

**Minutes**  
**Town of Hideout Planning Commission**  
**Regular Meeting and Public Hearings**  
**May 29, 2025**  
**6:00 PM**

The Planning Commission of Hideout, Wasatch County, Utah met in a Rescheduled Regular Meeting on May 19, 2025 at 6:00 PM electronically via Zoom and in person in the City Council Chambers located at 10860 N. Hideout Trail, Hideout, Utah.

Regular Meeting and Public Hearings

**I. Call to Order**

Chair Tony Matyszczyk called the meeting to order at 6:02 PM and reminded participants that this was a hybrid meeting held both electronically and in-person.

**II. Roll Call**

**Present:** Chair Tony Matyszczyk  
Commissioner Rachel Cooper  
Commissioner Joel Pieper  
Commissioner Glynnis Tihansky  
Commissioner Donna Turner  
Commissioner Chase Winder (alternate)

**Excused:** Commissioner Peter Ginsberg (alternate)

**Staff Present:** Polly McLean, Town Attorney  
Thomas Eddington, Town Planner  
Gordon Miner, Town Engineer  
Alicia Fairbourne, Recorder for Hideout  
Kathleen Hopkins, Deputy Recorder for Hideout

**Staff Attending Remotely:** Jan McCosh, Town Administrator

**Public in Person or Attending Remotely:** Brad Airmet, Nate Brockbank, Nate Mitchell, Sean Philipoom, Kurt Basford, Jerry Crylen, Eric Davenport, Murray Gardner, Kristen Mulholland, Richard Otto, Diane Schoen, Tim Schoen, Bret Rutter, Ralph Severini, Paul Watson, and others who may not have signed in using proper names in Zoom.

**III. Approval of Meeting Minutes**

**1. April 17, 2025 Planning Commission Minutes DRAFT**

There were no comments on the April 17, 2025 draft minutes.

*Motion: Commissioner Tihansky moved to approve the April 17, 2025 Planning Commission Minutes. Commissioner Cooper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Turner. Voting No: None. Abstaining from Voting: None. Absent from Voting: None. The motion carried.*

#### **IV. Public Hearings**

Prior to commencing discussion of the hearing items related to the Wildhorse Development, Chair Matyszczyk shared his opinion that Mr. Jerry Caylen's emails sent directly to members of the Hideout Town Council which appeared to be intended to circumvent the Planning Commission process were not appreciated.

##### **1. Consideration and possible approval of a Conditional Use Permit (CUP), formerly known as a Planned Performance Development (PPD), for the Wildhorse Development to allow a Cluster Development with smaller lots in the Mountain Residential (MR) Zoning District.**

Town Planner Thomas Eddington discussed the two related applications under review which included the Conditional Use Permit (CUP) for a Cluster Development which would be approved solely by the Planning Commission and the Rezone application and Master Development Agreement (MDA) which would be approved by the Planning Commission for recommendation to the Town Council for adoption.

Regarding the CUP, Mr. Eddington discussed the required conditions to allow the development to include smaller clustered lots and retain approximately five and one-half acres of open space. He noted the proposed development included seven single-family homes, five villa units and one neighborhood mixed use commercial unit. The resulting lot sizes would be smaller than the existing Mountain Zone requirements of one-acre lots.

Mr. Eddington reviewed each of the required conditions and noted all that were met. He noted the roads may be re-designed per discussions underway with the Town Engineer and Wasatch County Fire District. He also noted the plans for sidewalks and trails were still being finalized.

Commissioner Rachel Cooper asked whether the villas were being considered for short-term rentals. Chair Matyszczyk stated such rentals had not been proposed to the Planning Commission and Mr. Eddington stated he would confirm that short-term rentals for either single-family homes or the villas were not included in the draft MDA. Mr. Eddington noted such rentals were allowable for the Neighborhood Mixed Use (NMU) Zone, although the proposed building design did not include any residential units.

Town Attorney Polly McLean stated she had received a text from Mr. Crylen, a member of the Applicant's team, which stated the Applicant intended to request approval for short-term rentals when meeting with Town Council. Ms. McLean noted this was not the normal approval process or intent of Town Code to circumvent the Planning Commission for this type of approval. She added that the Town Council may choose to send the matter back to the Planning Commission.

Commissioner Glynnis Tihansky asked for clarification on the setback requirements which Mr. Eddington explained.

Commissioner Cooper asked for more information about the proposed restaurant plans which seemed to have changed since the initial proposal where the Applicant had stated they would operate that restaurant. Mr. Tim Schoen, Applicant, responded that after many iterations of the plan, the team had changed direction to develop the property with a more upscale restaurant than their initial plan. Commissioner Cooper requested more details on the restaurant; Mr. Schoen replied the restaurant partner had not yet been identified, however he expected revenue generation to be high-end. Commissioner Chase Winder asked if a pro-forma financial analysis had been prepared. Mr. Schoen replied that it had been prepared for the Town's financial analyst and estimated sales and property tax revenues for the Town amounted to approximately \$2 million over twenty years.

Mr. Eddington reviewed the setbacks and building lots and discussed the map which detailed the proposed rezone areas including the 1.1 acres of NMU. He noted all items under consideration for the proposed zoning designations were approved uses. He also noted a potential traffic light at the SR-248 entrance was under the purview of UDOT.

Mr. Nate Mitchell, counsel for the Applicant, was in attendance and offered to answer questions on the applications.

Chair Matyszczyk asked about the status of the road plans which had been discussed previously. Mr. Eddington stated this was still under discussion and could result in an alternative road standard being proposed to the Planning Commission and Town Council. Chair Matyszczyk asked if it was possible to vote on these matters with a caveat the roads would need to meet a potential new alternative standard. Ms. McLean responded the problem was the Applicant could not meet the existing road standards. She suggested a review and approval of the applications could be done contemporaneously with consideration of an alternate standard at a future meeting. She suggested reviewing the proposed alternative standard first then consider the MDA in light of that new standard. She noted the Planning Commission could also include more exceptions in the MDA, but this was not her recommendation as she felt a better solution would be to update Town Code to address potential alternative standards that could apply to future Applicants rather than granting exceptions in the MDA.

Mr. Mitchell asked to explore the second alternative in more detail and stated that MDAs were designed to be an adaptable tool to allow Planning Commissions and Town Councils to provide flexible outcomes. He suggested an option to consider vesting under the earlier town Code and standards when the development was initially proposed or when the application was initially made. He noted the proposed roads would generally meet the prior (2024) Code and standards with some exceptions to be approved. Ms. McLean stated that legally there was no vesting in this circumstance.

Commissioner Donna Turner shared her concerns with setting a precedent for future development. Mr. Mitchell acknowledged that precedent was an issue but suggested that the MDA could address specific matters related to this property which would not apply elsewhere.

Commissioner Cooper asked about other exceptions beyond the roads. Mr. Mitchell noted there were other items that had been red lined by the Applicant in the draft MDA which he considered to appropriate including the applicable Code to be that of the time when the rezone application was filed, as well as the need for some updated exhibits. He also noted concerns with some provisions

which could lead to uncertainty if future Code was changed, as well as provisions which invested control with the Town Engineer.

Ms. McLean stated the MDA draft circulated for this meeting did not include the Applicant's redlines from March because she had rejected them and there had been no further communication on them. She also noted she did not recommend vesting per prior Code because of past problems experienced. Commissioner Tihansky noted the change from a private road to a public road changed the development plan and should preclude this request for vesting to the prior code. Mr. Mitchell acknowledged the red-lined version of the MDA had been included at the Applicant's request.

Commissioner Joel Pieper asked if the Applicant had responded to other concerns raised by the Town Engineer including storm water retention and whether lower lots were viable. Town Engineer Gordon Miner discussed the role of the town engineer's review for Concept Plans which are informal and non-binding. He noted the Applicant had consistently requested vesting in the MDA but had not responded to any of Mr. Miners comments. He referred to his staff report which included extensive comments which were made in response to the Applicant's efforts to claim density and vesting which had not yet been approved. He also stated he had not received responses to his comments. Regarding the road widths, he referenced the prior proposals for private streets which the Applicant changed at the last Planning Commission meeting, and which Staff were now attempting to address.

Mr. Mitchell noted he expected the Applicant would address the redline comments at the platting stage. He recognized that issues related to road widths would not be addressed at this meeting. Mr. Crylen stated that at the previous meeting it was discussed that the intent was always to design infrastructure to Town standards and to dedicate streets to the Town. He noted there may have been some confusion in the term "private" with regard to the roads.

Chair Matyszczyk asked if the Applicant had proposed private roads to the Economic Development Committee; Mr. Crylen responded the Applicant's intent had been for the HOA to manage the snow removal, but the roads would be dedicated to the Town. Mr. Crylen proposed continuing these matters to a special meeting; Mr. Mitchell suggested this meeting should be scheduled when all negotiations could be completed and the meeting could be properly noticed. Mr. Miner stated he had communicated with the Applicant's engineer and recommended they be patient to allow for a process to consider an alternative road standard in order to move forward. Mr. Eddington stated an alternative standard approval would also need to be properly noticed and approved by the Planning Commission and Town Council along with the approvals of these applications. Mr. Mitchell noted the Applicant was facing financing considerations and deadlines, so would like to see the next meeting scheduled as soon as possible.

Commissioner Turner shared her concerns with the five villa lots and the storm water management plan and their close location to SR-248. She asked if the Applicant had considered three or two-plex units rather than single lots and moved closer to the Woolf property.

Discussion ensued regarding potential dates for the next meeting and plans for Staff and the Applicant to work out remaining issues prior to that meeting.

2. **Discussion and possible recommendation regarding an amendment of the Official Town of Hideout Zoning Map to rezone parcel 00-0020-8164 (Wildhorse Development) from Mountain (M) Zone to Neighborhood Mixed Use (NMU). This proposed development is located on the northern side of SR-248, between the Woolf property and the Klaim Subdivision.**
3. **Discussion and possible recommendation to the Hideout Town Council regarding a Master Development Agreement (MDA) for the Wildhorse Development.**

There being no further questions from the Planning Commissioners regarding the Wildhorse Development the Public Hearings on all three items were opened at 7:14 PM. Mr. Brad Airmet, Soaring Hawk resident, asked if the suggestion to move the villas to two- or three-plex units closer to the Woolf property would violate the twenty-foot height restrictions. He also asked about the heights of the retaining walls which seemed to be much higher than permitted by Code, and asked if the roads could be re-designed to avoid such high retaining walls. He also noted the desire for trails to connect with other developments, and suggested a trail connect from Klaim and other subdivisions. He also asked if the Woolf property could connect to Town water and sewer systems.

There being no further public comment, the Public Hearings were closed at 7:20 PM.

***Motion: Chair Matyszczyk moved to continue the discussion and possible recommendations to the Hideout Town Council regarding a Conditional Use Permit, Re-zone Application and Master Development Agreement for the Wildhorse Development to the June 19, 2025 Planning Commission. Commissioner Turner made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Turner. Voting No: None. Absent from Voting: None. The motion carried.***

4. **Discussion and possible recommendation to Town Council regarding an amendment of the Official Town of Hideout Zoning Map to rezone parcels 00-0020-8181, 00-0020-8182, and 00-0020-8184 (the “Elkhorn Springs” Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU), Residential 6 (R6), Residential 20 (R20), and Natural Preservation (NP).**
5. **Discussion and possible recommendation to Town Council regarding a Master Development Agreement (MDA) for the Elkhorn Springs Development, which would include nightly rentals in zoning districts that do not currently allow for nightly rentals.**

Mr. Eddington updated the Planning Commissioners on this project. He discussed the re-zone application which requested several new zoning designations and reminded the Planning Commissioners that any re-zone approval would need to meet the goals of the Town’s General Plan. He noted the location of the primary road which was also the secondary access road for Golden Eagle.

Mr. Eddington reviewed a map which detailed proposed cut and fill locations which exceeded the Town's five feet maximum limit and 10% maximum slopes for streets. He also discussed an exhibit which showed proposed building areas which exceeded the Town's 30% maximum slopes. He reviewed the property to be dedicated to the Town, proposed trails, wildlife corridors, housing types, storm water basins and public space amenities.

Mr. Eddington discussed requested variances and waiver requests included in the draft MDA regarding sensitive lands and greater than 30% slopes for structures, roads, retaining walls and setbacks. He also noted the Applicant had requested approval for short-term rentals for all units which was not currently allowed under Town Code. He also noted the potential negative impacts from the cut and fill areas on drainage and the wildlife corridors.

Ms. McLean asked if the 30% open space requirements were met, and if the donated land to the Town would impact that computation. Commissioner Tihansky asked if the gravel road to Golden Eagle would remain as currently constructed. Mr. Paul Watson, engineer for the Applicant, explained the road may be reconfigured in areas which currently exceeded the maximum 10% grade.

Discussion ensued regarding the potential to relocate some of the housing units and dog park from the area closest to the open space and wildlife corridor to the other side of the development in order to protect those sensitive lands.

Mr. Eddington discussed the Town Code regarding required public amenities and open spaces. He also discussed the pros and cons for the Town regarding the donation of the open space which would remove those acres from the tax rolls, as well as the responsibility for maintaining and operating the community center.

Mr. Eddington reviewed a report comparing the economic impact of revenues and expenses to the Town under a scenario where the property was re-zoned as requested versus if developed under the current Mountain zoning. The results of this analysis indicated higher net revenues of approximately \$119,000 per year at full build out with commercial development or \$38,000 per year without the commercial development. He noted the analysis did not factor in any Town staff to operate the community center.

Mr. Eddington discussed the proposed contributions to the Town from the Applicant, including contributions of land for amenities, open space and commercial development; construction of a 2,000 – 3,000 square foot community center; a new town sign at the eastern town line; and payment of the engineering survey for the Spine Trail project. Mr. Nate Brockbank, Applicant, added he would also donate \$200,000 towards the construction of the Spine Trail. Mr. Brockbank also clarified the current density was requested for 212 units.

Mr. Brockbank proposed the Applicant would donate to the Town 0.033% of the sales price for each home sold which the Town could use to maintain various amenities. This could result in a \$1.3 million contribution to the Town based on current market values. He also agreed to maintain the community center for the first year. He stated he was confident the six-acre minimum open space requirements would be met.

Commissioner Cooper asked if the proposed home designs would be different than the Applicant's other developments in Hideout. Mr. Brockbank replied the proposals were concepts only and he would work with the Town's design review committee on final designs. Commissioner Winder agreed that something different would justify a premium sales price for this location.

Commissioner Turner asked if Mr. Brockbank had concerns about the viability of the commercial development and stated she hoped the option for all three commercial pads would remain in the plan to accommodate future buildout. Mr. Brockbank replied that he thought a single commercial building could be successful, but he did not think an extensive commercial area would be viable here. He added once Golden Eagle and Tuhaye were fully built out there could be more commercial demand. Mr. Eddington suggested this commercial location would not command Park City level rents and may require subsidies to attract tenants. Mr. Brockbank also suggested the commercial development be built as market conditions warranted, and along with the completion of some of the residential development.

Mr. Brockbank stated all the roads were expected to be private except for the main road through the development into Golden Eagle which would be public.

Ms. McLean suggested the Planning Commissioners consider the economic impact per the study comparing the net revenues for the proposed re-zone versus the current Mountain zoning. She also noted certain proposed amenities and open space were required by Code, and to distinguish between required and extra amenities to justify the increased density.

Mr. Brockbank stated he had acquired 35 acre-feet of water for the project, at a cost of \$65,000 per share, and noted water was considerably more expensive now. He noted that JSSD was no longer accepting outside water into its lines, so only water shares within the JSSD system were currently available for purchase.

Chair Matyszczyk suggested continuing these hearing items to allow the Applicant and Staff to finalize the re-zone application and MDA, including proposals for contributions from the Applicant.

There being no further questions from the Planning Commissioners, the public hearings related to Elkhorn Springs were opened at 9:02 PM. There was no public comment, and the public hearings were closed at 9:03 PM.

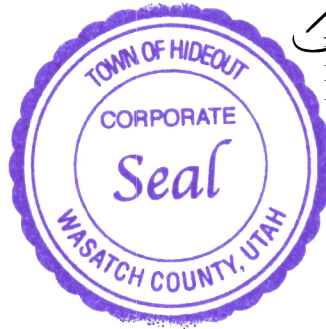
***Motion: Chair Matyszczyk moved to continue the discussion and possible recommendations to the Hideout Town Council regarding a Re-zone Application and Master Development Agreement for the Elkhorn Springs Development to the June 19, 2025 Planning Commission. Commissioner Pieper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Turner. Voting No: None. Absent from Voting: None. The motion carried.***


## **V. Meeting Adjournment**

There being no further business, Chair Matyszczyk asked for a motion to adjourn.

***Motion: Commissioner Pieper moved to adjourn the meeting. Commissioner Turner made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Turner. Voting No: None. Absent from Voting: None. The motion carried.***

The meeting adjourned at 9:04 PM.



  
Kathleen Hopkins  
Deputy Recorder for Hideout

APPROVED