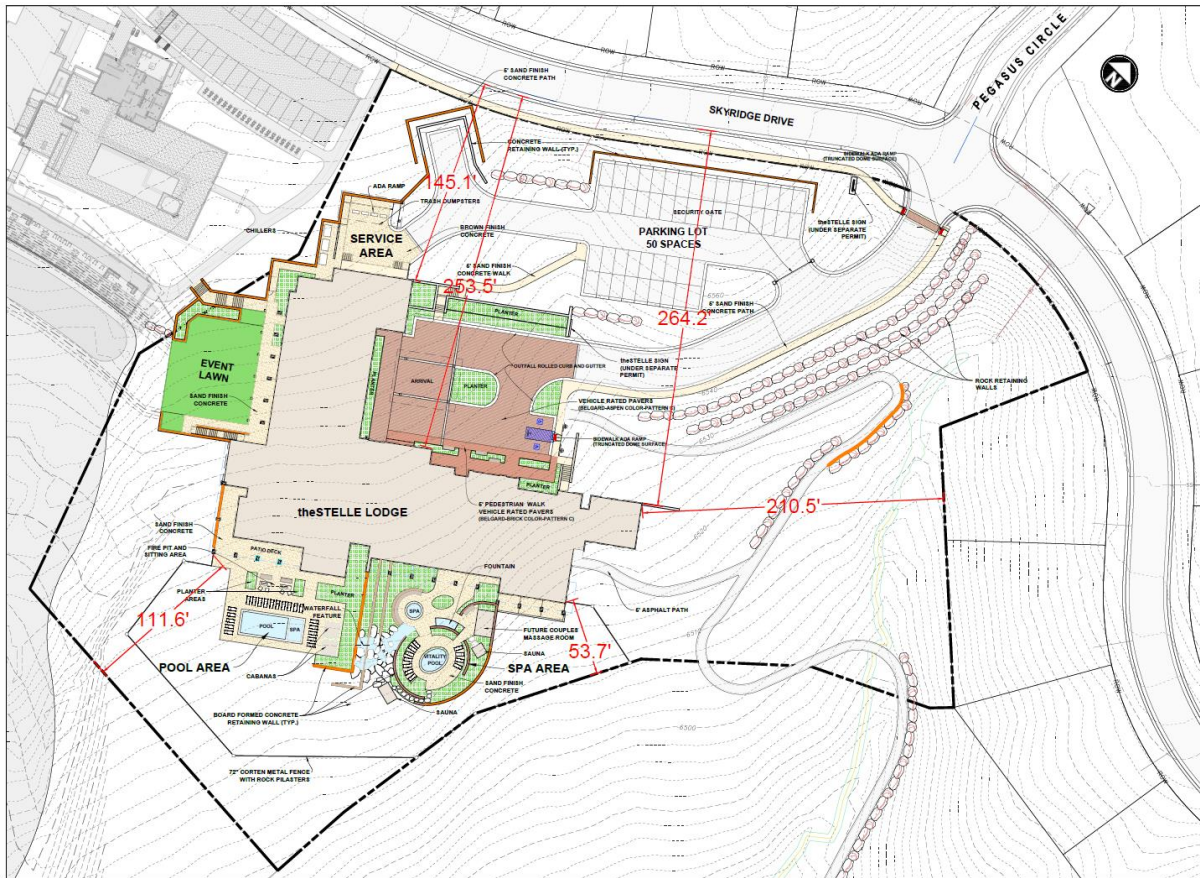


Exhibit F – Original master plan with townhouses

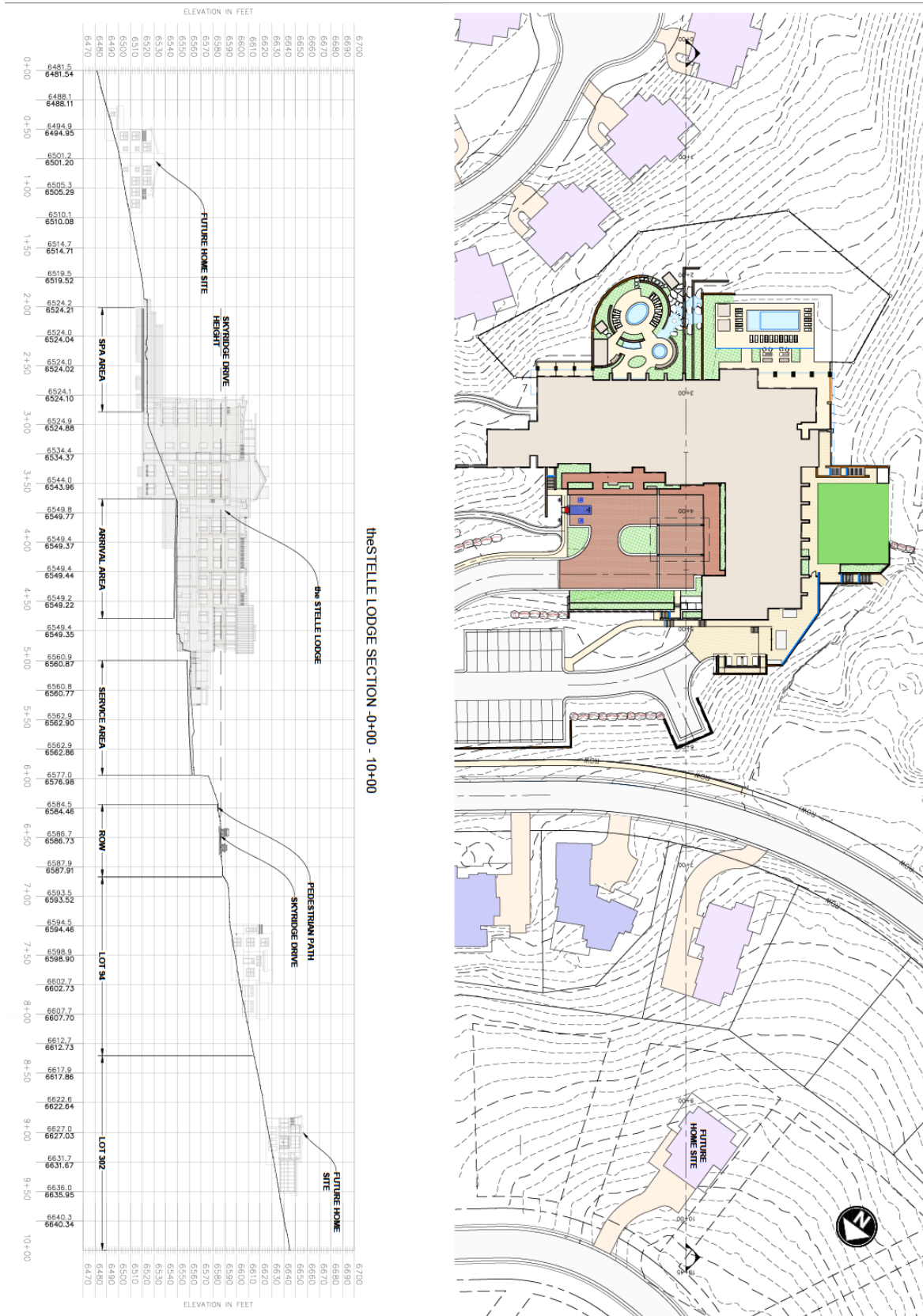


## Exhibit G – Lodge site plan and landscape plan



theStelle  
1441 Skyridge Drive

## Exhibit H – Cross sections of Lodge from SkyRidge Drive



Wasatch County JSPA Planning Committee

Report of Action

27-February-2024

*Committee Member Bill Redkey was present as Chair.*

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

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

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

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

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

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

**MOTION**

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

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

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

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

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

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

Wasatch County Planning Commission

Report of Action

12-September-2024

*Commissioner Chuck Zuercher was present as Chair.*

**ITEM #1** – Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests consideration by the County legislative body for approval of ordinance 24-11 enacting, approving, adopting or authorizing the execution of a legislative development agreement in order to address aspects of the SkyRidge Lodge project. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (Jon Woodard and Doug Smith)*

**ITEM #2** - Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests Final Site Plan approval for SkyRidge Golf Lodge, a proposed condo-hotel including 65 units (35 ERUs), reception area, fitness center, and other amenity spaces located at 1393 W SkyRidge Drive in the Jordanelle Specially Planned Area (JSPA) zone. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (DEV-9177; Anders Bake)*

**ITEM #3** - Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests Final Subdivision and Site Plan approval for the Jordanelle Golf Lodge Overflow Parking, a proposed subdivision and site plan to construct an off-site parking lot located off the Jordanelle Parkway on parcel 21-2807 in the Jordanelle Specially Planned Area (JSPA) zone. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (DEV-9178; Anders Bake)*

**STAFF PRESENTATION** - The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- Doug Smith gave a background of the project and explained that all three items are tied together, so they will be presented together. He then noted 9 items that the proposed Legislative Development Agreement (LDA) exempts the project from complying with current code.
- Jon Woodard explained Ordinance 24-11 and the intent and findings within the ordinance and how the enactment of such follows certain state procedures.
- Anders Bake then presented the details of the subdivision and site plan specifics for both the Golf Lodge and the off-site parking area.

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

- Allison Aafedt presented what SkyRidge has been doing over the last 5 years including the clubhouse and equestrian center and the MIDA PID plats.
- Ms. Aafedt shared a summary of a shared parking study they prepared to demonstrate that the parking being supplied is sufficient because of the shared use concepts.
- Derek Herndon, MIDA project manager, addressed the Commission to show MIDA's support for the project to offer the amenities this would provide.
- Joe Sonderman, SkyRidge resident, raised a concern that the traffic study didn't make sense with such a small traffic number impact compared to the number of units being added, visitors, and staff involved with the increased intensity of use. Mr. Sonderman also is concerned that the discussions of the Lodge are always discussed from the street and never from the other views around such as the lake. Mr. Sonderman is curious what is unique about this project compared to every other project that a code variance is justified.
- Joseph Rubinsztain, SkyRidge resident nearest the lot, is supportive of further development of the area, but is concerned about the recent disclosure that the height is being requested at 75 feet. Mr. Rubinsztain is concerned that the proposal has a potential negative impact on property values.
- David Ryan, SkyRidge resident, is opposed to the height variance and believes the size is significantly out of proportion with the neighborhood. The use of the road grade as the delta for the height is hiding the reality. Mr. Ryan is also concerned about the parking.
- Dave Lewis, General Contractor in the SkyRidge community, is supportive of what SkyRidge is doing and is appreciative of the HOA holding the standards high.
- Michael Gladson, SkyRidge property owner, is supportive and excited for the amenities to be added.

- Matt Hutchinson, Jordanelle Golf Lodge LLC attorney, presented a subdivision report that SkyRidge provided to all lot purchasers that disclosed that SkyRidge was actively pursuing a golf lodge at the time of their lot purchase. Mr. Hutchinson also noted that he does not believe the code has a clear height restriction, and the approval being sought isn't a variance, but it instead seeking approval through a development agreement process.
- Jack Johnson, SkyRidge engineer, stated the lodge isn't a large hotel, but is a smaller one not like the ones across the highway. Mr. Johnson also reiterated that there is 30 feet of drop from the road, so you can see the height, but with a larger setback and the dropping topography, we feel the design mitigates those impacts well.
- Terri Kochersperger, SkyRidge resident, is empathetic of the homeowners closer to this and the impact it will have on them. From the downhill side, that will be very large.
- David Ryan readdressed the Planning Commission and stated he was aware of the notice, the issue he has is that the scope and size of the hotel has grown significantly larger than when they first saw concepts. The developer hasn't been responding to requests for information.
- Joe Sonderman readdressed the Planning Commission noted that the initial plans were 65 rooms and the increase to 80 is where the additional height is coming from.

**PLANNING COMMISSION DISCUSSION** - Key points discussed by the Planning Commission included the following:

- Commissioner Lyman asked about the pedestrian connection between the clubhouse parking and the Lodge site. Mr. Bake replied that topography could be a deterrent to providing a better connection. Ms. Aafedt stated that the hotel will be 100% valet parking so customers can't park and walk to the site. Commissioner Thacker asked if the valet model affects the traffic model. Ms. Aafedt responded that valet uses decreased the uses because of the shuttle system.
- Commissioner Rigby asked if the parking study is publicly available. Mr. Bake replied that the planning department could provide that to anyone interested.
- Commissioner Rigby asked for clarification on speeds and site distances on the parkway, and also about setbacks from adjacent residential properties.
- Commissioner Thacker asked if the intent is to make the Hotel appear 35' even though it is 75' or is that just what the applicant is requesting. Mr. Bake noted that the downward slope will decrease the perceptive height when viewed from SkyRidge drive, but not necessarily from the east looking west. Ms. Aafedt stated that the Lodge is 35' from street elevation.
- Commissioner Lyman asked if the existing oakbrush was reviewed by a landscape architect for complying with the code.
- Commissioner Lyman noted that the biggest concerns raised are parking, traffic, height and size. He noted that none of the views have shown studies from the downhill side.
- At the request of the Commission, Allison Aafedt presented a master plan and spoke to where the 75' height is exactly. The lots on the downhill side haven't been planned yet and may never happen. She then also shared a birdseye view of the back side.
- Commissioner Lyman also does not see a connection between the clubhouse and the golf lodge in supporting winter activities and potential shared uses. He has not seen the traffic report, so he isn't sure how to respond to that. It feels like there is a little too much trying to be put into the space.
- Commissioner Zuercher asked if they knew what the other parcel is anticipated to be. Allison Aafedt responded it may possibly still be the welcome center, but that is unknown right now. The parking lot will be monitored as a private use only and have a valet attendant. Commissioner Thacker suggested specifying it as a condition of approval could help reinforce that to make sure the parking doesn't get poached in the future.
- Commissioner Lyman asked for clarity on the 35 foot height restriction and if it is guidance, or a firm height requirement. Doug Smith replied that originally the thought was to rezone the area to a village center because this was anticipated, but that came with additional requirements like pedestrian street facades and plazas that wasn't appropriate for this site. Because of that, an exception to the height and use was a more limited approach to achieving this without opening the door wider with the rezone.
- The Commission reiterated that there is a concern with the parking areas and maintaining the "valet only" model. Jon Woodard shared a section of the draft LDA that specifies the requirements for the parking. Commissioner Zuercher suggested there should be signage making it clear and a keyed gate.
- Commissioner Grandquis stated the cost of the facility will make the users of the facility a different class than the general public so the concerns about traffic and parking are probably not as much of an issue as we may think. It's unfortunate how expensive housing is.
- Commissioner Lyman reiterated his biggest concern is that the back side of the hotel will be very large.

### **MOTION**

Commissioner Grandquis made a motion to recommend the County Council approve the Legislative Development Agreement consistent with the staff report findings and conditions.  
Commissioner Cook seconded the motion.

### **VOTE** ( 6 TO 0 )

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Daniel Lyman	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN
Doug Grandquis	<u>AYE</u>	NAY	ABSTAIN	Wendell Rigby	<u>AYE</u>	NAY	ABSTAIN

### **MOTION**

Commissioner Grandquis made a motion to recommend the County Council approve the off-site parking and site plan consistent with the staff analysis, findings, conditions, and LDA.  
Commissioner Cook seconded the motion.

### **VOTE** ( 6 TO 0 )

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Daniel Lyman	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN
Doug Grandquis	<u>AYE</u>	NAY	ABSTAIN	Wendell Rigby	<u>AYE</u>	NAY	ABSTAIN

### **MOTION**

Commissioner Grandquis made a motion to recommend the County Council approve the site plan for the SkyRidge Lodge consistent with staff analysis findings, conditions, and the LDA.  
Commissioner Cook seconded the motion.

### **VOTE** ( 6 TO 0 )

Charles Zuercher	<u>AYE</u>	NAY	ABSTAIN	Daniel Lyman	<u>AYE</u>	NAY	ABSTAIN
Kimberly Cook	<u>AYE</u>	NAY	ABSTAIN	David Thacker	<u>AYE</u>	NAY	ABSTAIN
Doug Grandquis	<u>AYE</u>	NAY	ABSTAIN	Wendell Rigby	<u>AYE</u>	NAY	ABSTAIN

### **FINDINGS / BASIS OF PLANNING COMMISSION DETERMINATION**

The motion includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

1. On February 15, 2017, the County Council approved the master plan for SkyRidge formerly Mayflower Lakeside North with a total density of 503 ERU's.
2. On February 25, 2021, the JSPA planning committee recommended approval of the amended preliminary and master plan that included the lodge and offsite parking parcel.
3. On March 3, 2021, the SkyRidge Master Plan and Preliminary Plan were amended by the Wasatch County Council. The amendments included the lodge and offsite parking parcel.
4. The master plan changes also included allowing a Golf Academy Lodging Facility ("Lodge") as a permitted use, and such amendments were required to be memorialized in a Third Amendment to DA.
5. The master plan amendments granted on March 3, 2021, also approved certain amenities including parking on the off-site Parking Parcel.
6. The Parties entered in the Third Amendment to the Lakeside North Master Plan Development Agreement (the "3<sup>rd</sup> Amended DA") on August 12, 2021, which is recorded as Entry #505907 in the recorder's office of Wasatch County.
7. The approval of an amended master plan and overall preliminary that included the off-site parking and the lodge still required a number of approvals including site plan, plat and LDA.
8. The proposal is for approval of a legislative development agreement, a small-scale subdivision plat approval and site plan approvals for the lodge and parking lot, including the parking plan.
9. Due to the uniqueness of the proposal, among other reasons stated in the development agreement, the County Legislative body has decided to enter into a legislative development agreement as allowed by Utah Code 17-27a-528(2)(a)(iii).
10. The Vision and purpose of the JSPA as stated in 16.41.01 is to: Create a globally recognized "Year-Round" resort, to provide amenities supporting year-round activities, the quality standards of 4 and 5 start hotels, encourage golf, fitness and wellness centers, retail dining and entertainment, adequate and accessible parking and a wide range of well segmented real estate products.
11. The legislative development agreement process was discussed with the council on May 1, 2024, in a public meeting and no reason for not following this process was given by the council.
12. The proposal is located in the JSPA (Jordanelle Specially Planned Area) overlay zone.
13. The original master plan for the project showed single family residential uses in a townhouse configuration that included 20 units.

14. Utah Code states that a land use authority shall approve a conditional use if reasonable conditions are proposed to mitigate anticipated detrimental effects. See Utah Code 17-27a-506(2)(a)(ii). The applicant has proposed a legislative development agreement through which the application can be approved outside of the conditional use process.
15. For reasons explained in the development agreement and this staff report, the legislative development agreement makes both the lodge and its height a permitted use, whereas without the development agreement, the lodge and the height would have to be approved through a different process.
16. Normally under Utah Code, if an application meets the requirements of the code, the land use authority must approve the application. Due to the legislative development agreement, which allows a use or development of land that applicable land use regulations governing the area subject to the development agreement would otherwise prohibit, the Council has greater discretion than would normally be allowed.
17. Single family homes in this area of the JSPA are allowed to have a maximum height of 35' from natural grade.
18. The Lodge is proposed to be ~75' tall at its highest point.
19. The setbacks for the Lodge are significantly greater than setbacks required by code.
20. The legislative development agreement gives the county legislative body the discretion to allow or require the height they believe is a benefit to the health, safety, and welfare of the community.
21. The Development Review Committee has reviewed the project and forwarded the item for planning commission and JSPA planning committee consideration and council decision.
22. The development agreement explains the rationale for many of the matters addressed therein. The council hereby adopts the recitals of the development agreement, and the body of the development agreement, as findings for those matters addressed therein.
23. Ordinance 24-11 authorizes the adoption of the development agreement. The council adopts Ordinance 24-11.
24. This staff report and the presentations made by staff during the public meetings are hereby incorporated into these findings.
25. The Council finds that, based on the findings, the Lodge as proposed, the small-scale subdivision, the site plans, and the parking plans, advance the general welfare of Wasatch County.

#### **CONDITIONS**

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

  
\_\_\_\_\_  
Wasatch County Planning Commission - Chairman

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

Wasatch County JSPA Planning Committee

Report of Action

17-September-2024

*Commissioner Bill Redkey was present as Chair.*

**ITEM #1** – Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests consideration by the County legislative body for approval of ordinance 24-11 enacting, approving, adopting or authorizing the execution of a legislative development agreement in order to address aspects of the SkyRidge Lodge project. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (Jon Woodard and Doug Smith)*

**ITEM #2** - Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests Final Site Plan approval for SkyRidge Golf Lodge, a proposed condo-hotel including 65 units (35 ERUs), reception area, fitness center, and other amenity spaces located at 1393 W SkyRidge Drive in the Jordanelle Specially Planned Area (JSPA) zone. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (DEV-9177; Anders Bake)*

**ITEM #3** - Allison Aafedt, representing Jordanelle Golf Lodge, LLC, requests Final Subdivision and Site Plan approval for the Jordanelle Golf Lodge Overflow Parking, a proposed subdivision and site plan to construct an off-site parking lot located off the Jordanelle Parkway on parcel 21-2807 in the Jordanelle Specially Planned Area (JSPA) zone. *\*If forwarded, the recommendation by the Planning Commission and the JSPA Planning Committee on this item will be considered by the County Council as the Legislative Body, at a public hearing on September 18, 2024. (DEV-9178; Anders Bake)*

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

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

- Allison Aafedt did a power point presentation reiterating many of the issues discussed by the planning staff.
- Jamie Hewlett - how much space is allowed for the golf course? She asked about the military discount for the units in the SkyRidge Lodge.
- Laurie Higgen – property owner in Marcella asked about the use of chemicals used for treating the golf course as well the heavy metals in the water.
- Nick Lopez – Heber City Resident and firefighter. He is concerned with the fire access and life safety issues. Narrow roads and fire access and response time. Little or no access for fire trucks to the lodge.
- Vaughn Hokanson – Concerned citizen. Stated that he had serious concerns with the political climate and he feels that there are major problems with the proposal. Please consider that if you choose to pass this forward please do so with more public comment. He feels that this is not in the best interest for the people.
- Johnathan Jackson – Wasatch County citizen. The interest should be for the full time residents not what is best for the people visiting. He would like to preserve the culture. The height restriction should not be allowed and bothers him. He felt that there should be additional landscaping. What is the benefit to me as a resident?
- David Lewis – general contractor who has purchased a number of lots in the SkyRidge community. He thinks it is a great development and appreciates the clubhouse and lodge and believes it will add value to the rest of the community.
- Joe Rubinstein - owns lot 115 in SkyRidge. Believes that the magnitude of this lodge is out of scale. They have had no offers for the lot they are trying to sell. They thought that the height for the lodge would be similar to the heights of the rest of the project. He believes that the lodge should be the same size as the lodge that was intended when he purchased their lot.
- Tracy Kienitz – Property owner in SkyRidge intends to sell their house if the lodge is approved. Believes that there is a huge safety problem with the traffic increase and no sidewalks on SkyRidge Drive. Believes that we are moving away from the code and that should not be allowed.
- David Ryan – Property owner in SkyRidge is concerned with the size and height of the lodge. He has not considered the issues with the fire district. Parking is an issue. If the lodge is full where would they park? The paved trails are not accessible from every lot. People need to walk in the street to get to the trails. If the parking lots are full where will people park? Why are all these variances being allowed? 5 different parking codes. Please don't rubber stamp this until some of these issues are answered.

- Kate Terrell – She participated in a letter that was sent and wants the committee to be careful in their decision. The lodge is too large and does not fit into the community.
- Michael Gladson – A lot owner in SkyRidge and a full time resident. They are supportive of the lodge and are happy for the amenities.
- Michael Gones – Believes that the approval of the lodge will increase the housing prices and people cannot afford to live here. He is completely against this proposal.
- Michael Hewlett – Would like state that he does not think this benefits the community. Why don't we say no. Heber and the County will say yes to everything. This is all motivated by money. There is no benefit to the community.
- Matt Hutchinson – Attorney for SkyRidge Lodge. LDA's are contemplated by the Utah code. The applicant is asking for the reallocation of 8 ERU's from single family lots to the lodge. The parking requirements do not take into account seasonal parking changes. Height takes advantage of the topography and the lodge was already approved at that location. The only change is going from 27-35 ERU's. Matt stated that there were disclosures for all purchasers that stated that a lodge was being pursued with 65-70 units. Homes have 10' setbacks and privacy is difficult.
- Vaughn Hokanson – stated again that he is opposed to the proposal.
- Jack Johnson – developer addressed the committee and stated that it has been a long time for them to get to this place. They have not skipped any steps and there has been a lot of review.

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

- Pete Meuzelaar – stated that the fire district takes these things very seriously. Chemicals and pollutants are things that are out of their scope. His specific expertise, as an architect, is that he looks at the building for compliance with the requirements of the JSPA. In February he had a concern that the building looked top heavy. He was not sure that the plans addressed his concerns.
- Ray Whitchurch – Concerned with the LDA which seems like we are saying that the code does not mean anything.
- Craig Hahn – Feels that there needs to be some discussion on the building massing. He is concerned about the size of the building increasing and not so much that the ERU's are increasing. The February discussion did not include any input from the public. The renderings showed decks overlooking the neighbors could these be moved? Could the height on the side adjacent to the residents be stepped? Concerns about the rooftop deck and the noise from the rooftop deck and does it even need to be there? What happens if there is a wedding? Where will all the parking go? I Craig has worked with the Fire Marshall and does not believe he would be a pushover. How does this help the average person here? He believes that is subjective. Landscaping on the parking lot seems not to be enough. Craig does not have a problem with the shuttle system. He would rather see shuttles than individual cars.
- Ray Whitchurch – Stated that he seconds what Craig stated. He believes that the proposal needs to be continued so that they can review all the issued that have been brought up.
- Chair Redkey - The general consensus is to continue.
- Craig Hahn – Felt that a Grading plan would be helpful, more information on the site plan, stepping the height of the lodge, view study showing how the neighboring homes are effected, Would like to see more emphasis on screening and breaking it up, the valet parking and double stacked parking is fairly normal, 9x18 is an industry standard. Details on how the parking lot works and screening,
- Pete Meuzelaar - concerned about the reverse shed roofs, would appreciate an effort to bring the north side down, it's a beautiful building, there needs to be more adjustment.
- Chair Redkey – asked if there was sufficient direction.

**MOTION**

Committee Member Whitchurch made a motion to continue the three items to the most convenient and acceptable date. Chairman Redkey seconded the motion.

**VOTE**

**( 4 TO 0 )**

Bill Redkey	<u>AYE</u>	NAY	ABSTAIN	Craig Hahn	<u>AYE</u>	NAY	ABSTAIN
Peter Meuzelaar	<u>AYE</u>	NAY	ABSTAIN	Ray Whitchurch	<u>AYE</u>	NAY	ABSTAIN

**FINDINGS / BASIS OF JSPA PLANNING COMMITTEE DETERMINATION**

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### **CONDITIONS**

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2. The existing oak brush between the lodge and the residential lots must be maintained as an alternative to the buffer noted in the code.



Wasatch County JSPA Planning Committee - Chairman

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

## **EXECUTIVE SUMMARY**

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This document presents an analysis of the parking needs associated with the Stelle Lodge in the SkyRidge community in Wasatch County, Utah. The Stelle Lodge is proposed to consist of 67 suites of various sizes, with the ability to lock off portions of some suites to result in a maximum of 70 units ("70 keys"). Modified parking rates for the Stelle Lodge are appropriate based on a review of the Wasatch County Code, Peer Resort Community, Urban Land Institute rates and other mountain resort parking studies. The hotel employee parking rate modification is also appropriate based on the high levels of non-auto and carpooling. The parking demand of the Stelle Lodge is 102 parking spaces in summer and 127 parking spaces in winter before shared parking. As the peak parking demand occurs at different times – overnight for Stelle Lodge and mid-day for the Clubhouse and seasonality Stelle Lodge will be higher in the winter and lower demand in the summer, where as the Clubhouse has the opposite seasonality curve. Due to the nature of a hotel resort and various factors associated with using the shared Clubhouse parking and off-site parking lot, a minimum of 30 parking spaces are recommended at the Stelle Lodge. Off-site parking will also be utilized for employee parking, guest over-flow and special events.

### **Executive Summary:**

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

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

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

### **Supporting Factors:**

#### **Clubhouse Seasonal Demand Determination**

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

#### **Amenity Parking Demand**

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

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

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

### **Employee Parking**

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

### **Industry Standards**

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

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

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

## MEMORANDUM

Date: September 16, 2024

To: Doug Smith

From: Hales Engineering

**Subject: Wasatch County – Skyridge Trip Generation**

UT21-1847









This memorandum discusses the study completed for the Skyridge development in Wasatch County, Utah. A trip generation analysis was performed on both the original and new master plans. The new master plan with 35 ERUs would remove the 18 townhomes and add 84 hotel-condo units (not with the 16 affordable units mentioned in the prior 27-ERU memo) and increase the clubhouse size from 15,000 sq. ft. to 20,000 sq. ft. A comparison of the daily and evening peak hour trips from the prior plans to the current plan are shown in Table 1.







**Table 1: Trip Comparison**

Scenario	Weekday Daily Trips	Evening Peak Hour Trips
18 Townhomes (Original)	284	33
27 ERU Lodge	702	62
35 ERU Lodge (Current)	774	64

From this, it was determined that the current plan would add a total of 490 trips on an average weekday including 31 trips during the evening peak hour. This increase is likely not enough to significantly impact the operations of the road network.

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

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

MATERIAL KEY		
HATCH	MATERIAL	IMAGE
	STONE - SILVER LEDGE 38% BLDG COVERAGE	
	SIDING - HEWN / WOOD LOOK FIRE TREATED 28% BLDG COVERAGE	
	METAL PANEL 4.5% BLDG COVERAGE	
	GLAZING 29.5% BLDG COVERAGE	
		STANDING SEAM METAL ROOF - DARK GRAY

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*Exhibit P – Comparison of previous and updated Architecture plans*

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**Previous Architecture Plans**



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



② DR - EAST ELEVATION



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

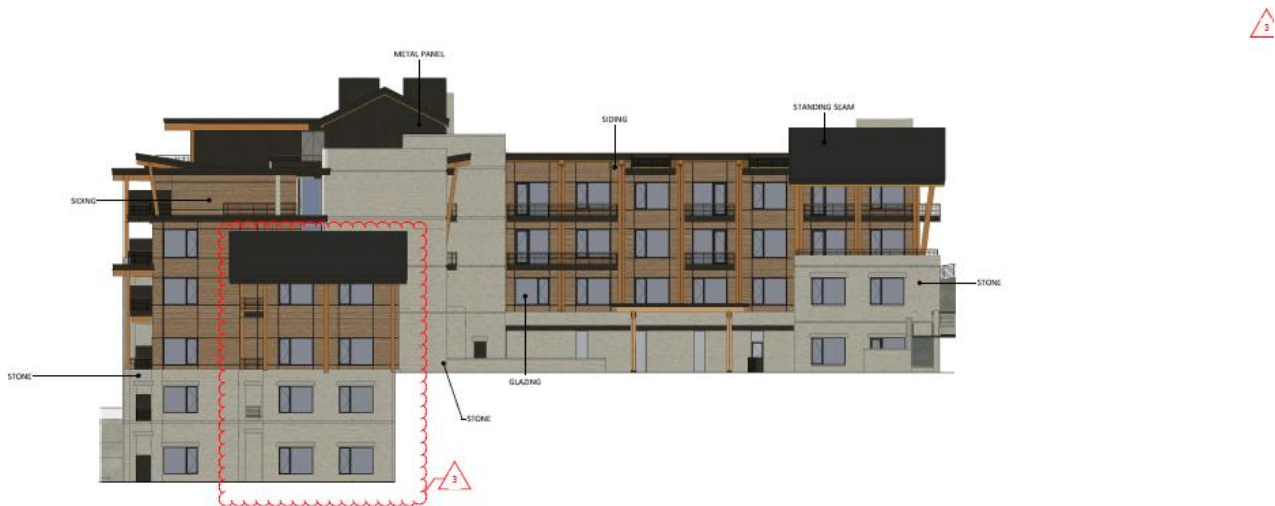


2 DR - WEST ELEVATION  
SCALE 1/16" = 1'-0"

## Current Architecture Plans



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



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



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



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

### Previous Architecture Rendering



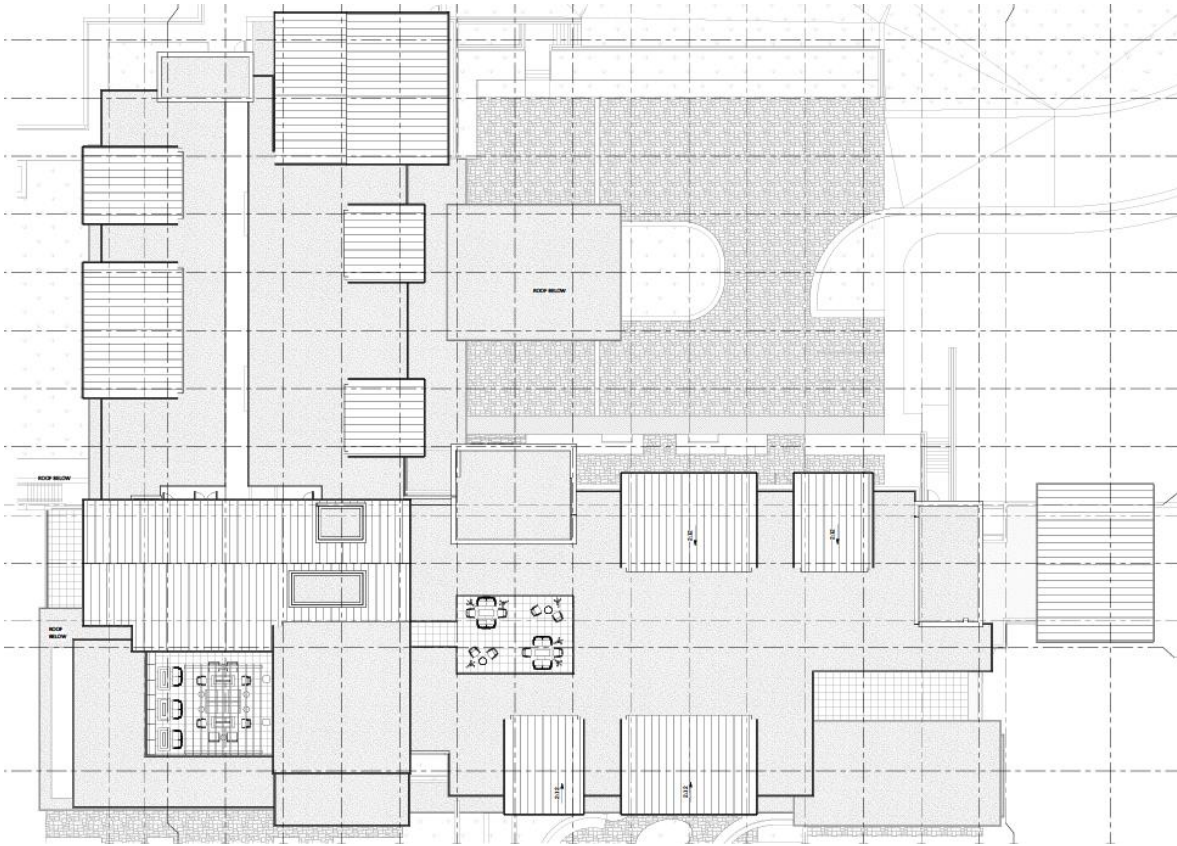
### Current Architecture Rendering



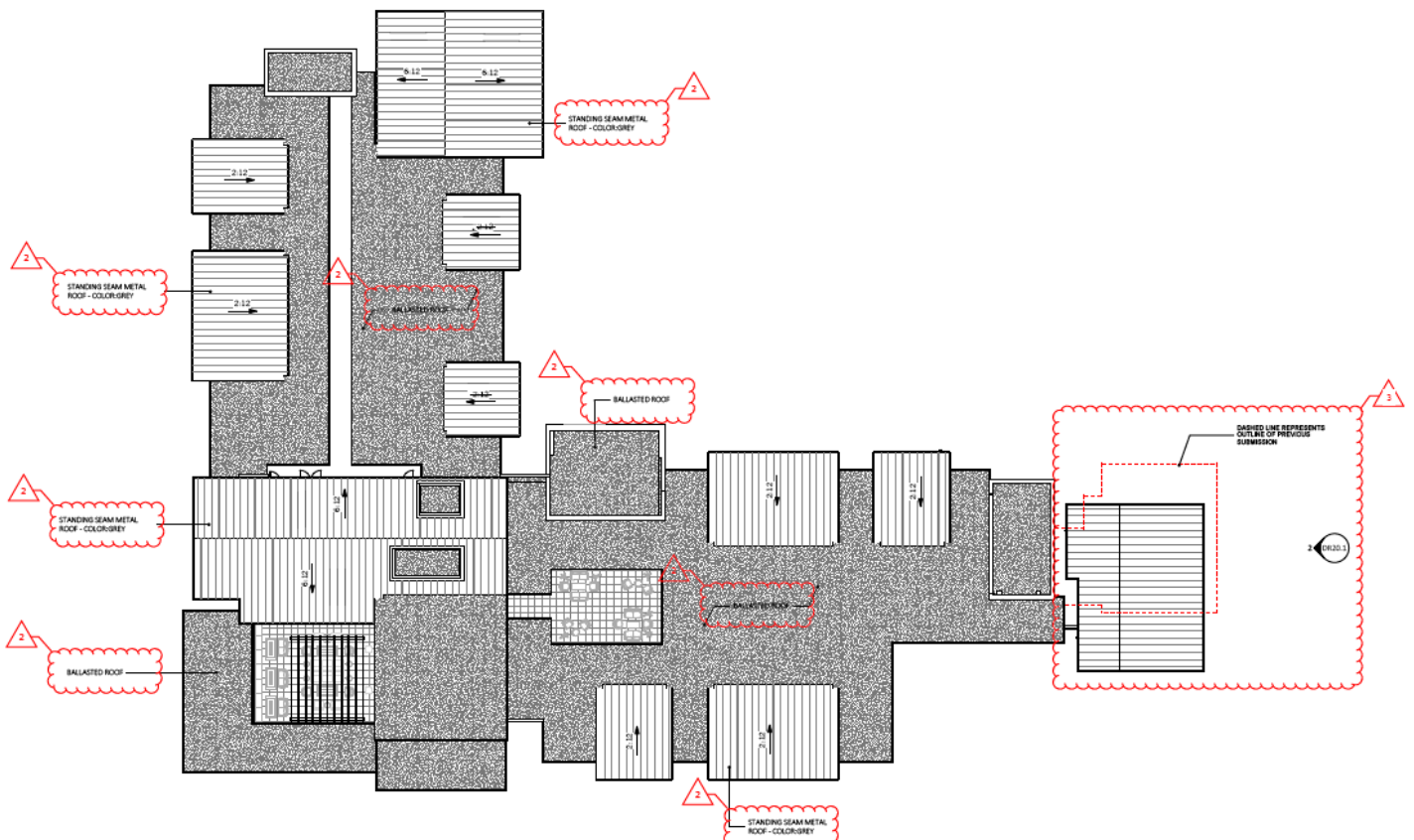




## Previous Roof Plan



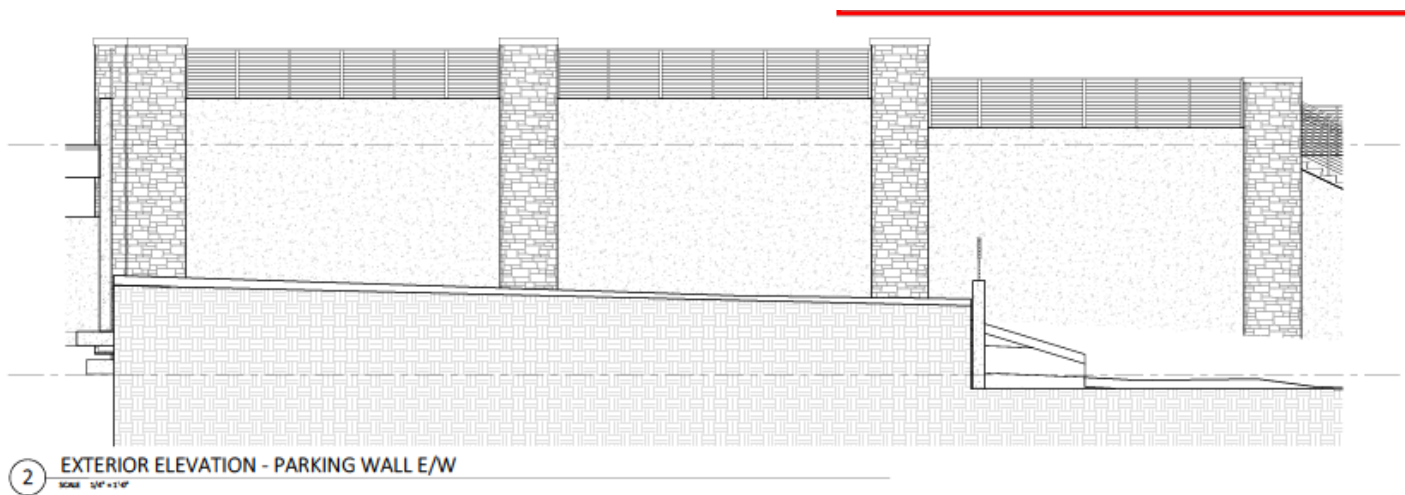
## Current Roof Plan



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

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

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Exhibit R – Comparison of Previous and Current ERU breakdown for lodge units

Previous ERU calculations



**theStelle Lodge**

Program Summary - 07/03/2024

**poss** ARCHITECTURE + PLANNING  
INTERIOR DESIGN

ROOM TYPE	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS	% OF UNIT TYPES	TOTAL SQ. FT.	TOTAL ROOM KEYS	ERU'S
Studio	550	1	21	32%	11,555	21	6.93
Studio Suite	772	1	2	3%	1,544	2	1.00
1 Bed Suite	900	1	19	29%	16,621	19	9.50
Double Studio	900	2	4	6%	3,703	8	2.00
2 Bed Bunkroom Suite	1,245	1	8	12%	9,960	8	6.00
2 Bed Suite	1,476	2	8	12%	11,808	16	6.00
3 Bed Suite	2,051	2	3	5%	6,153	6	3.00
TOTALS			65		61,344	80	34.43
Note: Commercial square footage does not count towards ERU's							

MIDA HOUSING UNITS	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS	
Studio	554	1	1	
1 Bed Suite	808	1	1	
3 Bed Suite	1,982	2	1	
TOTALS	3,344	4	3	
Note: MIDA Housing Units do not count towards ERU's				

## Current ERU Calculations



**theStelle Lodge**  
Program Summary - 10/07/2024

**poss** ARCHITECTURE+PLANNING  
INTERIOR DESIGN

ROOM TYPE	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS	% OF UNIT TYPES	TOTAL SQ. FT.	TOTAL ROOM KEYS	ERU's Per Unit	ERU'S
Studio	550	1	21	33%	11,555	21	0.33	6.93
Studio Suite	772	1	2	3%	1,544	2	0.5	1.00
Double Studio	925	1	4	6%	3,704	4	0.5	2.00
1 Bed Suite	885	1	18	28%	15,906	18	0.5	9.00
2 Bed Bunkroom Suite	1,245	1	8	13%	9,960	8	0.75	6.00
2 Bed Suite	1,476	1	8	13%	11,808	8	0.75	6.00
3 Bed Suite	2,051	2	3	5%	6,153	6	1	3.00
TOTALS			64		60,630	67		33.93
Note: Commercial square footage does not count towards ERU's								
MIDA HOUSING UNITS	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS					
Studio	554	1	1					
1 Bed Suite	808	1	1					
3 Bed Suite	1,982	1	1					
TOTALS	3,344	3	3					
Note: MIDA Housing Units do not count towards ERU's								

SKYRIDGE - ERU DISTRIBUTION		
SUBDIVISION #	NAME	LOTS/ERU's
1	Orion	39
2	Ursa	43
3	Constellation	54
4	Gemini	44
5	Leo	13
9	Centaur	16
6	Aries	25
7	Capricorn	18
Recorded Lots		252
8A	Pegasus	45
8B	Pegasus	46
Approved Lots		91
10	Lyra Cabins	19
12	Pisces Cabins	34
Future Cabin Product		53
8C	Pegasus	9
11 & 13	Future Subdivisions	62
-	Ranch Lots	2
Total Future Lots to Process		73
Lodge	theStelle Lodge	34
Total SkyRidge Approved ERU's		503



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

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

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**REVIEW CYCLE STATUS: READY FOR DECISION**

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

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

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

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

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

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

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

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

## OVERALL PROJECT COMMENTS

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

## PROJECT DOCUMENT SHEET COMMENTS BY REVIEWING ENTITY

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

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

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

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

WHEREAS, this Fourth Amendment only applies to the Lodge Parcel, as shown in Exhibit Ad4 - A (“Lodge Parcel”), the Parking Parcel, as shown in Exhibit Ad4 - A (“Parking Parcel”), the Golf Academy Parcel, as shown in Exhibit Ad4 - A (“Golf Academy Parcel”). 14 ERU’s have been deleted from the Subdivisions listed in Preliminary plan from the 3<sup>rd</sup> Amended DA, so as to facilitate the 34 ERU’s on the Lodge Parcel, as shown in Exhibit Ad4 – A, which Lodge Parcel, Parking Parcel, Golf Academy Parcel are collectively referred to as the Amendment Property (“Amendment Property”); and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

any property besides the Amendment Properties; and

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

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

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

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

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

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

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

**AGREEMENT**

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

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

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

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

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



(17) *Construction of SkyRidge Golf Lodge.* Notwithstanding any contrary provision of the County Code, Developer may construct the Lodge as shown in Exhibit Ad4-M. In 2021, the Council approved up to 27 ERU's for the Lodging Facility, with 20 ERU's coming from the removal of the 20 ERU's of townhome product in the location of the Lodge and allowing for the 7 ERU's to be deleted from other phases of the Project. The Developer will show an ERU accounting with each phase for final subdivision approval to show from the total ERU's do not exceed 503 ERU's. The Developer has reduced 14 ERU's from Preliminary Plan Subdivisions to facilitate the Lodging Facility using 34 ERU's. The Developer may use up to 34 Residential ERU's of the Project's total 503 Residential ERU's in such Lodging Facility in a condominium configuration that shall be available for nightly rental as long as the total ERU's do not exceed 503. The primary reason the ERU's increased from 27 ERU's to 34's ERU's is due to the studio units increasing slightly in size from 495 sq. ft. to 555 sq. ft. to fit better with a mountain resort property. Lodge commercial space, common area, back of house space and administrative areas shall not count against Residential ERU's. Allocation of these 34 Residential ERU's will be determined by unit size square footage as outlined in Title 16 of the Wasatch County Code by unit square footage as follows:

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

Not to exceed 1500 sf	0.75
Over 1500 sf	1.00

DRAFT

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

 <b>theStelle Lodge</b> Program Summary - 10/02/2024							
ROOM TYPE	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS	% OF UNIT TYPES	TOTAL SQ. FT.	TOTAL ROOM KEYS	ERU'S
Studio	550	1	21	33%	11,555	21	6.93
Studio Suite	772	1	2	3%	1,544	2	1.00
Double Studio	925	1	4	6%	3,704	4	2.00
1 Bed Suite	885	1	18	28%	15,906	18	9.00
2 Bed Bunkroom Suite	1,245	1	8	13%	9,960	8	6.00
2 Bed Suite	1,476	1	8	13%	11,808	8	6.00
3 Bed Suite	2,051	2	3	5%	6,153	6	3.00
<b>TOTALS</b>			<b>64</b>		<b>60,630</b>	<b>67</b>	<b>33.93</b>
<i>Note: Commercial square footage does not count towards ERU's</i>							
MIDA HOUSING UNITS	UNIT SQ. FT.	ROOM KEYS	NUMBER OF UNITS				
Studio	554	1	1				
1 Bed Suite	808	1	1				
3 Bed Suite	1,982	1	1				
<b>TOTALS</b>	<b>3,344</b>	<b>3</b>	<b>3</b>				
<i>Note: MIDA Housing Units do not count towards ERU's</i>							

- MIDA Housing Units:** certain parties entered into a Tax Sharing and Reimbursement Agreement with the Military Installation Development Authority ("MIDA") on October 1, 2021 as part of the creation of the MIDA Golf and Equestrian Center Public Infrastructure District where by the Parties shall donate to MIDA a minimum of two condominiums ("MIDA Housing Units") consisting of a minimum of 3,250 residential square footage in the SkyRidge Golf Lodge upon the issuance of a Certificate of

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

5. **Height of the Lodge:** Notwithstanding any contrary provision of the County Code, the Lodge may exceed the otherwise applicable height allowed in the Overlay Zone, subject to the limitations of this Section and its subparts. The Lodge must not exceed the height as depicted in Exhibit Ad4-Height. The County agrees that a departure from the more typical height requirement in the Overlay Zone is appropriate for a number of reasons. The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Lodge, as viewed from the street, and from the elevation of the street, will be an appropriate scale and will fit in with the surrounding uses and residential and clubhouse structures. The parties agree that the Lodge furthers the intent of the JSPA for a year round resort and is consistent with the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4, and 5.1.1, that the JSPA should provide the guests and residents in the surrounding properties lodging, retail, dining, entertainment, transit and recreational activities on a year round basis, because providing for a world class lodge on the Lodge Parcel requires a mass, scale, and relationship to the Golf Academy that is only achieved by the proposed height and elevation. Additionally, the parties agree, that because the topography quickly drops from the road, and that the bottom floor of the Lodge is below the road which provides frontage for the Lodge, the impact of the height of the Lodge is significantly lower. As a result, the height of the Lodge appears typical for a single-family residence in area, from the vantage point of the road. The height of the Lodge from the elevation of the curb at the street in front of the lodge is approximately 34 feet with a front setback of approximately 145 feet from the road. The provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of MIDA of facilitating recreation facilities for military personnel, and the additional height helps facilitate this purpose in a feasible manner. Moreover, in certain commercial zones abutting residential units, as setbacks increase, additional height is permitted. *See* Section 16.21.19(A) of the County Code, providing for an additional two feet (2') of building height above twenty feet (20') for each additional one foot (1') of setback beyond what is required. The

setbacks from Lodge Property's boundary lines, as shown on Exhibit Ad4-Height, confirm that the maximum height provided for below is appropriate for the Property. The County Council unanimously Approved the Amended Master Plan with SkyRidge Golf Lodge on March 3, 2021. All these reasons together cause the County to approve the Lodge height as permitted.

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

7. **Uses:** The Lodge Property is partially in the Residential, Single Family portion of the JSPA Zone, which allows for heights of up to 35' or two and one half stories, whichever is greater. It is also partially in the Open Space portion of the JSPA Zone. The Parking Parcel is in the Open Space portion of the JSPA Zone. The only designation in the JSPA that would have allowed for the Lodge is a resort village which would have required additional stipulations that would have been impossible to meet in this area, and the Open Space designation would not normally allow a parking lot. The County Council determines that the Lodge is allowed on the Amendment Property despite any conflict with the uses allowed in the JSPA Zone. Additionally, the offsite parking as depicted in Exhibit Ad4-Parking is allowed as an accessory use to the Lodge, regardless of any standards in the Wasatch County Code to the contrary. The parties agree that the offsite parking on the Parking Parcel and the use of the Amendment Property as a Lodge furthers the JSPA Principals in the JSPA code sections 1.1.1, 1.1.4. The JSPA should provide the guests and residents a lodging, retail, dining, entertainment transit and recreational activities on a year-round basis, because providing for a world class lodge on the Lodge Parcel requires an impressive layout from the frontage, and requires an integrated relationship to the Golf Academy that is achieved by the proposed Lodge Parking. Additionally, the provision of three MIDA units in the Lodge also provides a substantial benefit, consistent with the purposes of the MIDA, of facilitating recreation facilities for military personnel, and the Lodge Parking helps facilitate this purpose in a feasible manner.
8. **Administrative Amendments:** The Lodge Final Site Plan is being approved prior to the completion of construction drawings for the building. It is possible that the Developer will desire slight or minor changes to the building footprint, building exterior, and site plan from the approved Site Plan when the Building Permit is submitted. It is the County's practice, in connection with the prosecution and enforcement of any land use decision, to administratively approve minor, inconsequential modifications, as determined in the discretion of the County. That process and the applicable standards are discussed in Section 16.27.10(D) of the County Code in the context of changes from preliminary approvals to final applications, but the concept is applied in the prosecution and enforcement of final approvals and site plan approvals as well. In accordance with the County's standard practice regarding land use decisions, Developer may, from time to time, propose amendments to the Site Plan, which, if proposed by Developer, may be considered and approved by the planning director, but only if such amendment represents a minor, inconsequential change to the Site Plan, and if such amendment is otherwise in compliance with Applicable Law. Nevertheless, Developer or the planning director, may refer any amendment initially proposed by the Developer to be considered by the applicable land use authority, including the JSPA PC or the County Council for approval.
9. **Legislative Approval.** As set forth in the foregoing Recitals, and for the reasons outlined in the forgoing sections, this Amendment has been approved by the County Council pursuant to Utah Code §17-27a-502 after notice as required under Utah Code §17-27a-205. Thus, pursuant to Utah Code §17-27a-528, and as set forth in the Recitals, this Amendment allows uses and Development of land that applicable land use regulations would otherwise prohibit. The County Council finds this Amendment is consistent with

the General Plan in all material respects for this Project, notwithstanding any particular provision or provisions of the General Plan which may be interpreted to be inconsistent with this Amendment, and regardless of any contrary provision of the County Code. The legislative approval this Agreement only applies to this Amendment, as opposed to the DA.

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

~ Signature pages follow ~

**WASATCH COUNTY:**

**ATTEST:**

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

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

STATE OF UTAH            )  
  ss:  
COUNTY OF WASATCH )

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

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

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

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

STATE OF UTAH            )  
  ss:  
COUNTY OF SUMMIT )

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

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

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

STATE OF UTAH )  
 ) ss:  
COUNTY OF SUMMIT )

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

NOTARY PUBLIC  
Residing at:

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

STATE OF UTAH )  
 ) ss:  
COUNTY OF SUMMIT )

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

NOTARY PUBLIC  
Residing at:

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

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

STATE OF UTAH            )  
                                      ss:  
COUNTY OF SUMMIT    )

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

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

**EXHIBIT Ad4-A – LEGAL DESCRIPTION**  
**"Amendment Property"**

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

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, AND THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN. THE BASIS OF BEARING FOR THIS DESCRIPTION IS S 88° 39' 58" W BETWEEN THE FOUND MONUMENTS FOR THE NORTHEAST CORNER AND THE NORTH QUARTER CORNER OF SAID SECTION 13, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A POINT WHICH IS S 88° 39' 58" W 817.18 FEET ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 13 AND THENCE NORTH 76.10 FEET FROM THE NORTHEAST CORNER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; SAID POINT ALSO BEING A POINT ON THE CONSTELLATION SUBDIVISION BOUNDARY ALSO BEING THE NORTH CORNER OF LOT 115 OF SAID CONSTELLATION SUBDIVISION ON THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE;

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

THENCE, S 24° 08' 18" W 110.00 FEET;  
THENCE, S 47° 44' 50" E 195.39 FEET;  
THENCE, DEPARTING FROM SAID SUBDIVISION BOUNDARY S 43° 51' 14" W 16.98 FEET;  
THENCE, S 64° 14' 10" W 88.01 FEET;  
THENCE, S 47° 28' 34" W 118.36 FEET;  
THENCE, S 26° 52' 19" W 122.02 FEET;  
THENCE, S 8° 06' 58" W 114.36 FEET;  
THENCE, S 3° 36' 04" W 61.71 FEET;  
THENCE, N 86° 23' 56" W 261.83 FEET;  
THENCE, N 20° 01' 25" W 180.95 FEET;  
THENCE, N 13° 10' 37" E 131.17 FEET;

THENCE, N 18° 33' 01" W 144.66 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTH WITH A RADIUS OF 530.00 FEET, SAID POINT ALSO BEING THE SOUTHERLY RIGHT OF WAY LINE OF SKYRIDGE DRIVE;  
THE NEXT 3 COURSES ARE COMMON WITH THE RIGHT OF WAY LINE OF SKYRIDGE DRIVE AND OF CONSTELLATION SUBDIVISION,  
THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18° 19' 13" FOR AN ARC DISTANCE OF 169.47 FEET (CHORD OF N 62° 17' 23" E 168.75 FEET);  
THENCE, N 53° 07' 46" E 152.26 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH WITH A RADIUS OF 220.00 FEET;  
THENCE, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61° 00' 32" FOR AN ARC DISTANCE OF 234.26 FEET (CHORD OF N 83° 38' 02" E 223.35 FEET) TO THE POINT OF BEGINNING.  
CONTAINS 5.37 ACRES, MORE OR LESS.

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

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

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

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

THENCE, N 13° 43' 18" W 209.40 FEET;  
THENCE, N 24° 48' 15" W 374.64 FEET;  
THENCE, N 46° 17' 20" E 130.72 FEET;  
THENCE, N 04° 02' 18" W 234.73 FEET;  
THENCE, N 12° 41' 38" E 108.53 FEET;  
THENCE, N 80° 21' 42" E 510.07 FEET;

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

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

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

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

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

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

TO THE POINT OF BEGINNING.

CONTAINS 5.35 ACRES, MORE OR LESS.

## SKYRIDGE GOLF ACADEMY PARCEL LEGAL DESCRIPTION

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

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

THENCE, S 47° 44' 50" E 195.39 FEET;

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

THENCE, S 64° 14' 10" W 88.01 FEET;  
THENCE, S 47° 28' 34" W 118.36 FEET;  
THENCE, S 26° 52' 19" W 122.02 FEET;  
THENCE, S 8° 06' 58" W 114.36 FEET;  
THENCE, S 3° 36' 04" W 99.92 FEET;  
THENCE, S 0° 24' 56" E 225.58 FEET;  
THENCE, S 23° 10' 17" E 418.43 FEET;  
THENCE, S 9° 09' 37" W 203.57 FEET;  
THENCE, S 18° 25' 16" W 74.37 FEET;  
THENCE, S 48° 52' 00" E 141.63 FEET;  
THENCE, S 11° 17' 26" W 23.20 FEET;  
THENCE, S 40° 17' 40" E 95.33 FEET;  
THENCE, S 48° 09' 37" W 110.00 FEET;  
THENCE, S 53° 17' 02" E 185.56 FEET;  
THENCE, S 36° 28' 18" W 155.49 FEET;  
THENCE, S 89° 45' 45" W 1128.31 FEET;  
THENCE, N 0° 00' 40" W 238.79 FEET;  
THENCE, N 55° 57' 59" W 137.01 FEET;

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

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

THENCE, N 11° 18' 12" E 64.14 FEET;

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

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

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

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

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

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

CONTAINS 57.97 ACRES, MORE OR LESS.

## **EXHIBIT Ad4 -M – GOLF ACADEMY LODGING FACILITY**

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

Golf Academy Lodge Site Plan consisting of 34 Residential ERU's:

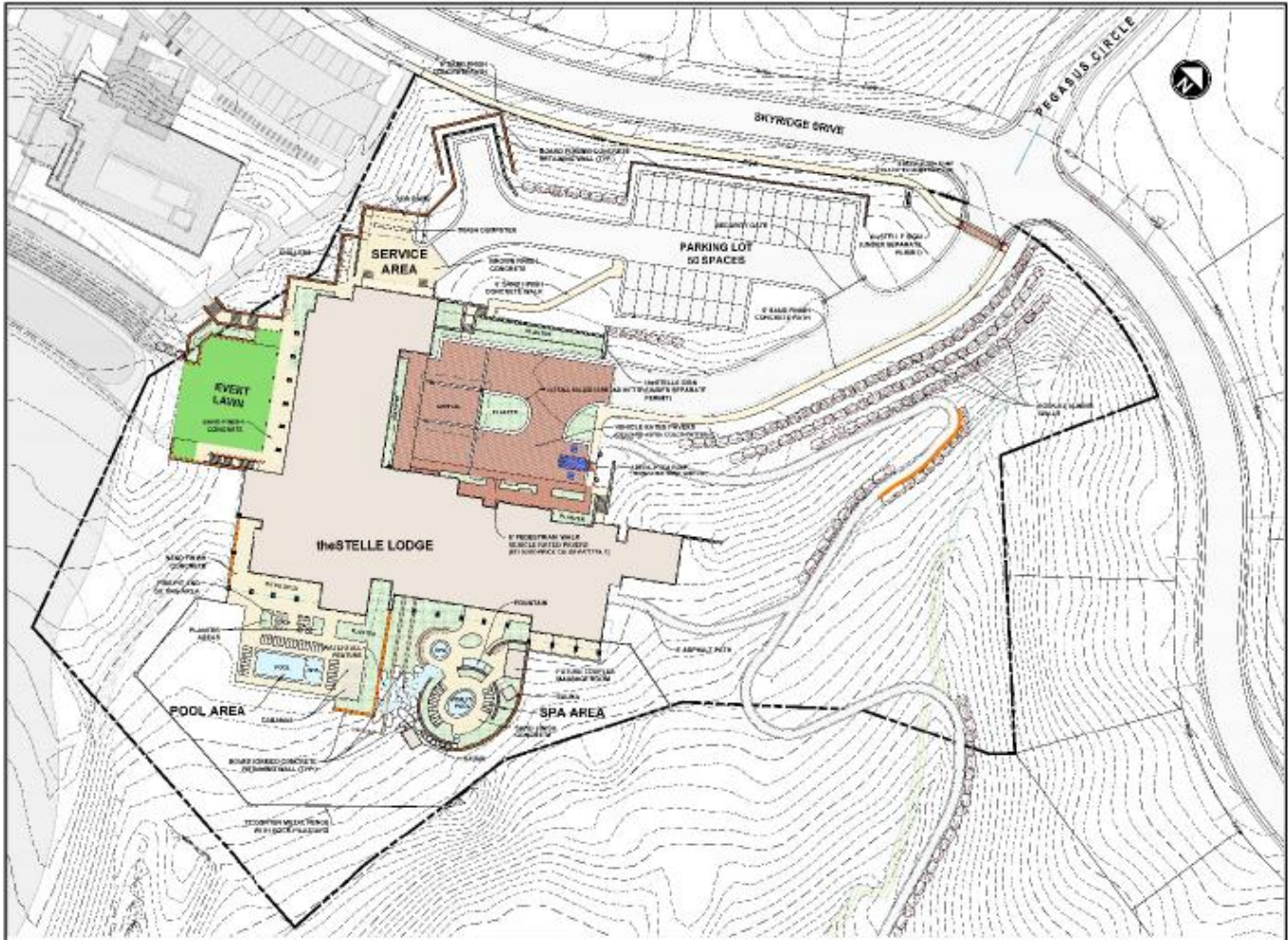


Exhibit O of the 3rd Amended DA is deleted and replaced with the following:

### Exhibit Ad4 - P- Height

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

