

Alta Planning Commission Public Hearing and Regular Meeting Summary
Community Center/Library, 10361 E. Hwy 210, Alta, Utah
July 21, 2014, 4PM

IN ATTENDANCE:

Planning Commissioners: Jan Striefel (acting Chair), Roger Bourke, Jon Nepstad, Rob Voyer

Town of Alta staff: John Guldner, Chris Cawley, Liz Schulte (counsel).

Members of the public: Marcus Dippo, Toby Levitt, Mimi Levitt, Steve Schaefermeyer, Allen Orr, Mark Haik, and Ryan the videographer.

INTRODUCTION AND WELCOME FROM THE CHAIR

Jan Striefel opened the public hearing.

Steve Schaefermeyer, representing the Snowpine Lodge, introduced a letter to the Planning Commission (PC) explaining the Snowpine owners' concerns about changing the definition of a hotel room. More specifically, removing the square footage designation central to the current definition of a hotel room would eliminate the remaining available hotel room density on the Snowpine property. Additionally, the proposed definition of a hotel room would not allow for a variety of hotel room characteristics, such as suites, lockouts, condominiums, etc. **Mr. Schaefermeyer** suggested that individual determination of setbacks in the Base Facilities Zone will add uncertainty to any attempts to plan development of BFZ properties, and made reference to a Utah Division of Water Resources study of residential water use. **Mr. Schaefermeyer** conveyed Snowpine Lodge owner **David Pratt's** suggestion that condominiums be allowed in the BFZ, provided examples of how a condominium ordinance could be written, and opined that condominiums are more similar to hotel rooms than they are to single family homes in terms of how they are used, stating in turn that for the purpose of water allocation, a condominium should be required to have the same amount of water as a hotel room.

Mark Haik suggested that the PC acquire a map of the original town site, with overlays indicating current property boundaries, current sewer and water infrastructure and the position of current and historic roadway infrastructure. **Mr. Haik** also suggested the PC become acquainted with the Utah Condominium act, and stated that any new BFZ ordinance regarding condominiums needs to be considered in light of the complexity of this act. **Mr. Haik** suggested that any new definition of a hotel room be broad and inclusive, so as to allow property owners to adapt their assets to changing market demands.

Toby Levitt reiterated concerns about the effect of changing the definition of a hotel room—changing the current definition would cause the Alta Lodge to lose remaining available hotel room density. **Mr. Levitt** feels that setbacks should be determined on an individual basis, given the unique nature of lot boundaries and topography in Alta.

10:50-Hearing no further comments, **Jan Striefel** closed the public hearing, and opened the regular meeting of the Planning Commission.

11:00-UPDATE ON RECENT EVENTS, STAFF

John Guldner reported on litigation before the Town of Alta (“the Town”)—*Haik v. Town of Alta, et al*, and *Guy Jordan v. Town of Alta, et al*. **John** also reported on Alta “building season,” indicating that several projects are being pursued on properties within the Town, and described the conveyance of land from the United States Forest Service (USFS) to the Town.

Chris Cawley described a meeting which took place the morning of July 21st between Utah Transit Authority (UTA) Staff and US Congressman Chris Stewart. The meeting involved a tour of the Town of Alta water system in the Bay City Mine Tunnel, and a hike to Twin Lakes Pass. Both events were meant to spur conversation about transit and transportation alternatives that may be proposed through Mountain Accord. **Chris** reported that the Congressman considers the Mountain Accord process to be well organized, and adequately representative of a broad range of community interests, and that the Congressman agreed that transportation improvements will be critical to managing growth and impacts in the Mountain Accord study area. (*For more information on Mountain Accord, please visit www.mountainaccord.com*)

22:15-APPROVAL OF MINUTES FROM THE MAY 19th, 2014, AND JUNE 23rd, 2014 PLANNING COMMISSION MEETINGS

Of the four members of the Planning Commission who were in attendance, not all were present at the May and June meetings, meaning a quorum was not present, and no action was taken to approve these minutes.

23:20-DISCUSSION WITH POSSIBLE ACTION ON RECOMMENDATIONS TO THE TOWN COUNCIL ON HEIGHT, COVERAGE, SETBACK, PHYSICAL BUILDING STEP-BACK, MECHANICALS SCREENING AND THE DEFINITION OF A HOTEL ROOM FOR THE BASE FACILITIES ZONE.

John Guldner reviewed recommendations to be forwarded to the Town Council: building *height* will be limited to 25’ above the road in Zone A and 60’ maximum for Zone B, whereas in Zone C, building height will be individually determined; total allowable *coverage* will be increased from 25% to 75%; *setback* will be individually determined; buildings cannot go over 48’ tall without there being a 25’ horizontal *step-back*; rooftop mechanical appurtenances are required to be “*screened*.” The possibility of changing the definition of a hotel room is more complex—removing the current square footage designation would significantly alter the amount of hotel rooms each hotel could build. **Roger Bourke** asked whether new ordinances in the Base Facilities Zone (BFZ) could be applied to other areas of the Town, and others agreed that these recommendations only pertain to the BFZ. **Jan** asked for a motion to forward recommendations for Height, Coverage, Setback, Building Step-Back and Mechanicals Screening to the Town Council; **Jon Nepstad** made a motion, **Rob Voyer** seconded the motion, and the motion was carried.

Jon asked why hotels will lose development potential if the definition of a hotel room changes. **John Guldner** explained that the current definition of a hotel room became problematic in light of the ongoing conversation about the Town’s water system capacity limitations. Specifically, it became apparent that the State of Utah Department of Water Resources (State) requires public drinking water systems to have 150 gallons per day of source capacity for each hotel room on a public drinking water

system (Utah Administrative code R309-510)¹. In considering this requirement, the Town learned that the State does not dictate shape, size, or use of hotel rooms, and in seeking to comport with R309-510, the Town considered abandoning the guest room definition adopted in 2008, which states that every 600 square feet of total floor area—including hallways, walls, stairs, etc.—within a structure is considered a hotel room. In calculating potential hotel room build-out based on the BFZ density ordinance, which states that hotels may contain 33 rooms per net developable acre (NDA), redefining a guest room simply as a room in a hotel would mean that some lodges currently contain more rooms per NDA than they do under the current definition, which does not actually count rooms per NDA, but rather, counts square footage of hotel development per NDA.

Jan asked about other aspects of the definition of a “guest room,” and about whether a “suite” and a “condominium” could require the same water usage. Several commissioners agreed that due to guests in a hotel suite being likely to use hotel facilities like centralized laundry and a restaurant, condominiums would likely use more water than hotel rooms or suites; the commissioners also noted that the State source capacity requirements consider condominiums and single family homes to require the same source capacity. **Rob** suggested that a guest room be defined simply as a room with a bathroom, and other commissioners agreed that the current Town of Alta definition of a hotel room, insofar as it stipulates square footage, makes calculating source capacity requirements difficult.

John described a program by which municipalities can petition the State Division of Drinking Water for a reduction in source capacity requirements, in which State officials work with municipalities to calculate actual water usage over a period of time. Several commissioners agreed that the Town should pursue this requirement.

Rob suggested that it would be helpful to hear from lodge owners about what they would like a hotel room definition to include. **Toby Levitt** of the Alta Lodge asked for clarification of State requirements for source capacity of hotel rooms and condominiums, positing examples of very large hotel rooms and very small condominiums. **John Guldner** confirmed that hotel rooms of a “reasonable” size are required to have 150 GPD, and condominiums, which are considered homes under state requirements, need 800 GPD of source requirements. **Jan** suggested that two PC members should meet with lodge owners prior to the August PC meeting to discuss their needs and ideas regarding hotel rooms, condominiums, etc; **Rob** and **Roger** volunteered to attend such a meeting.

Jon Nepstad recalled learning that financing hotel development was difficult without condominiums being associated with that development in 2008, and asked whether times have changed. Several commissioners confirmed that hotel developers still use condominium pre-sale as a financing mechanism. **Jon** then stated that if permitting condominiums on BFZ properties would allow lodge owners to invest in their properties, host more guests, and stimulate additional economic activity in the Town, then we should consider such permission.

¹ 1 The Town of Alta has a capped allotment of 265,000 gallons per day of total source capacity through a surplus water agreement with Salt Lake City Public Utilities, and with the amount of source capacity already accounted for by the connections currently developed in the Town of Alta, hotel build-out potential will ultimately be capped by the amount of source capacity remaining under our surplus water agreement.

Jan asked counsel **Liz Schulte** to provide the PC some guidance regarding the Utah Condominium Act. **Mark Haik** suggested that if the goal was to bring more guests to the Town of Alta during the ski season, the Town should consider time share units.

Elise Morgan, who recently resigned from the PC and was subsequently appointed to the Alta Town Council, expressed her gratitude for the opportunity to work with the PC.

1:18:20-MOTION TO ADJOURN

Jan asked for a motion to adjourn the Planning Commission meeting. **Jon** made a motion, **Rob** seconded the motion, and the meeting was closed.

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a general overview of what occurred at the meeting.

These minutes were passed and approved on _____.

S/Chris Cawley
Assistant Town Administrator

*Audio Recordings are available on <https://soundcloud.com/townofalta>