

Minutes
Town of Hideout
Town Council Regular Meeting and Public Hearing
November 08, 2023

The Town Council of Hideout, Wasatch County, Utah met in Regular Meeting on November 08, 2023 at 6:00 pm in the City Council Chambers located at 10860 N. Hideout Trail, Hideout, Utah and electronically via Zoom.

Regular Meeting and Public Hearing

I. Call to Order

Mayor Rubin called the meeting to order at 6:03 pm and explained that this would be a hybrid meeting with some participants at Hideout Town Hall and some participants attending remotely. He mentioned the date change due to Veterans Day.

II. Roll Call

Present: Mayor Phil Rubin
Council Member Ralph Severini

Attending Remotely: Council Member Chris Baier
Council Member Carol Haselton
Council Member Sheri Jacobs
Council Member Bob Nadelberg (*excused at 8:30 p.m.*)

Staff Present: Town Administrator Jan McCosh
Recorder for Hideout Alicia Fairbourne

Staff Attending Remotely: Town Attorney Polly McClean
Town Planner Thomas Eddington
Director of Engineering Timm Dixon
Director of Public Works Daniel Allen
Financial Consultant Katie Shepley

Public Present: Ryan Sapp, Jenni Hogan and Justin Keys.

Public Attending Remotely: Murray Gardner, Planning Commissioner Jonathan Gunn, Don Blumenthal, Rob Sant, Doug Silver, Sam Hartman, John Greer, Katie Wilking, Kendra Wyckoff, Jim Gruber, Larry Eisenfeld and others who may have logged in using a partial name or using only a phone number.

III. Approval of Council Minutes

1. **May 11, 2023 Town Council Meeting Minutes DRAFT**
2. **October 12, 2023 Town Council Meeting Minutes DRAFT**

Prior to approving the Meeting Minutes, Mayor Rubin informed the public that the 2023 Municipal General Election ballots had been mailed out, and there were two accessible drop boxes at Town Hall for returns.

Regarding the approval of council minutes, Council Member Haselton stated she would abstain from voting, citing a lack of time to review. She expressed difficulty in the expectation that Council Members had adequate time to read the council packets when they were sent out to Council Members only twenty-four (24) hours prior to the meeting. Council Member Baier supported her statement. Mayor Rubin acknowledged the concern and urged timely distribution of materials. He emphasized a new approach that had been previously discussed, with materials due a week before meetings.

There were no corrections to the minutes.

Motion: Council Member Severini moved to approve the May 11, 2023 and October 12, 2023 Town Council Meeting Minutes. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Jacobs, Council Member Nadelberg and Council Member Severini. Abstaining from voting: Council Member Haselton. The motion carried.

IV. Follow Up of Items from Approved Minutes

During the discussion on the approved council minutes, Council Member Severini brought up a concern regarding a list item for signage mentioned in the October 12th minutes. He expressed uncertainty about the follow-up on this matter. Mayor Rubin assured him that they had discussions with Engineering and Public Works to encourage compliance from contractors and residents. They were also revisiting the Fee Schedule for related items, emphasizing stricter consequences for non-compliance. New signs had been ordered, and progress was expected, although some individuals were still not adhering.

Council Member Severini then mentioned another item related to a study on speeding. Mayor Rubin informed that progress had been made, and he planned to have a presentation on traffic and speed in the upcoming December meeting. The presentation would be conducted by a consultant, offering insights into potential options.

V. Public Input - Floor open for any attendee to speak on items not listed on the agenda

Mayor Rubin opened the floor for public input at 6:16 p.m.

Doug Silver (Vantage Lane resident) raised concerns about the sewer lift project in Shoreline Phase 2. He sought information on the project's status, expected completion date, and steps to mitigate its impact on residents. Mayor Rubin responded, explaining that the excavation work, involving the new pipeline installation, was completed by the end of October as planned.

Mayor Rubin clarified that the remaining work involved restoration, including the installation of cement catch basins and other finishing touches. Director of Engineering Timm Dixon confirmed that the final completion date was expected in the spring of 2024. Mayor Rubin acknowledged the complexity of the project, mentioning the need for dirt to settle, restoration, and paving in the spring.

Mayor Rubin assured residents that the project was necessary for the Town's infrastructure and waste management and apologized for the disturbance the construction had caused. He emphasized the long-term benefits the completed project would bring to the community.

There being no other public comments, Mayor Rubin closed public input at 6:21 p.m.

VI. Agenda Items

1. Discussion of the Public Infrastructure District (PID) policy

President of Urban and Main Consulting, Rob Sant, provided an overview of PIDs and the associated governing documents. He emphasized that PIDs were financing tools for public infrastructure improvements within defined boundaries, created by statute in 2019. Mr. Sant highlighted key points related to PIDs, such as their reliance on property tax millage for bond funding and the potential revenue sources and uses within the district.

He explained that PIDs were created for various types of development, allowing growth to pay for growth. Mr. Sant discussed the three parties impacted by PIDs: the creating entity (e.g., Hideout town), homeowners, and the district itself. Notably, there was no recourse to the creating entity or homeowners in case of financial issues within the PID.

Mr. Sant then detailed the two main types of bonds PIDs could issue: special assessment bonds and Limited Tax General Obligation bonds (LTGO). Both were tax-exempt, but special assessment bonds relied on assessment liens, while LTGO bonds were funded through property tax.

The governing document of a PID was crucial, outlining powers, limitations, reporting requirements, financing details, and more. Mr. Sant stressed that each PID had a separate governing document, drafted in an interlocal agreement between the creating entity and the PID. He suggested creating a process map outlining the steps and approximate timeline for PID creation.

Council Member Severini acknowledged that the Council had covered most bases in the PID policy adopted in April of 2022. He suggested creating a process document or timeline for potential applicants. Mr. Sant agreed, emphasizing that it could be a suggested timeline rather than an official adoption.

Sam Hartman from DA Davidson, a financing entity for PIDs, offered to provide a checklist of steps needed to move from the current stage to having a PID ready for financing. Mayor Rubin expressed interest in such a presentation in a future meeting.

Council Member Severini also requested information on how bonds were distributed and if Mr. Hartman could share updates on Town bonding. Mayor Rubin agreed to coordinate with Mr. Sant and Mr. Hartman for future agenda items related to PIDs and financing.

2. Presentation from The Peace House of Park City

Mayor Rubin introduced Kendra Wyckoff from The Peace House of Park City. Ms. Wyckoff thanked the Mayor and Council for the opportunity to speak. She provided an overview of the Peace House, a non-profit organization serving Summit and Wasatch counties, with a mission to address interpersonal violence and abuse.

Ms. Wyckoff highlighted the prevalence of intimate partner violence and sexual assault in Utah, citing statistics that one in three women and one in five men may experience domestic violence in their lifetime. She discussed the organization's intervention services, such as the lethality

assessment used by law enforcement, and prevention programs aimed at educating the community about the various forms of abuse.

She also discussed the Peace House's facility, emphasizing the co-location of services on one campus, including emergency shelter, a 24/7 helpline, transitional housing, clinical counseling, legal advocacy, and education programs. Ms. Wyckoff mentioned the recent addition of services for sexual assault survivors, including a hospital response team.

The presentation touched on the importance of serving all individuals affected by abuse, irrespective of gender or identity. Ms. Wyckoff shared details about the Peace House's efforts to provide support for children affected by these issues, including plans for respite and therapeutic childcare services.

She provided insights into the increased demand for their services, indicating a 41% increase in need in the past fiscal year. To date, the Peace House had served 470 clients, and Ms. Wyckoff expressed gratitude for the community's support, including a recent blanket drive initiated by Council Member Jacobs and the Community Engagement Committee.

Council Member Jacobs shared information about the blanket drive and expressed appreciation for the Peace House's services. Council Member Baier inquired about additional ways to support and increase community awareness, to which Ms. Wyckoff suggested distributing brochures, volunteering, and donating items from the list provided on the Peace House's website.

Council Member Baier expressed interest in exploring collaboration opportunities, and Ms. Wyckoff welcomed further discussions.

3. Update regarding the Ross Creek/Commercial project area

Town Administrator Jan McCosh provided an update on the Ross Creek commercial project area. The focus would be to enhance the Ross Creek area, particularly around the reservoir, with collaborative efforts involving Jordanelle State Park, the National Ability Center (NAC), and the Military Installation Development Authority (MIDA). Meetings had been held to brainstorm ideas and coordinate with the Request for Information (RFI) process.

The deadline for submissions for the RFI was November 17, and the Town had already received responses from several entities with significant experience in commercial projects. The next steps involved evaluating the responses and moving forward with Request for Proposals (RFPs). The timeline for the project was yet to be finalized, considering the number of projects and the upcoming holiday season. Ms. McCosh noted the process was public, and updates on the timeline would be communicated in due course.

4. Consideration of approving an ordinance related to the trails project for an appropriation of the funds from the State

Mayor Rubin introduced the item, but it was decided to continue the discussion due to not enough information at the time of the meeting.

Council Member Baier proposed looking into the matter in the Parks, Open Space and Trails (POST) Committee before bringing it to the full Council. She raised concerns about not having sufficient information about the trails project. Mayor Rubin emphasized the need to keep the POST Committee informed and involved in the process, especially as details are finalized

regarding what the Town would request in terms of appropriations for the trails project. Ms. McCosh supported the suggestion.

5. Consideration and possible approval of adopting Resolution 2023-R-XX to update the Hideout Fee and Rate Schedule to include electrical permitting fees, update remodel fees, and make technical corrections

Mayor Rubin acknowledged that the discussion regarding the update of the Fee and Rate Schedule was ongoing, and Financial Consultant Katie Shepley was leading the discussion on the proposed rate schedule changes.

Ms. Shepley began by presenting proposed changes to the building permit fees, specifically for remodeling projects. She highlighted that the current fees, based on 11% of the town engineering estimate, were deemed excessive. After reviewing practices in other municipalities, the proposal was to change the fee to 0.75% of 1% of the total construction cost, a significant reduction while still covering costs. She noted that no remodeling projects had been applied for as of the date of the meeting.

The discussion also covered modifications to the plan review fee and the introduction of electrical and mechanical permit fees. These new fees were prompted by requests related to items such as heat tape cables, which required inspections. The proposed electrical and mechanical permit fees aligned with those of neighboring municipalities, particularly Park City.

Council Member Baier sought clarification on the types of projects that would require electrical and mechanical permits, with a specific mention of heat tape cables and water heater replacements. Council Member Severini raised concerns about how the Town would educate the public on when permits were required for remodels. Mayor Rubin and Mr. Dixon discussed the need to consider structural changes and significant electrical modifications when determining the necessity for a permit.

The discussion touched on various examples, including electrical vehicle charging stations, generators, and water heaters. The Council expressed support for the proposed changes, emphasizing the need for inspections in cases such as electrical vehicle charging stations and significant remodels.

The proposed changes were seen as a positive step, and Mayor Rubin emphasized the importance of thorough research and consideration before finalizing the Fee Schedule. Mayor Rubin acknowledged that no resolution was currently available for approval, and the discussion would continue once a written resolution was prepared.

6. Discuss and set a time for the 2023 Board of Canvassers Meeting

Mayor Rubin addressed the upcoming 2023 Board of Canvassers Meeting, emphasizing the need to certify the election results on December 5. The meeting would involve reviewing the results provided by the Wasatch County Clerk, who was responsible for counting the ballots due to a countywide proposition. Mayor Rubin sought a quorum of at least three Council Members to participate in a brief meeting to certify the results.

Council Member Baier suggested holding the meeting at 6 pm on December 5. Council Member Jacobs confirmed her availability, while Council Member Haselton expressed tentative availability. Council Member Nadelberg noted he may not be available.

Mayor Rubin decided to set the meeting for December 5 at 6 pm. Recorder for Hideout Alicia Fairbourne would send calendar invites to all participants. The Mayor anticipated a quick meeting where Ms. Fairbourne would share the results, address any questions, and conduct a vote for certification.

VII. Public Hearing

- 1. Discuss and possibly approve 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)**
- 2. Discuss and possibly approve a Master Development Agreement (MDA) for 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 the Town’s current zoning ordinances may be included.**

(Clerk’s note: Both agenda items were discussed concurrently.)

Mayor Rubin introduced the next agenda item, a Public Hearing to discuss and potentially approve an amendment to the Official Town Zoning Map. The proposed rezone included a mix of zoning designations, such as Neighborhood Mixed Use (NMU) for hotels and commercial areas, R3 for single-family lots, and R6 for townhomes. Town Planner Thomas Eddington explained the layout, which involved a reduction in density from the initial concept plan, accommodating 217 units, including townhomes, cabins, and a boutique hotel.

Council Member Baier inquired about the size of the R3 lots, and it was clarified that they would average about a third of an acre. Questions were raised about the density and comparisons to other developments in the area, with examples cited such as Rustler and Soaring Hawk.

Mr. Eddington explained that the R6 zoning allowed for a minimum lot size of 6,000 square feet, with applicant Ryan Sapp emphasizing that the density indicated the maximum allowable units per acre, not a requirement to build to that density.

Council Member Baier expressed difficulty visualizing the project’s density due to the topography and sought clarity on the potential impact of hilly terrain. Mayor Rubin acknowledged that topography played a crucial role in the perceived density and mentioned that the Klaim development had a low unit count despite tight spacing due to the topography.

Applicants Jenni Hogan and Ryan Sapp presented the concept plan for a boutique resort community. They highlighted key features, such as keeping density close to the road for visibility and ease of access, the positioning of the hotel to offer scenic views while minimizing impact on nearby residents, and the inclusion of trails and community spaces. The commercial village vision board was discussed, emphasizing the goal of creating a community hub with financially viable tenants.

The applicants discussed the proposed zoning, including 35,000 square feet of commercial space, hotel zoning, and the desire for community-oriented vendors. They showcased visuals of the project, emphasizing the aesthetics and design compatibility with the landscape. The potential

for outdoor events like weddings and markets at a scenic park location referred to as "the knob" was also mentioned.

Ms. Hogan provided information on the current zoning, stating that the proposed development would significantly increase town revenue compared to the current zoning, offering benefits like trails, a community hub, and open spaces. They discussed the approximate timeline for the project, including the start of infrastructure in May or June of the following year.

During the discussion, Mayor Rubin raised concerns about the potential cost to the Town for maintaining the infrastructure, including roads. The applicants addressed concerns about the visual impact of retaining walls in the commercial area, assuring that the design aimed to minimize such features.

The conversation touched on height restrictions for residential and hotel units, with Mr. Sapp expressing a commitment to a maximum height of fifty-two (52) feet for the hotel and thirty-five (35) feet for residential. Council Member Nadelberg raised questions about the possibility of rooftop living areas and potential eyesores on rooftops. The applicants responded by considering options such as rooftop decks and screening for mechanical equipment.

Concerns were also raised about the quality and rating of the proposed hotel. Ms. Hogan mentioned a three-star rating in the current plan, with flexibility for the Town Council to approve variations based on the uniqueness of the hotel.

Discussions touched on potential scenarios where the development might change hands or face challenges, with assurances from the applicants that they had considered these situations. Town Attorney Polly McLean highlighted the binding nature of the MDA even if ownership changed. She would research options for reverting to previous zoning if the development agreement wasn't acted upon, and the applicants expressed their commitment to detailed design guidelines in the MDA to protect the Town's interests.

Mayor Rubin asked Mr. Eddington to provide a high-level overview of the proposed MDA, since the Council had not yet read the full details.

Mr. Eddington summarized that the Bloom development would be constructed over five phases from Fall 2024 to 2032. Phase 1 would include a hotel, commercial space, 40 townhomes, infrastructure like roads and utilities, an amphitheater, and park space. There was specific discussion about allowing up to 30% flat roofs on buildings to allow design flexibility.

Other key points discussed:

- Incorporating short term rental units into the MDA
- Potential for dedicating some roads to the town for maintenance
- Using a PID to help fund infrastructure

There was discussion around securing adequate water rights, phasing of development, funding community amenities, and making amenities accessible for both residents and visitors.

There was still discussion needed around potential contributions to community amenities and non-monetary concessions that could be negotiated as part of the MDA, with Ms. Hogan suggesting the option for the Town to use office space within the development, or the use of the park in lieu of monetary concessions.

The applicants indicated interest in working collaboratively with the Town. They highlighted their attempts to reduce density and focus on early commercial development to benefit the surrounding community.

Because this was an initial presentation, Mayor Rubin and Mr. Eddington noted the full proposal would need further review and discussion at future meetings after the Council had a chance to conduct a more thorough review. Council Member Baier and Council Member Severini were assigned to form a subcommittee to work with Staff on the next steps.

There being no further questions from Council, Mayor Rubin opened the floor for public input at 9:03 p.m. Mayor Rubin reminded participants the focus was primarily on zoning and recognizing that the project's final approval was not yet on the table.

Don Blumenthal shared a quick comment, expressing the need for plans to accommodate electric vehicle charging. He highlighted the opportunity, particularly at the hotel, for a high-speed charger, considering the current lack of such facilities in the community. Mayor Rubin and others acknowledged the importance of this suggestion, noting the standardization of such features in contemporary developments. Mr. Blumenthal noted he had other suggestions that he would send to Council Member Baier and Council Member Severini.

There being no further questions, Mayor Rubin closed public input at 9:06 p.m.

Mayor Rubin inquired about the approach to rezoning and whether Council should proceed differently. Ms. McLean recommended not adopting the zone change until the MDA was finalized, emphasizing the interconnected nature of the two processes. Mayor Rubin agreed, highlighting the potential risks of rezoning without clarity on the project behind it.

Ms. Hogan expressed the desire to gather feedback on zoning before the MDA vote. Council Member Severini reassured that the zoning aligned with the concept plan, emphasizing adherence to existing standards. Mr. Eddington confirmed that setbacks and road width standards remained consistent with Hideout Municipal Code.

Council Member Baier commended the project's improvement and suggested proceeding forward. Mayor Rubin proposed continuing the discussion to a specified date and suggested the December 14 Regular Council Meeting. Ms. Hogan expressed the goal of securing a vote at the next meeting, allowing time for feedback and adjustments.

Council Member Severini stressed the importance of timely document submission, particularly related to the PID structure. Ms. Hogan acknowledged the need for project management and aimed to provide the required information early the following week. Discussions included aspects like Town protection clauses, financial submissions, and the potential financial benefits to the Town.

Mayor Rubin then asked for a motion to continue the Public Hearing.

Motion: Council Member Baier moved to continue the Public Hearing to discuss and possibly approve 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) and discuss and possibly approve a Master Development Agreement (MDA) for 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 the Town's current zoning ordinances may be included to a date certain of December 14, 2023 at 6:00 p.m. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. The motion carried.

VIII. Committee Updates

1. Community Engagement Committee - *Council Member Jacobs*

Council Member Jacobs provided an update from the Community Engagement Committee, stating that the focus was currently on the Blanket Drive until the new year. She encouraged the public to bring blankets to Town Hall for donation.

Mayor Rubin inquired about the preference for cotton blankets, wondering if it was related to fire risk. Council Member Jacobs clarified that the request specified cotton, though she didn't know the reason.

The discussion touched on the requirement for new or gently used blankets, with clarification that gently used items were acceptable for donation.

2. Economic Development Committee - *Council Member Severini*

Council Member Severini indicated that much of the information covered in the Council Meeting had been discussed during the Economic Development Committee (EDC) Meetings. He mentioned that the EDC held weekly meetings with members such as Ms. Shepley, JD Cronin, and Ms. McCosh. Mr. Eddington and Ms. McLean had also joined these meetings. The Committee reviewed various aspects, including PIDs, and has had separate meetings, including visits to places like Millcreek to assess potential impacts.

3. Planning Commission -

Mr. Eddington provided an update on the Planning Commission's recent activities. He acknowledged the extensive work done by the Planning Commission in preparing recommendations for the discussed Bloom project. He mentioned that the next meeting might include a continued presentation for a brewpub proposal near the Klaim subdivision. Additionally, he noted that the Planning Commission would be discussing minor Code updates, reflecting observations and feedback gathered over the past year and a half with the implementation of the new Code.

4. Design Review Committee - *Thomas Eddington*

Mr. Eddington noted there had been no reviews over the last several weeks.

5. Parks, Open Space and Trails (POST) Committee - *Council Member Baier*

Council Member Baier provided an update on the POST Committee's recent meeting. The Committee focused on addressing challenges related to the drainage of a natural spring in the State Park area. Mr. Dixon participated in the discussion, and they explored potential remediation efforts that would involve collaboration between the State Park Manager and developers in Hideout.

Council Member Baier also mentioned that although Ms. McCosh was not able to attend the meeting, she shared updates on discussions she had with the State Park Manager regarding a potential local pass arrangement, which had not gained much traction as of yet. The Committee planned to have one more meeting on December 5, marking the last session for the year. They anticipated bringing forward relevant matters for strategic planning during the retreat in January.

6. Transportation Committee - Council Member Haselton

Council Member Haselton provided an update on the Transportation Committee. Currently, there was nothing new to report, but she was actively following transportation-related discussions. She mentioned Governor Cox's proposal to improve transportation, potentially involving Parley's Canyon or a train. However, it was noted that this proposal would not significantly impact Hideout, as it primarily concerned routes into Park City. Council Member Haselton anticipated providing a more detailed update in December, especially with information related to bus operations from Richardson Flat as the ski resorts prepare to open.

IX. Closed Executive Session - Discussion of pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed

There was no need for a closed Executive Session.

X. Meeting Adjournment

Mayor Rubin reminded Council of the Board of Canvassers Meeting on December 5th at 6:00 pm. Ms. Fairbourne would send a calendar reminder as well.

There being no further business, Mayor Rubin asked for a motion to adjourn.

Motion: Council Member Severini moved to adjourn. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. The motion carried.

The meeting adjourned at 9:25 p.m.



Alicia Fairbourne
Alicia Fairbourne, Recorder for Hideout