



**Planning Commission
Wednesday, December 18, 2024
4:00 PM**

**130 Kearns Road
Town Council Chambers
Snowmass Village, CO 81615**

**You can watch the meeting live online on our website at tosv.com.
To join the meeting remotely please use the Teams Meeting information below:**

**Microsoft Teams meeting: <https://teams.microsoft.com/>
Meeting ID: 240 118 256 801
Passcode: tVvbuE
Agenda**

- 1. ROLL CALL**
- 2. APPROVAL OF MEETING MINUTES**
 - 2.a. APPROVAL OF DECEMBER 4, 2024 MEETING MINUTES**
[12.4.24 Meeting Minutes.docx](#)
- 3. ITEMS FOR DISCUSSION**
 - 3.a. LONG LOVE SNOWMASS TEMPORARY SIGN ADMIN_MOD**
[1_Staff Report, PC mtg 12-18-24 - Long Love S'mass Sign on S'mass Mtn.docx](#)
[2_PC Reso 9 of 2024_Long Love S'mass Sign on Ski Mtn_draft.docx](#)
[3_Updated Adm Mod Letter & App - Long Love Snowmass_241111.pdf](#)
 - 3.b. DIVIDE WORKFORCE HOUSING "SHOP" SKETCH PLAN**
[1 b Staff Report, PC mtg 12-18-24 - Divide Workforce Housing Major PUD Amend.pdf](#)
[2 b 2024 - SHOP Workforce Housing sketch plan application.pdf](#)
[3 b SHOP Sketch Plan Exhibits_revised.pdf](#)
[4 b Attachment C - Referral Comments, SHOP Workforce Housing.pdf](#)
[5 b - Attachment D_Public Comments, SHOP Workforce Housing.pdf](#)
[6 b Attachment E - draft Conditions of Approval.pdf](#)
[Applicant Presentation Sketch Plan Presentation_FINAL.pdf](#)
 - 3.c. COMMUNITY DEVELOPMENT UPDATES**
- 4. ADJOURNMENT**

TOWN OF SNOWMASS VILLAGE

PLANNING COMMISSION
MEETING MINUTES

December 4, 2024

Members Present:

Brian Marshack, Chair
Jim Gustafson
Doug Faurer
David Seglin
Matt Dube
Stan Clauson

Staff Present:

Dave Shinneman
Brian McNellis
Ashleigh Huff
Anne Martens
Sam Guarino
Greg LeBlanc
Mike Horvath

Members Absent:

Elise Denis

Others Present: Skyler Stark-Ragsdale, Jordan Sarick, Colby Christoff, Richard Shaw, Matt Armentrout, Jessica Garrow, Norman Godfrey, John Mele, Darla Calaway, Bart Johnson, Gene Burris, Andrew Wickes, Madeleine Sarick, Norman Godfrey, Taylor Broom, Liesl Hepburn, Taylor Higgins, Kathleen Wanatowicz, Rob Cairncross

Call to order: The meeting was called to order at 4:01 pm and roll was called. Commissioner Denis was absent.

Item 1: Approval of November 13, 2024 Meeting Minutes:

The Minutes from the November 13, 2024 meeting were brought for approval, Commissioner Seglin noted that the header/footer date was incorrect. Chair Marshack motioned to approve, seconded by Commissioner Faurer, and were unanimously approved.

The Minutes from the November 20, 2024 meeting were brought for approval, Commissioner Seglin noted that the header/footer date was incorrect. Commissioner Dube motioned to approve, seconded by Chair Marshack, and were unanimously approved.

Item 2: Snowmass Center Minor PUD:

Brian McNellis, Senior Planner, opened the meeting by acknowledging neither staff nor the applicant had a formal presentation prepared. He clarified the meeting's focus would be to review the draft resolution and its conditions of

46 approval, suggesting the group could either go through the conditions line by
47 line or address them as they were raised by the applicant.

48 Jessica Garrow, a principal with Design Workshop, introduced herself and her
49 colleague, Darla Holloway, both of whom expressed their gratitude for the time
50 the Planning Commission had spent reviewing the Snowmass Center application.
51 Jessica conveyed confidence in moving forward with the current resolution but
52 noted there were a few areas requiring further discussion, particularly those
53 related to construction timing and coordination with the transit center and road
54 development.

55 The meeting then proceeded with the decision to review the conditions of
56 approval. Chair Marshack led the discussion, and Commissioners, along with
57 staff, agreed to walk through each condition to address any concerns and make
58 any necessary adjustments.

59
60 Condition #1 addressed the building and fire codes. Brian McNellis stated that
61 updating the requirement to ensure the new center complies with the most
62 recent codes by July 1st, 2025. The applicant agreed with the condition and the
63 discussion continued. Condition #2 discussed the walkway in front of Clark's
64 storefront. Initially, a 12-foot width was proposed, but it was reduced to 10 feet,
65 factoring in a covered portion of the sidewalk. The applicant confirmed bollards
66 would be installed for pedestrian protection. If diagonal parking were
67 implemented, the 10-foot width may require further adjustments for fire access.
68 Questions were raised about the parking aisle width, which would need to be 22
69 feet for fire safety. The 18-foot pedestrian zone in front of Clark's would include
70 an 8-foot outdoor seating area with movable tables and a 10-foot sidewalk.

71
72 Brian McNellis introduced condition #3 regarding the site plan design,
73 expressing disappointment over the loss of the Main Street element, which was
74 intended to create a two-sided streetscape. He emphasized the need for a bold
75 design to enhance Snowmass' reputation, questioning if the current proposal
76 met the town's aspirations for something iconic. Chair Marshack acknowledged
77 the time spent on the review and emphasized the need to create a sense of place
78 with the project, noting the design was solid but required more. Commissioner
79 Gustafson felt the second floor and outdoor spaces missed the mark, losing the
80 spontaneous connections that made places like the grocery store and post office
81 special. Commissioner Faurer agreed on the need for natural, spontaneous
82 connections. Commissioner Dube also supported enhancing connectivity and
83 suggested adding features like a clock tower, fire pits, or public art to create a
84 more vibrant, community-oriented space. Commissioner Seglin emphasized the
85 importance of creating communal spaces that could support activities along the
86 path, suggesting that the design team consider these smaller, affordable
87 additions. He also recommended giving flexibility to the design team to explore
88 non-architectural landscape solutions, such as canvas-covered walkways, to
89 facilitate connections between buildings and enhance community engagement.

91 Dave Shinneman, Community Development Director, recommended using more
92 assertive language in the conditions and proposed that these conditions could
93 be addressed during the building permit stage to maintain the project's timeline,
94 as the applicant emphasized the importance of staying on schedule. The
95 Commissioners and the applicant reached an agreement on the wording of
96 conditions #3 and #31, and the discussion moved forward.

97
98 Commissioner Gustafson raised concerns about traffic from the proposed
99 residential site and the housing at the Draw Site. Public Works Director Anne
100 Martens and Transportation Director Sam Guarino expressed comfort with the
101 design. They indicated their willingness to work through the fine details with the
102 applicant and confirmed their support for the conditions outlined in the
103 resolution. The Commission moved on to discuss concerns with condition #8,
104 specifically regarding the maintenance of the road during and after construction.
105 They emphasized the need for clarity on who would be responsible once the
106 construction was complete. John Mele, Fire Marshal, requested a commitment
107 to maintaining access both during and after construction. Commissioners
108 agreed, and the language was adjusted accordingly. The discussion then
109 continued.

110
111 Mr. McNellis continued the discussion through several more conditions.
112 Commissioner Gustafson raised concerns about parking, and Commissioner
113 Fauer agreed, with the applicant committing to provide more parking data to the
114 Town Council. During the discussion of condition #22, Commissioner Seglin
115 inquired if the applicant had considered materials other than black asphalt, and
116 Commissioner Dube asked about parking lot illumination. The applicant
117 confirmed that the lighting would be dark sky compliant. The discussion moved
118 to condition #27 regarding the "soft" Rim Trail, which the applicant agreed to
119 maintain. Commissioner Gustafson left the meeting at 6:02 pm. The discussion
120 proceeded through the remaining conditions, including condition #35, with the
121 applicant noting they would request a change in vesting when the project was
122 presented to the Town Council. Chair Marshack then opened the floor to public
123 comment, but no comments were received.

124
125 Commissioner Dube motioned to approve the resolution as amended, seconded
126 by Commissioner Seglin. The motion passed unanimously, with 5 in favor and
127 none opposed.

128 129 Item 2: Little Red School House Special Review

130 Jim Wahlstrom, Senior Planner, introduced the Little Red School House Special
131 Review and Subdivision Plat for discussion, keeping his presentation brief and
132 introducing the applicant. Greg LeBlanc, Assistant Town Manager, provided
133 background on the project, emphasizing the need to expand childcare access.
134 LeBlanc then introduced Taylor Higgins from Land and Shelter, who presented
135 a summary of the project, which includes a 5,600 sq. ft., single-story building
136 designed to accommodate 60 children with flexible classroom spaces for infants,

toddlers, and preschoolers. Mike Horvath, Town Engineer, discussed the HOA grading requirements. Commissioner Faurer asked about the number and width of parking spaces, and the applicant confirmed that the proposed spaces are wider than typical. Commissioner Seglin recommended a more dynamic roof design, such as a butterfly or shed roof, and suggested incorporating varied materials and colors to engage children, emphasizing the need for material differentiation and playful design. Chair Marshack expressed support for the project, stating it was appropriate for the community. Commissioner Clauson made a motion to approve with the conditions presented, the motion was tabled for further discussion. Chair Marshack clarified that Commissioner Seglin proposed adding a condition, but Clauson disagreed, stating it was not the Planning Commission's role to redesign the building. Commissioner Dube inquired about the possibility of a WE-Cycle station, and the applicant expressed interest in assessing ridership before committing. Marshack confirmed with Seglin that he was okay with excluding the condition, while Faurer suggested the condition be reworded to "explore" rather than requiring design changes. The condition was rewritten and agreed upon. The motion to approve the resolution as amended was made by Commissioner Clauson, seconded by Chair Marshack, and passed with 5 in favor and none opposed.

Item 3: Community Development Director Updates

- The Divide Workforce Housing "SHOP" project is scheduled for the Planning Commission on December 18th
- SkiCo is bringing the "Long Love Snowmass" sign proposal before Planning Commission
- Reminder of January meeting schedule modifications

Motion to adjourn by Commissioner Dube, seconded by Commissioner Clauson. All in favor. None opposed.

The meeting was adjourned at 6:47 p.m.

MEMORANDUM

TO: Snowmass Village Planning Commission

FROM: Jim Wahlstrom, AICP, Senior Planner

DATE: December 18, 2024 meeting

SUBJECT: **PUBLIC NOTICE AND RESOLUTION NO. 9, SERIES OF 2024:**
REFERRAL OF ADMINISTRATIVE MODIFICATION INVOLVING A
TEMPORARY “LONG LOVE SNOWMASS” SIGN IN TWO DESIGNATED
ALTERNATING LOCATIONS ON THE SNOWMASS SKI MOUNTAIN.

I. PURPOSE AND ACTIONS REQUESTED OF PLANNING COMMISSION

The Planning Commission is requested to consider a referral of an Administrative Modification application submitted by the Aspen Skiing Company following the latest 2024 PUD Guide for Snowmass Mountain regarding proposed temporary sign placements in two alternating locations on the Snowmass Ski Mountain.

While there is no Comprehensive Sign Plan approved for the Ski Mountain, there is an Administrative Modification provision in the latest approved PUD Guide for the Ski Mountain that would allow this process for proposed temporary type structures.

Due to the size of the temporary sign proposed, the Community Development Director opted to refer the application to Planning Commission for consideration as allowed under the approved PUD Guide and in the Administrative Modification procedures in Section 16A-5-250 of the Town's municipal code.

II. SUMMARY DESCRIPTION

The proposal is to install one 4'-9" x 18'-6" sign as part of ASC's Long Love Marketing Campaign. The sign would say "*Long Love Snowmass*" and would be moved between Maroon Vista and Sneaky's ski trail over and up to a 3-year-period. The temporary sign structure would be located on National Forest System (NFS) lands within the Snowmass Mountain Special Use Permit (SUP) boundary administered by the NFS which is managed by the United States Forest Service (USFS).

The application may be accessed on the Town's website here, <https://portal.laserfiche.com/Portal/DocView.aspx?id=199250&repo=r-b27e3aff> , or per the attached application packet.

III. BACKGROUND

The current PUD Guide provisions for the Ski Mountain were recently approved by Town Council Ordinance No. 7, Series of 2024, via a Minor PUD Amendment.

IV. APPLICABLE REGULATIONS

According to the Ordinance 7, 2024 PUD Guide it states:

“Activities and Uses allowed, subject to review and approval of an Administrative Modification:

The Planning Director has the authority to issue changes to the use of temporary structures (e.g., Sprung Structures). This includes but is not limited to the implementation, extension of temporary use duration, and removal of temporary structures. The Planning Director may have temporary structures reviewed by the Planning Commission at his/her discretion if deemed appropriate.”

Following TOSV Code Section 16A-5-250, ‘Administrative Modifications,’ its procedures and referenced Section 16A-5-60, ‘Notice of public hearings,’ including Table 5-2 in the Town’s Municipal Code, a referral of an Administrative Modification to the Planning Commission requires a 15-day mailed public notice to adjacent owners within 300 feet of the site (interpreted as being the proposed two alternate sites planned for the temporary sign structure). The applicant submitted a signed affidavit of the mailed public notice on December 2, 2024. In this case, only the United States Forest Service, which manages the National Forest System (NFS) lands, had to be notified. However, they also authorized the application by correspondence dated October 2, 2024 with comments or conditions as part of the updated application materials resubmitted on November 11, 2024.

Following TOSV Section 16A-5-250(a)(9), ‘Administrative amendments,’ it states, “An Administrative amendment to any other design features of an approved PUD, subdivision, or building lot, or an administrative amendment to the uses approved for a PUD,” may be considered.

According to TOSV Section 16A-5-250(d), ‘Review Standards,’ it states an application for an administrative modification shall comply with the following standards:

- (1) Unforeseen circumstances. The proposed modification shall be the result of circumstances that could not have been reasonably anticipated by the applicant prior to or during the original approval process; and*
- (2) Insubstantial impacts. Any adverse impacts on surrounding properties from the proposed modification shall be insubstantial.*

Town Staff comments: As noted in the application materials, the proposed temporary sign at the two designated alternating locations could be interpreted as a temporary structure, planned over a 3-year period, considering such sign was not anticipated during the recent 2024 PUD Amendment. There was no prior Comprehensive Sign Plan approved by the Town for the Snowmass Ski Mountain.

From the areas proposed on the Snowmass ski mountain, the sign would only visually impact the immediate areas and the general skiing public and would not be seen from areas outside of the ski area. Following the review standards, the signs

should not adversely impact the surrounding areas considering the locations on the Mountain and will only impact a small area. Based upon these locations these signs could be considered to have insubstantial impacts on surrounding properties. However, due to the size of these signs staff opted to refer this Administrative Modification to the Planning Commission. Further, this approval would only apply to this marketing campaign for the next three years.

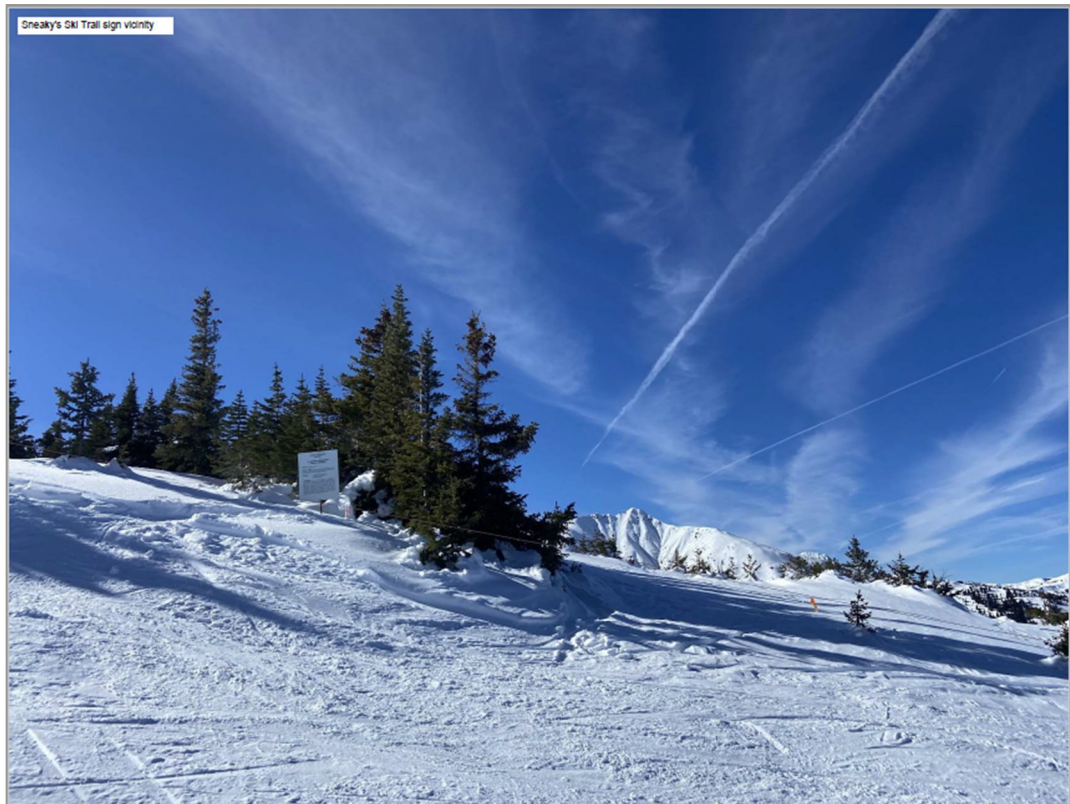
Attached below is a photo from a legal notice affidavit of one of the site locations for the planned sign.

V. STAFF RECOMMENDATION

Town Staff recommends approval of the draft Resolution No. 9, Series of 2024, as written, which may be amended at the meeting. Planning Commission approval would act as the final approval for this application.

Attachments:

- Draft Planning Commission Resolution No. 9, Series of 2024;
- Updated Aspen Skiing Company application materials resubmitted November 11, 2024;
- Site photo below from public notice affidavit.



TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION

RESOLUTION NO. 9
SERIES OF 2024

A RESOLUTION REGARDING REFERRAL OF ADMINISTRATIVE MODIFICATION INVOLVING A TEMPORARY “LONG LOVE SNOWMASS” SIGN ON TWO DESIGNATED ALTERNATING LOCATIONS ON THE SNOWMASS SKI MOUNTAIN.

WHEREAS, the Aspen Skiing Company ("Applicant") submitted on October 28, 2024 an Administrative Modification application to Snowmass Mountain PUD to install a temporary sign structure in two alternating locations for a period of three (3) years, pursuant to the Administrative Modification provisions in the PUD Guide approved in Ordinance No. 7, Series of 2024 for a Minor PUD Amendment; and

WHEREAS, the specifics of the proposal are to install one 4'-9" x 18'-6" sign as part of ASC's Long Love Marketing Campaign. The sign would say "*Long Love Snowmass*" and would be moved between Maroon Vista by Elk Camp and Sneaky's ski trail on Big Burn over and up to a 3-year-period. Both sign locations would be located on National Forest System lands within the Snowmass Mountain Special Use Permit (SUP) boundary administered by the NFS which is managed by the United States Forest Service (USFS); and

WHEREAS, following a completeness review of the application, the Applicant resubmitted an update of the application with additional materials on November 11, 2024 which was deemed complete for review and processing; and

WHEREAS, pursuant to the PUD Guide Administrative Modification provisions, the Community Development director opted to refer the application to the Town's Planning Commission for consideration primarily due the size of the temporary sign structure; and

WHEREAS, the Administrative Modification application was processed in accordance with Ordinance No. 7, Series of 2024, the approved PUD Guide for the prior Minor PUD Amendment to the Snowmass Mountain, its Administrative Modification procedures, and the relative review procedures and standards for processing such applications in accordance with Section 16A-5-250, '*Administrative modifications*' of the Town of Snowmass Village municipal code; and

WHEREAS, the Planning Commission has reviewed the application and considered the findings or recommendations of Town Staff at a meeting on December 18, 2024 pursuant to action on this Resolution No. 7, Series of 2024, including conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the Town of Snowmass Village, as follows:

Section One: Findings. The Planning Commission finds:

1. The Applicant submitted the application for the Administrative Modification in accordance with the approved PUD Guide in Ordinance No. 7, Series of 2024, and the procedures in the TOSV Municipal Code, Section 16A-5-230, '*Administrative modifications*.'
2. The United States Forest Service (USFS), owner, which manages the National Forest System (NFS), consented with conditions to the proposed temporary sign installations on October 2, 2024.
3. The Applicant sufficiently submitted a signed affidavit on December 2, 2024 for the required mailing of a public hearing notice to adjacent property owners within 300 feet of the proposed temporary sign structure placement locations pursuant to Sections 16A-5-250, '*Administrative Modifications*,' its procedures and the referenced Section 16A-5-60, '*Notice of public hearings*,' including Table 5-2 of the Town's Municipal Code; and

- 61 4. The Applicant sufficiently followed the procedures in Ordinance No. 7, Series of 2024 and its
62 PUD Guide for the Amended Snowmass Mountain, which states:

63
64 ***“Activities and Uses allowed, subject to review and approval of an Administrative
65 Modification:***

66 *The Planning Director has the authority to issue changes to the use of temporary
67 structures (e.g., Sprung Structures). This includes but is not limited to the
68 implementation, extension of temporary use duration, and removal of temporary
69 structures. The Planning Director may have temporary structures reviewed by the
70 Planning Commission at his/her discretion if deemed appropriate.”*

- 71
72 5. The Applicant is reasonably compliant with TOSV Section 16A-5-250(a)(9), ‘Administrative
73 amendments,’ because the proposal is for “an Administrative amendment to **any other design
74 features of an approved PUD**, subdivision, or building lot, or an administrative amendment to
75 the uses approved for a PUD,” and may be considered.
76
77 6. The Applicant is acceptably compliant with TOSV Section 16A-5-250(d), ‘Review Standards,’ as
78 follows:
79
80 (1) *Unforeseen circumstances. The proposed modification is the result circumstances that
81 could not have been reasonably anticipated by the applicant prior to or during the original
82 approval process; and*
83 (2) *Insubstantial impacts. Any adverse impacts on surrounding properties from the proposed
84 modification are insubstantial.*

85
86 **Section Two: Action.** Pursuant to the findings stated in Section One of this resolution, the Planning
87 Commission hereby approves the referred Administrative Modification for the installation of a temporary
88 sign structure in the designated two alternating locations on the Snowmass Ski Mountain for a period of
89 three (3) years.
90

91 **Section Three: Conditions.** The Applicant shall comply with and implement the following conditions:
92

- 93 1. Signs may only be installed in a temporary fashion and will be removed from the National Forest
94 sites by October 1, 2027 or before.
95
96 2. Only the locations and signs in the current proposal may be installed. Changes or modifications
97 will require additional review and approval by the Town.
98
99 3. The temporary signs shall not be lit from the exterior or the interior.
100

101 **Section Four: Severability.** If any provision of this Resolution or application hereof to any person or
102 circumstance is held invalid, the invalidity shall not affect any other provision or application of this
103 Resolution which can be given effect without the invalid provision or application, and, to this end, the
104 provisions of this Resolution are severable.
105

106 **INTRODUCED, READ, AND APPROVED** by the Planning Commission of the Town of
107 Snowmass Village on December 18, 2024 upon a motion by Planning Commission Member _____,
108 the second of Planning Commission Member _____, and upon a vote of __ in favor __ against.
109

110 TOWN OF SNOWMASS VILLAGE

111 PLANNING COMMISSION

112
113
114 _____
115 Brian Marshack, Chairperson

116 ATTEST:

117 _____
118 Ashleigh Huff, Planning Commission Secretary



Dave Shinneman
Community Development Director
Town of Snowmass Village
130 Kearns Rd, Snowmass Village, CO 81615

November 11th, 2024

Re: Administrative Modification to the Snowmass Mountain 2024 PUD Guide: Long Love Snowmass

Dear Dave,

The following letter describes Aspen Skiing Company's (ASC) proposed Long Love Snowmass signage installation project and demonstrates compliance with the Town of Snowmass Village's (TOSV) Administrative Modification and Minimum Contents requirements. The letter has been updated based on feedback provided by Community Development Staff on November 4th, 2024. Updates include the following:

- Discussion of compliance with Section 16-A-5-250(a) and Section 16-A-5-250(c)(4)
- Updated sign dimensions in attached Administrative Modification form (refer to Exhibit B)
- United States Forest Service (USFS) letter approving the installation of Long Love Snowmass signs on National Forest System (NFS) lands at all Four Mountains (refer to Exhibit C).

The completed Administrative Modification form is included in Exhibit B of this letter.

Project Description

ASC proposes an Administrative Modification to the Snowmass Mountain 2024 PUD Guide (Ordinance No. 07, Series of 2024) in order to install one 4'9" x 18'6" sign as part of ASC's Long Love Marketing Campaign. The sign would say "Long Love Snowmass" and would be moved between Maroon Vista and Sneaky's ski trail over an up to 3-year-period (refer to Exhibit A for design and locations). Both signs would be located on NFS lands within the Snowmass Mountain Special Use Permit (SUP) boundary administered by the USFS.

Installation of the Maroon Vista sign would require the import of road base for leveling. Signs would be placed on top of snow for winter conditions at both locations. No new permanent roads are contemplated with this project. Construction access will be provided via the existing Thornton Work Road and the existing Elk Camp Work Road. Following implementation, leveling road base would be removed from the Maroon Vista sign location, and the areas would be revegetated and restored to their original condition.

P.O. Box 1248
Aspen, CO 81612-1248
970-925-1220
aspensnowmass.com

Compliance with Relevant Administrative Modification Requirements (Land Use and Development Code Section 16-A-5-250)

Section 16-A-5-250(a) Purpose:

ASC believes that the proposal is in compliance with Section 16-A-5-250(a).

Section 16-A-5-250(a) defines Administrative Modifications as “a staff-level or Planning Commission review procedure that allows minor changes to be made to certain dimensional limitations or other design features in order to address technical constraints or unanticipated circumstances that arise prior to or during final design and actual construction. *An administrative modification shall only be granted for the following types of activities... (9) Administrative amendments. An administrative amendment to any other design feature of an approved PUD, subdivision or building lot, or an administrative amendment to the uses approved for a PUD. (emphasis added)*”

In accordance with Section 16-A-5-250(a)(9), ASC believes that the proposal qualifies as an administrative amendment to the approved Snowmass Mountain 2024 PUD Guide, which identifies the implementation of temporary structures as Activities and Uses allowed, subject to review and approval of an Administrative Modification. Specifically, page 9 of the 2024 PUD Guide states the following under Activities and Uses allowed, subject to review and approval of an Administrative Modification: “The Planning Director has the authority to issue changes to the use of temporary structures (e.g., Sprung Structures). This includes but is not limited to the implementation, extension of temporary use duration, and removal of temporary structures.” As discussed in the project description above, the proposed signs would be erected for an up to three-year period and then removed. ASC believes that the proposed sign qualifies as a temporary structure and that the project is in compliance with the 2024 PUD Guide as well as Section 16-A-5-250(a).

Section 16-A-5-250(c)(4) Other Information:

ASC believes that the proposal is in compliance with Section 16-A-5-250(c)(4).

Section 16-A-5-250(c)(4) Other Information states “The Planning Director may request the applicant to submit such other information as is necessary to evaluate the impacts of the application. Examples of the information that may be requested are elevations of proposed structures, analysis of the traffic impacts of the proposed use or evaluation of the environmental impacts of the proposed use.”

Feedback from Community Development Staff on November 4th, 2024 indicates that visual simulations or an on-mountain site visit might be beneficial for project review. Visual simulations are not available at this time. ASC refers the reader to the graphics in Exhibit A for a general depiction of sign locations and aesthetics. ASC welcomes the opportunity for an on-mountain site visit should the Planning Director determine it necessary for project review.

Compliance with Minimum Contents Requirements (Land Use and Development Code Section 16A-5-40 (b))

Per Land Use and Development Code Section 16A-5-40 (b), a development application shall include the minimum contents specified for the particular type of application. Below are the minimum contents for this Administrative Modification.

Section 16A-5-40 (b)(1) Name, address, telephone number and power of attorney:

Eric Neumeyer
Aspen Skiing Company
PO Box 1248
Aspen, CO 81612

Section 16A-5-40 (b)(2) Legal Description:

Both signs would be located on NFS lands within the Snowmass SUP Boundary administered by the USFS. The sign locations do not have street addresses. GPS coordinates and legal descriptions for each location are provided below:

Maroon Vista: 39°10'7.21"N, 106°55'35.82"W, Section 19, Township 10, Range 85

Sneaky's Ski Trail: 39°10'20.20"N, 106°58'20.79"W, Section 22, Township 10, Range 86

Section 16A-5-40 (b)(3) Disclosure of Ownership:

Refer to Exhibit C.

Section 16A-5-40 (b)(4) Written Description:

Refer to Project Description above and information provided in Exhibit A.

Section 16A-5-40 (b)(5) Vicinity Map:

Refer to Figure provided in Exhibit A.

Section 16A-5-40 (b)(6) Other Maps:

Refer to Figure provided in Exhibit A.

Section 16A-5-40 (b)(7) Base Fee:

Refer to Development Application Fee Agreement Form in Exhibit D.



Conclusion

ASC appreciates the continuing efforts by you and Community Development Staff to conduct timely reviews of ASC's project requests in the TOSV. Please contact me at your earliest convenience for additional information if necessary, or to discuss any aspects this proposal.

Respectfully,

A handwritten signature in blue ink, appearing to read "M. Keeling", written over a light blue horizontal line.

Mak Keeling

Vice President - Mountain Planning, Planning & Development Department
Aspen Skiing Company

cc: Katie Ertl, Susan Cross, Chris Kiley; Gabby Cohen; Katie Wertheimer; Aspen Skiing Company

Exhibits

Exhibit A. Long Love On-Mountain Brand Installations

Exhibit B. Administrative Modification Form

Exhibit C. Disclosure of Ownership/Statement of Authority

Exhibit D. Development Application Fee Form

P.O. Box 1248
Aspen, CO 81612-1248
970-925-1220
aspensnowmass.com

Snowmass | Aspen Mountain | Aspen Highlands | Buttermilk



Exhibit A. Long Love On-Mountain Brand Installations

P.O. Box 1248
Aspen, CO 81612-1248
970-925-1220
aspensnowmass.com

Snowmass | Aspen Mountain | Aspen Highlands | Buttermilk



Exhibit B. Administrative Modification Form

P.O. Box 1248
Aspen, CO 81612-1248
970-925-1220
aspensnowmass.com

Snowmass | Aspen Mountain | Aspen Highlands | Buttermilk

TOWN OF SNOWMASS VILLAGE

ADMINISTRATIVE MODIFICATION APPLICATION

An administrative modification is a staff-level review procedure that allows minor changes to be made to certain dimensional limitations or other design features to address technical constraints or unanticipated circumstances that arise during final design or during actual construction.

GENERAL DATA REQUIREMENTS

Date: **10/14/2024**

Name of Owner: **Aspen Skiing Company**

Address: **PO Box 1248**

Phone:

Email:

Name of Applicant (if different than owner): **Eric Neumeyer**

Address:

Phone: **6096476073**

Email: **eneumeyer@aspensnowm**

Physical Address of Property: **NFS land 39°10'7.21"N, 106°55'35.82"W + 39°10'20.20"N, 106°58'20.79"W**

Legal Description: **Section 19, Township 10, Range 85 + Section 22, Township 10, Range 86**

EXISTING CONDITION INFORMATION

Present Zoning: **REC**

Lot Area (sq.ft.): **Operating Boundary - 5,687 acres** Building Setbacks (ft.): **N/A**

Allowable Floor Area Ratio per Zoning or PUD Plan: **N/A**

Square Footage of All Areas Calculated as Floor Area by Code: **N/A**

Existing Building Height (if applicable): **N/A**

of Parking Spaces and Bedrooms (if applicable): **N/A**

PROPOSAL DATA

(Only fill in those that apply)

Proposed Building Setbacks: **N/A**

Proposed Floor Area: **N/A**

Proposed Building Height: **Proposed signs would be 4'9" tall and 18'6" wide**

Proposed Envelope Adjustment: **N/A**

Proposed Parking Space Size: **N/A**

Proposed Minor Amendment to PUD, Subdivision, Building Lot **N/A**

or Minor Use Change: **N/A**

Other: **N/A**

DESCRIBE YOUR PROPOSED ADMINISTRATIVE MODIFICATION

See attached Application Letter.

PROVIDE THE FOLLOWING ADDITIONAL INFORMATION

1. **Minimum Contents.** The minimum contents for any application, as specified in Section 16A-5-40 (b), Minimum Contents. The Land Use and Development Code can be found here:
[https://library.municode.com/co/snowmass_village/codes/municipal_code?nodeId=CH16ALAU\\$DECO](https://library.municode.com/co/snowmass_village/codes/municipal_code?nodeId=CH16ALAU$DECO)
2. **Improvement Survey.** If deemed necessary in the discretion of the Planning Director, an improvements survey showing the location and dimensions of all existing structures, streets, alleys, easements, drainage areas, irrigation ditches, public and private utilities and other significant features within the property.
3. **Site Plan.** A site plan of the subject property, showing existing improvements and proposed development features that are relevant to the review of the proposed administrative modification application. As necessary, the applicant shall also submit such other written or graphic information as is necessary to describe the proposed modification, such as a sketch of those elements of the proposed structure for which an administrative modification is requested.
4. **Other Information.** The Planning Director may request the applicant to submit such other information as is necessary to evaluate the impacts of the application. Examples of the information that may be requested are elevations of proposed structures, analysis of the traffic impacts of the proposed use or evaluation of the environmental impacts of the proposed use.
5. **Base Fee.** The application shall be accompanied by the applicable base fee from the Building and Planning Department's fee schedule. The applicant shall reimburse the Town for such amounts in excess of the base fee as determined by the Planning Director. The reimbursement to the Town by the applicant shall be due and payable within fifteen (15) days of the date of billing.

NO APPLICATION WILL BE PROCESSED UNTIL ALL REQUIRED INFORMATION IS PROVIDED.

REASONS FOR REQUESTING THIS ADMINISTRATIVE MODIFICATION

1. Are there any unforeseen circumstances which warrant a modification?

The new Long Love Campaign was not anticipated during the Land Use Approval process for the 2024 PUD Guide.

2. Are there any substantial impacts on the surrounding properties?

Surrounding properties will not be impacted by the proposed project.

3. For an adjustment to a building envelope does the modification allow for:

a) Better conformance to the standards of this development code?

N/A

b) Less vegetation to be removed from the site?

N/A

c) Better access to the site?
N/A
4.Other reasons?
N/A

RULES OF PROCEDURE

The following procedures shall apply to an application for an administrative modification. These procedures are illustrated in Figure 5-8 Administrative Modification Application Procedures in Section 16A-5-250 of the Land Use and Development Code.

1. **Pre-Application Conference.** Attendance at a pre-application conference is optional prior to submission of an administrative modification application.
2. **Submission of Application.** The applicant shall submit an application to the Planning Director that contains the materials specified in Subsection (c) Application Contents.
3. **Process Determination.** Within 10 days after the pre-application meeting or after the application is deemed complete, the Planning Director shall decide if the application can be processed administratively or if it must be forwarded to the Planning Commission as the decision-maker.
4. **Administrative Staff Review.** Staff review of the application shall be accomplished, as specified in Section 16A-5-50, Staff Review of Application. For applications being processed by the Planning Director, no public notice shall be required. Notice of the issuance of the Planning Director's approved administrative modification, including copy of the record of decision, shall be provided to the Planning Commission.
5. **Action By Planning Director.** The Planning Director shall approve, approve with conditions or deny the application, considering the relevant materials and testimony and the standards in Subsection (d) Review Standards.
6. **Action by Decision-Making Body.** The following procedure shall apply to an application for administrative modification if, due to its scale or potential impacts upon surrounding properties or due to the nature and intensity of the proposed activity or use, it is determined by the Planning Director to warrant referral to the Planning Commission for final determination. This procedure shall apply regardless of whether the Planning Director refers the application prior to or after formal staff review.
7. **Referral to Planning Commission.** If, during the staff review any issues arise that cannot be resolved to the satisfaction of the Planning Director or the applicant, then the staff shall refer the application within thirty (30) days to the Planning Commission pursuant to Subsection (5) Action by Decision-Making Body. Public notice that an application for administrative modification has been referred to the Planning Commission shall be given pursuant to Section 16A-5-60(b), Manner and Timing of Notice.
8. **Appeal.** A decision by the Planning Director or Planning Commission on an administrative modification may be appealed, pursuant to Section 16A-5-80, Appeals. The appeal shall be referred to the Town Council, which shall consider the matter pursuant to Section 16A-5-80 (d), Procedure.
9. **Recording.** If the Planning Director or Planning Commission approves the administrative modification, the applicant shall, within thirty (30) days of the date of said approval, cause the written decision notice or resolution, with applicable exhibits, to be recorded in the records of the County Clerk and Recorder.

ADMINISTRATIVE MODIFICATION MUNICIPAL CODE PURPOSE:

An administrative modification is a staff-level or Planning Commission review procedure that allows minor changes to be made to certain dimensional limitations or other design features in order to address technical constraints or unanticipated circumstances that arise prior to or during final design and actual construction. Activities that shall not be considered administrative include changes to the overall character of the project, changes that substantially increase trip generation or the demand for public facilities and changes that are inconsistent with a condition or a representation of the project's original approval, or that require granting a further variation from that granted in the original approval.

An administrative modification shall only be granted for the following types of activities:

1. **Setback.** The intrusion of a building or an above-grade structure into a required setback by one foot (1') or less for new construction in a manner that exceeds the limitations established in Section 16A-3-200 (b), Construction in Required Setbacks and Outside Designated Building Envelopes.
2. **Floor Area.** An increase in the maximum allowable floor area of a structure by no more than two percent (2%) or fifty (50) sq. ft., whichever is less.
3. **Building Height.** An increase in a building's height by one foot (1') or less.
4. **Parking Space Size.** A decrease in the size of a required parking space by one foot (1') or less.
5. **Crawl Space or Attic Space.** A crawl space or attic space that is greater than five and one-half feet (5 1/2') at any point when rational construction methods will not allow compliance with the maximum height of five and one-half feet (5 1/2'), provided that the Planning Director may impose reasonable conditions to limit or restrict the use of said space.
6. **On-Grade or Below-Grade Structures.** The projection of an on-grade or below-grade structure into a required setback in a manner that exceeds the limitations established in Section 16A-3-200 (b) (1), Structures on or Below Finished Grade. The Planning Director may impose reasonable conditions to ensure that such structures will not hinder road maintenance and snow plowing operations and will have minimal visual impacts, and to ensure that the owner indemnifies the Town against any damage that may occur to said structures.
7. **Building Outside of Established Envelope.** An encroachment outside of building envelope where a building or portion thereof was previously constructed.
8. **Adjustment to Building Envelope.** Adjustment of a building envelope to correct an existing condition or to allow it to better conform to the standards of this Development Code, such as by allowing less vegetation to be removed from the site, helping to lessen impacts from drainage or site grading, or permitting better access to the site to be provided.
9. **Administrative Amendments.** An administrative amendment to any other design feature of an approved PUD, subdivision or building lot, or an administrative amendment to the uses approved for a PUD.
10. **Interim SPA (SPA-1 and SPA-2) Authorization.** Improvements to existing development within Specially Planned Area (SPA-1 and SPA-2) and Governmental Specially Planned Area zone districts that have not been reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Development, provided: a) the improvements are necessary for the maintenance and repair or remodeling of an existing building; b) there will be no change in type of use except as may be accessory to or customary in connection with the existing principal use(s) of the building; c) the total square footage of the floor space of the building is not increased by more than ten percent (10%) or five hundred (500) square feet, whichever is less, except in the case of Governmental Specially Planned Areas it shall be ten percent (10%) of the building floor space; d) the proposed improvements will be consistent with Section 16A-4-340, Building Design Guidelines to Preserve Community Character; and e) all future development improvements within the property proposed

after an initial administrative modification approved by means of a) through d) above shall be reviewed pursuant to the procedures and standards of Article V, Division 3, Planned Unit Developments. The Planning Director may require the preparation of an interim site development and land use plan and may impose reasonable conditions to ensure that such structures will not change the basic character of existing buildings or surrounding areas or have a substantially adverse impact upon surrounding properties.

11. **Site Disturbance Outside Building Envelope.** Earth berms located outside the building envelope which do not satisfy the criteria specified within Section 16A-4-320(b)(2)a, Earth Berm Outside Building Envelope. The Planning Director may impose reasonable conditions to ensure that such berm will be located and designed to reasonably fit the site and to minimize the visual impact upon surrounding property owners.

P:\Planning\Forms\Admin. Mod



Exhibit C. Disclosure of Ownership/Statement of Authority

P.O. Box 1248
Aspen, CO 81612-1248
970-925-1220
aspensnowmass.com

Snowmass | Aspen Mountain | Aspen Highlands | Buttermilk



October 21, 2024

VIA EMAIL

Dave Shinneman
Community Development Director
Town of Snowmass Village
130 Kearns Rd, Snowmass Village, CO 81615

Re: Long Love Snowmass Project - Statement of Authority

Dave:

I am an attorney licensed to practice law in the State of Colorado and serve as the Chief Business and Legal Affairs Officer for Aspen One and Aspen Skiing Company, LLC.

Aspen Skiing Company is the United States Forest Service (USFS) Special Use Permit (SUP) holder for Snowmass Mountain, Aspen Mountain, Aspen Highlands, and Buttermilk ski areas (the "Ski Areas"), all of which are located in Pitkin County, Colorado. The Ski Areas within the SUP areas consist of land owned by the USFS and Pitkin County, along with certain parcels under private ownership. None of the proposed improvements are subject to any mortgages, liens, or encumbrances.

As Chief Business and Legal Affairs Officer, I am an authorized legal representative of Aspen One and Aspen Skiing Company, and hereby authorize Mak Keeling, Vice President of Aspen Skiing Company's Planning Development Department, as ASC's project management representative, to file and prosecute all necessary and prudent applications associated with this project.

Regards,

A handwritten signature in dark ink, appearing to read "Rana Dershowitz", with a long, sweeping horizontal line extending to the right.

Rana Dershowitz
Chief Business and Legal Affairs Officer
Aspen One
(970) 300-7150

cc: Chris Kiley, SVP ASC Planning and Development Department
Mak Keeling, VP ASC Planning and Development Department

P.O. Box 1248
Aspen, CO 81612-1248
970-925-1220
aspensnowmass.com

From: Keeling, Mak
Sent: Friday, November 8, 2024 3:02 PM
To: Neumeyer, Eric
Subject: FW: new marketing campaign

Approval (see below)

MAK KEELING

VICE PRESIDENT - MOUNTAIN PLANNING

PLANNING & DEVELOPMENT

ASPEN SKIING COMPANY

O: +1 970-923-8727

M: +1 970-418-0233

[ASPENSNOWMASS.COM](https://www.aspensnowmass.com)

[ASPEN.COM](https://www.aspen.com)



This email may contain confidential and/or private information. If you received this email in error please delete and notify sender.

From: Warner, Kevin - FS, CO <kevin.warner@usda.gov>
Sent: Wednesday, October 2, 2024 10:53 AM
To: Keeling, Mak <mkeeling@aspensnowmass.com>
Cc: Lutterman, Monte - FS, CO <monte.lutterman@usda.gov>; Moot, Jessica - FS, CO <jessica.moot@usda.gov>
Subject: new marketing campaign

Mak,

Thank you reaching out to Aspen – Sopris Ranger District regarding the Aspen Skiing Company idea for “Long Love _____” sign installations at all (4) ASC Resorts. I was able to review the 9/24/24 request, and my comments below are related to the proposed sign locations at National Forest sites: Aspen Highlands, Buttermilk, Snowmass.

Please accept this message as the approval to install the signs as proposed, with the following requirements:

- Signs may only be installed in a temporary fashion and will be removed from the National Forest sites by 10/1/27 or before
- Only the locations and signs in the 9/24/24 ASC Proposal may be installed. Changes or modifications will require additional review and approval.
- Erected signs shall be maintained or renewed as necessary to neat and presentable standards, as determined by the Forest Service (Item E, USFS Special Use Permit)
 - Please consider this requirement as it relates to the Aspen Highlands installation, and stickers

- If issues arise with the placement of signs, reflectivity, visitor complaints, or required removal by other governing organizations, ASC shall comply with the signs removal.

Never a dull moment working with ASC, and best wishes with the campaign. Long Love White River National Forest...

Cheers -



Kevin Warner (he/him/his)
District Ranger

Forest Service
White River National Forest, Aspen-Sopris Ranger District

c: 970-948-3911
kevin.warner@usda.gov

620 Main Street
Carbondale, CO 81623
www.fs.fed.us



Caring for the land and serving people

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.



Exhibit D. Development Application Fee Form

P.O. Box 1248
Aspen, CO 81612-1248
970-925-1220
aspensnowmass.com

Snowmass | Aspen Mountain | Aspen Highlands | Buttermilk



Development Application Fee Agreement

(EFFECTIVE: March 27, 2018)

The Town of Snowmass Village has established a fee structure for the processing of land use applications, zoning plan reviews, subdivision plats, temporary use permits, appeals and registrations, sign permits and other planning review processes. A comprehensive list of reviews and their associated fees are described in the **Base Rate Fee Schedule** attached hereto. A Base Rate Fee is collected based on the type of application submitted. Referral fees for other Town departments, agencies and Town consultants reviewing the application will also be collected. **Applications will not be accepted for processing without the payment of the required Base Rate Fee.**

The fees vary depending upon the land use application type and the complexity of the case. The determination whether an application is major or minor for purposes of establishing the Base Rate Fee shall be at the sole discretion of the Planning Director based upon the estimated number of hours required to process the application. The Base Rate Fee for applications which fall into more than one category shall be cumulative unless found that it may be excessive in relation to the estimated number of hours required to process the consolidated application. The consolidated Base Rate Fee may then be adjusted at the sole discretion of the Planning Director.

The accrual of staff time commences at the time an application is submitted to the Department. **The Base Rate Fee is not refundable.** Actual staff and consultant review time spent on the application will be charged immediately for reviewing the application, assisting the applicant, and addressing public inquiries. When the hours exceed the Base Rate Fee amount, the applicant will be invoiced for additional hours spent on the case by the Planning Staff. A brief description of the charge and review time incurred will be provided on the monthly invoice. The applicant will be billed monthly in arrears for actual review time incurred. Current billings must be paid within 30 days or processing of the application will be suspended.

An applicant may accrue and be billed for additional administrative or review time following the final land use approval, including zoning plan compliance review, up to issuance of a Certificate of Completion or a Certificate of Occupancy or until the terms and conditions of the approval have been satisfied, whichever occurs later. If an applicant has previously failed to pay application fees as required, no new or additional applications will be accepted for processing until the outstanding fees are paid.

No new land use applications will be accepted, building permit(s) issued or documents recorded with the Pitkin County Clerk and Recorder until all costs associated with the processing of the land use application to date have been paid.

As the Applicant or Authorized Representative, I understand that I am responsible for paying all fees associated with this development review application and shall be the person designated to receive all billings under this Agreement.

READ, ACCEPTED AND AGREED TO:

Application(s): Administrative Modification

Print Name: Mak Keeling

Signature of Applicant or Authorized Representative

Date: 10/15/24

Email: mkeeling@aspensnowmass.com

Phone: 6096476073

Applicant billing address: _____

PO Box 1248

Aspen, CO 81612

BASE RATE FEE: \$ 600.00

RECEIPT NO. _____

The Applicant is responsible for notifying the Town Planning Department by U.S. Mail for any change in billing person or billing address:

Snowmass Village Planning Department

P.O. Box 5010, Snowmass Village, CO 81615

(EFFECTIVE: March 27, 2018)

<u>TYPE OF REVIEW (check applicable box)</u>	<u>BASE FEE (1) + hourly. rates as needed</u>
☐ Full Review ☐ Partial Review ☐ Spot Check ☐ Other	

☐ AEU Registration – Initial.....	\$ 300.00
☐ AEU Registration – Annual.....	\$ 100.00
☐ ACU Registration – Initial.....	\$ 200.00
☒ Administrative Modification (Minor, no public notice required).....	\$ 600.00
☐ Administrative Modification (Major, public notice required).....	\$ 1,000.00
☐ Annexations.....	\$ 5,000.00
☐ Appeal of Decision.....	\$ 1,000.00
☐ Comprehensive Sign Plan and Amendments Thereto.....	\$ 1,000.00
☐ Excise Tax Application--Improved.....	\$ 500.00
--Unimproved (demo & new construction)	\$ 1,000.00
☐ Rezoning.....	\$ 3,000.00
☐ SPA or PUD Pre-Sketch Plan.....	\$ 750.00
☐ SPA or PUD Sketch Plan.....	\$ 3,500.00
☐ SPA or PUD Preliminary Plan (2) – Minor.....	\$ 5,000.00
☐ SPA or PUD Preliminary Plan - Major.....	\$ 6,500.00
☐ SPA or PUD Final Plan – Minor.....	\$ 2,000.00
☐ SPA or PUD Final Plan – Major.....	\$ 3,000.00
☐ SPA or PUD Minor (2) Amendment.....	\$ 3,000.00
☐ SPA or PUD Major Amendment.....	\$ 5,000.00
☐ Special Review - Administrative.....	\$ 1,500.00
☐ Special Review – Referral to Planning Commission/Town Council.....	\$ 2,000.00
☐ Subdivision Exemption or Condominium Map.....	\$ 1,500.00
☐ Subdivision Plat.....	\$ 2,000.00
☐ Subdivision Plat Amendment.....	\$ 1,500.00
☐ Temporary Use Permit - Administrative	\$ 500.00
☐ Temporary Use Permit - Annual	\$ 1,000.00
☐ Temporary Use Permit - Annual Renewal.....	\$ 300.00
☐ Sign Permit	\$ 100.00
☐ Variance.....	\$ 1,200.00
☐ Vacation of Recorded Plat.....	\$ 1,000.00
☐ Zoning Plan Review – Minor.....	\$ 700.00
☐ Zoning Plan Review – Major.....	\$ 1,500.00
☐ Miscellaneous Review, Including Vested Rights Extension.....	\$ 750.00
☐ Building Permit Zoning Compliance Review	% of Value, per Bldg. Permit app
☐ Development, design, or other review not covered above.....	Hourly Rates per Below

Hourly Rates When Review Costs Exceed Base Fee:

CDD Staff Hourly Rate.....	\$	180.00
Town Attorney Hourly Rate	\$	275.00
Town Engineer	\$	As invoiced

Notes:

1. Base Rate Fees do not include recording costs, mailing, transportation for site visits, courier and copying expenses, or outside consultants and contract services. These costs will be billed to the applicant at Town cost.
2. The determination of major or minor status shall be at the discretion of the Community Development Director based on LUC thresholds and estimated number of hours to process.

Town of Snowmass Village

Planning Commission Meeting

Date: December 18, 2024

Agenda Item: Divide (SHOP) Workforce Housing – Major Sketch Plan PUD
Amendment

Presented By: Brian McNellis, Senior Planner AICP/MLA

Applicant Team:

- Applicant: Aspen Skiing Company
- Representatives – Heather Henry, Philip Jeffreys, Chris Kiley

Legal Description:

Lot 44 – Divide Subdivision (vicinity map below)



I. Background:

The Aspen Skiing Company (hereafter Applicant) wishes to build **30** workforce housing units on Lot 44 of the Divide PUD - approved pursuant to Ordinance No.16, Series of 1989. The property currently houses a Vehicle Maintenance Facility which contains several employee units approved in accordance with Ordinance No.16 of 2001 (Phase I – built out). The original PUD approval also allows for the consideration of another “operations building” on Lot 44 (located on the south side of Divide Way) that may also contain 3 employee units (Phase II – subject development area). The current proposal would not pursue the previously approved operations facility and would prioritize the area for the expansion of deed restricted housing instead.

II. Project Description

The project is being reviewed as a Major PUD Amendment due to the substantial increase in residential units proposed.

The property is located at the top of Divide Way and is located more than 1.5 miles from the Snowmass Town Center. The application proposes a single building (27,186 square feet) which will contain a total of 30 employee housing units (10 two-bedroom and 20 single-bedroom rental apartments) within a 3-story structure (35-foot maximum height). The building will be comprised entirely of prefabricated units built elsewhere and transported on-site. Each unit will be afforded 50 square feet of secured storage space in the basement level of the finished building. Each unit will also be assigned a single parking space (which includes 2 handicap accessible spaces). The final product, if approved, will be 100% electric.

The property is zoned Mixed-Use (MU-2). The new proposal does not mandate an Amendment to the Official Zone District Map but may require an amendment to the Build-Out chart of the Comprehensive Plan to accommodate the new residential units contemplated (3 + 27 units).

Note: The site plan was modified from the original application submittal presented in the Joint Meeting on October 21st. The orientation of the façade has since been rotated 90 degrees and is now facing westerly (as opposed to northerly). In general, TOSV staff and referral agencies are in favor of the amended application as presented herein.

III. History:

The Town recently adopted an updated PUD Mountain Guide for Snowmass ski area pursuant to Ordinance No. 7 of 2024. As approved, this document reinforces the requirement that Aspen Skiing Company mitigate for additional on-mountain employees generated by new projects within the ski area boundary. Recent projects that mandate employee mitigation prior to issuance of a Certificate of Occupancy include the Lynn Britt ('Cabin') expansion and the Ullrhof restaurant redevelopment. The Applicant wishes to utilize the 30 units proposed in this application to mitigate for the generation of employees associated with those two projects respectively.

IV. Municipal Code Provisions:

According to Section 16A-5-20, Sketch Plan, it states the following:

- (a) **Purpose.** *The sketch plan review is an opportunity for the Town and the applicant to engage in an exploratory discussion of a development proposal, to raise issues and concerns and to examine alternative approaches to development of the property. The applicant is encouraged to provide a written or graphic description of any alternative ideas that were considered as the sketch plan was being prepared. It should be expected that the development proposal may evolve during the course of sketch plan review.*
- (b) **Sketch Plan Review Intent and Issues.** *To encourage the consideration of alternatives and to allow the sketch plan to evolve, overly detailed preliminary plan level sketch plans will not be considered. The questions the Planning Commission and Town Council should consider in a conceptual manner during review of the sketch plan (depending upon the size and complexity of the proposal) include the following:*
 - (1) **Use.** *Is the use proposed for the property generally appropriate in this location? Is it consistent with the intent of the underlying zone district and the character of surrounding uses?*

Staff Response: The underlying zoning is MU-2 and is specific to the PUD overlay associated with Ordinance No. 16 of 2001 which allows for limited residential development in the location of the proposed housing development (3 units). There are existing residential units associated with the existing Vehicle Maintenance Facility (6 units). As a Mixed-Use project, residential type development has been deemed appropriate by the previously approved PUD, albeit a substantial increase in unit count.

- (2) **Comprehensive Plan.** *Is the proposed development generally consistent with the Town's Comprehensive Plan? Is the proposed buildout within the range anticipated for the property? If the applicant proposes a buildout in*

excess of sixty-five percent (65%) of that identified in the Comprehensive Plan, then are the community purposes the applicant proposes to achieve the appropriate ones for this development to accomplish?

Staff Response: Located adjacent to subject parcel, Krabloonik and the Divide Trail parking lots are highlighted as location for future employee housing in the Workforce Housing Master Plan. Lot 44 is privately owned, and therefore likely not identified for that reason. Nonetheless, the parcel meets the criteria for Employee Housing as identified in the Comprehensive Plan.

- (3) ***Architecture and landscaping.*** *Are the buildings proposed to be developed in appropriate locations? Is the mass, scale, and density of the buildings generally compatible with the character of the community and that of surrounding buildings? How much of the site is proposed to be common or dedicated open space? Is this an adequate amount of open space and does it appear to be in the appropriate locations?*

Staff Response: The newly proposed building does not exceed the mass and scale of the adjacent Vehicle Maintenance facility. The new site plan situates the footprint of the newly proposed residential building further away from the Ditch Trail than initially proposed. This offers a greater possibility of screening the development with appropriate native vegetation. There is a dedicated area adjacent to the housing project that designated for outdoor “amenity space” for the benefit of residents. The property is immediately adjacent to an abundance of open space.

- (4) ***Natural resource and hazard areas.*** *What are the natural resource and hazard areas on the property? Is mitigation appropriate?*

Staff Response: As previously mentioned, the project is immediately adjacent to abundant open space and wildlife habitat. Appropriate wildfire mitigation will need to be implemented by way of providing vegetational buffers around the proposed building. The site is situated at a high elevation and is shaded from the south. This condition may result in saturated soils which may pose problems during construction and cause foundation/retaining wall deterioration over time. A Civil Engineering report and analysis of this site condition should be included with any subsequent Preliminary Plan application.

- (5) ***Access and circulation.*** *Is the conceptual location, alignment, and type of entry roads and the primary on-site roads acceptable? Should the applicant provide transportation options for residents, visitors, guests and employees and, if so, what type of options may be most appropriate?*

Staff Response: Divide Way will need to be widened (with a dedicated easement) to no less than 24 feet from the intersection of Divide Road and the parking area for the Vehicle Maintenance Facility for the purpose and benefit of emergency access/turnaround. The project is a considerable distance from local services and entertainment. As such, the applicant must consider alternative transportation methods which may include trail improvements, bike share, care share, shared parking, and daily shuttles for residents and workers.

- (6) **Parking.** *Should the applicant provide on-site parking for the development in compliance with the standards of this Code, or should the applicant reduce parking below these standards, as provided in, Off-Street Parking Standards?*

Staff Response: The applicant is dedicated to providing a total of 30 parking spaces for the housing project (including 2 handicap spaces – 1 space per unit). Although this is somewhat below the code standard, staff is in support of the minor reduction if alternative transportation methods suggested above are implemented. Residents must strictly be prohibited from parking at the Divide (Rim Trail) trailhead lot.

- (7) **Timetable.** *What is the proposed timetable for the development? Is it most appropriate for the development to occur all at once or in phases? If phasing is appropriate, then which portions of the project should proceed first?*

Staff Response: The applicant wishes to break ground for the project in the Spring of 2025 and complete the project within 12-18 months. This expeditious timeframe is likely due to the pre-fabricated nature of the housing units that will be shipped and assembled on-site.

- (8) **Community welfare.** *Do the concepts contained in the proposed development promote public health, safety, and welfare?*

During the subsequent and separate Planning Commission and Town Council reviews, the Code's PUD section and its General Restrictions & Review Standards need to be considered as a part of a Major PUD Amendment.

V. Planning Commission Options:

For the initial Planning Commission evaluation review, the Planning Commission should hear an introduction by Staff, followed by a more detailed presentation of the proposal by the Applicant. Although the Planning Commission review does not require a public hearing, public comments may be taken or considered, and if so, the Applicant should be given the opportunity to respond.

Following the completion of the review and evaluation of the proposed application, the Planning Commission consider the draft conditions of approval. If directed, Town staff will prepare a resolution with Planning Commission's findings and recommendations to Town Council, specifying whether the project should proceed to Preliminary Plan review.

VI. Staff Recommendation:

Staff recommends that the Planning Commission discuss the project within context of the review standards previously identified in Section IV of this memorandum and collectively identify key issues. When the review is complete, Planning Commission should direct Staff to draft a Resolution recommending approval of the Sketch Plan to Town Council with appropriate conditions.

Attachments:

- A. Sketch Plan Application (updated)
- B. Site Plan documents (updated)
- C. Referral Comments
- D. Public Comment

SKETCH PLAN APPLICATION:

Application for a Major Planned Unit Development Amendment to the
Aspen Skiing Company's Vehicle Maintenance Facility on Lot 44 of the Divide Subdivision

The SHOP – Snowmass Housing for Ops Personnel Major PUD Amendment

Snowmass Village, Colorado

PIDs #: 273303401014

27 August 2024 (Revised 22 November 2024)



Submitted by:



TABLE OF CONTENTS

REVIEW STANDARDS (16A-5-310) RESPONSE: **6**

DETAILS OF PROPOSED SHOP WORKFORCE HOUSING: **12**

Requested Amendments To The PUD: **13**

SKETCH PLAN REVIEW STANDARDS RESPONSE: **14**

Sketch Plan (16A-5-320): **14**

Sketch Plan Summary (16A-5-320(f)): **16**

LAND USE CODE RESPONSE: **22**

SKETCH PLAN APPLICATION APPENDIX: **25**

VICINITY/ZONING MAP **26**

SITE ZONING MAP **27**

SITE ANALYSIS MAP **28**

BIRDS EYE VIEW OF SITE CONTEXT **29**

HOLLAND & HART MEMO **30**

TITLE COMMITMENT **34**

PROJECT TEAM:

Applicant:

Aspen One -

Heather Henry, VP Housing and Childcare

hhenry@aspen.com

Land Use Planning/Landscape Architecture:

Connect One Design -

Gyles Thornely, Principal

gt@connectonedesign.com

Darren Duroux, Project Manager

dd@connectonedesign.com

Architect:

EVstudio -

Rob Wilberger, Design Studio Director

rob.wilberger@evstudio.com

Aviel Rappoport, Project Architect

aviel.rappoport@evstudio.com

Civil Engineering:

JVA Consulting Engineers -

J.R. Sprung, Senior Project Manager

jsprung@jvajva.com



To: Town of Snowmass Village

CC: Brian McNellis

From: Heather Henry

Date: 08.05.2024

Re: Application for a Major Planned Unit Development Amendment to the Aspen Skiing Company's Vehicle Maintenance Facility on Lot 44 of the Divide Subdivision

Town of Snowmass Village Staff and the Community,

The Aspen Skiing Company, LLC (known as "Aspen One" and referred to herein as the "Applicant") is submitting this Sketch Plan application for a Major Planned Unit Development Amendment to the Aspen Skiing Company's Vehicle Maintenance Facility on Lot 44 of the Divide Subdivision to create workforce housing for critical Aspen Skiing Company Snowmass Mountain resort operations personnel. After studying multiple sites, the applicant identified the Vehicle Maintenance Facility as one of the best locations to develop additional housing. The most recent approval for the facility, in 2001, specifically calls out a future phase of employee housing and there are already six existing units on site, four (4) one-bedroom units, and two (2) two-bedroom units.

Given that we have a long waitlist for these units, the proposed development, the "SHOP" (Snowmass Housing for Ops Personnel), would expand the availability of housing for Snowmass Mountain operations personnel in this convenient location adjacent to where employees work by adding 30 units, (10) two-bedroom units, and (20) one-bedroom units. Aligned with Aspen One and the Town of Snowmass' values, we envision a project that is environmentally responsible and designed to respect the site and model forward-oriented building practices.

Day after day, we read an article or a news report that chronicles the existential threat that the lack of affordable housing poses to the viability of our mountain communities. A once anecdotal problem has now been described clearly with data. We now know that without SIGNIFICANT and IMMEDIATE progress made on housing, our valley cannot sustain itself. We must all be a part of the solution. This privately funded, 100% workforce housing project focused on employees who help keep our resort safe and operational is part of the solution.

The Town of Snowmass Village 2018 Comprehensive Plan, acknowledges that Snowmass is and always will be a resort community: "Community and resort are not, and do not need to be mutually exclusive. We are proud of our community and the resort in our community."

Aspen One, including its operational divisions, is aligned with the Town of Snowmass goals and interests. We share the vision to be "be the leading multi-season, family-oriented inclusive resort community..." We are proud of our Snowmass Mountain operations and feel a keen responsibility to the community. Aspen One has always been a part of the resort community and our employees have been proud citizens of the Town for decades. As times have changed and housing has become more inaccessible, we have struggled to retain critical resort operations personnel.

Without the retention of the highly-skilled team members, our ability to operate the resort at the level we have all become accustomed to is under threat. We have learned that staff retention is directly connected with staff housing satisfaction. This project is an investment in our mountain resort and community by housing Snowmass Mountain's workforce adjacent to where they work and thereby fostering a more welcoming, dynamic, convenient, and successful resort.

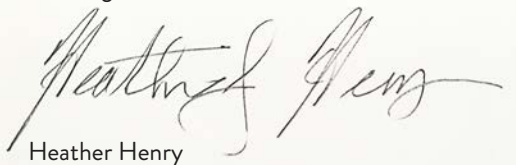
Building 30 dedicated employee housing units, adjacent to a major resort operations portal, on a site with an existing approval for employee housing, is good for the resort and good for the overall community. Additionally, this project will hopefully become a blueprint for how off-site modular construction can be used in Snowmass and throughout the Roaring Fork Valley to minimize the impacts of building housing. The intention is for a 100% electric, highly efficient in design and construction, easily maintainable, and largely built off-site project. A repeatable model. This project is a continuation of our demonstrated commitment to building environmentally responsible and community-oriented workforce housing.

While many factors can and will affect the schedule for design and construction of this housing project, we anticipate the following approximate timeline.

- Feasibility and concept development - 2024
- Final Sketch Plan application submittal - September 2024
- Project approvals and permitting: 4 months
- Break ground: Spring 2025
- Project completion: March 2025

We look forward to working with you on this important project.

Kind regards,

A handwritten signature in black ink on a light yellow background. The signature is cursive and reads "Heather Henry".

Heather Henry

VP Housing and Childcare



REVIEW STANDARDS (16A-5-310) RESPONSE:

(1) Compliance with the 2018 Comprehensive Plan (16A-5-310):

In 2018, the Comprehensive Plan put forth an aspirational vision that TOSV would “be the leading multi-season, family-oriented inclusive resort community...” and wanted to be “welcoming, dynamic, convenient, and successful” and that successful meant assuring “the quality of life and economic vitality that will assure our future as a sustainable resort community.” This vision was supported by an all-important acknowledgment that Snowmass is and always will be a resort community. “Community and resort are not, and do not need to be mutually exclusive. We are proud of our community and the resort in our community.”

The Aspen Skiing Company has always been a proud part of the TOSV resort community. One can easily define the role the company plays in the resort part of Snowmass, providing the ability to recreate on the mountain all winter and summer. Employees of the company have been proud citizens of the Town for decades, serving on boards, councils, volunteer organizations, and dedicating themselves to the lifeblood of the community. They, along with their neighbors, ARE community.

Day after day, we read an article or a news report that chronicles the existential threat that the lack of affordable housing poses to the viability of our mountain communities. A once anecdotal problem has now been described clearly with data. We now know that without SIGNIFICANT and IMMEDIATE progress made on housing, our valley cannot sustain itself. We must all be a part of the solution.

“From the 2010 Comprehensive Plan, the Town of Snowmass Village has a lofty goal of providing housing for 60% of all employees working within the community. In order to help the Town achieve this goal and bridge the gap or deficit in the amount of employee housing provided, partnerships between the private and public sectors should be developed... it will be extremely difficult for the Town to meet this goal on its own.”

Aspen One takes very seriously its role in being a part of the solution. To sustain the resort, we sustain the community, and thus the community sustains the resort. The 2024 Mission Statement of the Aspen One Housing department states: At Aspen One, we strive to provide stable, sustainable, and financially accessible housing that attracts the best talent in the world and allows them to stay and grow, with us and in our communities.

The Town should be exceedingly proud of the progress it has made to house its workforce. We look forward to contributing to that with The SHOP project.

Guiding Principles - 2018 Comprehensive Plan:

Stewardship.

A foundational premise of The SHOP project is that it provides the ability for our employees to live where they work. This project can take as many as 40 people and 40 vehicles off the road. This project isn't intended to house new employees, but rather existing employees that are struggling to find housing elsewhere, who live downvalley and commute to work on Snowmass Mountain, or who are cost-burdened by their current housing. The SHOP also provides infill housing on an already developed site with existing infrastructure thereby stewarding the resources we hold dear.

Vibrant.

Nothing says vibrant like employees that live, work, and play in their community. The health of a business is only as good as its employees and we strive to ensure that ours can live sustainably and affordably.

Genuine.

Nothing says disingenuous like workers who pack up into their cars at the end of the day to commute hours and hours at the sacrifice of their own families. There are some who support the notion that those that work every day to service the 'resort' need not be a part of the 'community' and are better housed away and unseen. We disagree. Away where? Unseen by who? The SHOP provides the perfect opportunity to live, work, and play together with all walks of life – visitors, residents, part-time owners, long-time 'locals'. All of whom make up a GENUINE community.

Active & Healthy.

Housing the workforce is synonymous with an active and healthy lifestyle. The SHOP housing project will focus all of its units on housing year-round staff critical to mountain operations. Those that work on Snowmass can now live directly adjacent to the mountain they cherish, and gain the hours once spent commuting.

Balanced (Resilient).

The single greatest need in the community right now is housing. Ensuring that the next generation of residents can live and work in this community is the only way to maintain the balance.

Sustainable / Replicable.

The SHOP will incorporate leading edge design. As owner operators, Aspen One is committed to high quality, 100% electric, high-efficiency building technology. Aspen One has assembled a team of off-site construction specialists to explore and hopefully implement a modular project. We will share learnings from this experience with those working on housing in the region.

Connected.

This housing is designed to support Snowmass Mountain operations. As such, the majority of employees living here will walk to work. The Vehicle Maintenance Facility (VMF) is a critical employment hub and strategic operations access portal to the mountain. Employees living at this facility need only to walk to the VMF to access a wide range of transportation options to support mountain and resort operations. It will also connect to the Town's multi-modal infrastructure via bike share and vehicle share.

Inclusive.

The Aspen One housing team is continually exploring ways to expand access to the housing continuum for its employees and in the community. The SHOP will fit a crucial need to house long-term key operational personnel who need to be close to the mountain and want a stable and financially accessible place to call home. These folks CANNOT access housing in the up valley right now and are no longer a part of the community. To provide this housing is the model for inclusive community building.

Strategic Initiatives - 2018 Comprehensive Plan:

The SHOP will help TOSV achieve its goal of being a leading family oriented resort community by supporting the individuals needed to operate critical mountain and resort infrastructure.

The SHOP project will preserve and protect open spaces and our environment by placing housing on an infill site with direct access to existing utilities and infrastructure.

The SHOP project will promote environmental and economic sustainability and resiliency by ensuring the stability of the workforce to sustain critical mountain operations. The project plans to be 100% electric, aligning with the goals for a more sustainable building.

The SHOP project will manage parking with operational limits on access to parking and by providing multi-modal connectivity options.

The SHOP project demonstrates our commitment to workforce housing and the community by adding privately funded workforce housing to the pool of units available within the Town. By housing more of our employees we open up opportunities for others in the community to find housing.

The SHOP project will add resilience to the Town's economy and increase vibrancy by providing housing for residents who cannot otherwise live and work in the Town.

(2) Preservation of community character. The development proposed for the PUD shall be consistent with the standards of Section 16A-4-340, Building Design Guidelines to Preserve Community Character, shall be compatible with, or an enhancement of, the character of existing land uses in the area and shall not adversely affect the future development of the surrounding area. (16A-5-310):

The development is consistent with the standards of Section 16A-4-340, by situating the building into the existing hillside, minimizing the height as viewed from neighboring parcels. The mass and scale of the building is consistent with the existing Vehicle Maintenance Facility, however the appearance is less massive due to the placement of the building into the hillside and on the flat area that already exists. A perception of less scale is also aided by the preservation of the mature landscape that surrounds the site. The building façade is articulated by 4 ft in various areas. Maintaining the lowest overall building height possible has been a central focus of the design. A flat roof was chosen to minimize the overall height of the building and allow as much to be seen of the grove behind the building. Pedestrian entrances are scaled down with an overhang to both protect those entering the building from the weather and bring the scale down at the entrances. There are moderate grade changes between the parking and the building and the design provides direct, ADA paths of travel that are safe and easy to maintain in winter and summer. The building materials are proposed to be high quality, low maintenance providing a connection to the indigenous textures and colors of the area. While there is little solar access for active solar on the building roof, the units will have juliet balconies to allow for a significant amount of light and air into each unit. The orientation allows for east facing units to gain morning sun and west facing units to enjoy evening sun. The development was planned as a second phase of the original PUD, and will remain consistent with the original intent and will not adversely affect future developments.

(3) Creative approach. The development proposed for the PUD represents a creative approach to the development and use of land and related physical facilities to produce better developments and to provide amenities for residents of the PUD and the public in general. (16A-5-310):

The proposed building is located generally at the location of the proposed Phase II of the approved PUD from 2001. The SHOP is effectively a live/work project allowing those that may currently commute to the VMF for their job to now live here. The development provides an outdoor amenity space for the residents and allows for ample surface parking. The means and method for delivering this project are also creative and hopefully a model for other housing projects in Snowmass and throughout the valley. The project is 100% electric, highly efficient in design and construction, easily maintainable, and largely built off-site project.

(4) Landscaping. Proposed landscaping for the PUD shall provide sufficient buffering of uses from one another (both within the PUD and between the PUD and surrounding lands) to minimize noise, glare and other adverse impacts, shall create attractive streetscapes and parking areas and shall be consistent with the character of the Town. (16A-5-310):

The existing site is surrounded by mature landscaping which allows for the building to blend into the existing hillside. The site plan includes a small landscape buffer outside the road facing units for small trees and shrubs to both screen the building façade and screen headlight trespass into the units. This landscaping will be balanced with snow storage and adequate operations of the VMF and adjacent public road. Smaller shrub and revegetation plantings will blend into the existing hillside vegetation and add to the surrounding flora. There will be no site lighting eliminating outdoor glare. With the building nestled into the hillside noise will be abated by the landform and allow limited to no impact to the neighbors uphill.

(5) Comply with development evaluation standards. The PUD shall comply with all applicable provisions of Article IV of this Development Code, Development Evaluation Standards. (16A-5-310):

This area identified within Lot 44 for The SHOP is not in a sensitive wildlife area. We do not have any identified wetlands, although we do have a small drainage that flows through the site and will need to be accommodated. We do have a combination of manmade and naturally occurring steep slopes. Retaining walls, adequate drainage, and slope stabilization methods will mitigate the steep slopes. As the design moves into completion it will ensure compliance with the The development will comply with the Improvement and Site Design Standards of Article IV of the Development Code. The unit sizes meet the standards of the restricted housing requirements. There will be one building mounted sign that meets fire department requirements for address and placemaking identifying this as The SHOP housing.

(6) Suitability for development. The property proposed for the PUD shall be suitable for development, considering its topography, environmental features and any natural or man-made hazards that affect its development potential. (16A-5-310):

The development and site is suitable for development and was planned for and contemplated in the original PUD. The current design addresses the greater need for more affordable housing than originally contemplated in the PUD while having a SMALLER footprint than what was originally drawn.

7) Spatial pattern shall be efficient. The PUD shall be located to avoid creating spatial patterns that cause inefficiencies in the delivery of public services, or that require duplication or premature extension of public facilities. (16A-5-310):

a. Roads. Any new road developed to serve the PUD shall be continuous and in alignment with existing platted streets to which the street is to be connected. Where appropriate, new streets shall be planned so that they can create an interconnected Town road network, with provision for adequate road and utility easements. Where cul-de-sacs are used in the development, the applicant is encouraged to provide a trail or similar pedestrian link between them.

The development is utilizing existing roadways, and is proposing to relocate and widen a portion of the access within the property limits. This widening will serve to increase safety and access for vehicles, pedestrians, and service providers accessing the VMF. Easements will have to be updated as this project progresses during the land use process.

b. Water and sewer lines. Any water or sewer line extension necessary to serve the PUD shall be consistent with the Snowmass Water and Sanitation District's service plan and the Town's Comprehensive Plan.

The project engineering team will work with district engineers between sketch and preliminary plans to confirm that the additional capacity required by the proposed project can be either handled by changes to the existing infrastructure, or an alternative delivery method.

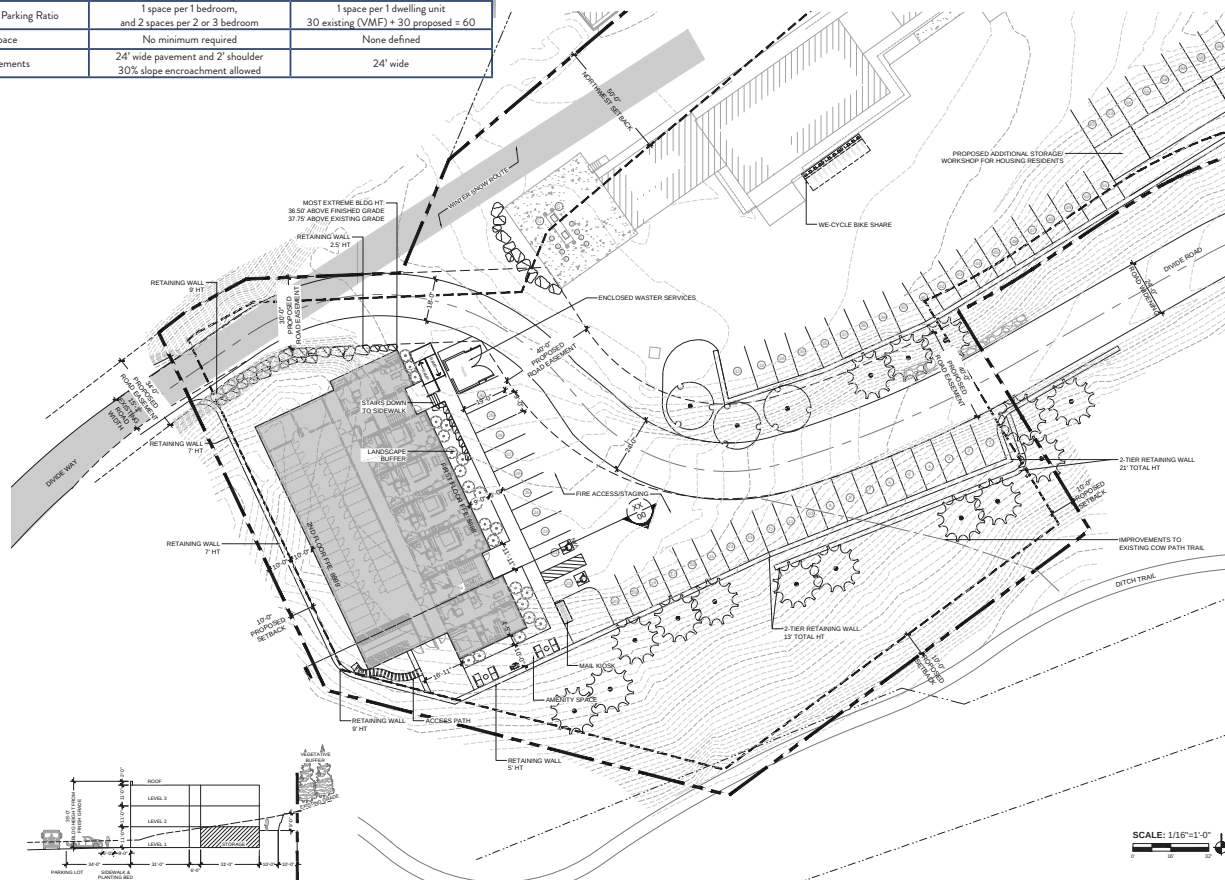
(8) Phasing. If the PUD is to be developed in phases, then each phase shall contain the required streets, utilities, landscaping and other public facilities or improvements that are necessary and desirable for residents of the project. If the PUD incorporates any amenities for the benefit of the Town, such as trail connections, these shall be constructed within the first phase of the project, or, if this is not possible, then as early in the project as is reasonable. The pace and phasing shall be evaluated with regard to construction impacts along with possible interruption of construction as it would affect the community as a whole. (16A-5-310):

The development is not planned to be developed in phases. Given the urgency of providing the housing needed to maintain resort and mountain operations, the completion of this project has been identified as the highest priority Employee Housing project for the entire company. After project approvals have been secured, it is anticipated that this project will be completed in a single phase taking between 12-18 months. To speed delivery of the completed project, and minimize construction impacts on neighbors and the broader community, this project is designed to be built off-site in a modular factory. The ability to construct a larger percentage of the structure off-site will reduce the amount of noise, construction traffic, waste, and other construction related activities. The modularization of the construction will also allow for a faster installation with less impact to the surrounding areas.

(9) Construction interruptions. The development application shall provide a reasonable restoration and/or remediation contingency plan to mitigate impacts resulting from any potential extended interruption of construction affecting the community as a whole. Surety or security may be necessary to ensure implementation of the plan. (16A-5-310):

The applicant understands that any interruptions of construction could affect the community as a whole and is open to work with the Town to ensure implementation of the plan.

	Allowable per 1989 original PUD w/ 2001 PUD amendments	Proposed
Lot Area (sq ft)	2.85 acres	2.85 acres
Zoning	MU-PUD	MU-PUD
Building Setbacks	50' from the Northwest property line No other dimensions or definitions provided	50' from the Northwest property lines 10' front yard setback 10' side yard setback 10' back yard setback
Floor Area Ratio	25%	Existing VMF: 12% Phase 2 Ops Housing: 20.3% Phase 2 Storage: 0.02% TOTAL: 32.32%
	-	84,210 sf
Square Footage of Exempted Areas	-	None
Housing Units	Existing VMF: 9	Existing: 9 Phase 2 proposed: 30 TOTAL: 39
Building Square Footage (sq ft)	Existing: 14,810 sf Existing Phase 2: 14,000 sf +1,600 sf for housing +7,600 sf for storage	Existing: 14,810 sf New Phase 2: 27,186 sf +2,058 sf for housing +3,558 sf for internal storage +1,920 sf for external storage
Building Height	Max 43'-5" from existing grade Max 37'-5" from finished grade	Max 39' from existing grade Max 41' from finished grade
Parking Spaces / Parking Ratio	1 space per 1 bedroom, and 2 spaces per 2 or 3 bedroom	1 space per 1 dwelling unit 30 existing (VMF) + 30 proposed = 60
Percent Open Space	No minimum required	None defined
Divide Rd requirements	24' wide pavement and 2' shoulder 30% slope encroachment allowed	24' wide



PROPOSED SITE PLAN

connect one

DESIGN

SNOWMASS OPS EMPLOYEE HOUSING

1001 DIVIDE RD

SNOWMASS VILLAGE, CO 81615

Scale: 1/16"=1'-0"

DATE: 11/15/24

ISSUE & REVISION DATES

NO.	DATE	DESCRIPTION
1	11/15/24	ISSUE

SITE PLAN

L.1.00

DETAILS OF PROPOSED SHOP WORKFORCE HOUSING:

Project Site:

- Parcel number 273303401014
- 2.85 acres (124,146 sf)
- Phase II of amended PUD from 2001 allowed for an additional 14,000 sf building with storage, multipurpose use, and employee housing.
- Current uses: Employee Housing, VMF, shipping and receiving for entire mountain operation.

Type Of Dwelling Units And Other Buildings Or Structures:

- Existing: 14,810 sf vehicle maintenance and employee housing building.
(6 units - (2) 2-bedroom, (4) 1-bedroom)
- Proposed:
 - 30 unit multifamily residential building, with a mixture of one, and two bedroom units, with a partial basement for storage and mechanical space.
 - 1,920 sf storage/workshop space

Total Square Footage of Buildings Or Structures:

- Existing 14,810 sf vehicle maintenance and housing building
- Proposed Total SF
 - 25,266 workforce housing
 - 1,920 sf storage/workshop space

Floor Area Ratio:

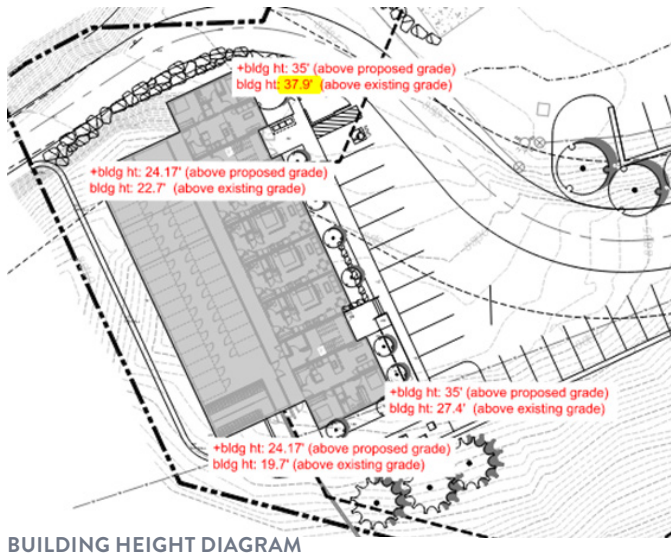
- 32.32%

Building Height:

- Max 35’ from finished grade and 37.9’ from existing grade which is the more restrictive (as measured by Town Code Sec. 16A-3-210). This is as compared to the following in the approved 2001 Amended PUD.

Land Use Parameters		
- Maximum building square footage	28,850 sf	28,810
- Maximum building height	36 ft	37'-5" FROM FINISHED GRADE
- Average building height	34 ft	43'-5" FROM EXISTING GRADE
- Maximum number of dwelling units/acre	na	n.a.
- Allowable F.A.R.	0.25	na
- Minimum amount of parking spaces	29 spaces	30 spaces
- Minimum amount of open space	0 acres	
- Minimum number and minimum square footage of Restricted housing units	up to 3 BR	up to 9 BR

ALLOWABLE BUILDING HEIGHT EXCERPT FROM 2001 PUD AMENDMENT



Requested Amendments To The PUD:

- Increase the allowable Floor Area Ratio (FAR) from 25% to 32.32%
- Increase the total building square footage and use breakdown from 14,000 sf to 25,266 sf with an allocation of 21,758 sf for housing, 3,508 sf for internal storage and mechanical space, and 1,920 sf for external storage/workshop space.
- Change the parking ratio from 1 space per 1 bedroom, and 2 spaces per 2 and 3 bedrooms, to a 1 space per 1 unit ratio, pursuant to Section 16A-4-310(c), Reduction of Required Parking.

SKETCH PLAN REVIEW STANDARDS RESPONSE:

Sketch Plan (16A-5-320):

(Section 16A-5-40 (b))

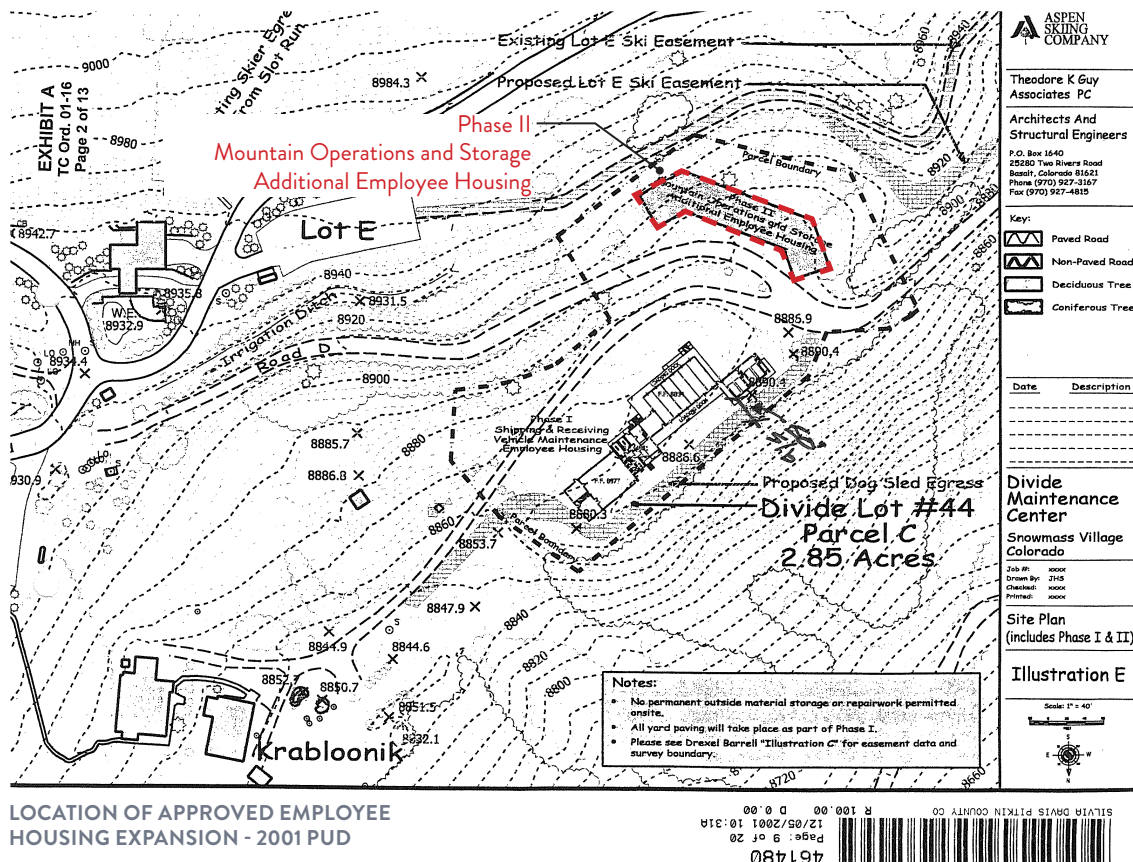
(a)Purpose. The sketch plan review is an opportunity for the Town and the applicant to engage in an exploratory discussion of a development proposal, to raise issues and concerns and to examine alternative approaches to development of the property. The applicant is encouraged to provide a written or graphic description of any alternative ideas that were considered as the sketch plan was being prepared. It should be expected that the development proposal may evolve during the course of sketch plan review.

The applicant looks forward to an open and thorough review process of the proposed development. The applicant has provided in this application written responses to criteria of review and graphic descriptions of the proposed operations employee housing development. The applicant understands that via the sketch plan process, the proposed development may evolve and be informed by comments and critiques.

(b)Sketch Plan Review Intent and Issues. To encourage the consideration of alternatives and to allow the sketch plan to evolve, overly detailed preliminary plan level sketch plans will not be considered. The questions the Planning Commission and Town Council should consider in a conceptual manner during review of the sketch plan (depending upon the size and complexity of the proposal) include the following:

(1)Use. Is the use proposed for the property generally appropriate in this location? Is it consistent with the intent of the underlying zone district and the character of surrounding uses?

The PUD approved in 2001, always contemplated additional housing at this location within the VMF. (see plan below)

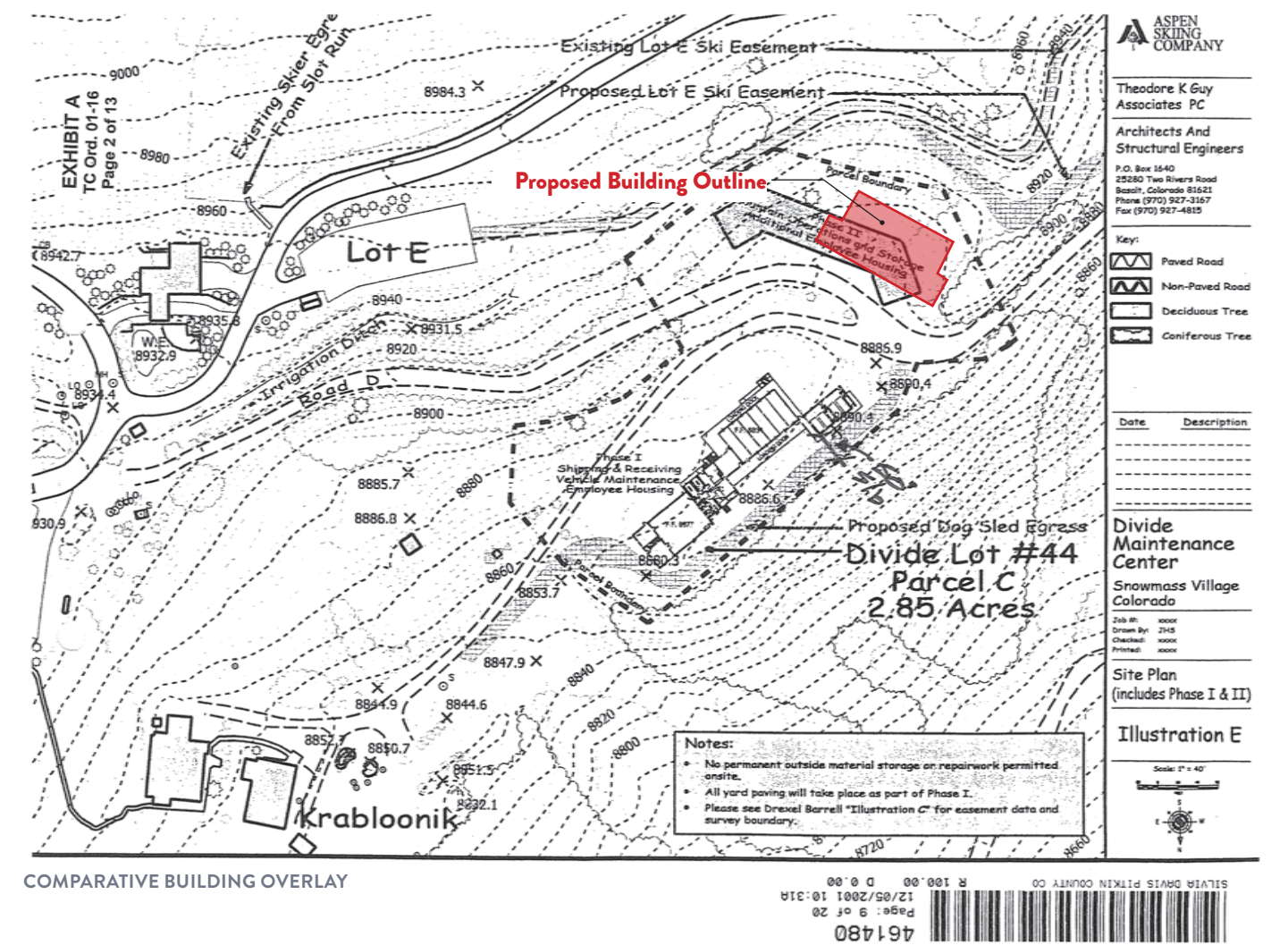


(2)Comprehensive Plan. Is the proposed development generally consistent with the Town’s Comprehensive Plan? Is the proposed buildout within the range anticipated for the property? If the applicant proposes a buildout in excess of sixty-five percent (65%) of that identified in the Comprehensive Plan, then are the community purposes the applicant proposes to achieve the appropriate ones for this development to accomplish?

The proposed buildout only accounts for single-family buildout for this property, the applicant looks forward to working with staff on how to best identify this chart modification. The development is consistent with the Town’s Comprehensive plan by providing a stated goal to bring workforce housing to Snowmass Village.

(3)Architecture and landscaping. Are the buildings proposed to be developed in appropriate locations? Is the mass, scale and density of the buildings generally compatible with the character of the community and that of surrounding buildings? How much of the site is proposed to be common or dedicated open space? Is this an adequate amount of open space and does it appear to be in the appropriate locations?

The proposed building is located on the footprint of the proposed Phase II of the approved PUD from 2001. The site, architecture and landscaping will allow the building to blend into the existing hillside and mature vegetation. The design of the building allows for it to be set into the existing hillside minimizing the height as viewed from neighboring parcels. The development provides an amenity space for the residents and allows for surface parking. See graphic below for a comparative overlay of the proposed building footprint and the approved Phase II building footprint.



(4) Natural resource and hazard areas. What are the natural resource and hazard areas on the property? Is mitigation appropriate?

Per discussions with Roaring Fork Fire, the applicant will perform brush clearing, and removal of dead vegetation within the property limits. No other hazards have been identified.

Sketch Plan Summary (16A-5-320(f)):

Type. A description of the type of dwelling units, buildings or structures.

Snowmass Ops Housing building phase II will consist of 30 units; 23 one-bedroom and 7 two-bedroom configurations. Each unit features both ample in-unit storage, and dedicated in-building storage for equipment & bicycles on the first floor. This will alleviate the need to house personal equipment within the dwelling spaces and improved overall livability.

Storage / multipurpose structure(s): 1,920 sf external storage/workspace



PROPOSED ELEVATIONS

Size. The average square footage of all dwelling units, buildings and other structures proposed by type of unit, the total square footage of all structures by type, the approximate number of bedrooms and the gross residential density in units per acre.

The one-bedroom units are each approximately 505 gross sqft in size. The two-bedrooms are each approximately 763 gross sqft. The building will have a combined total of 37 bedrooms. Each of the floors (1-3) are each ~8,422 gross sqft, and the first floor calculation includes ~3,508 sqft of enclosed storage and mechanical space. The total building gross sqft is ~25,266, adding 10.5 units per acre to the site.

Units will meet the TOSV affordable housing guidelines for size due to inclusion of significant ground floor storage which is dedicated to each unit. The 50 sf of dedicated ground floor storage will increase total unit size as measured by TOSV affordable housing guidelines to 555 sf for the 1 bedroom, and 813 sf for the 2 bedroom.



Floor area. The ratio of the total floor area of all proposed structures, by type, to the area of land within the development.

FAR for the site includes the 12% from the Phase I ops building. The new proposed building will have an FAR of 20.3% added to the total for the site, and external storage/workspace of .02% Therefore, the new total proposed FAR for the site is 32.32%.

Population. The anticipated population to be generated by the development (permanent residents, employees and tourists)

This project is designed to support the long-term resilience of Aspen One's Snowmass operations. The project would house employees who are critical to keeping our operations safe, open, and providing the level of service our community has grown to expect. This housing is urgently needed for 24-hour, on-site property protection; round-the-clock public safety; and/or intermittent emergency services. Tenants to be housed are likely to include mountain operations personnel working on ski patrol, snow safety and avalanche mitigation, plowing and grooming, maintenance, mechanics, lift operations, security, property management, IT, power, fire preparedness and response (including snowmaking equipment), and the employees who manage or support these departments.

Market. A general statement of the target market and form of ownership for the dwelling units.

100% of the 30 units being proposed are being built as workforce housing. To ensure these units will continue to support operations in the future, all units will remain as rentals and be owned and operated by Aspen One. There is

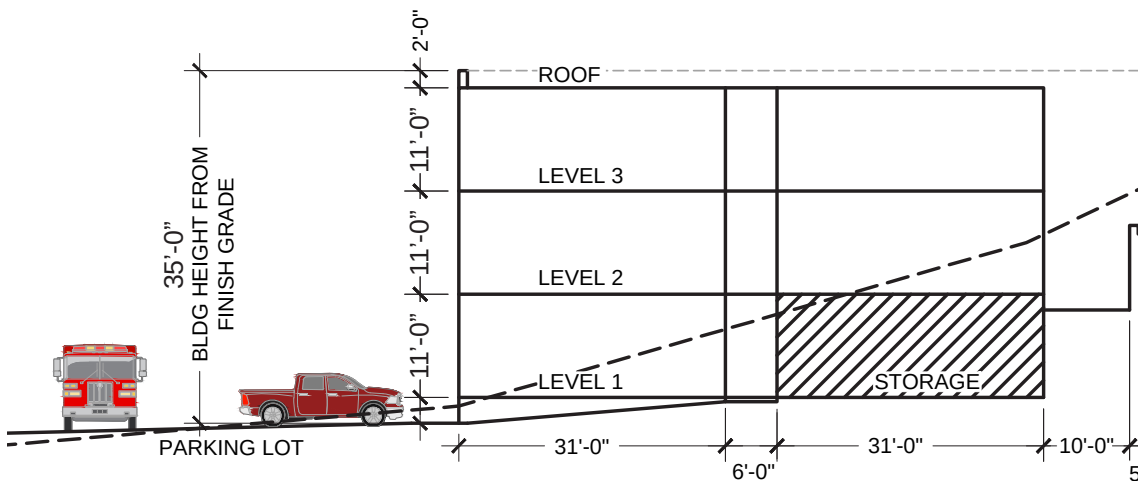
no free-market ownership component to this project. As with all Aspen One workforce housing units, we attempt to set rents at less than 30% of gross income.

Open space. *The amount of common and/or public dedicated open space.*

Per the approved amended PUD lot 44 is not required to provide common or public dedicated open space. The design of the project includes a common space for residents of the multifamily building. As the design evolves with improved information about the site, the team will better define the common areas of the project.

Height. *The maximum and average height of all buildings and structures, by type.*

The amended PUD from 2001 allows up to 43'-5" from existing grade and 37'-5" from finished grade. The proposed building height from existing grade will be 37.9' and a maximum height from proposed grade will be 35'-0". See graphic on next page.



CONCEPTUAL SECTION

Employees. *The number of employees required to operate the proposed development, together with a calculation of employee housing requirements and conceptual proposal for how required employee housing will be provided.*

No new employees are needed to operate this facility. Aspen One currently manages over 300 hundred units (over 1000 beds). As a 100% employee housing project, targeting year-round long-term employees, it is anticipated that the limited operational requirements of this project will be handled by our existing Housing Operations Team. The units will meet TOSV housing guidelines for the provision of housing as mitigation.

Water supply and sewage disposal. *Source of domestic water supply and general means of sewage disposal.*

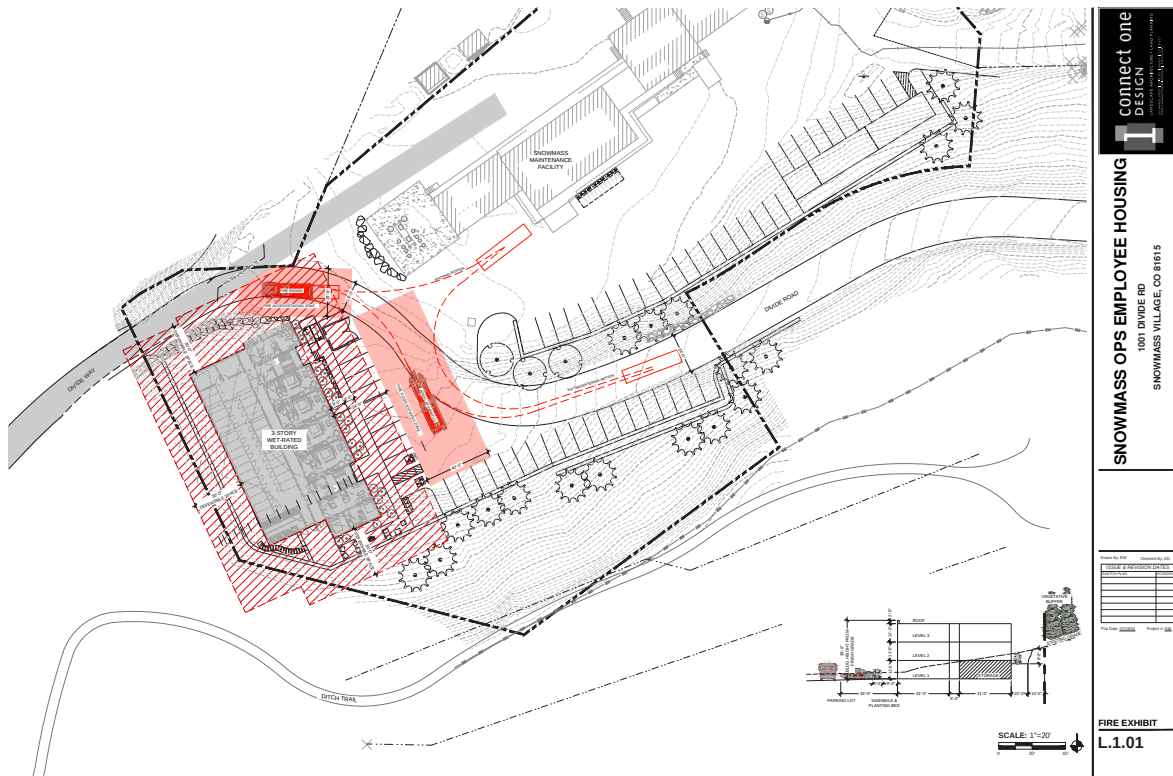
The proposed building site and the large existing Vehicle Maintenance Facility are currently served by the Snowmass Water & Sanitation District.

Water supply - The proposed building will be served by the Snowmass Water & Sanitation District. The district has confirmed it has sufficient water supply and infrastructure to serve the project as currently sized.

Sewage disposal - The project engineering team will work with district engineers between sketch and preliminary plans to confirm that the additional capacity required by the proposed project can be either handled by changes to the existing lift station, or an alternative delivery method.

Fire protection - Per Roaring Fork Fire (Snowmass Fire) a minimum of 100 psi needs to be provided at the top floor of the proposed building with a stand pipe without the use of the fire pumper truck. If this pressure cannot be

achieved by using the pressure in the existing domestic system, then a fire pump should be added to the building. Two new fire hydrants and an automatic wet sprinkler system will be required by the fire department. The fire department will required access to the site and a turnaround area with a minimum 30' radius. The entry into the maintenance building is a large enough to provide a fire truck turnaround. The fire department will also require a staging area adjacent to the building. The project team is also working closely with RFF to confirm that the building incorporates the best practices for the storing of e-bikes and other lithium battery charging devices. See graphic below.



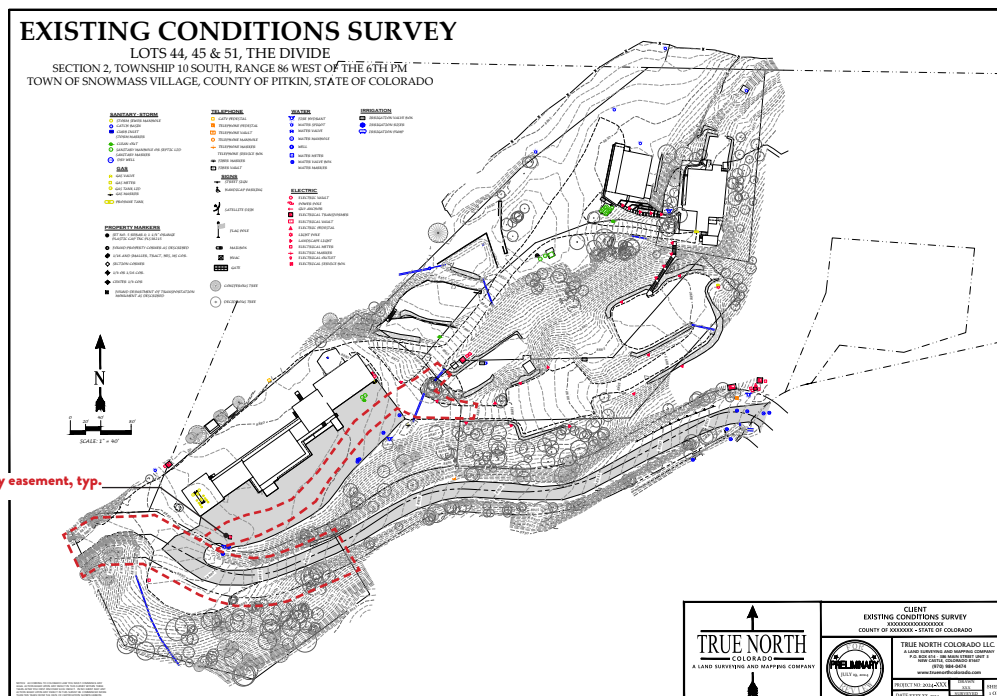
FIRE ACCESS/STAGING DIAGRAM

Drainage facilities - Snowmass Village requires that “new development shall provide for structures and/or detention facilities necessary to ensure that run-off characteristics of a site after development are no more disruptive to natural streams, land uses or drainage systems than are the run-off characteristics calculated for the site’s natural state.”(16A-4-250) There are not adjacent streams, developments or drainage systems to the site. The site generally slopes from south to north and the schematic drainage plan is to sheet flow all drainage across the parking lot towards the naturally forested area to the north. Sheet flowing over the adjacent natural area will provide enough infiltration to have no adverse impacts on downstream areas.

Electricity – The building is planned to be all electric. Holy Cross Energy is the electric provider for Snowmass Village and the new service and transformer, if required, will be coordinated with them.

Access and easements. Evidence of the existence of legal access to the property, together with a description of any existing easements and covenants affecting any land within the subject property.

Lot 44 has three easements that are recorded, the first is a 60 foot Public Access Easement And Utility Easement, Book 88 Page 65, secondly, a 20' Electric Easement, Book 88 Page 65 and lastly, Drainage Easement for the benefit of Lot 51, Book 88 Page 65. A dog sled access agreement has been recorded per the amended PUD in 2001, which runs along the north side of Lot 44. See graphic on next page.



Major Amendment to the Aspen Skiing Company's Vehicle Maintenance Facility Phase II Employee Housing
on Lot 44 of the Divide PUD Subdivision for Snowmass Ops Housing - Sketch Plan
Town of Snowmass Village
27 August 2024 (Revised 22 November 2024)

Parking. Circulation and transit. The anticipated number of parking spaces, the proposed locations of these spaces and a statement of whether the project will comply with the underlying zone district standards or is requesting a reduction from those standards. Additionally, a conceptual plan setting forth on-and off-site circulation patterns and any transit facilities associated with the project.

Parking for the development will be surface parking with 30 parking spaces, which includes two accessible parking spaces. A great many parking scenarios were examined, including podium parking under the building. Surface parking provides the following benefits:

1. Reduced overall building height
2. Reduces required excavation on site
3. Helps focus investment on housing people not cars

The project will request a reduction from the TOSV Municipal Code standards. Refer to the sketch plan for the design and circulation patterns. Transit is not planned for this project. The team is looking forward to working with staff to come up with creative and obtainable solutions to resolve this reduction.

The Applicant believes that a 1/1 parking ratio is appropriate for the following reasons:

- Live /work nature of the project. The project is less than 100 yards from a critical employment hub and strategic operations access portal to the mountain. This housing is designed to support Snowmass Mountain operations. As such, the majority of employees living here will walk to work .
- Adjacency to Vehicle Maintenance Facility (VMF): A large number of parking and work vehicles (pick-ups, snow-cats, snow machines, ATVs etc.) are stored at the facility. Employees living at this facility need only to walk to the VMF to access a wide range of transportation options to support mountain and resort operations.
- Limiting Vehicle Presence:

Lease Provisions: ASC will work actively and permanently to limit the presence of motor vehicles owned or controlled by residents. No more than 30 vehicle permits will be issued at any time. Parking is decoupled from unit leases.

Parking will be priced to reflect its true cost and desensitize vehicles on site. Aspen One leases parking for cars separately. This allows us to free up parking capacity (and reward) those employees who don't have cars. Ownership and presence of a motor vehicle for which the lessee does not have a permit would represent a violation of the terms of the lease, with attendant consequences.

Parking Permits. Residents whose leases include a vehicle permit will be given a window sticker for their approved vehicle and will have a monthly parking fee included in their lease payment. Stiff penalties for un-permitted vehicles will be set forth in the lease and enforced.

- Ensuring good mobility for residents:

Solving the high cost of living in the Roaring Fork Valley requires addressing not only the cost of housing but also the cost of mobility and access. Aspen One employees should be able to get to work, to other parts of Snowmass, and other places throughout the Valley, without needing to drive.

On-Site Bicycle Parking. Project will include free covered, protected parking for residents' personal bicycles, including charging stations for e-bikes. The team has reviewed the design and location of the charging station with the Fire District to determine the latest code requirements and designing parameters to provide safe and accessible charging.

- **Bike Share:** Planned bike share facility: Over 14 years ago, the Aspen Skiing Company became a founding partner in WE-cycle the valley's bike share solution. Aspen One will work with WE-cycle on the purchase and placement of a dedicated bike station for the project. In addition to purchasing the station, ASC would contribute annual funds to operate the station. The free 30-minute rides on electric WE-cycles will be more than adequate to cover the distances between the project and the TOSV transit hub, the grocery store and other local destinations.
- **Ride Sharing.** ASC will work with residents to coordinate ride-sharing to work, a practice already well-implemented within the ASC culture. For example, a 15-passenger van already shuttles employees to the Vehicle Maintenance Facility each day. This same shuttle could be leveraged to take employees living on site to other work destinations.

Restricting Parking at the jobsite. ASC limits parking for employees at any of its hotels, restaurants, or mountains. Coupled with discounted bus passes, surveys show this is the most effective way to reduce the need for a personal vehicle.

- **Discounted Passes.** Each employee of Aspen One and resident of the building receives discounted bus passes. The passes will enable employees to ride VelociRFTA and other RFTA routes free at any time throughout their lease

Timetable. The proposed timetable and phasing of the development, identifying the number of anticipated PUD filings.

Given the urgency of providing the housing needed to maintain resort and mountain operations, the completion of this project has been identified as the highest priority Employee Housing project for the entire company. After project approvals have been secured, it is anticipated that this project will be completed in a single phase taking between 12-18 months. To speed delivery of the completed project, and minimize construction impacts on neighbors and the broader community, this project is designed to be built off-site in a modular factory. The ability to construct a larger percentage of the structure off-site will reduce the amount of noise, construction traffic, waste, and other construction related activities. The modularization of the construction will also allow for a faster installation with less impact to the surrounding areas.

LAND USE CODE RESPONSE:

(Section 16A-5-300 -C-(4)(B)-(5) & (8))

(4) Maximum buildout. The Comprehensive Plan contains an analysis of future buildout of single-family subdivisions and other developments within the Town limits. It identifies the maximum number of future lots/units and commercial/other space that may be developed within each subdivision, parcel or other development. The Unit Equivalency Chart, found in Table 5-4, defines what constitutes a unit by distinguishing between the various dwelling types and sizes and specifying an equivalency factor to be utilized to establish the number of existing units within a currently developed parcel and/or the future buildout units that will be generated by the proposed new development. The buildout analysis, for the purpose of determining maximum buildout, shall be conducted as follows:

b. Partially developed parcels. For partially developed parcels, each existing dwelling unit or residential lot shall first be counted as one (1) unit. The total number shall then be subtracted from the future buildout number specified within the Comprehensive Plan buildout chart to establish the available buildout unit amount. The Unit Equivalency Chart shall then be used to evaluate the existing development and to establish the existing buildout unit amount. The total of the available and existing unit/lot amounts shall then be considered as the future buildout unit amount used for determining maximum buildout, and the Unit Equivalency Chart shall be used to determine the number of future buildout units that are being proposed by the new development.

The comprehensive plan has identified the need to provide support of all viable workforce housing projects, the proposed development will provide 30 units which represents a meaningful increase in the availability of workforce housing. The project plans on amending the build-out plan as necessary through the land use process.

(5) *Dimensional limitations. Certain dimensional limitations applicable to the property may be varied within a PUD. The limitations that may be varied are those of the underlying zone district; or, for properties for which a PUD or other development plan has previously been approved, the limitations set by that approval. For any property designated PUD or SPA without an underlying zone district, the applicant shall submit an application for an amendment to the Official Zone District Map to designate the underlying zone district for the property. This application shall be submitted in conjunction with the preliminary PUD application and shall be used to rezone the property at the time of final PUD approval to a zone district containing dimensional limitations in order to establish the applicable dimensional limitations for the property. Only the following dimensional limitations may be varied:*

a. *Maximum allowable height of any structure within the PUD;*

The proposed maximum height is in compliance with the existing PUD requirements. The applicant is requesting an interpretation on the PUD language and measuring to ensure compliance.

b. *Minimum open space requirement for the PUD;*

The existing PUD from 2001 was approved with no open space required.

2001 PUD LAND USE AMENDMENTS

Land Use Parameters

- Maximum building square footage
- Maximum building height
- Average building height
- Maximum number of dwelling units/acre
- Allowable F.A.R.
- Minimum amount of parking spaces
- Minimum amount of open space
- Minimum number and minimum square footage of Restricted housing units

28,850 sf
36 ft
34 ft
na
0.25
29 spaces
0 acres
up to 3 BR

28,810
N.A.
na
30 spaces
up to 9 BR

37'-5" FROM FINISHED GRADE
43'-5" FROM EXISTING GRADE



SILVIA DAVIS PITKIN COUNTY CO

461480

Page: 8 of 20

12/05/2001 10:31A

R 100.00 D 0.00

Existing PUD allows 25%, the project is requesting an amendment to 32.32% to allow for the necessary number of units to house critical mountain operations staff.

Not applicable

Existing PUD describes a 50' building setback at the northwest corner of the parcel, all other proposed setbacks are 10'-0".

The applicant is requesting a reduction in the parking required. The requested reduction is to alter the parking ratio from 1 space per 1 bedroom, and 2 spaces per 2 and 3 bedrooms, to a 1 space per 1 unit ratio.



SKETCH PLAN APPLICATION APPENDIX:

**Application for a Major Planned Unit Development Amendment to the
Aspen Skiing Company's Vehicle Maintenance Facility on Lot 44 of the Divide Subdivision**

The SHOP – Snowmass Housing for Ops Personnel Major PUD Amendment

Snowmass Village, Colorado

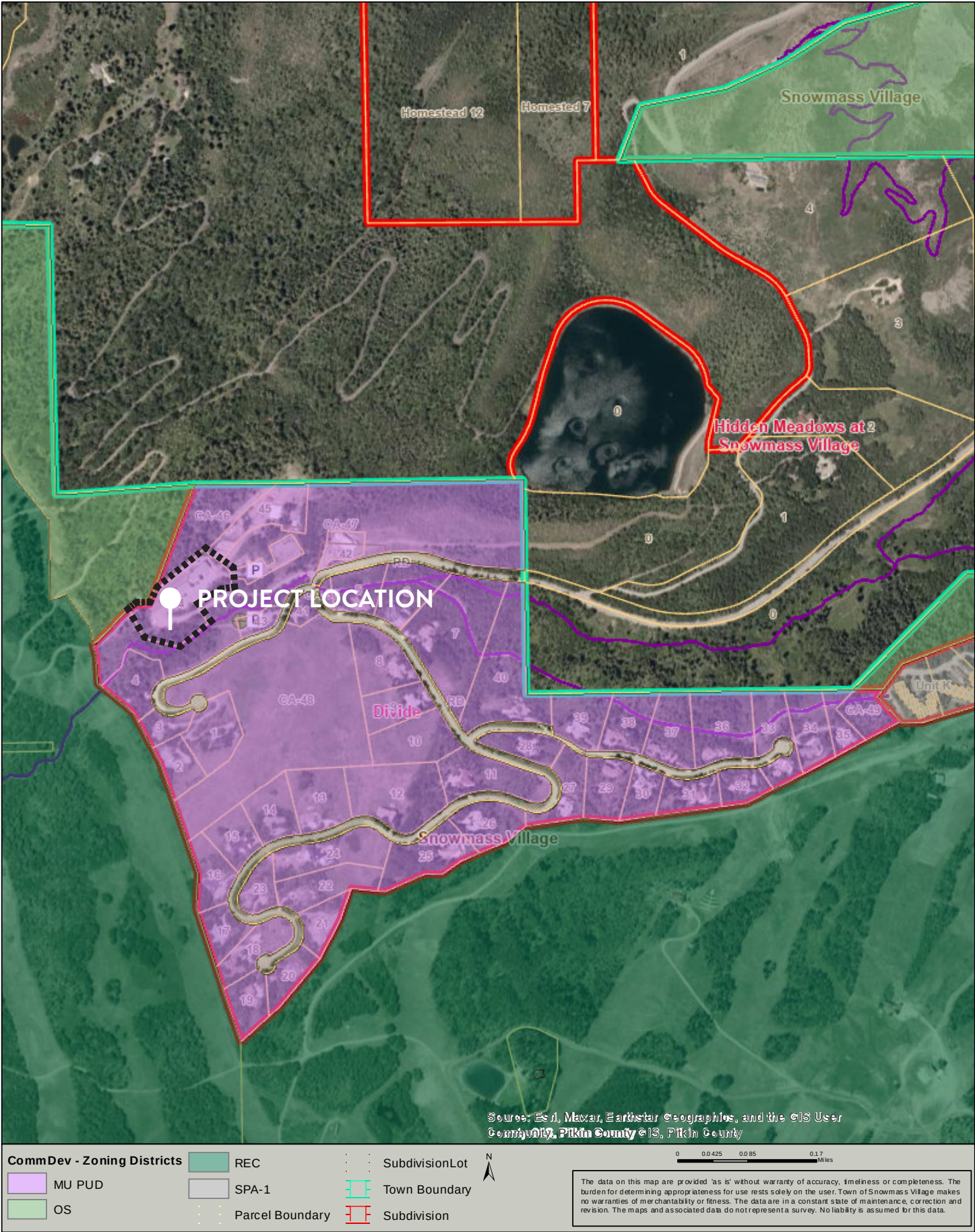
PIDs #: 273303401014

27 August 2024 (No November Revisions to Appendix)



Submitted by:





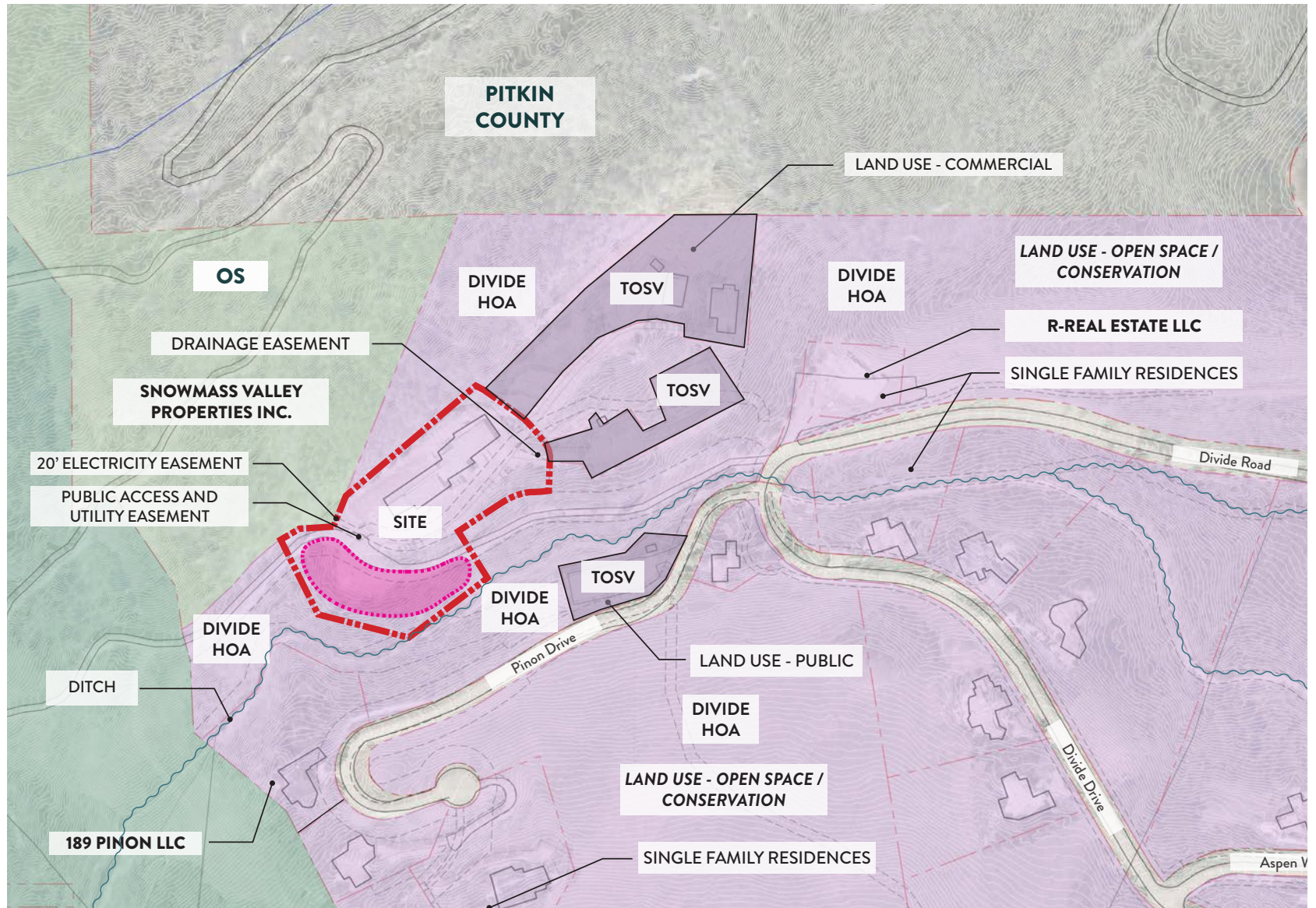
LEGEND

ZONING DISTRICTS

- MU PUD
- OS
- REC

LINES AND HATCHES

- SITE LIMIT
- DEVELOPABLE AREA
38 867.3 SF
- PROPERTY IDENTIFIED
IN THE TOSV HOUSING
MASTER PLAN



SITE ZONING MAP

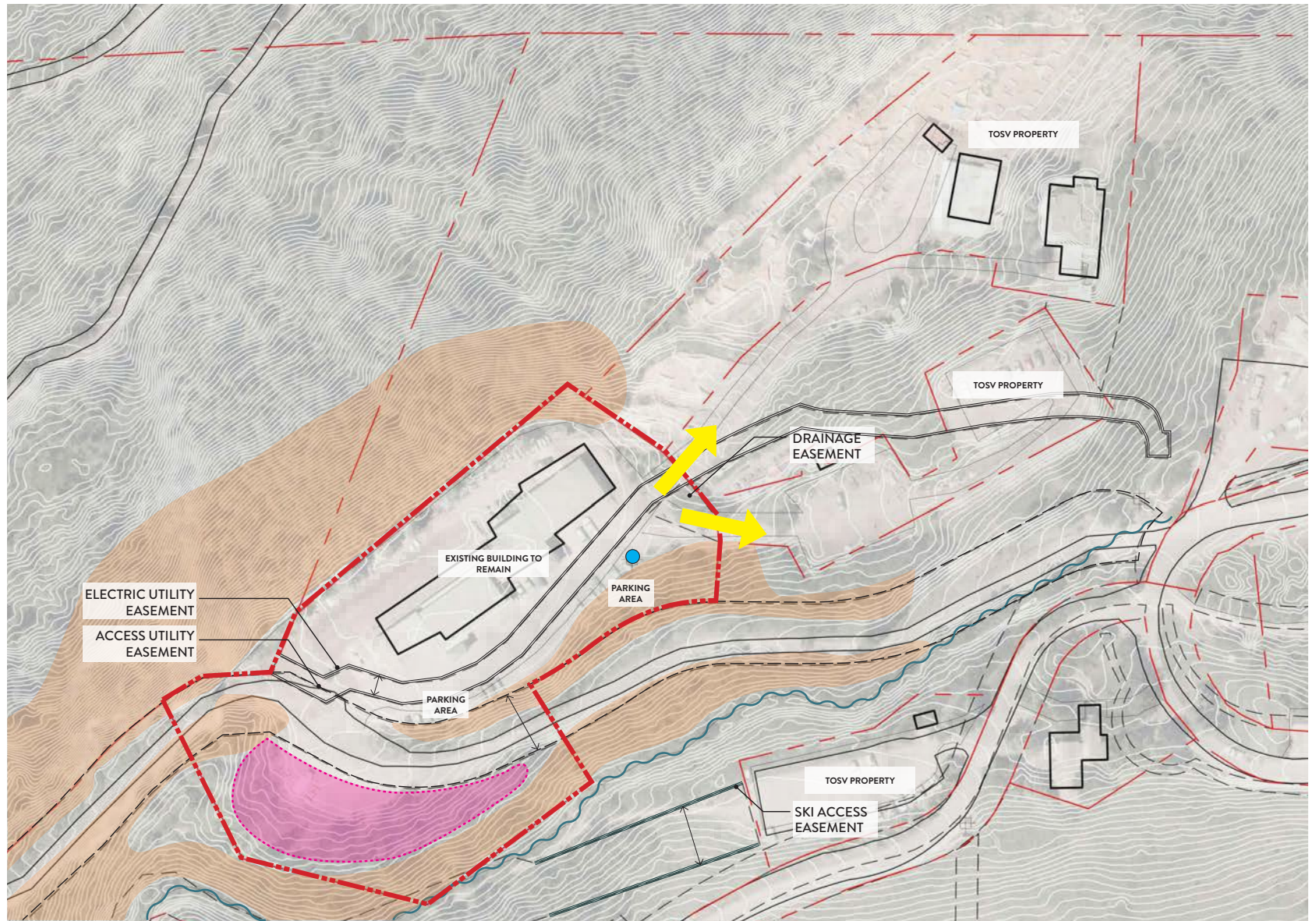
LEGEND

LINES AND HATCHES

- - - - - SITE LIMIT
- ~ ~ ~ ~ ~ DITCH
- - - - - ACCESS UTILITY EASEMENT
- = = = = = ELECTRIC UTILITY EASEMENT
- = = = = = SKI ACCESS EASEMENT
- SLOPE > 20%
- - - - - DEVELOPABLE AREA 38,867.3 SF

SYMBOLS

- HYDRANT
- ➔ MAINTENANCE ACCESS TO EX. PROPERTIES



SITE ANALYSIS MAP



BIRDS EYE VIEW OF SITE CONTEXT



M E M O R A N D U M

June 21, 2024

TO: Aspen Skiing Company (Heather Henry, Philip Jeffreys, David Clark)

FROM: Thomas J. Todd

RE: Lot 44 of The Divide—Aspen Skiing Company Maintenance Facility; Land Use Approval/Utility Easement Summaries

I. Introduction

The Divide Subdivision Plat was recorded August 28, 1989 under Reception No. 314584 at Plat Book 23 Page 27. The plat created a total of 50 lots, with Lots 1-41 being designated for single family uses, Lots 42 and 43 being designated as for public parking purposes and Lots 46, 47, 48, 49 and 50 being designated as Common Open Space parcels. Lot 44 was designated for Aspen Skiing Company uses and Lot 45 was designated for Krabloonik kennel/restaurant operations. In addition, the declarant, Snowmass Land Company, dedicated to the Town of Snowmass Village a sixty foot (60') wide “public access easement” to Divide Road.

ASC acquired title to 2.854-acre Lot 44 of The Divide from Snowmass Land Company on August 31, 1989 by deed recorded in Book 600 Page 882. The 60' wide Divide Road public access easement/right of way bisects Lot 44.

As previously noted, the Covenants, Conditions & Restrictions for The Divide (the “Divide CC&Rs”) recorded in Book 600 at Page 610 do not apply to Lot 44. The Divide Homeowners Association (Articles of Incorporation recorded in Book 600 at Page 645; Bylaws recorded in Book 600 at Page 650), created in accordance with and pursuant to The Divide CC&Rs, does not have jurisdiction over Lot 44. Lot 44 is not a member of The Divide Homeowners Association, and therefore does not pay assessments or participate in meetings nor does it have the right to vote on matters coming before The Divide Homeowners Association. Notwithstanding this “independence” applicable to Lot 44, ASC, as the record owner of Lot 44, has participated from time to time in amendments to The Divide subdivision plat and underlying Town of Snowmass land use approvals relating to The Divide, including the adoption of a First Amended Final Plat of Lots 42, 45, and 47 of the Divide recorded September 25, 2006 in Plat Book 81 and Page 45 at Reception No. 528952 (the “First Amended Plat”). The First Amended Plat reconfigured the original boundaries of Lots 42, 45 and 47, and created a new Lot 51 from a former portion of Lot 47. It should be noted that Lots 45 and 51 of The Divide are also not subject to The Divide CC&Rs.

Location
600 East Main Street, Suite 104
Aspen, CO 81611-1991

Contact
p: 970.925.3476 | f: 970.925.9367
www.hollandhart.com

Holland & Hart LLP Anchorage Aspen Billings Boise Boulder Cheyenne Denver Jackson Hole Las Vegas Reno Salt Lake City Santa Fe Washington, D.C.

II. Summary of Land Use Actions/Agreements

Exception No. 19: The Divide Subdivision Plat. Shows all lots and easements, including the dedicated public access easement/right of way for Divide Road where it passes through the subdivision.

The Divide Land Use Plan Map (Originally recorded August 28, 1989 at Reception No. 314585). Approved pursuant to TOSV Ordinance No. 16, Series of 1989. Depicts approximate boundaries and summarizes allowed uses for the original Lots 1-50 of The Divide. Contains a Land Use Plan Summary which includes a list of Permitted Uses, Major Structures, and Land Use Parameters for Parcel C (aka Lot 44); see attached excerpt.

Exception No. 20: The Divide Subdivision Improvements Agreement. Covers dedication and use of Divide Road, parking lot paving obligations, water and sanitation line installation obligations, and public trail easement over existing water line.

Exception No. 26: TOSV Ordinance No. 16, Series of 2001. Approves a Minor Amendment to Lot 44 with multiple commitments to re-align access to Lot 45 which was needed due to separate, pending MacEachen/Krabloonik application involving Lot 45.

Exception No. 27 & Exception No. 28 (re-recorded):
Easement Grant for 24' wide access easement over Lot 44 to serve Lot 45 for deliveries and for dog sledding passage; prohibits restaurant customers or public from using the access. Granted pursuant to Ordinance No. 16, Series of 2001.

Exception No. 29: TOSV Administrative Modification to Ordinance No. 16, Series of 2001. Approves various building construction/finish modifications. Notes condition no. 4 of Ordinance 16, Series of 2001 to allow for reservation of easement area for access to a future town parking lot.

Exception No. 32: TOSV Resolution No. 28, Series of 2004. Follows a Land Exchange Agreement between MacEachen/Krabloonik and The Divide Homeowners Association approved pursuant to Resolution No. 49, Series of 2002. Contains a reference to access through Lot 44; includes a reference to relocating irrigation ditch easement. Calls for dedication of an Open Space Easement of over 0.8 acres on Lot 47.

Exception No. 33: Ordinance No. 13, Series of 2004. Approves a Minor Amendment to The Divide; details ASC's efforts to amend the PUD.

- Exception No. 34: Record of Decision: Administrative Modification to Krabloonik at The Divide PUD and Subdivision Plat. Includes at Exhibit D ASC's consent to shared use of dumpster; also includes at Exhibit G ASC's letter regarding access to Lots 45, 47 and 51.
- Exception No. 35: First Amended Plat of The Divide (Concerning Lots 42, 45 and 47). ASC creates a water drainage easement for the benefit of Lot 51. Plat includes additional easement grants from The Divide Homeowners Association and ASC. Note use restrictions in Plat Notes which allow for utilities to serve Lot 45 as well as driveways; use of Lot 45 restricted to kennel/restaurant, single-family residence, or open space. Lot 51 use restricted to a parking lot serving lot 45, or a public parking lot or access to Lot 45 if Lot 45 becomes a single-family residence. Shows location of irrigation ditch and a pipeline easement for the ditch after it crosses under Divide Road and heads downstream to the north and east (toward its confluence with Brush Creek).
- Exception No. 36: Record of Decision Town of Snowmass Village Administrative amendment to The Divide Lot 44—ASC Vehicle Maintenance Facility. Allows for eight (8) parking spaces to be used for dumpsters with eight (8) temporary graveled parking spaces located along southwest edge of access road. Temporary for 2008-209 winter season only; to be evaluated. Also shows sled dog egress along north side (rear) of the vehicle maintenance facility.

III. Summary of Snowmass Water & Sanitation District Easement Grants

- Exception No. 13: Easement to Snowmass Water & Sanitation District. This is a "blanket" easement over lands which currently comprise The Divide.
- Exception No. 15: Access Easement to Snowmass Water & Sanitation District for water treatment facilities site; includes a relocation right reserved to Snowmass Water & Sanitation District.
- Exception No. 19: The Divide Subdivision Plat. Dedicates to the Town of Snowmass Village and all utility suppliers non-exclusive easement areas as shown on the Plat for the installation and maintenance of all utility lines.
- Exception No. 23: Grant of Water and Sanitation Line Easements from Snowmass Land Company to Snowmass Water & Sanitation District, with reserved right to Snowmass Water & Sanitation District to relocate facilities.

IV. Summary of Electric Lines and Facilities Easement Grants

Exceptions Nos. 16, 19, 24, 25, 30 and 31: Easement grants to Holy Cross Electric (now known as Holy Cross Energy) for electric transmission lines, vaults, and related electrical facilities.

32279322_v1

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: Q62017164

Property Address:

1001 DIVIDE RD, ASPEN, CO 81611

1. Effective Date:

03/29/2024 at 5:00 P.M.

2. Policy to be Issued and Proposed Insured:

"TBD" Commitment

\$0.00

Proposed Insured:

TO BE DETERMINED

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

FEE SIMPLE

4. Title to the estate or interest covered herein is at the effective date hereof vested in:

ASPEN SKIING COMPANY, A COLORADO GENERAL PARTNERSHIP

5. The Land referred to in this Commitment is described as follows:

LOT 44,

THE DIVIDE SUBDIVISION,

ACCORDING TO THE PLAT RECORDED AUGUST 28, 1989 IN PLAT BOOK 23 AT PAGE [27](#).

COUNTY OF PITKIN

STATE OF COLORADO

Copyright 2006-2024 American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.



ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: Q62017164

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

THIS COMMITMENT IS FOR INFORMATION ONLY, AND NO POLICY WILL BE ISSUED PURSUANT HERETO.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: Q62017164

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
8. EXISTING LEASES AND TENANCIES.
9. RIGHT OF PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 05, 1908, IN BOOK 55 AT PAGE [165](#) AND RECORDED JULY 2, 1917 IN BOOK 55 AT PAGE [543](#).
10. RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 05, 1908, IN BOOK 55 AT PAGE [165](#) AND RECORDED JULY 2, 1917 IN BOOK 55 AT PAGE [543](#).
11. RIGHT OF PROPRIETOR OF A VEIN OR LODGE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 05, 1908, IN BOOK 55 AT PAGE [525](#).
12. RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED FEBRUARY 05, 1908, IN BOOK 55 AT PAGE [525](#).
13. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AGREEMENT RECORDED APRIL 22, 1971 IN BOOK 254 AT PAGE [837](#).
14. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN EASEMENT GRANT RECORDED NOVEMBER 24, 1972 IN BOOK 269 AT PAGE [162](#) AND REVISION TO EASEMENT GRANT RECORDED SEPTEMBER 20, 1978 IN BOOK 355 AT PAGE [142](#) AND AMENDMENT TO EASEMENT AGREEMENT RECORDED MARCH 29, 1985 IN BOOK 483 AT PAGE [642](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: Q62017164

15. EASEMENT AND RIGHT OF WAY FOR A ROAD AS GRANTED TO SNOWMASS WATER AND SANITATION DISTRICT BY SNOWMASS AMERICAN CORPORATION IN THE INSTRUMENT RECORDED SEPTEMBER 28, 1971 IN BOOK 258 AT PAGE [197](#).
16. EASEMENTS AND RIGHTS OF WAY FOR ELECTRIC LINE PURPOSES AS GRANTED TO HOLY CROSS ELECTRIC ASSOCIATION, INC. IN INSTRUMENTS RECORDED AUGUST 19, 1981 IN BOOK 412 AT PAGE [733](#), RECORDED JANUARY 8, 1991 IN BOOK 637 AT PAGE 300 AND RECORDED FEBRUARY 11, 1991 IN BOOK 639 AT PAGE [362](#).
17. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT RECORDED NOVEMBER 20, 1985 IN BOOK 499 AT PAGE [445](#), PARTIAL RELEASE RECORDED AUGUST 27, 1989 IN BOOK 600 AT PAGE [604](#).
18. EASEMENT AND RIGHT OF WAY FOR DIVIDE ROAD AND RECIPROCAL EASEMENT AGREEMENT RECORDED MARCH 14, 1989 IN BOOK 587 AT PAGE [657](#).
19. EASEMENTS, RIGHTS OF WAY AND OTHER MATTERS AS SET FORTH ON THE PLAT OF SUBJECT PROPERTY RECORDED AUGUST 28, 1989 IN PLAT BOOK 23 AT PAGE [27](#), AND AS SET FORTH ON LAND USE PLAN MAP RECORDED AUGUST 28, 1989 IN PLAT BOOK 23 AT PAGE [30](#).
20. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN SUBDIVISION IMPROVEMENTS AGREEMENT RECORDED AUGUST 28, 1989 IN BOOK 600 AT PAGE [633](#).
21. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND RESTRICTIONS AS SET FORTH IN DEED RECORDED AUGUST 31, 1989 IN BOOK 600 AT PAGE [882](#) AND ASSIGNMENT AND QUIT CLAIM AGREEMENT RECORDED MAY 12, 1999 AS RECEPTION NO. [431020](#) AND RELEASE AND ASSIGNMENT RECORDED DECEMBER 29, 1999 AS RECEPTION NO. [439042](#).
22. TERMS, CONDITIONS, PROVISIONS AND EASEMENTS AS SET FORTH IN GRANT OF PRIVATE SKI EASEMENTS RECORDED AUGUST 28, 1989 IN BOOK 600 AT PAGE [694](#).
23. EASEMENT AND RIGHT OF WAY AS GRANTED TO SNOWMASS WATER AND SANITATION DISTRICT IN INSTRUMENT RECORDED NOVEMBER 19, 1990 IN BOOK 634 AT PAGE [96](#).
24. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN HOLY CROSS ELECTRIC ASSOCIATION, INC. UNDERGROUND RIGHT OF WAY EASEMENT RECORDED JANUARY 8, 1991 IN BOOK 637 AT PAGE [300](#).
25. EASEMENT AND RIGHT OF WAY GRANTED BY SNOWMASS LAND COMPANY IN INSTRUMENT RECORDED FEBRUARY 11, 1991 IN BOOK 639 AT PAGE [362](#) AND INSTRUMENT RECORDED OCTOBER 15, 1999 AT RECEPTION NO. [436656](#).
26. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN ORDINANCE NO. 16, SERIES OF 2001 OF THE SNOWMASS VILLAGE TOWN COUNCIL RECORDED DECEMBER 5, 2001 AS RECEPTION NO. [461480](#).
27. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN ACCESS AGREEMENT RECORDED SEPTEMBER 9, 2002 AS RECEPTION NO. [472071](#).
28. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN ACCESS AGREEMENT RECORDED OCTOBER 25, 2002 AS RECEPTION NO. [473982](#).
29. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN ADMINISTRATIVE MODIFICATION NOTICE OF DECISION RECORDED NOVEMBER 6, 2002 AS RECEPTION NO. [474405](#).
30. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN TRENCH, CONDUIT AND VAULT AGREEMENT RECORDED OCTOBER 21, 2003 AS RECEPTION NO. [490057](#).

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B, Part II
(Exceptions)

Order Number: Q62017164

31. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN HOLY CROSS ENERGY UNDERGROUND RIGHT OF WAY EASEMENT RECORDED OCTOBER 21, 2003 AS RECEPTION NO. [490058](#).
32. TERMS, CONDITIONS AND PROVISIONS OF RESOLUTION NO 28, SERIES OF 2004 RECORDED MARCH 30, 2005 UNDER RECEPTION NO. [508426](#).
33. TERMS, CONDITIONS AND PROVISIONS OF ORDINANCE NO. 13, SERIES OF 2004 RECORDED APRIL 14, 2006 UNDER RECEPTION NO. [522985](#).
34. TERMS, CONDITIONS AND PROVISIONS OF RECORD OF DECISION RECORDED SEPTEMBER 25, 2006 UNDER RECEPTION NO. [528965](#).
35. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF AMENDED PLAT LOTS 42, 45 AND 47 RECORDED SEPTEMBER 25, 2006 UNDER RECEPTION NO. [528952](#).
36. TERMS, CONDITIONS, PROVISIONS AND OBLIGATIONS AS SET FORTH IN RECORD OF DECISION ADMINISTRATIVE MODIFICATION RECORDED DECEMBER 9, 2008 AS RECEPTION NO. [554900](#) AND RECORD OF DECISION ADMINISTRATIVE MODIFICATION RECORDED DECEMBER 22, 2009 AS RECEPTION NO. [565558](#).



Land Title Guarantee Company

Disclosure Statements

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- (A) The Subject real property may be located in a special taxing district.
- (B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property).
- (C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- (A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- (B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- (C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- (D) The Company must receive payment of the appropriate premium.
- (E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

- (A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- (B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Note: Pursuant to CRS 24-21-514.5, Colorado notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.



Joint Notice of Privacy Policy of Land Title Guarantee Company Land Title Insurance Corporation and Old Republic National Title Insurance Company

This Statement is provided to you as a customer of Land Title Guarantee Company as agent for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to your non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
 - your transactions with, or from the services being performed by us, our affiliates, or others;
 - a consumer reporting agency, if such information is provided to us in connection with your transaction;
- and
- The public records maintained by governmental entities that we obtain either directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We may share your Personal Information with affiliated contractors or service providers who provide services in the course of our business, but only to the extent necessary for these providers to perform their services and to provide these services to you as may be required by your transaction.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly assess security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows: Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration

Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.



Commitment For Title Insurance Issued by Old Republic National Title Insurance Company

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Minnesota corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured. If all of the Schedule B, Part I—Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

- 2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, Commitment terminates and the Company's liability and obligation end.

- 3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

IN WITNESS WHEREOF, Land Title Insurance Corporation has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver, Colorado 80206
303-321-1880



Craig B. Rants, Senior Vice President



OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By  President

Attest  Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

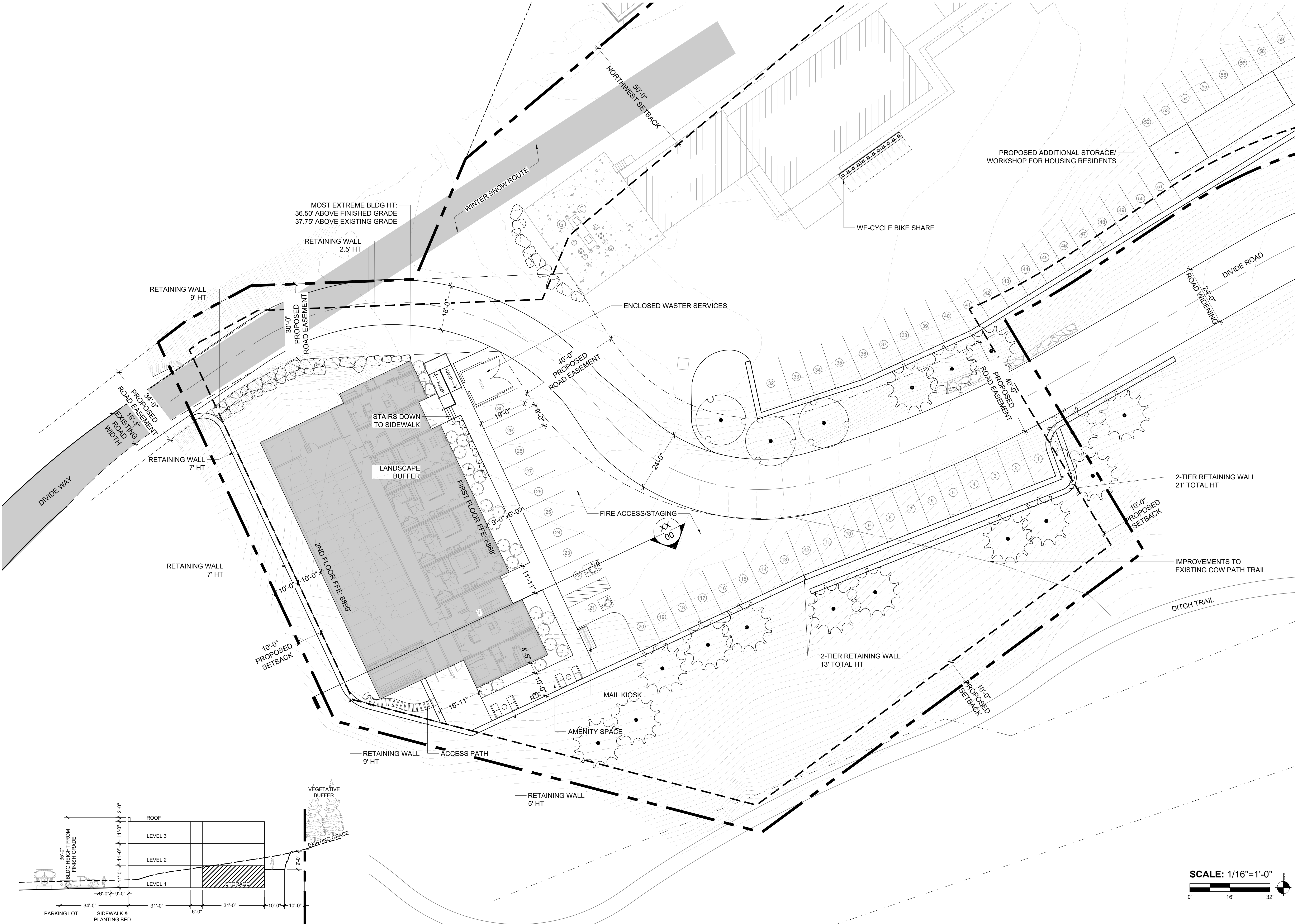
SNOWMASS OPS EMPLOYEE HOUSING

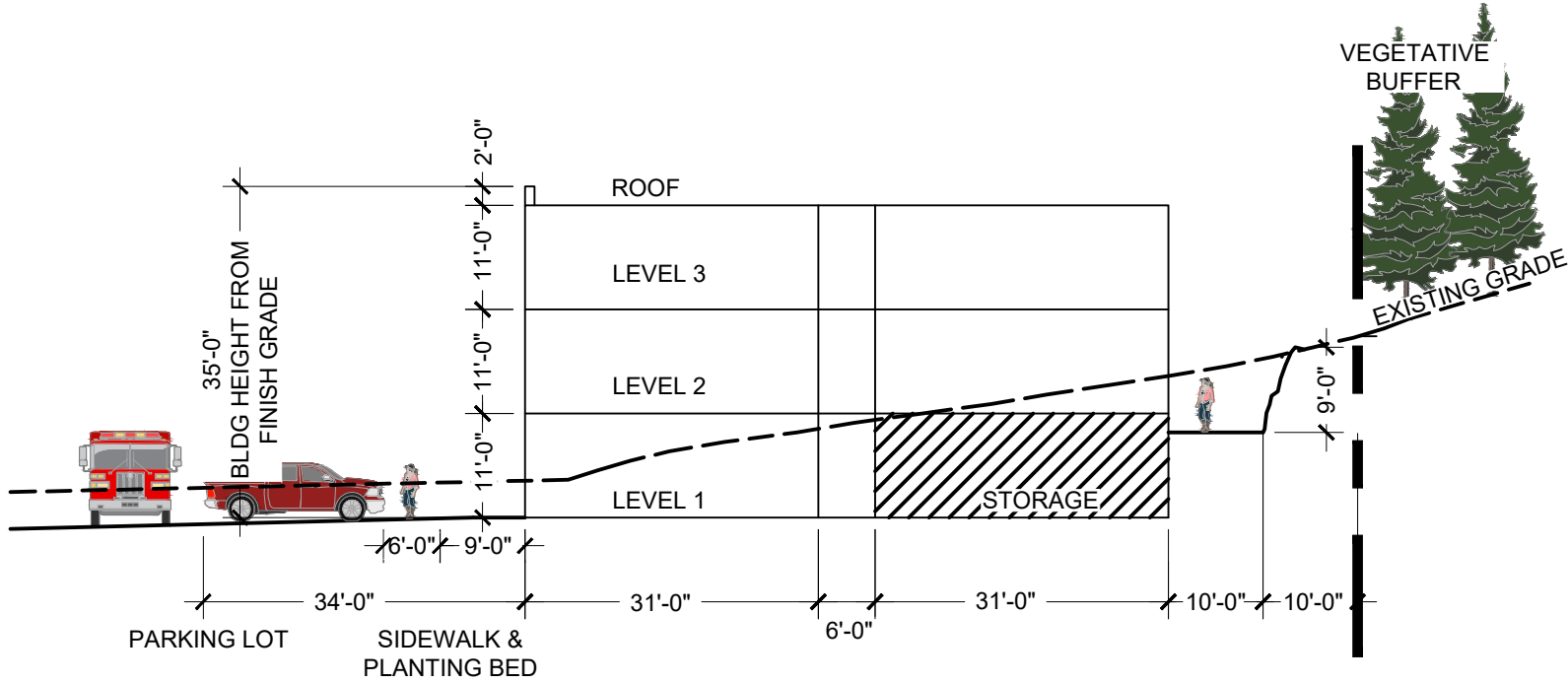
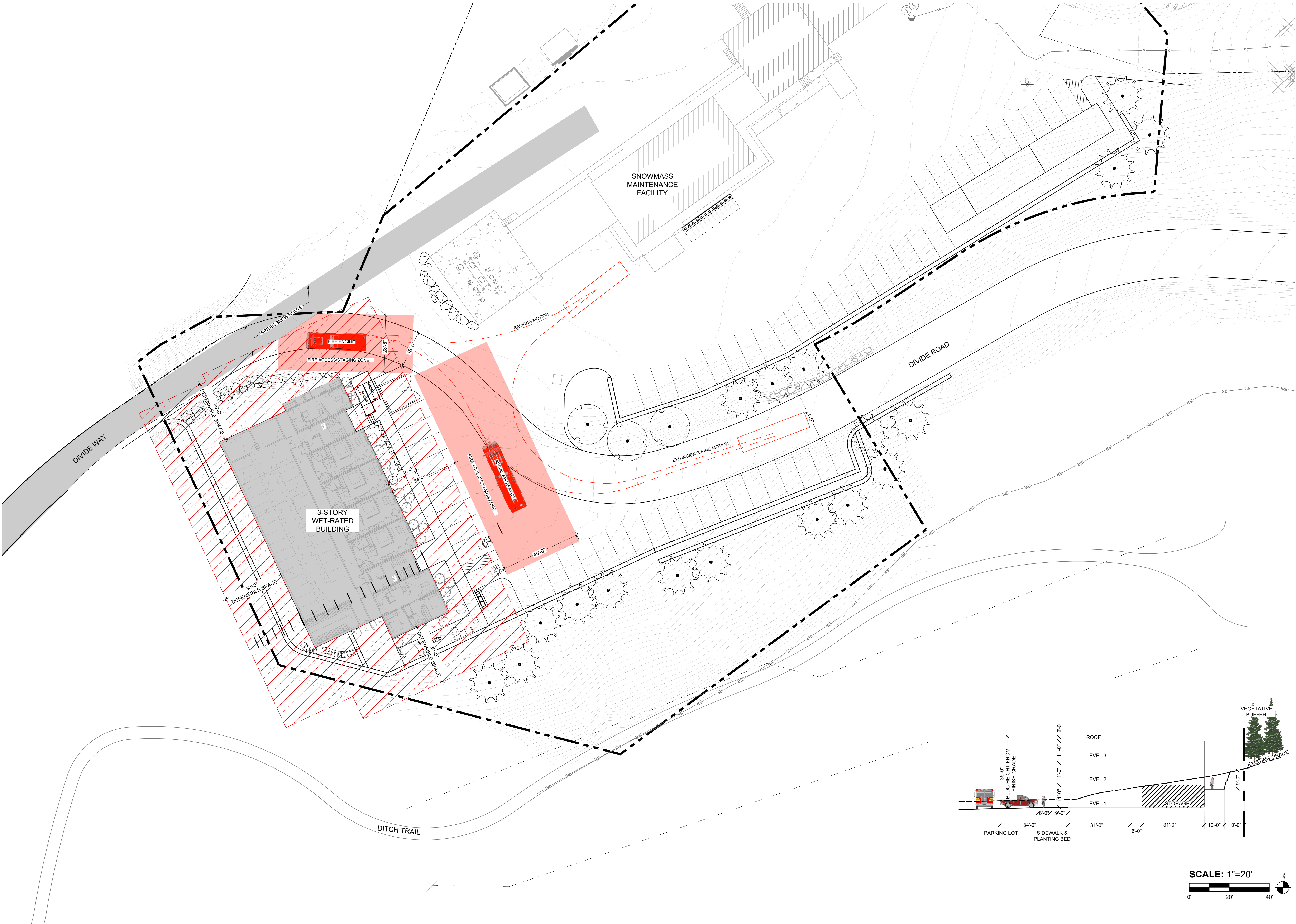
1001 DIVIDE RD
SNOWMASS VILLAGE, CO 81615

Drawn By: EW Checked By: DD

ISSUE & REVISION DATES	

Plot Date: 11/20/24 Project #: 546



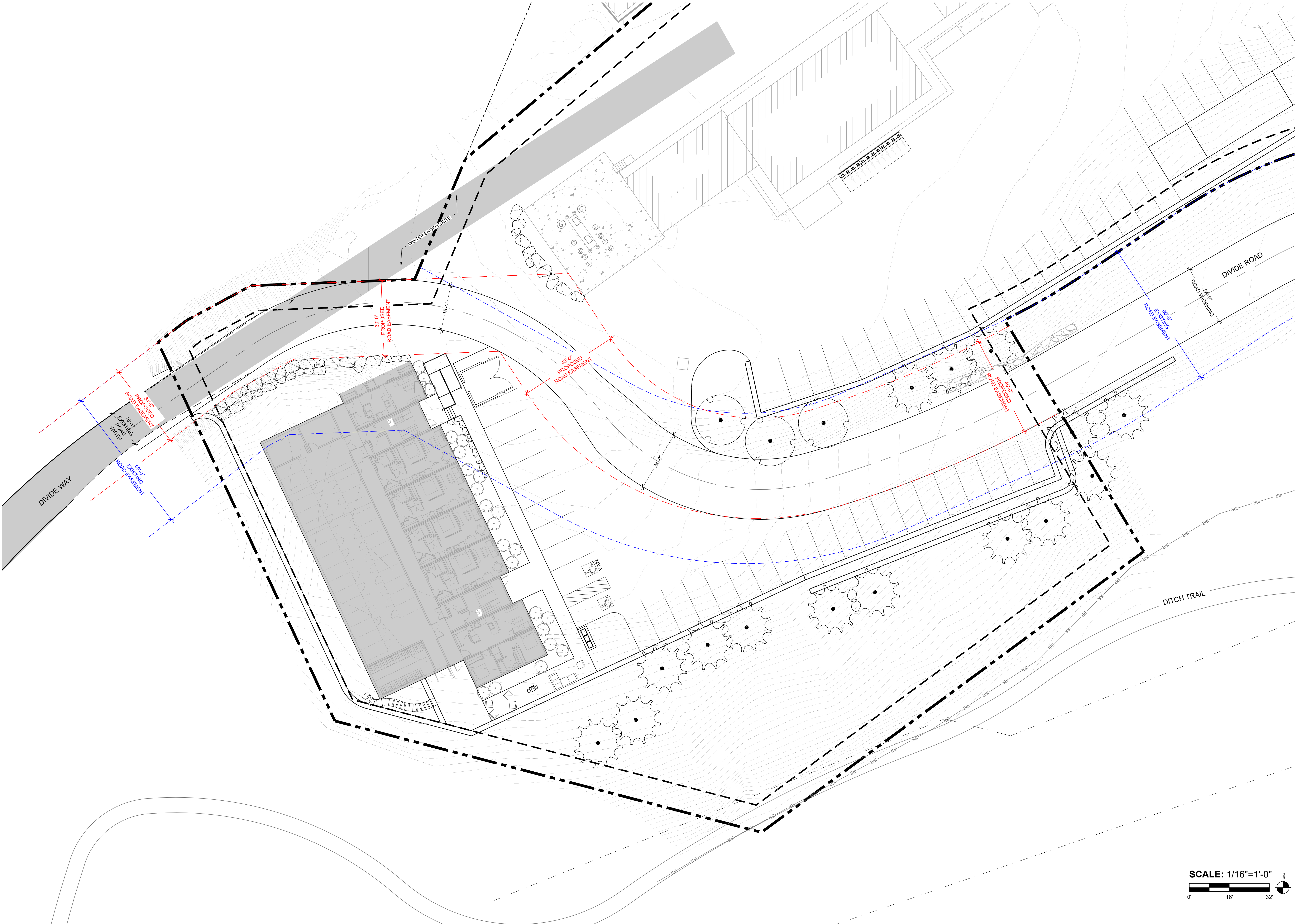


SCALE: 1"=20'

SNOWMASS OPS EMPLOYEE HOUSING
1001 DIVIDE RD
SNOWMASS VILLAGE, CO 81615

Drawn By: EW	Checked By: DD
ISSUE & REVISION DATES	
SKETCH PLAN	07/19/2024

Plot Date: 07/19/24 Project #: 546



SCALE: 1/16"=1'-0"

INTEROFFICE MEMORANDUM

TO: BRIAN MCNELLIS, SENIOR PLANNER
FROM: BETSY CRUM, HOUSING DIRECTOR
SUBJECT: DIVIDE ROAD – SHOP HOUSING SKETCH PLAN
DATE: OCTOBER 31, 2024

I am writing to comment on the Aspen Ski Company's application for a Workforce Housing project located at the Divide, known as SHOP. This application will go before the Planning Commission for sketch plan consideration.

I would like to state my strong support for SkiCo's plan to move forward on this site with a workforce housing development. It has been some time since a local employer has considered building their own new workforce housing units here in the Village, and I applaud SkiCo's vision and commitment to being part of the affordable housing landscape. The Housing Department rents to more SkiCo employees than any other employer, and the greatest number of people on our waiting list for them. This plan will certainly make a dent in their housing needs.

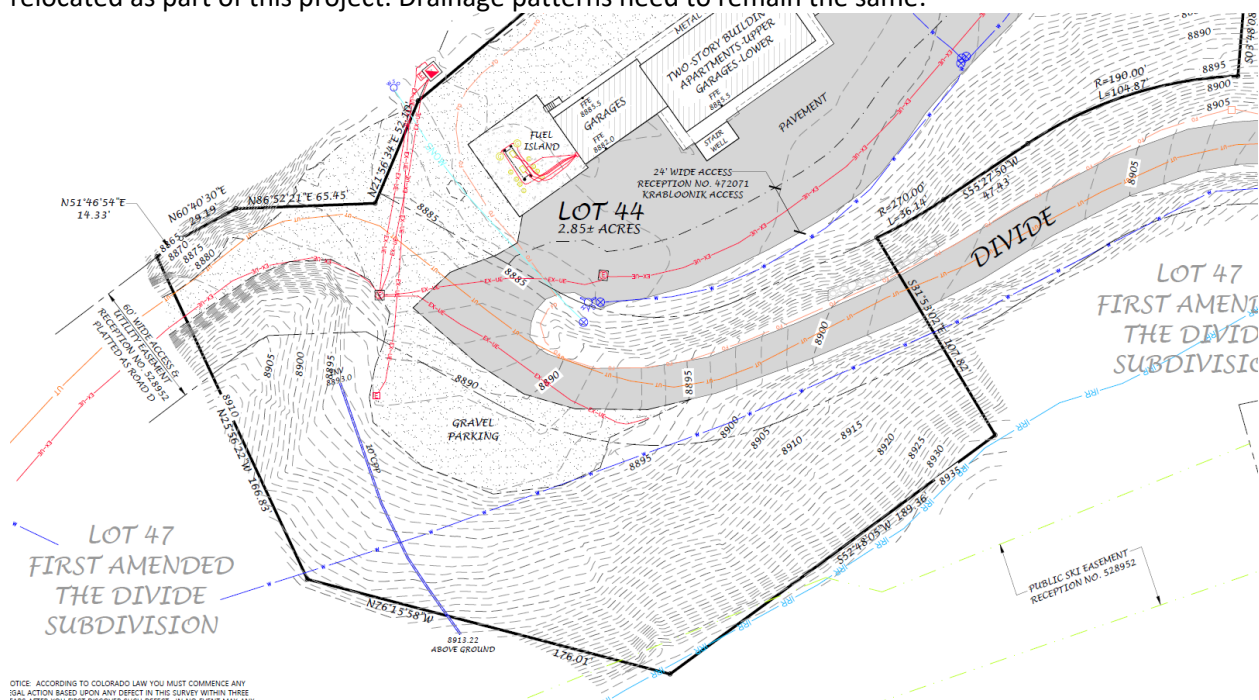
I also support the location of the proposed SHOP development. It is a beautiful and peaceful location for people to live and is in close proximity to SkiCo's maintenance facility. There are abundant trails and natural amenities in the area, and I believe it will be a very desirable location for their employees. The proposed reduction in parking spaces to one per unit should be sufficient, based on our experience in our own rental developments, and can be enhanced by a car share and/or bicycles. It is likely that, over time, these apartments will serve more than just maintenance facility employees, so consideration should be given to some type of SkiCo-provided transportation that can bring people to work and services.

At 505 sf and 708 sf respectively, the one- and two-bedroom apartments are appropriately sized for year-round living, and each will have ample storage space (50 sf) in a separate basement storage area. I would note that, due to the lack of windows, the one-bedroom apartments are not "true" one-bedrooms but have been designed to make the best use of space, offer a closet and provide privacy for sleeping. My only comment is that the design for these units allows for only a window and sliding door on one side. This should be sufficient with proper air exchange but may not allow in much light on the end that backs up to the hill.

In short, I fully support the proposed project and look forward to working with SkiCo on this and other workforce housing developments.

TO: BRIAN MCNELLIS, SENIOR PLANNER
FROM: MIKE HORVATH, TOWN ENGINEER
ANNE MARTENS, PUBLIC WORKS DIRECTOR
SUBJECT: SPECIAL REVIEW – DIVIDE HOUSING COMMENTS
DATE: OCTOBER 7, 2024

1. Per the survey below, there are existing utilities within the building envelop that will need to be relocated as part of this project. Drainage patterns need to remain the same.



- 84

7. Retaining walls are proposed on the southern property line. Construction easements will be necessary to accomplish this work. Depending on wall type, the wall, if soil nail wall for example, would require a permanent wall easement on Lot 47 as well.

Thank you for the opportunity to comment. Please let me know if you have any questions.

Roaring Fork Fire Rescue Authority
1089 JW Drive
Carbondale, CO 81623
970.340.7040
roaringforkfire.org

December 11, 2024



SCOTT THOMPSON
FIRE CHIEF

Brian McNellis, Senior planner
Town of Snowmass Village

Re: Divide (SHOP) Workforce Housing Application
100 Divide Road
Snowmass Village, Co.

Brian,

The Roaring Fork Fire Rescue Authority has been working with the Applicant land planner, Connect One, on fire department emergency access and the new orientation of the workforce housing building.

We have received positive feedback and verbal resolve on several of our initial concerns as below:

1. Fire suppression systems for the new housing building.
2. Lithium Ion battery storage areas for electric bikes and mobility devices.
3. Fire hydrant placement will be made by the Roaring Fork Fire Rescue Authority.
4. Maintained Emergency Access within parking areas and widened Divide Way road width to 24' for the entire length.

We would like to add that a "dedicated" emergency access easement be added to Tract 44 of the Snowmass Maintenance Facility parking area so that any future development would not interfere with our apparatus movement. This should include that an all-weather driving surface to be maintained for imposed weight loads of fire apparatus.

Thank you for the opportunity to make comment at this planning stage of the development.

John Mele
Fire Marshal

Serving
NEIGHBORS

Solving
PROBLEMS

Saving
LIVES



Dunlop Environmental Consulting, Inc.

Environmental Public Health Planning for the Future

October 3, 2024

Town of Snowmass Village
Community Development Department
Brian McNellis, Senior Planner AICP/MLA
130 Kearns Road
Snowmass Village, CO 81615-5010

Re: Major PUD Amendment Aspen Skiing Company Vehicle Maintenance Facility Parcel C, Lot 44, Divide Subdivision – The SHOP Snowmass Housing for Ops Personnel Major PUD Amendment

Dear Mr. McNellis,

As per your request, Dunlop Environmental Consulting has reviewed the above referenced application for compliance with appropriate Town of Snowmass Village (TOSV) Codes. The focus of this review will be on water quality, air quality, noise management and the Construction Management Plan (CMP). There is general discussion in the application regarding project location and function, but with minimal detail regarding statements around environmental impacts.

To summarize the application, the Aspen Skiing Company (ASC) is proposing to add 30 living units to 2.85 acres of land near the existing Snowmass Mtn. Vehicle Maintenance Facility. There will be 20 one-bedroom units and 10 two-bedroom units available year-round for fulltime employees. These will be rental units owned by the ASC. The residences will be 100% electric, prefabricated modular construction made off-site and assembled on parcel C, Lot 44 of the Divide Subdivision. The project is proposed to be completed within 12-18 months after the start date.

WATER QUALITY:

More detail is requested regarding ground and surface water management during construction and post-construction. For example, determine if a Brush Creek Impact statement is applicable, if a construction site de-watering permit will be necessary, and what influences groundwater might have during construction and post-construction? It is requested to provide more detail to a statement in the application that storm water from paved areas will “sheet flow over natural areas” and provide adequate filtration of the water to not be of further concern and provide a statement regarding the presence or absence of wetlands in the area.

Snow removal and storage from the parking area, roofs and sidewalks is not addressed in the application. Further, what impact will snow storage areas have on drainage patterns and capacity when the snow melts, is a water detention plan necessary? Will any of the paved areas be snow melted? These are questions for the applicant to address as either being relative or not applicable to this project.

Wastewater treatment will be provided by the Snowmass Water and Sanitation District. The applicant has identified the need to replace and upgrade an existing sewage lift station to properly manage this residential byproduct.

AIR QUALITY:

The residential units will be 100% electric. Therefore, there is no concern with emissions from natural gas or wood burning devices.

It is requested the applicant provide a statement regarding increased vehicular traffic as the result of more vehicles congregating in this area. Since there is an existing abundance of vehicles in the immediate area from the vehicle maintenance garage, it is not anticipated that this project will significantly contribute to degrading air quality, but a statement from the applicant to this point, with subject matter expert support, is requested.

Thirty parking spaces are proposed. Will any of these be identified for electric vehicles?

This project will be required to provide a fugitive dust control permit application to the TOSV. Included in the plan will be strategies identified in Ordinance 12, Series of 2007 of the TOSV Construction Management Plan.

NOISE:

This project is not in a heavily populated area that could be impacted; however, the applicant will be required to comply with TOSV Municipal Building Code Section 18-3. This section covers workdays, hours, and noise levels at a construction site.

In reviewing the design of the residential units in the application, concerns were identified that will affect occupants of the spaces. Some units share one common wall, others share two common walls. The location of the bed in one unit will share a wall with a kitchen (garbage grinder, dishwasher, sink) in the adjoining unit. The kitchen also tends to be a social gathering area. Experience I have with this type of multi-unit design and quality of life issues of occupants raises this concern. It will be critical that sound proofing materials be specified in walls, ceilings, and floors of this project. Common hallways can also be problematic unless sound dampening flooring is installed. These concerns are made with emphasis in this type of housing. Not everyone will be on the same work shift, some may

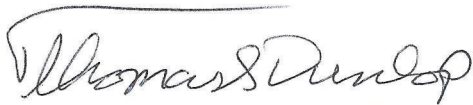
work nights while others work days. Sleep patterns and personal entertainment choices can present conflicts. The TOSV may become engaged settling these conflicts.

CONSTRUCTION MANAGEMENT PLAN:

Construction management plans are required by TOSV Ordinance 12, Series of 2007. The CMP is required prior to excavation and building permit issuance. It is important for the applicant to be aware of this Ordinance well in advance of a construction start date.

This concludes findings of this review.

Sincerely,

A handwritten signature in dark ink, appearing to read "Thomas S. Dunlop". The signature is fluid and cursive, with a long horizontal line extending from the top of the first letter.

Thomas S. Dunlop, MPH, REHS
President



Dunlop Environmental Consulting, Inc.

Environmental Public Health Planning for the Future

November 29, 2024

Town of Snowmass Village
Community Development Department
Brian McNellis, Senior Planner AICP/MLA
130 Kearns Road
PO Box 5010
Snowmass Village, CO 81615

Re: Major PUD Amendment Aspen Skiing Company Vehicle Maintenance Facility Parcel C,
Lot 44, Divide Subdivision – The SHOP Snowmass Housing for Ops Personnel Major PUD
Amendment – November 22, 2024 Sketch Plan Amendments

Dear Mr. McNellis,

As per your request, Dunlop Environmental Consulting (DEC) has reviewed the above
referenced application for compliance with appropriate Town of Snowmass Village (TOSV)
Codes.

DEC reviewed the initial sketch plan submittal and presented findings to you dated
October 3, 2024. The significant change noted between the October 3rd application review
and the November 22nd amendment is the significant shift in structure and vehicle parking
orientation. A statement is made on p.9 (5) in the amendment that there are no identified
wetlands on this property. It is understood that more detail will emerge following the
sketch plan review process.

After reviewing the recent submittal and comparing it to the original application, there are
no significant additional findings to submit. This conclusion was supported after the TOSV
Design Review Team meeting discussion held on November 27, 2024. Findings in DEC's
October 3rd report remain as submitted.

Sincerely,

Thomas S Dunlop, MPH, REHS
President

TRANSPORTATION DEPARTMENT MEMO

To: Brian McNellis

From: Sam Guarino

CC: Dave Shinneman

Date: 12/13/2024

Re: Aspen SkiCo SHOP Sketch Plan

Find below Transportation Department comments as it relates to the Aspen Skiing company's sketch plan for the SHOP project:

- To support constrained parking and access to the site the applicant should consider alternative modes of travel to the single occupant vehicle. These could include bikeshare, carshare, employee shuttles, off-site vehicle storage, and any other transportation demand management measures that may be appropriate.
- Efforts should be made to ensure that residents of this development do not use the Divide "Lot E" parking adjacent to the site that is primarily used for Ditch Trail access.
- Connectivity to trail networks is currently non-existent from the site. The applicant should consider safe connections to Brush Creek Rd. and Carriage Way. In particular direct connections Sleigh Ride and Ditch Trails for pedestrians and cyclists should be established.
- The use of the numbered lots is often at capacity during the Winter. In an effort to protect these lots from overuse and as a means to store vehicles due to limited parking availability on site, recent developments have been prohibited from purchasing Resident Parking Passes for the Numbered Lots. It is the Transportation Department's opinion that this restriction should apply to this development.

December 12, 2024

BILL E. KYRIAGIS
303 575 7506
BKYRIAGIS@OTTENJOHNSON.COM

VIA E-MAIL - DSHINNEMAN@TOSV.COM

Town of Snowmass Village Planning Commission
130 Kearns Road
Box 5010
Snowmass Village, CO 81615
Attn: Dave Shinneman, Community Development Director

Re: Application for a Major Planned Unit Development Amendment to the Aspen Skiing Company's Vehicle Maintenance Facility on Lot 44 of the Divide Subdivision – Public Comment

To Whom it May Concern:

This firm represents the Divide Homeowners Association (the “**Divide HOA**”). I am writing to submit public comment to the Town of Snowmass Village (“**Town**”) Planning Commission, for the Planning Commission’s December 18, 2024 meeting, at which it will be considering the application by the Aspen Skiing Company LLC (“**SkiCO**”) for a Major Planned Unit Development Amendment to the Aspen Skiing Company’s Vehicle Maintenance Facility on Lot 44 (“**Lot 44**”) of the Divide Subdivision (the “**Application**”). The Application seeks approval to develop an additional 30 housing units, along with parking spaces and storage on Lot 44 (the “**Project**”). Please include this letter in the materials provided to the Planning Commission and in the Town’s record for the Application.

The Application seeks drastic changes to the existing allowable uses for Lot 44, which would have impacts on residents in the Divide HOA. It will also impact the Divide HOA-owned property that is directly adjacent to Lot 44 on almost all sides. We understand that the Town’s evaluation of the Application is still in its early stages, and that the Application has already been significantly revised since it was initially filed. However, based on the information available thus far, the Divide HOA has the following significant concerns relating to the Application:

- Changes from Existing PUD. The Application proposes significant changes to the existing Divide PUD, which was carefully planned. The uses surrounding Lot 44 have remained static throughout that time period. The proposed Application seeks to fundamentally alter the cohesive uses contemplated by the PUD by inserting in its midst a fundamentally inconsistent and highly impactful use.
- Density/Maximum Buildout. Increasing the number of housing units on the site from 6 to 36 (and bedrooms from 8 currently, to 45 proposed) constitutes a drastic change from the existing PUD, shoehorning an essentially urban-scale development into one of the most remote parts of the Town on

a very physically constricted lot. This level of development does not appear to be authorized under the Comprehensive Plan and the existing build-out limitations. Additionally, the Comprehensive Plan designates Lot 44 as “Privately-Owned Recreation / Open Space Areas,” which are designated as being “suitable only for supplemental minor development that enhances these [resort] amenities, and should not be considered developable land.”

- Inadequate Parking Without Access to Transit. The Application proposes a significant reduction in the parking requirements specified in the Town of Snowmass Village Land Use Code (“LUC”). That is not appropriate given that Lot 44 is remote from transit, and the Application expressly states that “[t]ransit is not planned for this project.” A significant increase in pedestrian and/or bicycle traffic using Divide Road to get to the nearest transit stop, particularly in the winter, would create a significant safety hazard. There is also a concern that residents and guests would use the Ditch Trailhead or Divide HOA property as illegal overflow parking.
- Traffic. The addition of 40 bedrooms and at least that many residents will significantly add to the traffic on Divide Road, which is the only point of entrance for the Divide HOA residents. As you know, that road is steep, winding, and lacking any pedestrian or bicycle features.
- Slopes and Open Space Impacts. It appears that the Project would necessarily involve development in areas involving steep slopes, some of which may exceed 30%. For good reason, the LUC prohibits development on slopes greater than 30%. LUC Section 16A-4-50. Even if slopes are less than 30%, many of the slopes are significant, and the Project would likely have impacts on Divide Road and on the Divide HOA’s adjacent open space parcels. This level of development would also have an impact on the Ditch Trail, which is heavily used and an important amenity for the entire community.

Given that the purpose of the Application is to provide additional employee housing for SkiCo employees, it is important to emphasize that the Divide HOA recognizes that the provision of affordable employee housing is a critically important goal for the community. The Divide HOA strongly encourages the Town to pursue opportunities to support the development of additional affordable housing units at suitable locations within the Town. A number of such locations are identified in the Town’s 2021 Housing Master Plan. The Housing Master plan sets forth a rigorous analysis of potential sites, and at least an equivalent level of scrutiny is appropriate here given the departure from the established zoning.

To be clear, the Divide HOA has no objection to the currently permitted uses of the PUD, which were considered as part of the initial planning for this area. Those uses include limited housing on this lot. That limited housing is an *accessory* use to the *primary* use of Lot 44 as a vehicle maintenance facility. In contrast, the Application would completely change the primary use of the site.

As the initial list of issues outlined above demonstrates, the Application simply seeks to attempt to squeeze too many units into such a physically constrained and remote site. This will inevitably create problems that cannot be mitigated.

Town of Snowmass Village Planning Commission
December 12, 2024
Page 3

Given that the Application seeks a major amendment to the existing Divide PUD, it is required to go through the full PUD process. LUC Section 16A-5-390(1). Accordingly, the Divide HOA expects that the Town will closely scrutinize the Application for compliance with the requirements of the LUC and the Comprehensive Plan. The Divide HOA intends to be actively engaged in that process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bill E. Kyriagis".

Bill E. Kyriagis
For the Firm

BEK/mf

cc: Brian McNellis (By Email Bmcnellis@tosv.com)
Brad Schacht (By Email brad@ottenjohnson.com)
Deidre Boineau (By email divide@sopris.net)

Draft Conditions of Approval – SHOP Workforce Housing

1. Divide Way shall be widened to no less than 24 feet (with a dedicated access easement) from the intersection with Divide Road and westwardly through the entirety of Lot 44 to ensure emergency access and adequate turnaround for the Fire District and maintenance vehicles. The improved roadway shall be entirely contained within the subject parcel.
2. A detailed landscape plan shall be submitted with any subsequent Preliminary Plan application to ensure screening of the proposed building (with appropriate and native plantings) as seen from Ditch Trail.
3. The residents of the proposed building shall not be eligible to obtain resident parking permits for the Town public parking lots pursuant to Section 8 Article II of the Municipal Code.
4. To support constrained parking and access to the site the applicant should consider alternative modes of travel. These could include bikeshare, carshare, employee shuttles, off-site vehicle storage, and any other transportation demand management measures that may be appropriate.
5. The reduction in Code parking standards is appropriate if substantial alternative modes of travel mentioned in the previous condition are implemented (30 spaces).
6. The applicant shall consider safe connections to Brush Creek Road. and Carriage Way. In particular, a direct connection between Sleigh Ride and Ditch Trails for pedestrians and cyclists should be established.
7. The proposed development shall implement no less than 2 parking spaces equipped for electric vehicle charging, which may occur within the existing Vehicle Maintenance Facility area.
8. Retaining walls on the backside of the building (and construction thereof) shall be contained entirely within the subject property but shall afford as much distance as possible from building to offer the greatest afternoon solar exposure as possible to westerly facing residential units.
9. Any subsequent Preliminary Plan application shall include detailed traffic reports and analysis to provide information about the impacts of additional traffic and increased wear-and-tear on Divide Road.

10. The floorplan(s) of adjacent units shall be “mirrored” to ensure optimum noise and nuisance control amongst neighbors residing in the building (see Dunlop Consulting referral comments attached).
11. Any subsequent Preliminary Plan application shall include a Civil Plans and analysis that addresses seasonal drainage from the subject parcel during and after construction. This shall include any potential impacts on natural water resources including drainage ways and/or established wetland areas.
12. Any subsequent Preliminary Plan application shall include a Construction Management Plan that shall address (among other requirements) fugitive dust suppression during construction.
13. Any subsequent Preliminary Plan application shall explore the possibility of solar generation on the proposed building.
14. Any subsequent Preliminary Plan shall include a study that demonstrates visibility of the proposed building (and associated lighting) as seen from the Snowmass Creek valley.

THE S.H.O.P.

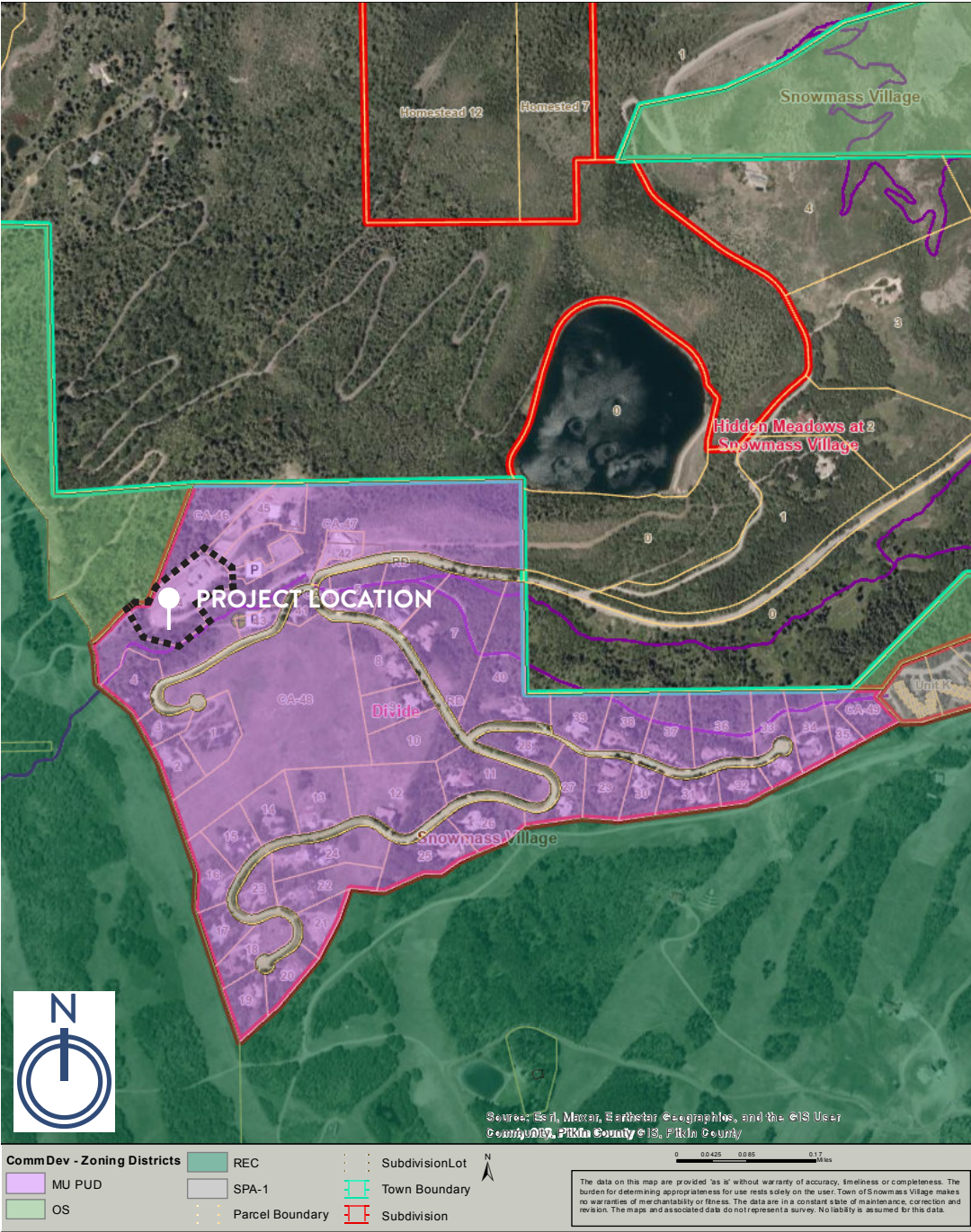
SNOWMASS HOUSING for OPERATIONS PERSONNEL



GOALS FOR TODAY

- Revisit the project vision & importance as community housing
- Present initial feedback from joint worksession
- Present updates to the Sketch Plan Application based on feedback
- Review staff feedback regarding new plan
- Highlight requested amendments to the PUD
- Answer Commission questions
- Direct staff to draft resolution of approval

VICINITY/ZONING MAP



WHY IS THIS PROJECT IMPORTANT?

- **Workforce dilemma** - without SIGNIFICANT and IMMEDIATE progress made on housing, our valley cannot sustain itself
- **Aligned with the goals & interests** set in the TOSV 2018 Comp Plan: “be the leading multi-season, family-oriented inclusive resort community...”
- Retain highly-skilled operations personnel to keep Snowmass Mountain **safe and efficient**
- Aspen One: prioritize housing for **long-term employee retention and recruitment**



THE COMMUNITY LANDSCAPE

- The gap analysis completed in 2019 and updated in 2023 showed a housing gap in all AMIs from 60%-120% throughout the RFV with a resulting gap of over 5,000 units.
- The need in the upper valley is the greatest at over 3,000 units.
- Rising costs and low supply have an outsized effect on households earning below 80% AMI and 80%-120% AMI

Table 9: Planned Development as a Proportion of Identified Need from Aspen to Snowmass

Aspen to Snowmass Area				
	AMI Range			
	0% - 80%	80.1% - 120%	> 120%	Total Shortage
Existing Gap (EPS, 2017)	1884	1429	647	
Development Pipeline (Williford, 2023)	165	135	258	
Residual Need	1719	1294	389	3402
Percent of Development by Gap Per AMI Range	8.76%	9.45%	39.88%	

SOURCE: WEST MOUNTAIN REGIONAL HOUSING COALITION

THE COMMUNITY LANDSCAPE

Affordable Home Price Points



100% AMI \$89,300-
\$109,200



200% AMI \$198,400-
\$205,800



300% AMI \$297,600-
\$308,700

Garfield County

Median price:
August 2024 \$950k

\$282,600

\$508,600

\$847,700

Pitkin County

Median price:
August 2024 \$7M

\$325,600

\$651,200

\$976,800

Based on CHFA 2023 Rent and Income Limits and a 7% interest rate

SOURCE: WEST MOUNTAIN REGIONAL HOUSING COALITION

T O S V C O M P R E H E N S I V E P L A N

- “be the leading multi-season, family-oriented inclusive **resort community**. We will do this by creating, marketing, and delivering distinctive choices for fun, excitement, challenge, learning, and togetherness.”
- “continue to support a viable workforce and **commitment to workforce housing** by exploring opportunities that best balance the character and resources of the Town.”



Stewardship



Vibrant



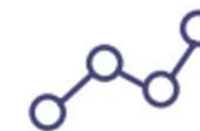
Genuine



Active & Healthy



Balanced



Connected

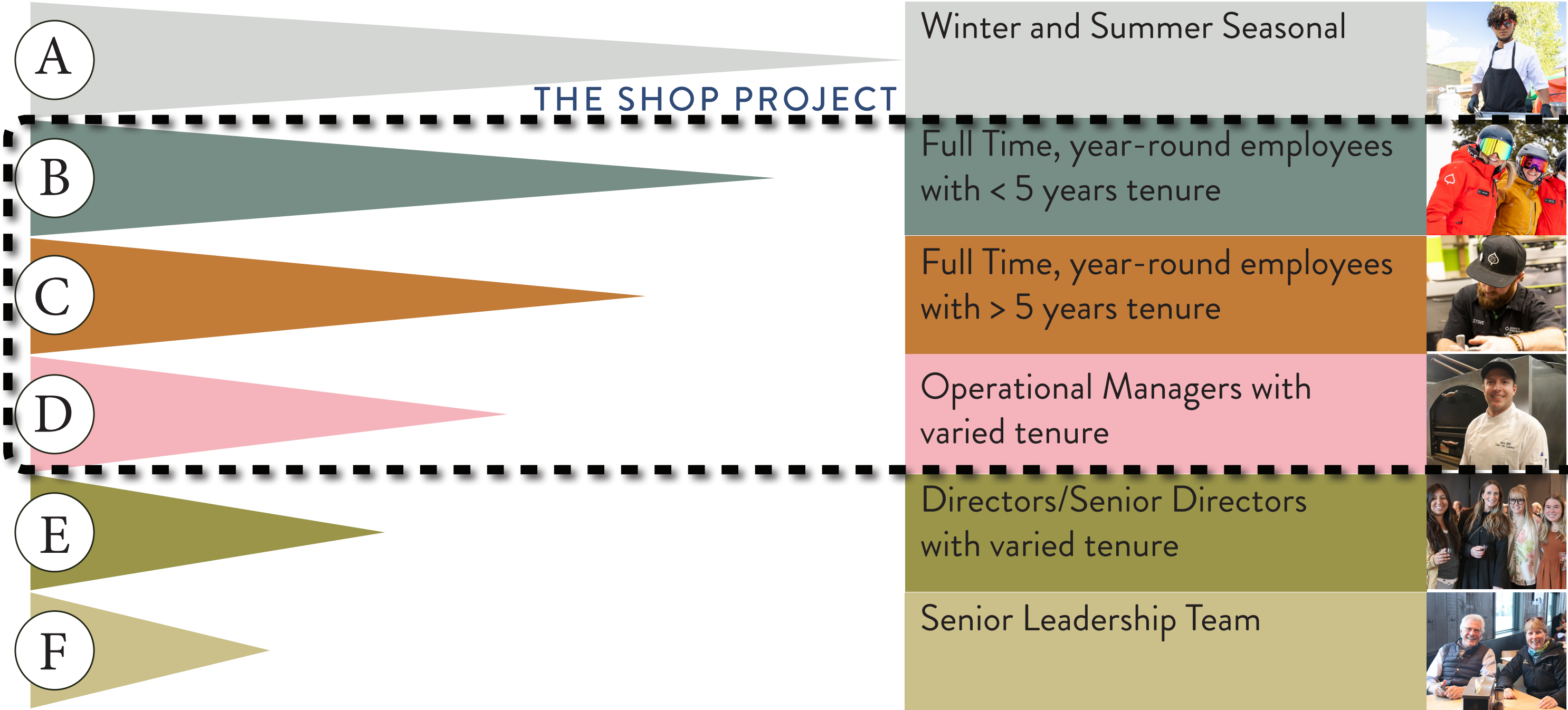


Inclusive

Source: Town of Snowmass Village, Colorado Comprehensive Plan –December 2018

ASPEN ONE HOUSING

THE SHOP PROJECT



THE SHOP

LET'S WORK TOGETHER

MISSION: At Aspen One, we strive to provide stable and financially accessible housing and childcare that attracts the best talent in the world and allows them to stay and grow, with us and in the communities in which we live.

- A world-class resort starts with the retention of highly skilled team members. Success is reliant on investing in our personnel and our resort. This will uplift the entire community.
- A high functioning workforce will maintain the exceptional quality of life residents currently enjoy both on and off the mountains.
- Aspen One acknowledges the significant role and influence it has in upholding the guiding principles of the Town of Snowmass Village. We understand and acknowledge our role in housing our workforce.

WE NEED TO THINK DIFFERENTLY & WE NEED TO WORK TOGETHER

We must partner, think creatively, build coalitions and lead by example to enhance our communities.

⇒ **THERE ARE CONSEQUENCES TO INACTION.**

EXISTING SITE CONDITION



if we can't do affordable housing here, then where?



PUD AMENDMENT PROCESS

SKETCH PLAN

1

LAND USE - does the proposed use meet the parcel's uses as contemplated in the PUD?

COMP PLAN - is the proposed development consistent with and supportive of the Comp Plan?

SITE LOCATION & SCALE - are the proposed location, scale, and use appropriate for a PUD amendment?

PUD AMENDMENTS - what will need to be amended for the project to move forward?

CONSIDERATIONS - what considerations should be included as the project moves forward?

PRELIMINARY PLAN

2

DETAILED/ENGINEERED SOLUTIONS

AESTHETICS - building materials, landscape approach, lighting, etc

PROGRAM - parking spaces, storage, bike parking, open space, etc

GRADING & UTILITY FEASIBILITY

FINAL PLAN

3

DOCUMENT COMPLIANCE W/ PROCESS

GUARANTEE OF PUBLIC IMPROVEMENTS

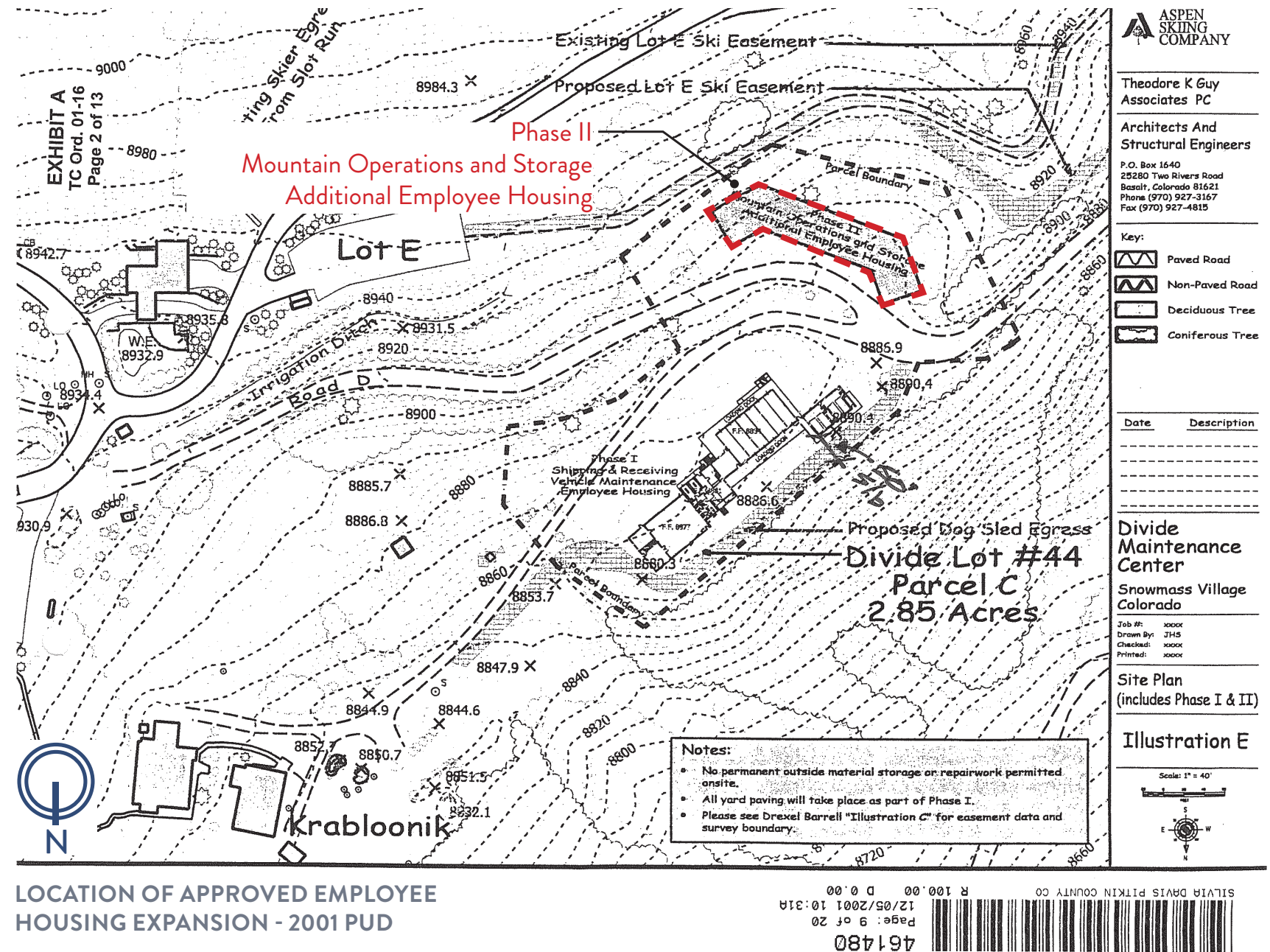
ZONE DISTRICT LIMITATIONS & DEVELOPMENT REGULATIONS

THE SHOP

USE BY RIGHT

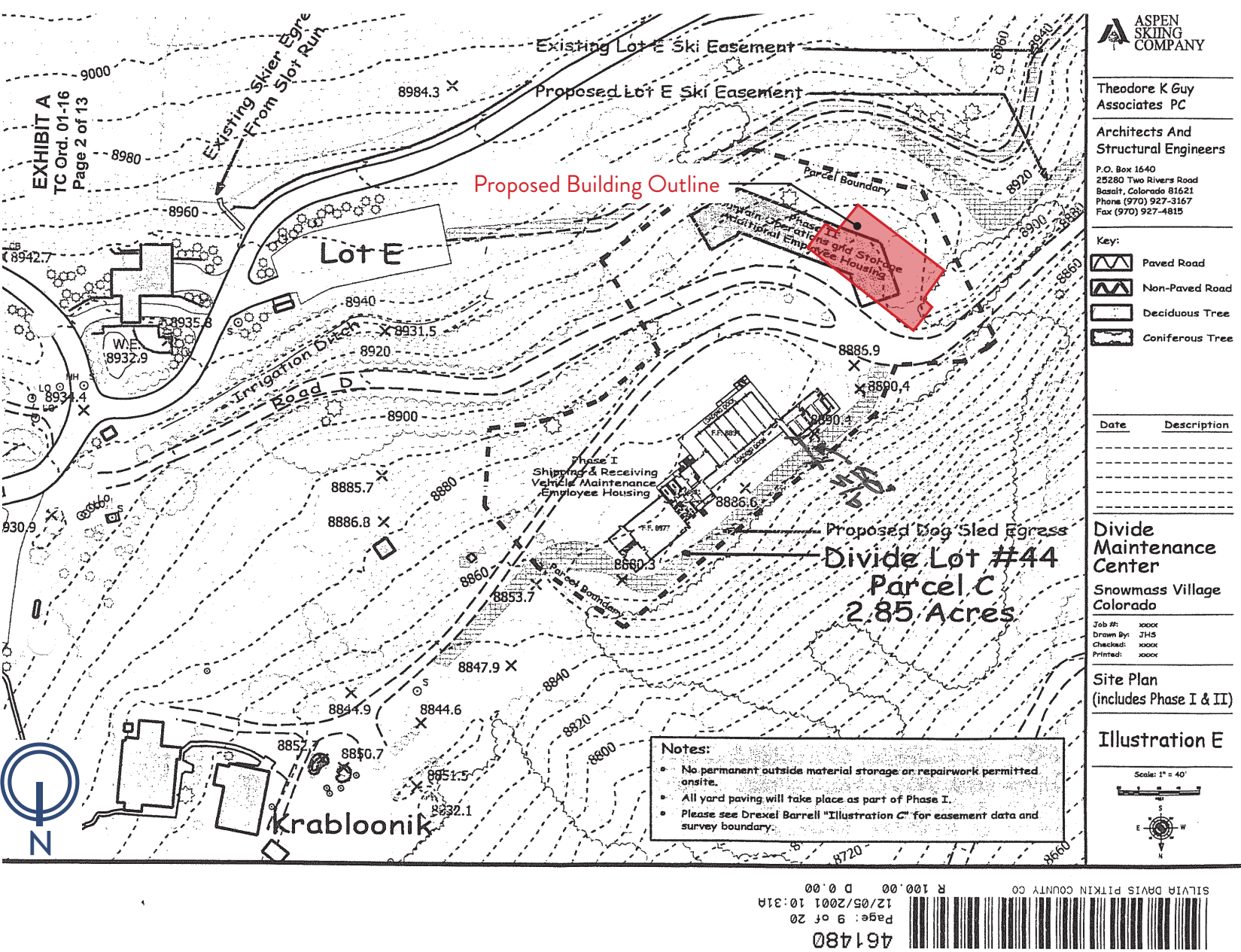
Lot #44 was approved by Ordinance 16 of 1989 with the following uses permitted by right:

- **Employee housing.**
- Ski area maintenance shop and equipment and storage facilities.
- Ski area operational and supervisory offices.
- Receiving and storage for ski area restaurant equipment and supplies.
- Accessory uses and facilities related to any of the above uses, but not limited to access roads, fuel storage and dispensing, parts and supply storage, ski patrol locker area and multi-purpose room.



USE BY RIGHT

	Allowable per 1989 original PUD w/ 2001 PUD amendments
Lot Area (sq ft)	2.85 acres
Zoning	MU-PUD
Building Setbacks	50' from the Northwest property line No other dimensions or definitions provided
Floor Area Ratio	25%
Square Footage of Exempted Areas	-
Housing Units	Phase 1 VMF: 6 units/8 beds
Building Square Footage (sq ft)	Phase 1: 14,810 sf Phase 2: 14,000 sf • 1,600 sf for housing • 7,600 sf for storage • 4,800 multi-purpose
Building Height	Max 43'-5" from existing grade Max 37'-5" from finished grade*
Percent Open Space	No minimum required
Divide Rd requirements	24' wide pavement and 2' shoulder 30% slope encroachment allowed



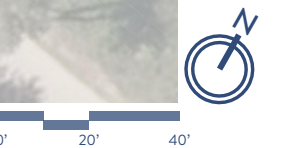
JOINT SESSION SKETCH PLAN

10-21-2024



Project facts:

- 100% SkiCo workforce housing
- Privately Funded
- 30 units: 10 two-bedroom units, and 20 one-bedroom units



THE SHOP

PUD MODIFICATIONS

	Allowable per 1989 original PUD w/ 2001 PUD amendments	Proposed
Floor Area Ratio	25%	Phase 1 VMF: 12% Phase 2 Ops Housing: 20.3% Phase 2 Storage: 0.02% TOTAL: 32.32%
Housing Units	Phase 1 VMF: 6 Units/8 Beds	Phase 1 existing: 6 Phase 2 proposed: 30 Units/37 Beds 23 1-Bedroom, 7 2-Bedroom TOTAL: 36 Units
Building Square Footage (sq ft)	Phase 1: 14,810 sf Phase 2: 14,000 sf • 1,600 sf for housing • 7,600 sf for storage • 4,800 sf for ski patrol/multi-purpose	Phase 1: 14,810 sf Phase 2: 27,186 sf • 21,758 sf for housing • 3,508 sf for internal storage • 1,920 sf for external storage
Building Height	Max 43'-5" from existing grade Max 37'-5" from finished grade	Max 37.9' from existing grade Max 35' from finished grade
Parking Spaces	30 spaces	30 existing (VMF) + 30 proposed = 60



Project facts:

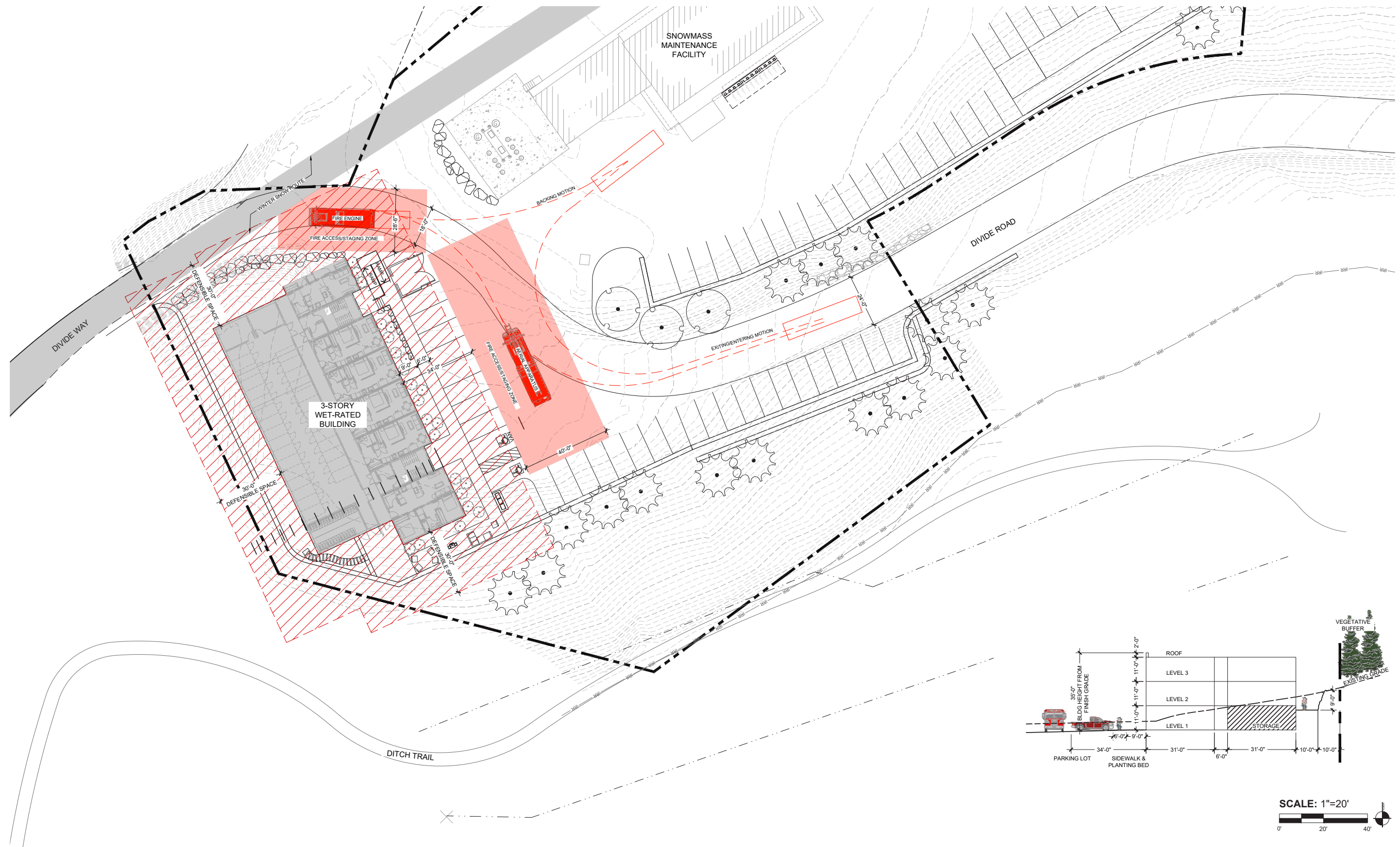
- 100% SkiCo workforce housing
- Privately Funded
- 30 units: 7 two-bedroom units, and 23 one-bedroom units

THE SHOP

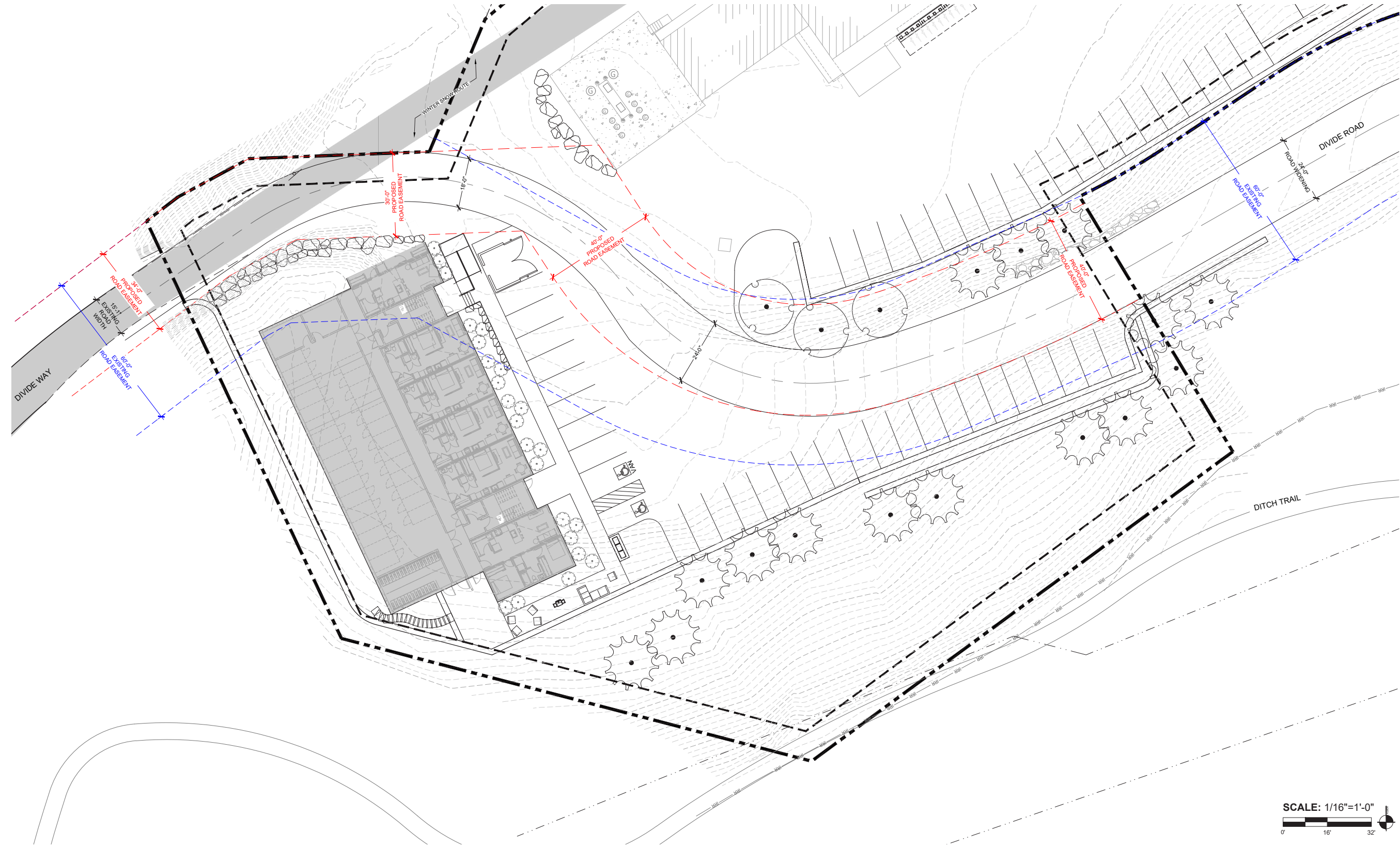
Sketch Plan Presentation to Planning Commission | December 18, 2024



FIRE ACCESS DIAGRAM



ROAD EASEMENT DIAGRAM





THE SHOP

BUILDING HEIGHT DIAGRAMS

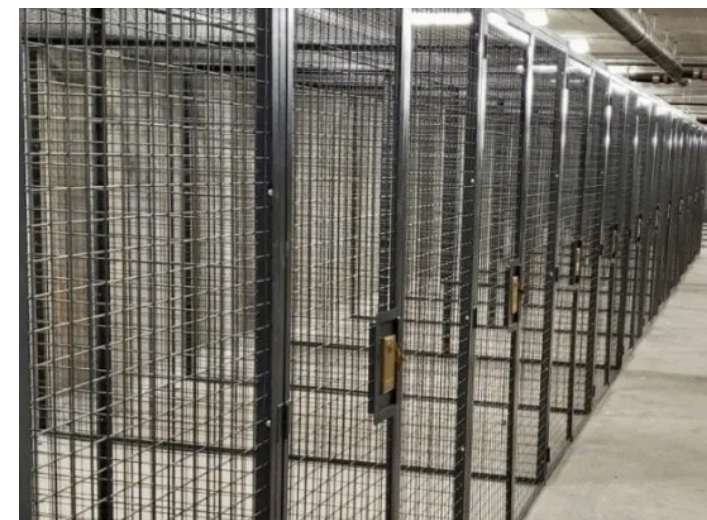
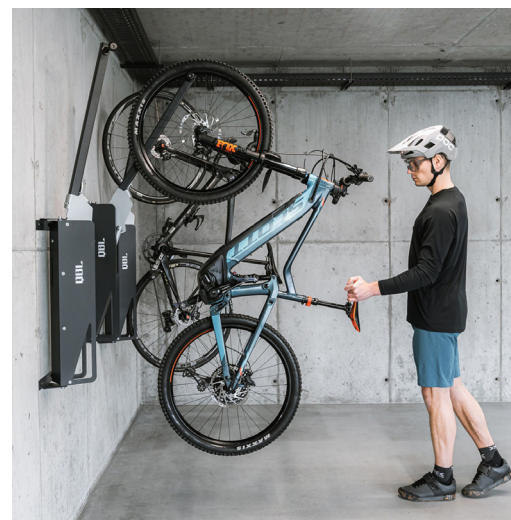


	Allowable per 1989 original PUD w/ 2001 PUD amendments	Proposed
Building Height	Max 43.4' from existing grade Max 37.4' from finished grade	Max 37.9' from existing grade Max 35' from finished grade

THE SHOP

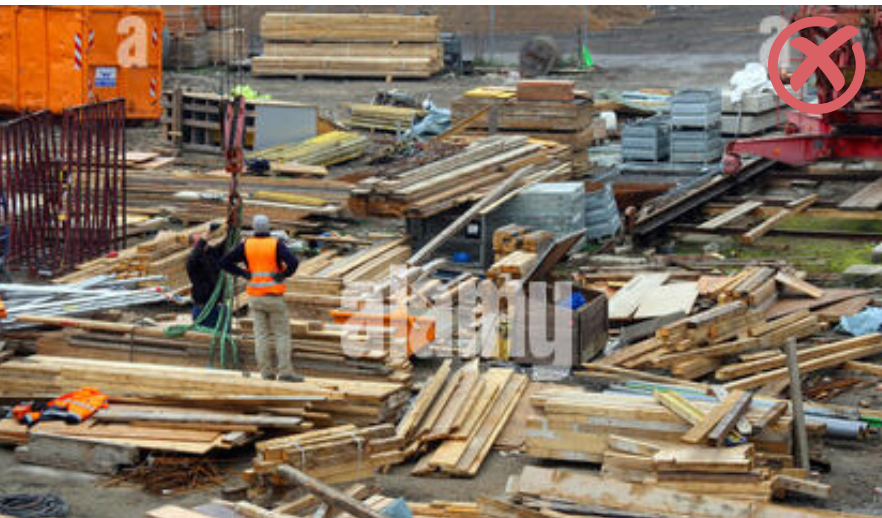
LIVABILITY FEATURES

- Storage, storage, and more storage
- In-unit laundry
- Extra sinks in-unit
- Outdoor amenity space
- Purpose built alternative transportation infrastructure
- Light and airy units
- Purpose built efficient unit design (again storage, storage, storage)
- 100% electric



CONSTRUCTION HIGHLIGHTS

- 100% Electric building focused on high envelope efficiency
- Largely built off-site
 - Significantly reduce climate impacts of new construction
 - Waste reduction
 - Abbreviated site work and 1-week box set reduces the noise, dust, and traffic of a traditional stick built project
 - doesn't exacerbate existing labor shortages
- Easy to maintain and durable materials retains livability
- Repeatability & each project is a lesson learned for the next



PARKING RATIO

TOSV Code: 1 parking space/bedroom (up to 3) = 37 spaces

Provided = 30 spaces

- Current plan includes 30 spaces at the 'project site' and 60 in total on the property.
- Are we over-parked?



THE SHOP

TRAFFIC & PARKING RATIO

What is the relationship between parking, traffic, and housing?

Did you know?

Multi-family housing generates 6.74 trips/unit/day

Single family home over 5,000 sf generates 9.43 trips/unit/day

- Reduce the cost of mobility on residents
- Reduced commuter trips on Hwy 82, Brush Creek, & Divide Rd
- Strategies:
 - live-work project
 - on-site bicycle facilities, including e-charging
 - WE-cycle community bike share facility
 - ride sharing
 - restricted parking at job site
 - bus passes
 - charge for parking - de-couple parking from unit occupancy
 - lease restrictions

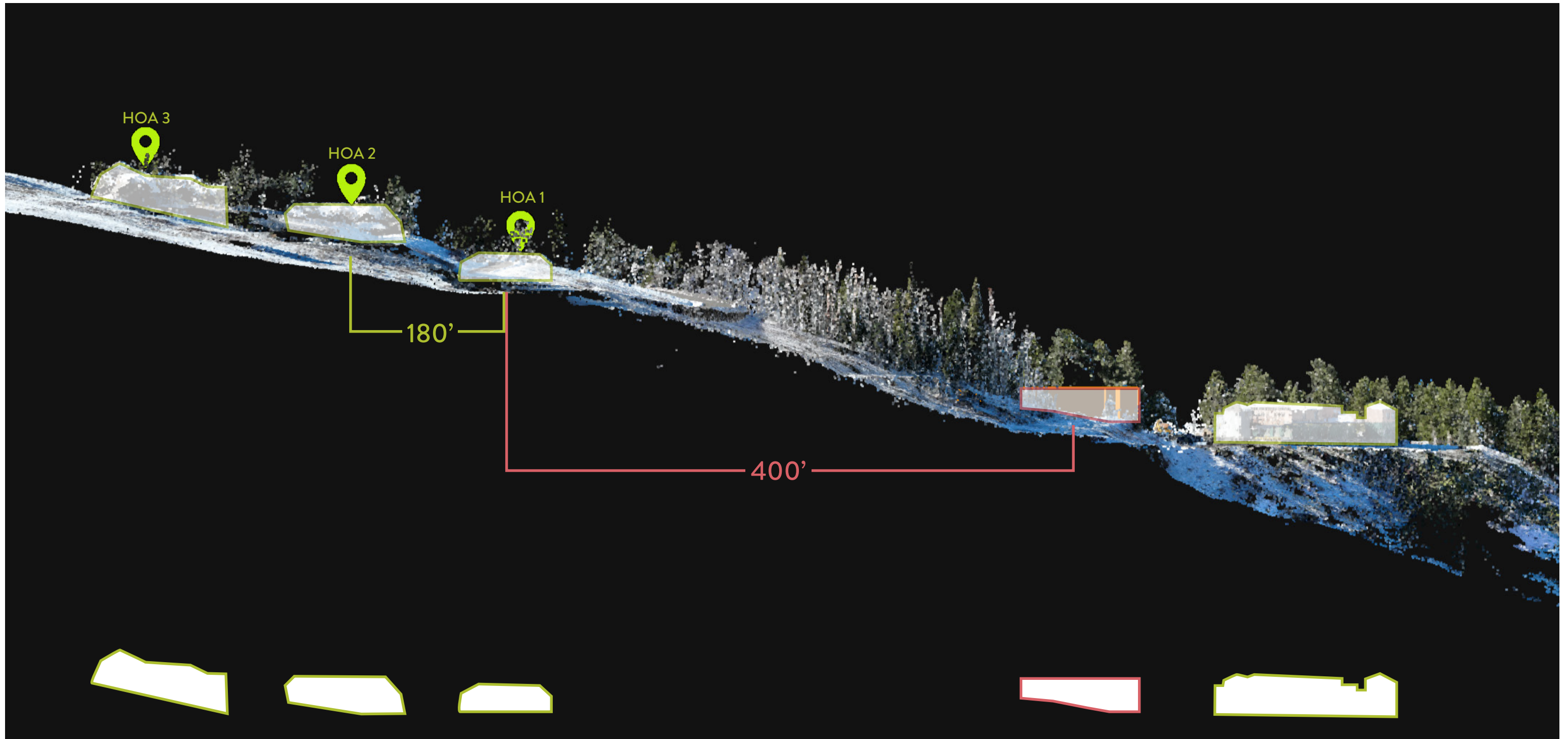
TRANSPORTATION CONTEXT



SCALE CONTEXT

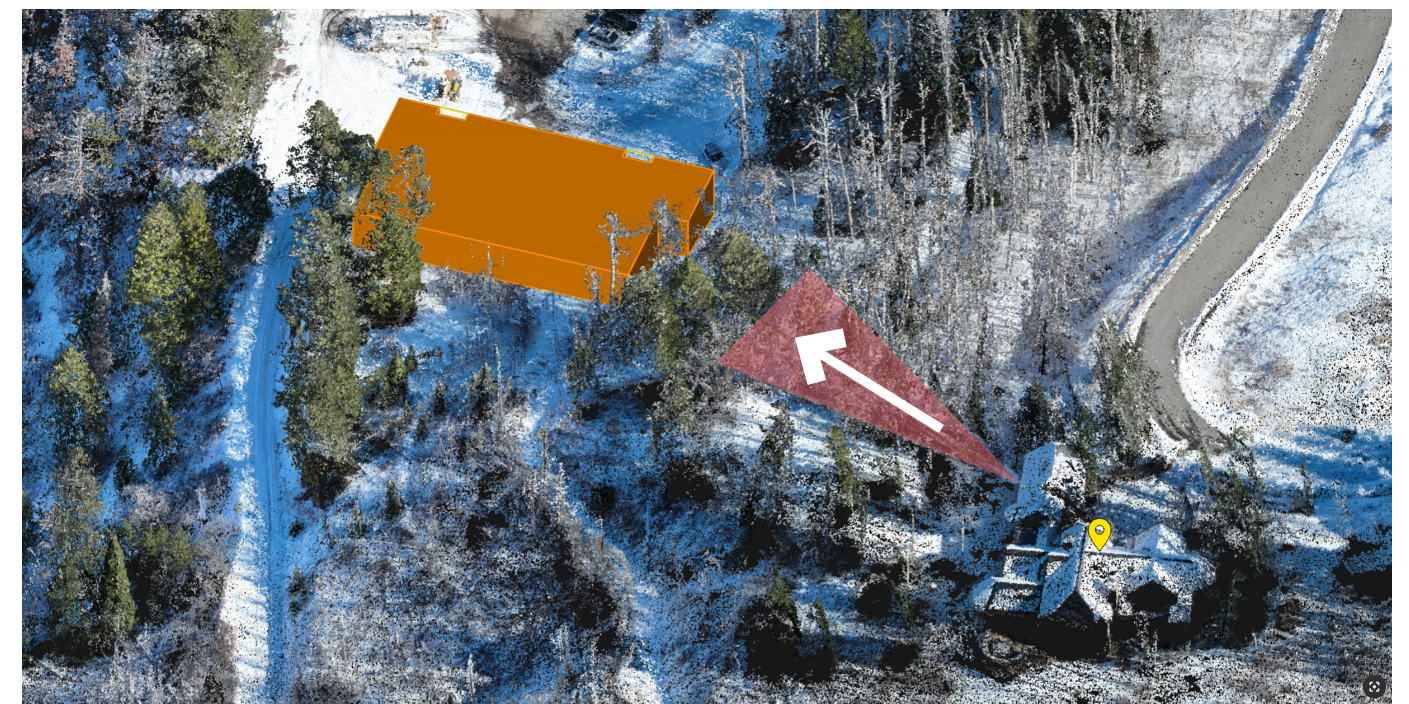
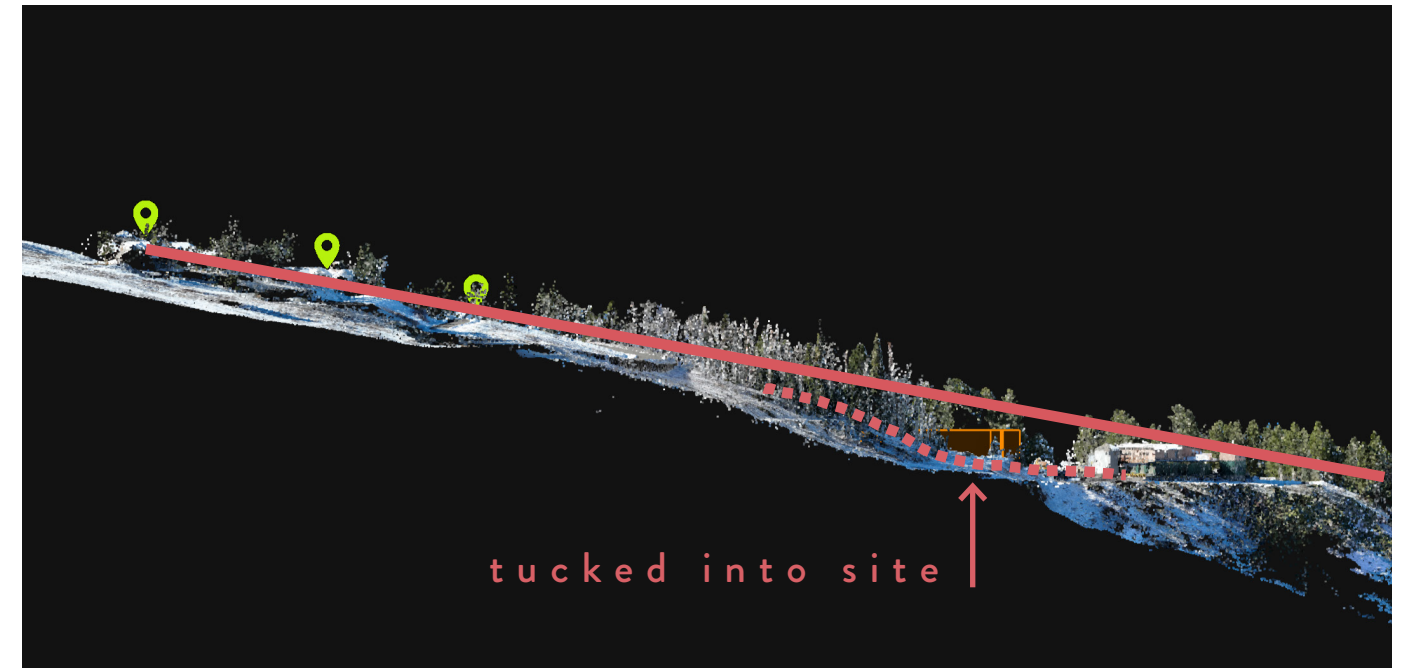
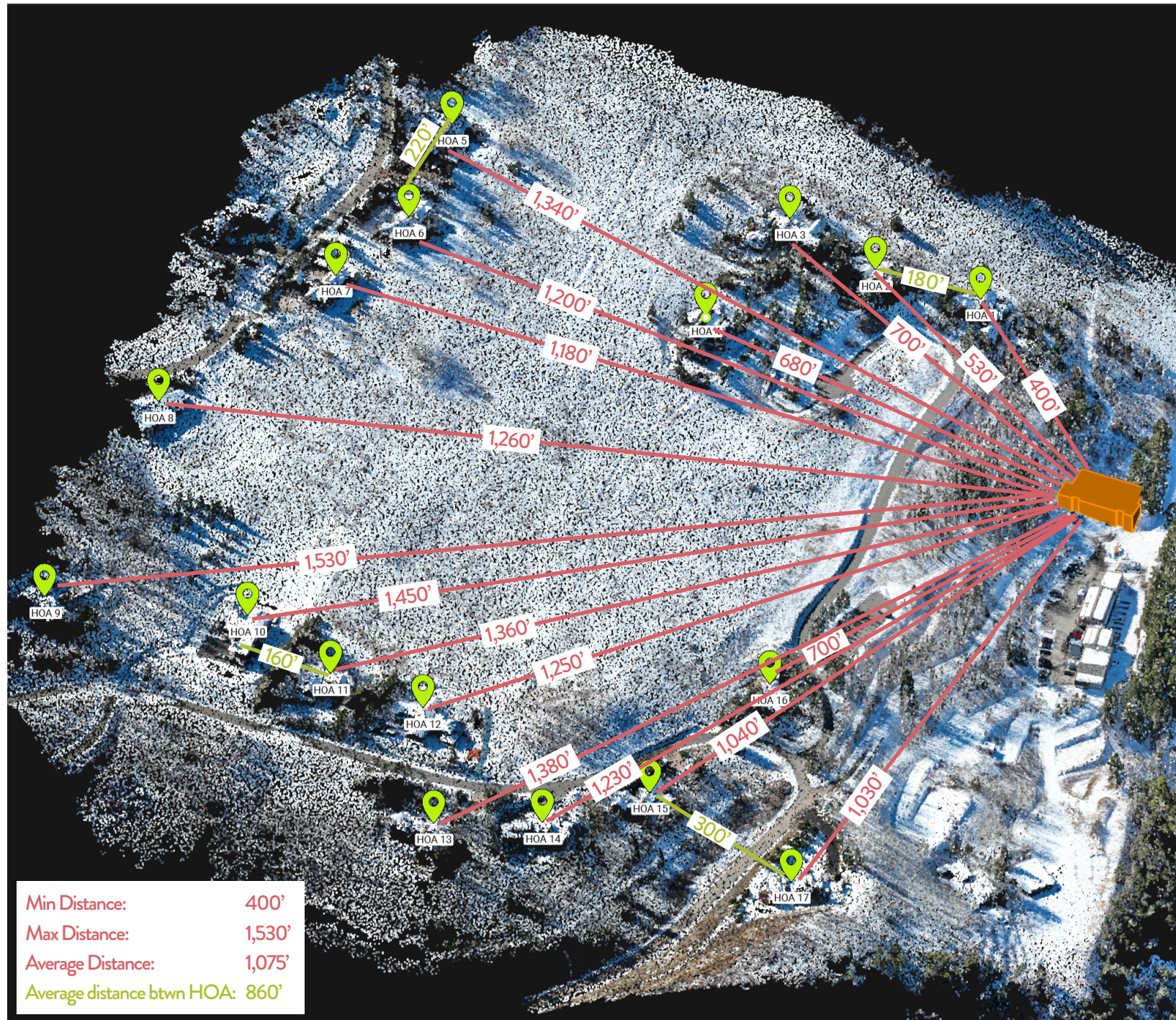


MASSING & PROXIMITY CONTEXT

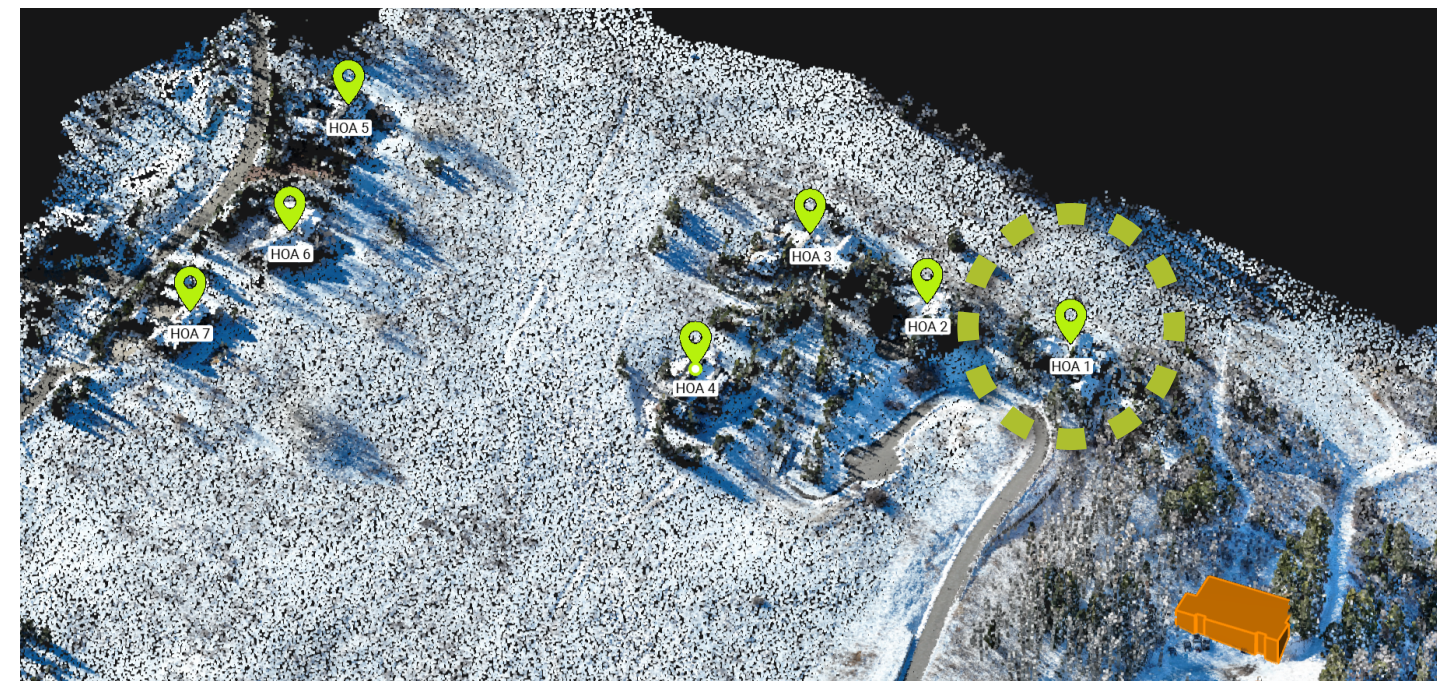
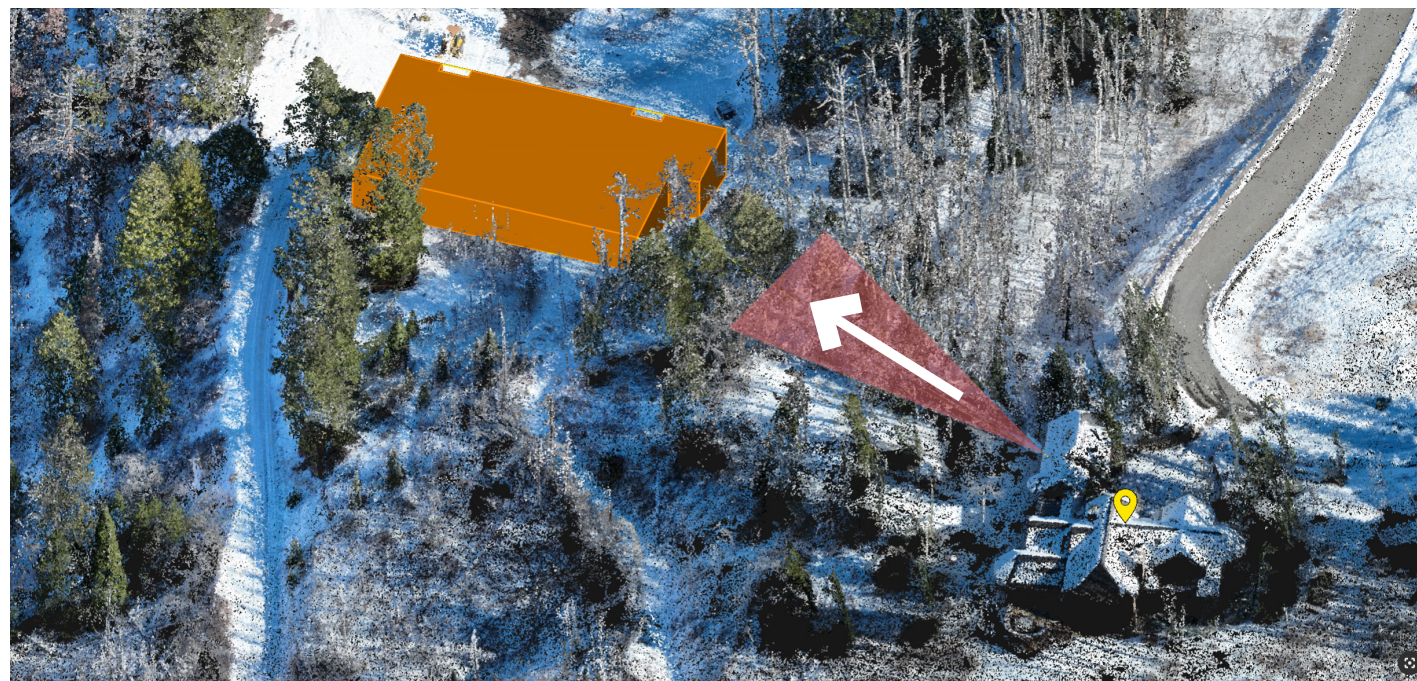
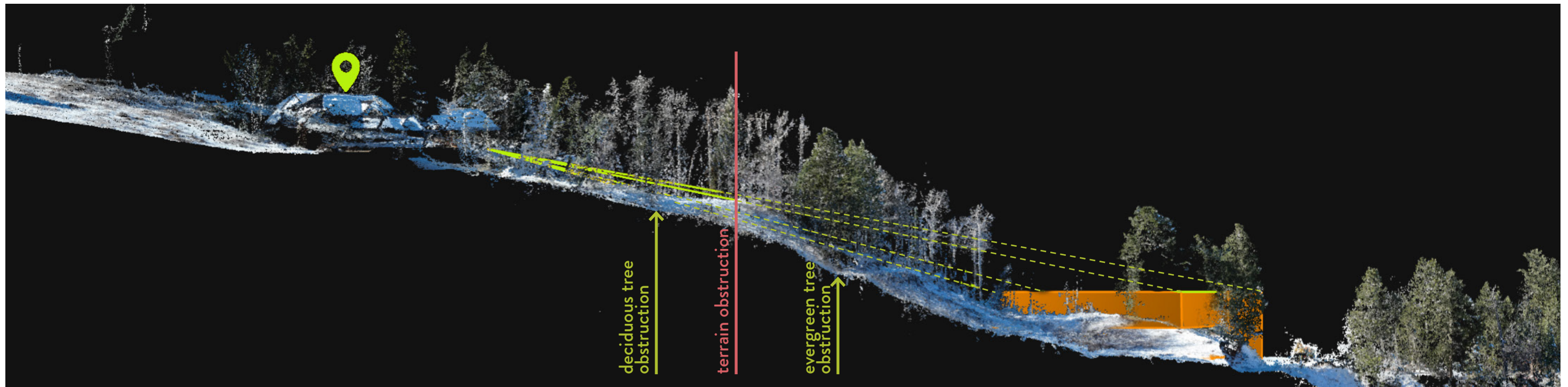


THE SHOP

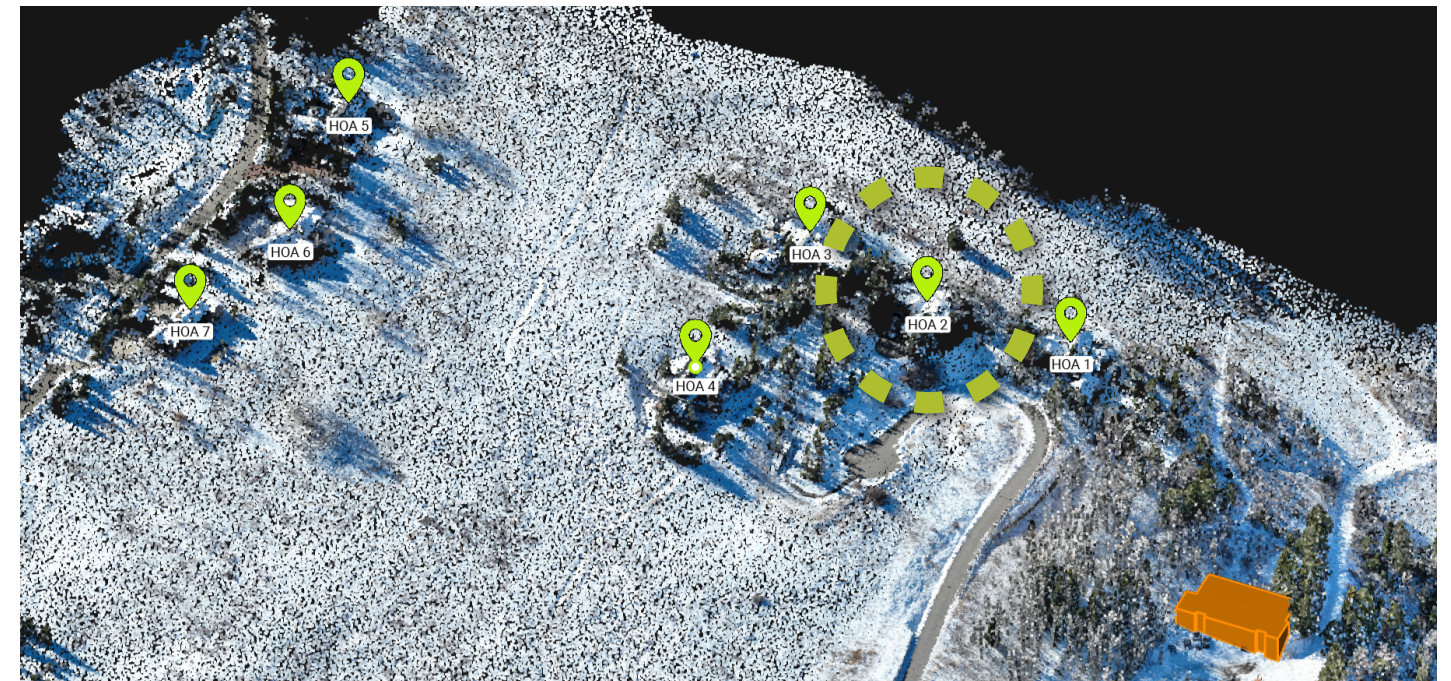
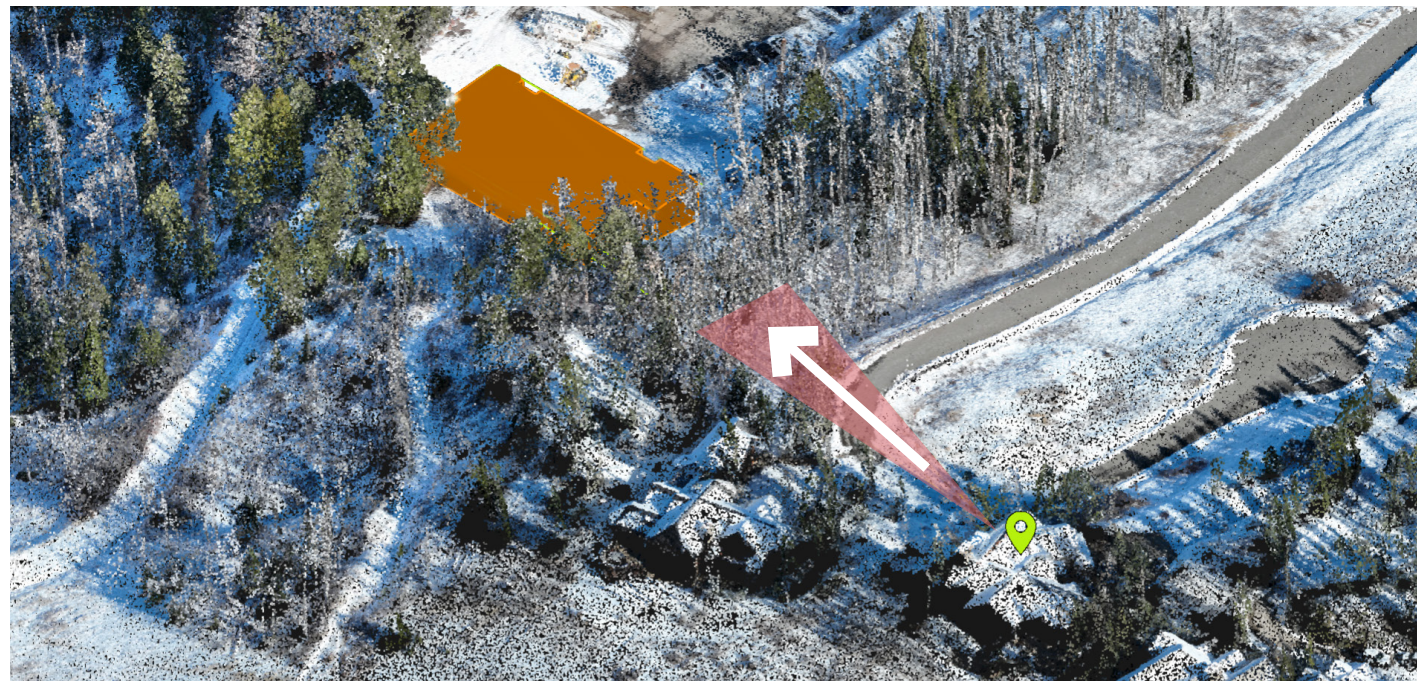
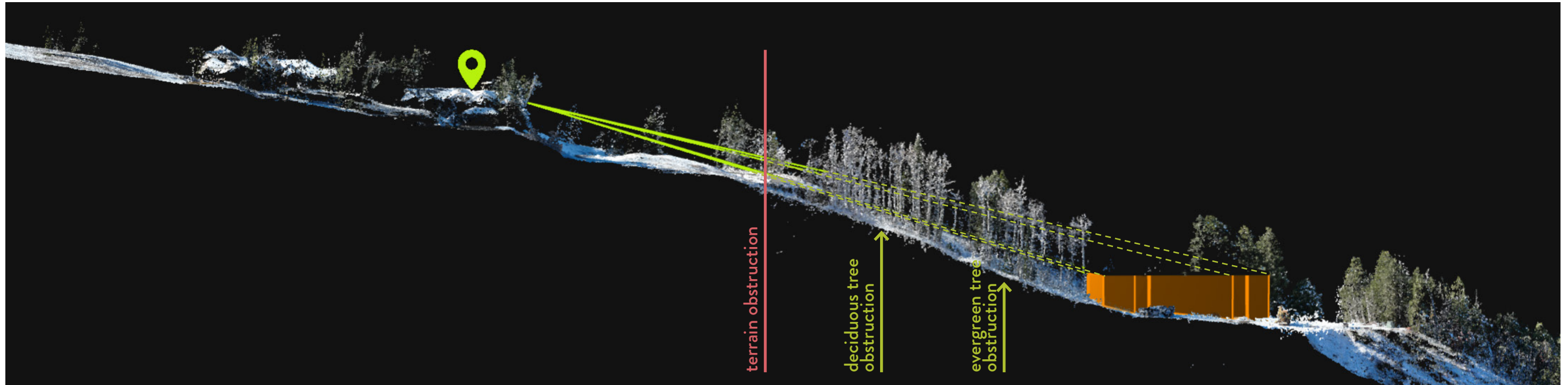
VIEWSHED ANALYSIS



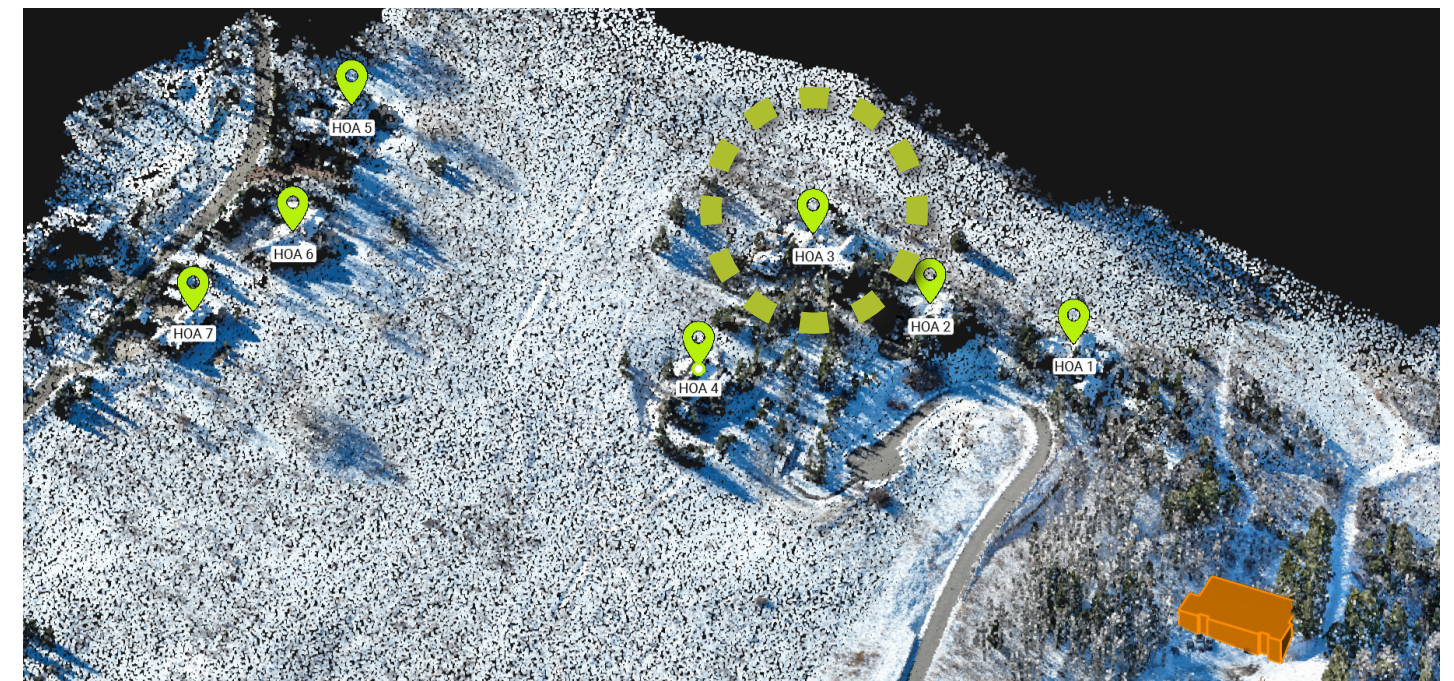
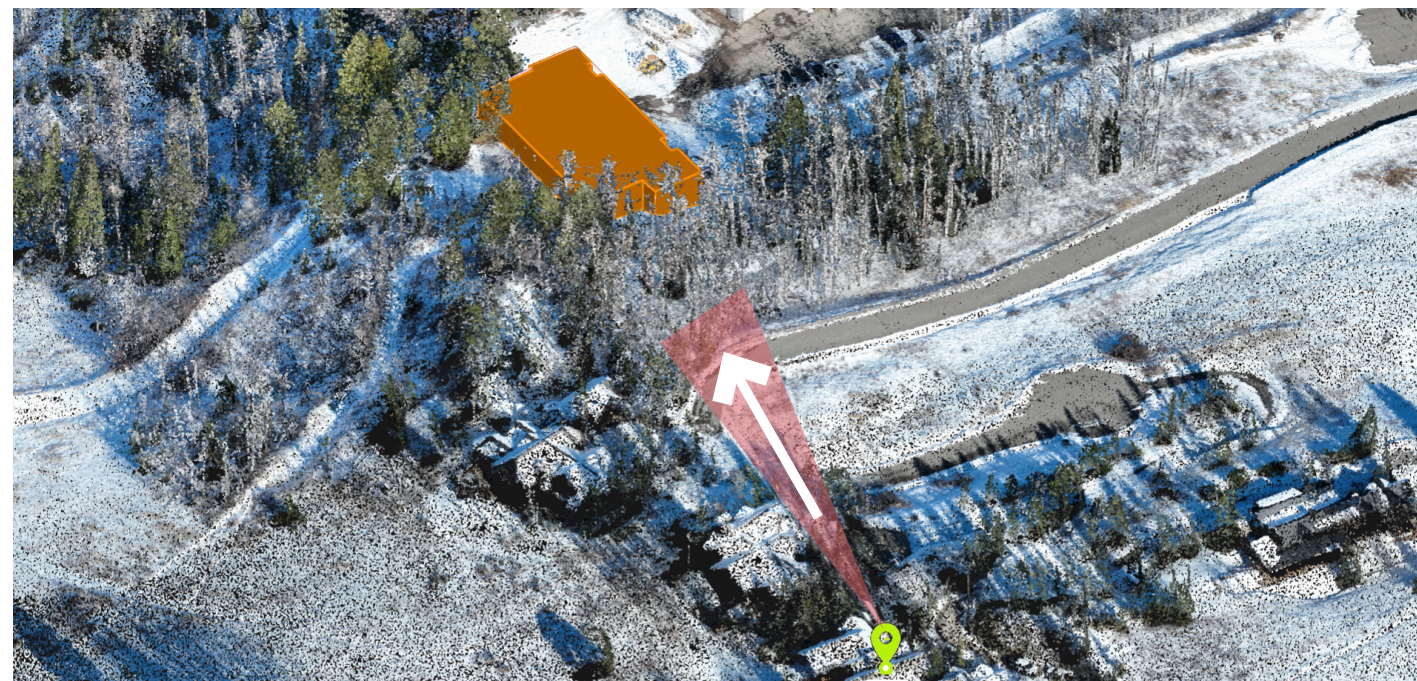
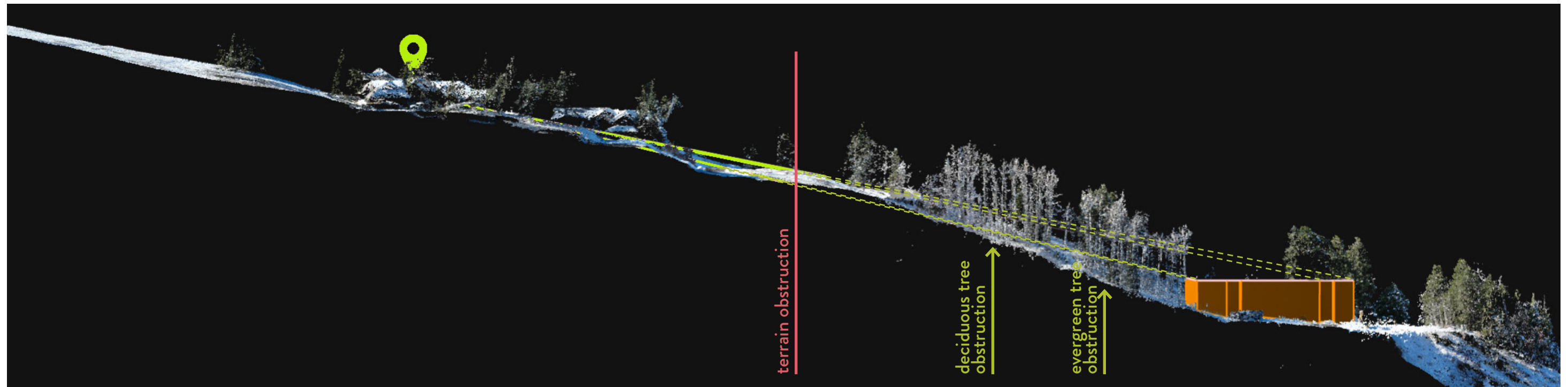
VIEWSHED ANALYSIS - HOA 1



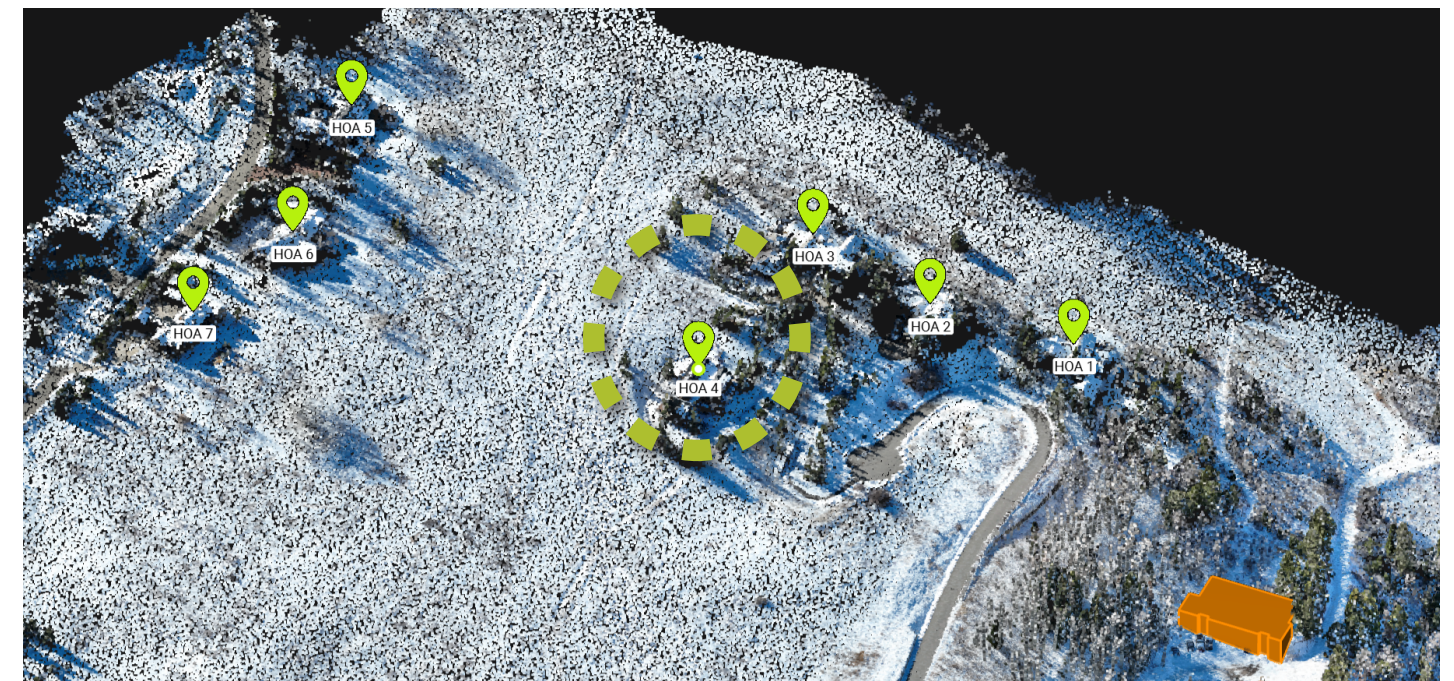
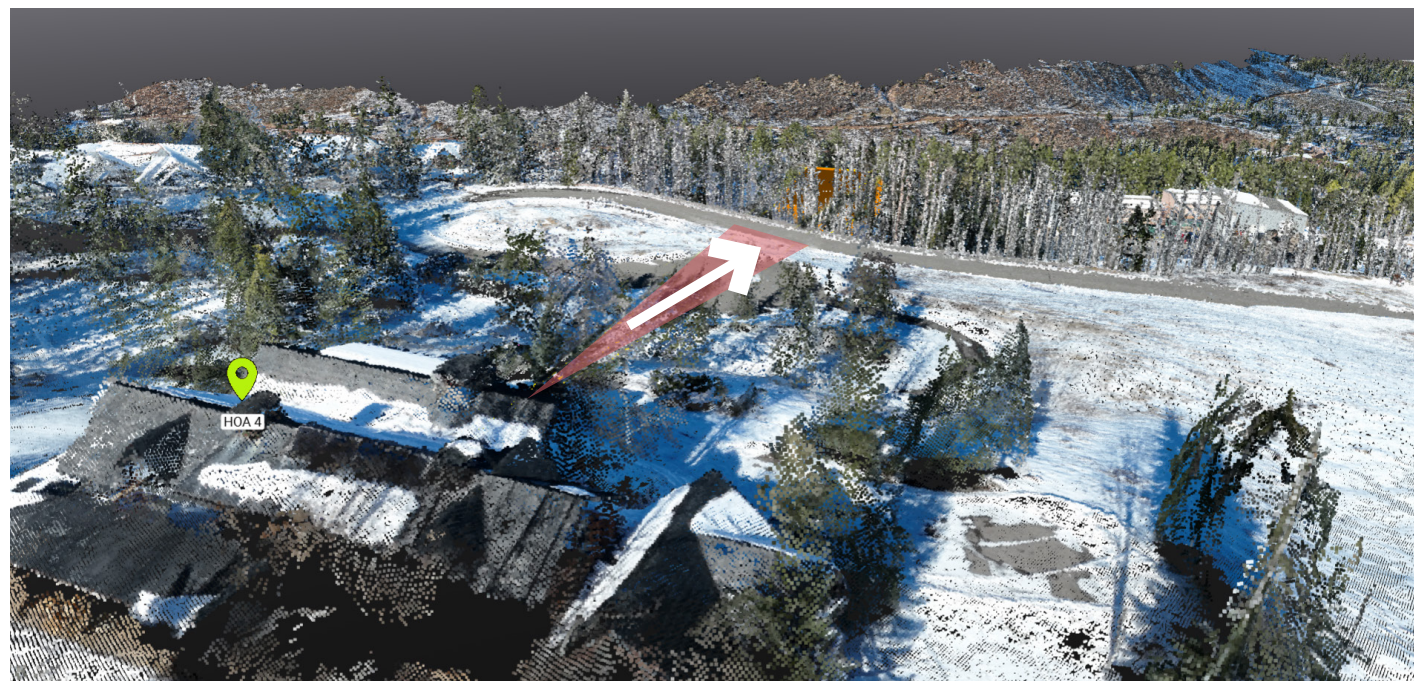
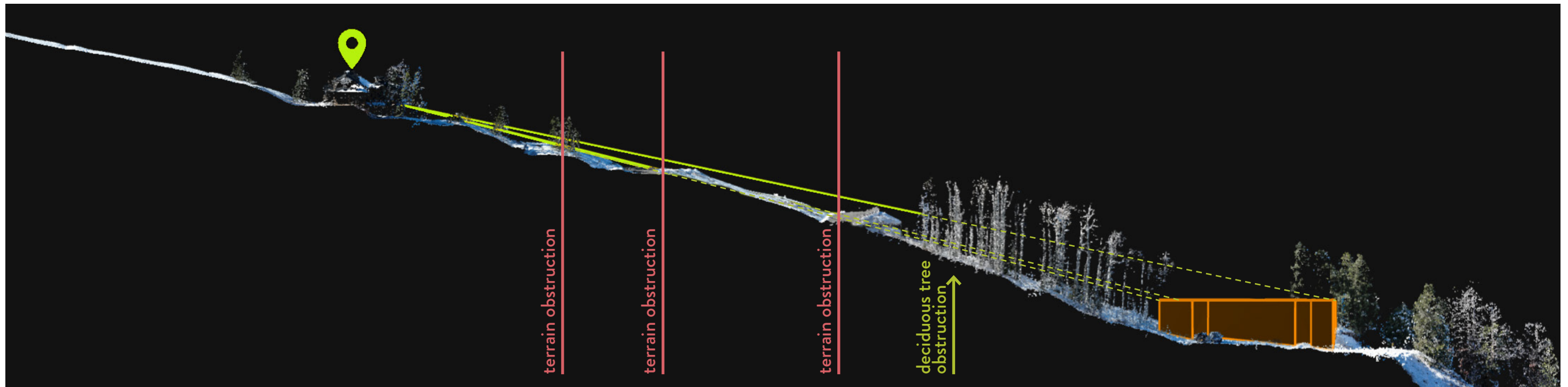
VIEWSHED ANALYSIS - HOA 2



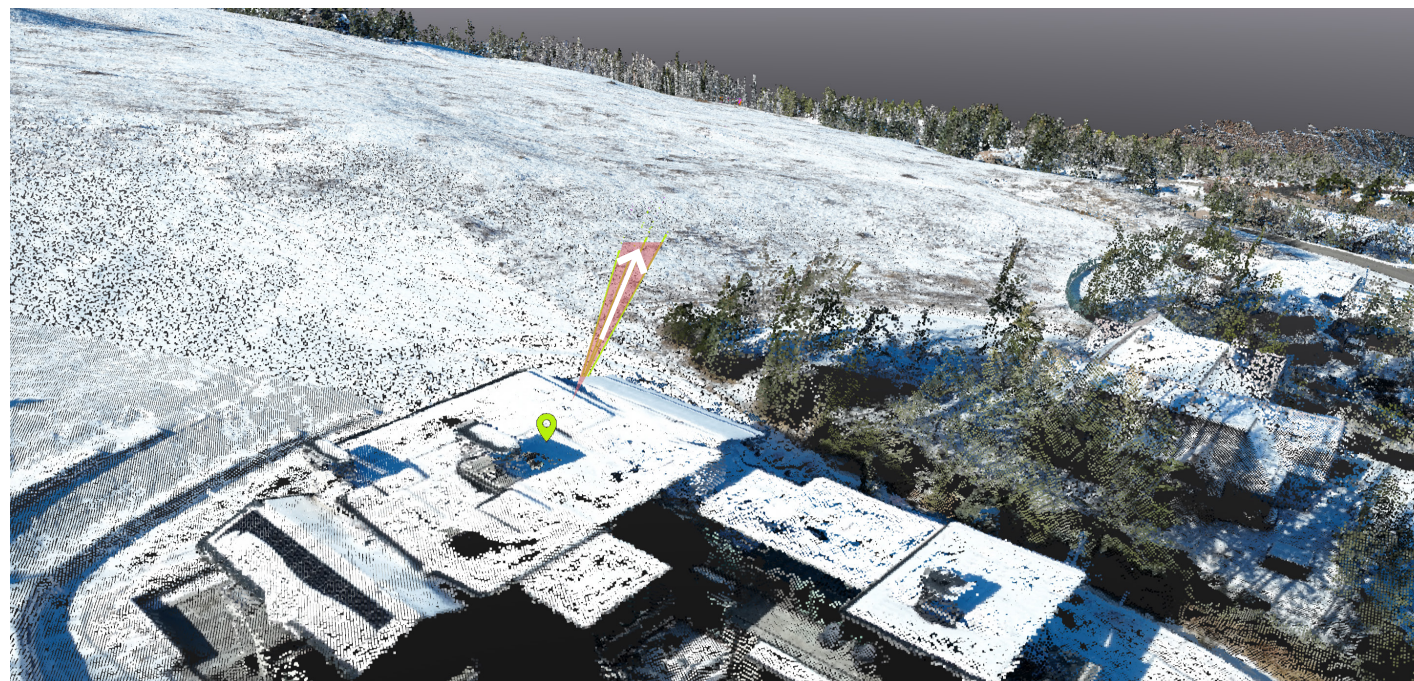
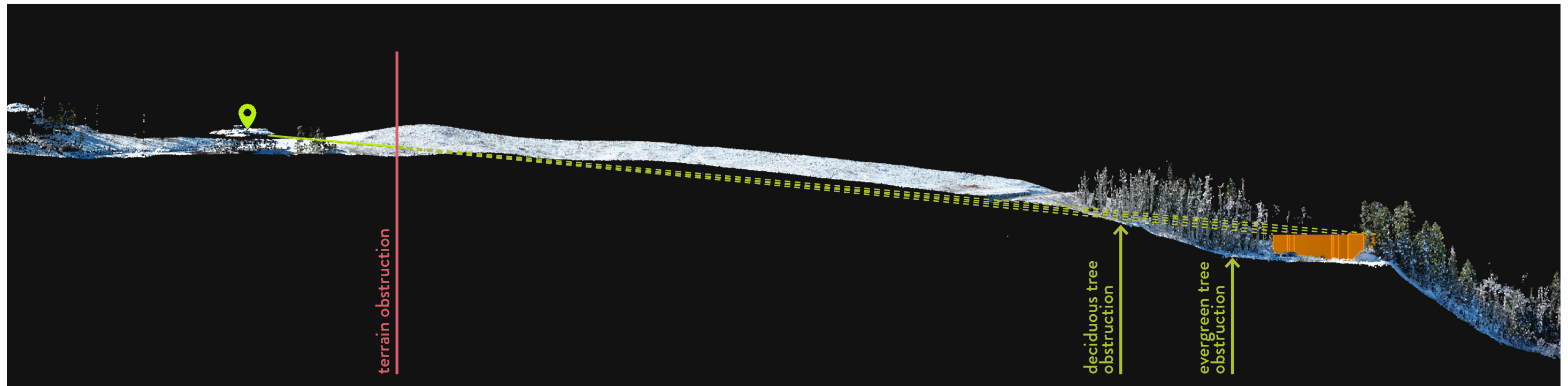
VIEWSHED ANALYSIS - HOA 3



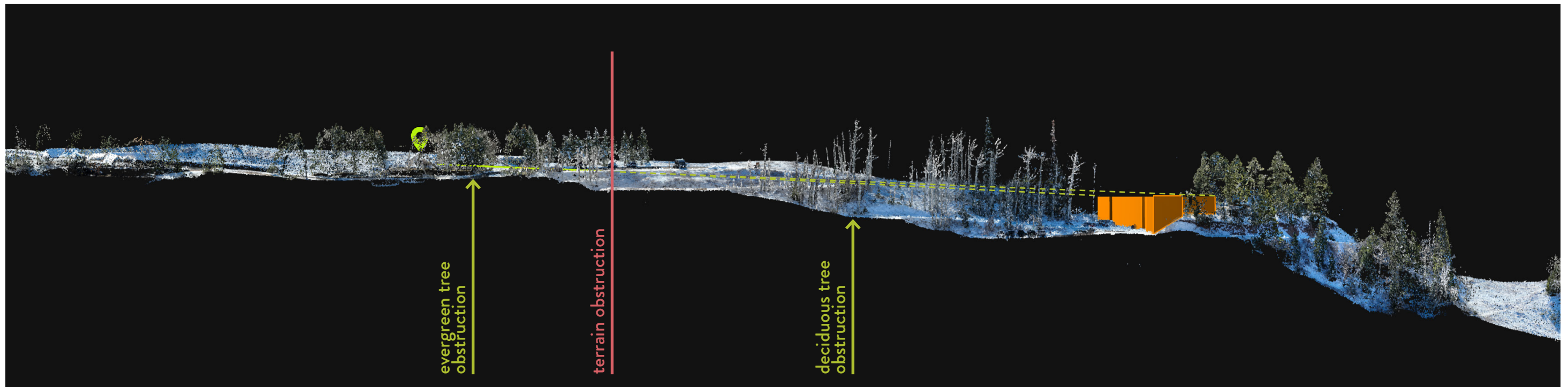
VIEWSHED ANALYSIS - HOA 4



VIEWSHED ANALYSIS - HOA 10



VIEWSHED ANALYSIS - HOA 16



WHAT WE'RE ASKING FOR FROM THE COMMUNITY:

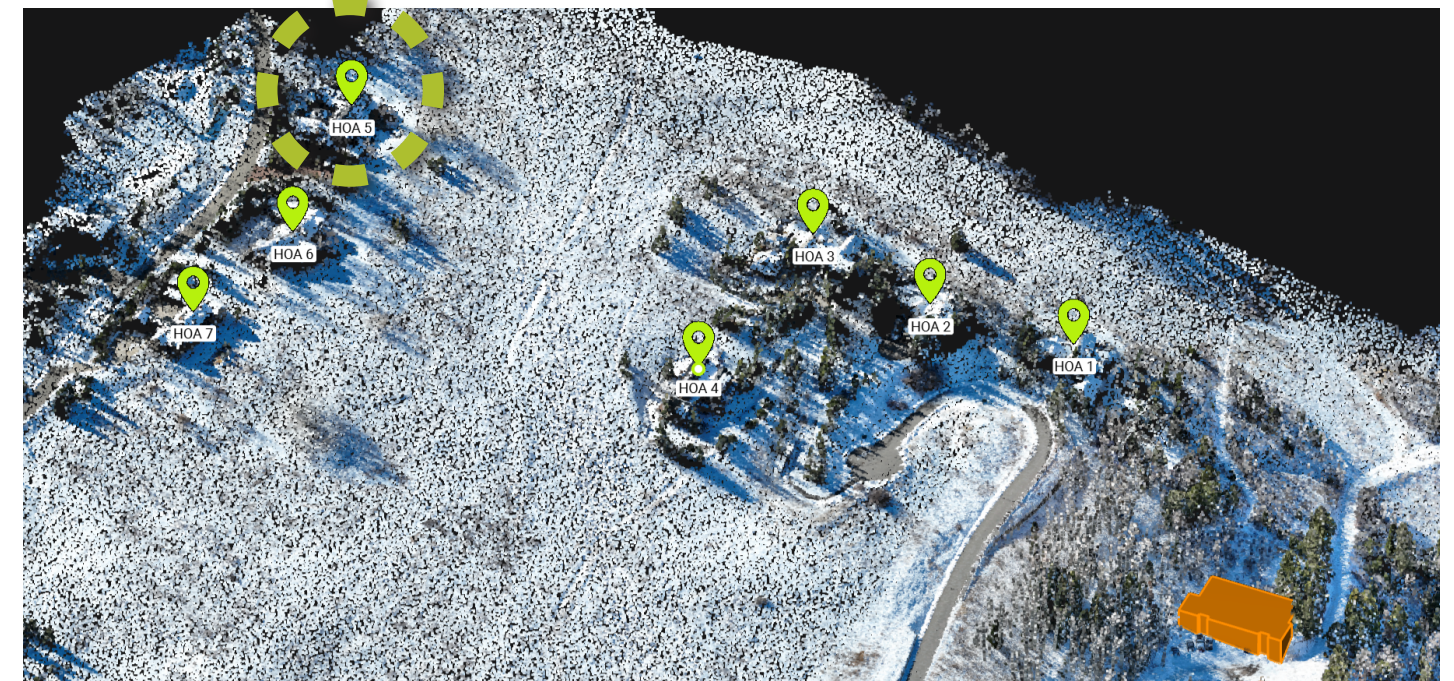
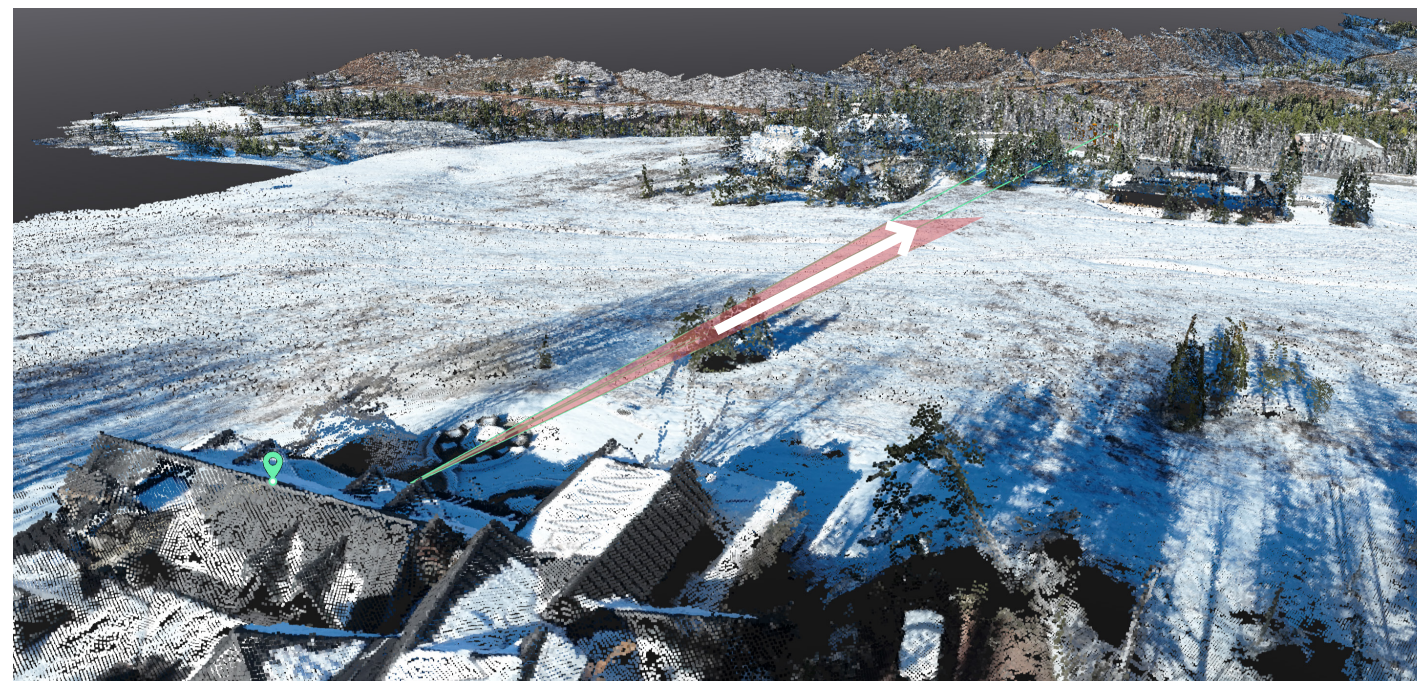
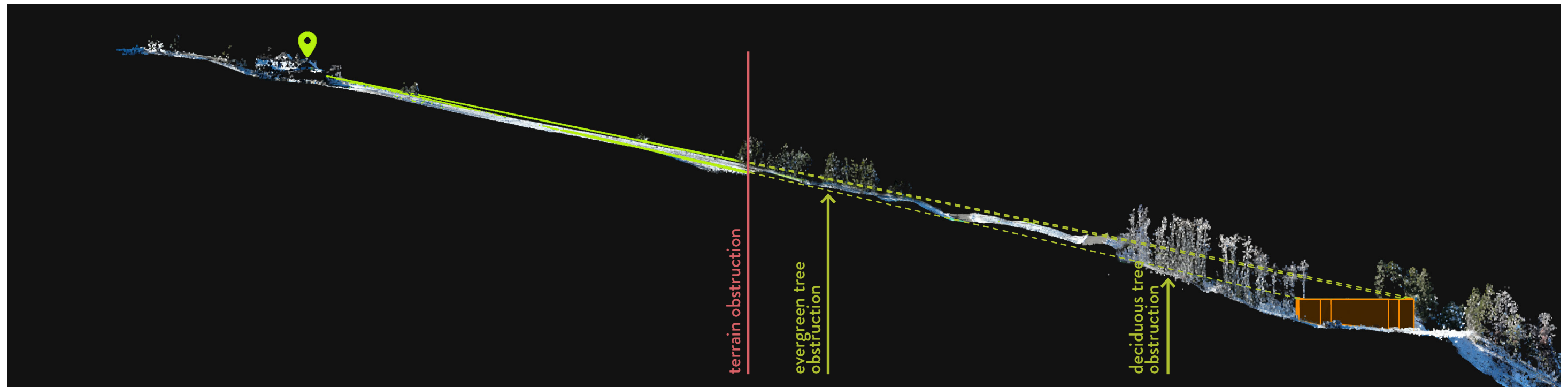


Let's collaborate on meeting the workforce housing goal/crisis!

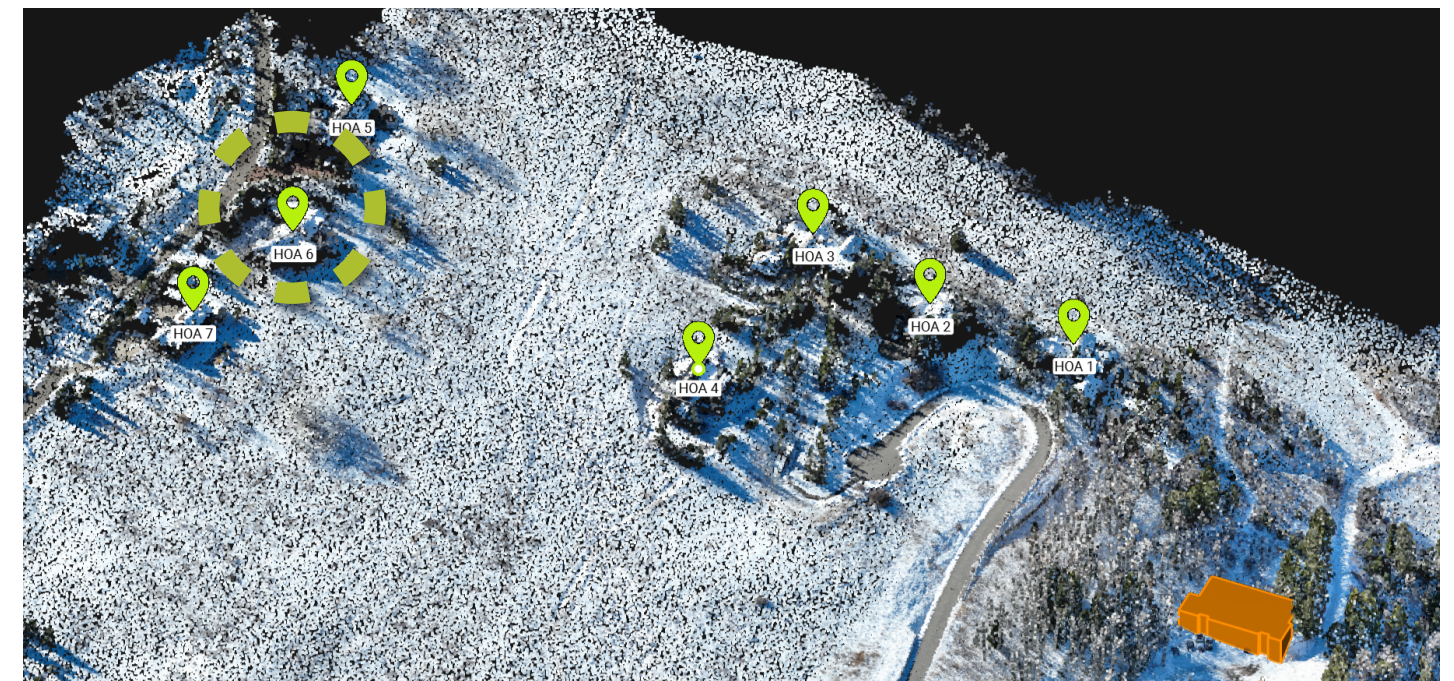
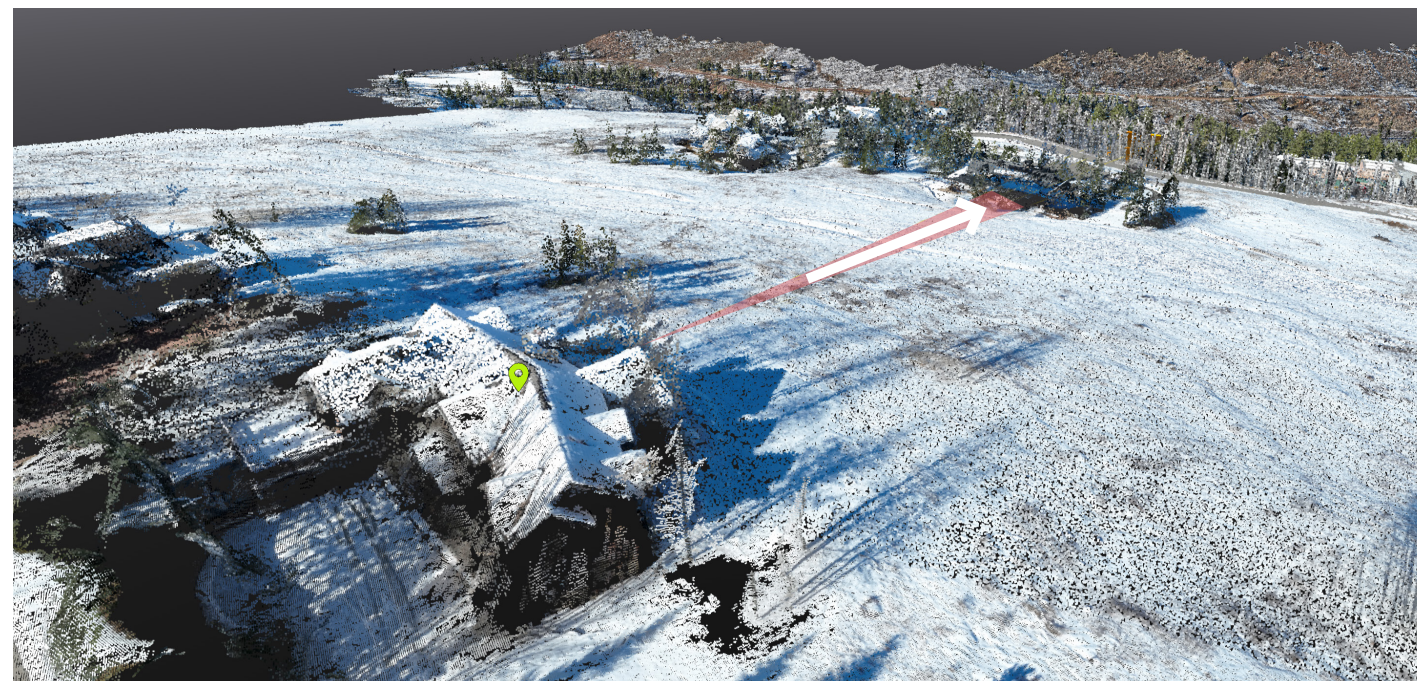
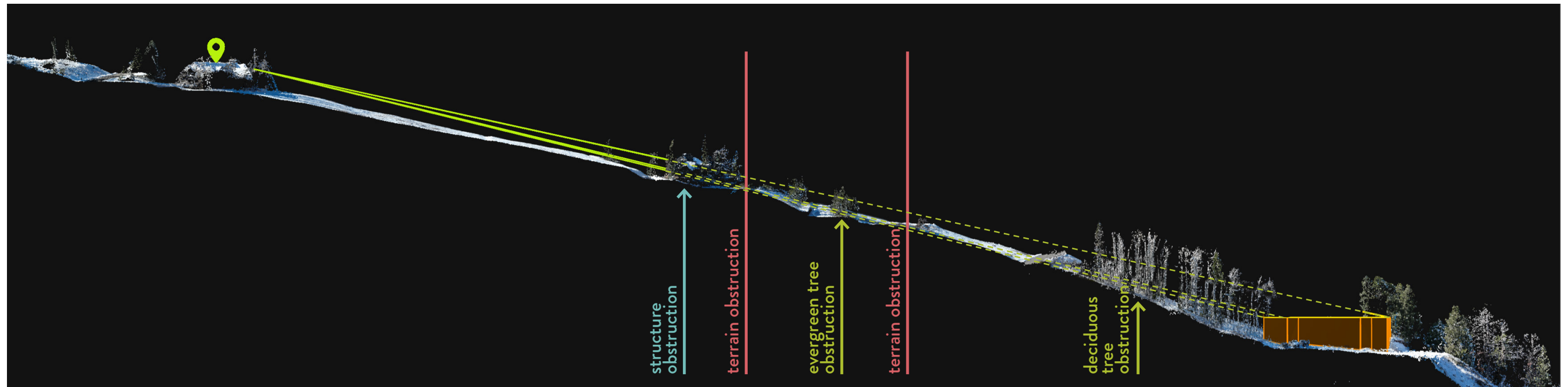
HOW WE'LL GET THERE:

- Increase in allowable employee housing
- Adjust Required Parking Ratio
- Increase in FAR
- Increase in square footage

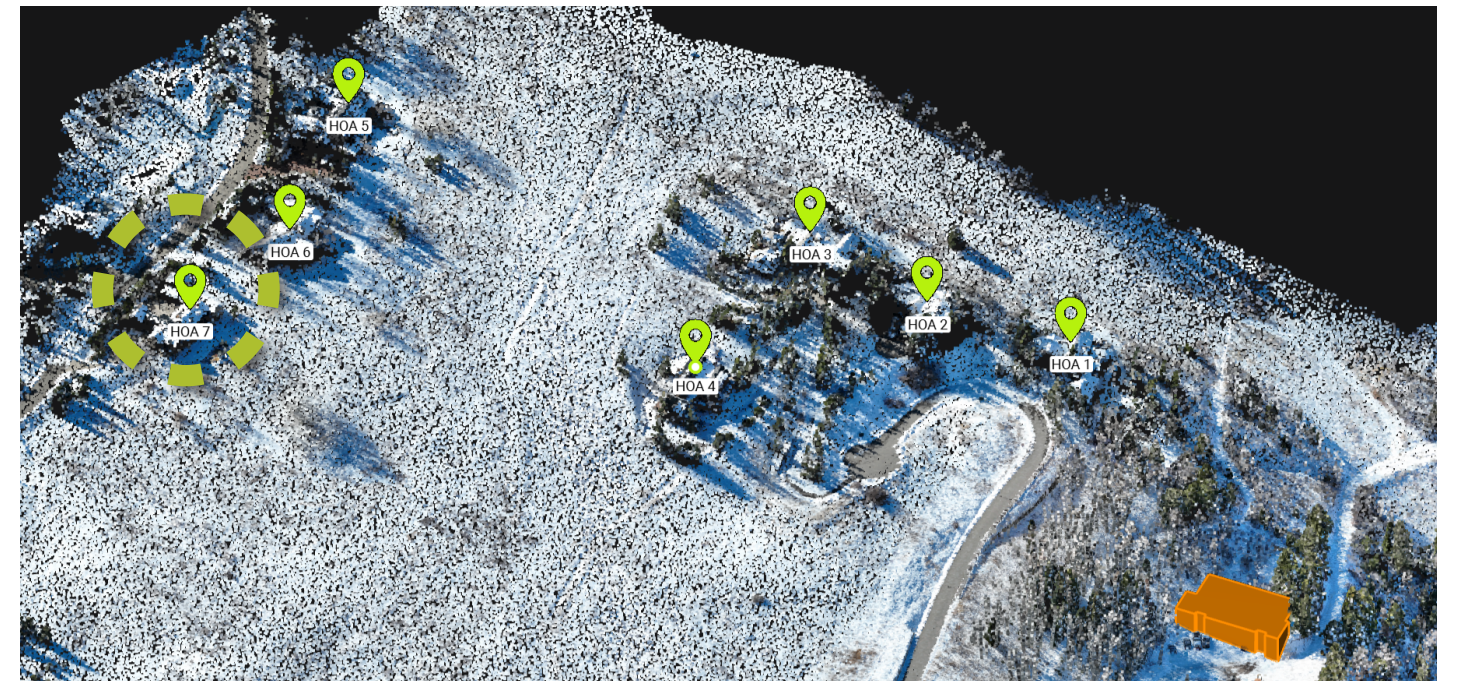
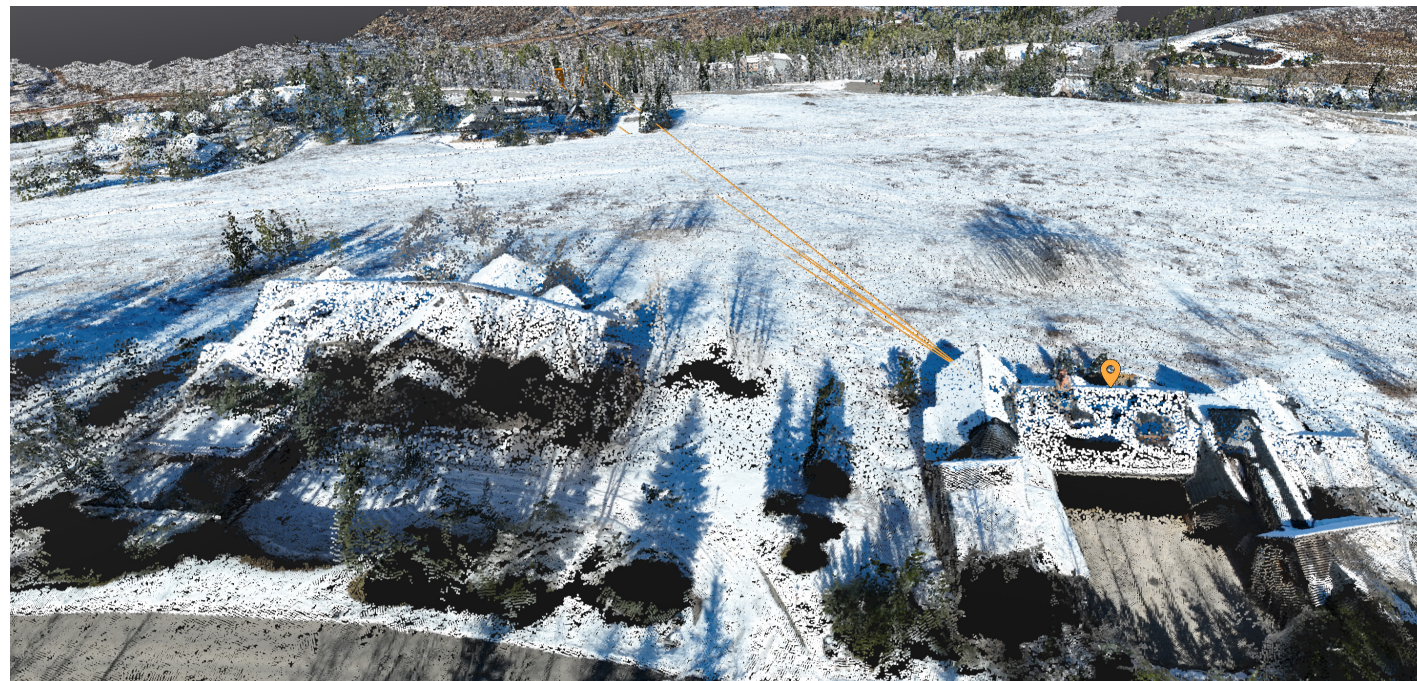
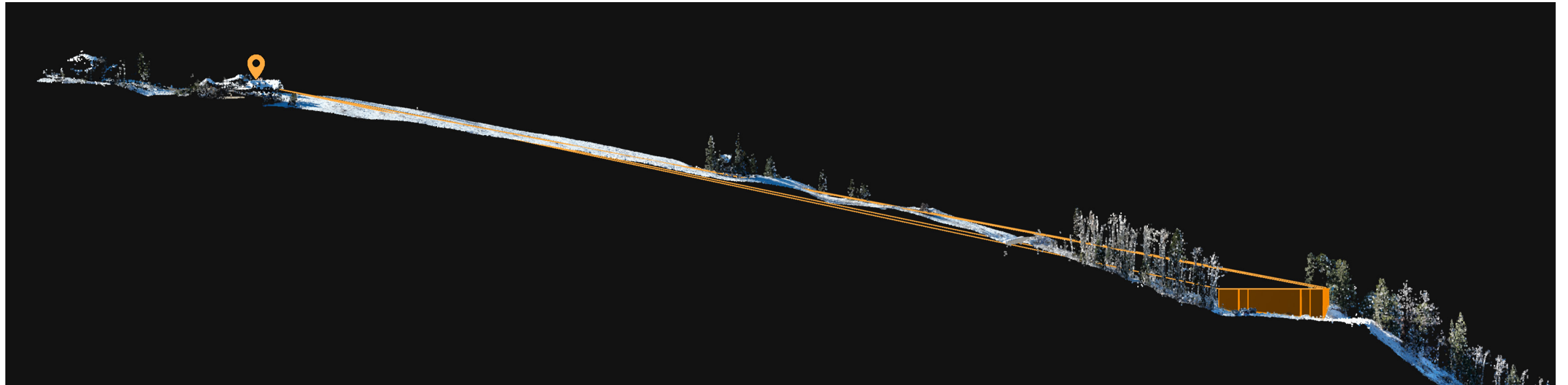
VIEWSHED ANALYSIS - HOA 5



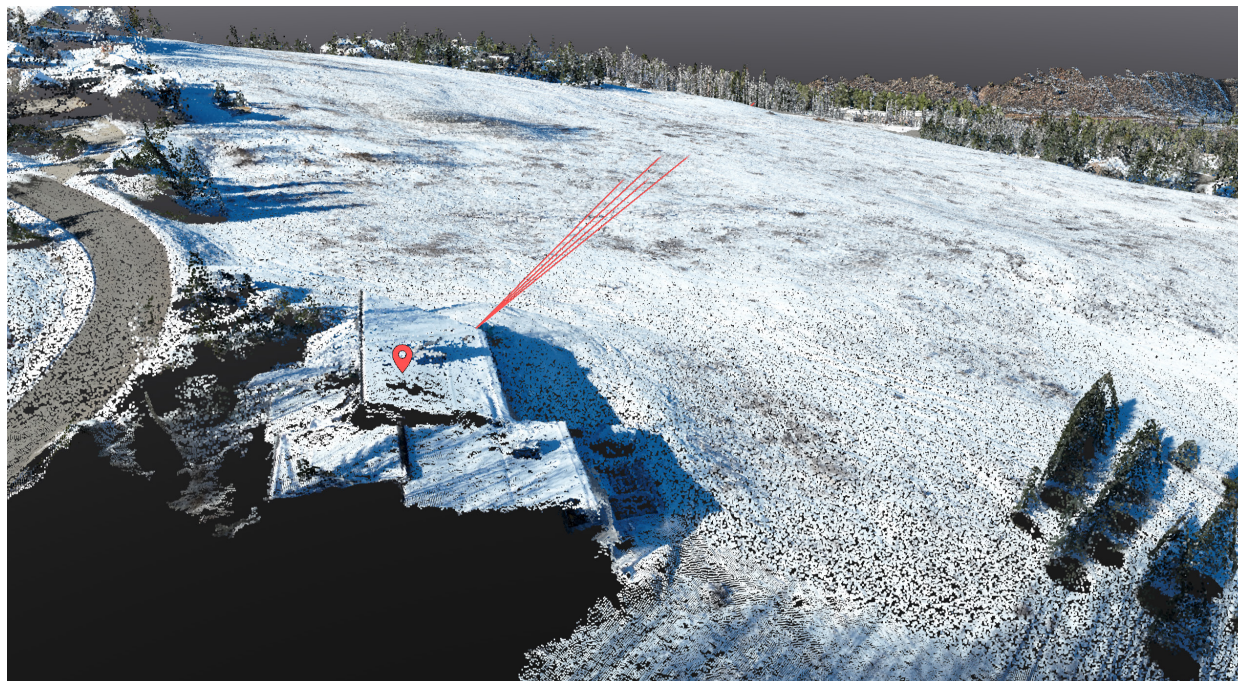
VIEWSHED ANALYSIS - HOA 6



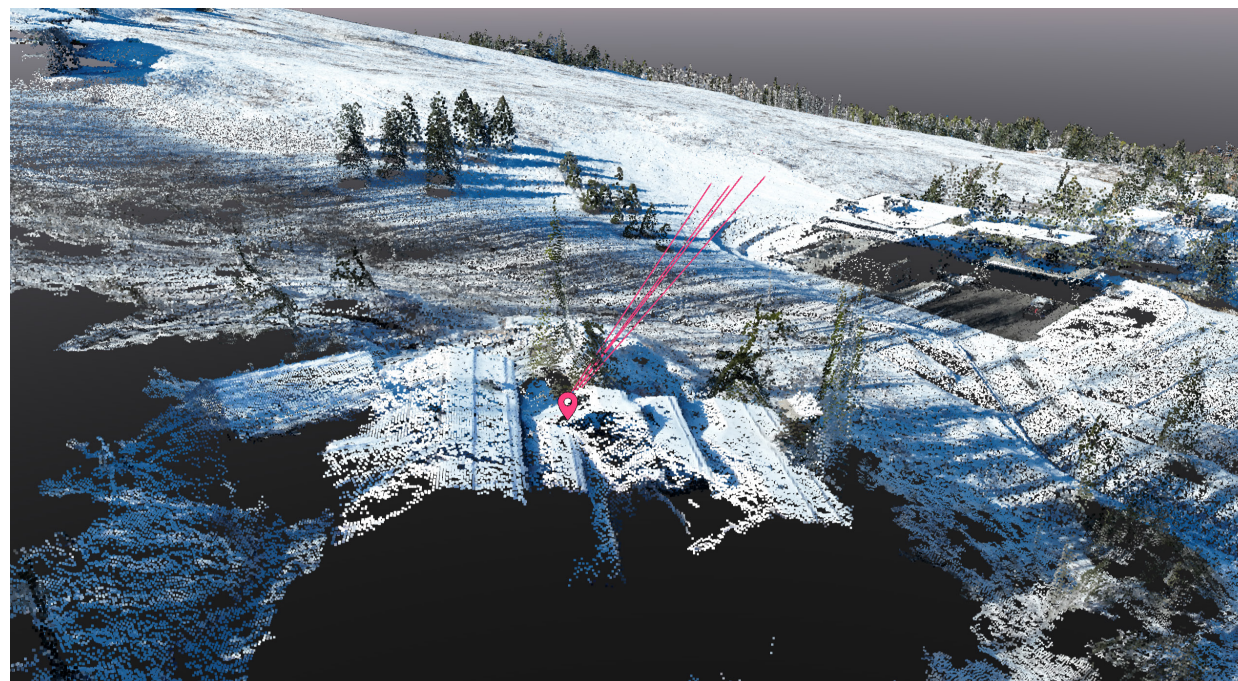
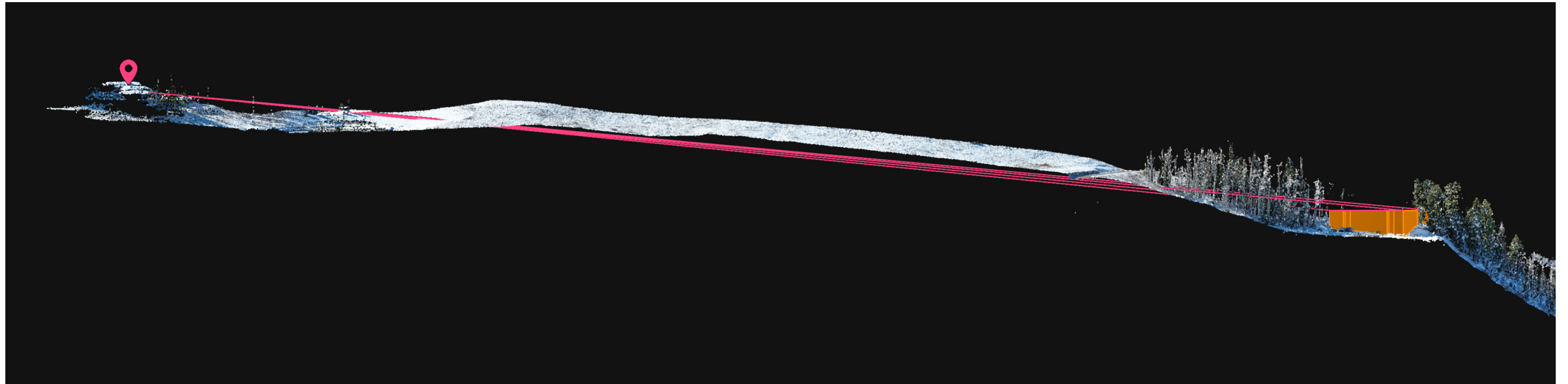
VIEWSHED ANALYSIS - HOA 7



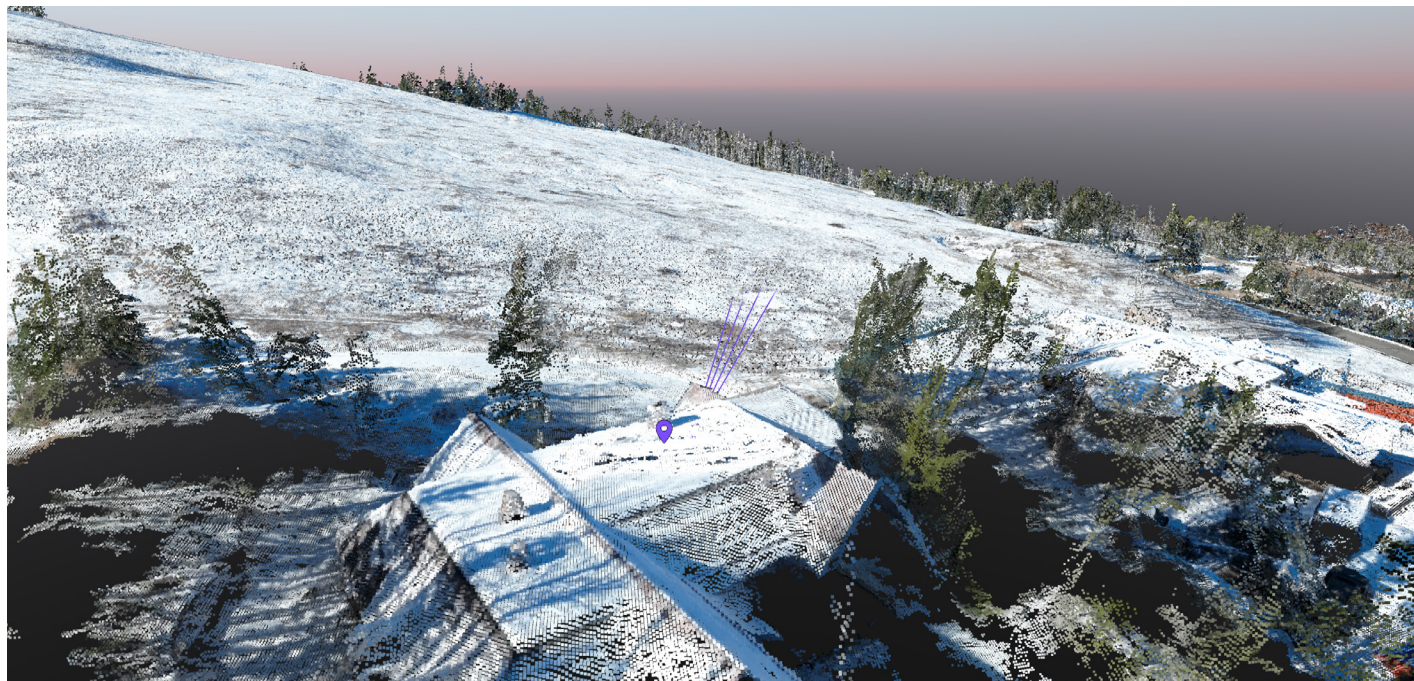
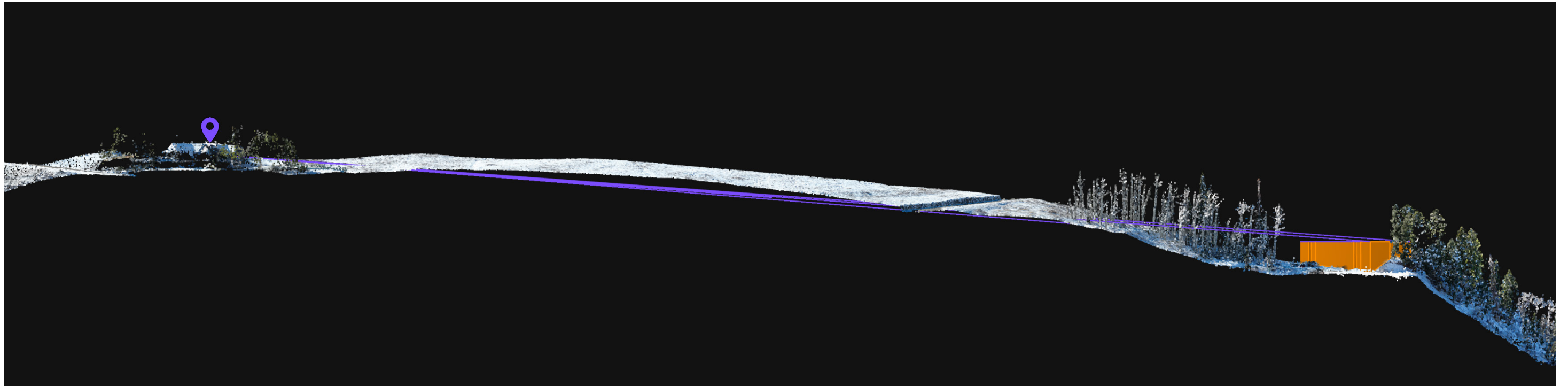
VIEWSHED ANALYSIS - HOA 8



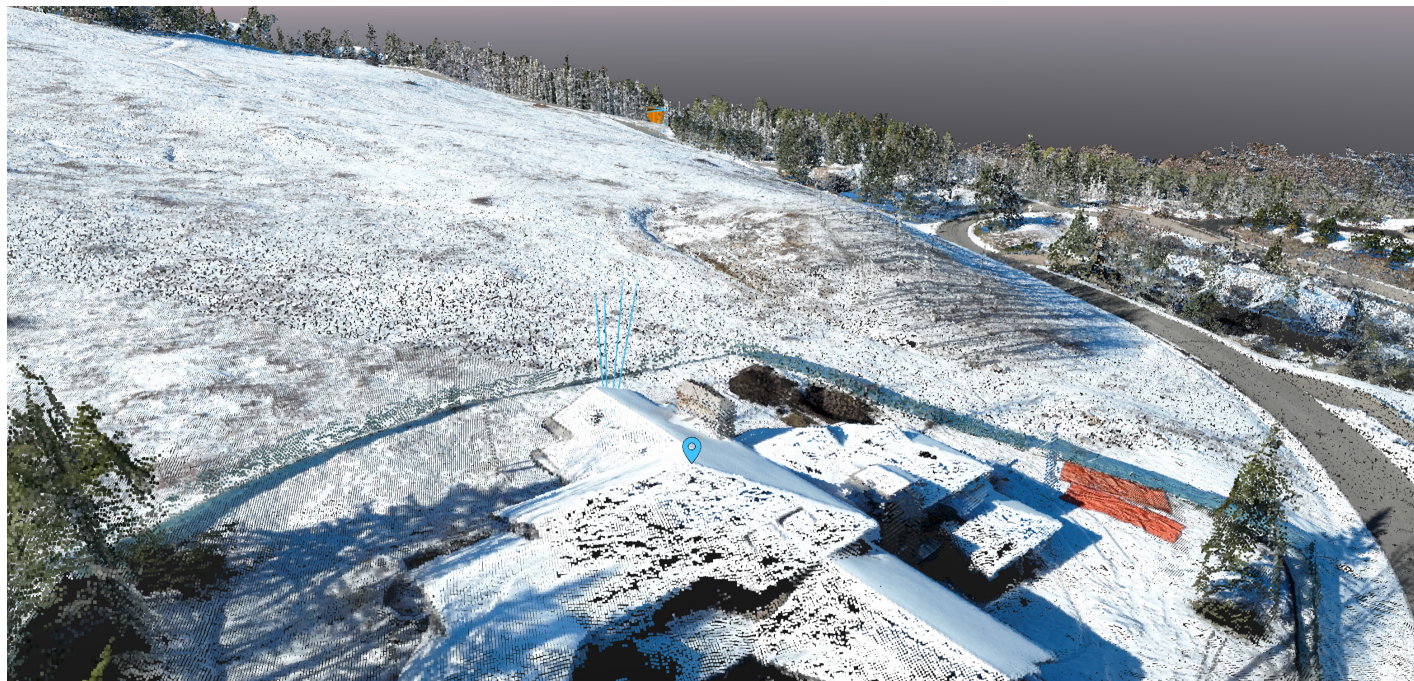
VIEWSHED ANALYSIS - HOA 9



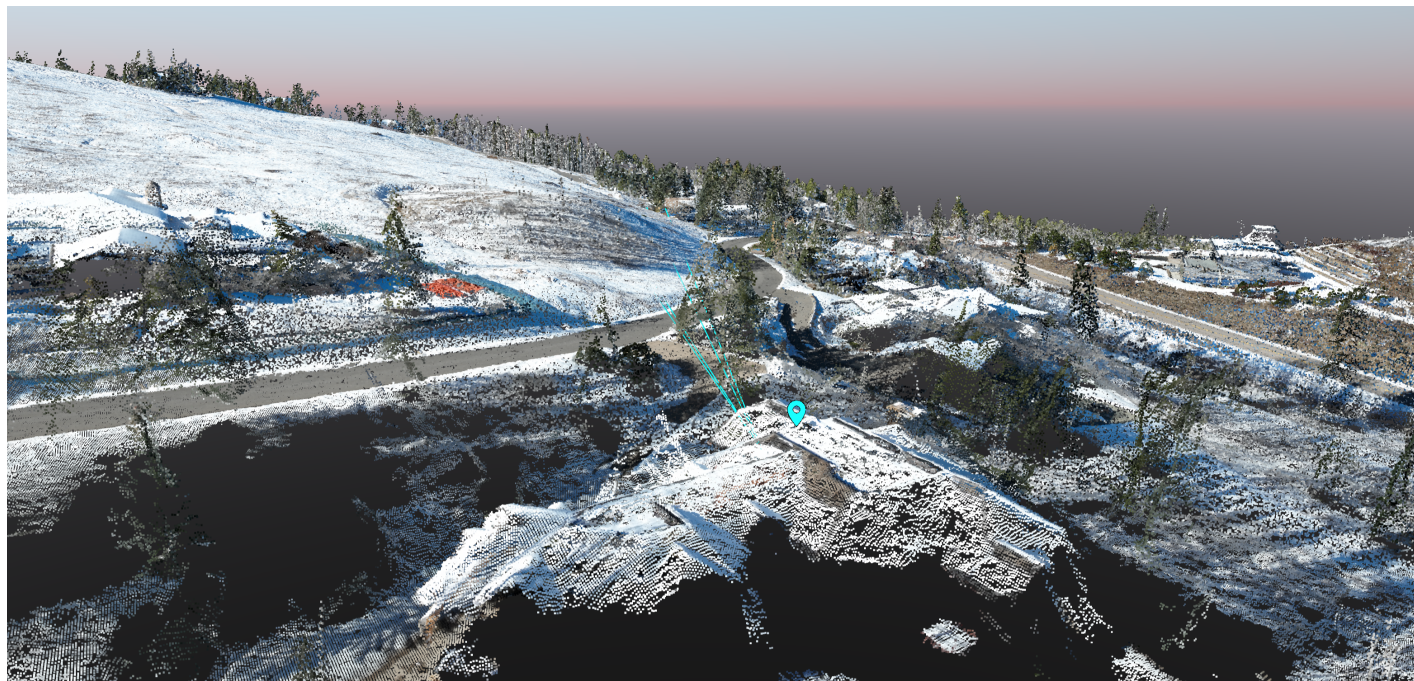
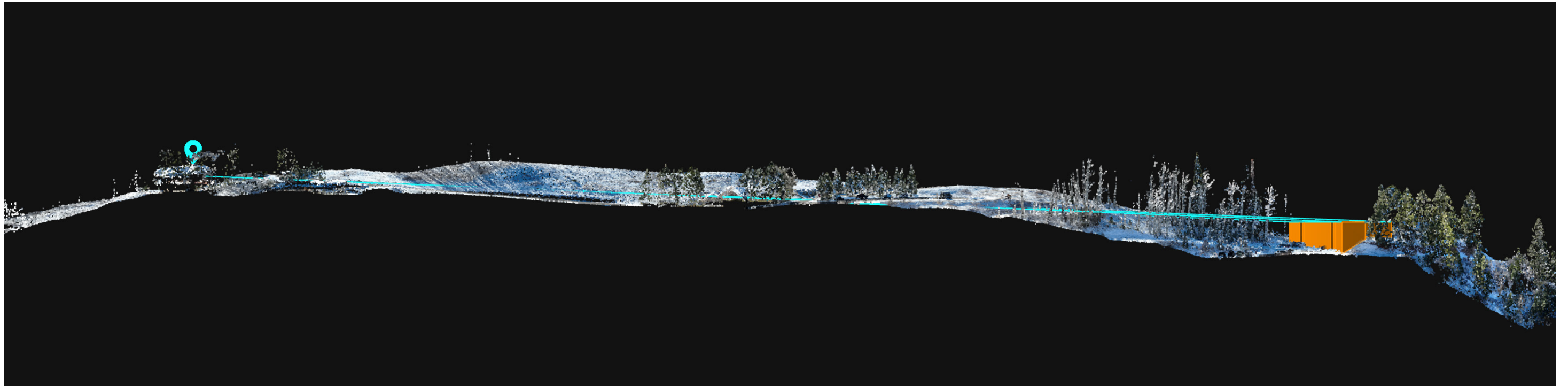
VIEWSHED ANALYSIS - HOA 11



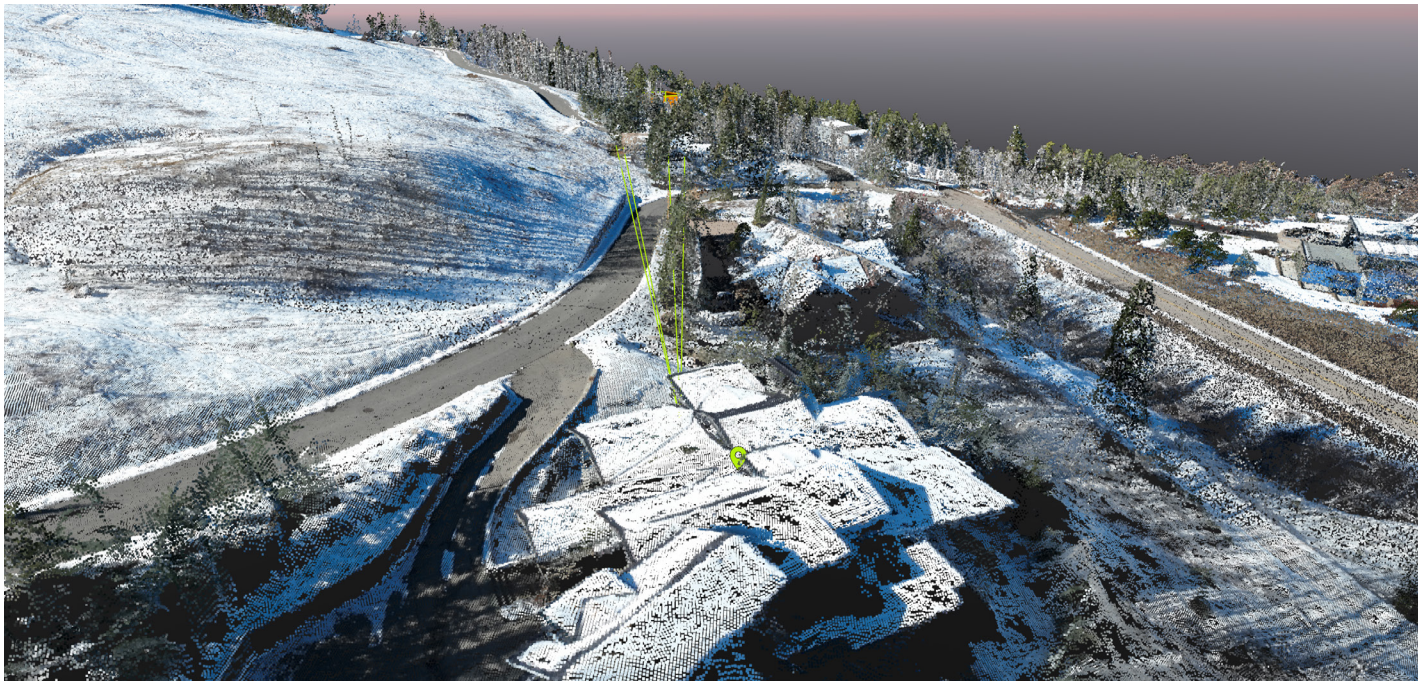
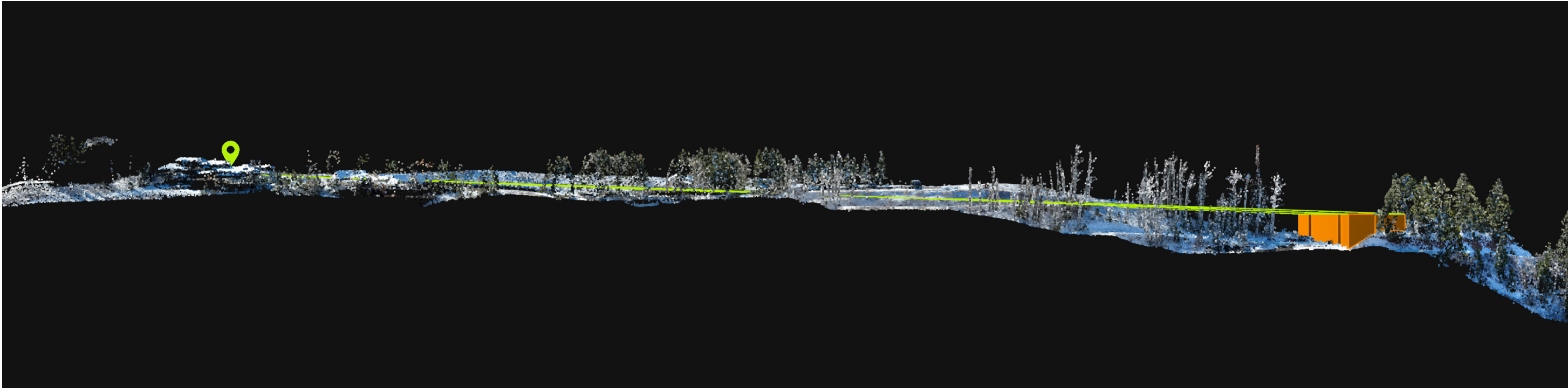
VIEWSHED ANALYSIS - HOA 12



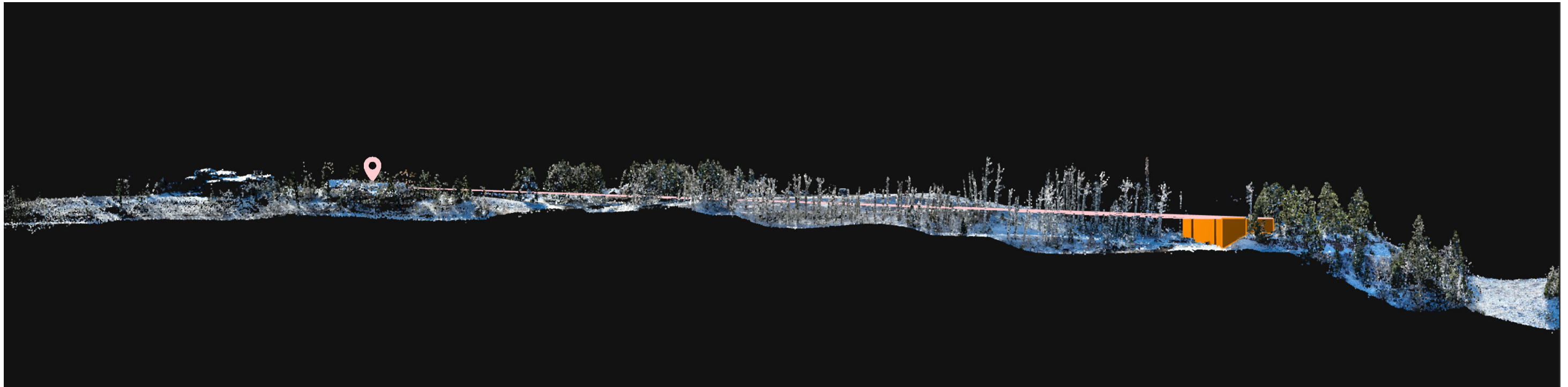
VIEWSHED ANALYSIS - HOA 13



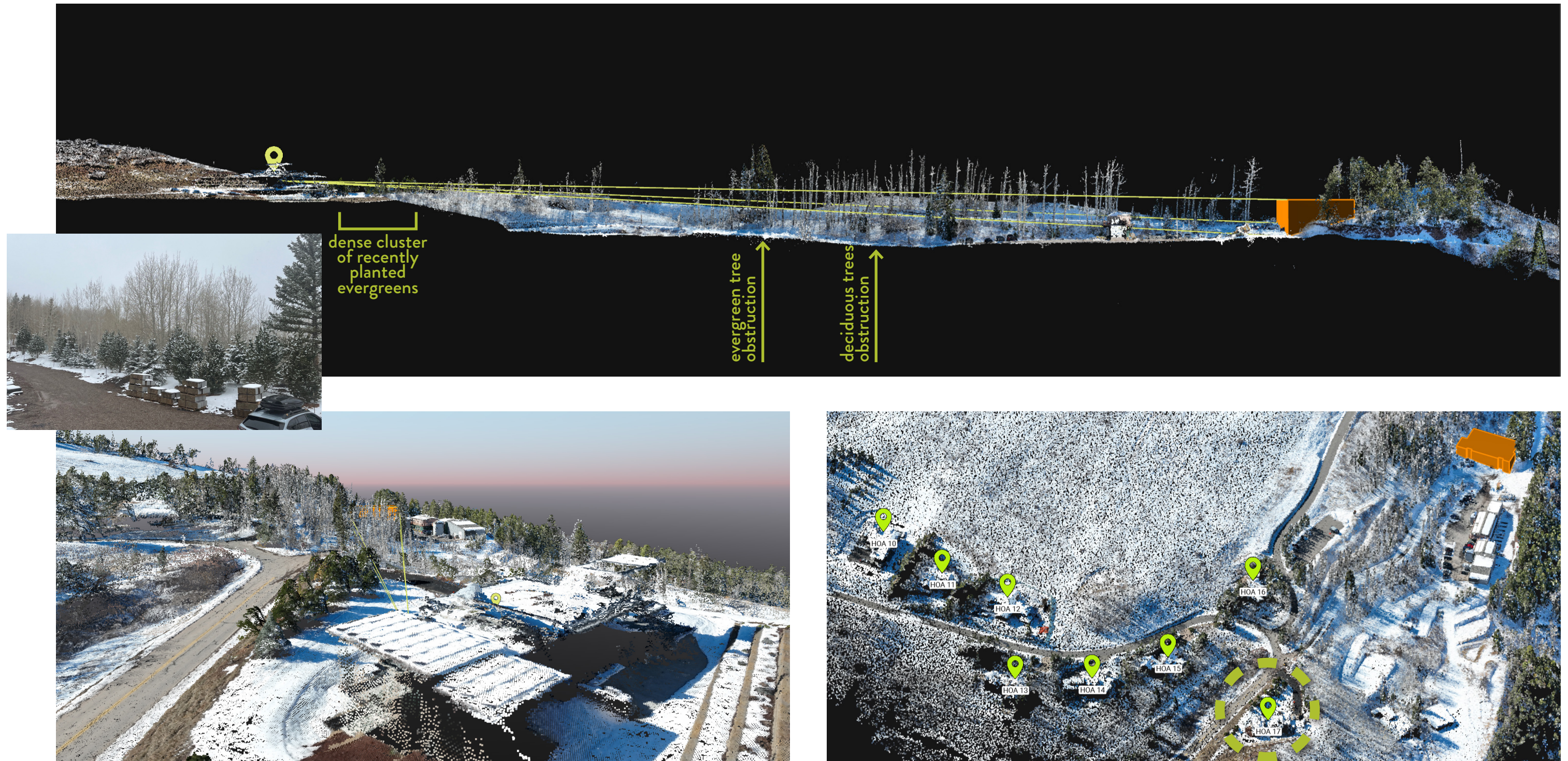
VIEWSHED ANALYSIS - HOA 14



VIEWSHED ANALYSIS - HOA 15



VIEWSHED ANALYSIS - HOA 17



THE SHOP