

Minutes
Town of Hideout Planning Commission
Special Meeting and Public Hearing
September 4, 2024
6:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in Special Meeting and Public Hearing on September 4, 2024 at 6:00 PM in person and electronically via Zoom meeting.

Special Meeting and Public Hearing

I. Call to Order

Chair Tony Matyszczyk called the meeting to order at 6:02 PM and reminded participants that this was a hybrid meeting held both electronically and in-person.

II. Roll Call

Present: Commissioner Rachel Cooper
Commissioner Joel Pieper
Commissioner Glynnis Tihansky

Attending Remotely: Chair Tony Matyszczyk
Commissioner Donna Turner (joined at 7:32 PM)
Commissioner Chase Winder (alternate, joined at 6:19 PM)

Excused: Commissioner Peter Ginsberg (alternate)

Staff Present: Alicia Fairbourne, Recorder for Hideout
Kathleen Hopkins, Deputy Recorder for Hideout

Staff Attending Remotely: Polly McLean, Town Attorney
Thomas Eddington, Town Planner
Gordon Miner, Town Engineer

Public Attending Remotely: Nate Brockbank, Eric Davenport, Dan Herzog, Paul Watson and others who may not have signed in using proper names in Zoom.

III. Public Hearings (continued from August 15, 2024)

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

Town Planner Thomas Eddington provided an update on this project which had been introduced at the Planning Commission meeting on July 18, 2024, and he referenced the new Staff Report which had been included in the materials circulated prior to this meeting. Mr. Eddington discussed several changes which had been incorporated into the concept plan.

Mr. Eddington reminded the Planning Commissioners the project was proposed for the 72-acre eastern parcel of the Salzman property. The original concept plan discussed in July included 164 units of mixed housing types and 15,000- 20,000 square feet of commercial space. The updated plan now provided for less density at 125 units, to consist of 20 Townhome units and 105 single-family lots. The layout of the project was revised to locate the Townhome units near the commercial area which would also include the community recreation center. He noted larger single-family lots than the initial proposal, and avoidance of development on some of the steeper sloped areas than previously envisioned.

Mr. Eddington reviewed the resulting zoning designations requested under the new plan, and noted the R20 zoning had been eliminated with the removal of the townhomes outside of the NMU area and the elimination of the cabin units from the plan.

Mr. Eddington highlighted several issues from the Staff Report, including the proposal to remove approximately 32 feet of a hilltop to allow for improved views from surrounding lots. He discussed the municipal code sections regarding sensitive lands and steep slope/significant grade changes which would prohibit this activity unless a variance was approved.

Mr. Nate Brockbank, the Applicant, provided more detail on the request to grade the hilltop, which he noted obstructed the views of some of the surrounding lots. Mr. Brockbank discussed the option to relocate the excavated soils from that area to the 15-acre parcel to be deeded to the Town and used for fill to level/grade that area as appropriate.

Mr. Brockbank also discussed plans for trails, and the different lot sizes for the single-family homes. He stated the soils reports and traffic studies had been completed. In response to a question from Chair Matyszczyk, Mr. Brockbank replied that the commercial area had not yet been designed.

Mr. Brockbank addressed a number of questions from the Planning Commissioners. He stated the final plan would include more details on the parking spaces throughout the development, he expected the roads would be turned over to the Town, and he was not proposing a fractional share ownership structure for the development, although he was requesting approval for nightly rentals. Town Attorney Polly McLean confirmed there were no revenues for the Town associated with fractional ownership, however the Town would receive transient room taxes from nightly rentals.

Commissioner Glynnis Tihansky asked for more details on the home types and lot sizes, as well as road connections. She stated a preference for plans which would not involve mass excavations of the native vegetation, and she shared her concerns with the proposal to grade the hilltop. Commissioner Joel Pieper asked if the hilltop under discussion was buildable. Mr. Brockbank stated it was, however, homes built on that location would further obstruct surrounding views for other lots. Commissioner Pieper asked if there were options to preserve as much of this hilltop as possible.

In response to a question from Commissioner Rachel Cooper regarding a phasing plan, Mr. Brockbank stated the townhomes and some of the single-family homes located closest to the development's entrance would be built first, as well as the road for the commercial area. He stated the commercial area would not be built in the first phase. Commissioner Cooper requested a restaurant or coffee shop be prioritized as a business in the commercial development.

Chair Matyszczyk asked if there would be any financial contribution from Mr. Brockbank in return for an approval of nightly rentals. Mr. Brockbank stated that nightly rentals did not necessarily increase the sales prices or property values for impacted homes.

Chair Matyszczyk asked for more details on the community center and asked if the fitness center and other amenities would be available for a fee to the public. Mr. Brockbank noted concerns he had with potential liability that a fitness center managed by a Homeowners Association (HOA) would incur. Mr. Eric Davenport, attorney for the Applicant, discussed this in more detail and noted it was problematic for an HOA covering 125 homeowners to take on the level of liability exposure for such a facility open to non-HOA members. The Planning Commissioners suggested other ownership structures that could move the ownership and management of the fitness center to another owner, perhaps the Town.

In response to a question from Commissioner Tihansky regarding storm drain plans, Mr. Paul Watson, engineer for the Applicant, discussed the preliminary plans for storm water management which he would be working on to further refine with the Town Engineer.

Mr. Gordon Miner, Town Engineer, shared some preliminary observations and questions on the plan and noted several items he would need for a more detailed review and discussion with the Applicant.

Commissioner Chase Winder requested the Applicant build sufficient mailboxes for all platted lots.

Mr. Eddington noted the Town Council would have a similar work session to discuss this concept plan at its September 11, 2024 meeting, after which the Applicant would come back to the Planning Commission for a final review and potential recommendation to Town Council. In the meantime, the Applicant would work with Mr. Miner to review the engineering issues in more detail. Mr. Brockbank asked to discuss options for smaller setback requirements to allow for some smaller lots, which Mr. Eddington agreed to review.

Mr. Brockbank volunteered to assist with obtaining an estimate for an engineering/surveying study for the SR-248 Spine Trail project which the Town's Parks, Open Space and Trails Committee was evaluating. He also mentioned that he is under contract for the adjoining 40-acre parcel next to the parcel currently under discussion, and he expected to include a plan for that at the next meeting on this development.

There being no further questions from the Planning Commissioners, Mr. Brockbank and his team were excused and left the meeting at 7:31 PM.

2. Discussion and possible recommendation to Hideout Town Council regarding a Master Development Agreement (MDA) for the Elk Horn Springs Development, which would include nightly rentals in zoning districts that do not currently allow for nightly rentals

As Items 1 and 2 related to the Elk Horn Springs Development project had been noticed as Public Hearings, the floor was opened for Public Comment at 7:34 PM. There was no public comment, and the Public Hearing was closed at 7:35 PM.

3. Discussion and possible recommendation to Hideout Town Council regarding a final subdivision approval for the Shoreline Phase 4 subdivision

Prior to the meeting, this matter was postponed to the September 19, 2024 meeting, but as it had been noticed as a Public Hearing, the floor was opened for Public Comment at 7:35 PM. There was no public comment, and the Public Hearing was closed at 7:36 PM.

V. **Meeting Adjournment**

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

Motion: Commissioner Tihansky moved to adjourn the meeting. Commissioner Pieper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky, and Commissioner Turner. Voting No: None. Absent from Voting: None. The motion carried.

The meeting adjourned at 7:36 PM.

A handwritten signature in black ink that reads "Kathleen Hopkins". The signature is written in a cursive style and is positioned above a horizontal line.

Kathleen Hopkins
Deputy Recorder for Hideout