



PLANNING COMMISSION MEETING
117 South Main Street, Monticello, Utah 84535. Commission Chambers
July 13, 2023 at 6:00 PM

AGENDA

Virtual Attendance Link:

Video call link: <https://meet.google.com/mhx-jxrg-uia> Or dial: (US) +1 424-570-3049 PIN: 678 005 744#

YouTube Link:

<https://youtube.com/live/vErirZGl6Uk?feature=share>

GENERAL BUSINESS

WELCOME/ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Consideration and Approval of the June 2023 Planning Commission Meeting Minutes

PUBLIC COMMENT - *Time reserved for public comment on items or issues not listed on the agenda.*

ADMINISTRATIVE ITEMS

2. Consideration of Conditional Use Permit, Shane and Karry Deeter, Deeter Accounting
3. Consideration and Approval of a Conditional Use Permit for the La Sal Junction Airport Helipad. Sarah Day, Foundation Properties, LLC

LEGISLATIVE ITEMS

4. Consideration and Approval of Spanish Valley Overnight Accommodations Overlay Development and Site Master Plan for the Balanced Rock Resort, Mack McDonald

BUILDING PERMIT(S) REVIEW

[5.](#) July 2023 Building Permits List

ADJOURNMENT

****In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the San Juan County Clerk's Office: 117 South Main, Monticello or telephone 435-587-3223, giving reasonable notice****



STAFF REPORT

MEETING DATE: July 13, 2023

ITEM TITLE, PRESENTER: Consideration of Conditional Use Permit, Shane and Karry Deeter, Deeter Accounting

RECOMMENDATION: Consideration

SUMMARY

The Planning Commission reviewed and discussed this application on May 11, 2023 in which there was a legal question asked regarding Conditional Uses being added to the RR-1 Zone where it was not a listed Conditional Use. County Attorney Mitch Maughan has provided an opinion letter regarding the request of the Planning Commission.

HISTORY/PAST ACTION

Shane and Karry Deeter have submitted an application for a conditional use permit for a commercial office building in La Sal. The property is in the Rural Residential District (RR-1).

Commercial buildings are not listed as either a permitted or conditional use in the RR-1 district.

The Deeter's held a community meeting in La Sal, and gathered signatures in support of commercial zoning closer to the main residential area of La Sal. Because this use is not listed as a conditional use, there is not a requirement that the application be approved.

Because we are in the process of revising the zoning, and given that the local residents support commercial zoning for this property, this application has been placed on the agenda to give the Deeter's an opportunity to discuss this application with the Planning Commission to determine if they could move forward with their building before the zoning changes for the area.

On May 11, 2023, the Planning Commission considered this application. However, from the discussion, a question of legality arose and asked for an opinion in the Planning Commission could legally issue a conditional use permit if the use is not listed as a conditional use in the RR-1 District.

SAN JUAN COUNTY CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

- New Construction
- Land Use Change
- Addition
- Appeal

Subject Property Location or Address: 156 E. Markle Rd

Parcel Identification Number: 29S24E100600

Parcel Area: 14.5 acres Current Use: Vacant Land

Floor Area: 40'x80' Zoning Classification: RR1

Applicant Name: Shane & Kamy Deeter

Mailing Address: PO Box 117

City, State, ZIP: La Sal, UT 84530

Daytime Phone #: 435-260-0730 Fax#:

Email Address: Kamy-da@live.com

Business Name (If applicable): Deeter Accounting

Property Owner's Name (If different): EFG Consulting LLC

Property Owner's Mailing Address: PO Box 117

City, State, ZIP: La Sal, UT 84530

Daytime Phone #: 801-258-1926 Fax#:

Describe your request in detail (use additional page(s) if necessary): Auxiliary office building including four studio apartments, Bathrooms, Showers and laundry to support RV rentals.

Authorized Signature: [Signature] Date: 4-19-2023

Property Owner's Affidavit

I (we) EFG CONSULTING, LLC, being first duly sworn, depose and that I (we) am (are) the current owner(s) of the property involved in this application; that I (we) have read the application and attached plans and other exhibits and are familiar with its contents; and that said contents are in all respects true and correct based upon my personal knowledge.

Cody DEETER
Owner's Signature

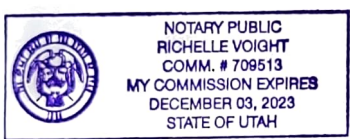
Owner's Signature (co-owner if any)

State of Utah)

County of Towele :
San Juan)
4-25-2023

Subscribed and sworn to before me this 25 day of April, 2023.

RinVino
Notary Public
Residing in Towele Utah
My Commission expires: 12/03/2023



Agent Authorization

I (we) EFG CONSULTING LLC, the owner(s) of the real property located at _____

in San Juan County, Utah, do hereby appoint SHANE AND/OR KARRY DEETER, as my (our) agent to represent me (us) with regard to this application affecting the above described real property, and authorize SHANE AND/OR KARRY DEETER, to appear before any County board or commission considering this application.

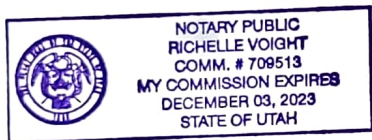
Cody Deeter
Owner's Signature

Owner's Signature (co-owner if any)

State of Utah)

County of Tooele)
~~San Juan~~)
4-25-2023

On the 25 day of April, 2023, personally appeared before me Cody Deeter the signer(s) of the above Agent Authorization who duly acknowledge to me that they executed the same.



Rin Vire
Notary Public
Residing in Tooele Utah
My Commission expires: 12/03/2023

500 feet ~~each~~ each side of paved roads E. Market Rd North
to Hwy 46

Are you in favor of a zoning change in La Sal to allow for some commercial zones?

Name	Contact Info	For/Against
DANNY McBEE	bigairlanny@gmail.com	FOR
Kelly & Julie Green	kinglasal42@yahoo.com 435-459-3812	For
Kristl Johnson	Kristljo@hotmail.com 435-260-0861	For
Mariah Robertson	buffalotrails@hotmail.com 807-690-8703	For
Paula Garcia	Paula.K.garcia@williams.com	For
Shatena Black	shatenanna@yahoo.com	for
Jessica Sutherland	luckyladypow@yahoo.com	For
Jesse Rodriguez	JesseRainbow4444@gmail.com	For
Carmen Beshoner	cbeshoner@aol.com	For
Amber Beshoner	Amber.beshoner@aol.com	For
Tyler Beshoner	Tbeshoner@aol.com	For
Naomi Walker	naomi.l.walker@icloud.com	FOR
Collette Deeter	collette woolsey@gmail.com	For
CHARLES R. ZIMMERMAN		FOR
Pamela Burgess		FOR
Everett Piper	w.everett.piper2@gmail.com	For
Wendy Bradshaw		For
Corianna Brown	corianna369@gmail.com	FOR
Kary Deeter Kary Deeter	deeters@live.com	For
Steve Deeter	lasalmta@gmail.com	FOR
Marie Deet	slowpoke32@hotmail.com	for
Robert Wiley		For.
John Deeter		For
Mike Deet	686-2299	For
Kayla Tatman	970-216-9426	4
Stettson Deeter	435-419-0215	For
Shane Deeter	435 459 9617	4



SAN JUAN COUNTY ATTORNEY

Item 2.

Brittney M. Ivins
County Attorney

Mitchell D Maughan
Deputy County Attorney

June 5, 2023

San Juan County Planning Commission

Re: Deeter Application for Conditional Use Permit

Dear Commissioners:

At last month's meeting, the commission requested a legal opinion from this office as to whether the commission could grant the Deeters a conditional use permit for the planned uses proposed by Deeters.

The Deeters desire to construct an approximate 40 foot by 80 foot building consisting of 2 levels on 15 acres of property situated adjacent to their home. This property lies within the RR-1 zone.

Initially, this office maintains that the best alternative available to the Deeters would be to request a zone change to a commercial district such that the uses described below would be permitted. More than likely there will be some changes to the Lasal area uses with the proposed adoption of CLUDMA sometime in the near future.

Until such time as the above happens, the relevant inquiry is whether Deeters' proposed uses could be maintained as a conditional use. The Deeters plan to construct a 40-foot x 80-foot two (2) story multi-use building which will accommodate the following uses:

1. RV rentals
2. Admin office space
3. A business center:
 - wifi and computer use
 - large group/meeting space
 - common kitchen facilities
4. Showers, restrooms, laundry
5. Studio rentals
6. Supply storage.

The RR-1 zone allows for most of these uses either directly as a permitted or conditional use or by a use that is substantially similar to the intended use. For example, RV rentals would be allowed as a conditional use under subsection §11-2(19) "Motor Park". Administrative Office Space/Business Center is perhaps the hardest to classify but it could be argued that this use is substantially similar to running an agricultural business or industry which is a conditional use allowed under subsection (4)c. , or substantially similar to operating a nursery or greenhouse as allowed in (4)e. Studio Rentals, (4 of them) showers, restrooms and laundry room could be categorized as a Cluster Subdivision of Single Family Dwellings or as accessory uses to the primary residential use of the property.



SAN JUAN COUNTY ATTORNEY

Item 2.

Brittney M. Ivins
County Attorney

Mitchell D Maughan
Deputy County Attorney

Overall, I don't believe the residential integrity of the property would be diminished by approving the proposed uses outlined by the Deeters. Especially given that Lasal has not incorporated and the present RR-1 zoning is outdated and needs to be updated to more realistically align with the expectations of the locales in and around Lasal.

Conditions should be imposed to adequately deal with parking, water and sanitation, emergency vehicle access, storm drain and runoff, together with other conditions as may be needed.

If you have any questions or concerns, please contact me.

San Juan County Attorney's Office:

/s/Mitchell D Maughan
Deputy County Attorney



STAFF REPORT

MEETING DATE: July 13, 2023

ITEM TITLE, PRESENTER: Consideration and Approval of a Conditional Use Permit for the La Sal Junction Airport Helipad. Sarah Day, Foundation Properties, LLC

RECOMMENDATION: Consideration

SUMMARY

In June 2023, the County received a Conditional Use Permit Application for Parcel 29S23E0436000 for improvements and uses to the existing La Sal Junction Airport. The property is within 1,000 feet of Highway 46, which places the property within the Controlled District-Community Commercial (CD-c).

Ordinance Sections:

Controlled Districts are to provide, in appropriate locations, a district where agriculture, industrial, commercial and residential uses may exist in harmony, based on planned development for mutual benefit and flexible location of uses. Permitted uses include Agriculture, Residential, Commercial, Highway Commercial, and Industrial (Industrial subject to approval). In addition to the uses regulated in RR-22 districts, the following uses may be permitted by variance within each sub-zone:

Grocery Store

Drug Store

Automobile Service Station

Bakery

Dry Cleaning and Laundry Pickup

Beauty Shop

Barber Shop

Child Care

Ice Cream Store

Variety Store

Medical and Dental Offices

Professional Office

Public Utilities, public and quasi-public

Stores, shops and offices supplying commodities or performing services such as department stores, specialty shops, banks, business offices, and other financial institutions and personal service enterprises.

Restaurants, beer taverns, pool hall lounges, theaters, similar enterprises provided that all uses be conducted within buildings.

Business and technical schools, and schools and studios of photography, art, music and dance.

Bowling alley, dance hall, roller skating rink.

Carpenter shops, electrical, plumbing, heating and air conditioning shops, printing and publishing or lithographic shops, mortuaries, and furniture upholstery shops, provided all uses shall be within and enclosed building.

New car dealers.

Garages for minor repairs of automobiles.

Garages for storage of automobiles, commercial parking lots.

Hotels and Motels.

Any other similar retail business or service establishments which the Planning and Zoning Commission finds to be consistent with the purpose of this chapter and which will not impair the present or future use of adjacent properties

12-3 Conditional Uses

All other uses than those listed.

There is a Special Provisions that all applications for conditional uses or request for variances in the CD district must first have appropriate sub-zone designations which this property does have as the zoning map indicates.

By definition, a Conditional Use is: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

Possible discussion and questions may include:

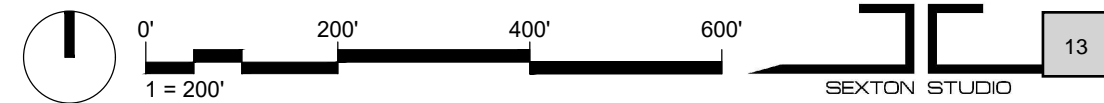
- The FAA Identifier 01UT was originally activated in September 1970 but the current status shows it is closed indefinitely? The Design shows a Brush Plane which indicates the runway will be operational in addition to the helipad landing sites.
- BLM owns a portion of the runway, is there a current lease on the runway. Does the lease allow for helicopter use on the runway?
- What is the landing and take-off flight path for the aircraft?
- The parking and loading lot is adjacent to the landing pad, how is that hazard going to be mitigated to avoid helicopter/vehicle conflicts?
- What are the plans for fire mitigation?
- The landing pads are in the Runway Safety Area, does this create a conflict?
- The hangers only have egress on one side of the building other than the large hanger doors?
- There are 6 units dedicated to employee housing, will any of those be overnight rental units for guests?
- The employee entry turns directly onto Highway 191, well past the turn lanes for the La Sal Junction, is there a concern for vehicle impacts at that entry where employees will drive such a short distance at a slower speed in order to make the turn into where they work or return home to everyday? There is no indication of a trail system internally to the project.

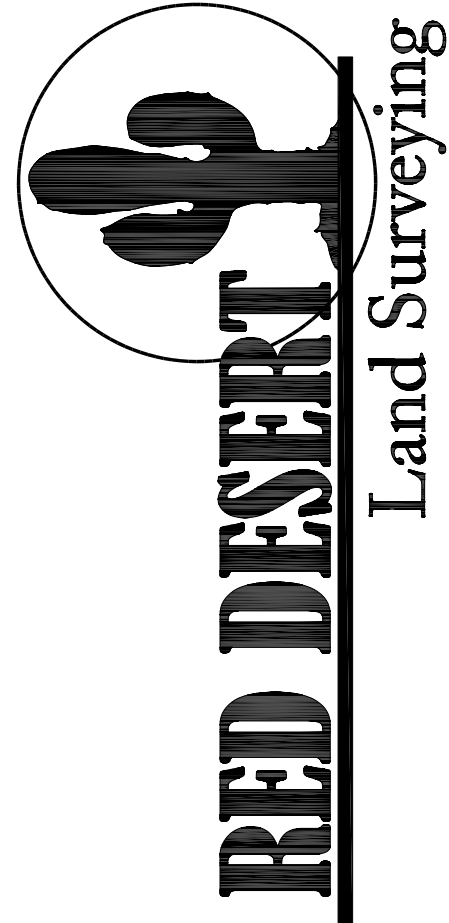
HISTORY/PAST ACTION

N/A



LA SAL JUNCTION EXISTING RUNWAY





88 East Center Street
Moab, UT 84532
435.259.8171

STANDARD LEGEND

	CLEAN OUT		WATER LINE		POWER POLE		PROP. CORNER FOUND
	SAN SEWER LINE		WATER VALVE		GUY WIRE		PROP. CORNER SET
	CABLE BOX		WATER MANHOLE		LIGHT POLE		MAG NAIL SET
	CABLE PEDESTAL		HYDRANT		ELECTRIC METER		BLOCK CORNER
	STOP SIGN		TELEPHONE PEDESTAL		ELECTRIC METER BOX		SECTION MONUMENT
	SIGN		GAS METER		GENERATOR		PROPERTY LINE
	379 CONTOUR		GAS PEDESTAL		RECORD DATA		EASEMENTS
	380 CONTOUR		GAS LINE		MEASURED DATA		PROPERTY ADJOINING
	ASPHALT		FENCE		CALCULATED DATA		

PROJECT TYPE:
Engineering Survey

PROJECT ADDRESS:
La Sal Junction
LaSal, Utah 84530

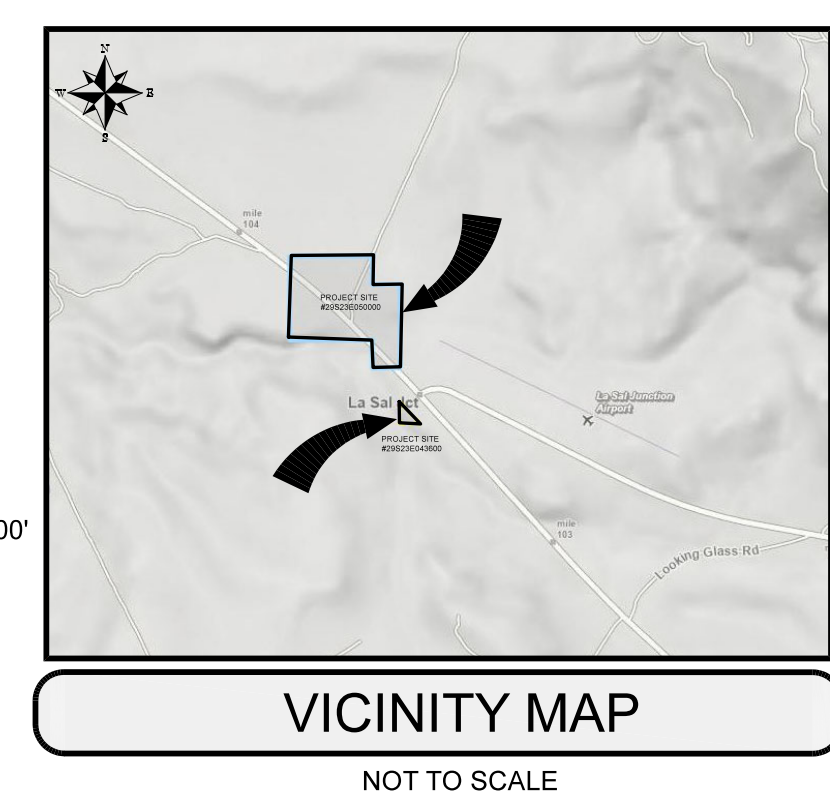
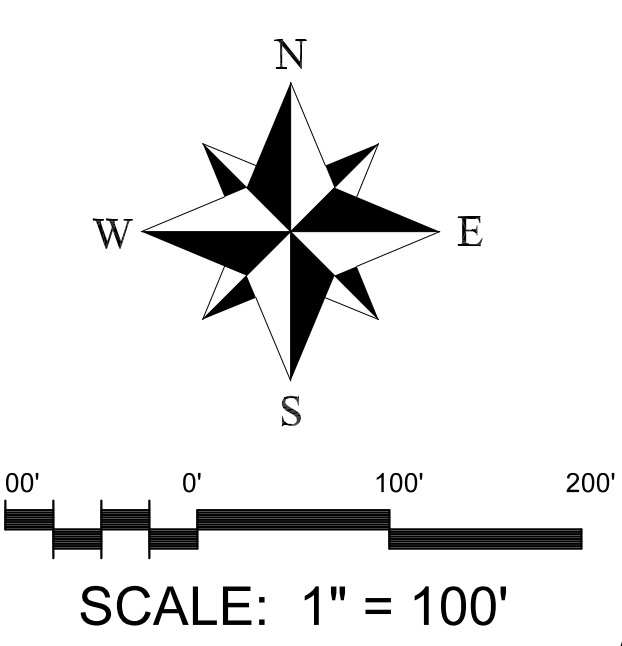
PROJECT LOCATION:
SAN JUAN COUNTY, STATE OF UTAH

PREPARED FOR:
Ben Byrd

DATE:
05/27/2022

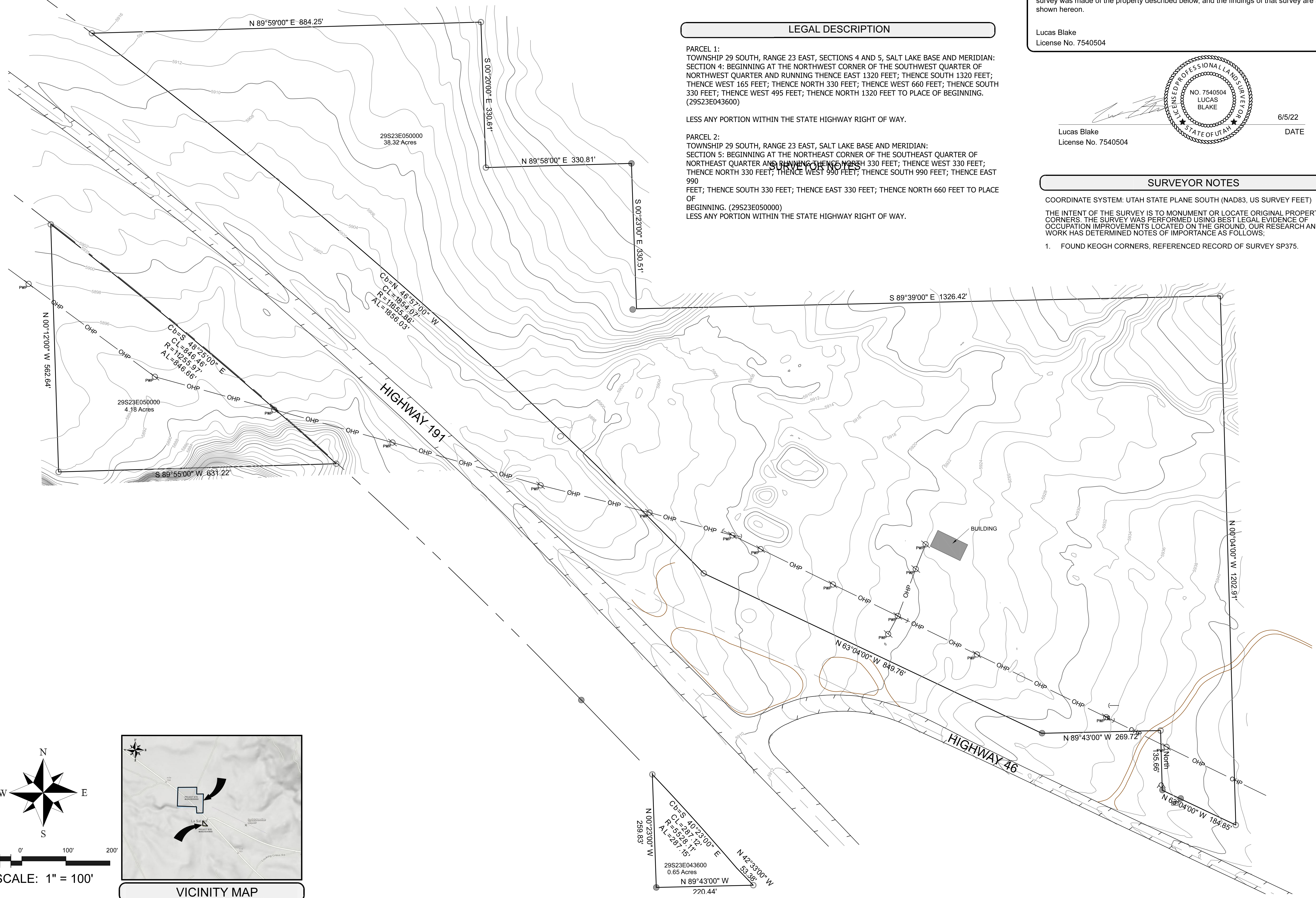
JOB NUMBER:
150-22

SHEET 1 OF 1



ENGINEERING SURVEY

LOCATED WITHIN
THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF
SECTION 4 & 5, T29S, R23E, SLB&M



LEGAL DESCRIPTION

PARCEL 1:
TOWNSHIP 29 SOUTH, RANGE 23 EAST, SECTIONS 4 AND 5, SALT LAKE BASE AND MERIDIAN:
SECTION 4: BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF
NORTHWEST QUARTER AND RUNNING THENCE EAST 1320 FEET; THENCE SOUTH 1320 FEET;
THENCE WEST 165 FEET; THENCE NORTH 330 FEET; THENCE WEST 660 FEET; THENCE SOUTH
330 FEET; THENCE WEST 495 FEET; THENCE NORTH 1320 FEET TO PLACE OF BEGINNING.
(29S23E043600)

LESS ANY PORTION WITHIN THE STATE HIGHWAY RIGHT OF WAY.

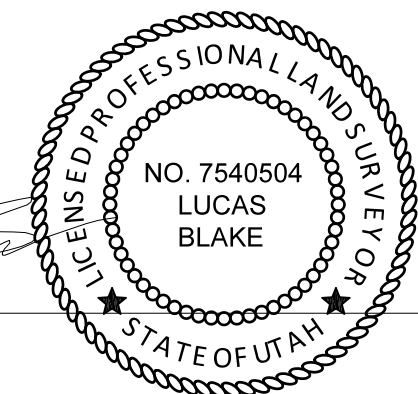
PARCEL 2:
TOWNSHIP 29 SOUTH, RANGE 23 EAST, SALT LAKE BASE AND MERIDIAN:
SECTION 5: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF
NORTHWEST QUARTER AND RUNNING THENCE NORTH 330 FEET; THENCE WEST 330 FEET;
THENCE NORTH 330 FEET; THENCE WEST 990 FEET; THENCE SOUTH 990 FEET; THENCE EAST
990
FEET; THENCE SOUTH 330 FEET; THENCE EAST 330 FEET; THENCE NORTH 660 FEET TO PLACE
OF
BEGINNING. (29S23E050000)
LESS ANY PORTION WITHIN THE STATE HIGHWAY RIGHT OF WAY.

SURVEYOR NOTES

SURVEYOR'S CERTIFICATION

I, Lucas Blake, certify that I am a Professional Land Surveyor as prescribed under the laws of the State of Utah and that I hold license no. 7540504. I further certify that an engineering survey was made of the property described below, and the findings of that survey are as shown hereon.

Lucas Blake
License No. 7540504



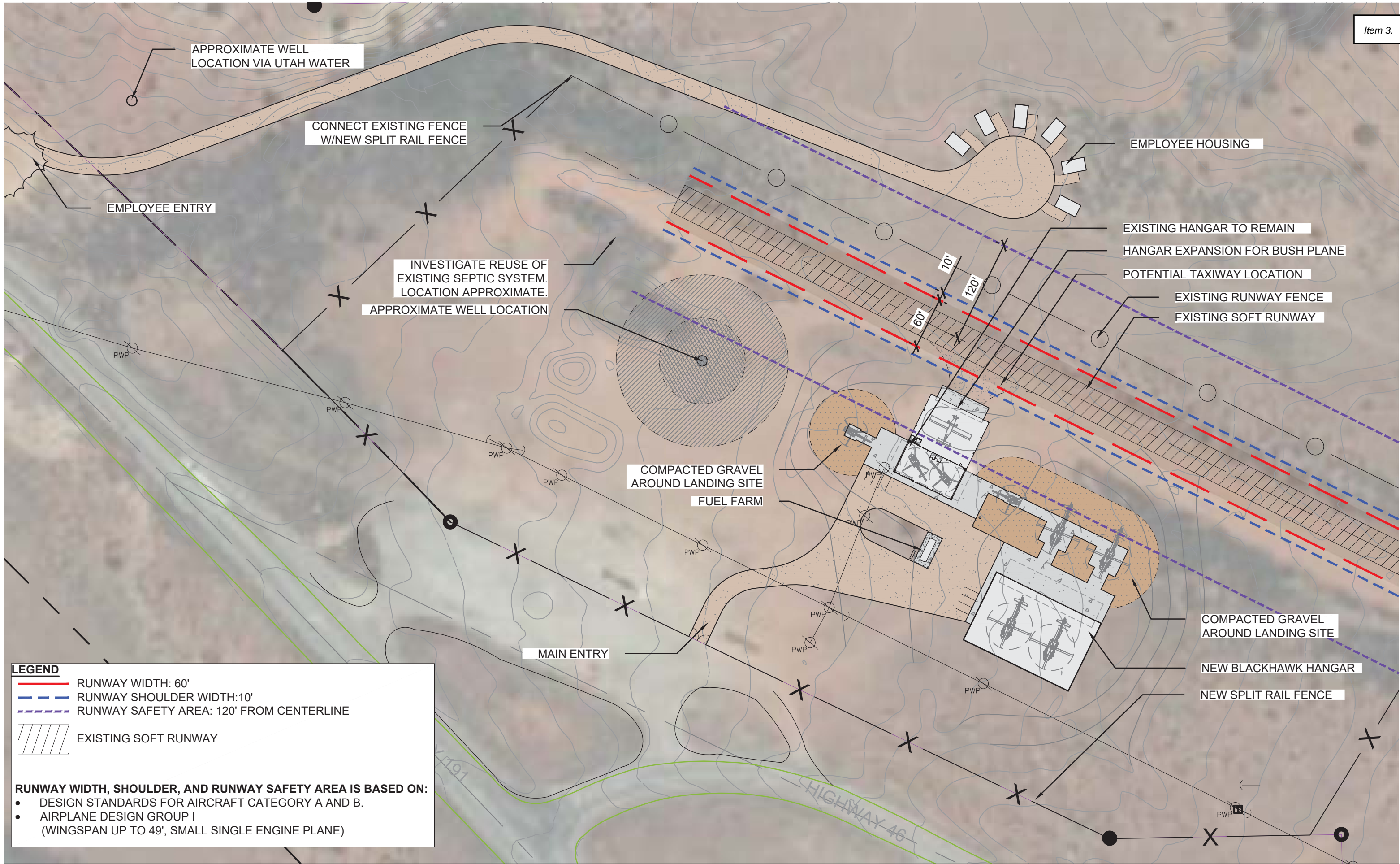
Lucas Blake
License No. 7540504

6/5/22
DATE

SURVEYOR NOTES

COORDINATE SYSTEM: UTAH STATE PLANE SOUTH (NAD83, US SURVEY FEET)
THE INTENT OF THE SURVEY IS TO MONUMENT OR LOCATE ORIGINAL PROPERTY CORNERS. THE SURVEY WAS PERFORMED USING BEST LEGAL EVIDENCE OF OCCUPATION IMPROVEMENTS LOCATED ON THE GROUND. OUR RESEARCH AND SITE WORK HAS DETERMINED NOTES OF IMPORTANCE AS FOLLOWS:

1. FOUND KEOGH CORNERS, REFERENCED RECORD OF SURVEY SP375.



APPROXIMATE WELL LOCATION VIA UTAH WATER

CONNECT EXISTING FENCE W/NEW SPLIT RAIL FENCE

EMPLOYEE HOUSING

EMPLOYEE ENTRY

INVESTIGATE REUSE OF EXISTING SEPTIC SYSTEM. LOCATION APPROXIMATE.

APPROXIMATE WELL LOCATION

EXISTING HANGAR TO REMAIN

HANGAR EXPANSION FOR BUSH PLANE

POTENTIAL TAXIWAY LOCATION

EXISTING RUNWAY FENCE

EXISTING SOFT RUNWAY

COMPACTED GRAVEL AROUND LANDING SITE
FUEL FARM

COMPACTED GRAVEL AROUND LANDING SITE

NEW BLACKHAWK HANGAR

NEW SPLIT RAIL FENCE

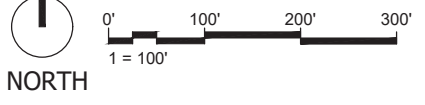
MAIN ENTRY

LEGEND

- RUNWAY WIDTH: 60'
- - - RUNWAY SHOULDER WIDTH: 10'
- - - RUNWAY SAFETY AREA: 120' FROM CENTERLINE
- EXISTING SOFT RUNWAY

RUNWAY WIDTH, SHOULDER, AND RUNWAY SAFETY AREA IS BASED ON:

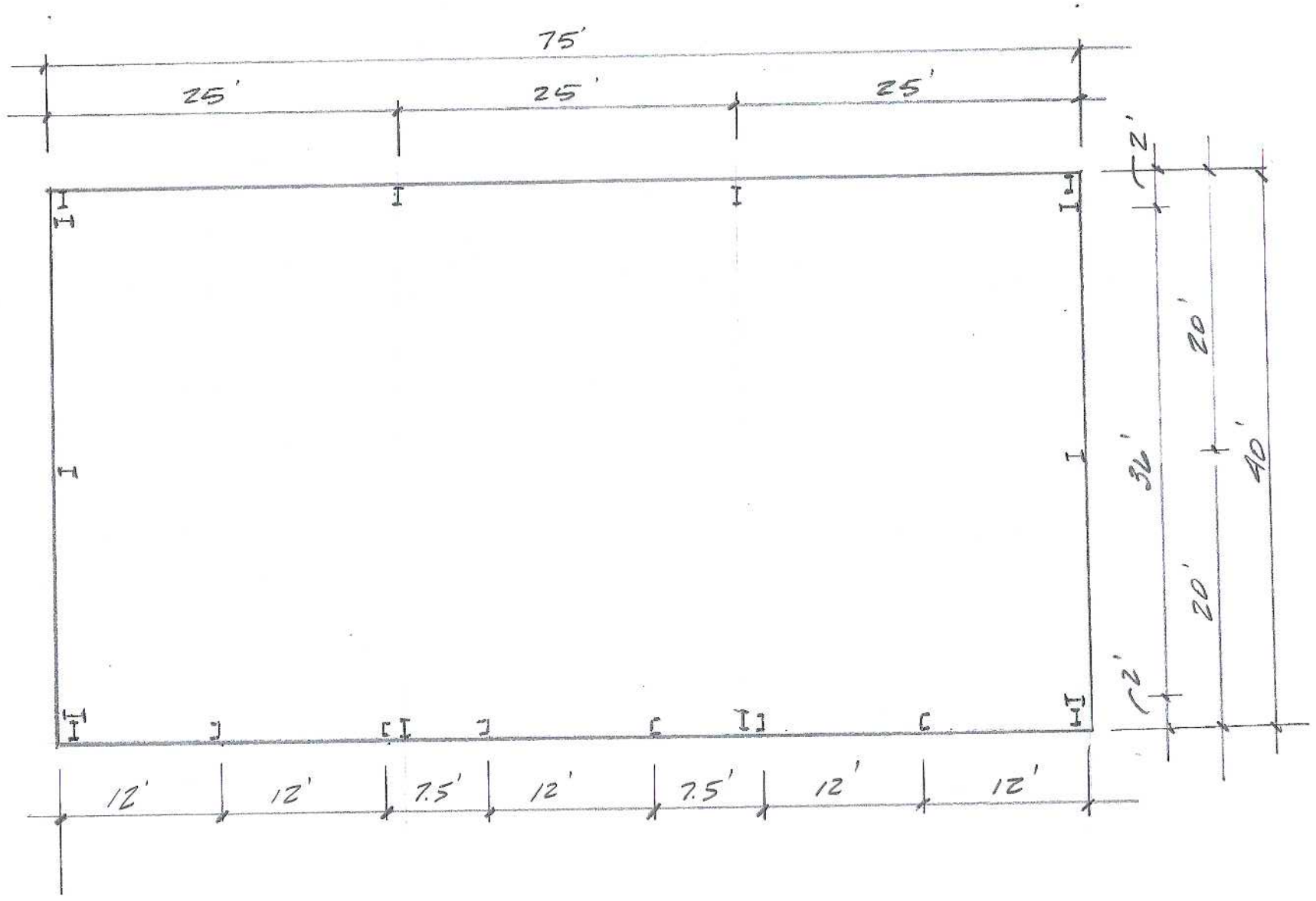
- DESIGN STANDARDS FOR AIRCRAFT CATEGORY A AND B.
- AIRPLANE DESIGN GROUP I (WINGSPAN UP TO 49', SMALL SINGLE ENGINE PLANE)



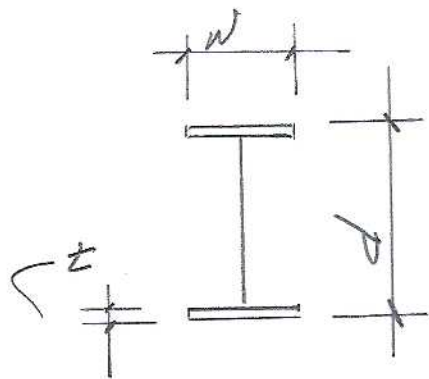
LA SAL JUNCTION LAYOUT EXHIBIT

01.14.2023

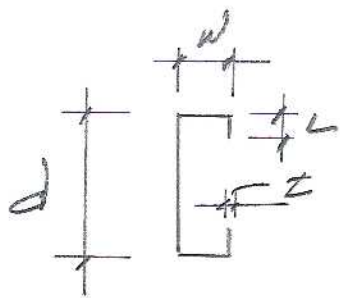




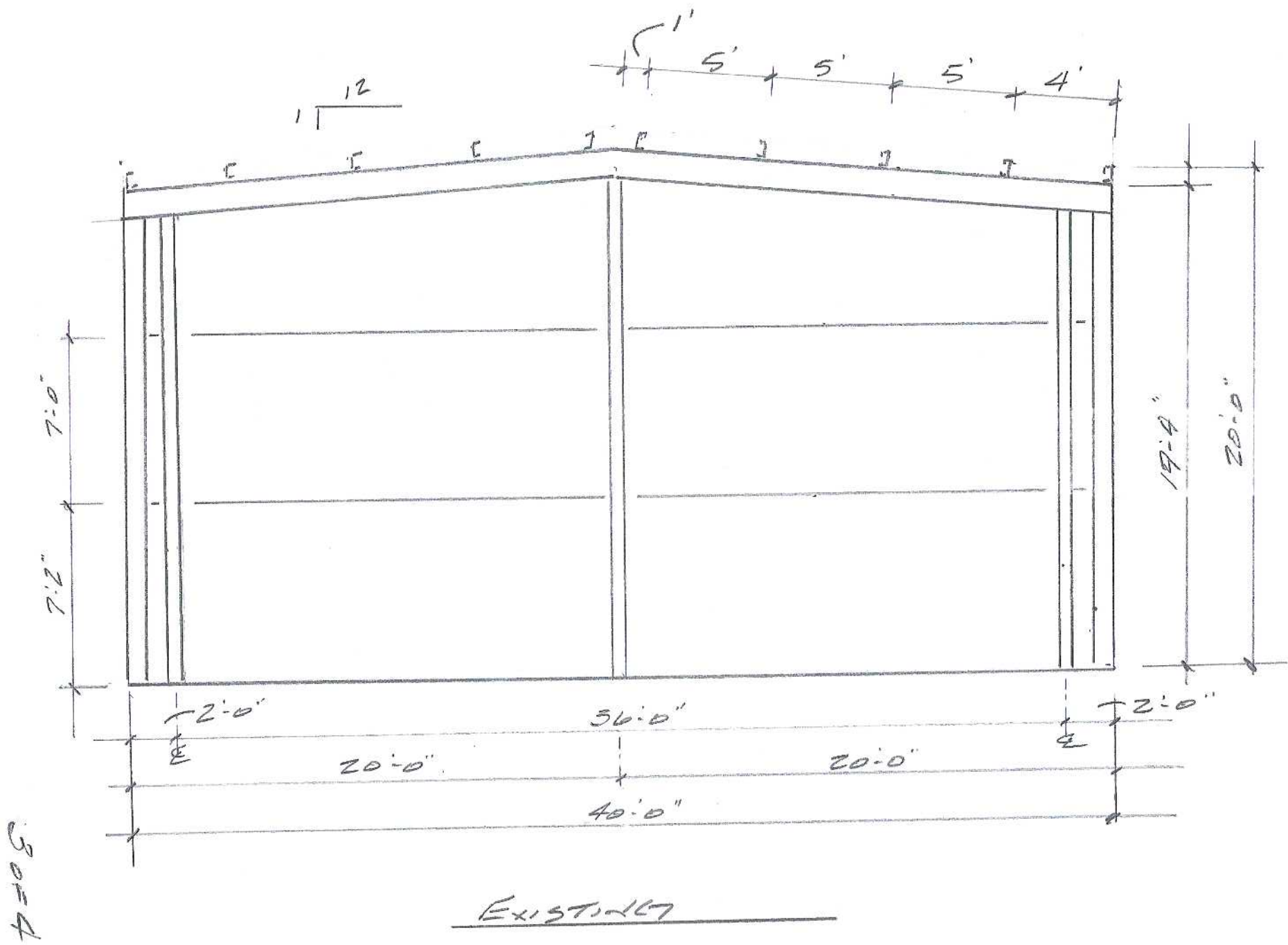
1054

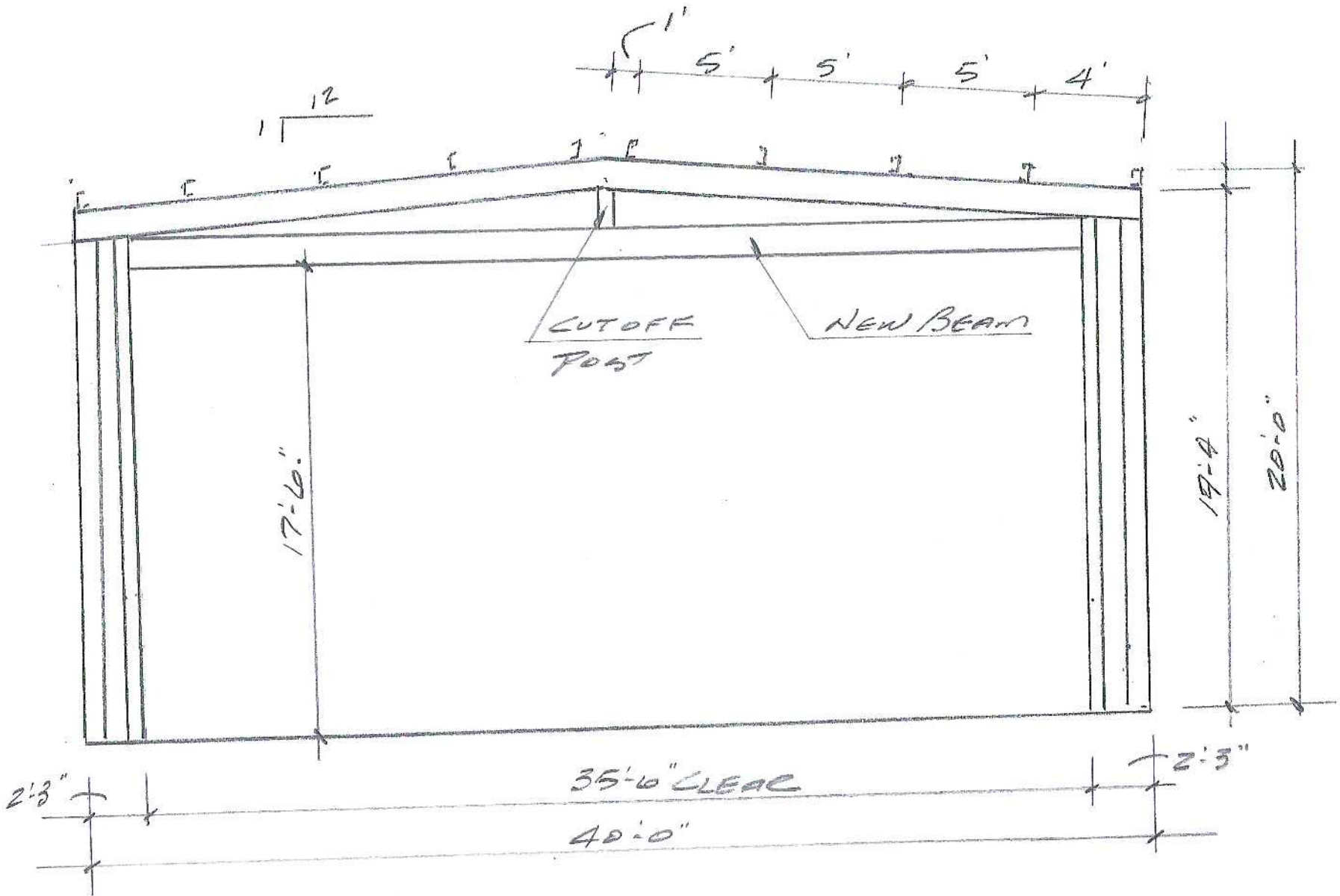


	d	W	t
CORNER COL.	8	5 1/2	.18
CRANE RAIL COL.	12	6	.25
MAIN FRAME COL.	12	6	.30
CENTER E.N. COL	7	5 1/2	.18
MAIN FRAME BEAM	12x24	5 1/2	.18
CRANE BEAM	14	6 3/4	.40
ENDWALL BEAM	12	5 1/2	.18



	d	W	L	t
PURLINS S.O.C.	8	3	1	.080
S.W. GIUZT	8	3	1	.070
EW GIUZT	7	3	1	.070
DOOR POST	8	3	1	.080





AFTER MODIFICATION!

POST

SAN JUAN COUNTY CONDITIONAL USE PERMIT APPLICATION

Type of Application (check all that apply):

- New Construction Land Use Change
- Addition Appeal

Subject Property Location or Address: 38°18'37.2"N 109°24'06.7"W

Parcel Identification

Number: 29S23E043600

Parcel Area: _____ Current Use: _____

Floor Area: _____ Zoning Classification: _____

Applicant

Name: Sarah Day

Mailing

Address: 2045 S Navajo Heights

City, State,

ZIP: Moab, UT 84532

Daytime Phone #: (313-610-7272) Fax#: _____

Email 1ubtsslc@gmail.com

Address: _____

Business Name (If applicable): Foundation Properties,

LLC Property Owner's Name (If

different): _____ Property Owner's Mailing

Address: 2045 S Navajo Heights City, State,

ZIP: Moab, UT 84532

Daytime Phone #: (313-610-7272) Fax#: _____

Describe your request in detail (use additional page(s) if necessary): Building a Helipad. Taking existing hanger and modifying for larger aircraft.

Authorized Signature:  Date: 3/20/23



STAFF REPORT

MEETING DATE: July 13, 2023

ITEM TITLE, PRESENTER: Consideration and Approval of Spanish Valley Overnight Accommodations Overlay Development and Site Master Plan for the Balanced Rock Resort, Mack McDonald

RECOMMENDATION: Consideration and Approval

SUMMARY

On June 20, 2023, the San Juan County Board of Commissioners approved the Spanish Valley Overnight Accommodations Overlay Application for Gardner Plumb LLC for 72 acres of private property in Spanish Valley as described below:

Property:

Parcel 1: 27S22E063001, 35.92 acres

Parcel 2: 27S23E063000, 10.01 acres

Parcel 3: 27S23E010001, 26.34 acres

Current Zoning:

These parcels are in the Residential Flex Planned Community District (RF). The rezone of the property was approved at the May 16, 2023 Board of Commissioners Meeting.

This application approval approves the rezone of the Overnight Accommodations Overlay District for these parcels and attaches the overlay to their Balanced Rock Resort development.

In the past the Planning Commission has approved SVOAO applications in three steps. Step one applies the overlay to the property, and step two (which we are currently at) attaches it to the specific project or development, and step three is development agreement, project plan, or subdivision plats.

This three-step consideration process is outlined in Chapter 10 of the Spanish Valley Development Ordinances, and has established somewhat of a precedent, and to be consistent in the way we handle these applications, the Planning Commission would consider this application in two steps rather than one.

Step two requirements and what is to be addressed is a Planning Commission recommendation to the San Juan County Board of Commissioners of which land area is to be rezoned and general terms upon which it is approved, including but not limited to the following: Proposed primary uses, number of

rooms/units, design and development conditions, special conditions and requirements, other uses and development requirements.

Some of the changes to the Site Master Plan (revised) includes the following:

- We modified the language for the duplex lots to state that these lots can be split and developed as twin home lots if needed to meet market conditions. Also, we were told by an affordable housing builder that it is usually very difficult for their buyers to qualify for financing if there is a rental component to their property. A duplex property would have a rental unit attached to the primary residence, while a twin home would be two standalone properties where the residences share a common wall.
- By reducing the lot size of some of the duplex lots we were able to add 5 additional duplex/twin home lots (10 units) without using more acreage. This was in accordance with my comment to the County Commissioners, while they were deliberating approving the overnight overlay, that we might try to add some lots to help-offset the cost of the affordable housing lots. The 10 extra units break down into 8 additional units that can have overnight rentals, and 2 additional units for affordable housing. We have updated the density tables to reflect this change. The total number of lots for the community does not exceed the underlying density for the land.
- As noted above, we added 2 more units of affordable housing, for a total of 20 units.
- We added a transition area on the north side of the project to create more of a buffer between the 4 existing homes to the north of the project and the overnight rental housing. This was added at the request of a neighbor to the north.
- We added information about some street landscaping and cross sections, and about likely additional access routes through SITLA.

HISTORY/PAST ACTION

At the March 9, 2023 Planning Commission Meeting the Planning Commission held a public hearing on this rezone application. The board voted to table this item and asked for a legal opinion about whether the Spanish Valley Overnight Accommodations Overlay could be applied for properties in the Residential Flex District or not. The legal opinion stated that the overlay could be applied to properties in the RF district. The legal opinion is included in the application as Exhibit C.

At the April 13, 2023 Planning Commission Meeting the Planning Commission voted to recommend approval of the rezone application without considering this the first step of the PC approval process. The positive recommendation passed with 3 voting yea and 2 voting nay.

At the May 16, 2023 Board of County Commissioners Meeting, the County Commission approved the rezone request with a unanimous vote.

At the June 8, 2023 Planning Commission Meeting, the Planning Commission voted to recommend step one, to attach the Spanish Valley Overnight Accommodations Overlay to the specified parcels of land. The PC voted unanimously to recommend the overlay.

Balanced Rock Resort

Site Master Plan *(draft)*

**Spanish Valley
San Juan County, Utah**

March 29, 2023
(last revised: June 28, 2023)



Introduction

The Gardner Plumb group proposes to develop approximately 72.27 acres of land that is currently owned by the Elkin Spielman Charitable Remainder Trust. The land is located on the north end of Spanish Valley, in San Juan County, and is generally very flat. This Site Master Plan outlines our vision for the Balanced Rock Resort community we plan to build. It is in “draft” form at present, and we look forward to working with the County to refine this vision.

This Site Master Plan is a requirement found in Chapter 10 of the San Juan County Zoning Ordinance for a rezone to apply the Overnight Accommodations Overlay to the Property. Development of Balanced Rock Resort is subject to the development standards set forth in Chapter 10.

This Site Master Plan has been adapted from the Community Structure Plan (CSP) that was submitted as part of a request to rezone the property to Residential Flex.

To minimize confusion for readers switching between the two plans, we have kept the original numbering from the CSP. The information has been edited to reflect changes in our draft layout, and supplemented with information to address the requirements found in Chapter 10.

Statement

The Balanced Rock Resort will be a high-quality master-planned community consisting of a variety of residential products (single-family homes, duplex/twin homes, townhomes) and a lodge, all with overnight accommodations being allowed. Employee and affordable/moderate income housing options will be included, without the option for overnight rentals. This Resort community is designed to appeal to residents and visitors who enjoy living and recreating in the greater Moab area.

The Resort is sited on one of the few pieces of private property where a community of this style can be built. There is very little private land of large enough acreage available in the San Juan County portion of Spanish Valley to allow this type of community, and Grand County and Moab City ordinances practically preclude a development like Balanced Rock north of the county line.

The ability to master-plan the Resort from the ground-up will allow the creation of a community that addresses upfront many of the issues that face neighborhoods where overnight rentals have become a patchwork amidst long-term occupied homes (a prime example are the neighborhoods just to the north of Balanced Rock Resort). Buyers of property within the Resort will know from the first moment that they are buying into a community that allows overnight rentals.

The Overnight Accommodations will mean that the properties in the Resort will have a higher value than similar residences without the overnight application. This will result in increased property taxes being paid to the county. Along with the lodge, the residences will provide additional revenue to the county by way of paying the Transient Room Tax (TRT) that is required of short-term rentals.

San Juan County Spanish Valley Area Plan and the San Juan County General Plan

(How the proposed development is consistent with both Plans.)

The Balanced Rock Resort development aligns with the Spanish Valley Area Plan and the San Juan County General Plan as follows.

Growth and Development Areas

The Spanish Valley Area Plan identifies the types of growth and development areas:

Private Land Areas: *This area consists of both developed and undeveloped land that is owned by numerous private parties. Since the area has been inconsistently planned, the focus is on meeting the following needs:*

- *Establishing a rational and coordinated system of road and storm water conveyance systems.*
- *Providing transitions between existing and future incompatible uses.*
- *Facilitating limited subdivision and densification where opportunities exist.*
- *Ensuring that future development follows a new system of guidelines that promote safe, coordinated growth and development.*

Central Development Areas: *Located in the center of the valley, these are the flattest and easiest-to-develop areas. They are suitable for a wide range of development, including residential, civic, institutional and parks/open space uses. They also support limited development of local commerce and community services. The large tracts of contiguous land are primarily under single ownership, which promotes the application of coordinated development strategies.*

Flex Development Areas: *These areas provide unique opportunities to create an economic base for the valley... A flexible development approach should be considered to allow market developments and opportunities to be addressed.*

The Balanced Rock Resort could fit into any, or all, of the above-defined categories.

Infrastructure

As stated in the San Juan County General Plan, ***“The thing that will influence the location of development the most in the county is the location of public infrastructure.”*** The relatively recent improvements to infrastructure (sanitary sewer, water lines, water tank/pump, and power) make the Balanced Rock Resort location ideal for development.

Phasing

The Spanish Valley Area Plan outlines the phased timing for future development: ***“Residential development should be implemented sequentially from north to south as part of a rational extension of municipal water and sewer services (Phases 1-6).”***

The Area Plan defines the first phases to be developed, and states that Phases 1 and 2 will be the first to use the existing water supply. The map on page 35 could define that the Balanced Rock Resort property is in Phase 1, while the accompanying text seems to suggest that it could be in Phase 1 or Phase 2:

Balanced Rock Resort

- **Phase 1 – 700 acres:** Existing and undeveloped private lands.
- **Phase 2 – 950 acres:** Primarily residential neighborhood. Bulk of land in single ownership (SITLA) supports coordinated design and development, with higher density in the Central Neighborhood Development zone. Supports application of coordinated design and development principles. Includes a small neighborhood center, two regional parks and a community park as primary amenities/destination.

The Spanish Valley Area Plan makes the following statement in regard to the development of private land: **“There has been little planning direction in this area in the past, resulting in an inefficient and helter-skelter pattern of development.”** A master-planned Resort with short-term rentals allowed from the start will eliminate the chance of a “helter-skelter” type community being built.

The San Juan County General Plan defines some of the Land Use Goals & Policies that support the development of the Resort:

- **Encouraging cluster developments to preserve open space.**
- **Requiring residential development to locate within existing communities or within areas where services are provided at a level that will meet demand of development.**
- **Ensuring that commercial and industrial development locate near existing utilities or pay for the extension of services needed themselves. (Some tools to make this more achievable are impact fees and development agreements.)**

The Spanish Valley Area Plan states some key principles that support the Balanced Rock Resort concept:

- **The needs of the partially developed Private Development Areas will be significantly different than the undeveloped areas to the south. The application of separate guidelines and ordinances for both areas should be considered.**
- **Guidelines and ordinances...should encourage coordinated development of large tracts of land under single ownership. They should be easy to understand and promote planning and creative design.**
- **Discouragement of strip development and encouragement of the establishment of centers, nodes and of destinations.** [Note: The Highway Flex zone is a prime example of “strip” mentality. Balanced Rock Resort’s dispersed location on a utility spur to the immediate east of SITLA’s Neighborhood Center is a prime example of a tasteful destination community in the valley.]
- **Clarification of minimum park and open space standards. Open space corridors should be encouraged for the location of stormwater detention facilities, trails, parks and to link neighborhoods to public lands.**
- **The major road systems consist of four east/west roads linking development areas to US-191 and Spanish Valley Drive/La Sal Loop Road. A full range of collector and local roads should also be included, laid out in response to the natural topography and the valley landscapes.**

- **The various Development Districts should encompass a wide range of residential uses and types to meet the full range of socio-economic and life cycle needs of the Study Area. Densities should be higher in Central Development Areas, with lower density/larger lot development focused in the outlying Perimeter Development Areas.**
- **Major and minor streams and washes should be incorporated into the community structure as part of a Low-Impact Development (LID) approach where appropriate. These systems should be coordinated with the regional park, open space, and trails system.**

Economic Driver

“The San Juan County General Plan is not intended to be a static document. Rather, it is intended to be used on a regular basis to identify and direct where various activities will be located, the strategies of the county to encourage certain land uses and the requirements for their establishment, to identify priorities for county actions, and resource allocation decisions, and to identify provisions of required services and their adopted standards.” (p. 6, San Juan County General Plan)

During the San Juan County Board of Commissioners Meeting on January 17th, 2023, a resolution was passed encouraging economic development, a renewed effort to improve zoning to increase economic development opportunities, and a commitment to work with developers, property owners, and the public in bringing vitality and growth to San Juan County.

Northern San Juan County is sited beautifully to prosper from the wide variety of recreational opportunities that draw residents and visitors to the greater Moab area. **San Juan County can, and should, obtain a bigger share of the profits these assets create.**

“The County has many natural assets that can provide a strong economic foundation. There is an unparalleled concentration of national and state parks, monument, recreation areas and abundant natural resources. The County also provides an attractive quality of life for those looking for open space, low levels of crime, and a strong community atmosphere.” (p. 22, San Juan County General Plan)

“Many residents see tourism as the most promising economic resource. Much of the growth in government jobs has been attributed to education and social service programs addressing the poverty and education gap in the region. Economic development is a priority of all county residents.” (pp. 140-141, San Juan County General Plan)

The Balanced Rock Resort, with an Overnight Accommodations Overlay, can add significantly to the transient room taxes, and add to property values that will result in higher taxes paid to San Juan County. The Resort will draw residents and visitors from the already insufficient housing and lodging options in Moab.

The project will be a quality “anchor tenant” that will positively influence how SITLA’s Neighborhood Center evolves with services and amenities that will be patronized by the visitors and residents of Balanced Rock Resort. A variety of service venues (restaurants, coffee shops, grocery stores, wellness businesses and the like) will benefit from the Resort’s population base and will be within walking or biking distance. **Balanced Rock Resort and SITLA’s Neighborhood Center will create a symbiotic relationship.**

The net result will be increasing the taxes paid to the county, and helping provide a stronger base population to support the businesses that will reside in the future Neighborhood Centers sited along Spanish Valley Drive. The Resort will help even out the disparity between Grand County and San Juan County when it comes to revenue derived from residents and visitors.

“While neighboring Grand County shifted to a tourism economy, San Juan County remained reliant on agriculture and other services. While residents would like to see agriculture, grazing, and timber preserved, the services, government, and non-farm proprietor sectors are now projected to create the most jobs in coming decades.” (p. 140 of San Juan County General Plan)

The San Juan County General Plan references a Kem C. Gardner Policy Institute (“Policy Institute”) Profile on Travel & Tourism in Utah, dated 2015, and states that in San Juan County in 2015 the Average Daily Room Rate was \$100.04, and the occupancy rate was 56.8%, both are below the State average. And, that the transient room tax generated in San Juan County in 2015 was \$840,929.

A more recent Policy Institute analysis (The State of Utah’s Travel and Tourism Industry 2021) * offers some interesting, updated information on visitor spending and tax revenue. It is interesting to compare the data regarding San Juan County and Grand County (Please see SMP Exhibit: D). San Juan County can do more to capture more of the revenue generated by visitors to the area.

*Kem C. Gardner Policy Institute, The State of Utah’s Travel and Tourism Industry 2021, February 2023: <https://gardner.utah.edu/wp-content/uploads/TT-Report-Feb2023.pdf>

As a disclosure, some principles of “Gardner” of “Gardner Plumb LLC” are affiliated with the Policy Institute.

Affordable Housing

While the Balanced Rock Resort community will not solve the affordable housing situation discussed in the San Juan County General Plan, the eight duplex/town homes and one fourplex reserved for employees and locally employed persons, can provide homes for 20 families. (Note: We increased the number of duplex/town home units from 14 to 16 on June 26, 2023, for a total of 20 units of affordable housing.)

“Spanish Valley - ...there will be approximately 68 households in need [of affordable housing] by 2030. With the current supply of 31 affordable units, there will be a need for 37 more affordable units by 2030.” (p. 52, San Juan County General Plan)

In accordance with the guidance in the San Juan County Plan, Balanced Rock Resort will work with the county to utilize federal and state tax credits to subsidize housing to make it more affordable and utilize rental assistance programs available at the federal and state level.

“It is expected that the new infrastructure in the Spanish Valley area will facilitate a significant amount of residential development, some of which could be directed toward workforce housing.” (p. 53, San Juan County General Plan)

Site Plan

Please refer to the draft layout as you read the following pages. (SMP Exhibit: E)

1. Name of Planned Community

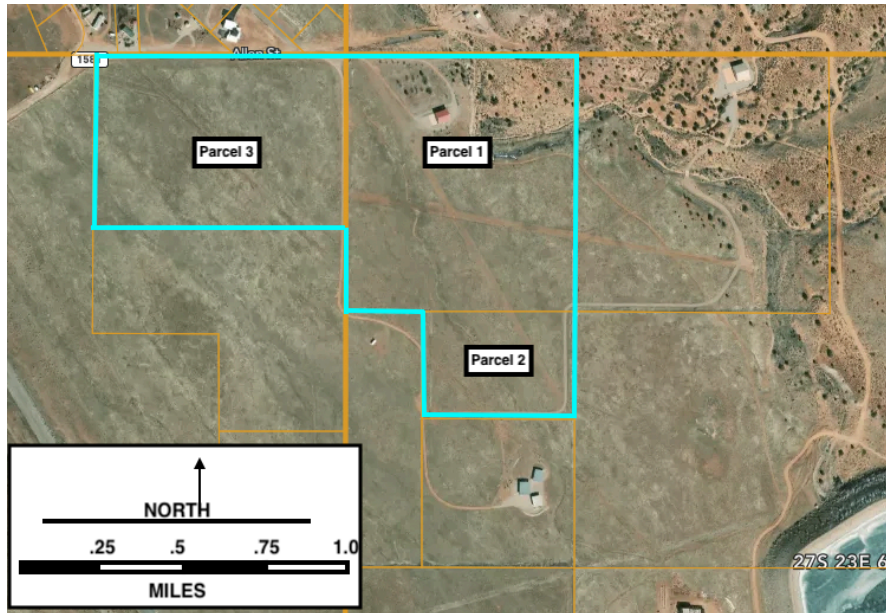
Balanced Rock Resort

2. Name, Address, and Phone Number of Applicant and Property Owner

Property Owner: Elkin Spielman Charitable Remainder Trust
Karl Spielman and Melinda Elkin
404 W. Main Street, #123
Cortez, CO 81321
435-260-1383

Applicant: Gardner Plumb LLC
Jim Schnepel
201 S. Main Street, Suite 2000
Salt Lake City, UT 84111
801-231-3666

3. Site Master Plan Location, Legal/Boundary Description and Acreage (“Property”)



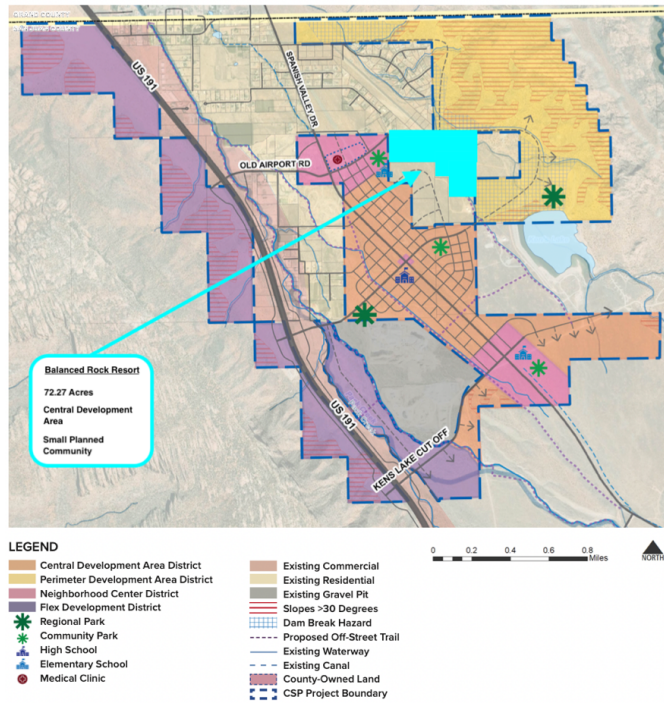
Parcel 1:
 Township 27 South, Range 23 East, SLBM
 Section 6: Lot 2
 Parcel No: 27S23E063001

Parcel 2:
 Beginning at a point which is South 89° 55' East 391.9 feet and North 767.4 feet from the West ¼ corner of Section 6, Township 27 South, Range 23 East, SLM, and proceeding thence North 552.7 feet to a corner, thence South 89°57' East 788.1 feet to a corner, thence South 552.7 feet to a corner, thence North 89° 57' West 788.1 feet to the point of beginning
 Parcel No. 27S23E063000

Parcel 3:
 Beginning at the Northeast corner of Section 1, Township 27 South, Range 22 East, SLM, and proceeding thence with the East line of said Section 1, South 0° 04' West 867.3 feet to a corner, thence South 89° 58' West 1321.3 feet to a corner, thence North 0° 04' East 869.4 feet to a corner, thence with the North line of said Section 1, South 89° 56' East 1321.3 feet to the point of beginning.
 Parcel No. 27S22E010001

4. Proposed Land Use District Boundaries and Acreages

This map was taken from SITLA’s South Valley Community: Community Structure Plan (dated August 2, 2022) and modified to illustrate how a rezone will correlate with what is planned for the greater area.



As mentioned above, Balanced Rock Resort will be a complementary addition to what is planned in the surrounding SITLA lands. The Resort abuts **SITLA’s planned Neighborhood Center District** which is planned to be a:

“Mix of residential, office, commercial and similar uses proposed as part of creating a discernible mixed-use community. Uses may be mixed vertically or horizontally. 30% of acreage is assumed to be dedicated to trails, open space, local parks, etc. It is assumed that 50% of developable area will be dedicated to residential uses with an average density of 8 units per acre. The remaining 50% of the developable area is assumed as office, commercial and similar uses with a F.A.R. of 0.25.” (p. 9 of South Valley Community: Community Structure Plan, August 2, 2022)

5. Maximum Number of Dwelling Units and Acreages, and Graphic Presentation

Gross Acreage: 72.27 acres (per survey)

Maximum Project Density (as allowed by ordinance) (Table A)

Maximum Project Density (as allowed by ordinance)

Land Use Table: Acres and Density

ACRES	MAXIMUM SQ. FT. NON RESIDENTIAL *	MAXIMUM UNITS/ROOM	MAXIMUM ERUs**	DESCRIPTION
72.27			361	Number of units/ERUs allowed at 5 units/acre density***
32.5		322	322	Single-family, duplex/twin homes, work/play townhomes
5	45,000	130	39	130 Lodge rooms converted to units at 30% rate
		452	361	Total ERUs
3.06				Community space, including clubhouse and grounds
	5,800			Clubhouse (acres are noted above)
16.6				Open space

*. The Lodge maximum square footage figure is for the main level. It is anticipated to have additional levels, up to three total.

** ERUs = Equivalent Residential Units

*** The Central Development Areas allow for "4-5 residential units/ERUs per acre."

(Due to discrepancies in the Spanish Valley Ordinances, 5 units/ERUs per acre is permitted in the PC Residential Flex Zone with a plain reading of the Ordinance. If needed, the applicant will apply to obtain a bonus density under the PUD ordinance, which offers a 10% bonus.)

Anticipated Project Density (per conceptual layout) (Table B)

Land Use Table: Floor Area Ratios (FAR), and Acres by Lot Type

LOT TYPE	LOT QTY	TOTAL UNITS	BUILDING FOOTPRINT SF	TYPICAL LOT SF	FAR	TOTAL ACRES BY LOT TYPE	LOT TYPE AS % OF TOTAL ACRES*	NOTES
Single-Family "5k SF Lots"	41	41	2,200	5,500	40.0%	5.2	7.2%	
Single-Family "10k SF Lots"	46	46	3,500	10,000	35.0%	10.6	14.7%	
Single-Family "12k SF Lots"	6	6	3,500	12,000	29.2%	1.7	2.4%	
Single-Family "37k SF Lot"	1	1	5,865	36,918	15.9%	0.8	1.1%	SF equals hangar plus a to-be-built home.
Duplex/Twin Homes	41	82	2,800	10,450	26.8%	8.9	12.3%	There will be 2 living units per lot, for a total of 74 units.
Townhomes (Live/Work/Play)	34	34	2,400	4,400	54.5%	3.4	4.7%	
	169	210				30.6	42.3%	Totals
Duplex/Twin Homes	8	16	2,200	8,370	26.3%	1.6	2.2%	Employee/Affordable
4-Plex	1	4	5,600	14,787	37.9%	0.3	0.4%	Employee/Affordable
	9	20				1.9	2.6%	Totals
Lodge	1		45,000	152,024	29.6%	5.0	6.9%	The Lodge lot is 3.49 acres + 1.51 acres for parking.
Clubhouse	1		5,800	133,294	4.4%	3.1	4.3%	
Open Space	MISC.					16.69	23.1%	
Overflow/RV Parking	MISC.					1.08	1.5%	
Streets	MISC.					13.43	18.6%	

* Total acres of projects: 72.27

NOTE: The Affordable housing for the duplexes/town homes will target locally employed persons.

Total number of overnight accommodation units (per conceptual plan)

- The conceptual plan shows 249 Units/ERUs (Equivalent Residential Units) that will be allowed to provide overnight accommodations:
 - 210 ERUs for the 210 Residential Units
 - 39 ERUs for the 130 Lodge Rooms
- The 249 Units/ERUs on 72.27 acres equals a density of 3.44 units/acre.

Although the underlying density would allow for a higher concentration of units, planned communities like Balanced Rock Resort are more concerned with tasteful design for the residents and visitors than about maximizing density at the expense of amenities.

As a comparison, SITLA's neighboring Neighborhood Center is anticipated to have an average density of 8 units per acres. If this same density were applied to Balanced Rock Resort, it would equate to 578 units on our 72.27 acres.

Lot Descriptions

The conceptual plan includes the following property types:

- a) **Single-Family:** These lots will be used for single-family homes. The lots include a range of sizes (denoted in the Table B, above) that will accommodate a range of house sizes and selling price points.
- b) **Duplex/Twin Home:** These lots will be used for duplex units, or the lots may be split and sold as individual lots for twin homes. If the lots are split, it will not change the density of the project. The lot split option is included in part to be able to react to market conditions that might favor twin homes to duplex lots, and to support the build-out of the affordable housing where having a rental component (duplex unit) may make it difficult or impossible for buyers to obtain financing.
- c) **Four-Plex:** This lot is for the development of a four-plex that will be used for employee or affordable housing.
- d) **Townhomes:** These lots will be used for single-family townhomes, which will feature a large garage for "toy" storage and/or work-related equipment.
- e) **Lodge:** This property (5 acres total) is reserved for a lodge/hotel/motel that may be up to 130 units in size. If the lodge/hotel/motel requires less acreage, or if one is not built at all, the unused acreage may be converted to other residential uses that would allow overnight rentals, but the overall project density may not exceed what is called out in Table B, above.

Parking Spaces

- Each residential unit will have the minimum number of parking spaces required by the ordinance.
- The Lodge has a 1.51-acre parking lot.
- There is an Overflow/RV Parking lot of 1.07 acres available to all users of the Resort, and we are working on identifying supplementary overflow parking areas if more are needed.
- Use of the Overflow/RV Parking will be encouraged.

Employee and Affordable Housing

The Balanced Rock Resort's conceptual plan has been modified to add a total of **20 units of Employee and Affordable housing** along the north end of the project:

- The **4-plex lot** (4 units, each with 2 bedrooms) is set-aside primarily to provide employee housing for the Lodge. Should the Lodge not get built, or if employee housing is not in demand for the Lodge, the secondary priority will be to provide housing for employees working at the Balanced Rock Resort. A tertiary priority will

- Applying the Overnight Accommodations Overlay to the balance of the property will help off-set the costs associated with the development of the affordable housing. This complies with the dictates of Chapter 10, which makes a strong push for affordable housing to be part of any property that receives the Overlay.

6. Master Circulation System Plan

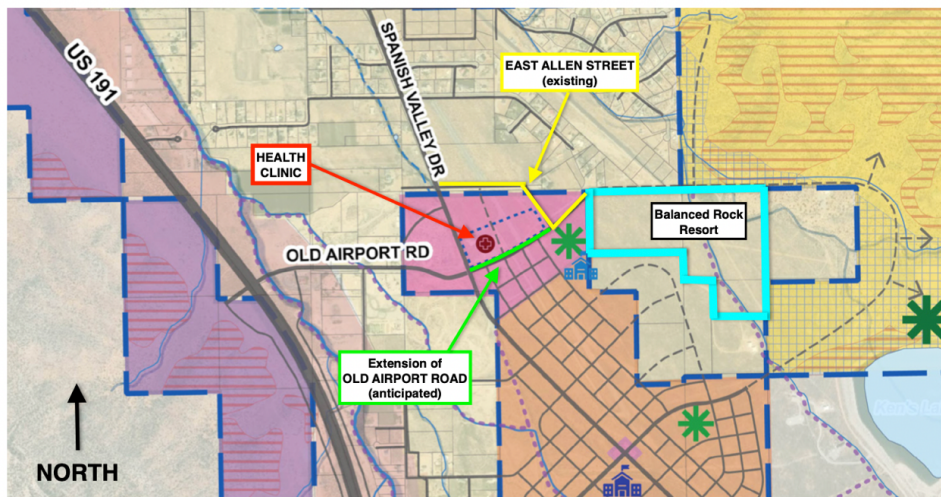
Existing Transportation System

The Spanish Valley area is primarily served by US-191 and Spanish Valley Drive. The property being proposed for the Balanced Rock Resort community currently is accessed by East Allen Street, which is a county road that goes from Spanish Valley Drive to the property boundary. **Future Transportation System**

It is anticipated that the Balanced Rock Resort community will primarily be accessed via a new road which will be an extension of Old Airport Road, which currently goes from US-191 to Spanish Valley Drive.

One half of this future road extension has been identified along the south edge of the 10 acres that the county owns just east of Spanish Valley Drive (where the health clinic is located). SITLA has committed to provide the other half of the land needed in the Purchase and Sale Agreement that covered the acquisition of the 10 acres by the county. This future road is shown in SITLA’s latest plan and will connect to the southern point of the “V” of East Allen Street. Once completed, it will provide Balanced Rock residents a direct route to Spanish Valley Drive and US-191. (Please see SMP Exhibit: C for the Record of Survey.)

Balanced Rock Resort will participate in the construction of the extension of Old Airport Road to join with East Allen Street.

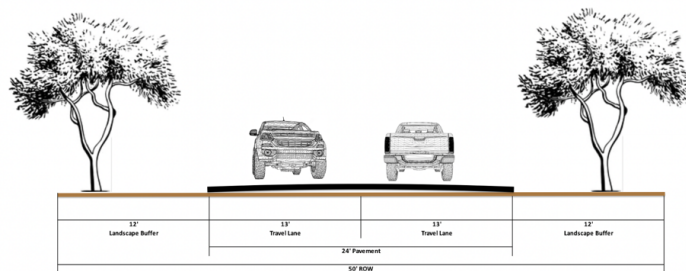


Ideally, there will be a cycling and pedestrian path along the side of the road from Balanced Rock Resort to the Neighborhood Center, and on to Spanish Valley Drive.

The Balanced Rock Resort will also connect to adjoining land, with roads being planned to access properties to the east, west and south (where another subdivision is being planned). We strongly believe in coordinating with other landowners to ensure that roadways will effectively serve existing and future land uses.

The conceptual plan for the Balanced Rock Resort community shows proposed road alignments, ROW widths, and trails (for pedestrians and bicyclists) that will connect residents and the community to open spaces, and neighboring properties. It was designed to work with SITLA's most recent plan.

Following, is an example of a typical road cross section:

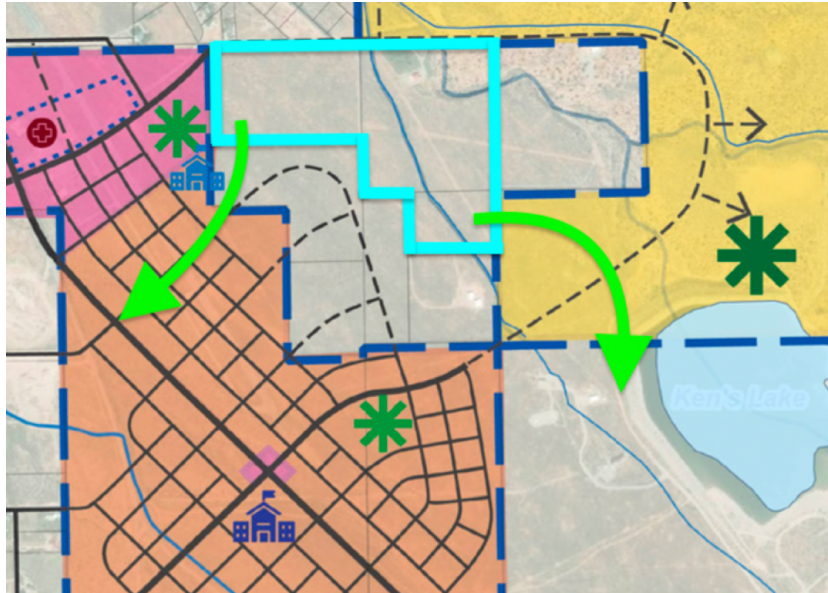


Cross sections will be adjusted depending on location within the development. The addition of bike paths is anticipated. Landscaping will be irrigated, and siting and placement of trees and plants will be detailed as this plan is updated to meet the requirements outlined in Table 10-1 of the Ordinances, and after more information is available regarding driveway locations, storm water control measures, and utilities.

Low water road crossings may be added in areas where traffic calming is desired.

SITLA

Balanced Rock Resort is currently working with SITLA to identify additional access routes that can be used in the near-term for emergency ingress/egress. As of now (June 27, 2023), these are the mostly likely routes being considered:



These routes may be abandoned in the future when SITLA builds roads that will provide other access routes.

Dedication of Roads

As some of the roads within the Resort will be thoroughfares for the public to access neighboring land and developments, Balanced Rock Resort would prefer to build all roads to the county spec with intent of future dedication to the County. A thoroughfare used by the public for 10 years becomes public domain, per state law. (This preference follows the commentary made during the San Juan County Planning Commission Meeting on February 9th, 2023.)

Traffic (per Chapter 10, 5g)

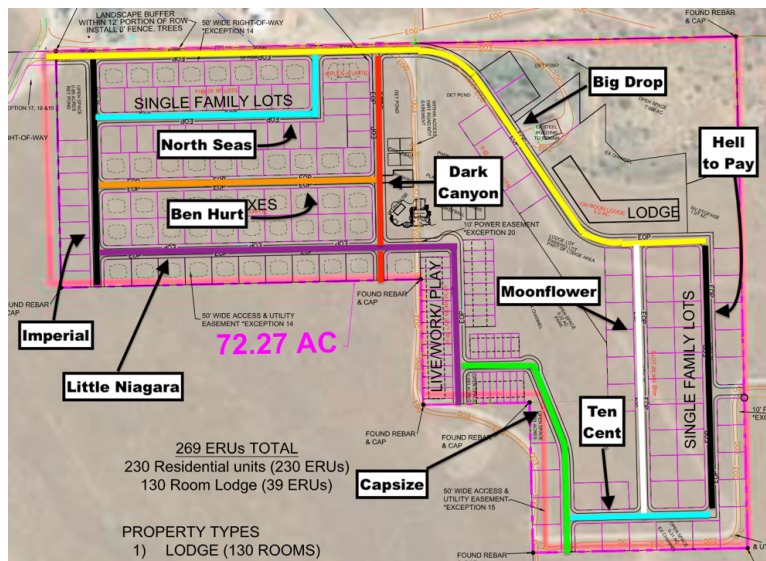
Please see SMP Exhibit: F for an analysis of the traffic that will be generated by the project. Chapter 10 (Overnight Accommodations Overlay) of the Ordinance requires an analysis of traffic, whereas the Chapters for developing in SVR or Residential Flex do not. Thus, the traffic analysis compares the potential effects of the Overlay in contrast to what could be built without an Overlay.

Developing a subdivision under SVR or Residential Flex allows for 4-5 units per acre, which would be 289-361 units given the 72.27 acres. Balanced Rock Resort's Equivalent Residential Unit (ERU) density is designed to be less than the 289-361 maximum allowable units, in part due to not developing the northeast corner of the property that is more challenged topographically, but also in part due leaving a large central open space in the middle of the community to enhance the livability for residents and guests. The density proposed in the draft layout will result in less traffic than if the land were developed with the goal of maximizing every foot to hit the allowable density.

Any traffic noise that would increase and affect the existing area can be mitigated by building the extension of Old Airport Road. Traffic would also flow better to Spanish Valley Drive and on to US-191 with this extension. Of course, the added traffic volume from Balanced Rock Resort will become less consequential in comparison to the traffic that will be generated as the SITLA Neighborhood Centers and residential developments are built.

Proposed Street Names

These proposed street names are from rapids and features of Cataract Canyon (names will need to be cleared with San Juan County):



7. Water Sources, Flood Control, and Major Utilities and Easements

Utilities

Major utilities run along the north border of the property, including water, sewer, and electricity. The electricity lines include 3-phase power, which is a unique asset not found everywhere. Natural gas is at the northwest property corner, and a smaller gas line (not adequate to serve the new development) runs to an existing structure. (Please refer to SMP Exhibit: A).

A lot of money has been invested by the County and others to run utilities along the north edge of the property. Sewer lines, water lines (from the new water tank) and 3-phase power (from the new well) are assets that the County can capitalize on by approving uses in the area that will benefit from this new infrastructure. Also, some of the costs to install the infrastructure may be recaptured as users connect to them.

It is anticipated that culinary water and sanitary sewer services will be provided through the San Juan Spanish Valley Special Service District. The property falls within that area that The San Juan County Spanish Valley Area Plan (April 17, 2018) identified as being the first or second phase of development for the area, and that it would draw from the existing 5,000 acre-feet of water supply. The project has received an initial approval that the Special Service District will be able to provide service (see SMP Exhibit: B).

Easements

Please refer to the conceptual plan for the Balanced Rock Resort to see other easements that affect the property. We plan to work with the neighboring property owners who benefit from those easements to work on realignments of the easements that currently interfere with the development of the project.

Irrigation

There is an existing well identified on the conceptual layout. Water from the well may be used for irrigation, at least initially to help establish new plants and trees.

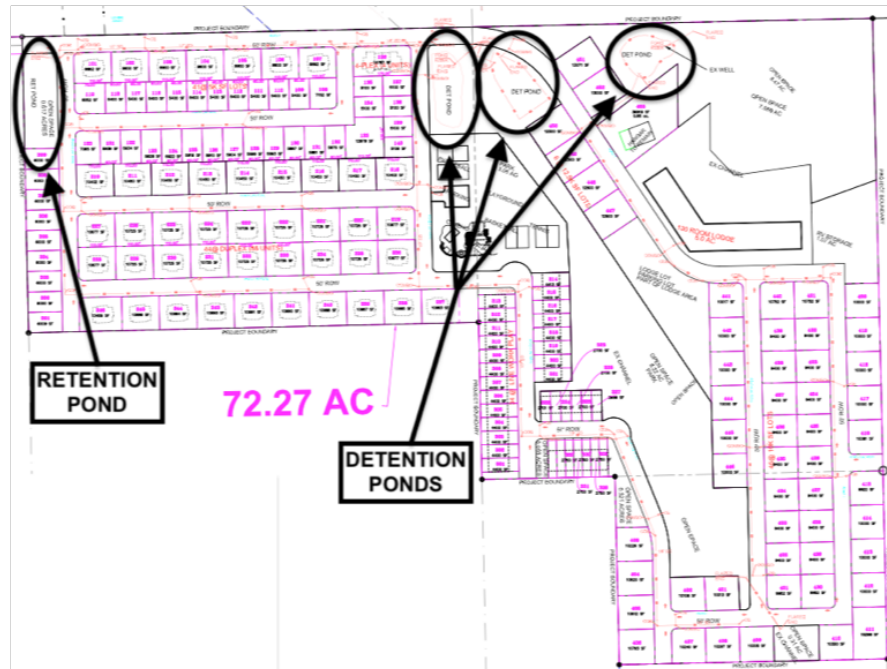
The property has an easement across property to the south where an irrigation pipeline can be buried if Ken's Lake water were to be secured for irrigation purposes.

Storm Water Management

The conceptual plan includes measures to mitigate surface and storm water. Low Impact Design (LID) storm water practices shall be required wherever possible.

Detention ponds are planned that will slow and control surface water prior to releasing it into an existing water channel.

A **retention pond** is planned that will retain surface water and allow it to absorb into the ground.

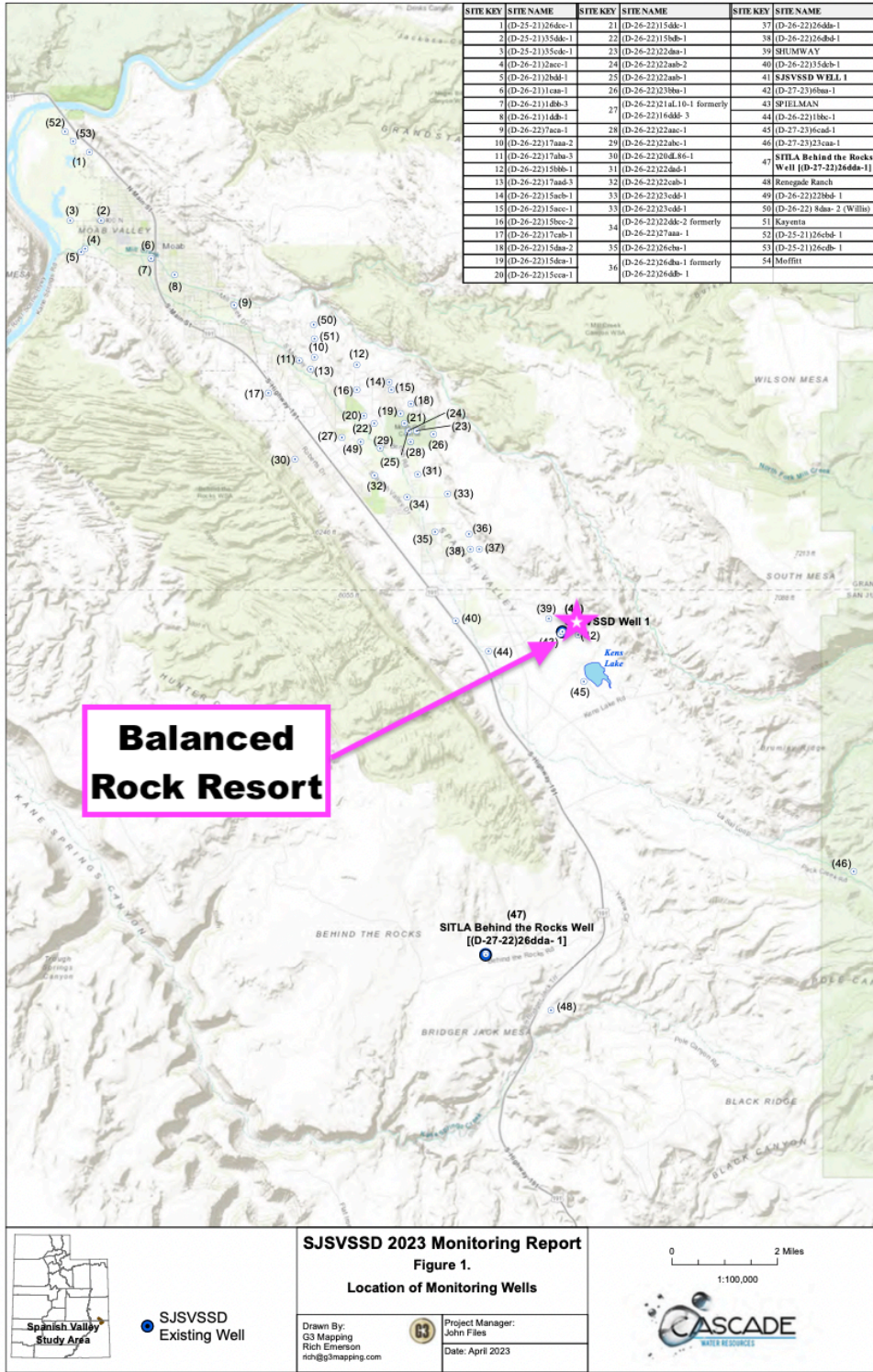


The detention ponds to a degree, and the retention pond more so, will allow storm water to seep into the ground and into the aquifer. Further, the Resort will work with the County to identify methods to increase recharge of the aquifer, and to protect public drinking water.

Public Drinking Water Supply Watershed

According to the “Annual Monitoring Report for the San Juan Spanish Valley Special Service District Spanish Valley, Utah (May, 2023),” Ken’s Lake appears to be a major recharge mechanism for recharge in to the Glen Canyon Group aquifer via fracture zones.” Ken’s Lake is about 1,500 feet to the Southeast of Balanced Rock Resort, as is shown on the following map that was included in the Report to show wells that are monitored.

Balanced Rock Resort



Balanced Rock Resort will have retention and detention ponds, as shown in another section above, that will help return storm water to the Glen Canyon formation aquifer. And the project will incorporate Low Impact Development (LID) practices to minimize stormwater runoff to increase stormwater infiltration, improve water quality, and reduce erosion.

Flood Zones

There are no known FEMA designated flood zones for the property.

Riparian Areas

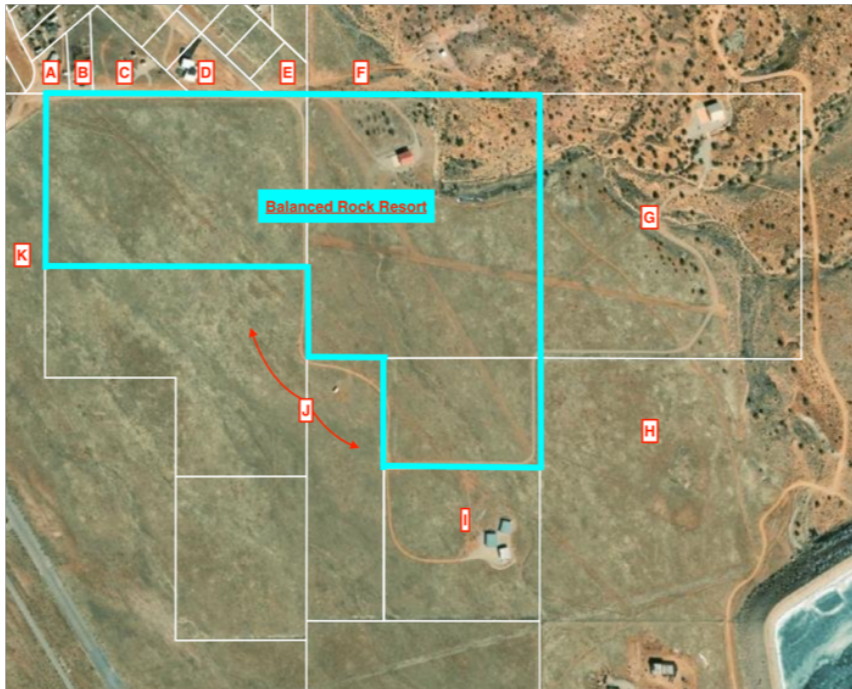
There are no known riparian areas on the property.

Slopes

There are some small areas where slopes exceed 30%, with most of them being along the arroyo on the NE part of the property. Balanced Rock Resort will avoid developing in these areas.

8. Adjacent Parcels

This map and table show the adjacent parcels, their owners, and their uses.



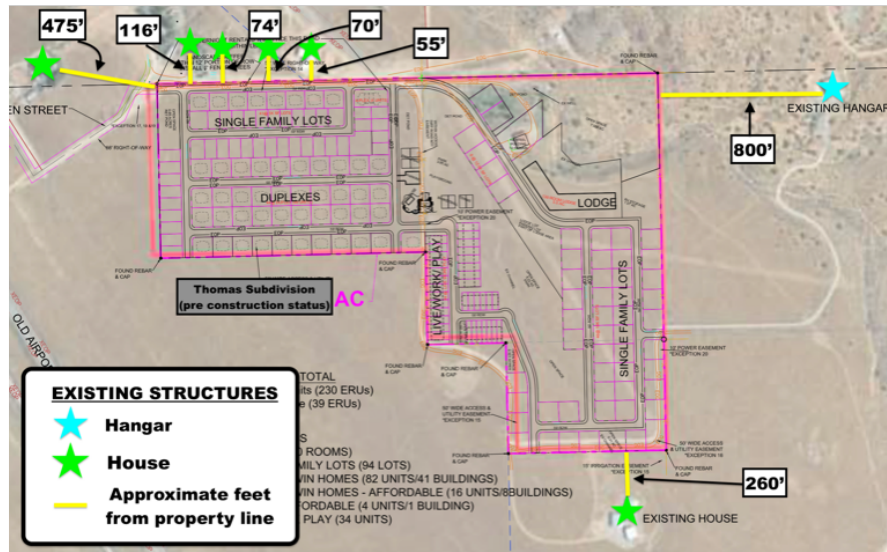
MAP IDENTIFIER	PARCEL NUMBER	USE	OWNER
A	000450000030	One house	Ronald Tazz Robinson and Kellie Warden
B	000450000040	One house	James Peter Patterson; Kimberly J Jacobs
C	000450000050	One house	James Peter Patterson; Kimberly J Jacobs
D	000640000050	One house	Business Resolutions, LLC
E	640000010	Vacant	Business Resolutions, LLC
F	T26S R23E	Vacant*	SITLA
G	27S23E062400	Hangar	Stephen P & Kathleen M Johnston
H	T27S R23E	Vacant*	SITLA
I	27S23E063600	One house	Timothy & Beverly B O'Neill
J	27S22E010002	Vacant*	ECP Spanish Valley, LLC
K	T27S R22E	Vacant*	SITLA

*** Owner intends to develop the property**

Note: The property listed by Identifier J was sold on 2/15/23 to ECP Spanish Valley, LLC, but the title is still in the name of: B&B THOMAS LLC C/O Sidney Thomas (as of 6/28/23). It is expected that the title for about 46 acres of the land will transfer to ECP, and that Thomas will retain approximately 2.5 acres.

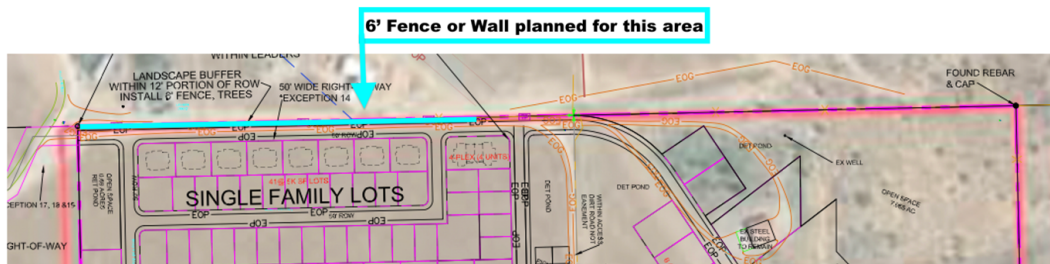
Site Planning Features

Balanced Rock Resort will work to create a seamless transition between on-site uses and surrounding site conditions. While most of the neighboring land has not been improved, there is a neighborhood just to the north of the Balanced Rock Resort project area, where approximately four homes exist.



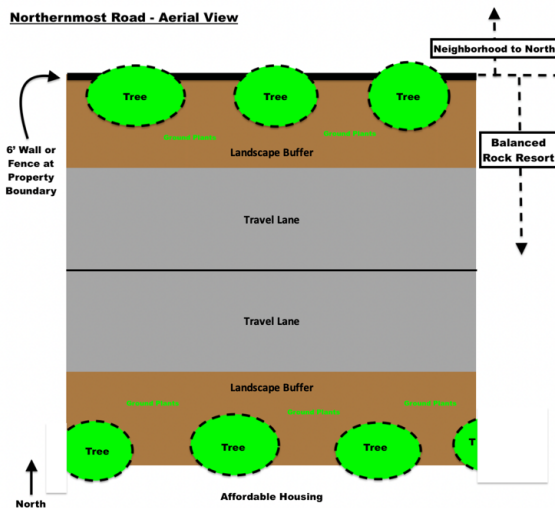
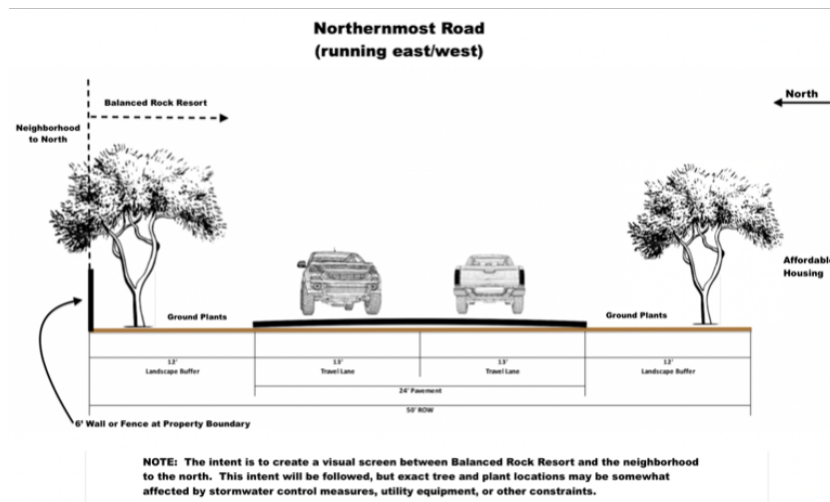
Transition measures for the area on the north will include:

- a) Building a fence, wall, or combination of the two (depending on utility locations that are in the immediate area of the north property boundary) along the north property boundary:



The wall and/or fence design will conform with the Walls and Fencing design features found in section 13, below.

- b) Planting trees and plants that are desert-friendly (low water use) and installing an irrigation system along the northernmost road, adjacent to the residential area. The following illustrations indicate our intent.

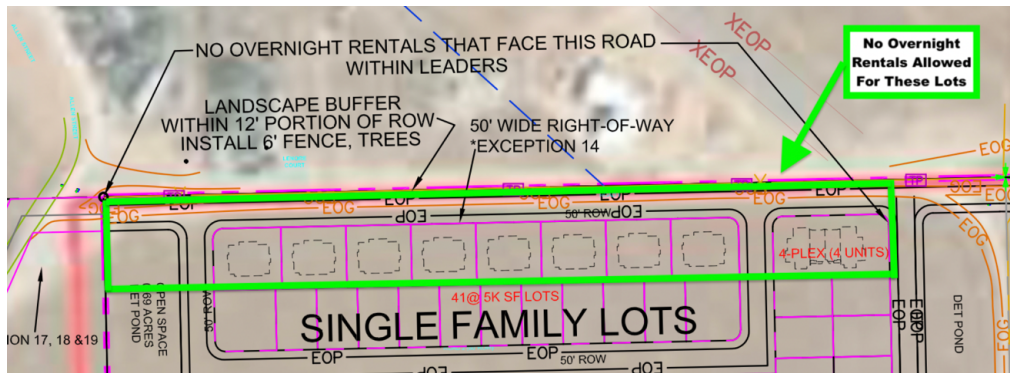


The trees and plants used along the northernmost road (and the rest of the project) will be desert-friendly (low water use), likely purchased from a nursery in the community:

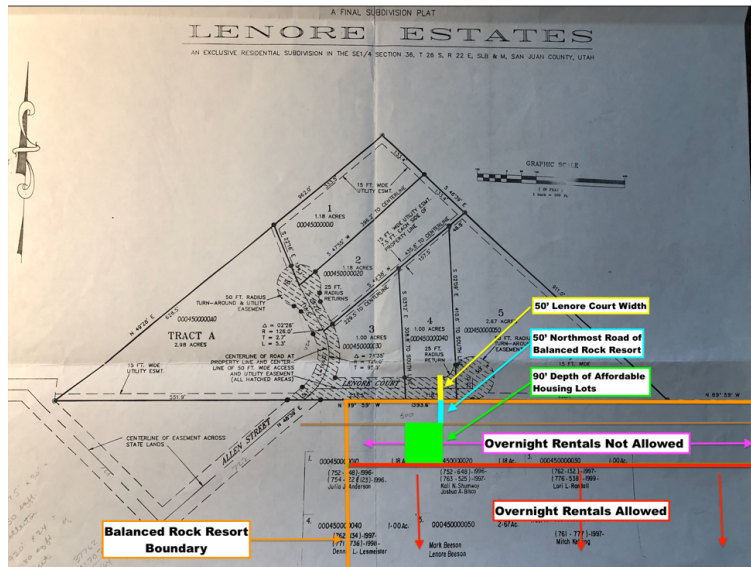


Palo Verde
(or similar)

- c) The residential lots/structures that front the northernmost road adjacent to the neighborhood to the north of the project will be “affordable housing”, where **overnight rentals will not be allowed**:



Following, is a depiction of the distance the Balanced Rock Resort overnight rental properties are expected to be from the neighbors to the north:



Note: Currently, the “affordable housing” lots are designed at a 90’ depth. This exact depth may vary to some degree as engineering for the project becomes more in-depth. However, the minimum lot depth will not be less than 50’. Adding the width of the 50’ road ROW, there will be no less than 100’ between the lots that allow overnight rentals and the property boundary. More likely, that distance will be closer to 140’.

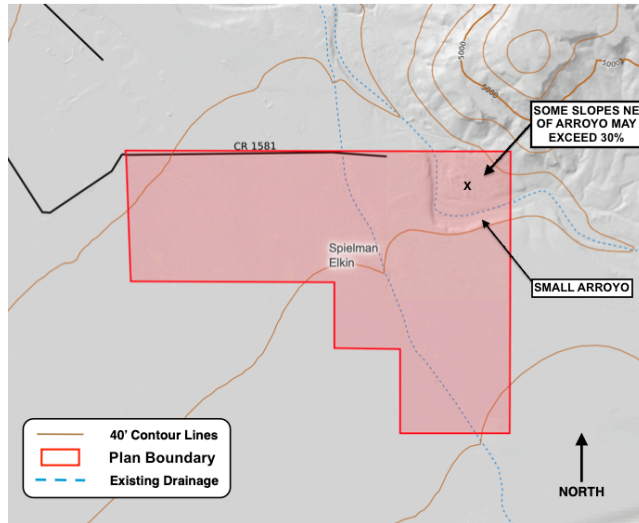
We are also working with the landowners that are to the south and east of the project area. Each will have access to their property through Balanced Rock Resort and access to utilities. Transition measures are primarily focused on minimizing light pollution from Balanced Rock Resort.

Balanced Rock Resort is working with the Thomas Subdivision developer to coordinate road alignment and utilities. We have also talked with the Thomas family about adjusting access to the approximate 2.5 acres they plan to retain from the Thomas Subdivision.

9. Topography and Form (per Chapter 10, 5b)

The following map shows the 40-foot contours and significant topographic features within or adjacent to the Property. A more detailed topographic map can be found in the conceptual layout.

Most of the property is relatively flat, or moderately sloped, and is conducive to development. The high hill to the northeast provides some natural isolation to that area of the property.



The few areas of the property where slopes that exceed 30% (the small arroyo where water seldomly flows, and some of the Property in the northeast corner, as indicated on the map above) have been avoided. This area is being left for open space, with trails being planned.

There are no known FEMA-designated floodplains, or riparian areas on the Property.

We are unaware of any significant geological, biological, or archeological sites on the Property. Discussions with the County Planning office resulted in the same conclusion. A geotechnical study was performed to support engineering as the project progresses.

10. Existing and Proposed Secondary Water Rights, Shares and Usage

This table shows the existing water rights that are within the Site Master Plan boundary. It is anticipated that the project will use water from the existing well for irrigation.

STATUS	WATER RIGHT	ACRE FEET	EXISTING USE	FUTURE USE
EXISTING	05-2779	6.73	Irrigation and culinary	Irrigation
EXISTING	05-2730	19.374	Irrigation and culinary	Irrigation

11. Open/Community Space Plan

As currently planned, the community will have approximately 19.79 acres of publicly accessible open space, which will feature trails, natural landscape, pickleball/tennis/basketball courts, swimming pool, playground, and clubhouse. The 19.62 acres of open space is about 27% of the total project area.

Community Lighting

Dark sky preservation will be the prevailing theme. Limited public lighting will be provided. All lighting will be high quality and commercial grade, “Dark Sky” compliant, and will meet the requirements in the county code.

Clubhouse and Grounds

The clubhouse and associated amenities will be built early in the development of the project. On approximately 3 acres there will be a clubhouse, pool, pickleball and tennis courts (which may double as a basketball court), and a playground. The proposed locations are shown on the conceptual plan. There will be bicycle and auto parking at the clubhouse. Following, are photos of some amenities we built for a community we developed in St. George, UT:



13. Building Standards

Comprehensive CC&Rs will be developed and applied to the community once all details are finalized with the County.

Architectural Form

To create a community that fits into the natural environment and setting, the Balanced Rock community will advance architectural design standards that will create a cohesive-looking community. The design standards will apply to single-family, duplexes, townhomes (live/work/play), fourplex, clubhouse and lodge.

Currently the Modern Desert style of architecture best captures our vision for the look and feel we like for the community. Here are some examples of the style:

Balanced Rock Resort



The design, but not the Modern Desert style, of the live/work/play townhomes is represented by this photo:



The use of appropriate exterior materials for all structures will be chosen regarding colors that fit into the desert landscape, and for their permanence and resilience for maintenance.

Structure setbacks will conform with San Juan County codes.

Plumbing, maintenance, and mechanical equipment will be located on the interior of buildings whenever possible. If it is necessary to locate such features outside of a building or on roofs, they will be screened using parapet walls, high-quality site walls, and other screening methods that match the quality and look of the structure.

Walls and Fencing

To maintain a sense of open space and community, the use of walls or fences to separate lots will be discouraged unless they are made of high-quality materials (concrete, stone, adobe, etc.) and built with changes in height or other design features to enhance architectural interest. Fences, if any, will be made of metal (wrought iron or similar) or wood of a design that falls within the Modern Desert theme. Plastic/vinyl and chain-link fencing will not be allowed.

Overflow and RV/Trailer Parking

Residents and visitors will be encouraged to park RVs and trailers in the overflow parking lot.

Landscaping and Irrigation

Water-wise landscaping will be mandated and will follow the Spanish Valley Water Efficient Landscape ordinance to ensure that the water resources available in the region are used wisely and conserved. The landscaping standards will consist of desert-themed plants (low water) and compliance will be strictly enforced by the HOA. It is anticipated that the existing

well (and water rights associated with it) will be primarily used for road-side, clubhouse and common-area landscaping.

Depending on County and health department restrictions, the re-use of gray water may be an option to minimize water use for landscaping.

As noted above, the project does have an easement through an adjacent property where an irrigation pipeline may be buried should water for irrigation be acquired from Ken's Lake.

All areas of lots and parcels not designated for open space, parking, buildings, or other hard surfacing shall be landscaped and properly maintained.

Designated open space shall remain in a natural condition and properly maintained. A small grass area may be planted in the immediate area of the playground and pool area.

Maintenance

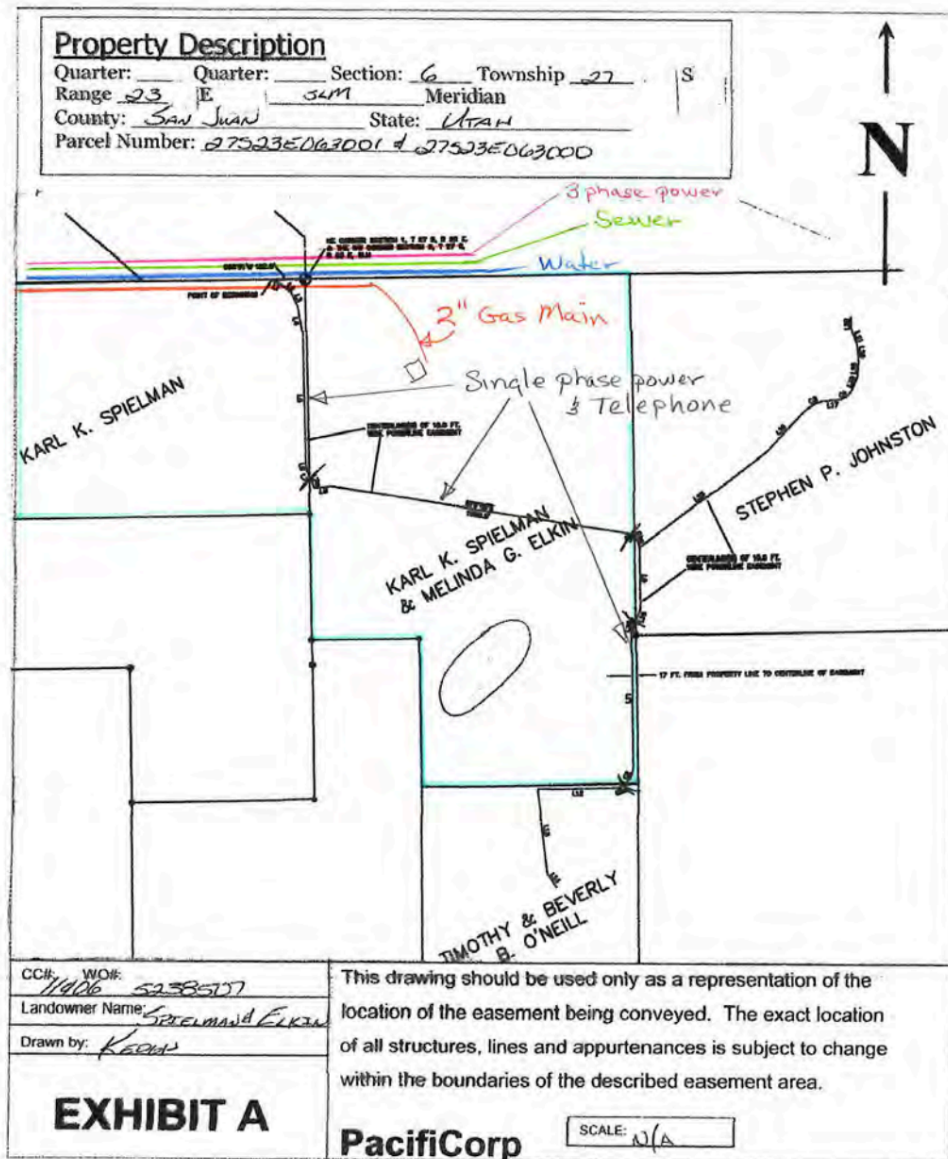
Property owners will properly maintain all private areas of individual lots or parcels.

A Homeowners Association (HOA) will be established to manage the maintenance of all common area improvements including buildings, open space, recreational facilities, roads, fences/walls, utilities, landscaping, walkways, streetlights, and signs not specifically dedicated to or accepted for ownership or maintenance by San Juan County or other incorporated entity. The HOA will collect fees from lot owners to cover these costs.

We look forward to working with the County to refine this draft Site Master Plan.

End

SMP Exhibit: A



SMP Exhibit: B



San Juan Spanish Valley Special Service District

64 E Tangren Ln – 375 S Main St #234 – Moab, UT 84532
435-459-4121

Date: January 20, 2023

Property Owner: Elkin Spielman Charitable Remainder Trust

Mailing Address: 404 W. Main Street, #123

City: Cortez State: Colorado Zip: 81321

Phone: 435-260-1383

E-Mail: 2karispielman@comcast.net

Contact Person(if Different): Jim Schnepel

Contact Phone: 801-231-3666 jbschnepel@yahoo.com

Property Developer
Gardner Plumb LLC
201 S. Main Street, Suite 2000
SLC UT 84111

Service Address: 185 S. Planesfield Drive, Spanish Valley

Development Name
Balanced Rock Resort

Parcel Number: 27S23E063001, 27S23E063000, 27S22E010001

Requested Services: Sewer and Water service

Need Service For
216 Residential Units:
98 Single Family Houses
84 Duplex Units (42 buildings)
34 Townhomes (Live/Work/Play)
216 Total
130 Lodge Rooms

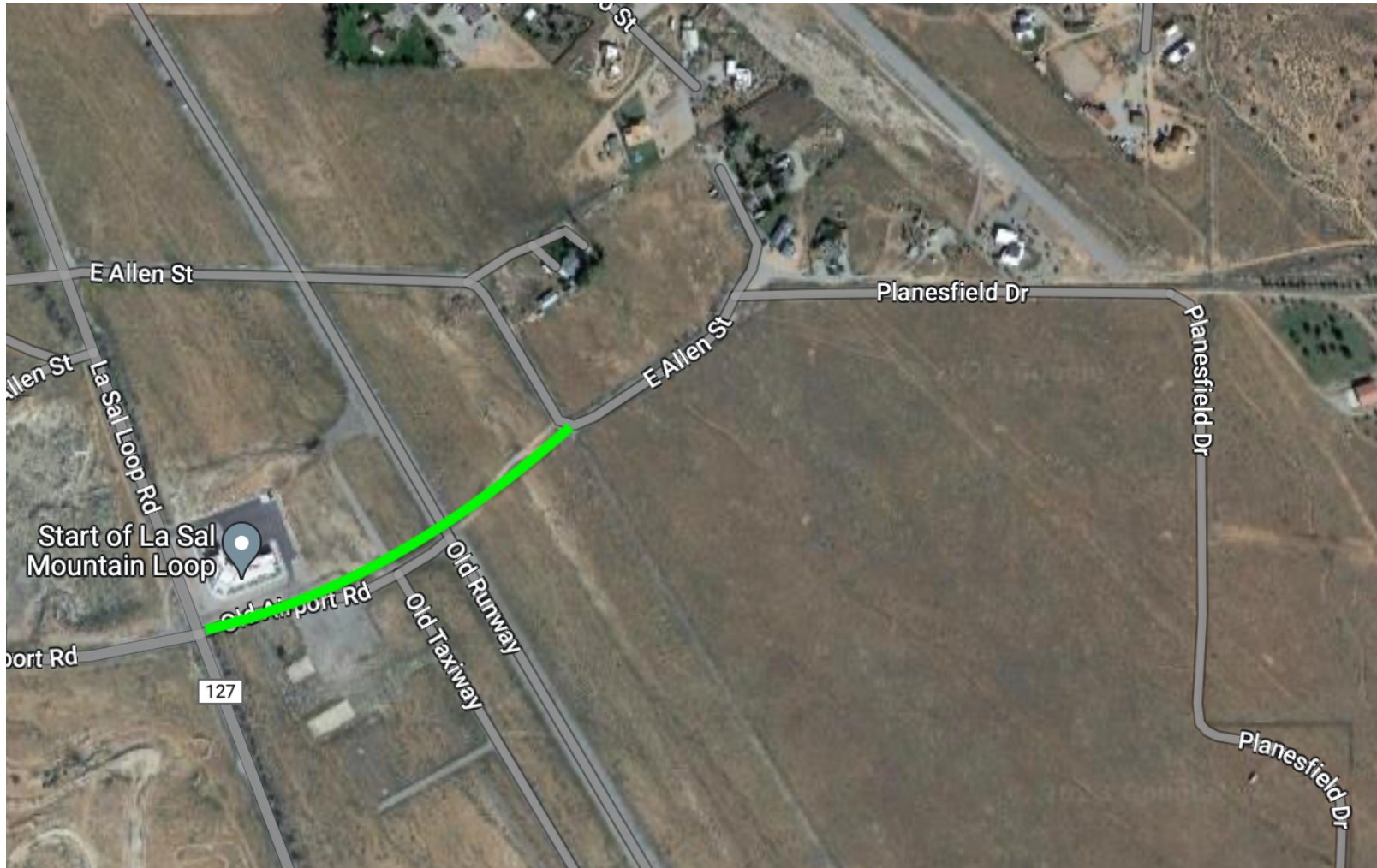
Project Type Residential Commercial Industrial

Meter Size Requested Various

Authorized Signature:

Date: January 23, 2023

This approval is A PRELIMINARY proof of service availability. SJSVSSD REQUIRES A WILL SERVICE APPLICATION, FEE AND DEVELOPMENT REVIEW PRIOR TO FINAL APPROVAL



SMP Exhibit: D

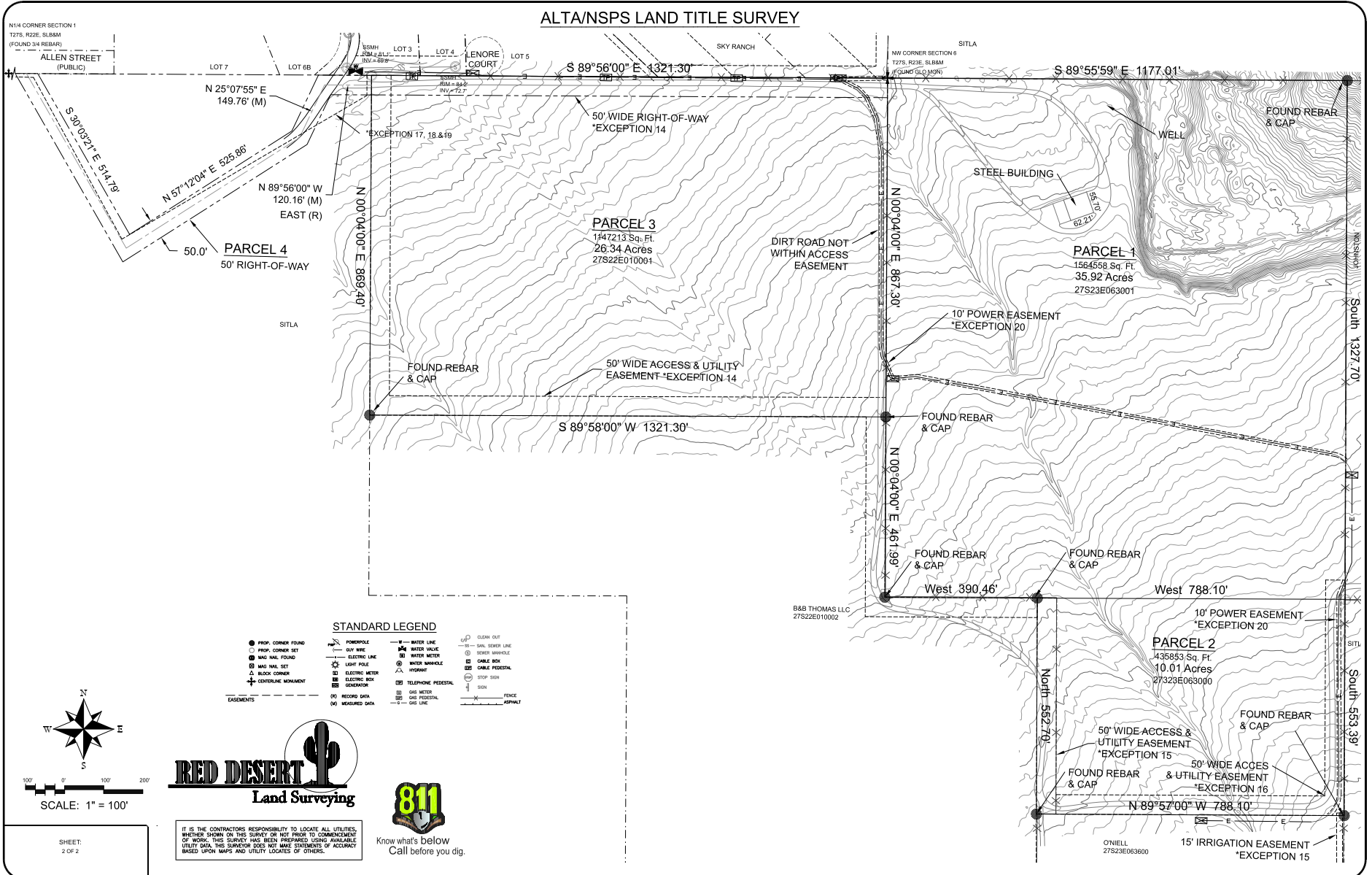
The State of Utah's Travel and Tourism Industry 2021
February 2023
Kem C. Gardner Policy Institute

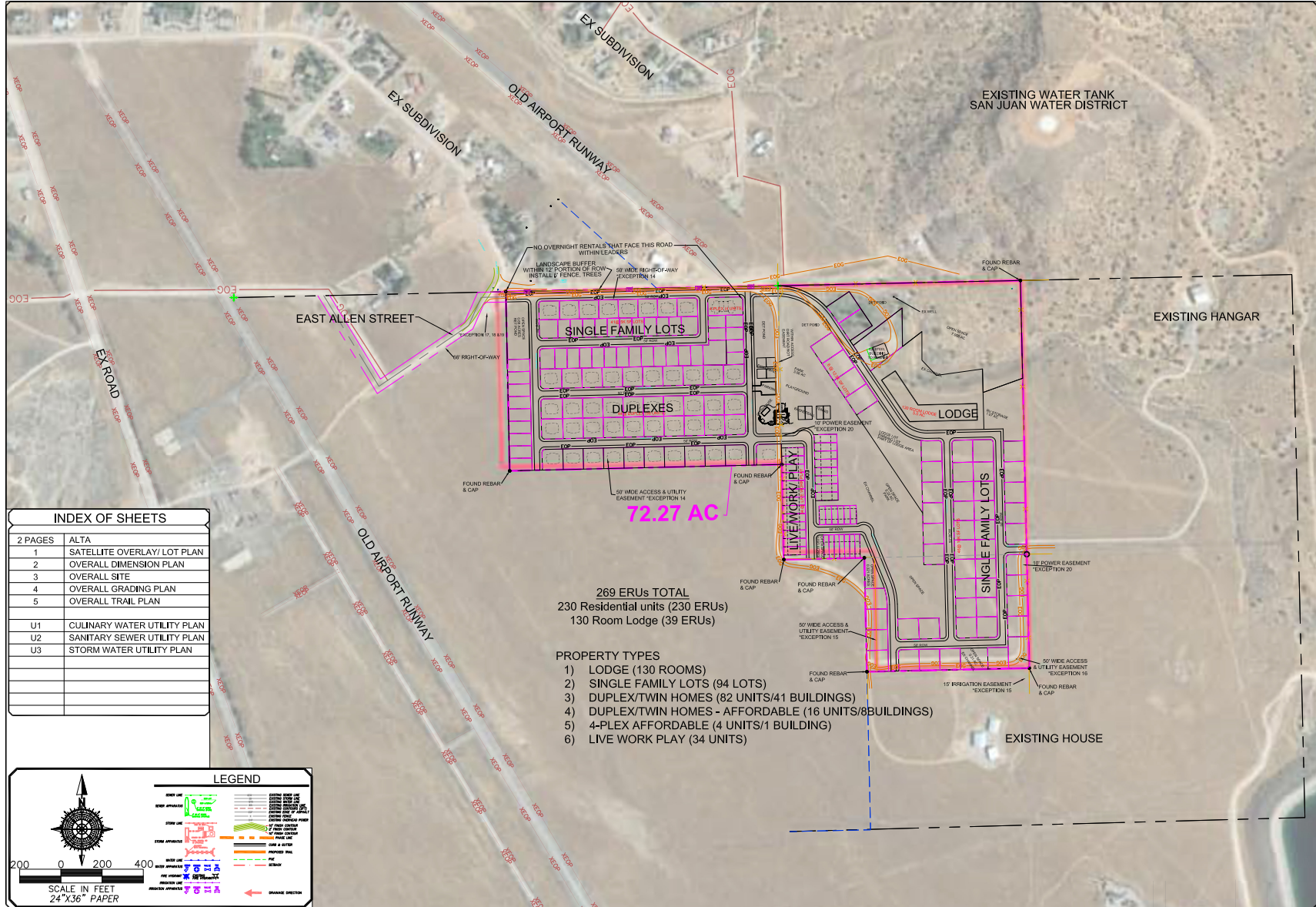
Selected excerpts:

- Two-Year Change in Leisure & Hospitality Taxable Sales, 2019-2021:
 - **San Juan County = -7.0%**
 - Grand County = 51.5%
- Percent Change in County Transient Room Tax Revenue by County, 2019-2021:
 - **San Juan County = -16.00%**
 - Grand County = 54.6%
- County Transient Room Tax Revenue Gains, 2019-2021:
 - **San Juan County: -\$205,000**
 - Grand County: \$3,107,000
- Average Daily Room Rate (ADR) by County, 2021:
 - **San Juan County: \$126**
 - Grand County: \$174
- Percent Change in Average Daily Room Rate by County, 2019-2021:
 - **San Juan County: 0.8%**
 - Grand County: 18.7%
- Percent Change in Short-Term Rental Listings by County, 2019-2022:
 - **San Juan County: -7.4%**
 - Grand County: 2.4%
- Utah National Park Visitor Spending by Category, 2021:
 - **Lodging = 37.9%**
 - Restaurant = 17.0%
 - Recreation Industries = 8.6%
 - Retail/Shopping = 8.1%
 - Groceries = 6.7%
- Utah National Park Recreation Visitation by Park, 2019-2021:
 - Arches NP
 - 1,806,865 visitors in 2021
 - A 45.9% increase over 2020 (Covid had an impact)

- Canyonlands NP
 - 911,594 visitors in 2021
 - An 84.6% increase over 2020 (Covid had an impact)

*Kem C. Gardner Policy Institute, The State of Utah's Travel and Tourism Industry 2021, February 2023:
<https://gardner.utah.edu/wp-content/uploads/TT-Report-Feb2023.pdf>
As a disclosure, some principles of "Gardner" of "Gardner Plumb LLC" are affiliated with the Policy Institute.





INDEX OF SHEETS	
2 PAGES	ALTA
1	SATELLITE OVERLAY/ LOT PLAN
2	OVERALL DIMENSION PLAN
3	OVERALL SITE
4	OVERALL GRADING PLAN
5	OVERALL TRAIL PLAN
U1	CULINARY WATER UTILITY PLAN
U2	SANITARY SEWER UTILITY PLAN
U3	STORM WATER UTILITY PLAN

269 ERUs TOTAL
 230 Residential units (230 ERUs)
 130 Room Lodge (39 ERUs)

- PROPERTY TYPES
- 1) LODGE (130 ROOMS)
 - 2) SINGLE FAMILY LOTS (94 LOTS)
 - 3) DUPLEX/TWIN HOMES (82 UNITS/41 BUILDINGS)
 - 4) DUPLEX/TWIN HOMES - AFFORDABLE (16 UNITS/8 BUILDINGS)
 - 5) 4-PLEX AFFORDABLE (4 UNITS/1 BUILDING)
 - 6) LIVE-WORK PLAY (34 UNITS)

SCALE IN FEET
24"X36" PAPER

LEGEND

	EASEMENT		UTILITY
	RIGHT-OF-WAY		PROPOSED ROAD
	FOUND REBAR & CAP		PROPOSED TRAIL
	50' WIDE ACCESS & UTILITY EASEMENT		DRAINAGE DIRECTION

NO.	DESCRIPTION	DATE	APP'D.

DATE: 8-7-22	SCALE: 1"=50'
DRAWN BY: [Name]	CHECKED BY: [Name]
DESIGNED BY: [Name]	

GATEWAY CONSULTING, Inc.
 2100 BRONX BLVD. SOUTH DODDSON, UT 84003
 paul@gatewayconsulting.com

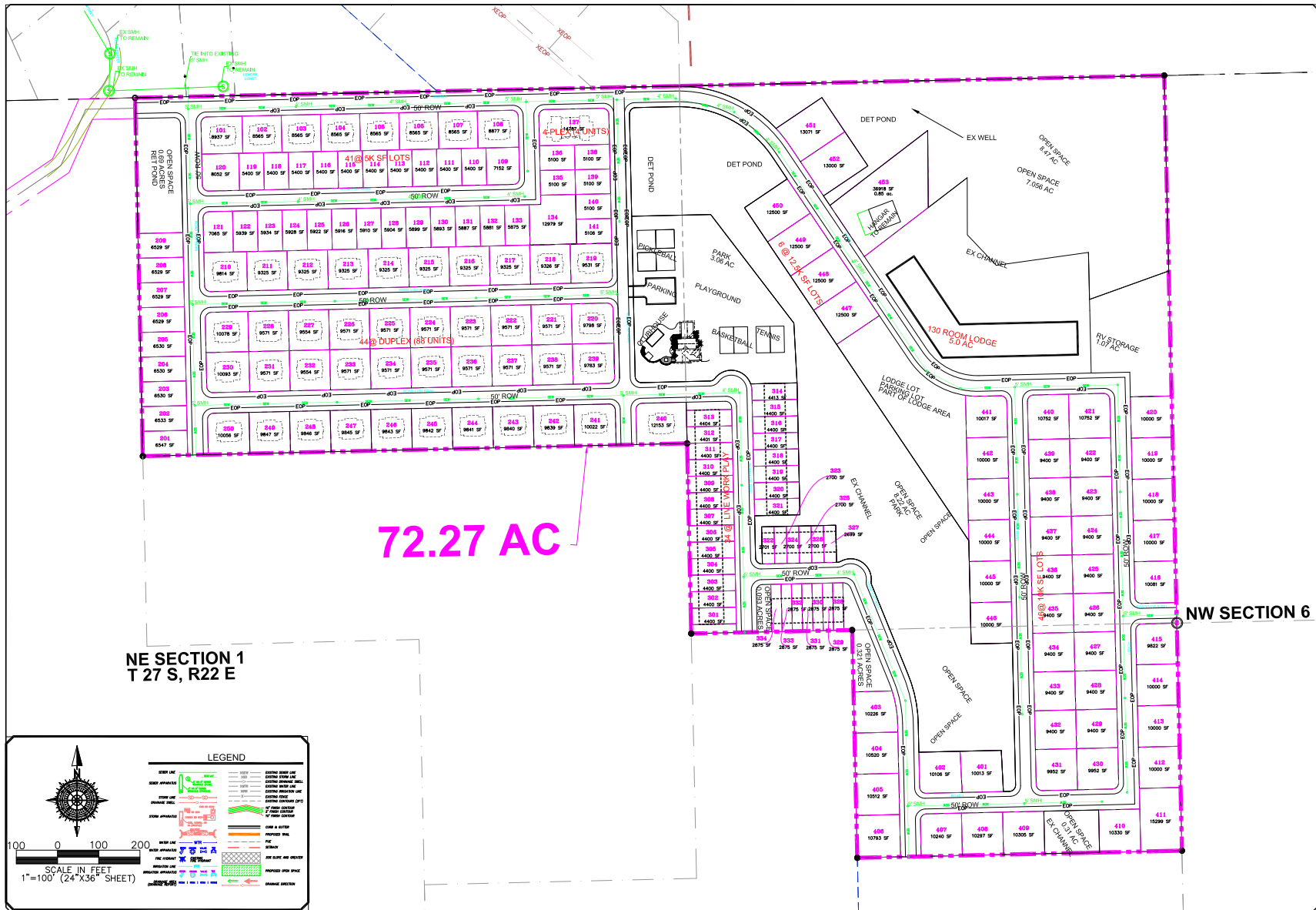
CIVIL ENGINEERING, CONSULTING, AND PLANNING
 CONSTRUCTION MANAGEMENT

BALANCED ROCK RESORT
 SUBDIVISION CONCEPT
 SATELLITE OVERLAY
 LOT PLAN

PRINT DATE: 6-26-2023

SAN JUAN COUNTY

SHEET NO. 1



NE SECTION 1
T 27 S, R22 E

NW SECTION 6

72.27 AC

LEGEND

EXISTING LOT	EXISTING ROAD	EXISTING UTILITY	EXISTING DETENTION BASIN
PROPOSED LOT	PROPOSED ROAD	PROPOSED UTILITY	PROPOSED DETENTION BASIN
PROPOSED DRIVEWAY	PROPOSED SIDEWALK	PROPOSED FENCE	PROPOSED OPEN SPACE
PROPOSED DRIVEWAY	PROPOSED SIDEWALK	PROPOSED FENCE	PROPOSED OPEN SPACE

SCALE IN FEET
1"=100' (24"X36" SHEET)

DATE:	9-7-22	SCALE:	1"=100'
DRAWN BY:	CP	CHECKED BY:	CP
DESIGNED BY:	CP	DATE:	

GATEWAY CONSULTING, Inc.
P.O. BOX 93068 SOUTH JORDAN, UT 84093
Paul@gatewayconsulting.com

CIVIL ENGINEERING CONSULTING AND PLANNING
CONSTRUCTION MANAGEMENT

BALANCED ROCK RESORT
SUBDIVISION CONCEPT
OVERALL SEWER UTILITY SHEET

PRINT DATE: 6-26-2023

SAN JUAN COUNTY

SHEET NO. U2

SMP Exhibit F

March 29, 2023



RE: Balanced Rock Resort – Traffic Memo – San Juan County, UT

The following traffic memo identifies the projected traffic generation for the proposed Balanced Rock Resort Development located in San Juan County, Utah which is south of Moab, UT. The site is a proposed 72.27 acre parcel located southeast of the former Grand County Spanish Valley Airport. The proposed site is planning to include:

- 130 room Lodge
- 94 single family homes
- 44 duplexes (88 units)
- 4-plex
- 34 Live-Work units

Figure 1 shows the location of the site and Figure 2 indicates the proposed site plan.

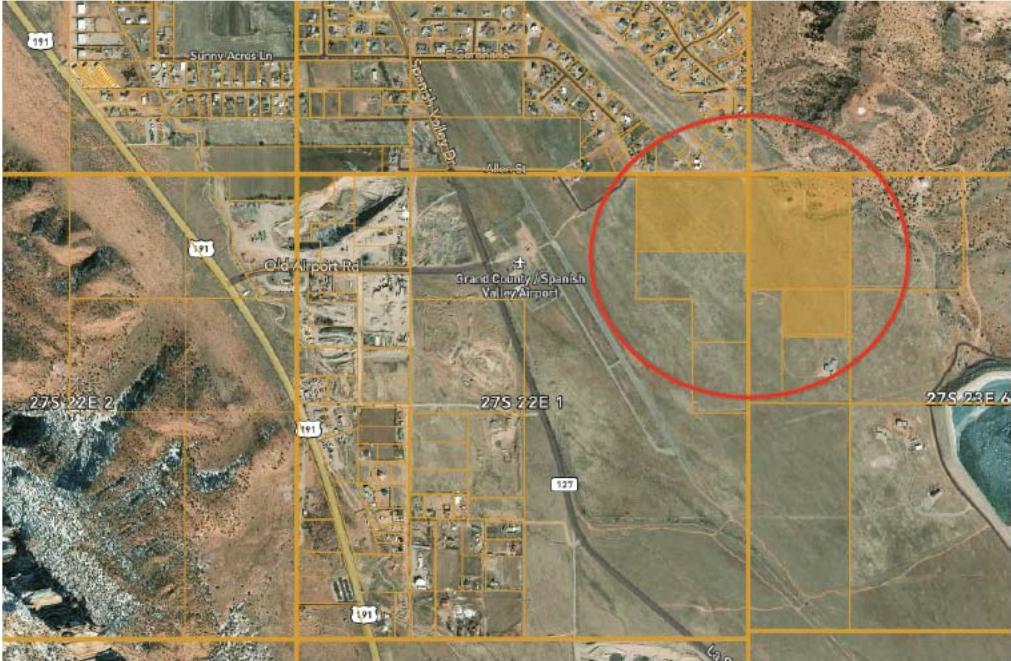


Figure 1: Proposed Site Location

P.O. Box 521651 Salt Lake City, UT 84152
(801) 949-0348 fax (801) 582-6252
atrans@comcast.net

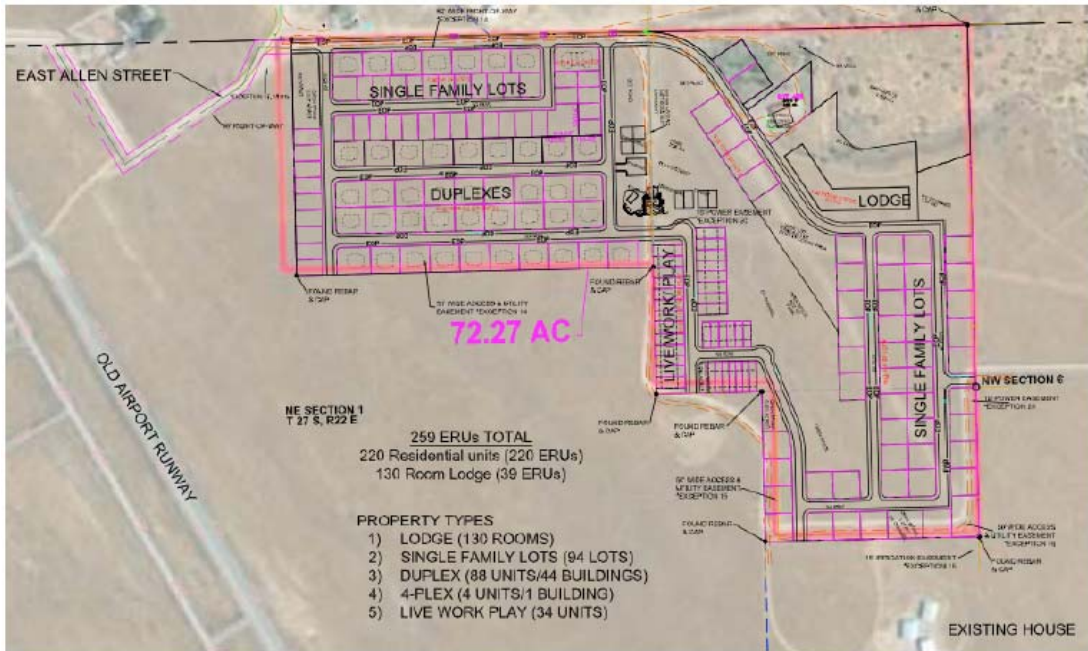
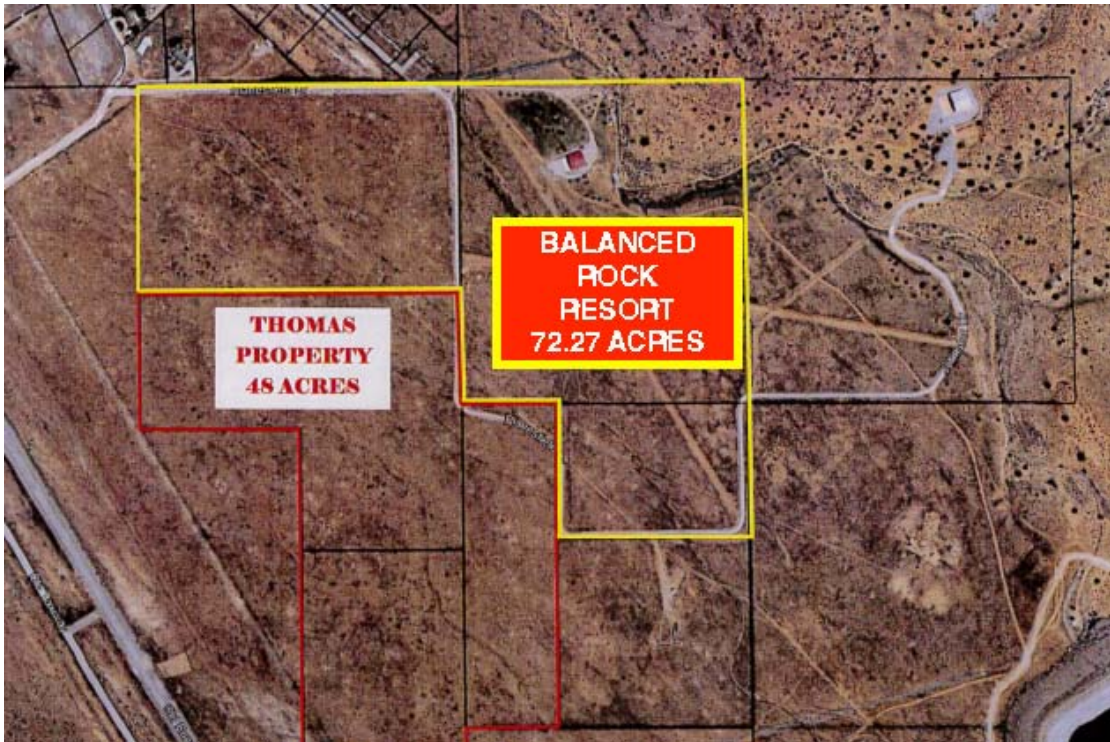


Figure 2: Proposed Site Plan

P.O. Box 521651 Salt Lake City, UT 84152
(801) 949-0348 fax (801) 582-6252
atrans@comcast.net

Trip Generation

Trip generation for the site is provided using the Institute of Transportation Engineers (ITE) *Trip Generation* software based on land use type and number of units and applying the empirical information collected on that particular land use type. Table 1 provides the projected trips for the proposed Balanced Rock Resort. Two issues to be specified is that the land use for the Live-Work units is based on a recreational home trip rate since no live-work land use exists in the ITE. The other is that the daily rate for a resort lodge is unavailable and so the typically practiced rate of 10 times the PM peak rate is applied.

ITE 11th Ed	Size	Land Use	Trip Rate			Trips		
			AM	PM	Daily	AM	PM	Daily
Single Family Homes	94	210	0.70	0.94	9.43	66	88	886
Duplexes	88	210	0.70	0.94	9.43	62	83	830
Lodge	130	330	0.32	0.41	0.00	42	53	533
4-plex	4	220	0.40	0.51	6.74	2	2	27
Live Work Units	34	260	0.22	0.29	3.55	7	10	121
Total								2397

A comparison can be made of the other traffic generation depending on the assumed land uses and sizes. The possible land uses come from the “San Juan County Spanish Valley Development Ordinances of the San Juan County Zoning Ordinance - September 13, 2019. The PC zone has such a wide range that unless a land use plan is provided, any projection of the other possible uses for this land would be speculation. Instead, it might be helpful to equate certain land uses to the projected proposed Balanced Rock Resort traffic of 2,397 daily trips on the 72.27 acres. This would be a similar generation to one of the following:

- 254 single family homes
- 356 multi-family homes
- 221,000 square feet of office space
- 64,700 square feet of retail

Page 16 of the San Juan County Spanish Valley Development Ordinances of the San Juan County Zoning Ordinance - September 13, 2019 identifies the MINIMUM requirements of a small planned community and it states:

Small Planned Community:

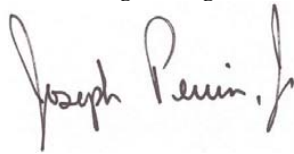
Each PC Zone of this type shall contain a minimum of 20 acres under single ownership. This area will allow up to four (4) residential units per acre, and a range of residential units and types.

For the 72.27 acres at four units per acre would equate to 289 units which would generate 2,725 daily trips which would be more traffic than the proposed Balanced Rock Resort projected traffic of 2,397 daily trips.

Capacity Impact

The traffic will utilize either La Sal Loop Road which is carrying 120 daily trips or using Old Airport Road to access US 191 which carries 5,600 daily trips. Both of these are two-lane roadways with capacities in the 15,000 daily trip range. Therefore the roadways have the capacity to accommodate the projected demand. Connections to these routes from the resort will need to be evaluated not from a traffic capacity aspect but from a road pavement condition.

Sincerely,
A-Trans Engineering

A handwritten signature in black ink that reads "Joseph Perrin, PE". The signature is written in a cursive style with a large initial 'J' and 'P'.

Joseph Perrin, PhD, PE, PTOE
Principal

P.O. Box 521651 Salt Lake City, UT 84152
(801) 949-0348 fax (801) 582-6252
atrans@comcast.net

Balanced Rock Resort

Balanced Rock Resort



Permit Report

06/08/2023 - 07/07/2023

Permit #	Permit Date	City or County	Residential or Commercial	Type of Permit	Building CityStateZip	Owner Name	Applicant Name	Parcel #	Parcel Address
23,089	7/7/2023			New Construction	Monticello, UT 84535		Olde School LLC		
23,088	7/6/2023	San Juan County	Residential	Moved on Structure	Old La Sal UT 84530		Mark Halladay	000650000180	33 N COYOTE LN
23,087	7/5/2023	San Juan County	Residential	Manufactured Home-Private Property	Moab Utah 84532		Casa de Amigo		
23,086	7/5/2023	San Juan County	Residential	Manufactured Home-Private Property	Moab Utah 84532		Casa de Amigo		
23,085	6/29/2023								
23,084	6/29/2023	San Juan County	Residential	New Construction	Lasal Ut 84530		Kyle Lankford		
23,083	6/28/2023	San Juan County	Residential	New Construction	Monticello, UT 84535		Louis Bouvier	32S23E254803	1120 S DEER VALLEY DRIVE
23,082	6/27/2023	San Juan County	Residential	Electrical	La Sal, Ut 84530		Frank Herrmann	000650000040	142 N COYOTE LN
23,081	6/27/2023	San Juan County		Electrical	Utah		Troy		
23,080	6/25/2023	San Juan County	Residential	Manufactured Home-Private Property	La Sal Utah 84530		Jordan and Tressa Bryant	001290000020	17 S. Green Haven Rd
23,078	6/23/2023			Electrical	Montecello, Utah 84535		Dominion Energy		
23,077	6/20/2023	San Juan County		Remodel	Moab, UT 84532		Morgan Cook		
23,076	6/14/2023	San Juan County	Residential	Remodel	Blanding UT 84511	Kelsey and Tanner Shumway	Kelsey and Tanner Shumway	37S22E106602	210 N SHIRTTAIL WAY
23,075	6/12/2023	San Juan County	Residential	New Construction	LaSal Utah 84530		Dustin and Jimmielee Barbieri	28S25E217200	64 N ANNA DAY DR
23,074	6/12/2023	San Juan County	Mixed Use	New Construction	La Sal, UT 84530		Brian Ballard	28S25E142400	
23,073	6/10/2023	San Juan County	Residential	New Construction	Moab Ut 84532		Matthew Burton	001490000210	112 CRIMSON CLIFFS DR

