

Minutes
Town of Hideout
Town Council Special Meeting / Public Hearing
March 29, 2022

The Town Council of Hideout, Wasatch County, Utah met for a Special Meeting and Public Hearing on March 29, 2022, at 6:00 p.m. electronically via Zoom Conference call due to the ongoing COVID-19 pandemic.

Special Meeting and Public Hearing

I. Call to Order

1. No Anchor Site Determination Letter

Mayor Rubin called the meeting to order at 6:02 pm 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 Sheri Jacobs
Council Member Carol Haselton
Council Member Bob Nadelberg
Council Member Ralph Severini

Staff Present: Town Attorney Polly McLean
Town Administrator Jan McCosh
Town Planner Thomas Eddington
Director of Engineering and Public Works Timm Dixon
Town Engineer Ryan Taylor
Town Clerk Alicia Fairbourne

Others Present: Todd Amberry, McKay Christensen, Patricia Bidwell, Brett Rutter, Sean Philipoom, Ryan Leach, Michael Sapers, Kristy Harrigan, Rachel Cooper, Jack Walkenhorst, Jared Fields, Dale Aychman, Michael McGlauflin, Nate Brockbank and others who may have logged in using a partial name or using only a phone number.

III. Agenda Items

1. Discussion and possible adoption of a Public Infrastructure District (PID) policy

Town Administrator Jan McCosh noted the Economic Development Committee had met to discuss different mill rates for the PID Policy. It was decided ten (10) mills would be proposed for consideration by the Council. Council Member Baier inquired how this rate was decided. Ms. McCosh stated the Committee compared rates with other areas and found the lower rates were

typically rural areas and primarily for residential development. She also noted the Military Installation Development Authority (MIDA) development allowed twenty (20) as a mill rate. However, if Hideout adopted the mill rate a twenty (20), MIDA would have to adopt that rate as well. The Committee decided ten (10) was a good rate for Mixed Use Development. The proposed Policy would allow a variable rate based on the type of project presented to the Town.

The Council had not reviewed the updated Policy, and therefore, Mayor Rubin stated the Policy should be continued to the next meeting. Ms. McCosh would send the updated version of the Policy to the Council immediately.

IV. Public Hearing Items:

1. Discussion and possible approval of subdivision/lot amendment to Hideout Canyon lot 37 (parcel 00-0020-7851)

**Note: This item will be continued to the April 14, 2022 Regular Town Council Meeting*

Mayor Rubin noted the discussion would be tabled to the April 14, 2022 Regular Town Council Meeting and public comment would be heard at that time.

2. Discussion and possible approval of an amendment of 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 to Council and noted the applicants had obtained a traffic study and an updated fiscal analysis. The purpose of this meeting was to review those studies and to have additional discussion and to answer any questions the Council may have. The applicants were not expecting a final vote on the project at this time.

Mr. Eddington explained he had reviewed various zoning options – which included a Planned Performance Development (PPD) overlay, and Resort Specially Planned Area (RSPA) – which would not allow for the increase in density proposed with the project. If the requested zoning designations were granted (Residential 3, Residential 6, Residential 20, and Neighborhood Mixed Use), the total allowed equivalent residential units (ERUs) would equal 1923. Mr. Eddington recommended including language in the Master Development Agreement (MDA) for a maximum allowed density of 577 ERUs. He further noted if the zoning were approved as requested and the project failed, another developer could be allowed to build up to 1923 ERUs on the area. The applicants agreed and were amenable to adding language in the MDA which would restrict the number of units. Council Member Baier noted the agenda wording should be amended to reflect different zoning.

The updated fiscal analysis was presented. Applicant McKay Christensen explained the various sources of potential revenue and the potential tax revenue for the Town over a five-year term.

The Land, Unit, and Income and Sales Tax Distribution charts were presented and discussed. Council Member Jacobs inquired how much this development would cost the Town. Mr. Christensen explained the impact fees would help to offset the costs. He offered to provide an analysis of cost to the Town during the next meeting if the Town would provide the various expenses to him. Discussion regarding the cost versus revenue benefit to the Town continued.

Council Member Jacobs inquired about the projected timeline for the project. Mr. Christensen stated it would be in phases; each of which would be presented to Council. He noted once enough Certificates of Occupancy were issued in each phase, amenities would be built, which would then require a Homeowners Association (HOA) to maintain those amenities. He stated the development plan was fairly aggressive.

Council then asked for clarity regarding what the contributions would be given to the Town by the developer if the development were to be approved. Applicant Todd Amberry stated \$2 million would be allocated to the Town for a pedestrian underpass connecting the east and west sides of SR-248. He noted the Town would receive approximately \$10 million dollars in amenities which would be available to the public, a trail system which connected to other developments' trail systems, and a hotel and commercial retail, which would provide revenue to the Town. In return, the Town would approve the 577 ERUs and approval to use the PID.

Mr. Christensen provided alternative concept ideas regarding the pond, which included reducing the size of the pond and constructing an indoor/outdoor pavilion which could act somewhat as an event center or gathering space. Mayor Rubin agreed and stated a gathering space would be an asset to the community. Mr. Christensen addressed the need for parking and noted by reducing the size of the pond and removing two of the casita units, it allowed for the pickleball courts to be closer to the pavilion and construct a parking surface within the immediate vicinity.

The traffic study was discussed. Mr. Amberry stated they had attended a meeting with the Utah Department of Transportation (UDOT) and presented the traffic study to the stakeholders of UDOT.

Council Member Severini inquired if the viewshed had been taken into consideration for the development behind this project. Mr. Amberry stated a complete grading analysis was being crafted per the Town Engineer's request. He noted the analysis would take a significant amount of time, but it would be available to the Council and public as soon as possible.

Council Member Baier mentioned the wildlife corridors and asked for the applicants to take the wildlife into consideration.

Mayor Rubin noted the Golden Eagle subdivision had an easement from the development to SR-248, which was required to be functional. Mr. Amberry noted they had met with the legal counsel regarding the easement and would ensure the road alignment would match up with the surveyed easements. They were also considering alternate layouts for the access locations to avoid the Golden Eagle property altogether.

The traffic study was presented. Mr. Amberry explained the way traffic studies were broken out was by trip generation. The number and type of units were taken into consideration and plugged into a formula used by all traffic engineers. The table specific to this project was displayed and Mr. Amberry explained UDOT would analyze the information and provide requirements for acceleration and deceleration lanes, turn lanes, traffic lights, et cetera. Council Member Severini inquired if a traffic impact analysis would be provided. Mr. Amberry explained because this development had direct access to SR-248 and that road was designed to accommodate significant amounts of traffic, an impact analysis would not be conducted. The only consideration would be the speed at which traffic enters and exits SR-248 and the length of those acceleration and deceleration lanes.

There being no further questions from Council, Mayor Rubin opened the floor for public comment at 7:55 p.m.

Patricia Bidwell – Ms. Bidwell was a lot owner in Golden Eagle. She expressed her concern of the proposed density. She also mentioned water usage had not been addressed, and this level of density would put a strain on the water usage. Mayor Rubin stated the water usage was addressed in prior meetings and the applicants understood they would need to bring enough water shares for the development. Council Member Baier added the applicant would be required to obtain sewer rights with Jordanelle Special Service District (JSSD). These were yet to be determined but she assured Ms. Bidwell they were on the top of the priority list of requirements.

Brett Rutter – Mr. Rutter inquired about the fiscal analysis. He admitted he was late joining the meeting and apologized if it had already been discussed. Mayor Rubin stated the fiscal analysis had not been included in the meeting materials published prior to the meeting but had been discussed earlier in the meeting. Mr. Rutter expressed opposition of adding this amount of density to the Town.

Sean Philipoom – thanked the Mayor and Council for volunteering their time and commended them for the progress the Town had made. He expressed concern for the development, stating it would be a step back for the standards of the Council. He expressed his disappointment regarding the timeliness of the meeting materials, noting if the Council had not received the materials with enough time to review them, it was unacceptable. He inquired why the developer was providing the fiscal impact and not an impartial party such as Zions Bank. He was not comfortable with what the applicants were providing for the fiscal impact studies. He felt the Council should not be pressured into such a big decision based on the applicant's deadlines with the seller. He stated he had reviewed the agreement between UDOT and Hideout as well as the letter from the legal counsel for Mustang Development, and he agreed with the points brought up by Mustang Development. He expressed concern regarding the access roads from SR-248 and thought the intent of UDOT's Access Management Plan should be taken into consideration when granting access to these roads. He was concerned with the calculations of the density, which he felt were not correct.

Mayor Rubin addressed some of Mr. Philipoom's concerns, noting the Town had a process for these proposals and the Council was doing its due diligence. He stated landowners had rights as well which allowed them to bring proposals to the Town. He further stated the Town would bring in a third-party Fiscal Analysis Review which was currently being worked on. He felt the Town was doing its appropriate due diligence by holding these meetings, asking appropriate questions, and ensuring both the residents and constituents were informed of the decision-making process, and the pros and cons were taken into consideration for the greater good of the community when it came to a vote.

There being no further public comments, Mayor Rubin closed the public comment portion at 8:11 p.m. and reminded participants the item would be continued to the April 14, 2022 Regular Town Council meeting.

Council Member Severini inquired about conducting a survey for residents regarding the project. Mayor Rubin stated Staff was working on formulating questions for the survey and would send it to residents in the coming weeks. Ms. McLean suggested holding an open house for the public to discuss the project and ask questions. Mr. Christensen was open to the idea of holding an open house at the site in order for residents to see the property and ask questions.

Council Member Haselton asked the applicants if a 3-D model of the project was being prepared and when it would be available. The applicants noted it would be a computer-generated rendering which would take a lot of time to complete. They were uncertain of when it could be presented to Council, but with the preliminary grading plan, some of the slopes and topography would be included. The Town's zoning requirements and viewshed were specifically being taken into consideration while preparing the grading plan.

Council Member Haselton added the applicants should consider what the residents have stated they want, which was a town gathering place or community center. She would like the applicants to consider expanding the pavilion to include a Town Hall, which the applicant agreed to consider the possibility.

Council Member Jacobs asked if the density was negotiable. Mr. Amberry stated it could be negotiated; however, the cost of the infrastructure, amenities, and contribution to the Town must be borne by items which produced revenue. If density were to be taken away, the ability to fund the other amenities and improvements would also be lost. He stated negotiations between themselves and Staff had been reviewed and the density was adjusted over the last several months.

Discussion regarding holding an open house ensued. It was determined an open house would be held and noticed for the public to attend prior to the next Town Council meeting.

3. Discussion and possible approval of a Master Development Agreement (MDA) regarding the Boulders at Hideout Development

(This item was not discussed during this meeting.)

Mayor Rubin reiterated the MDA and rezone request would be continued to the April 14, 2022 Regular Town Council meeting.

4. Public Comments

(Emailed public comments taken into consideration by Council were included in the meeting materials.)

Mayor Rubin wanted to acknowledge on record that the letter regarding the easement from Mustang Development's Legal Council had been received and reviewed by Council.

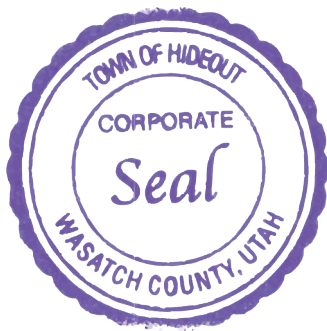
V. Meeting Adjournment

Mayor Rubin thanked Council and Staff for attending the extra meeting. Council Member Baier asked if a Special Meeting outside of the Regular Meeting could be considered since there was regular Town business to attend to. Mayor Rubin agreed and would ask Council if their schedules would allot for an additional Special Meeting could be held in April for further discussion.

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

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

The meeting adjourned at 8:53 p.m.



Alicia Fairbourne
Alicia Fairbourne, Town Clerk

APPROVED