

Minutes
Town of Hideout
Town Council - Work Session
October 06, 2020

The Town Council of Hideout, Wasatch County, Utah met in a Work Session on October 06, 2020 at 6:00 PM electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Work Session

I. Call to Order

Mayor Rubin called the meeting to order at 6:03 pm and read the No Anchor Site Determination Letter in its entirety. All attendees were present electronically. Mayor Rubin noted the purpose for the work session was to review the recommendation from the Planning Commission regarding the potential annexation and add comments for the Annexation Master Development Agreement (AMDA) draft document. Mayor Rubin thanked the Planning commission members for their work on the recommendation, and noted there would be no input taken from the public at this session. He added public comment would be heard at the Public Hearing on October 12, 2020.

II. Roll Call

Present:

Mayor Phil Rubin
Council Member Chris Baier
Council Member Jerry Dwinell
Council Member Carol Haselton
Council Member Bob Nadelberg

Staff Present:

Town Attorney Polly McLean
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Town Clerk Alicia Fairbourne
Public Works Director Kent Culliard

Others Present: Aika Suizu, Brad Cahoon, Chris Bender, Jack Walkenhorst, Jason Owen, Lindsay Payeur, Nann Worel, Sean Philipoom, Todd Hollow, Jeremy Fields, Dan Lane, Daniel Moore, Cheryl Soshnik, Tom Lewis, David Wozniak, Max Doilney, Nate Brockbank, Alexander Cramer, Bruce Maird, Eric Langvardt, Kurt Shadle, Max Doilney, Rich Brough, Tom Lewis, John Hammonds, Lerry Winkles, Kasem Farhat, Katherine Cox, Talia Zenta, Sally Elliott, Lynn Ross, Linda Smith, Park City Mayor Andy Beerman, Planning Commissioner Ralph Severini, and others who may not have signed in using full or proper names when logging in via Zoom.

III. Agenda Items

- 1. Discuss the provisions to include in a draft Annexation Master Development Agreement (AMDA), a final version of which will be considered at the same meeting as the consideration of the annexation for the land subject to Resolution 2020-09.**

Mayor Rubin presented the map of the proposed annexation area which he discussed in detail. He also presented the recommendation document provided by the Planning Commission which reflected its core considerations to consider prior to entering into an agreement with the developer regarding the potential annexation.

Mayor Rubin paused for several minutes to allow the Council Members time to read the document, then proceeded to lead the discussion of each section. Council Member Jerry Dwinell suggested the Town Council speak directly with representatives of the environmental agencies as additional due diligence; Town Attorney Polly McLean suggested inviting these individuals to an upcoming meeting.

Council Member Chris Baier asked about the feasibility of engaging an environmental attorney from Denver Region 8 of the Environmental Protection Agency (EPA) to assist in the due diligence and requested the developer assist in covering this expense.

Planning Commissioner Ralph Severini provided information on the EPA's 2018 Five-Year Review report for the Richardson Flats Superfund site and shared information on contacts from the EPA and the Utah Department of Environmental Quality (DEQ) who were invited to the recent Planning Commission meeting. He noted there had been turnover at both agencies, and neither of the contacts he had been in contact with had authored the last report. Planning Commissioner Severini shared a summary of the comments provided to the Planning Commission from the current DEQ Project Manager Mr. Doug Bacon. He noted the EPA site was separate from the property being considered for annexation, the necessary environmental safety controls were in place, and several ongoing remedial actions would need to be completed over the coming years.

Ms. McLean agreed to find an EPA attorney to review this matter. Council Member Baier agreed it would be wise.

Council Member Baier asked the Developer Mr. Nate Brockbank about the proposed chairlift, including who would operate it. Mr. Brockbank stated he was committed to building this feature and noted it would be paid for and operated by the commercial and residential Homeowners Associations (HOAs). Council Member Dwinell asked for indemnification to the Town to be included in the agreement.

Council Member Baier noted the proposed chairlift was an intriguing idea but asked it be considered in conjunction with the Town's overall parks and trails plan. Mr. Brockbank agreed to conduct a feasibility study before moving forward on this item.

Council Member Baier asked about item #2 on the recommendation and how the roads would be paid for. Mayor Rubin stated there may be a bond or other offset of costs, but the roads would be public. Council Member Dwinell clarified the trails would also be public and asked for this to be added to the document. Mr. Bruce Baird, attorney for the developer, noted certain roads could be within gated communities and would therefore be private, although the trails would be public.

Mayor Rubin addressed item #3 of the recommendation. Council Member Dwinell asked about proposed restrictions on "big box" retailers and if that could lead to limitations on the square footage of a grocery store. Mr. Brockbank stated he did not have specifics on a grocery store yet but agreed it might exceed 25,000 square feet. Mr. Baird suggested some language which would provide flexibility on commercial square footage guidelines to address changing market

conditions. Planning Commissioner Severini provided background on how the Planning Commission derived its suggestions regarding the commercial square footage guidelines.

Council Member Dwinell asked why drive-through restaurants were excluded. Planning Commissioner Severini stated the intent was to limit traffic and create a more walkable, community-focused Town Center. Mayor Rubin noted in addition to the priority for a walkable Town Center, the development would also include parking and public transportation to the surrounding area, which could make the availability of some drive-through restaurants an attractive feature. Mayor Rubin also noted the guidelines should accommodate a service station. Mayor Rubin requested the guidelines be flexible to address a variety of commercial uses. Council Member Dwinell suggested the guidelines address where any drive-through operations may be located, but not prohibit them. Council Member Baier asked about a service station and noted if the future was less fuel dependent, a service station may not be required for the area. She encouraged forward thinking.

There were no comments on item #4 regarding architectural design and themes.

Council Member Dwinell agreed with item #5 regarding the phased approach to the commercial development and balancing it with residential development. Town Planner Thomas Eddington noted the discussions regarding percentages of commercial development completion required before residential which might be considered within the agreement.

Council Member Haselton noted she had attended the Planning Commission meeting and shared some concerns regarding the proposed chairlift. She asked if it would be an unfair burden for those residents who might not utilize this feature to pay for it through their HOA fees. Council Member Dwinell agreed and suggested considering other options for funding and operating it.

Mr. Baird suggested the proposed phasing schedule for commercial completion prior to residential might be too aggressive and shared his concerns about empty store fronts in coming years if there was not sufficient residential development to support the commercial development. He suggested alternative language regarding how phasing might be done.

Council Member Dwinell stated he would like to further negotiate this detail with the developer. Council Member Carol Haselton stated the residential need already existed throughout Hideout and the surrounding communities.

Mayor Rubin requested several core conditions to be included in the agreement: 1) completion of a feasibility study to confirm the location was appropriate for fulfilling the contemplated needs; 2) utilities and public services must be addressed before entering into an agreement; 3) address the impact on wildlife; 4) address pedestrian access across SR-248 into the development; and 5) consider the broad range of desired commercial services to be prioritized in the development in order to reduce the need for residents to travel into Park City. Mayor Rubin also requested the Town Council think about how to interact with the surrounding communities regarding public transportation needs.

Council Member Dwinell asked about the traffic study report and suggested a more desirable entrance from SR-248 which not rely on access via Brown's Canyon Road.

Council Member Dwinell asked to incorporate dark sky ordinances to minimize light pollution. Council Member Baier stated the Town should implement a dark sky ordinance which would be applicable to the entire town, not just this proposed annexation.

Council Member Bob Nadelberg asked if the chair lift was envisioned as a year-round amenity. Mr. Brockbank stated his vision was only for summer use although Mayor Rubin suggested it could be used for snowshoeing or fat-tire winter biking, but not downhill skiing or snowboarding. Council Member Dwinell agreed this should support hiking as well as biking. Mr. Eddington added there had been discussion of another chair lift that could connect Deer Springs and Deer Waters to the Town Center.

Council Member Nadelberg asked whether there could be access from US-40. Council Member Dwinell noted that property was not part of Hideout or the proposed annexation, so it was not being considered. Council Member Nadelberg stressed the importance of a safe pedestrian and bike crossing from Brown's Canyon Road.

Council Member Dwinell asked if the Developer had considered building an overpass/underpass in order to reduce cross-traffic. Mayor Rubin noted he was in discussions with the County and Utah Department of Transportation (UDOT) regarding options to improve access to the existing parking facility.

Mr. Brockbank stated his traffic study should be done shortly and he would have it circulated to the Council members.

Mayor Rubin asked Planning Commissioner Severini to discuss the Planning Commission's proposals regarding the residential areas of the development. Planning Commissioner Severini noted the Planning Commission's desire to reduce density within the development through prioritization of single-family and twin-homes rather than multi-unit town homes/condominiums. He also noted the desire for a percentage of more affordable housing to be included in the plan. Mr. Eddington addressed the details and home-type mix of the proposed affordable housing.

Council Member Dwinell stated he liked the twin-home idea and the reduced density proposals but wondered if these numbers worked for the developer. Mr. Brockbank stated the proposed plan had already cut out hundreds of acres and this could represent another big loss, especially when combined with the requests for additional infrastructure.

Mr. Eric Langvardt with Langvardt Design Group, the planner working for Mr. Brockbank, spoke regarding the financial impacts of reduced density, affordable housing, and the Town Center amenities.

Council Member Dwinell noted the current plan requested more commercial development than was originally proposed, and requested both walkable and drivable access. Mr. Langvardt noted the challenges for creating sufficient parking to accommodate an expanded commercial component particularly given the shortage of flat land in the area.

Council Member Baier asked about the lot sizes in the plan. Mr. Langvardt noted smaller lots were approximately 55- by 110-square feet and larger lots were approximately 80- by 120-square feet (quarter acre) lots. He noted the concept centered on smaller lots, with minimal required homeowner landscape maintenance, in a village setting with shared open space. Council Member Baier shared her concerns with affordability of the homes and felt that clustered density was

acceptable given the topography of the land under consideration. She supported the proposed assisted living facility. She shared her concerns with the size of the school parcel which she noted was within the Park City School District and noted there had been no discussions to date with the School District. She felt the acreage was too small and should be doubled to 10 acres to better accommodate a school with playgrounds and ball fields. She also noted a school would attract more families with children to Hideout.

Mr. Langvardt noted the proposed development had attempted to incorporate many of the Leadership in Energy and Environmental Design (LEED) standards for neighborhood development which set suburban elementary school parcels at five acres. He noted a two-story school design could fit within that acreage and would be less expensive to build than a single-story school. He shared his experience in the design of the Silver Creek Village school in the South Summit School district which was approved to be built on a five acre parcel, and added such a design could be aesthetically pleasing for the Hideout proposal as well.

Planning Commissioner Severini stated the intent in adding acreage to the proposed school parcel was meant to provide for future growth and flexibility. Mr. Langvardt noted the location of the school had been dictated by the available flat land and proximity to the trail system. Mr. Brockbank agreed to re-evaluate the school parcel to address these requests.

Mr. Brockbank stressed the importance of building some number of condominiums within the Town Center to ensure a vibrant Town Center and agreed to revise the plan to find a balance to address the density concerns.

Council Member Dwinell asked about parking at the Town Center, and whether it would be shared between residential and commercial users. Mr. Langvardt explained the underground parking would be for residents and on-street parking would be for commercial customers.

Mr. Brockbank noted Richardson Flats Road had a 100-foot right-of-way with ample space for angled on-street parking. He suggested working with Mr. Eddington and Mr. Langvardt to provide revised design concepts to incorporate these proposals, particularly for the more affordable housing options and school parcel. Mr. Brockbank also agreed to conduct a feasibility study for the chair lift.

Mayor Rubin summarized the discussion of priorities to be considered and items to be addressed in the AMDA:

- balancing traffic in the commercial area
- trail system connectivity
- public transit and the need for a regional planning and partnership
- parking in the Town Center
- language on a phasing schedule to balance the commercial and residential development priorities.

Mayor Rubin also noted the need to consider how other spaces throughout Hideout might be utilized in the event this project moved forward.

Council Member Dwinell asked whether any deed restrictions would have long-term negative consequences. Mayor Rubin noted such restrictions or zoning considerations could be changed in the future. Council Member Haselton requested that items including open space amenities, parks and a community center/senior center be addressed as part of the Annexation Master Development Agreement (AMDA). She noted the senior center would also serve the broader region. Mayor Rubin agreed on the importance of working with neighboring municipalities to address regional priorities for a variety of facilities and services which could be part of this proposed development.

Ms. McLean asked about a consideration to limit the ability of the property owner to go into Military Installation Development Authority (MIDA) and asked if language should be added to the AMDA on this. Mayor Rubin suggested including language which would require Town approval even if the law changes. Mr. Brockbank noted the developer was not in any discussions with MIDA but agreed it would be worthwhile to include this language in the AMDA.

Mayor Rubin asked whether, in addition to the upcoming Public Hearing, additional communication such as a letter or email to the residents of Hideout should be considered to provide an update on the project and solicit community feedback. Council Members Dwinell and Baier both noted much of the input received thus far had been from non-Hideout residents and noted such a communication could be helpful. Mayor Rubin stated most residents and landowners could be reached through email.

Mayor Rubin thanked the Planning Commission its work on preparing the recommendation document. Planning Commissioner Severini summarized the Planning Commission's priorities for creating its recommendations.

Mayor Rubin asked if Ms. McLean required anything further to proceed with the drafting of the AMDA. Ms. McLean responded she felt they had a great start with all the input from the Planning Commission and this discussion with the Town Council, Mr. Eddington and the Developer's team.

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

There being no further public business, Mayor Rubin asked for a motion to close the public portion of the meeting and move into Executive Session.

Motion: Council Member Haselton made the motion to enter into executive session to discuss pending or reasonably imminent litigation, personnel matters, and/or sale or acquisition of real property as needed. Council Member Baier made the second. Voting Aye: Council Members Baier, Dwinell, Haselton, and Nadelberg. None opposed.

Whereupon, the closed executive session convened at 8:44 pm.

Present:
Mayor Phil Rubin
Council Member Chris Baier
Council Member Jerry Dwinell
Council Member Carol Haselton
Council Member Bob Nadelberg

Staff and Others Present: Town Attorney Polly McLean
Rob Mansfield

V. Meeting Adjournment

At approximately 10:04 pm, the Executive Session adjourned and the meeting moved into public session.

Motion: Council Member Dwinell moved to adjourn the meeting. Council Member Nadelberg made the second. Voting Aye: Council Member Baier, Dwinell, Haselton, and Nadelberg. None opposed.

The meeting adjourned at 10:04 pm.



Alicia Fairbourne
Alicia Fairbourne, Town Clerk

APPROVED