

MEETING MINUTES
ALTA PLANNING COMMISSION MEETING
Wednesday, December 18, 2024, 3:00 PM
Alta Community Center, 10351 E. Highway 210, Alta, Utah

ALTA PLANNING COMMISSION MEETING – 3:00 PM

PRESENT: Jon Nepstad, Chair
Jeff Niermeyer, Vice-Chair
Rob Voye
Dave Abraham
Maren Askins
Roger Bourke, Town of Alta Mayor (Ex-officio) (Virtual)

STAFF PRESENT: Chris Cawley, Town Manager
Molly Austin, Assistant Town Manager
Polly McLean, Town Attorney
Jen Clancy, Town Clerk (Virtual)

ALSO PRESENT: John Guldner, Cottonwood Lands Advisory (Virtual)

NOT PRESENT:

1. INTRODUCTION AND WELCOME FROM THE CHAIR

Planning Commission Chair Jon Nepstad opened the December 18, 2024 meeting at 3:00 PM and noted the change of seasons.

2. PUBLIC COMMENT

No public comments received.

3. APPROVAL OF MINUTES FROM THE AUGUST 28, 2024, MEETING

Molly Austin noted that a typo on the minutes indicated they were being approved on September 25, 2024 – which was the next scheduled meeting date after the August meeting. This will be corrected, and the approved version will include today's date. Jon Nepstad noted the change for the record.

Jeff Niermeyer entertained a motion to approve the minutes from the August 28, 2024 meeting with the noted date correction. Planning Commission member Rob Voye seconded the motion, and it was carried out with unanimous consent of the commission.

the commission on the land use implications of this proposal. He continued to describe that we will have to think about how this concept fits in with the Town of Alta General Plan.

Jon Nepstad reiterated that this is just a presentation and discussion with no decision or action to be made, but rather an opportunity for the commission to have a conversation and ask questions.

Doug Ogilvy introduced himself as being involved with this project for the past 5 years, and then he provided a brief presentation on the history of the Estate and the settlement agreement from 2014. After the agreement was made, the Estate wanted to recognize the Town's interest in preserving open space, leading them to consider alternatives that might be more favorable. He continued to summarize what has transpired between the Town and the Estate since 2019, leading us to where we are today with the consideration of rezoning 6.5 acres of the site into the FM-20 zone creating the opportunity for the Estate to create saleable real estate in the area below the Summer Road while preserving open space above. Doug reported the Estate had held a preliminary meeting with SLC Public Utilities, and that SLC is willing to discuss the concept as it would preserve 20 acres of open space which could otherwise be developed into a subdivision.

Doug then described the proposal in more detail along with the presentation slides:

- The proposal divides the property into 2 primary areas or lots: a development area and a conservation easement.
- The development area was determined by addressing the following development constraints:
 - Slopes over 30%
 - Wetlands
 - 50-foot setback from water source
- The FM-20 zone allows for 20 dwelling units per net developable acre or 40 guest rooms per net developable acre
 - Dwelling Units: The development lot outlined in the Estate's conceptual plat includes just over 3 acres of land, which would allow for up to 66 dwelling units, although a maximum of 29 are proposed.
 - Guest Rooms: The net developable acreage would allow for up to 132 guest rooms
 - Workforce Housing: Proposal includes a minimum of three (3) workforce housing units
- The Estate is considering two alternatives for driveway access to the site :
 - Alternative 1: Pave and widen the Summer Road until it hits the parcel line, and then add an driveway below the road to access the building. Additional widening of the road would allow for snow cat parking which may be displaced from its current location by the proposed paving of the Summer Road.
 - Alternative 2: Build a new driveway that parallels the Summer Road to the west or downslope. This alternative would require cooperation from TOA, USFS, and Alta Ski Lifts. This alternative would have no impact on the current Summer Road and would separate all roadway vehicles from over-snow vehicles.
- The proposed condominium building would be comprised of 8 stories
 - Level 1: Fitness center, hot tubs, MEP

that they felt the proposal of 25' above grade was consistent with other buildings in the area and thought it was a number the commission would find reasonable.

Rob Voye inquired about the width of the proposed structure so he could try to get a better sense of the visual impact of such a building. Doug said that there is 320 feet across the bottom of the property line, so a good guess is that the building itself would be close to 200 feet wide.

Maren Askins asked if this would impact the current skiers access route from the Summer Road to the ski area. Doug observed that the project would not affect Alta Ski Area's Patsy Marley ski run, which is outside the property boundary.

Dave Abraham asked about how the wetland data that was included in the exhibits was acquired. Doug referenced that they completed a new wetland study in the summer of 2022. Dave continued to share that he would prefer to see an option that wouldn't expand pavement of the current Summer Road due to the popularity of that route for skiers. Further discussion of the two driveway alternatives ensued. During this discussion, we heard from Zach Hartman from Land Advisors, who introduced himself as a representative of the Estate. Wade Budge was also introduced as an attorney representing the Estate.

Jon Nepstad asked what has changed since the 2014 agreement that prompted the Estate to consider this alternative now. Zach Hartman addressed the commission and detailed the importance of hearing from all potential stakeholders that would be affected by development in the area, highlighting how passionate people are about Little Cottonwood Canyon and this project. One big takeaway from those conversations was the interest in reducing the footprint of any development and lessening the impact on the upper portion of the parcel. The Estate weighed that feedback with their desire to monetize the development, ultimately landing on the proposal that is before the commission today. Zach stated that while there is probably more profit to be made with the 10-lot subdivision concept, they wanted to find a reasonable solution that paired humanity with logic, hoping they could come to a new compromise that might face less resistance and be more favorable to the Town. The Estate is tasked with balancing their own economic interests with doing what is best for the community. A lot of thought and planning went into the current proposal to address the wants of all parties, understanding that minimal visual impact was paramount.

Jon Nepstad inquired about what types of public amenities would be included in this proposal. Zach and Doug expressed that those details are yet to be determined, but that they imagined it would include public restrooms at a minimum and perhaps a food and beverage outlet.

Maren Askins asked if the lots depicted in the subdivision concept are ready to sell today. Representatives of the Estate stated that two more signatures are needed on the subdivision plat before that could happen: the Town of Alta and Salt Lake County Health Department, but that all other jurisdictions have signed the plat. The Estate's representatives continued to express that they did not intend to push the 10-lot subdivision concept forward in the meeting but rather want to explore alternatives that might work better for all parties.

every day. It was also discussed that the interest they have seen so far has been from ski-focused families, so it is anticipated that summertime impacts would be nominal.

The Commission then discussed what the implications would be in terms of setting a precedent if they were to consider this parcel for a re-zone to allow condominiums instead of 10 single-family homes. Polly described that the Town could approve a rezone if it was “reasonably debatable” and the decision would uphold the purpose of the Municipal Land Use, Development, and Management Act, and didn’t think it would set a legal precedent, as the decision would be specific to this site. Further, she clarified that it would ultimately be up to the discretion of the Town Council to approve a re-zone, not the Planning Commission. Chris Cawley quoted Mayor Bourke in observing that one definition of precedent is something that happened in the past, which would necessarily make the decision a precedent. Chris encouraged the Commission to weigh the trade-offs of this proposal and consider that condominiums have been a hot button issue before, and whether approving this re-zone would obligate the Town to consider other potential rezoning applications in the future. Doug Ogilvy pointed out that its unlikely any future re-zone applications would also come with such a generous open space conservation opportunity, so that distinction should be taken into consideration.

Dave Abraham inquired about the electrical infrastructure that would be required to power the proposed building. Doug stated that his had not been explored thoroughly, but the thought was that power would be brought to the property underground.

Planning Commission Chair Jon Nepstad wrapped up the conversation by highlighting written comments the Town received leading up to the meeting, and encouraged more comments to be submitted in writing, for now, until the commission is able to schedule time to invite the public in for a more open discussion.

Mayor Bourke asked a few more clarifying questions about the proposed footprint of the 10-lot subdivision and parking structure, as well as the new proposal to move OSV parking.

Mike Maughan from Alta Ski Area approached the podium to share that, generally, Alta Ski Area is supportive of the concept being proposed today and is willing to work with the Estate to find an agreeable solution to some of the outstanding aspects that would need to be addressed.

As a next step, Jon Nepstad suggested that the Planning Commission would need to gather more details and might compile a list of questions for a future meeting. He also expressed interest in doing a visual exercise that would help demonstrate the size of the proposed building, referencing the balloon exercise that was done several years ago when the Snowpine Lodge was being rebuilt. The Estate expressed support and offered resources to help facilitate such an exercise.

Jon Nepstad and Jeff Niermeyer went on to discuss some other implications of this proposal, including what effect it would have on the character of the neighborhood and community to consider condos (that would most likely house a more transient community) over single family homes (that might be more likely to attract year-round residents). Dave Abraham offered that those components are not as important to consider compared to whether consolidating

7. NEW BUSINESS

The next meeting is scheduled for January 22, 2025, at 3:00 PM assuming there is business to bring before the commission. It was also suggested that we use that opportunity to complete the annual Open and Public Meeting Acts training.

Jon Nepstad inquired with representatives from the Estate if they would be prepared by January 22nd to come back to the Commission with their follow-up items mentioned previously.

Mike Maughan, representing Alta Ski Area, offered to provide an update on ongoing or upcoming capital projects, as it is customary to do at least once a year.

8. MOTION TO ADJOURN

Planning Commission member Rob Voyer moved to adjourn the meeting. Planning Commission Member Maren Askins seconded the motion, and the motion was carried with unanimous consent of the commission.

Minutes Approved on ~~January 22, 2025~~.



Chris Cawley, Town Manager