

Alta Planning Commission Meeting Summary
Alta Community Center/Library, Alta, Utah
March 20, 2017, 4PM

IN ATTENDANCE:

Planning Commissioners: Jon Nepstad (vice chair), Rob Voye, Dave Abraham, Roger Bourke, Mayor Tom Pollard (ex officio). Absent: Joan Degiorgio (chair).

Town of Alta staff: John Guldner, Chris Cawley, Rich Mrazik

Members of the public: Mike Maughan, Onno Wieringa, Jeff Anderson, Mark Haik, Kate Puddy, Dave Eichel, Brent Pratt, Jesus Bendezu, Craig Smith, Jon Roberts, Meg Pratt.

REVIEW WITH POSSIBLE APPROVAL A REQUEST TO AMEND/ESTABLISH THE YEAR YARD REQUIREMENT (SETBACK) FOR THE SNOWPINE LODGE

Vice Chair Jon Nepstad opened the planning commission meeting. The first portion of the meeting took place in the Rustler Lodge Dining room, in order for representatives of the Snowpine Lodge to present elements of their proposed renovation plan from the perspective of the Rustler Lodge Dining Room. **Jon** introduced **Craig Smith**, Snowpine Lodge attorney. **Craig** introduced Jesus Bendezu in turn, and **Jesus** pointed out stakes placed in the ground downhill of the current Snowpine Lodge to depict the southwest corner of the proposed plaza structure. **Jesus** pointed out stakes placed in the ground in depiction of other elements of the Snowpine's proposed designs, including the southeast corner, the corners of the proposed pavilion, and the location of various setback depths. **Brent Pratt** pointed out that if the planning commission granted the Snowpine a ten foot setback, the proposed pavilion structure would be situated at a lower elevation, which could reduce its visual impact, whereas if the planning commission approves a twenty foot setback, the pavilion would be placed at a higher elevation, which could increase its visual impact.

Roger Bourke asked what flagged stakes nearest to the Rustler Lodge Employee Wing represent, and **Jesus Bendezu** replied that one of those stakes represents the middle of the west aspect of the proposed chimney. **Roger** asked what a long row of PVC pipes placed in the ground are meant to illustrate, and **Jesus** confirmed that the pipes illustrate the south edge of the proposed plaza or plaza structure. **Jon Nepstad** asked what the setback on the east side of the proposed pavilion will be, and **Jesus** confirmed that there is a fifteen foot setback on the east side of the property. **Roger Bourke** asked why the Snowpine has proposed a permanent pavilion structure rather than using a temporary tent to shelter wedding crowds as it has done in the past, and **Brent Pratt** described that the pavilion is intended to provide a more attractive venue for weddings and events. **Roger Bourke** opined that the pavilion is likely to be problematic during the winter.

Rob Voye asked for clarification of the depicted minimum setback options, and **Craig Smith** clarified that

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the pavilion could “move” depending upon the setback approved by the planning commission. **Brent Pratt** stated that he would acquiesce to a twenty foot setback, but stated that he did not want to do so, because the pavilion, plaza, pool deck, and other elements now situated within the originally approved setback are designed to be as aesthetically pleasing and as functional as possible, given a ten foot minimum setback. **Brent** opined that requiring a twenty foot setback would impair the aesthetic quality and functionality of the property. **Jeff Anderson** asked about the height of various elements of the proposal, and **Jesus Bendezu** described how stakes and pipes placed on the ground downhill of the current Snowpine Lodge correlate to elements of the proposal as depicted on the plan drawings.

Jon Nepstad asked the planning commission to reconvene in the Rustler Lodge conference room to review the Snowpine’s plan drawings.

Audio Recording Part 2 of 3

The planning commission resumed discussion of the Snowpine’s request to amend its approved rear-yard setback.

06:48 Craig Smith presented supplemental information related to the Snowpine Lodge’s proposal. **Craig** addressed the original setback requested by the Snowpine Lodge in 2015, and referred to a letter from town staff, dated November 6, 2015, acknowledging that the planning commission approved an eighty foot setback from the south property line. **Craig** acknowledged that the proposal upon which the eighty foot setback was based did not incorporate the deck, the pool, and the pavilion now proposed by the Snowpine. **Craig** described the Snowpine’s intent to upgrade the property, primarily in order to provide an attractive and functional facility for summer events and other business. **Craig** observed that the Town of Alta General Plan states the town’s goal of developing summer business opportunities in Alta. **Craig** observed that the Base Facilities Zone does not establish a minimum setback depth, but instead provides that setbacks “will be determined on an individual basis by the land use authority,” and that the “land use authority shall take into account” various elements when making its determination, such as relationship with other structures, view sheds from SR-210 and neighboring properties, and other factors. **Craig** described other considerations for the planning commission, including a land exchange between Alta Ski Area and the US Forest Service which could affect land surrounding the Snowpine Lodge. **Craig** stated that the Snowpine has worked with the Rustler Lodge to address concerns regarding viewshed impacts associated with various aspects of the Snowpine proposal. **Craig** stated that the Snowpine is willing to work with the planning commission to achieve a solution, and to provide the town certainty regarding what the Snowpine will eventually build.

Jesus Bendezu presented a selection of exhibits from the Snowpine’s plan drawings. **Jesus** acknowledged that the Snowpine has agreed to move the pavilion structure further to the east in deference to the Rustler Lodge. **Jesus** also described a new feature of the design, which creates a variety of setback depths along the southern edge of the plaza structure, in order to enhance its appearance. **Jesus** stated that the Snowpine is proposing an “average” setback of 23’ 8”, and suggested that the

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zoning ordinance allows accessory structures to be within a setback. **Jon Nepstad** asked Jesus to present additional exhibits, and **Jesus** presented a drawing of the east elevation of the proposal, in order to depict the relationship of various proposed elevations with the Rustler Lodge. **Brent Pratt** added that the proposed elevation of the plaza has been adjusted in order not to exceed the elevation of the Rustler Lodge dining room.

Rob Voyer asked **Jesus** to discuss the proposed chimney structure. **Rob** opined that the chimney will present the most substantial visual impact to the Rustler. **Jeff Anderson** reminded the planning commission that the Rustler Lodge contains three floors of hotel rooms on its east side. **Mayor Pollard** asked how tall the chimney is. **Jesus** presented a three dimensional rendering of the west side of the proposed structure in order to depict the chimney structure, and opined that the chimney will not inhibit the view from the Rustler Lodge. **Jeff Anderson** asked Jesus to confirm that the level of the plaza deck relative to the Rustler Lodge employee wing. **Craig Smith** opined that the Alta Code allows things like chimneys within setbacks. **John Guldner** stated that the town's ordinances do not contain a definition of "accessory structures," and described that "yard space" has always been considered to be unobstructed by buildings from the ground up. **Jeff Anderson** observed that the chimney will be taller than the employee wing of the Rustler Lodge, and asked how tall a concrete wall on the west aspect of the proposed building will be, and **Jesus** described that the grade of the earth increases in elevation to the north, making the wall itself relatively short in height. **Mike Maughan** asked how much higher in elevation the pavilion roof will be if the setback is moved from ten to twenty feet, and **Jesus** stated it would be four feet higher.

Jon Nepstad asked representatives of the Snowpine whether their current proposal is to build to within a minimum of ten feet from the south property line. **Jon** stated concern for the precedent that approving a ten foot setback in this case would create for future land use proposals. **Jon** recalled that at the previous planning commission meeting, the planning commission had expressed a preference for a setback depth of at least twenty feet from the south property line. **Roger Bourke** described that Onno Wieringa had stated in a previous meeting that Alta Ski Area does not have plans to use the land south of the Snowpine Lodge parcel, neither under their special use permit with the US Forest Service, nor in the case of a future land exchange. However, **Roger** opined that the planning commission must consider future use of the property south of the Snowpine Lodge. **Rob Voyer** stated his concern for providing adequate clearance for snow removal between structures in the event that the Snowpine and any future development to the south end up being twenty feet apart. **John Guldner** described the intent of the town's architectural stepback provision as it relates to the height restrictions provided for in the Base Facilities Zone ordinance. **John** described that the Snowpine could potentially develop a structure up to forty eight feet tall along the minimum southern yard setback, and recommended the planning consider this possibility when deciding upon the setback. **Dave Abraham** asked Rich Mrazik whether the planning commission should consider a motion based solely on approval of a setback. **Rich** indicated the planning commission could make such a motion, and then recommended the planning commission consider approving a setback based on a specific rendering of the Snowpine's proposal including drawings which depict the height of structures such as the pavilion and chimney. **Brent Pratt** pointed out that the

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property to the South of the Snowpine Lodge will be difficult to develop due to the lack of a public road, and opined that as such it is unlikely that property will be developed in the foreseeable future. **Jon Nepstad** stated that he is less concerned about what could happen on land south of the Snowpine parcel, and added that he is more concerned with setting a precedent that could be applied to other properties in the Base Facilities Zone.

Dave Abraham asked Rich Mrazik to clarify the notion of the planning commission approving something besides a revised rear-yard setback. **Rich** described that the planning commission could either approve a rear-yard setback of a certain depth, as it traditionally has done, or it could chose to enter into an agreement based on a three-dimensional rendering of the Snowpine's proposed project.

Jon Nepstad asked the planning commission to consider its interest in moving forward. **Roger Bourke** stated that he liked the idea of approving a setback based upon a particular rendering of the Snowpine's proposal, and asked Brent Pratt whether the drawing could depict the pavilion structure on the southeast corner of the plaza ending twenty feet from the south property line. **Brent** stated that he had indicated his willingness to agree to this concept, but stated that he preferred the original design, as pushing the pavilion further toward the south wall of the hotel will negatively impact the intended appearance and function of the plaza deck and pavilion roof structure. **Rich Mrazik** asked Craig Smith to describe the financing deadline under which the Snowpine is working to complete their development plans, and **Craig** stated that the deadline was roughly fifteen days in the future. **Rich** suggested that the Town of Alta and the Snowpine lodge are unlikely to enter into a development agreement within that time period. **John Guldner** asked whether the development agreement could be as simple as that which Rich suggested earlier, and **Rich** suggested that Mr. Pratt would need to consider his options very carefully. **Brent Pratt** stated that he does not intend to change significant aspects of his plans, and stated that he would agree to a 20 foot rear-yard setback. **Jesus Bendezu** added that the chimney structure is currently proposed to be 25 feet above the the elevation of the plaza deck. **Rich Mrazik** asked the planning commission to cease discussion briefly in order for him to confer with **Craig Smith** outside of the planning commission meeting.

01:30 REVIEW WITH POSSIBLE APPROVAL A REQUEST TO AMEND/ESTABLISH THE YEAR YARD REQUIREMENT (SETBACK) FOR THE SNOWPINE LODGE

Audio Recording Part 3 of 3

Jon Nepstad asked the planning commission to resume discussion of the Snowpine Lodge's proposal to amend their approved rear-yard setback. **Craig Smith** suggested that the planning commission approve a 20-foot setback conditioned upon a particular drawing. **Dave Abraham** asked Jesus Bendezu to confirm that the proposed elevation of the top of the proposed pavilion roof will be 8662.09 feet. **Jesus** stated that if the planning commission requires a 20 foot setback instead of a 10 foot setback, the elevation of the proposed pavilion roof will be higher, because the structure will be placed higher on the hillside. **Dave** asked Jesus if the pavilion roof height can be held to 25 feet above the plaza, and Jesus

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confirmed that this could be achieved. **Jon Nepstad** asked for a motion on approving a 20 foot setback given a 25 foot tall pavilion roof, and **Roger Bourke** suggested the planning commission discuss the proposal prior to considering a motion. **Rob Voye** stated that he is concerned about how aspects of the proposed plaza and other setbacks will impact the Rustler Lodge, but allowed that he is comfortable with approving a 20 foot setback. **Dave Abraham** expressed discomfort with approving a setback request conditioned upon elements of a proposal which do not require planning commission approval under the Town of Alta Zoning Ordinance. **Mayor Pollard** opined that possible visual impacts to the Rustler lodge resulting from elements of the proposed plaza area should be considered. **Rob Voye** discussed the notion of imposing restrictions on the height of various plaza elements such as the proposed chimney and pavilion.

Jon Nepstad asked for a motion to approve a 20 foot rear-yard setback for the Snowpine Lodge project. **Rob Voye** made a motion that the planning commission approve a 20 foot rear-yard setback for the Snowpine, with a 25 foot restriction on the height of the pavilion roof structure. **Rich Mrazik** recommended that the planning commission consider making either a very simple approval of a certain setback depth, or a setback approval conditioned upon design elements depicted in a particular exhibit as presented by the Snowpine Lodge. **Dave Abraham** proposed that the planning commission approve a 20 foot setback from the south property line, with elevations of vertical structures tied to those depicted by dashed lines on a certain exhibit. **Rich Mrazik** recommended the planning commission recognize the movement of the proposed pavilion, the elevation of the plaza deck, and the height of the proposed chimney. **Jeff Anderson** asked what the height of the proposed chimney will be. **Jesus Bendezu** said the chimney will be 25 feet above the level of the plaza, and **Jeff Anderson** claimed this would constitute a violation of the Rustler Lodge viewshed. **Mayor Pollard** stated that it is critical that the southwest corner of the proposed plaza structure and retaining wall not exceed the setback from the south property line as depicted on the Snowpine's plan drawings. **Jeff Anderson** stated that he does not have a problem with the setback from the southwest corner of the Snowpine property as depicted, and that the chimney height may not be critical, but that he will continue to be concerned about the potential impacts of the chimney on the views available from the hotel rooms from the east side of the Rustler Lodge.

18:27 **Jon Nepstad** stated that a motion had been made, and **Dave Abraham** re-stated a motion to approve a 20 foot rear-yard setback, with the approval tied to the elevations as depicted with dashed lines shown on exhibits A-203, A-202, and A-150. ** **Rob Voye** seconded the motion. **Roger Bourke** stated that he is still concerned about the chimney height. **Jon Nepstad** asked for all planning commission members in favor of the motion to say "aye," and the motion was carried with no planning commission members opposed. **Rich Mrazik** asked Craig Smith and Jesus Bendezu to provide the exhibits indicated in the previous motion to town staff so that they could be included in the meeting minutes. **Jesus Bendezu** asked the planning commission to clarify their preference regarding the height of various proposed structures, and **Dave Abraham** explained that the planning commission intended to approve the heights depicted in the exhibits referred to in the previous motion.

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****Exhibits described above will be attached to approved minutes and included in the official record.**

Jon Nepstad noted that the planning commission will hold a “ski-around” at Alta Ski Area on April 3rd at 1:30 or 2:00 PM in place of their regular April meeting, and should seek to convene in such a location that the commission can approve previous meeting minutes.

22:58 MOTION TO ADJOURN

Roger Bourke made a motion to adjourn the planning commission meeting, **Rob Voyer** seconded the motion, and the motion was carried.

The content of the minutes are not a *verbatim* transcription of the meeting. These minutes are a general overview of what occurred at the meeting.

These minutes were approved on June 5, 2017

S/ Chris Cawley
Assistant Town Administrator

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