

Minutes
Town of Hideout
Planning Commission Special Meeting and Public Hearing
June 3, 2022
5:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in Special Meeting and Public Hearing on June 3, 2022 at 5:00 PM electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Special Meeting and Public Hearings

I. Call to Order

Chair Tony Matyszczyk called the meeting to order at 5:05 PM and referenced the current No Anchor Site letter which was included in the meeting materials. All attendees were present electronically.

II. Roll Call

PRESENT:

Chair Tony Matyszczyk
Commissioner Jonathan Gunn
Commissioner Ryan Sapp
Commissioner Glynnis Tihansky
Commissioner Donna Turner
Commissioner Rachel Cooper (alternate)

STAFF PRESENT:

Thomas Eddington, Town Planner
Cameron Platt, Town Attorney
Jan McCosh, Town Administrator
Timm Dixon, Head of Engineering and Public Works
Daniel Allen, Head of Public Works
Alicia Fairbourne, Town Clerk
Kathleen Hopkins, Deputy Town Clerk

OTHERS IN ATTENDANCE: McKay Christensen, Todd Amberry, Jack Walkenhorst, Carol Tomas, David Salzman, Bob Nadelberg, Murray Gardner, Trent Jones, Patrick Todd, Carol Haselton, and others who may not have signed in using proper names in Zoom.

III. Public Hearings

1. Review and make a possible recommendation to the Town Council for the approval of Phase 2A and 2B of the Deer Springs Subdivision – CONTINUED FROM JUNE 2, 2022

Town Planner Thomas Eddington provided background on this matter and noted this phase had originally been approved on May 13, 2021 and had subsequently been granted a onetime six-month extension to record the plat. The developer had not been able to complete the recording process by the required deadline so was re-submitting its application for a new approval. Mr. Eddington stated there were no changes in the number of units or design and the project had been approved under the current town code. In response to a question from Commissioner Ryan Sapp, Mr. Eddington confirmed there were no changes to the original plan submission and this re-approval was being

requested solely due to the delay in recording the plat. Commissioner Jonathan Gunn requested the proposed approval resolution and Conditions of Approval be amended to include a reference to emergency medical response services. Mr. Eddington agreed to incorporate this language.

Chair Matyszczyk opened the floor for public comment at 5:13 PM. There were no public comments and the public hearing closed at 5:14 PM. There were no further comments from the Planning Commissioners. Chair Matyszczyk asked for a motion.

Motion: Commissioner Tihansky moved make a positive recommendation to the Town Council to approve Phase 2A and 2B of the Deer Springs Subdivision subject to the Conditions of Approval listed in the Staff Report which would be amended to reflect the Emergency Response Services language as discussed. Commissioner Turner made the second. Voting Yes: Commissioners Gunn, Matyszczyk, Sapp, Tihansky and Tuner. Voting No: None. The motion carried.

2. Continued discussion and possible recommendation to the Hideout Town Council regarding a review of amendments made to the Boulders MDA including text amendments to the Hideout Municipal Code under this MDA and a site-specific density increase of 530 ERU's – CONTINUED FROM JUNE 2, 2022

Mr. Eddington noted the Staff Report included in the meeting materials was the same document included in the previous meeting's materials. He reviewed several outstanding items including the increased planned commercial development square footage and noted the proposed Master Development Agreement (MDA) provided the option for the developer to convert the commercial space in the first floor of the condominium units to residential development or lease it to the Town in the event the space was not leased after a year of completion. In response to questions from Chair Matyszczyk, Mr. Eddington confirmed the proposed hotel remained in the plan, although there was no specific deadline for when it would be constructed or in what phase it would be developed. Mr. Eddington clarified the land designated for the hotel could only be developed for a hotel and would remain open space until such time as a hotel was built. He also noted there was no timeline for completion of the various phases of the development.

Mr. McKay Christensen of the development team discussed his preferences for not having specific deadlines to complete various phases and components of the development given changing market conditions. He stated the hotel was a high priority, although he noted the most beneficial component of the projected revenues for the Town would be from nightly rentals, not the hotel. Mr. Eddington reminded the Planning Commissioners the Town Code did not currently allow for nightly rentals and would need to be modified accordingly if that was the desired direction of the Town Council.

Commissioner Sapp asked if the hotel property would be sold to a hotel developer/operator. Mr. Christensen stated no, the intention was to partner with a group such as Hotel Park City to operate the hotel. Commissioner Sapp asked if a market study had been conducted regarding the hotel. Mr. Christensen responded, no, not yet, although his team and the principals of Hotel Park City had good market knowledge and were confident in their ability to develop a four-star hotel and restaurant project. In response to Commissioner Sapp's question, Mr. Christensen responded the intention was to operate the hotel as a condo-hotel, similar to other area hotels. Commissioner Sapp acknowledged the revenues available to the Town from nightly rentals, he shared his concerns with nightly rentals and cited problems being faced in Park City and Summit County and noted increased Town Staff resources would be required to issue business licenses and ensure Town Code was properly followed.

Discussion ensued regarding how this development would fit within the Town's General Plan. With regard to converting unleased commercial space to residential, Commissioner Gunn asked if one-year was a reasonable timeframe to lease the commercial space in a new development and suggested a three-year period as an alternative. He noted if commercial space was not included in this development, the Town would never have it. Commissioner Sapp agreed and noted the Newpark commercial development in Park City was still not fully leased after 15 years.

Mr. Eddington discussed outstanding items regarding no definitive phasing plan and timelines in the MDA. Chair Matyszczyk asked if water had been secured. Mr. Christensen responded they had sourced the water but would not close on its acquisition until the property sale was completed and entitlements granted. He also noted water was required to record any plat. Discussion ensued regarding water shares, water storage bodies, water sources and whether the Jordanelle Reservoir would necessarily be negatively impacted by this development. Mr. Timm Dixon, Head of Engineering and Public Works, discussed how water rights were considered real property under Utah State Law and were traded similar to real estate. He also discussed the State's water adjudication notice process and letters sent to Hideout property owners.

Chair Matyszczyk shared his concerns with the lack of a detailed phasing plan for the development. Mr. Todd Amberry of the development team, noted market interest would dictate the order for building each segment type, however the plan was to build the main roads and infrastructure at the beginning of the project and construct the various building types with buyer demand. Mr. Eddington stated the Town had historically required developers share a detailed phasing plan at the approval stage of the project which did not need to specify each individual home but rather "pods" or areas of building types.

Commissioner Donna Turner stated the terms in item 6 in the MDA for the build out period seemed vague and suggested 20 years would be reasonable. Mr. Eddington stated a detailed timeline should be provided but noted a phasing plan for completion of various amenities had been provided. Mr. Christensen noted the Infrastructure phasing plan had been provided. Commissioner Turner reiterated her concerns that the MDA did not specify a buildout period.

Mr. Amberry stated the phasing would be dependent on market conditions and he noted different product types would most likely be constructed by multiple builders and could occur simultaneously. Mr. Dixon suggested planning the construction phases in such a way to minimize inconvenience and construction traffic for early homeowners.

Commissioner Sapp suggested containing nightly rentals to specific areas of the development. He also suggested building certain amenities early in the development in order to help promote home sales.

Discussion ensued regarding whether certain amenities such as an amphitheater and pavilion were priorities for the Town. Mr. Eddington noted the MDA could be revised in the future to address changing priorities. Mr. Eddington led a discussion of additional items in the Staff Report including relief requested from current Town Code; design standards and a suggestion to include members of the Planning Commission and/or Town Council on the design review committee; the developer's proposed \$2.5 million contribution to the Town for amenities as well as approximately \$300k for road maintenance during construction; undisturbed land, open space and revegetation requirements; and overall density specifications.

Commissioner Gunn requested the developer provide a map with detail on each location where exemptions were requested from current Town Code and described in a separate appendix. He reiterated his concerns with granting blanket waivers from Town Code. Mr. Christensen discussed the Preliminary Grading Plan which included details on retaining wall deviations expected in road construction and noted additional details on where buildings would require variances from Town Code could be added separately. Discussion ensued regarding locations where the developer would prefer to use alternate retaining wall designs to address specific issues with the mountainous terrain and to minimize disturbances to the property.

After discussion and feedback from the Planning Commissioners, Mr. Christensen agreed to reorder various amenities in the phasing plan; provide architectural and design guidelines which he noted would take some time; provide detail on setbacks for the villas and slope remediation; and provide revised language in the MDA to specify the locations where retaining walls would vary from Town Code as well as specifications of the road maintenance contribution plan. Commissioner Sapp requested the developer consider a three-year period to lease the commercial space discussed before conversion to residential. Mr. Eddington requested a more detailed phasing plan be included which could include “phasing bubbles” for the different building types. He also noted a rough timeline would be helpful.

Discussion ensued regarding whether the developer would be prepared present the updated items at the June 16, 2022 Regular Planning Commission meeting. Commissioner Rachel Cooper suggested it would be helpful to review the results of the Hideout Resident Survey at that time as well. After further discussion, it was determined to wait for the results of the Hideout Resident Survey before voting on this matter. There being no further comments from the Planning Commissioners, Chair Matyszczyk opened the Public Hearing at 8:01 PM.

Hideout resident Carol Tomas stated while she liked much of what she had heard about this project, she was concerned with the amount of the Town’s overall development regarding undisturbed open space and the impact on area wildlife. She asked whether the proposed \$2.5 million contribution to the Town might be better spent on something better than an underpass on SR-248. There being no further public comments, the Public Hearing was closed at 8:06 PM.

Motion: Commissioner Gunn made the motion to continue this matter to the June 16, 2022 Regular Meeting and Public Hearing. Commissioner Turner made the second. Voting Yes: Commissioners Gunn, Matyszczyk, Sapp, Tihansky, and Turner. Voting No: None. The motion carried.

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 Gunn made the second. Voting Yes: Commissioners Gunn, Matyszczyk, Sapp, Tihansky and Turner. Voting No: None. The motion carried.

The meeting adjourned at 8:08 PM.




Kathleen Hopkins, Deputy Town Clerk