

**Minutes**  
Town of Hideout  
Special Meeting / Public Hearing  
March 03, 2022

The Town Council of Hideout, Wasatch County, Utah met in a Special Meeting on March 03, 2022 at 6:00 p.m. electronically via Zoom due to the ongoing COVID-19 pandemic.

Special Meeting

**I. Call to Order**

**1. No Anchor Site Determination Letter**

Mayor Rubin called the meeting to order at 6:02 p.m. and reminded participants there was no physical anchor site due to the ongoing COVID-19 pandemic.

**II. Roll Call**

**Present:** Mayor Phil Rubin  
Council Member Chris Baier  
Council Member Carol Haselton  
Council Member Sheri Jacobs  
Council Member Ralph Severini

**Excused:** Council Member Bob Nadelberg

**Staff Present:** Town Attorneys Polly McLean and Cameron Platt  
Town Administrator Jan McCosh  
Town Planner Thomas Eddington  
Town Engineer Ryan Taylor  
Director of Engineering and Public Works Timm Dixon  
Town Clerk Alicia Fairbourne  
Deputy Town Clerk Kathleen Hopkins

**Others Present:** McKay Christensen, Todd Amberry, Brett Rutter, Carol Tomas, Jared Fields, Jack Walkenhorst, Daniel Salzman and others who may have logged in using a partial name or using only a phone number.

**III. Public Hearing Items**

**1. Summary of site visit to the Boulders at Hideout project held on February 21, 2022**

Council Member Baier recounted the site visit at the Boulders at Hideout project. She stated they talked conceptually about the financial analysis and oriented themselves with the layout of the area.

**2. Discussion and review of an Ordinance amending the official Town of Hideout Zoning Map to rezone parcels 00-0020-8181, 00-0020-8182, 00-0020-8184, and 00-0020-8185 (the “Boulders at Hideout Development”) from Mountain (M) zone to Neighborhood Mixed Use (NMU), R20 (Residential 20), R6 (Residential 6), and R3 (Residential 3)**

Town Planner Thomas Eddington presented the staff report for the Boulders at Hideout Development project. Mayor Rubin noted the Planning Commission gave a favorable recommendation with certain caveats which were included in the staff report. Mr. Eddington explained a Concept Plan and Zoning Amendment Application had been presented to Planning Commission, however the Concept Plan did not need to be presented to Council. He reviewed the proposed density, which included:

- Approximately 610 Units (or 577 ERU’s) on 112 acres, which was equivalent to 5.35 units per acre
- A variety of residential building typologies, a small retail pad, a hotel, and retrofitting the existing house as a bed-and-breakfast
- Potential gathering area for festivities and food trucks

Mr. Eddington noted the proposed density would be approximately a five hundred percent (500%) increase beyond existing allowances, and compared that amount to recent subdivisions:

- Deer Springs: 97 acres, 248 Units (2.57 units per acre)
- Lakeview: 22.4 acres, 69 units (3.08 units per acre)

He further noted of the six hundred and ten (610) proposed Boulders units, one hundred and fifty (150) units would be contained within the hotel, and twenty (20) units would be within the bed-and-breakfast. Applicants McKay Christensen and Todd Amberry explained approximately fifty percent (50%) of the density, which was over three hundred (300) units, would be located within approximately twenty (20) acres and the single-family homes accounted for approximately 3.15 units per acre.

Mr. Eddington reviewed several concerns of the Planning Commission, which resulted in the applicant agreeing to provide a 4,000 square foot hotel restaurant, a 4,000 square foot bed-and-breakfast restaurant, a 1,000 square foot coffee shop within the clubhouse, and a 500 square foot sundry shop within the clubhouse. The applicants also added another 2,500 to 4,000 square foot retail pad to the northeast of the hotel. The Planning Commission discussed reserving several acres for the possibility of developing a Town Center, however, the applicants were more in favor of providing retail shops or restaurants along the first floor of the big house condos. Mayor Rubin noted discussions with other developers were being had regarding various locations for a Town Center.

Mr. Eddington outlined what was proposed as far as amenities, which included a clubhouse with a fitness center, a park, an outdoor amphitheater, a pond with a beach, and access to the Town’s existing trail system. He explained an underpass was discussed with the Planning Commission in order to provide safe connectivity and access from both sides of SR-248. The applicants agreed to provide \$2.5 million to the Town to construct the underpass, with payments made in \$500,000 increments over the course of five (5) years. Discussion regarding the various sources to fund the underpass ensued.

Mr. Eddington reviewed the Open Space Plan, noting approximately forty five percent (45%) of the site could remain as undisturbed open space. Council Member Baier inquired how much open space was dedicated to the park, to which Mr. Amberry thought it was about fifteen (15) acres. Details regarding the park area were discussed, with Mr. Christensen noting it would not be a flat park, but rather, a lookout point with incorporated sitting areas.

Town Engineer Ryan Taylor discussed grading of the land would be necessary for the roads, and therefore, would not be considered undisturbed open space. Mr. Amberry agreed, stating their goal was to maintain as much undisturbed area as possible. Discussion regarding the grading and preserving the natural vegetation ensued. Mr. Taylor suggested the applicant provide a conceptual Grading Plan in order to identify those areas which could potentially remain undisturbed. Mr. Amberry stated a preliminary Grading Plan could be provided; however, the Plan could change as the development progressed. Mr. Taylor suggested using the Concept Plan to set a minimum open space or minimum undisturbed area target. Engineering and Public Works Director Timm Dixon expressed his concern of moving forward with the project until a conceptual Grading Plan was provided. Town Attorney Polly McLean agreed, stating although the Town Code wasn't specific regarding the grading amount, the concern was with the density and if any of the land would be left undisturbed. She felt it was appropriate if the Council wanted to require a Grading Plan based on the density of the site. Mayor Rubin asked the applicants to work with Mr. Eddington and Engineering on a preliminary Grading Plan.

Council Member Severini stated he did not see any sort of a preliminary traffic study. Mr. Amberry stated a full traffic analysis was completed and he would provide the results to Council. Council Member Baier inquired if the development would affect the agreement the Town had with the Utah Department of Transportation (UDOT) in regard to the limited number of access points allowed to SR-248. Mr. Amberry stated there were two access points already established which would not affect the agreement. It was discussed to plan the development with a road stubbed out to tie in with the planned lighted intersection near Tuhaye and SR-248.

Mr. Eddington discussed the Planning Commission's concerns regarding the design of the homes and hotel. Mr. Christensen stated the development would establish its own Architectural Review Committee (ARC) and adhere to strict architectural design guidelines and standards. Mr. Eddington recommended combining the development's ARC with the Town's Design Review Committee (DRC) in order to be more efficient.

The Infrastructure Plan was discussed. The applicants were proposing a Public Infrastructure District (PID), which would be brought before the Council at a subsequent date for an approval. Mr. Amberry explained the infrastructure would not be a liability of the Town and would be financed through a PID.

Mr. Eddington reviewed the Planning Commission's recommendations and conditions regarding the overall Concept Plan, to which the applicants had agreed to.

The rezone request was presented. Mr. Eddington explained the proposed zoning designations looked to be more dense than what was proposed; however, the number of units and maximum Equivalent Residential Units (ERU's) allowed would be specified in the Master Development Agreement (MDA) and Planned Performance Development (PPD). Ms. McLean recommended any rezone be contingent on entering into a Development Agreement within the following six (6) months after approval, and with that Development Agreement should be an approved preliminary plat. The applicants expressed their opposition to Ms. McLean's recommendation, stating they needed to have an executed MDA prior to closing on the purchase of the property

from the current property owner. Discussion ensued. Ms. McLean reiterated Staff's recommendation to keep the current Mountain Zone designation and implement a PPD overlay and, in order to accommodate the hotel, rezone to Neighborhood Mixed Use to achieve the desired outcome. Mr. Eddington explained in further detail what a PPD entailed, which would tie the Concept Plan to the density agreed on by the Council into an MDA. He further explained how it would provide more flexibility than current zoning designations. Mayor Rubin asked Ms. McLean and Mr. Eddington to provide the applicants with an in-depth explanation of what a PPD does and does not allow. The applicants asked for additional time to explore this option.

Mayor Rubin asked the applicants to provide the Financial Analysis to the Council prior to the next meeting. Council Member Severini asked to be provided with the raw data in spreadsheet form instead of a pdf so he could look at the formulas behind the data.

Council Member Jacobs inquired if the hotel would be operated and sold as condotels. Mr. Christensen stated the would be sold as condos but run as a hotel as in the same way as Stein Eriksen, The Montage Deer Valley, or St. Regis Deer Valley was run. He noted they anticipated that it would be flagged by one of the major brand hotels.

It was noted a Parking Plan was one of the conditions Planning Commission stated was needed. Mr. Christensen stated a Parking Plan Exhibit was being determined but could be provided to Council within a couple of days.

Council expressed their support of the recommendations from Planning Commission.

There being no further comments or questions from Council, Mayor Rubin opened the floor to public comment at 8:07 p.m.

*Brett Rutter* – Mr. Rutter stated he agreed with Council Member Severini and Mayor Rubin's desire to obtain a thorough Financial Analysis which would focus on the net tax revenue projections to the Town's General Fund, not just the gross tax. He understood the net tax number came to approximately three hundred dollars (\$300) per head, which he would personally rather pay three hundred dollars (\$300) directly into the General Fund than increase the number of units by nearly six hundred (600) ERU's and all of the costs and expenses which come along with the increase in density.

Mr. Rutter pointed out that the retail space may not be ideal for residents to walk or bike to, considering it was approximately a two hundred and fifty (250) foot climb over a half a mile from the south side of Town to where the proposed coffee shop would be located. He was concerned of the increase in traffic and the need for parking due to the number of residents who would most likely drive to the retail stores.

Mr. Rutter then spoke of the 2019 General Plan which noted the property was designated for lower density and to "preserve wild space". He cited several quotes from public comments in Section 4.4.1 of the General Plan, stating commercial development near housing or to intermingle with each other was not desired. Public comments also stated a hotel was not wanted by residents. Citizens also stated high density was not preferred. He suggested Council look at this property as an opportunity for assisted living space which would result in less traffic than a hotel.

Mr. Rutter expressed his concern of the proposed zoning map, stating the inner circle of the development should be designated as Open Space Zoning. He was also concerned of the number

of ERU's and thought those should be kept in the hotel and condos in order to preserve the wild space and keep the density confined to as few of the structures as possible. Mayor Rubin thanked Mr. Rutter for his comments.

*Carol Tomas* – Ms. Tomas agreed with Mr. Rutter. She expressed her concern regarding the high density, particularly with the hotel. She felt more time was needed for additional review to do what was best for the Town.

There being no further comments, Mayor Rubin closed public input at 8:20 p.m. and reiterated the public input and discussion would be continued to a future meeting.

### **3. Discussion of a Master Development Agreement (MDA) regarding the Boulders at Hideout Development**

The Council did not receive the MDA with enough time to review prior to the meeting, and therefore, Mayor Rubin asked for a motion to continue the discussion to the March 10, 2022 regular meeting.

*Motion: Council Member Baier moved to continue the discussion of a Master Development Agreement regarding the Boulders at Hideout to the March 10, 2022 regular meeting. Council Member Jacobs made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, and Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.*

## **IV. Agenda Items**

### **1. Discussion and possible approval of an Agreement with GCD and JSSD regarding impact fees due to JSSD**

Ms. McLean explained there were some errors in calculating the impact fees due to Jordanelle Special Service District (JSSD). An agreement was made between GCD, the Town, and JSSD to each pay a third of the amount due.

Ms. McLean noted a provision should be added to the agreement stating the Town's maximum contribution would be \$33,645 – which was a third of the total amount owed.

There being no questions from Council, Mayor Rubin asked for a motion to approve the Mayor to sign an agreement related to the settlement of impact fees due to JSSD with the insertion of language that limits the Town's portion to no more than \$33,645.

*Motion: Council Member Severini moved to approve the Mayor to sign an agreement related to the settlement of impact fees due to JSSD with the aforementioned language added. Council Member Baier made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.*

**2. Discussion and authorization for the Mayor to enter into a contract for an economic study regarding water, sewer, storm drain, transportation, trails and community development fees with Zions Bank in an amount not to exceed \$30,000**

Town Administrator Jan McCosh explained the water study had started, as it was previously approved by Council. She had discussed the rates for the studies with Zions Bank, and they agreed to match or beat the competitors' rates.

Ms. McCosh recommended utilizing Lewis Young to continue the studies on the Military Installation Development Authority (MIDA) and nightly rental formulas and continue the rate studies with Zions Bank.

There were no questions from Council.

***Motion: Council Member Severini moved to authorize the Mayor to enter into a contract for the overall economic study regarding water, sewer, storm drain, transportation, trails and community development fees with Zions Bank in an amount not to exceed \$30,000. Council Member Haselton made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.***

**V. Meeting Adjournment**

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

***Motion: Council Member Baier moved to adjourn the meeting. Council Member Severini made the second. Voting Yes: Council Member Baier, Council Member Haselton, Council Member Jacobs, Council Member Severini. Absent from voting: Council Member Nadelberg. None opposed. Motion carried.***

The meeting adjourned at 8:49 p.m.



*Alicia Fairbourne*  
Alicia Fairbourne, Town Clerk