

Minutes
Town of Hideout Planning Commission
Special Meeting and Public Hearing
November 2, 2023
6:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in Special Meeting and Public Hearing on November 2, 2023 at 6:00 PM in person and electronically via Zoom meeting.

Regular Meeting and Public Hearing

I. Call to Order

Chair Tony Matyszczyk called the meeting to order at 6:01 PM. All attendees were present both in person and electronically.

II. Roll Call

Present: Commissioner Jonathan Gunn
Commissioner Joel Pieper (alternate)

Attending Remotely: Chair Tony Matyszczyk
Commissioner Rachel Cooper
Commissioner Glynnis Tihansky
Commissioner Donna Turner

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
Timm Dixon, Director of Engineering

Public Present: Katie Wilking and Jill Schneider

Public Attending Remotely: Jenni Hogan, Ryan Sapp, Justin Keys, Patricia Bidwill, Murray Gardner, John Greer, Jim Gruber, Greg McIntire, Greg Miner, Ed O'Rourke, Bret Rutter, David Salzman, Sydney Whidden, Jack Walkenhorst, and others who may not have signed in using proper names in Zoom.

III. Public Hearings

1. **Discuss and possibly make a recommendation to Town Council regarding a Master Development Agreement (MDA) regarding the Bloom in Hideout Development, which would include nightly rentals in zoning districts that do not currently allow for nightly rentals. Additionally, allowances for architecture and/or roof designs that are not currently allowed per Town's current zoning ordinances may be included.**

Town Attorney Polly McLean reported she was in the process of researching whether a new state statute would allow for a rezone approval to be included in the Master Development Agreement (MDA) for this development. In the meantime, she suggested the Rezone application and MDA be considered separately, and advised the Planning Commission that an approval of the rezoning request could be conditioned upon the approval of the MDA. She also stated the Town Council could wrap the rezone application into the MDA when it considered the matter.

Commissioner Jonathan Gunn asked questions on the draft MDA regarding provisions for short term rentals, terms for allowable flat roofs in building design and the phasing schedule for the commercial development. Commissioner Glynnis Tihansky asked whether roads would be public or private. Thomas Eddington, Town Planner, noted the applicant was proposing a Public Infrastructure District (PID) to finance a portion of the infrastructure, which would require dedication of certain roads to the Town. He stated the Town Council and Economic Development Committee would work out the details on which roads would be dedicated to the Town, and the responsibilities of the applicant and the Town for ongoing road maintenance. Ms. McLean provided a short overview of the PID which was a structure to finance public infrastructure, similar to issuance of bonds, but which would ultimately be repaid by the developer and future residents of the subdivision. She noted this would be the first PID structure utilized in Hideout and would require a specialist law firm to create the structure.

Commissioner Rachel Cooper asked about the open space and previously proposed parking near the amphitheater. Ms. Jenni Hogan, Applicant, responded the location of the amphitheater was now within the commercial area where parking and public transport would be located. Mr. Eddington noted the location of walking trails to the amphitheater. Mr. Sapp also noted the amphitheater was smaller than originally proposed and was designed for residents to walk or bike to the venue, and shared parking in the commercial area would be available.

Commissioner Joel Pieper asked if the developers had considered a donation of land to the Town in lieu of a monetary contribution. Ms. Hogan noted the placeholder for a monetary contribution would be discussed with Town Council, and she was open to consideration of a land contribution.

Commissioner Donna Turner asked about the road near the amphitheater. Ms. Hogan responded this was a secondary access road easement to the western parcel, although there were no plans for development of that parcel.

Chair Matyszczyk asked about the timing for a restaurant relative to the hotel opening. Ms. Hogan responded this was still under discussion and noted the difficulties in coordinating the completion of a restaurant and hotel if these were different partners. She requested the MDA be flexible enough for the developers to attract commercial partners without too many restrictions.

Commissioner Gunn asked about the proposed commercial phasing plan. Ms. Hogan stressed the importance of commercial development in the plan, and noted the phasing schedule considered the infrastructure work which would be needed before the commercial pads could be built.

Ms. Hogan noted several items in the draft MDA with which her team had outstanding questions, and noted they just received the current draft that day. Ms. McLean noted her suggestion had been included late in the process, and suggested these issues be discussed offline, and included as conditional approval in a recommendation to Town Council. Regarding Section 5.6, Ms. McLean agreed to remove this from the draft MDA, and possibly discuss it later with Town Council.

There being no further questions from the Planning Commissioners, the Public Hearing was opened at 6:49 PM.

Mr. Bret Rutter, Glistening Ridge resident, asked about the timing of the retail, restaurant and hotel, and whether the restaurant would be part of the hotel. Ms. Hogan responded the hotel was planned for 60 rooms and may not include a restaurant. She noted the intention was to develop a separate restaurant near the hotel which could open prior to the hotel. Mr. Rutter hoped the restaurant and other commercial development would come as soon as possible.

Mr. Jim Gruber, Deer Waters resident, thanked the Planning Commission for watching out for the Town's best interest, and the Applicants for working with the Planning Commission throughout the process.

Ms. Patricia Bidwill, Golden Eagle property owner, shared her confusion with this process and the protocols which the Town followed, and asked how best to stay informed. Ms. McLean noted the process was public, with agendas, minutes and meeting materials all publicly posted. Commissioner Pieper suggested getting involved with various committees and participating in public meetings. Commissioner Gunn noted the complexity of the process to approve a new development, the many changes made throughout the process, and stated the approval of a new development was much more complex than building a single home. Commissioner Pieper noted this Special Meeting had been scheduled on a short time frame to accommodate the Applicant, and the Planning Commissioners were also just seeing the draft MDA at this meeting, but he felt the discussion was going well. Commissioner Tihansky suggested Ms. Bidwill read the Town's Master Plan which was included on the Town's website.

There being no further public comment, the Public Hearing was closed at 7:05 PM.

Motion: Commissioner Tihansky moved to recommend to Town Council the draft Master Development Agreement for the Bloom in Hideout Development as discussed at this meeting and with conditions to be finalized by Town Council including Sections 2.9, 3.5.4, and 5.5; and not to include Section 5.6; and subject to mutually agreeable language on the issues discussed. Commissioner Gunn made the second. Voting Yes: Commissioner Cooper, Commissioner Gunn, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Turner. Voting No: None. Absent from Voting: Commissioner Ginsberg. The motion carried.

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

Mr. Eddington reviewed the proposed zoning changes for the 72-acre parcel (currently zoned Mountain), which included a mix of Neighborhood Mixed Use (NMU) zoning for the hotel and commercial development, Residential 3 (R-3) for the detached single-family homes and Residential 6 (R-6) for townhomes and cabins, and Natural Preservation (NP) zone for open space, park, and amphitheater areas. He noted this item would be folded into the MDA approval if possible, otherwise it could be approved separately, and conditionally if the MDA was also approved.

In response to a question from Commissioner Cooper regarding whether the amphitheater should be zoned as NP, Ms. Hogan noted it was reasonable to include it in the NMU zoning given its location within the commercial area.

The Public Hearing was opened at 7:13 PM.

Mr. Ed O'Rourke, property owner in Soaring Hawk, asked about hours of operation for events at the amphitheater and if there would be noise curfews. Chair Matyszczyk responded these items would be addressed through Town Ordinance and this public hearing was limited to comments regarding the zoning change.

There being no further public comment, the Public Hearing was closed at 7:15 PM.

Motion: Commissioner Gunn moved to make a positive recommendation to Town Council regarding an amendment of the Official Town of Hideout Zoning Map, subject to approval of the Bloom in Hideout MDA, to rezone parcels 00-0020-8182 and 00-0020-8184 (the "Bloom in Hideout" Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6), Mountain Residential (MR), and Natural Preservation (NP). Commissioner Cooper made the second. Voting Yes: Commissioner Cooper, Commissioner Gunn, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Turner. Voting No: None. Absent from Voting: Commissioner Ginsberg. The motion carried.


VI. Meeting Adjournment

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

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

The meeting adjourned at 7:17 PM.




Kathleen Hopkins
Deputy Recorder for Hideout