

**Minutes**  
**Town of Hideout**  
**Planning Commission Regular Meeting and Public Hearings (Rescheduled)**  
**April 17, 2023**  
**5:00 PM**

The Planning Commission of Hideout, Wasatch County, Utah met in Rescheduled Regular Meeting and Public Hearing on April 17, 2023 at 5:00 PM electronically via Zoom meeting due to the ongoing COVID-19 pandemic.

Regular Meeting and Public Hearing

**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 Rachel Cooper  
Commissioner Jonathan Gunn  
Commissioner Glynnis Tihansky  
Commissioner Peter Ginsberg (alternate)  
Commissioner Joel Pieper (alternate)

**EXCUSED:** Commissioner Donna Turner

**STAFF PRESENT:** Polly McLean, Town Attorney  
Thomas Eddington, Town Planner  
Jan McCosh, Town Administrator  
Timm Dixon, Director of Engineering  
Alicia Fairbourne, Recorder for Hideout  
Kathleen Hopkins, Deputy Recorder for Hideout

**OTHERS IN ATTENDANCE:** Jenni Hogan, Ryan Sapp, Nate Brockbank, John Greer, Damian Taitano, Ed O'Rourke, Judd Webster, Jim Gruber, Jack Walkenhorst, Lorrinda Lattimore, Sam Hartman, Catherine Woltering, and others who may not have signed in using proper names in Zoom.

**III. Approval of Meeting Minutes**

**1. March 16, 2023 Planning Commission Minutes DRAFT**

There were no comments on the March 16, 2023 draft minutes.

*Motion: Commissioner Gunn made the motion to approve the March 16, 2023 Planning Commission Minutes. Commissioner Cooper made the second. Voting Yes: Commissioner Cooper, Commissioner Gunn, Chair Matyszczyk, and Commissioner Tihansky. Voting No: None. Absent from Voting: Commissioner Turner. The motion carried.*

#### IV. Agenda Items

##### **1. Introduction and swearing in of Second Alternate Planning Commission Members**

Chair Matyszczyk announced the Town Council had appointed Peter Ginsberg and Joel Pieper as new alternate members of the Planning Commission. Hideout Town Recorder Alicia Fairbourne read the oath of office and officiated them as Alternate Planning Commissioners.

##### **2. Continued discussion of a concept plan for a potential development Bloom in Hideout (the Salzman property, parcels 00-0020-8182 and 00-0020-8184)**

Chair Matyszczyk invited Ms. Jenni Hogan and Mr. Ryan Sapp, developers of the Bloom in Hideout subdivision to provide an update on their proposed development, including the status of water rights secured for the project. Ms. Hogan thanked the Planning Commission for the feedback they provided at the last meeting and noted many of their comments were incorporated in the updated plans. She stated the revised plan reflected lower density and more refinement on building site locations. She also reported the development team had entered into a Letter of Intent with a premier hotel partner, had secured 50-acre feet of water which would supply Phase 1 of the development, and had met with Jordanelle Special Services District (JSSD) to confirm water service. She noted Phase 1 would include the hotel and commercial development as well as forty townhomes, and estimated this phase of the development could generate approximately \$180,000 in new revenues for the Town through sales and short-term rental taxes by the end of 2025.

Mr. Sapp reported the well utilized by the existing home on the western parcel of the property was also a potential source of another 80-acre feet of water for the development, however work with the Town and JSSD would be required to ensure it satisfied municipal safety standards for broader use. He stated the combination of the secured water rights and existing well would supply sufficient water for the development which was estimated as 85-acre feet for culinary use and 45-acre feet for landscape irrigation use.

Town Planner Thomas Eddington reviewed highlights from the Staff Report which was included in the meeting materials. The proposed development is situated on approximately 112 acres and is currently zoned as Mountain Residential (MR). He summarized the comments previously provided by the Planning Commissioners, noted the proposed housing units and commercial square footage and an overall reduction in proposed density for the project. He referred to the 40-acre western parcel of the development which included the existing home which the Hogan/Sapp team did not intend to develop but which could potentially accommodate 24 additional homes under the current Mountain Residential zoning. The proposed project reflected a development of 230 units on the eastern parcel and a “worst case” (most dense) scenario of 25 future units on the western parcel for a total maximum density of 255 units.

Mr. Eddington discussed the Town's General Plan objectives which he encouraged the Planning Commissioners to consider in relation to their review of this concept plan. He also referred to the revised map of the proposed development which reflected more open space from the reduction of the planned casitas, a smaller amphitheater area, and the inclusion of cul-de-sacs in certain areas.

Ms. Hogan stated the revised plan included more mixed used commercial space which could accommodate a small market, café, restaurant, and retail businesses. She also discussed the planned event space (4,000-8,000 square feet) which would be separate from the hotel but located near the restaurant and could accommodate functions for 80-150 guests. She also noted the eight multi-family residential units which had been added above the retail space, the current proposal for the amphitheater which could accommodate 300-500 people with sufficient parking, and the addition of a third emergency access road from the western parcel.

In response to a question from Commissioner Jonathan Gunn regarding the steepness of slopes throughout the property, Mr. Sapp stated topographical details were included in one of the map exhibits and had been taken into consideration for building sites and roads. He noted the existing access road from the Golden Eagle subdivision was already constructed but exceeded a 30% grade in sections.

Commissioner Gunn asked for additional information on what work would be needed to utilize the existing well for broader use in the development. Mr. Sapp stated the water would need to meet municipal water quality and safety standards and a 500,000-gallon holding tank would be required, in addition to other testing requirements and ongoing maintenance.

Commissioner Peter Ginsberg asked if the Casitas would be managed as part of the hotel. Ms. Hogan responded the Casita resort would be a separate resort from the hotel and managed by the development team. She also noted the contract with the hotel developer would be finalized upon the Town's approval of the concept plan. Commissioner Ginsberg asked if the developers viewed the Black Rock hotel as a comparable property to the proposed hotel. Mr. Sapp responded he expected this hotel to have a lower room rate than Black Rock given the more limited planned services.

Commissioner Rachel Cooper asked for more information on the proposed multi-family units to be included above the commercial space. Mr. Sapp responded the current plan was for two residential units per building, possibly to be purchased or leased along with the commercial space below. Commissioner Cooper suggested the team consider including more apartments above the commercial space which could support the viability of the commercial businesses.

Commissioner Gunn asked whether the roads would be public or private. Ms. Hogan reviewed the plans for both the roads and trails, which she noted would be a combination of private and public.

Commissioner Joel Pieper asked if there would be a check-in facility for the Casita resort. Ms. Hogan responded this location had not yet been finalized. Commissioner Cooper asked for more information on parking for the amphitheater and commercial areas. Ms. Hogan responded that traffic and parking studies were underway, and the plan included a public transit drop off area near the amphitheater and grass parking for approximately 100 cars. Ms. Hogan also noted the parking plan for the hotel and commercial areas would be determined based on total square footage and room count metrics.

Commissioner Gunn asked for more information on and timing of future phases. Ms. Hogan replied Phase 1 would include infrastructure, the Public Infrastructure District (PID) and construction of the hotel and some commercial which could open for the 2025 winter season. Phase 2 would include additional commercial development, some of the townhomes and five casitas as the concept test for

the Casita resort. Phase 3 would include additional townhomes and commercial, the remaining casitas and single-family homes. Mr. Sapp added the timing for various commercial components could change with the interest and timing of commercial partners.

Commissioner Gunn requested the infrastructure design include no above ground sewer stations. Mr. Sapp stated he was not knowledgeable about these engineering specifics but would not expect to have such structures as part of the development's design.

Commissioner Glynnis Tihansky asked about the intended plans for the amphitheater parking. Ms. Hogan highlighted the open space grass area that could support parking for amphitheater events. She added they envisioned hosting three to seven summer community events in partnership with the Town.

Commissioner Tihansky asked what steps would be involved to approve nightly rentals for this development. Mr. Eddington responded a Short-Term Rental Overlay would have to be part of the rezone application to allow short term rentals on the entire 72-acre parcel of the development and that he was currently working on a Short-Term Rental Overlay ordinance for the Town as nothing was currently in place to allow short-term rentals. Ms. Hogan added the concept for the development was to create a resort rather than a residential community, with the intention of all the homes to be available for short-term rentals. Mr. Eddington confirmed the zoning would need to be changed from the current Mountain Residential zone.

Commissioner Tihansky asked if the rezone request would include the western parcel. Ms. Hogan stated the purchases would be separate for the two parcels and there was no current plan to develop the western parcel beyond a potential barn and/or guest house for their personal use. Commissioner Gunn requested the western parcel remain zoned Mountain Residential until such time as this team or a potential future owner applied for a re-zone. Ms. Hogan agreed to this request.

Town Attorney Polly McClean asked for confirmation that the development and rezone applications would be solely related to the eastern parcel with the exception of trails entering the western parcel. She noted the Master Development Agreement could include restrictions on future development of the western parcel and overall density for the combined parcels.

Discussion ensued regarding connectivity across SR 248, potential traffic light locations, increased traffic volumes, and the possible need to lower speed limits. It was noted all of these items would need to be worked on in partnership with UDOT and were not within the developer's or Town's control. Ms. Hogan stated her team was open to partnering with the Town to find the best and safest solutions for connecting the development with the rest of the Town and would contribute a portion of the costs under a formula to be determined.

Mr. Eddington reminded the Planning Commissioners they were not being asked to vote on this concept plan at this meeting, but requested they provide general feedback on the project and any concerns they had.

Commissioner Tihansky stated she was supportive of the concept but would like to see a plan to connect the development across SR 248 with the other side of Town. She also stated she would not want to see 24 additional homes built on the western parcel. Commissioner Cooper agreed with Commissioner Tihansky's comments and added her preference for views to be maintained for the townhouse units.

Commissioner Gunn also stated he was supportive of the concept plan, with the caveat that water service be confirmed by JSSD. Commissioner Pieper added he had some concerns with the grass parking area near the amphitheater and suggested all the casitas all be located in one area rather than separating five as currently proposed. Chair Matyszczyk stated he was comfortable with the concept as long as the western parcel was not developed further under this application.

Ms. Hogan and Mr. Sapp thanked the Planning Commissioners for their feedback and were excused from the meeting at 6:51 PM.

*Clerk's Note: Chair Matyszczyk requested the posted agenda order change to discuss the Public Hearing items related to Deer Springs Cottages next.*

## V. Public Hearings

1. **Discuss and possibly make a recommendation to the Hideout Town Council regarding adopting Chapter 12.25 Short Term Rental Overlay Zone which is an overlay zone which allows short term rentals within the overlay zone**
2. **Discuss and possibly make a recommendation to the Hideout Town Council regarding an amendment of the Official Town of Hideout Zoning Map to apply the Short-Term Rental Overlay Zone to parcel 00-0021-3164 (the "Deer Springs Cottages") which has an underlying zone of Mountain (M) Zone**
3. **Discuss and make a recommendation to Town Council regarding a final subdivision approval for the Deer Springs Cottages**

Chair Matyszczyk stated the discussion of the Short-Term Rental Overlay Zone (SRO) was connected with the Deer Springs Cottages subdivision approval and invited Mr. Nate Brockbank, developer of Deer Springs, to join the meeting. Mr. Eddington reviewed the Staff Report and reminded the Planning Commissioners the short-term rentals currently allowed in the KLAIM and part of Deer Springs Phase 1 developments predated the current Town ordinance and the Master Homeowners Association (HOA) rules had never allowed short-term rentals. The first discussion item was regarding the option of approving an overlay zone in which short term rentals could be allowed. He noted the previous discussions of the Deer Springs Cottages concept plan and the location of this development was separate from the existing Hideout subdivisions and would not have a negative impact on traffic. He suggested the Planning Commissioners consider the standards, criteria, and conditions they would like to see applied to an ordinance approving short term rentals in an overlay zone.

Mr. Brockbank reviewed his plans for the Deer Springs Cottages development which would be built explicitly as short-term rentals and shared his intention to share his portion of certain MIDA revenues from these rentals with the Town. Mr. Brockbank requested the short-term rental overlay zone be expanded from Phase 8 (the proposed cottages) to also include several units Deer Springs Phases 2A, 2B and 4, and noted this proposal and a financial study had been shared previously with the Town's Economic Development Committee (EDC). Mr. Brockbank added the feasibility of his sharing of a portion of his MIDA revenues with the Town would only work for him if the overlay zone could be expanded beyond Deer Springs Cottages (Phase 8).

Ms. McLean noted the posted agenda only included the inclusion of Deer Springs Cottages within the overlay zone, so an expanded overlay zone could be discussed at this time, but the matter would need to be re-noticed and voted on at a future date. Mr. Brockbank agreed it would be preferable to come back for approval of an expanded overlay zone and Deer Springs Cottages at a future date.

Commissioner Tihansky stated while the economic implications were not in the purview of the Planning Commission, she asked how a decision on the short-term rentals might impact future phases of the Deer Springs development. Mr. Brockbank responded he did not expect it to change sales prices for the units, however having the option for short-term rentals would be an attractive feature for the buyers. Commissioner Gunn requested more details and an updated map on an expanded overlay zone.

Mr. Eddington reviewed a proposed ordinance to approve short-term rentals and led a discussion of terms and conditions the Planning Commissioners would like to see included. Discussion ensued regarding proposed rental terms, with a consensus that a minimum four-day stay would be preferable; clarification of size of units which could be rented; potential citations and fines for violations of the ordinance; and how the Town would monitor such rentals and collect taxes.

Chair Matyszczyk opened the floor for public input at 7:29 PM.

Mr. Jim Gruber, a resident of Deer Waters, shared his concerns with the potential for increased traffic and speeding with the approval of short-term rentals. Chair Matyszczyk asked if short-term rentals would lead to more traffic than full time resident occupancy. Commissioner Tihansky noted the Deer Springs Cottages rentals would be accessed primarily from Jordanelle Parkway and would not necessarily contribute to increased traffic through the other Hideout neighborhoods.

Commissioner Gunn asked if the proposed Deer Springs Cottages location might be better used for commercial development rather than more housing units. Mr. Brockbank noted the proposed plan did include 4,000 square feet of commercial space, but he did not intend to revise his plan to be solely commercial. If the Deer Springs Cottages development was not approved, he would proceed with the 30 townhomes originally approved for this phase.

There being no further public comment, the Public Hearing was closed at 7:44 PM.

Chair Matyszczyk stated the two matters related to approval of a Short-Term Rental overlay zone as well as the approval of the Deer Springs Cottages subdivision would be continued to a date uncertain.

#### **IV. Agenda Items (continued)**

##### **3. Discussion of a concept plan for a potential Town Center development (parcels 00-0021-5232, 00-0021-5233, 00-0021-5234, and a portion of 00-0021-5231)**

Mr. Eddington reviewed a concept plan for a Town Center development on the 10-acre Town-owned parcel where the Public Works building was currently located. He noted such a development would require a rezone application and the relocation of the Public Works building to another site such as the Town-owned (+/- 7-acre) parcel below KLAIM where a potential fire station may also be located. He stated this was an early-stage concept and the property presented some challenging slope conditions.

The concept plan, as presented, included mixed-used commercial opportunities with space for some cafes or restaurants, Town Hall offices if needed, and even some upper-story residential space. The plan also considered the slope of the land indicating there could be ground level access along Shoreline Drive to buildings that step down to additional access points at the ground level elevation where the Public Works building was currently located.

Commissioner Gunn asked about the location of powerlines and easements. Mr. Eddington stated these details would be included in a future map. Commissioner Cooper asked whether this development would necessitate a traffic light at the Ross Creek entrance to SR 248. Mr. Eddington stated this would be evaluated.

Mr. Eddington stated he would continue to work on this concept plan and keep the Planning Commission informed.

**4. Discussion of a concept plan for a potential development Hideout Point (parcel 00-0021-3176)**

Chair Matyszczyk stated the applicant was not ready to present on this matter and it would be presented at a future date.

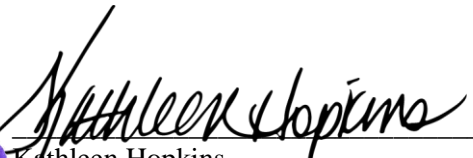
**VI. Meeting Adjournment**

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: Commissioner Cooper, Commissioner Gunn, Chair Matyszczyk, and Commissioner Ginsberg. Voting No: None. Absent from Voting: Commissioner Turner. The motion carried.*

The meeting adjourned at 8:00 PM.



  
Kathleen Hopkins  
Deputy Recorder for Hideout