

**MINUTES
ALTA TOWN COUNCIL MEETING
WORK SESSION
MONDAY, SEPTEMBER 30, 2013
ALTA COMMUNITY CENTER
ALTA, UTAH**

1. The Mayor called the meeting to order. All members of the Town Council were present
2. Work Session: To discuss the Planning Commission's recommendations for amendments to the Base Facility's Zone. These provisions include height, coverage, setback, and screening requirement for mechanical equipment, elevator towers, and other such rooftop appurtenances.

The minutes do not reflect the first part of this work session; problems with the recorder

The Mayor explained his current scenario with the 2013 addition to the Rustler Lodge.

The Mayor went over his understanding of where each business was currently as it relates to their coverage under the existing zoning.

The Mayor gave his reasons why he felt that expansion of the footprint for the building in the Base Facilities zone was the way to proceed.

Paul asked if the Town Council had objections to the Planning Commission recommendations sent to the Town Council.

Based on the language in the Commission recommendations, Harris asked how much of the proposal is off setting and how much of the proposal is increasing: if we go from 25% to 75% some portion of that change strikes Harris as more than offsetting the loss of two or three stories in height.

John explained that the Planning Commission wanted to reduce the height in the current base facilities zone and increase the coverage to offset that reduction in height: they cut the height down to fit better in the canyon and then asked how they could increase the coverage to compensate for the loss of height.

Cliff felt that the Council needed to get the benefit of the Planning Commission's judgment but Cliff suggested that the Council take a step backwards and ask what we are trying to accomplish for this community.

Paul felt that the Council should be supportive of the businesses that are in the Town of Alta and do everything they can to make them prosper.

John explained that during the Planning Commission review process the businesses expressed that they did not want to be hindered and asked that they be able to cover as much of their land as possible.

The Mayor opined that as travel and tourism changes people want more amenities at hotels but we do not want to get away from the uniqueness that is Alta. We need to strike a balance.

The Mayor went on to comment that if the Town wants to see more capital reinvestment in the Town , then the businesses need to have more flexibility of doing more with their property than they currently have.

Cliff opined that we need to listen to the lodge and business owners but we are also here to represent the entire community. Cliff felt that the Council could agree that we should promote more overnight stays and increased amenities in Alta.

Cliff also felt that there was an environmental argument in favor of density and asked how the Council could accomplish this goal in an environmentally responsible way. Also how does the Council create a physical community that that will ultimately serve the short term interest of lodge owners but also is attractive and serve the larger community in economically sustainable way.

Merebea felt that the opportunity to expand makes sense but if you look at setbacks only, that creates some really large buildings; are we endanger with these big buildings of losing the people we do have along with our character.

John explained that currently all the buildings can expand and in some cases it would be in height; does the Town want to see building that are 60 ft. above the road. The Planning Commission felt expanding the coverage was the way to proceed.

Harris asked the about relationship between the road/parking and increasing the overnight stays in the Town.

Harris also asked how much latitude the Town government has in guiding some of the “use” tradeoffs on the building department.

The Mayor asked where the Council should in analyzing this proposal from the Planning Commission: do we start from square one.

Paul opined that as a matter of policy we have to look at what the Planning Commission has done and review it philosophically to see if we agree or disagree: it is hard to substitute our judgment with the Planning Commission’s judgement. Paul felt it would be helpful to have a member of the Planning Commission come and review the process they went through to arrive at their recommendations. The Mayor explained that that is his role as the ex-officio member of the Planning Commission; he is the bridge between the Council and the Planning Commission.

John did not feel that the Council should start from the beginning.

The Mayor opined that the difference between building a structure that was more than four stories rather than less than four stories is dramatic especially if you want to use different levels for different types of occupancies. Most of the reason for this is fire code.

Harris asked how the Council should proceed if they want to make changes to the existing base facilities zone: do we just pass an ordinance. John explained that once the Council decides on height and

coverage then the Council would hold a public hearing. After that public hearing the Council would pass an ordinance that amends the land use ordinance.

The Mayor recommended that the Town Council hold a public hearing sooner than later to see if the public thinks the recommendation from the Planning Commission before the Council is a good idea. Cliff agreed and felt that holding a public hearing now and another later in the process was a good way to proceed.

John explained that the Planning Commission addressed that issue by inviting the lodges at specific times to the Commission meetings to get their input. The Mayor asked if the Council could get copies of the minutes where the lodges and businesses addressed their concerns.

John went over the photos that were provided to the Council and said that the person that produced the photos can expand on that information for around \$1,000.

John clarified that the Commission's recommendation is for a 25 ft. maximum above the road and 75% coverage except for the Peruvian and the Goldminers Daughter lodges. The maximum height for these two lodges is 60 ft. which could give both lodges another story. The 25 ft. maximum could provide for two stories above the road. It was also pointed out that when visualizing the 25 ft. above the road for the three lodges, you have to remember that the mechanicals are in addition to that height.

The Mayor commented on the walk around with the Planning Commission and how informative and helpful that exercise was for all those that attended. The Council agreed to conduct an exercise like this.

Harris had three questions:

- 1) Does the Council want to try and put something in place that would forestall the problem with the potential of the 60 ft. building
- 2) What is the net increase represented in the current proposal
- 3) Does the Council only get to decide the shell size as opposed to what goes on in those spaces

Paul asked if parking would restrict the possible expansion of a lodge. The Mayor explained that the current zoning requires that if you build additional hotel rooms you have to provide a certain number of onsite parking spaces.

Cliff clearly stated that going into this process he is sitting in this chair as a representative of the community and not a representative of the Alta Lodge.

Cliff felt that the only time the Planning Commission mentioned "what the building should look like" is when they mentioned that a building should not go higher 25 ft. above the road and no more than four stories without a physical setback. The Commission never went on to define what they meant by a physical setback.

Cliff opined that maybe the Planning Commission should have brought the question of architectural review to the table to discuss.

The Mayor felt that the Town Council should review what the Planning Commission reviewed and make sure they are comfortable with the recommendation. In the alternative the Council should make a different recommendation.

Merebea asked, if when defining coverage, does it have to include parking and pools, Is there way to separate out what is actually building and goes up in height versus what does not necessary get in the way of the view. John said other entities have separated the two out. The Mayor went on to comment that the Commission did consider that if they gave a lodge more coverage it might prompt the owner to provide more walkways and more patios that do not tend to block the view.

John did say that if the Council wanted to go in this direction, they could change the definition of coverage. As a suggestion, Cliff said that if you do not have walls and a roof it does not count in your coverage calculation.

Merebea expressed that her fear is that the buildings will be too big. Merebea also felt that we should have 15 ft. setbacks on public land as well as private land. There was a general consensus that there should be consistency on setbacks for all land regardless of whether it is private or public.

Harris asked that if the Town were talking about a small hotel with the Shrontz Estate, what would that look like and what would we want it to look like.

John pointed out that a 15ft. setback works everywhere in Town except with the Shallow Shaft and Photohaus; they barely have 15 ft. between their buildings.

The Mayor asked how you would define “on an individual basis” and not make it arbitrary or capricious. John pointed out that the current code says that every setback is individually determined and in some cases there are conditions. The Planning Commission is now recommending certain setbacks depending on the zone. They would also recommended that snow storage, snow removal, emergency and regular access, existing topo and vegetation features be taken into consideration. Accordingly, John felt it now is less arbitrary.

Lauren Reber, legal counsel for the Town opined that if the code is more detailed in its requirements, the person that is building may find it harder to comply whereas the more vague the code the more work it could be for the Council.

The Mayor opined that in the situation with the Shallow Shaft and Photohaus, individually determining setbacks is appropriate. The boundaries between the Alta Lodge and the Deep Powder House were also discussed: there was a question as to whether or not the Deep Powder House has maxed out their coverage. Paul Huber, the owner, did comment at a Planning Commission meeting that he would like to see 100% coverage in the new regulations. Cliff was wondering if the Deep Powder House should somehow be configured into Zone C with the Shallow Shaft and Photohaus.

If the Alta Ski Lifts acquired the property adjacent to the Albion Ticket Office, the Mayor asked if the Town would have to rezone that property. John stated that currently that property is zoned FR-50: you need 50 acres for one unit. John went on to explained that everything in the ski area is FR-50; if the Alta Ski Lifts wanted to build a hotel in this area they would have to apply for a rezoning of that area.

The Shrontz property is currently zoned FR-1 so if they wanted to build a hotel they would also have to petition to rezone that area.

John opined that if the Town starts looking at another hotel and rezoning, they should consider that the Town does not have an endless supply of water. The Town has 265,000 gallons of water per day with its contract with Salt Lake City and we probably are not going to get any more.

As it relates to the water issue, Harris asked if the existing businesses expanded could that imply a complete usage of available water. John opined that that question is difficult to answer because it depends on how big they build them. How much water is required for each hotel room?

John opined that if the Town looked at additional hotels, we would have to look at the water situation very carefully. Cliff opined that we should ask how much water we have available under our contract, how much is being used by existing hotels, and how much is available for expansion of either existing hotels or new hotels.

John felt that the Town can handle a build out of the current hotels as it relates to available water but if the Council started talking about rezoning areas for new hotels, it really would have to look at that as it relates to the water supply.

It was pointed that the Town's current zoning defines a hotel room as having 600 sq. ft.. If you build three hotel rooms that each have 400 sq., that equals two (2) hotel rooms (unit count) as it relates to the Town's land use ordinance.

If a new hotel came in before one of the exiting hotels approached the Town for additional hotel rooms, how would the Town handle the request for water.

Merebea asked how many more hotel rooms the Town has under the current zoning and given the definition of a room under that zoning, how big could each of the hotels get.

John explained that rooms would not be the only limiting factor on the size a lodge could build.

There was discussion and questions on whether or not the Town could obtain more water rights.

How many more rooms can we accommodate under our current water contract?

The Council agreed to wait in asking for the actual mock up until they had a better feel for the percentage of coverage.

The Council also agreed that a walk around would be beneficial.

Hearing no further comments or questions, there was a motion by Harris Sondak to adjourn the meeting. There was a second by Cliff Curry and the motion was carried.

Passed and approved this 14 day of November, 2013.

s/Katherine S.W. Black, Town Clerk