

**Minutes**  
Town of Hideout  
Continued Public Hearing - Shoreline Phase 2A Amended and Phase 3  
June 02, 2021

The Town Council of Hideout, Wasatch County, Utah met for a Continued Public Hearing - Shoreline Phase 2A Amended and Phase 3 on June 02, 2021 at 7:00 pm electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Continued Public Hearing

**I. Call to Order**

**1. Mayor Rubin's No Anchor Site Determination Letter**

Mayor Pro Tempore Chris Baier called the meeting to order at 7:02 pm and explained the No Anchor Site Determination Letter was included with the meeting materials.

**II. Roll Call**

**Present:** Mayor Pro Tempore Chris Baier  
Council Member Jerry Dwinell  
Council Member Carol Haselton  
Council Member Bob Nadelberg  
Council Member Ralph Severini

**Excused:** Mayor Phil Rubin

**Staff Present:** Town Attorney Polly McLean  
Town Administrator Jan McCosh  
Town Planner Thomas Eddington  
Town Engineers Ryan Taylor and Dillon Bliler  
Public Works Supervisor Kent Cuillard  
Town Clerk Alicia Fairbourne

**Others Present:** Mike Dyer, Richard Brockmyer, Jeff Bawol, David Peterson, Juan Lee, Jeff Knighton, Glen Gabler, Craig Jenson, Mike Stewart, Wade Budge, Carol Tomas, Dale Aychman, Jack Walkenhorst, Jan DeFeo, Clint Neerings and others who may not have logged into Zoom using their full or proper name, or who dialed in using only a phone number.

**III. Agenda Items**

**1. Continued Public Hearing, discussion and possible action on the final approval of Shoreline Subdivision Phase 2A Amended**

*(Clerk's note: Item numbers 1 and 2 were discussed together.)*

## **2. Continued Public Hearing, discussion and possible action on the final approval of Shoreline Subdivision Phase 3**

Mayor Pro Tempore Chris Baier noted the materials for review were received very late and asked Council if they would like to proceed. It was decided Council would give the developer a chance to present and discuss the materials, however, no action would be taken during the meeting.

Developer Glen Gabler thanked the Council for their willingness to meet and introduced several members of his team who were present. Mr. Gabler presented a site plan map for Shoreline Phase 3 and Phase 2 lots which was dated February 2020. He explained the roads were drawn at twenty-three feet (23') wide per the vested Town Code at that time. The map was recently reviewed by Town Planner Thomas Eddington and Town Engineer Ryan Taylor, who made several suggestions including widening the road to twenty-six feet (26') per newly adopted Hideout Municipal Code which complied with Wasatch County Fire District's recommendations. Mr. Gabler noted fifteen (15) new units added in Phase 2A Amended.

Council Member Dwinell inquired where the connecting roads would be located between Lakeview Estates and the Shoreline Phases. Mr. Gabler showed the first road connecting on Deepwater Drive in Phase 3 and the second road connecting in Phase 2 which Mr. Taylor noted was currently constructed in Shoreline yet would need to be completed concurrently with Lakeview Estates.

The number of units in Phase 2A Amended was discussed. Mr. Gabler noted in Phase 2, sixteen (16) uphill lots were originally platted, however in Phase 2A Amended, one unit was removed in order to incorporate requested downhill lots on Sailwater Lane. This also pushed those fifteen units (15) to Phase 3. Mr. Gabler further discussed the variation in duplex plans and noted the jog between the units was to be between four (4) and six (6) feet. The Council made comments regarding the setbacks between the units and stated they wanted a greater variation between each unit. Mr. Gabler stated he would work with the architect to incorporate greater setbacks.

Mr. Gabler introduced Jeff Knighton, the architect for the subdivision. Mr. Knighton addressed the Council Members' concerns of the setbacks, noting the jogs between the units could be adjusted in order to provide variations in the streetscape view. Council Member Dwinell stated the view from the reservoir side should be varied as well in order to avoid a repetitive home plan. Mr. Gabler mentioned multiple home plans with different elevations and colors would be offered. Mr. Knighton described the various elevations and home plan illustrations.

Council Member Haselton expressed her concern regarding the grading of the site, stating the existing topography and existing landscape was not taken into consideration prior to excavating the roads. Mr. Gabler addressed her concerns, stating it was currently a rough grade; however, different levels and steps would be created on the hillside for variation.

Mr. Eddington discussed the overall number of units planned for the two Phases.

- Phase 2A Amended would remove sixteen (16) units from the original one hundred and three (103) units in Phase 2, leaving it with eighty-seven (87) units
- Phase 3 would incorporate fifteen (15) of the sixteen (16) units from Phase 2 for a total number of sixty-two (62) units in Phase 3
- The remaining unit would be incorporated into the overall Shoreline subdivision

Mr. Eddington reviewed and discussed the changes requested by the Planning Commission, including:

- Meeting the conditions of the preliminary plat approved in December 2016, in which road access to SR-248 was to be resolved and water and sewer rights should be confirmed
- Adding twelve (12) visitor parking spaces in Phase 2A Amended and twenty-eight (28) spaces in Phase 3
- Designating fifty-five percent (55%) for open space in Phase 3 which was vested under the 2009 Hideout Municipal Code and Master Development Agreement (MDA)
- The total density Equivalent Residential Units (ERU's) for the proposed subdivisions should be confirmed prior to the meeting to be held on June 10, 2021

The trail system and neighborhood park was discussed. Mayor Pro Tempore Baier stated the trails should be designated as public use in order to connect with the State Park from the area. Mr. Gabler confirmed it would be available for public use but belong to the Hideout Canyon Master Homeowner's Association (HOA).

Mr. Eddington noted the commercial amenities Mr. Gabler intended to incorporate into Phase 4 and Phase 5 and stated there were none indicated in the Master Development Agreement (MDA). Mr. Gabler presented an overall concept plan of the Shoreline subdivision showing a commercial area would be located on the southeast area of the overall Shoreline development. He also pointed out an area southeast of Shoreline Phase 3 which he described as a live/work/retail development in which street-level spaces would be leased to retail shops with living spaces such as condos or apartments above. Mayor Pro Tempore Baier asked why the live/work/retail area was designated where it was, on Wake Rider Circle, considering Shoreline Drive was the major through-road in the subdivision. Mr. Gabler explained the thought process was to have a walkable community area instead of a busy commercial area. Council Member Dwinell suggested the live/work/retail development be located on the northern side of the development, closer to Shoreline Drive. Mr. Gabler stated he would take it into consideration.

Town Engineer Ryan Taylor noted the road width in the proposed Phase 3 subdivision was twenty-six (26) feet including curb and gutter, which was not compliant with current Hideout Municipal Code of twenty-six (26) feet of asphalt, exclusive of curb and gutter in order to allow emergency services vehicles adequate access and operation. Since that Ordinance was passed in July of 2020, all subdivisions which were not currently platted or built were required to comply with the Ordinance. Mr. Taylor noted until the width of the road was agreed upon, the grading, height of retaining walls, trails, et cetera, could not be finalized.

Town Attorney Polly McLean explained although the original Shoreline Development application fell under the original MDA and was vested under the municipal code as of 2016, the twenty-six (26) foot road width fell under a health and safety standard which was exempt from vested code. Mayor Pro Tempore Baier asked Mr. Gabler and his legal counsel, Wade Budge, why the roads could not be brought into compliance of the new code. Mr. Gabler stated six (6) units would be lost from Phase 3 as well as adding sixty thousand (60,000) square feet of asphalt overall. Mr. Taylor replied a concept plan which was designed by T-O Engineers did not show the loss of any units by widening the road. Council Member Dwinell stated all possibilities should be explored in order to keep the number of ERU's while maintaining the health and safety standard. Mr. Gabler stated the desired stagger of the buildings would be lost on some lots by widening the road.

Mayor Pro Tempore Baier stated the narrow roads were an issue in Hideout and Council did not want to continue to approve developments which were not in compliance.

Mr. Budge stated the MDA was clear the development was to be built under vested law, and the law allowed roads narrower than twenty-six (26) feet in Phase 2 and other phases in the subdivision. He stated negotiations were made from the original MDA in which wider roads were established in Phase 3. Mr. Budge presented Hideout Ordinance 2020-06 and discussed language in Hideout Municipal Code Chapter 11.06.16 stating the Town Council would approve the plat based on the Fire District's recommendations and argued these were not requirements for approval.

A cross-section diagram of the road was presented, showing an analysis of the road segments. He explained twenty-eight (28) feet of total right-of-way roadway, including curb and gutter, was provided in the design. He explained the pan was a suitable driving surface according to Utah State Code and International Fire Code. He felt he could argue for a narrower road and still meet health and safety minimums which were established by the State, providing twenty-six (26) feet only around fire hydrants and a minimum of twenty (20) feet elsewhere.

Mike Dyer, a former Chief Deputy of Los Angeles County Fire and former Fire Chief of Santa Barbara, spoke, stating fire trucks' outriggers can be put down on the flat portion of the gutter, which would provide the desired twenty-six (26) feet of drivable surface. He further explained the fire district wanted twenty-six (26) feet of unobstructed, all-weather access for fire apparatus.

Council Member Nadelberg stated although he appreciated Mr. Dyer's comments, Hideout had unique challenges and the residents' safety was non-negotiable. He desired to work with GCD to reach a compromise, but safety came first and foremost. Council Member Dwinell and Council Member Haselton agreed, noting although during the summer and other months the curbs would be accessible, the winter months brought snowfall and curbs and gutters could be non-useable.

Wasatch Fire Marshall Clint Neerings stated he knew the terrain and weather patterns of the area and knew the response times and plans were for Wasatch County. He reiterated the safety of the citizens was his main concern, and secondary concern was the safety of responding fire or emergency personnel. He noted time was of the essence when responding to an emergency, and emergency vehicles may not drive at a normal rate of speed. Driving quickly on the pan could sway the vehicle and endanger citizens and response personnel. He explained in further detail the reasons the pan should not be counted in the twenty-six (26) feet of roadway.

Mr. Budge reiterated his statements noting if the council would like the full twenty-six (26) feet of asphalt, no curbs or gutters would be provided in the subdivision. Council Member Dwinell asked to negotiate before any final decisions were made on the matter. Mayor Pro Tempore Baier suggested scheduling an additional meeting in order to allow adequate time to address the concerns. Mr. Gabler stated he would be willing to discuss with Council Members individually to address their concerns.

Mr. Gabler repeated the concerns of the Council, specifically noting:

- Increasing the width of the roadway to twenty-six (26) feet excluding curb and gutter and showing the loss of six (6) units
- Updating the 3-Dimensional modeling of the architecture to show jogs from five (5)- to six (6) feet
- Including steps between units to follow the road grade

- Repairing the fence near the access road between Shoreline Phase 2 which had been broken and allowed illegal access into the State Park
- Meeting personally with Mayor Pro Tempore Baier to discuss remediation of a natural spring which may have been unearthed during Shoreline Phase 2 excavation and damaged a trail in the State Park
- Work with Mr. Eddington to get a clear definition of ERU's versus units

Mr. Gabler further explained the sites and architecture were designed in accordance with housing market demands. He stated he would meet with his civil engineer in order to work out a design in which the six (6) units would not be lost.

There being no further questions from Council, Mayor Pro Tempore Baier opened the floor to the public for comment at 9:21 p.m.

Deer Waters resident, Carol Tomas, inquired about the access road which was currently blocked and if it would eventually be a road connecting from Shoreline and run in front of Lakeview Estates. Mr. Taylor explained the road would become a trail or emergency access road and would not be a public road. Shoreline, Lakeview Estates, and Deer Waters would eventually be connected through public access roads which would serve as secondary access roads. Ms. Tomas further inquired if the emergency access road, currently graveled, would be made more aesthetically pleasing. Mr. Gabler replied topsoil would cover the current surface, a trail would be added, and it would be reseeded with native seed.

Ms. Tomas inquired about a possible access to the State Park along the emergency access road. Mayor Pro Tempore Baier reiterated previous statements of entering the State Park through the designated trailhead. She further explained Hideout did not have the agreement with the State Park to allow entrance from that area, although it was the Town's intent to negotiate such an agreement.

Mayor Pro Tempore Baier discussed the Town's dog leash laws, noting the State Park could revoke the privilege of allowing dogs in the State Park if leash laws were not followed. With mention of the Town's dog leash laws, Ms. Tomas inquired if a dog park was planned in the future, to which Mayor Pro Tempore Baier replied it was planned in the Deer Springs development.

There being no further comments from the public, Mayor Pro Tempore closed public input at 9:31 p.m.

Mayor Pro Tempore Baier proposed a special meeting to continue the public hearing on June 24, 2021 at 6:00 p.m. and asked for a motion.

***Motion: Council Member Nadelberg moved to continue the public hearing, discussion and possible action on the final approval of Shoreline Subdivision Phase 2A Amended and Phase 3 to June 24, 2021 at 6:00 p.m. Council Member Dwinell made the second. Voting Yea: Council Members Baier, Dwinell, Haselton, Nadelberg, and Severini. None opposed. Motion passed.***

**IV. Meeting Adjournment**

There being no further business, Mayor Pro Tempore Baier asked for a motion to adjourn.

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

The meeting adjourned at 9:39 p.m.



  
Alicia Fairbourne, Town Clerk

APPROVED