

Minutes
Town of Hideout Planning Commission
Regular Meeting and Public Hearings
July 17, 2025
6:00 PM

The Planning Commission of Hideout, Wasatch County, Utah met in a Regular Meeting on July 17, 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 6:07 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 Brad Airmet (alternate)

Attending Remotely: Commissioner Chase Winder (alternate)

Excused: Commissioner Donna Turner

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

Public in Person or Attending Remotely: Brian Cooper, Nate Brockbank, Erik Davenport, Carla Mathiason, Mark Mathiason, Ralph Severini, Paul Watson and others who may not have signed in using proper names in Zoom.

III. Approval of Meeting Minutes

1. June 26, 2025 Planning Commission Minutes DRAFT

There were no comments on the June 26, 2025 draft minutes.

Motion: Commissioner Tihansky moved to approve the June 26, 2025 Planning Commission Minutes. Commissioner Pieper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Winder. Voting No: None. Abstaining from Voting: None. Absent from Voting: Commissioner Turner. The motion carried.

IV. Public Hearings

Chair Matyszczyk stated the matters related to the Wildhorse development would not be discussed at this meeting and requested they be continued to the August 21 2025 Planning Commission meeting. As these matters had been noticed for public hearing, the following items were opened for public comment.

- 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.**
- 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.**

Chair Matyszczyk opened the floor for public comment on the three Wildhorse Development items at 6:10 PM. There was no public comment, and the public hearing was closed at 6:10 PM. The Planning Commissioners each affirmed they were comfortable with the continuance of these matters to the August 21, 2025 meeting.

- 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).**

Chair Matyszczyk asked Town Planner Thomas Eddington to lead the discussion on the matters related to the Elkhorn Springs development rezone request. Mr. Eddington noted the Planning Commissioners had seen most of the materials on these matters at prior meetings and asked for specific questions rather than walking through the full report.

Commissioner Glynnis Tihansky asked for clarification on changes to the design which seemed to eliminate development along the eastern portion of the property. Mr. Eddington confirmed the changes which were made at the request of the Planning Commissioners. Commissioner Tihansky noted an inconsistency regarding the zoning designations among the exhibits; Mr. Eddington agreed to correct the inconsistency in future presentations.

Commissioner Tihansky shared her two primary concerns with the development which were the inclusion of private roads and nightly rentals. Mr. Paul Watson, engineer for the Applicant, discussed the proposed road widths which included 26 feet of pavement with two feet of curb and gutter on each side. Mr. Eddington discussed the current Town road standards which required a full fifty-three feet of pavement and public utility easements. Commissioner Tihansky shared her concerns with future homeowners paying twice through town taxes and being responsible for the costs of snow plowing and maintenance of private roads. Mr. Eddington noted issues related to private roads were under consideration by the Town Council.

Commissioner Rachel Cooper expressed her concerns with fairness to Homeowners Associations (HOA's) and property owners regarding responsibilities for roads and public amenities. Town Attorney Polly McLean stated that for the Town to accept any roads, they must meet Town standards. Otherwise, any other roads would need to be private.

Mr. Eddington discussed the range of amenities that are required components of the subdivision based on its size, and additional amenities which the developer might offer. Discussion ensued regarding the elimination of the previously proposed community center and other amenities which had been removed from the proposal and replaced with a cash contribution to the Town from the developer.

Mr. Nate Brockbank, Applicant, referred to subsequent meetings with Town personnel where a preference was stated for the Applicant to make cash payments directly to the Town rather than provide or build various amenities. Mr. Eric Davenport, attorney for the Applicant, discussed the proposed cash payments which had not been correctly included in the meeting materials. These payments would include an initial \$1.5 million payment, a second \$1.5 million payment and approximately \$1.7 million in payments based on closing prices for a total of \$4.7 million.

Commissioner Joel Pieper shared his frustrations with the subsequent negotiations with the Applicant and the Mayor and staff which seemed to circumvent the work of the Planning Commission which had spent months reviewing this project. Commissioner Pieper stated the proposed town entrance sign and the spine trail project were priorities which had been eliminated; Commissioner Tihansky added the proposed community center had been an important amenity from her perspective and Commissioner Cooper stated the pickleball courts did not seem to be an important amenity to the broader community. Mr. Brockbank stated he was flexible to reconsider the proposal but thought he had heard from the mayor that the location of a community center located near Deer Springs would be preferable to building it in Elkhorn Springs in the outskirts of Town.

Mr. Brockbank agreed to personally pay for the town entrance sign and the engineering study for the spine trail. Mr. Eddington asked for clarification in the draft MDA regarding the \$1.5 million payments which Mr. Davenport agreed should both be listed as \$1.5 million.

Commissioner Tihansky stated she was comfortable with the relocation of the community center. Mr. Brockbank confirmed the land where the pickleball courts would be located would be dedicated to the Town and all other parks and amenities would be owned and operated by the HOA. He added that these details would all be fully disclosed in contracts with future buyers. Mr. Brockbank stated the land intended for commercial development would be retained by the developer.

Mr. Brockbank suggested the addition of a stipulation in the MDA that the proposed commercial development property would revert to Town ownership if the developer did not develop it within five years.

Ms. McLean noted the MDA currently stated the developer had full discretion on the type of commercial development. Mr. Eddington suggested adding some guardrails regarding the types of acceptable business types in the commercial development.

Ms. McLean suggested Mr. Eddington review the current iteration of the proposal including changes and requested variances, to understand updates made since the last Planning Commission meeting.

Commissioner Cooper asked about landscaping and the proposed trail system. Mr. Eddington directed her to those exhibits in the meeting materials and noted additional details which would need to be provided.

Mr. Brockbank discussed the reasons surrounding the need for private roads where Town Code could not be met. These include 1) the use of 45-degree angled parking around the park; 2) roads which would be three feet short of the paved road width requirements to accommodate the staggered building envelopes; and 3) sections of the existing secondary access road which exceeded 15% slopes and did not meet the Code's maximum grade requirements.

Mr. Eddington reviewed the pro-form financial analysis included in the meeting materials which compared public and private roads, estimated revenues to the Town and expenses under various scenarios and points in time.

Discussion ensued regarding tradeoffs for public versus private roads, and whether a change in the proposal to meet Town road standards would result in an extensive redesign of the project.

Mr. Eddington discussed the trail network and asked if the developer intended to deed restrict the 16 acres as dedicated open space which Mr. Brockbank confirmed. There were 17 parking spaces proposed at the park.

Mr. Eddington highlighted areas with greater than 30% slopes where variances were being requested. Mr. Watson discussed limitations for moving developed areas any further given the need for detention basins. Mr. Brockbank noted ten units were removed from the area near the park. Mr. Eddington noted the design and architectural guidelines had not been created yet, so the final designs for the units would be dependent on those guidelines.

Mr. Brockbank discussed the proposed housing types including 24 stacked-flat buildings, single family homes on various lot sizes, as well as uphill and downhill townhomes. The largest single family lots would be approximately 1/2 acres with approximately 4,500-5,500 square foot homes. None of the units had been designed yet, and Mr. Brockbank agreed to bring all designs to the Town's Design Review Committee for approval.

Mr. Eddington asked the Applicant for final calculations on the active open space and amenities to confirm all standards were met. Mr. Eddington reviewed the requested waivers and exceptions including sensitive lands, excess 30% slopes, cut and fill areas exceeding twenty feet, retaining walls greater than ten feet, short-term rentals, and lot size and setbacks on certain units.

Chair Matyszczyk asked for guidance from Ms. McLean on whether to discuss the Master Development Agreement (MDA) prior to voting on the zoning since they were interconnected. Ms. McLean said that was appropriate, and the public hearings for both items could be heard together.

5. Discussion and possible recommendation to the 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 reviewed the draft MDA and noted the proposed density of 229 units discussed in the document was not vested density but rather a maximum density which could be reduced upon completion of final engineering review, drainage issues and adherence to all Town Code for public health and safety reasons.

Mr. Eddington suggested the Planning Commissioners consider the section regarding the 14,000 square foot commercial pad, whether the developer would have full discretion on its development, whether it might revert ownership to the Town if not developed within a certain time period, and whether to include any guardrail language regarding the types of acceptable development.

Mr. Eddington discussed the various housing types and maximum units for each; decisions to be made regarding the composition of the design review committee; the need for an additional exhibit to designate untouched lands; dedication of indoor pickleball courts to the Town; the Developer's Mitigation of Impact Contribution components; and whether the proposed percentage of sales prices to be donated to the Town was acceptable.

With regard to the monetary contributions from the developer, Ms. McLean stressed the importance of tying the use of those funds to a community benefit. She noted this was appropriate for both the Planning Commission and the Town Council to consider in their decisions to potentially approve the MDA. She acknowledged the Planning Commissioners may be frustrated with the process regarding these negotiations but stressed the Planning Commission had a state mandated responsibility to provide a recommendation to the Town Council which would have the ultimate decision-making authority. She urged the Planning Commissioners to provide their best advice on these matters, which could include suggestions on how the developer contributions be utilized for the benefit of the community.

Mr. Eddington discussed which proposed amenities were required to meet Town Code and which additional amenities were being proposed to justify the increased density and upzoning request.

Mr. Eddington led a discussion regarding the approval for short-term rentals. Mr. Brockbank indicated he would appreciate the approval, but it was not necessary. Discussion ensued regarding the pros and cons of allowing these types of rentals and potential parameters that the Planning Commission could accept. Commissioner Brad Airmet suggested limiting short-term rentals to the zoned areas containing the stacked flats and town homes, but not the single-family homes. Each of the Planning Commissioners supported this proposal.

Commissioner Tihansky suggested the MDA include a stipulation for the Community Impact Mitigation fees to be dedicated to the construction of a community center to be located elsewhere in Town. Discussion ensued regarding other suggestions for these funds which might include the relocation of the Public Works building and commercial development at Ross Creek. Mr.

Brockbank stated the maximum amount of the fees contributed to the Town would be 0.40% of the sales prices of the units; he also agreed to include the inclusion of the town entrance sign and the engineering study for the spine trail as his contributions in the MDA.

Ms. McLean reminded the Planning Commissioners they had the option to forward a positive recommendation with conditions to the Town Council.

Discussion ensued regarding the conditions and guardrail language related to the commercial site. It was determined a five-year time limit for the developer to develop the commercial site would be suggested. It was also suggested that the MDA include the types of approved retail tenants that would be acceptable.

Chair Matyszczyk opened the floor for public comment on the Elkhorn Springs rezone item at 7:59 PM.

Mr. Brian Cooper, Shoreline resident, shared his concerns with the risks of private roads and related infrastructure where it connected to public infrastructure and noted HOA's could be responsible for large expenses to repair and maintain these roads over time. He also shared his concerns that future property owners may not understand their potential financial exposure from this responsibility. He was supportive of the proposal to designate the use of the Community Impact Mitigation fees for some sort of community center.

Ms. Carla Mathiason, Golden Eagle property owner, supported the restriction of nightly rentals from the single-family homes in the Elkhorn Springs development, and asked for a more thoughtful delineation of the zoning boundaries to maintain a buffer between the higher and lower density areas of the development.

The public hearing on the Elkhorn Springs rezone item was closed at 8:05 PM.

Chair Matyszczyk opened the floor for public comment on the Elkhorn Springs MDA item at 8:05 PM. There was no public comment and that public hearing was closed at 8:06 PM.

Motion: Commissioner Tihansky moved to make a positive recommendation to the Hideout Town Council regarding an amendment of the Official Hideout Zoning Map to rezone parcels 00-000-8181, 00-0020-8182, and 00-0020-8184 (the "Elkhorn Springs" Development) from Mountain (M) zone to Neighborhood Mixed Use (NMU), Residential 3 (R3), Residential 6 (R6), Residential 20 (R20), and Natural Preservation (NP) to include the items referenced in the Staff Report which will be finalized with the Applicant. Commissioner Pieper made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Winder. Voting No: None. Absent from Voting: Commissioner Turner. The motion carried.

Motion: Commissioner Tihansky moved to make a positive recommendation to the Hideout Town Council regarding a Master Development Agreement for the Elkhorn Springs Development with the following conditions:

- 1) The survey and design for the spine trail and the town entrance sign would be included as contributions from the Applicant;*
- 2) the funds derived from the Community Impact Mitigation fees be utilized for a community center, relocation of the Public Works Building and/or creation of commercial development elsewhere in the Town;*
- 3) Nightly Rentals be limited to the Neighborhood Mixed Use and Residential 20 zones of the development;*
- 4) the developer will have five years to develop the commercial area otherwise that property will revert ownership to the Town, and the developer will have a Conditional Use Permit for the approved types of neighborhood mixed used retail businesses to be detailed in the MDA;*
- 5) the payment schedule in the MDA will be corrected to list \$1.5 million for each of the two payments;*
- 6) the Town Council consider the potential risks of private roads; and*
- 7) other red-lined items from the draft MDA will be finalized with the Applicant.*

Commissioner Winder made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Winder. Voting No: None. Absent from Voting: Commissioner Turner. 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 Tihansky made the second. Voting Yes: Commissioner Cooper, Chair Matyszczyk, Commissioner Pieper, Commissioner Tihansky and Commissioner Winder. Voting No: None. Absent from Voting: Commissioner Turner. The motion carried.

The meeting was adjourned at 8:13 PM.




Kathleen Hopkins
Deputy Recorder for Hideout