

**Town of Hideout
Planning Commission Meeting Minutes
10860 North Hideout Trail
Hideout, Utah
June 20, 2019**

Present: Jerry Dwinell – Chair
Kurt Shadle – Alternate
Vytas Rupinkas
Ralph Severini – Vice Chair
Bruce Woelfle
Tony Matyszczyk – Alternate

Excused: Sara Goldkind - Out of town

Others: Ron Spratling
Jack Walkenhurst

BUSINESS MEETING

OPENING:

Call to Order

Chair Dwinell called the Planning Commission Meeting to order at approximately 6:00 p.m.

Pledge of Allegiance

Chair Dwinell led the Pledge.

Roll Call

There was a roll call of those present.

ADMINISTRATION:

Approval of Meeting Minutes from May 16, 2019

Chair Dwinell asked if there were any additional comments, there were none. He entertained a motion to accept the minutes, Ralph Severini motioned and Bruce Woelfle seconded the motion. All others accepted the motion. Kurt Shadle voted for Sara Goldkind in her absence. Chair Dwinell clarified that Tony Matyszczyk is a non-voting alternate tonight.

PUBLIC HEARING: (slide show)

Discussion and possible recommendation of the MIDA agreement

Chair Dwinell introduced the topic and presented a slide show.

The planning commission has been asked to review the MIDA agreement, because it had impact to land use, and as the planning commission is the land use authority for Hideout, we need to understand the changes that this agreement brings to us.

What the planning commission should be focused on and what the Planning Commission interests should be, and they have been reviewed by Dan Dansie, Town Attorney

Our Focus

- Does the MIDA agreement effectively change any land use authority that Hideout currently has in the Hideout Zone? This potentially includes: Deer Springs, Deer Waters, Lakeview and Klaim.
- Does the MIDA agreement effectively change any sovereignty in the Hideout Zone?
- How does the MIDA agreement affect the towns ability to further the goals of the general plan?

Kurt Shadle asked if anyone else had items that they wanted on the list. There were no more items added.

Chair Dwinell explained, per conversations with Paul Morris, who is in charge of the MIDA plan and the Mayor...

What is MIDA telling us:

Land Use - What They Say

- All Land Use Authority is assigned by the State to MIDA for the Hideout Zone
- MIDA designates Hideout as the Land Use Authority for the Hideout Zone
MIDA gives back all authority except appeal authority. Currently if a developer does not agree with a decision, they can appeal to the council. If they in turn do not like that decision, they can appeal to the State. With the MIDA agreement they have the opportunity to appeal to MIDA before taking it to the State.
- All Current and **Future** Land Use and Development Codes will be accepted by MIDA for the Hideout Zone.
If we want a change to the current land use code or ordinance, we are not locked out. MIDA will automatically accept them in the Hideout Zone.
- Effectively, there is no Land Use Authority change under MIDA

Municipal Services - What They Say

- Hideout will provide the same Municipal Services to the Hideout Zone as they do for the balance of Hideout
 - No special services required for the Hideout Zone
 - MIDA pays Hideout for Municipal Services (Municipal Services Fund)
 - MIDA provides no Municipal Services to the Hideout Zone without Hideout's consent
- Hideout still provides and receives revenue for:

- Permitting, Inspections, CoO, Business Licenses
- and any other normal development, regulatory, permitting, and or inspection services
- Effectively, there is no change to how Hideout provides Municipal Services

Concerns

- Does the Agreement match what they say?
- Is there any lag in Land Use and Development Code acceptance?
Is there an approval process?
Or is it automatic?
- What about Ordinances and Resolutions, are they future accepted too?
Land Use and Development Code is all that is specified.
That may be too narrowly defined
- Any impact to Zoning/Rezoning?
Do we need MIDA's approval to rezone?
Do zone redefinitions require MIDA's approval?
- Are there ANY Land Use Authority restrictions?
- Are there any restrictions on the Developers' use of their share of the Development Fund (as there are Town restrictions)?

Fund Use

- Municipal Fund funds: Given to the Town by MIDA, but not audited by MIDA.
 - Infrastructure maintenance and snow removal
 - Town Administrative and Maintenance staff
 - Professional Services (Legal, Engineering, Accounting, etc.)
 - Anything else that Hideout deems necessary to “provide municipal services” (not audited by MIDA)
- Development Fund funds: Has restrictions.
 - Utopia Backstop (if needed, tagged for first use)
 - Land acquisition for public use
 - Parks, Trails, Recreation Facilities, Connective tunnels/bridges
 - State Park Joint Ventures
 - Anything that enhances the public recreational use of the MIDA project area (includes MIDA, Hideout Zone, Hideout)

Mr. Shadle explained the Utopia bond payment schedule. There is a two year period before any Utopia bond payments are required. Any revenue that is acquire in the first two years, will be applied to the first bond payment. Chair Dwinell stated there has to be 164 subscribers within three years, in order to fully fund the bond payment.

Chair Dwinell stated that if we see there is a land acquisition opportunity we would like to see established, with in the Town of Hideout, and has public access, we could use these funds.

Mr. Rypinkas asked about saving some of the funds and questions the capital expenditures.

Mr. Shadle asked that we table the discussion concerning the finances.

Chair Dwinell stated that his intent for this discussion was to be able to vote on it. He stated that he would not call for a vote, because of two reasons. First there is not a final version of the MIDA agreement, there are changes that need to be addressed, and second is because Dan Dansie could not be here to address the legal side of these concerns.

Chair Dwinell would like all members to review the document and list points to talk about with the commission, and entertain them at a future meeting. He mentioned including a clause that gives Hideout the ability to withdraw from the agreement if need be. Mr. Rypinkas stated the this would be if there is a legal issue or in breach of contract.

Chair Dwinell suggested moving the discussion of proposed zone definition changes to a special session.

The commission went on to review the MIDA agreement and made live changes. Chair Dwinell informed the commission that the agreement would be forwarded to Dan Dansie on Monday. So any additional comments/edits would need to be in prior to that.

Chair Dwinell recognized that this was a public hearing and wanted to open it up to the public.

Ron Spratling (neighbor / landowner) took the podium. Complemented the commission on their work on the review of the MIDA agreement. Wants the commission to push the developer to "kick it up a notch" and use the eleven million to add additional enhancements that will make it better. He has been involved in redevelopment projects in the Salt Lake Valley and pointed out ideas which could be incorporated in the MIDA project.

Jack Walkenhurst was in the audience.

Chair Dwinell closed public comment and will add things to the document and forward it to Dan Dansie with the concerns. It will be put back on the agenda when it comes back. No time frame.

Chair Dwinell motioned to continue the public hearing to the next regular commission meeting. Kurt Shadle motioned it, Ralph Severini seconded it. All voted in in favor.

Motion to adjourn 8:30 PM

Item 4 (Discussion of proposed zone definition changes) has been moved to a special session

Item 5 (Review the Planning Commission Docket) was not discussed.