

Town of Hideout
10860 N. Hideout Trail
Hideout, UT 84036
PLANNING COMMISSION REGULAR MEETING AND PUBLIC HEARING
September 17, 2020
6:00 p.m.

The Planning Commission of Hideout, Wasatch County, Utah met in Regular Meeting and Public Hearing on September 17, 2020 at 6:00 PM via Zoom meeting.

Regular Meeting

I. Call to Order and No Anchor Site Determination Letter Reading

Acting Chair Ralph Severini called the meeting to order at approximately 6:00 p.m. and read the No Anchor Site Determination letter in its entirety. All attendees were present electronically.

II. Roll Call

PRESENT: Acting Chair Ralph Severini
Commissioner Bruce Woelfle
Commissioner Tony Matyscyk
Commissioner Donna Turner (Alternate)

TOWN STAFF: Thomas Eddington, Town Planner
Polly McLean, Town Attorney
Ryan Taylor, Town Engineer

Alicia Fairbourne, Town Clerk
Kathleen Hopkins, Deputy Town Clerk
Jerry Dwinell, Hideout Town Council

OTHERS IN ATTENDANCE: Nate Brockbank, Dillon Bliler, Paul Watson, Todd Hollow, Caleb Payeur, Lindsay Payeur, Sean Philipoom, Kevin Thomas, Dennis Gonzalez, Carol Thomas, Margaret Olson, Kim Carson, Glynnis Tihansky, Rick Brough, Terri Eisenfeld, Larry Eisenfeld, Lynn Ross, Jack Walkenhurst, Gwen Wetzal, Carol Filmont and others who may not have signed in using proper names via Zoom.

III. Approval of Planning Commission Minutes

July 16, 2020 Planning Commission Minutes

Commissioner Woelfle noted the edit he had made regarding proposed on-street parking and stated that the minutes properly reflected his comments. There were no changes to the draft minutes.

Motion: Commissioner Turner made the motion to approve the July 16, 2020 Planning Commission Minutes. Commissioner Woelfle made the second. Voting Aye: Commissioners Woelfle, Turner and Matyscyk. Voting Nay: None. The motion carried.

July 20, 2020 Planning Commission Minutes

Commissioner Matyscyk asked if the Town Council had received the Planning Commission's proposed changes to the town code and ordinance as discussed in the minutes. Commissioner Woelfle stated his understanding was the Town Council had discussed briefly and tabled a vote on the recommendations until a later meeting when there had been more opportunity for feedback from the public. Acting Chair Severini stated he would speak to the Town Council requesting taking action on the Planning Commission's proposals. There were no comments on the draft minutes.

Motion: Commissioner Matyscyk made the motion to approve the July 20, 2020 Planning Commission Minutes. Commissioner Woelfle made the second. Voting Aye: Commissioners Woelfle, Turner and Matyscyk. Voting Nay: None. The motion carried.

IV. Agenda Items

Discussion and Possible Appointment of a New Chair Person of the Planning Commission

Acting Chair Severini updated the Commission on the resignations of Planning Commission members Sara Goldkind and John Sherwood, as well as Chairperson Jerry Dwinell's decision to step down from the Planning Commission in order to focus on his Town Council responsibilities. Given the vacancies, Acting Chair Severini suggested he serve as Acting Chair for the time being and speak with Mayor Rubin regarding input on filling the open positions, including designating alternate Commissioner Donna Turner as a permanent member of the Planning Commission.

Polly McLean introduced herself as the new Town Attorney and confirmed that the Mayor would need to appoint Ms. Turner as a permanent member. Ms. McLean provided additional information on her background, noting experience working with Town Councils and Planning Commissions of several other area municipalities.

Acting Chair Severini noted the good work and leadership provided by Chairperson Dwinell and extended the Planning Commission's thanks for those efforts. He also thanked Ms. Goldkind and Mr. Sherwood for their service. Acting Chair Severini noted that any town residents interested in volunteering to fill the vacancies should contact either himself or the Mayor. He noted any candidates must have been registered to vote and a resident of Hideout over the last 365 days (*Clerk's Note – this has been determined to be incorrect and there are no requirements for Planning Commission applicants*)

V. Public Hearing

PUBLIC HEARING: Review and Possibly Recommend the Final Plat for the Lakeview Estates Subdivision to the Town Council

Acting Chair Severini invited Thomas Eddington, Ryan Taylor and Dillon Bliler, and the representatives of the Lakeview Estates developer to provide an overview of the project. Mr. Eddington referred the Commission to the report provided with the meeting materials and noted that he had a positive experience working with Nate Brockbank, Paul Watson and their team to address the outstanding issues raised in previous meetings.

Ms. McLean did not have any comments on the report from a legal perspective. Messrs. Brockbank, Watson, Bliler and Taylor addressed questions and comments from the Commissioners including the following topics:

- Clarifications on planned road widths
- Creation of additional parking stalls in multiple locations to provide more off-street parking; the developer team would work with Mr. Eddington to add several more parking stalls. Mr. Brockbank noted the development would consist of homes each with 2-3 car garages and driveway parking for two cars, and is open to adding 10-12 parking stalls throughout the development (specifically in Parcels B, C and G).
- Topography of Phase I homes and whether homes will look into neighboring houses: Mr. Brockbank noted homes will have walk-out basements or upper stories which would look over neighbors in the back to preserve views.
- Height of retaining walls: Mr. Brockbank noted the proposed re-design had eliminated certain higher retaining walls.
- Set backs: Set backs: Mr. Watson reported that the current design provides for set backs of 20 feet in rear yards, and 20-25 feet in front yards. Mr. Brockbank added that with the new design, some lots were varied, but 40 feet would be the minimum set backs.
- Drainage channels and proposed retention basin and embankments. Mr. Thomas confirmed the final design was compliant and better than previous developments.
- Variances requested on side yard setbacks: Mr. Brockbank noted the home sizes have been reduced by 5 feet in order to stay within requirements. No exceptions were being requested. Mr. Eddington added all side yards now had 10 foot setbacks, and front yards would have either 20 foot or 25 foot setbacks in order to create alternating facades along the street. Acting Chair Severini noted the importance of optimizing views for each home. These changes in side yard spacing were an improvement. Mr. Brockbank also noted side yards would not have fencing in order to maintain neighbors' views.

Messrs. Thomas and Bliler reviewed the Staff's proposed recommendations and conditions listed in the report, with comments provided by the developer team throughout the discussion.

- Item 1: Mr. Bliler noted this item had already been satisfied with the receipt of the letter from the Wetlands Ecologist regarding the adequacy of the drainage channel mapped through the property.
- Item 2 was a standard request for will-serve letters from the utility providers and was not expected to be an issue.
- Item 3 was also standard regarding the presentation and approval of the plat and would need to be completed prior to issuing building permits. The only easements expected were for the power lines.
- Item 4, regarding wastewater collection needs. It was noted the plan would upgrade the Town's existing sewage and wastewater infrastructure. Rather than building new stand-alone lift stations, the new development would connect with existing infrastructure and require the developer to assist in upgrading the lift station in Shoreline Phase II to handle the wastewater from the Lakeview Estates development as

well. This was a move to create one water and sewer system for the entire town instead of individual systems for each development. It was reported this plan would be more cost effective and beneficial to the broader Hideout community, both in terms of initial construction costs and ongoing maintenance requirements. Acting Chair Severini asked about ownership of these facilities, with the answer being that the Town will be the owner with responsibility for ongoing maintenance.

- Item 5, the developer would need to submit geotechnical design plans for the retaining walls prior to obtaining construction permits.
- Item 6, standard water and sewer reports would be done in conjunction with the town engineers. This includes presenting a water plan, which establishes pressures and quantifies PRV's, and a sewer plan which shows sufficient capacity and adequate discharged capabilities. These were standard and would need to be completed prior to construction permitting.
- Item 7, Storm Water Pollution Prevention Plan (SWPPP) permit would need to be obtained and Notice of Intent (NOI) would need to be filed with the town prior to issuance of construction permits. Both of these were standard items and should not present any issues.

The discussion returned to the revised plans. Commissioner Turner asked about the existing power line easement (45 feet) and location near home sites. Mr. Brockbank noted that while optimal, there is no ability to bury these lines. He added this had not impacted sales in other similar developments. Commissioner Turner had additional questions about potential locations for off-street parking spaces, details on the proposed basketball/pickle ball court, and locations of fire hydrants throughout the development. Mr. Brockbank discussed the planned dog washing facility (in Parcel C) which would have a canopy building, concrete pad and running water for the community. It was also noted fire hydrants would be installed throughout the development so the fire department could access within 200 feet of any structure.

Commissioner Woelfle asked for confirmation on whether trails and open spaces were part of the easement around the power lines, and had questions on the trail locations and proximity to homes. Commissioner Turner asked whether the trail system would connect with the Jordanelle State Park, to which Mr. Brockbank replied this was under discussion with the State Park. It was discussed that it was not yet clear how easements would be created and how state park access from these trails would work, as well as whether the town could pay the access cost for the benefit of the entire Hideout community. Mr. Brockbank also noted the trails plan would ultimately connect to the Jordanelle Parkway, Richardson Flats, Park City and Deer Valley.

Mr. Eddington noted a few additional items from the report that had been discussed with the developer, and were subject to completion before issuance of construction permits. These included approval of final landscape plans, final design of stacked rock retaining walls in the three primary locations, final design of open space amenities (basketball court, dog wash facilities) to be obtained prior to construction of Phase II, trail connection at lots 317 and 318 to a park, final design and materials of dog wash station, trail surfaces, trail pad or easement to state park, and storm water basin landscaping (requested to remain natural with no fencing). These items were all related to approval prior to issuing construction permits. Mr. Eddington recommended that the Commission approve the plat as presented, subject to the completion of the items discussed from the engineering report detailed in the earlier discussion.

Acting Chair Severini opened the meeting for public comment, noting comments should be limited to the Lake View Estates development.

Ms. Carol Thomas of Salt Lake City and property owner in Deer Waters had questions on the boundaries, proposed street and trails surrounding new lots (near Lot 104). Ms. Thomas asked for clarification on when certain plats were approved by the Town Council. Mr. Taylor noted the approval by the Town Council was

made as part of the other Deer Waters plat amendments earlier this year. Ms. Thomas would follow up with a call to Town Hall for more information on this. Ms. Thomas also asked whether the trails in the power line easements were considered part of the 20 percent open space requirement. Mr. Watson addressed Ms. Thomas's concerns and confirmed that the power line easements were considered part of the open space requirements. Ms. Thomas asked for details regarding height restrictions for proposed home sites, noting her concerns regarding potential view obstruction from her property. Acting Chair Severini noted certain developments, including this development, were approved under prior zoning titles, which were not subject to current height restrictions. Therefore, the subdivision was grandfathered in to the prior zoning. She asked when the proposed new home designs would be available for public review. Mr. Brockbank joined the discussion and noted he is developing the lots, which were of concern to Ms. Thomas. He stated no current homes were over 35 feet and he would not be designing new homes in those lots, which would be over 35 feet. Mr. Brockbank offered to work with her directly to address her concerns. He provided his contact details and requested she call him to discuss her concerns in more detail.

Larry Eisenfelt, Deer Waters resident, asked about the potential for power lines to be buried. Acting Chair Severini shared Mr. Eisenfelt's frustration on the matter, but noted line burial was not feasible.

There were no further public comments.

Commissioner Turner noted the burial of power lines had been discussed earlier in the meeting. Mr. Brockbank stated Rocky Mountain Power informed him that these high voltage lines could not be buried.

Commissioner Woelfle noted the improvements to the plans since the last review and appreciated the work.

Motion: Commissioner Woelfle moved to recommend the approval of the Final Plat for the Lakeview Estates, subject to the stipulations discussed, to the Town Council. Commission Turner made the second. Voting Aye: Commissioners Woelfle, Turner and Matyszczyk. Voting Nay: None. The motion carried. Prior to entering into the Work Session, Acting Chair Severini asked to take a short break in order to bring Council Member Dwinell into the meeting.

VI. Work Session

Discussion of the Potential Annexation Master Development Agreement (AMDA) for the land subject to Resolution 2020-09 (Resolution of Intent to Annex)

At approximately 8:00 p.m., Acting Chair Severini resumed the meeting and invited Council Member Jerry Dwinell to join the meeting and discuss the potential annexation project.

Council Member Dwinell reviewed the map of the proposed Richardson Flats annexation. He stated the Town Council voted to proceed with its intent to annex approximately 350 acres in the Richardson Flats area, which was less than the 650 acres originally attempted. He noted this was a scaled down version from the previous attempt. There was a 60-day window open before the repeal of the Utah State Code would take effect, which the Town Council was attempting to move forward with the annexation. He noted the plan may not go through but this was the Town Council's attempt to move forward with annexation of additional land for development.

Mr. Dwinell discussed the three main objectives for the annexation:

- 1) The town's need for various services and amenities. He noted the lack of any such commercial business in Hideout had required area residents to travel to Park City, which would add to traffic congestion in Park City.

2) Schools – Hideout students were bussed for over an hour to schools in neighboring cities. The Town Council would like to access land for a potential elementary school.

3) Revenue needs as the community grows and matures. Building permits were the town’s primary revenue source. As homes were built, there would be revenues from property taxes, but the town would need more commercial revenue to sustain the town's viability as it matures.

Council Member Dwinell stated very little land within the town had not been approved for development, with only one remaining parcel. Given the town’s topographical challenges, the proposed Richardson Flats land lended itself to development. The Town Council believed the annexation would be good for the town financially and in moving forward with its plan approved in 2018. Commissioner Woelfle asked if any of the proposed annexation land was in Wasatch County. Council Member Dwinell responded that it was entirely within Summit County.

Council Member Dwinell noted the green parcels on the map, which were not being annexed but were owned by the developer. Those parcels held deed restrictions and were in dispute with Summit County, which precluded development.

Council Member Dwinell discussed the meeting the Town Council had with state legislators, and the majority of the Town Council felt that the town should proceed with the proposal of annexation before the repeal of the bill took effect. The court may not vote in favor of the annexation project, but the Town Council wanted to explore the opportunity while there was a possibility for success. This included beginning a process to create a Master Development Agreement and soliciting input from the Planning Commission on priorities for development and protecting the town. He noted, for example, the proximity to an EPA (Environmental Protection Agency) clean up site (not part of the annexation), and how to protect the town from contamination and incurring clean up costs associated with that land. He also noted the Town’s dark sky mandates and how to balance commercial development.

Council Member Dwinell further noted the Town’s preference for commercial development and the need to work with the developer who would also want some level of residential units. The Town Council would like to hear from the Planning Commission on how to set guidelines that balance development needs while protecting the town.

Acting Chair Severini stated the purpose of this session is primarily to listen to Mr. Brockbank and his team to understand plans, and the Planning Commission was not expected to give any opinions at this time. Acting Chair Severini asked Ms. McLean whether there were any legal issues for the Planning Commission to consider at this stage. Ms. McLean said no, this was still very high level. She added that if the Town Council does go forward with the annexation, the AMDA (Annexation Master Development Agreement) would be important for setting usage and zoning issues that could be important to the town. She noted the importance of thinking through various issues early in the process.

In answer to Acting Chair Severini’s question on the AMDA, Ms. McLean explained that the agreement would be written and negotiated by the attorneys representing the town and the developer. The Planning Commission and Town Council would have input along with the town planner.

Council Member Dwinell stated the Town Council would be looking for feedback from the Planning Commission and the town planner, and noted the priorities may differ from those of the developer. Mr. Eddington discussed some of his initial thoughts on the proposal, and suggested the Planning Commission think qualitatively about what components a commercial town center mixed use area should have. He would meet with the developer team next week to work on more details.

Discussion ensued on a number of topics which would need further exploration, including:

- how traffic on Highway 248 would be impacted; what would the access points be from Highway 248;
- plans for water, sewer and storm drains, and other utilities

- Town infrastructure, including whether Town Hall would move to the new town center

Mr. Brockbank stated for the next Planning Commission meeting, he would have additional members of his team, including building, road, water and environmental engineering as well as their attorney in attendance to address questions on road planning, EPA procedures and testing. Mr. Brockbank noted he was working with UDOT (Utah Department of Transportation) on access from Highway 248. Additionally, he would have someone on site for EPA testing during all stages of digging. He had done testing on all the proposed parcels, which have come back clean.

Mr. Brockbank discussed the planned 25-acre town center which he envisioned containing a variety of commercial businesses (retail, grocery store, restaurants, office space), parks, a school and church sites, in addition to different housing options of single and multi-family units with a variety of pricing options. The project would also include 15 miles of trails (paved and unpaved), which would connect Hideout and Wasatch county trails. The plan also included approximately 40 percent open space. The plan included approximately 497 single-family homes or town homes. Mr. Brockbank expressed an interest in developing a portion of the project as workforce housing if this was of interest to the town. He was dedicated to designing what the community wanted.

Mr. Brockbank noted the ridgeline and the beauty of the project being located in a bowl, which should provide attractive views for homes.

Acting Chair Severini had questions on the OU1 Super Fund site and confirmed the developer did not own, nor was he planning to develop that land. Mr. Brockbank noted any of the parcels that had existing development issues with Summit County and/or Park City had been omitted from this annexation plan.

Acting Chair Severini stated he expected there to be many more questions regarding environmental, traffic and utility infrastructure issues which he hoped to discuss in more detail at the next Planning Commission meeting. He was hopeful that the project would take into consideration the needs of the surrounding region in addition to Hideout's. He also noted the project would fall under the new zoning code, which was recommended by the Planning Commission after extensive work.

Mr. Brockbank noted the development plan was consistent with the standards of Park City and Summit County, and was working with the engineer doing some of the Park City developments. He also stated he had plenty of water capacity for the project, and did not see issues with the neighboring Super Fund site. There would be a bond posted on the improvements. Testing of the proposed annexation land for contamination had consistently come back clean, and he reiterated testing would be done throughout the construction digging process.

There was further discussion of traffic issues and the proposed new entrances from the highway. The Commissioners asked about an updated traffic study. Mr. Brockbank noted the initial traffic study contemplated a larger development, and had been conducted in January of 2020 (pre-COVID and at the peak of ski season), and he would invite the traffic study firm to join the next meeting. Mr. Brockbank stated the developer would work with UDOT on potential over and underpasses as appropriate and based on the traffic study. Mr. Brockbank was also open to working with the surrounding communities (Summit County, Park City, Deer Valley) on potential mass transit options.

Commissioner Turner noted from her discussions with the community, the main concerns are the Super Fund site and its distance from proposed school and homes. She also asked about the surfaces of proposed trails and bike paths and noted her preference for those trails to go under busy intersections.

Acting Chair Severini asked what the cost would be to clean up the Super Fund site. Mr. Brockbank stated he had been quoted \$11 million for a 4 foot cap around the OU1 land in order to make the land usable for public space.

In order to prepare for the next meeting, Ms. McLean suggested the Planning Commission members route their questions and suggestions to Mr. Eddington who will forward them to Mr. Brockbank's team in order for the presenters to properly plan.

VII. Meeting Adjournment

There being no further business, Acting Chair Severini called for the meeting to be adjourned.

Motion: Commissioner Turner made the motion to adjourn. Commissioner Matyszyk made the second. Voting Aye: Commissioners Woelfle, Turner and Matyszyk. Voting Nay: None. The motion carried.

The meeting adjourned at 9:10 pm.




Kathleen Hopkins, Deputy Town Clerk

APPROVED