



HIDEOUT, UTAH PLANNING COMMISSION

October 05, 2020

Agenda

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Hideout, Utah will hold a special meeting for the purposes and at the times as described below on Monday, October 05, 2020

This will be an electronic meeting without an anchor location pursuant to Acting Chair Person Ralph Severini's September 15, 2020 Determination Letter (attached)

All public meetings are available via ZOOM conference call.
Interested parties may join by dialing in as follows:

Meeting URL: <https://zoom.us/j/4356594739> To join by telephone dial: US: +1 408 638 0986
Meeting ID: 435 659 4739

Special Meeting 7:00 PM

- I. Call to Order
 1. Planning Commission No Anchor Site Determination Letter Reading
 - II. Roll Call
 - III. Agenda Items
 1. Discussion and recommendation to Town Council regarding proposed zoning for the land subject to Resolution 2020-09 and other conditions for the Potential Master Development Agreement
 - IV. Meeting Adjournment
-

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Mayor or Town Clerk at 435-659-4739 at least 24 hours prior to the meeting.

File Attachments for Item:

1. Planning Commission No Anchor Site Determination Letter Reading



September 15, 2020

DETERMINATION REGARDING CONDUCTING TOWN OF HIDEOUT PUBLIC MEETINGS
WITHOUT AN ANCHOR LOCATION

The Planning Commission Chair of the Town of Hideout hereby determines that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location pursuant to Utah Code section 52-4-207(4) and Hideout Town Ordinance 2020-03. The facts upon which this determination is based include: The percent and number of positive COVID-19 cases in Utah has been over 5% of those tested since May 27, 2020. The seven day average of cases has been over 200 since May 27, 2020. COVID-19 patients in Utah hospitals has been significant during the same time period.

This meeting will not have a physical anchor location. All attendees will connect remotely. All public meetings are available via ZOOM conference call and net meeting. Interested parties may join by dialing in as follows:

Meeting URL: <https://zoom.us/j/4356594739>

To join by telephone dial: US: +1 408-638-0986

Meeting ID: 4356594739

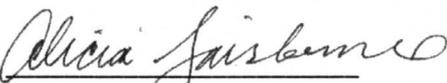
Additionally, comments may be emailed to the Town Clerk afairbourne@hideoututah.gov.

This determination will expire in 30 days on October 14, 2020.

BY:


Acting Chair Person, Ralph Severini

ATTEST:


Alicia Fairbourne, Town Clerk



File Attachments for Item:

1. Discussion and recommendation to Town Council regarding proposed zoning for the land subject to Resolution 2020-09 and other conditions for the Potential Master Development Agreement

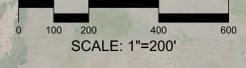
TRAIL ACCESS TO ADJACENT NEIGHBORHOODS

MOUNTAIN LIFT TOP TERMINAL WITH VIEWING PLATFORM AND BENCHES

RICHARDSON PEAK

RICHARDSON MASTER PLAN

SEPTEMBER 30, 2020



SADDLE VILLAGE

PASSIVE PARK

HIKING AND MOUNTAIN BIKING PARK OPEN SPACE

VILLAGE GREEN

ALLEY LOADED TOWNHOMES

SINGLE FAMILY LOTS

HIKING AND BIKING TRAILS

MEADOW VILLAGE

AFFORDABLE HOUSING MULTI-FAMILY

DEVELOPMENT DATA

PROJECT AREA	348 AC
SINGLE FAMILY LOTS	352 UNITS
TOWNHOMES	182 UNITS
AFFORDABLE MULTI FAMILY	108 UNITS
TOWN CENTER CONDOMINIUMS	194 UNITS
RETAIL/COMMERCIAL	81,600 SF
ASSISTED LIVING	72,800 SF
OPEN SPACE	+/- 206 AC

ALLEY LOADED TOWNHOMES

CHURCH PARCEL

SCHOOL PARCEL

ASSISTED LIVING FACILITY

ACCESS TO RECREATION PARCEL

EXISTING RAIL TRAIL

EXISTING RICHARDSON FLAT ROAD

MARKET/GROCER

CONDOMINIUMS OVER STRUCTURED PARKING WITH RETAIL/LIVE-WORK AT STREET LEVEL

SINGLE FAMILY LOTS

TOWN CENTER

POLICE AND FIRE STATION

MOUNTAIN LIFT BASE AND PLAZA

RETAIL SQUARE WITH RESIDENTIAL ABOVE

EXISTING PARK AND RIDE

BMC BUILDING MATERIALS

CONDOMINIUM HOTEL

ACCESS TO HIGHWAY 248

PARK EAST

HIGHWAY 248

BLACK ROCK RIDGE

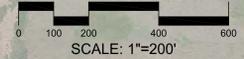
TRAIL ACCESS TO ADJACENT NEIGHBORHOODS

MOUNTAIN LIFT TOP TERMINAL WITH VIEWING PLATFORM AND BENCHES

RICHARDSON PEAK

RICHARDSON ZONING PLAN

SEPTEMBER 30, 2020



SADDLE VILLAGE

R20

R6

VILLAGE GREEN

ALLEY LOADED TOWNHOMES

SINGLE FAMILY LOTS

R3

HIKING AND BIKING TRAILS

MEADOW VILLAGE

R6

R20

AFFORDABLE HOUSING MULTI-FAMILY

R3

R6

R6

DEVELOPMENT DATA	
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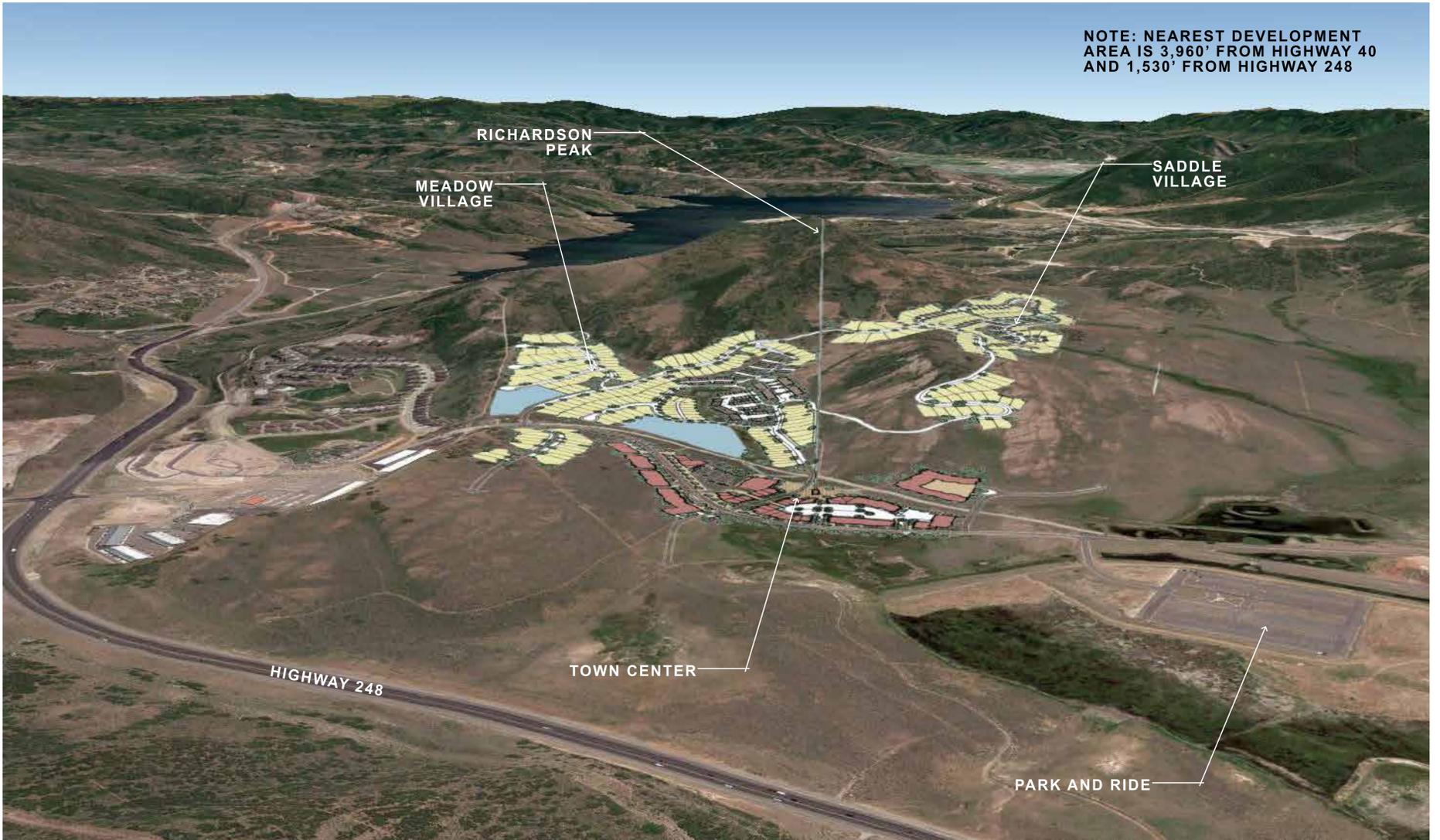
PARK EAST

HIGHWAY 248

BLACK ROCK RIDGE

RICHARDSON PERSPECTIVES

SEPTEMBER 30, 2020



VIEW LOOKING SOUTH



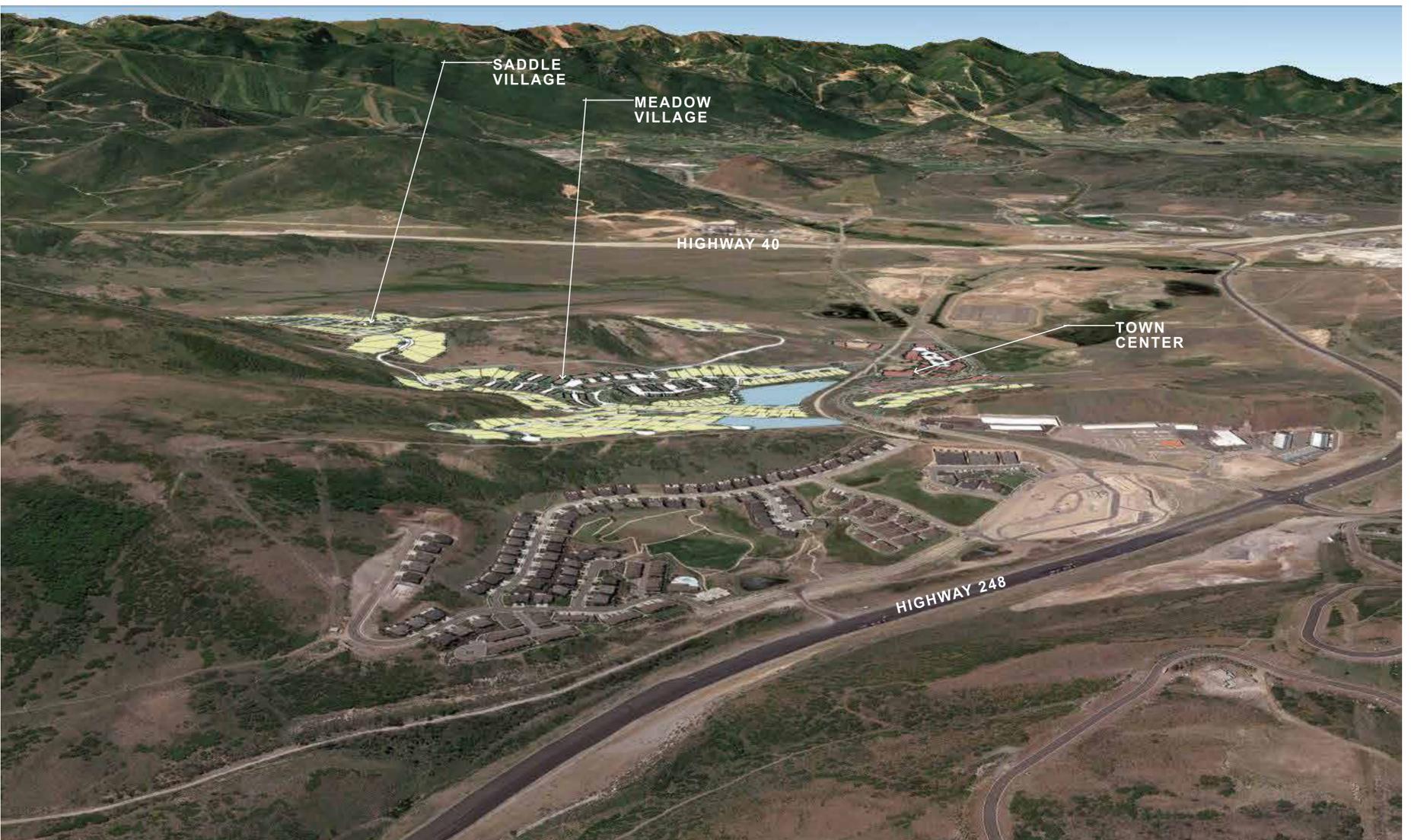
VIEW LOOKING SOUTHWEST

RICHARDSON PERSPECTIVES

SEPTEMBER 30, 2020



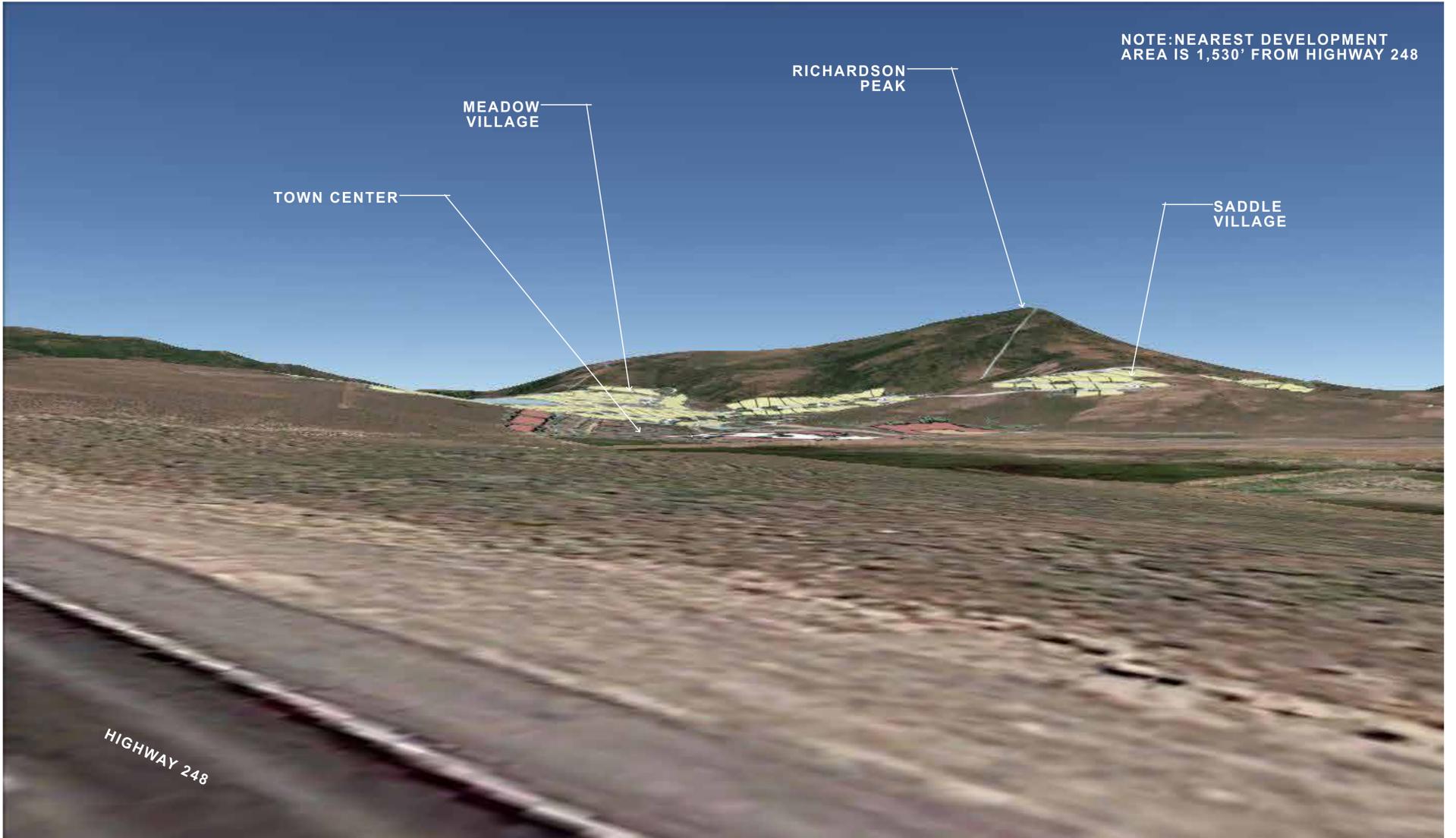
VIEW LOOKING NORTHWEST



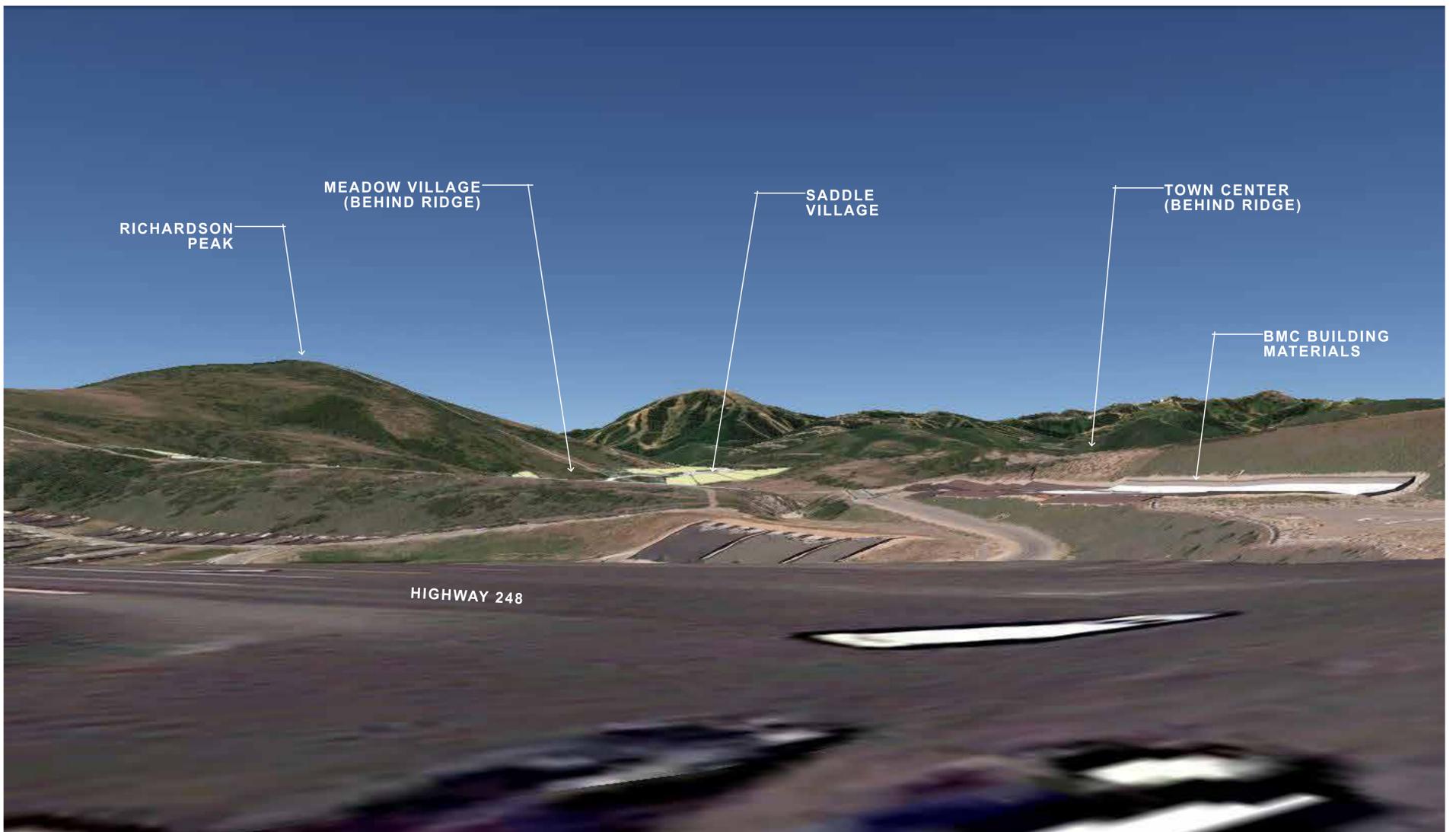
VIEW LOOKING WEST

RICHARDSON PERSPECTIVES

SEPTEMBER 30, 2020



VIEW LOOKING SOUTH FROM HIGHWAY 248



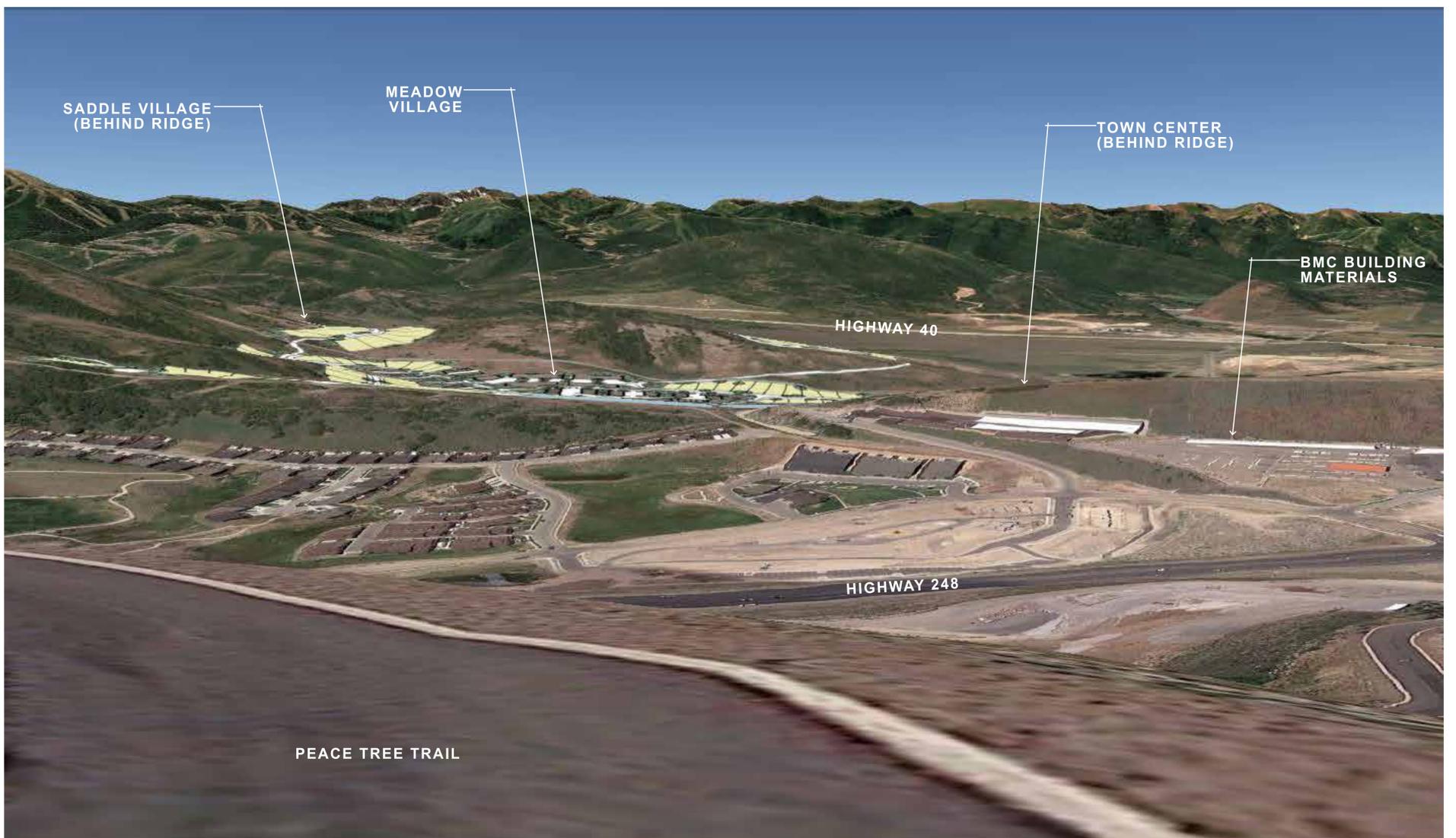
VIEW LOOKING SOUTHWEST FROM BROWNS CANYON ROAD AND HIGHWAY 248 INTERSECTION

RICHARDSON PERSPECTIVES

SEPTEMBER 30, 2020



VIEW LOOKING WEST FROM HWY 248 AND TEMPORARY CONSTRUCTION ACCESS ROAD



VIEW LOOKING WEST FROM DEER TRAILS NORTH ENTRY GATE

RICHARDSON PERSPECTIVES

SEPTEMBER 30, 2020

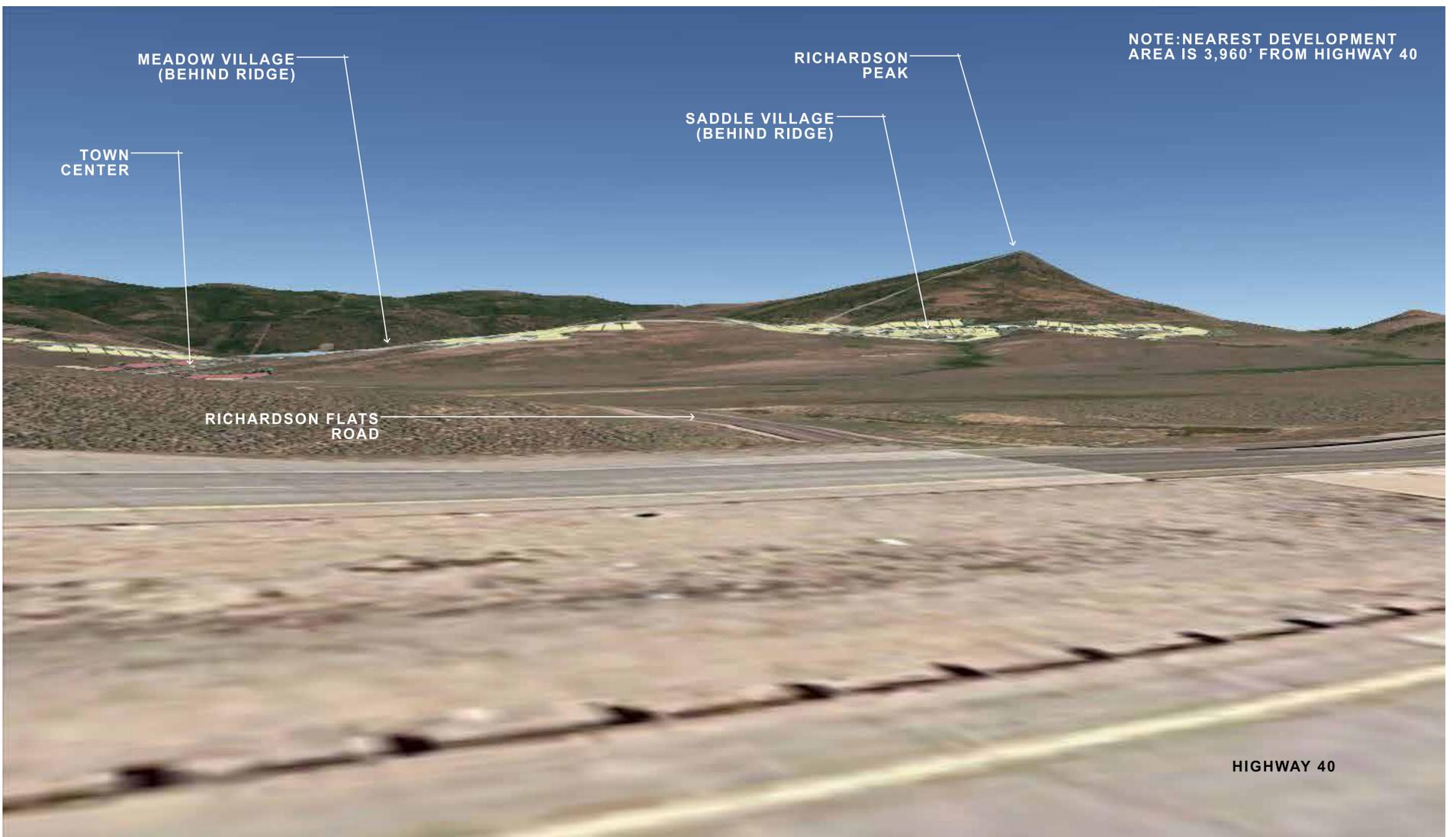


HIGHWAY 40

ALL DEVELOPMENT LOCATED BEHIND HILLSIDE
AND OUT OF HIGHWAY VISUAL CORRIDOR

NOTE: NEAREST DEVELOPMENT
AREA IS 3,960' FROM HIGHWAY 40

VIEW LOOKING NORTH FROM HWY 40



HIGHWAY 40

MEADOW VILLAGE
(BEHIND RIDGE)

RICHARDSON
PEAK

NOTE: NEAREST DEVELOPMENT
AREA IS 3,960' FROM HIGHWAY 40

TOWN
CENTER

SADDLE VILLAGE
(BEHIND RIDGE)

RICHARDSON FLATS
ROAD

VIEW LOOKING EAST FROM HWY 40 AND RICHARDSON FLATS ROAD CROSSING



To: Hideout Planning Commission

From: Bruce Erickson, Planning Director

John Phillips, Planning Commission Chairperson

Date: 10/1/20

RE: Town of Hideout – Park City Comment on Consideration of Revised Annexation

Dear Fellow Planners:

We are writing to provide some planning input, regardless of the public policy differences our respective Councils may have. We were pleased, but not surprised, by the scope and degree of questioning that the Planning Commission demonstrated at the last meeting. We just encourage you to further question whether you got responsive answers. With no public hearing or input, the developer is free to give unilateral and uncontested responses – something we've never witnessed in over 50 years of collective experience with public planning processes and meetings.

- 1. "In Order To Prepare For Future Expansion of Municipal Services..."** These are the first words of the "Purposes and Objectives" of the Hideout Annexation Declaration policy. Our simple question is how is the policy met if Hideout is not providing any services to the new area? It appears like the answer is none of the above. This proposal is obviously not planning for logical extension of municipal services. Quite the opposite, the developer promises no need for Hideout services and he will contract with existing providers. Stripped of any actual planning on these issues, the proposal is nothing more than a density and zoning end run of Summit County. Ironically, this same lack of planning created the very problem you're trying to solve- an end run for developers who opted out of Wasatch County by artificially and prematurely incorporating with no services plan and no town center- just residential development unchecked. Our suggestion is to slow down and get answers to your questions from the September 17 meeting and address comments from former Summit County engineer Nestor Gallo from sources



other than the developer. We challenge you to read the state law regarding annexations and find this proposal complies with the intent.

2. **EPA matters are complex and deserve more attention**- One of the Planning Commissioners asked the developer whether he would insure or bond to protect Hideout from future environmental liability. He responded that he would have a public improvement bond – that is not the same thing. A public improvement bond is required in almost all jurisdictions and protects the public against partially complete projects where the developer walks. Equally important but not responsive to the Commissioner. Please make sure you understand Hideout liability of future roads, excavating public utilities, school sites, and open space. Get the answers from the EPA directly. The boundaries of OU1 are not set in stone and may expand depending where additional contamination is found. Did Wells Fargo/Redus initial deed boundaries conflict with the Consent Decree boundary? Do you know the difference between the various regulatory documents and OU 1-4 plans by EPA to potentially expand the use of OU1?
3. **The Developer Likely Will Still Challenge Park City's DA** - Please ask for and review City Manager Matt Dias' memo to Hideout Manager Jan McCosh dated 9/8/20. As you know, the developer removed the Richardson Flat area which the property owner agreed to restrict as part of his proposed Park City annexation of related development areas in Park City. We support the removal. What we all don't know is why the developer proceeded to pay millions for land now proposed as open space and trails that was restricted already to open space? What you may not also know is the Richardson restrictions were also part of implementation of a parking mitigation for the development and part of a broad stakeholder watershed approach with the community and EPA regarding the mine company's legacy of contamination. From Matt's memo:

Please read at least the recitals of the 1999 Annexation Ordinance.
To induce our community and legislative body to expand our
boundaries and provide services to previously unincorporated areas



after over four years of public hearings and a rejected resolution, the property owner voluntarily and legally agreed by contract to mitigate his development's impacts by restricting uses on Richardson flats. Some of the restrictions are affirmative, including an unconditional consent to annex to Park City, parking for construction and hotel employees, public transit/park and ride lot, and environmental mitigation. And some of them are restrictive, including the limitation to golf or recreation/open space. The developer's proposal with Richardson Flat as the center piece was the singular reason the project moved forward. Similar agreements for land in Wasatch County were also made. While Summit County and Wasatch County both raised concerns through our public process, and the property owner simultaneously pursued applications in both jurisdictions, the owner ultimately proceeded in Park City. Neither county objected nor protested in accordance with state law at the time. The Flagstaff DA has withstood challenges in both federal and state court. The City was awarded attorney fees in an action by Mayflower Stichting. Additionally, the DA was used by the Fourth District Court in ownership disputes and partition valuations by property owners.

Finally, we appeal to you as neighbors and fellow planners. The only one with a deadline is the developer. This is his opportunity to skirt the years of planning by your partner jurisdictions due to a loophole created by his lobbyists, not yours. We think it is unfair to ask your planning commission to be part of that and encourage you to take the time to get the answers your current and future residents deserve.

Respectfully,

Bruce and John



Office of the City Manager

October 5, 2020

Hideout Planning Commission
10860 No. Hideout Trail
Hideout, UT 84036

Dear Hideout Planning Commission,

After listening to the representations made at your October, 1, 2020, Planning Commission meeting by Mr. Brockbank with regard to future public service delivery and meeting with stakeholders, we felt compelled to correct the public record. To be clear, Mr. Brockbank misrepresented that he has communicated with regional stakeholders, and potential future service providers.

In light of his comments, please accept this letter for the official record to confirm that there has been no planning meetings or commitments that we are aware of to serve the proposed Mayflower annexation that is now under your consideration. This is a glaring and considerable overstatement that must be considered and deliberated by the Hideout Planning Commission.

Accordingly, the Town of Hideout should plan, at minimum, to provide the following public services:

- Schools (no discussions have taken place with the Park City School District);
- Public Safety (no discussions have taken place with the Summit County Sheriff or Park City Police Department);
- Fire (no discussions have taken place with the Park City Fire District);
- Transit (no discussions have taken place with the Park City Transit District or Summit County);
- Recreation (no discussions have taken place with either the Park City Recreation Department or Summit County Basin Recreation);
- Public Works (no discussions have taken place with Summit County Public Works or the Park City Public Works Department); and
- Water (no discussions have taken place with the Park City Water Department or Mountain Regional Water District).

Because the Hideout Planning Commission is tasked with preparing and making recommendations to the legislative body (Town Council) on land use matters (annexations), we anticipate this information will be fundamental to your review.

Sincerely,

Matt Dias
Park City Manager

Tom Fisher
Summit County Manager

Subject:

Proposed zoning for the land subject to Resolution 2020-09 and other conditions for the Potential Annexation Master Development Agreement (AMDA).

After reviewing the conceptual plans presented by Nate Brockbank (the Developer) and with the assistance of a number of experts that have been interviewed and questioned, including our town planner Thomas Eddington, our town engineers (TO Engineering), the Utah DEQ environmental engineering representative Doug Bacon, a traffic study engineer and others, we the Planning Commission of Hideout find merit in the proposed annexation and land use based on the following Core Conditions and Considerations.

Core Conditions:

1. The development of this site will meet or exceed all federal, state, and local environmental quality standards, including on-going testing and maintenance as required. Independent consultant required answering to the town but paid for by the developer.
2. All infrastructure improvements that are required by law or by recommendation from Hideout will be paid and maintained in the future by the developer. These include roads, trails and sidewalks, chairlift (for pedestrians and bikes), parks, plaza, open space, utilities, etc.
3. The commercial development will not include Big Box stores, allowing for one single space to be no greater than 25,000 square feet and all other spaces must be less than 10,000 square feet, nor drive through restaurants/stores. The vision for the Town Center is a unique, authentically designed, main street or village area where residents can dine or shop for local goods as well as shop for groceries.
4. The town of Hideout will provide input on all residential and commercial architectural themes and designs, as well as veto rights to those.
5. There will be a phased approach to the overall development. This includes staggered commercial and residential development, with the expectation that some commercial will be developed in the initial stage and as part of each subsequent phase.

Recommendations:

The Planning Commission recommends the following:

1. To achieve a greater balance of single-family homes for Hideout and the surrounding developments including Parks Edge, the Retreat at the Jordanelle, Park City Heights, and Black Rock, we recommend reducing the density according to the following:

Type	From	To	% Change
Single Family (need some large lots as well)	352	150	-57%
Townhomes (twinhomes only)	182	50	-73%
Cottage (detached units)	0	40	+100%

Type	From	To	% Change
Deed restrictable cottages	0	20	+100%
Condominiums	194	80	-59%
Affordable Multi-family	108	60	-44%
Total Units	836	400	-52%
Assisted Living	72,800 sq. ft	72,800 sq. ft	0

Type	From	To	% Change
Town Center Commercial	80,000	125,000	+53%

- To expand and maximize the goal of providing optimum connectivity between all the local developments mentioned previously, together with Park City trails and other interconnections.

This includes a chairlift or gondola connection from the Town Center to Richardson Peak and down to Deer Springs or Deer Waters and which connects to the existing trail system. We understand that negotiations will be necessary to secure the easement across public or private properties to make this happen. The Planning Commission recommends good faith efforts to ensure this connection is made.

Additional connections include the ability to provide rail or other public transit to the Mayflower area and Deer Valley, and Park City such that driving can be reduced or eliminated from the Richardson Flat area to the closest ski lifts. Further, this includes safe bike and pedestrian access to the school and commercial section. Lastly, there must be easy trail access for biking and hiking on the Jordanelle trails without the necessity to drive.

- The Town Center commercial area must be developed starting in the initial phase of the project. For example, in a five-phase project, we would expect the Town Center to be completed within the first three phases. We understand that rooftops precede retail, but we also respect our regional neighbors and their ongoing residential buildout and need for a Town Center that serves our residents as well as theirs. Based on the developer's understanding that 15,000 - 20,000 new units are entitled and/or under construction in the Jordanelle Basin, the Planning Commission believes demand for a Town Center already exists.
- The issue of density is directly related to the commercial needs for the Town Center. The Planning Commission appreciates the type of development proposed within the annexation area but also understands there must be a give and get for the residential density. Currently, the Mountain Remote (MR) zoning designation by Summit County allows one (1) unit per 120 acres. That would equate to approximately three (3) units of development over the entire 350 acres. Additional density for residential development will provide resources to build out the Town Center commercial square feet and the Planning Commission is supportive of that. With that understood, the proposed numbers appear too dense for the land. Therefore the Planning Commission has concerns about the extent of native vegetation removal, the need for retaining walls, the lack of space between buildings (the proposed plan should include some Mountain Residential zoning/development), storm water runoff, traffic counts, etc. These concerns stated here need to be addressed in the next iteration of this plan.

5. To maximize the use of open space for designed recreation facilities. This would include a park(s), contiguous bike and hiking trails that connect from Hideout through Richardson Flat to Park City to Deer Valley Mayflower, and additional recreational amenities to be further defined (Amphitheatre, dog park, pickle ball courts that can be converted to ice skating rink in winter) Furthermore, the area designated as open space or recreational space must be deed-restricted accordingly and include no less than 250 of the 350 acres proposed as part of the annexation.
6. To maximize on-street parking and minimize large parking lots in the Town Center, the Planning Commission will work closely with the developer to reduce parking standards where appropriate while requiring the use of alternative modes of transportation – biking, pedestrian access, chair lifts, bus station, town trolley or unmanned mode of transportation, or similar facilities, etc.

Minimum of 60 – 75% of the town center parking should be underground or structured parking facilities for both residential and commercial parking.

7. To provide adequate trails along the commercial and condominium area along Richardson Flat Road which will encourage localized and safe pedestrian and biking traffic.

To maintain safe pedestrian and bike traffic, we suggest an underground tunnel where the rail trail crosses Richardson Flat Road.

8. To plan for future growth, we suggest a minimum 10 acres be dedicated to the school.

Recommendation:

It is important to state, as a preamble to this recommendation, that each Planning Commissioner member has varying concerns and different opinions over the Town of Hideout's actual Annexation process. This includes the approach that was taken by the Town of Hideout and whether that approach met the standards of transparency and integrity that the Planning Commission and other entities and individuals expected in this process.

Notwithstanding our individual concerns, and based solely on the analysis of the Developer's proposal, we make the following recommendation.

If the aforementioned Core Conditions and Considerations are agreed to by the Developer, the Planning Commission concludes that the Richardson Flat Annexation and Development will serve to positively impact Hideout and the surrounding and adjoining regional developments in the following ways, including:

- Improved access to commercial and retail needs including groceries (in a well designed Town Center), prepared food, and other necessities, with a subsequent reduction of traffic to Park City via Kearns Blvd, or Kimball Junction.
- Improved public services and facilities which may include police, fire, and other community services such as a library or community center.
- Improved recreational facilities, parks, trails, amphitheater, chairlift, etc. which will serve the surrounding developments as well.
- Increased area access to ski lifts at the Mayflower side of Deer Valley in particular.

- Potential for increased and improved public transportation and alternative transportation to this area.
- Protection of current view-sheds, as the topography and current design by the Developer maintains and promotes a substantial degree of separation from the surrounding developments.
- And ultimately with the improved use of the current land, there will be an associated improvement of values of neighboring properties and developments.