



Planning Commission
Wednesday, April 23, 2025
4:00 PM
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 FEBRUARY 19, 2025 MEETING MINUTES**
[2.19.25 Meeting Minutes.docx](#)
- 3. ITEMS FOR DISCUSSION**
 - 3.a. ELK CAMP RESTAURANT SPECIAL REVIEW**
[PC Rpt, Adg Summ - Elk Camp deck addition_DRAFT1.pdf](#)
[PC Reso __, 2025 - S.R., Elk Camp Deck Addition.pdf](#)
 - 3.b. COMMUNITY DEVELOPMENT DIRECTOR UPDATES**
- Discuss future meeting schedule
- 4. ADJOURNMENT**

TOWN OF SNOWMASS VILLAGE

PLANNING COMMISSION
MEETING MINUTES

February 19, 2025

Members Present:

Doug Faurer
Jim Gustafson
Stan Clauson
Matt Dube
Jami McMannes
David Seglin

Staff Present:

Dave Shinneman
Jeff Conklin
Ashleigh Huff
Jim Wahlstrom

Members Absent:

Brain Marshack

Others Present: Tom Fridstein, Britta Gustafson

Call to order: The meeting was called to order at 4:00pm and roll was called. Commissioner Marshack was absent.

Item 1: Approval of Meeting Minutes:

The minutes from the January 22, 2025, meeting were presented for approval. Commissioner Clauson motioned to approve, seconded by Commissioner Seglin. All in favor. None opposed.

Item 2: Planning Commissioner Training:

The Planning Commission convened a comprehensive training session, primarily focusing on roles, responsibilities, and procedures for the Planning Commission. Community Development Director Dave Shinneman facilitated the session, with support from Jeff Conkin, Attorney for the Town of Snowmass Village. The meeting welcomed council members Tom Fridstein and Britta Gustafson, as well as staff planner Jim Walstrom.

Commissioners were introduced to the Planning Commission Handbook, which outlines duties of the Commission, staff roles, and applicable review procedures. Topics covered included the Commission's advisory capacity to Town Council, development review processes, criteria for decision-making, and distinctions between sketch, preliminary, and final plan reviews. Emphasis was placed on legal considerations such as ex parte communication and conflicts of interest. Jeff Conkin, The Town Attorney, provided an overview of quasi-judicial

45 processes, due process requirements, open meetings law, and potential personal
46 liability.

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48 Discussion also addressed the evolving scope of sketch plan submissions, pre-
49 application procedures, and inter-commission communication. Commissioners
50 were reminded of the importance of basing decisions on established criteria and
51 maintaining transparency and impartiality. The session concluded with an
52 overview of meeting procedures, public comment protocols, and the collaborative
53 role of staff in supporting the Commission's work.

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56 Item 3: Community Development Director Updates:

- 57 • SHOP Sketch Plan approved
58 • Drawsite is coming to preliminary after we receive the application.
59 • Deerbrook Townhomes final plan is expected soon.
60 • Elk Camp Restaurant- special review

61
62 Motion to adjourn by Commissioner Gustafson, seconded by Commissioner
63 Fauer. All in favor. None opposed.

64
65 The meeting was adjourned at 5:50 p.m.

MEMORANDUM

TO: Town of Snowmass Village Planning Commission

THROUGH: Dave Shinneman, Director
Community Development Department

FROM: Jim Wahlstrom, AICP, Senior Planner –
Community Development Department

DATE: April 23rd, 2025

RE: Resolution No. 2 , Series of 2025, regarding Special Review application by the Aspen Skiing Company proposing a new deck on the Elk Camp Restaurant on Snowmass Mountain.

I. PURPOSE:

Section 16A-5-230 – Special Review (a) ‘*Purpose*,’ of the municipal Land Use Code states: “*There are certain uses which, because of their unusual character and potential impact upon the use and enjoyment of neighboring property, cannot be classified into a particular district or districts without site specific consideration of their impacts upon neighboring lands and upon the public need for the particular use at the particular location. These uses require special review of their location, design, intensity, density, configuration, operating characteristics and impacts on public facilities, and may require the imposition of appropriate conditions to ensure the use will be compatible at a particular location and mitigates its adverse impacts.*”

II. SUMMARY DESCRIPTION OF APPLICATION:

Pursuant to the application materials, the scope of the project consists of an the construction of a deck at the Elk Camp Restaurant on Snowmass Mountain. This will be an above-grade 1,898 square foot deck addition to the restaurant. An elevated steel structure will support the deck on the northeast side of the existing building. The proposed design allows for the deck to either be open air, or for times of inclement weather to be covered with an umbrella system similar to what was installed at ‘The Cabin.’ The application materials may be found via this Town website link: <https://portal.laserfiche.com/Portal/Browse.aspx?id=224612&repo=r-b27e3aff>

III. SUMMARY OF PRIOR APPROVALS:

In Ordinance No. 1, Series of 2011, it states “*the 14,936 SF of on-mtn commercial (restaurant) space*” at the Elk Camp Restaurant, “*the balance between that figure and the total FAR SF of 17,480 SF is attributable to skier service (on-mtn non-commercial) space, specifically the lower-level bathrooms and children’s dining room that was viewed as more in support of the skiing operations than the restaurant operations.*”

Other development parameters or standards in the updated 2024 PUD Guide state:

Activities and Uses allowed, subject to review and approval of a Minor PUD Amendment:

1. Expansions of any individual building on the mountain other than restaurants and lift top and bottom drive terminals by more than 10% or 2,000 square feet, whichever is less.
2. New shelters or restaurant facilities or expansion thereof not identified on the current MDP submission within the Elk Camp Meadows, Alpine Springs, Up for Pizza, Ullrhof, Spider Sabich, and Sam's Knob areas, which shall also be subject to Special Review.

Pursuant to the latest 2024 Snowmass Mountain PUD Guide, it was interpreted the proposed 1,898 square foot deck addition request (*since under the PUD Guide's threshold of 10% or 2,000 square feet, whichever is less*), could be processed via a Special Review application.

The Elk Camp Gondola and Restaurant may also operate several evenings/month from 5:00 to 9:00 PM. This has essentially been granted already by Town Council Resolution No. 4, Series of 2011, with conditions, and past Ordinance No. 2, Series of 2005 regarding the operational parameters of restaurant and outdoor events. Town staff has re-incorporated relative draft conditions in the attached resolution regarding the operations of the proposed deck addition with the facility and the mitigation of impacts to wildlife, trash refuse, musical performances and timeframe thereof, as well as orientation of speakers as outlined in Resolution 4, 2011.

Pursuant to a 2022 Master Development Plan, approved by the National Forest Service, a 2,500 square foot and at-grade surface deck was allowed and subsequently approved by a Town Administrative Modification Notice of Decision in 2022 as illustrated in the aerial map below. Town staff recommend this decision be repealed if the above-grade deck is approved on the upper-level northeast side of the restaurant.



APPLICABLE ZONING: Snowmass Mountain is zoned 'Recreation' with a controlling PUD and PUD Guide pursuant to Ordinance No. 2, Series of 2005, as amended by Ordinance No. 1, Series of 2011 (mainly regarding PUD Guide development parameter and definition

modifications involving the size and operations of the restaurant at the time), and Town Council Resolution No. 4, Series of 2011, for the Special Review of the Elk Camp Restaurant.

PREVIOUS ACTIONS: According to the latest 2024 PUD Guide for Snowmass Mountain, there is a schedule of uses allowed all year on Snowmass Mountain. However, Town Council Resolution No. 4, Series of 2011, approved the Special Reviews for the Elk Camp Restaurant with a night lighting plan for nighttime operations until 12:00 midnight at Elk Camp Meadows that also includes the gondola operation, subject to the following conditions:

- In order to comply with the prior Colorado Division of Wildlife (CDOW) recommendations, the Applicant shall address or implement the following standards, among other conditions, during the operations of the proposed deck addition at the restaurant facility:
 - If musical performances are conducted outdoors, speakers for amplified music shall be located, directed and projected away from the Burnt Mountain area);
 - After 10:00 p.m. up to 12:00 Midnight, musical performances together with usage of speakers for amplified music shall only be conducted inside the Elk Camp Restaurant building; Outdoor musical performances after 10:00 p.m. on the Elk Camp Restaurant site shall be prohibited; and
 - Special events that do not fall under the current Final PUD Guide provisions could be applied for through the Municipal Code's Temporary Use Permit provisions.

TOWN STAFF: With the proposed deck addition at the Elk Camp Restaurant, the above noted conditions should be referenced or carried forward with the Planning Commission's action on this proposal.

PUBLIC NOTICE: A public hearing notice will be required for the subsequent Town Council review pursuant to the TOSV municipal code procedures for Special Review applications.

STAFF ANALYSIS / DISCUSSION OF COMPLIANCE WITH LAND USE CODE:

Section 16A-5-230, Special Review: The proposed Special Review application is subject to the following Code procedures:

In accordance with Subsection (4), "Action by decision-making body," it states:

"The following procedure shall apply to an application for special review if, due to its scale or potential impacts upon surrounding properties 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 and Town Council for final determination.

- a. *Staff review. Staff review of the application shall be accomplished, as specified in Section 16A-5-50, Staff Review of Application.*
- b. *Planning Commission review. A complete copy of the application shall be forwarded to the Planning Commission, together with a copy of the staff review. The Planning Commission shall review the application, considering the relevant materials and testimony and the standards in Subsection (e), Review Standards, and shall make its recommendations to the Town Council.*

Subsection (5) 'Action by Town Council.' "A complete copy of the application shall be forwarded to the Town Council, together with a copy of the staff review. Public notice that the Town Council will consider the application shall be given by publication, posting

and mailing of notice, pursuant to Section 16A-5-60(b), Manner and Timing of Notice. The Town Council shall hold a public hearing to consider the application, which shall be conducted pursuant to Section 16A-5-70(2), Conduct of Public Hearing. The Town Council shall consider all relevant materials and testimony, shall consider the standards of Subsection (e), Review Standards, and shall approve, approve with conditions or deny the application.”

Section 16A-5-230(e), ‘Review Standards’ for Special Reviews: The proposed Special Review application is subject to the following Code review standards:

1. *Consistency with the Comprehensive Plan.*

TOWN STAFF:

As part of the Aspiration Statement in the 2018 Comprehensive Plan, as amended in 2022, “Snowmass Village is to 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. All this is done amidst our unique, natural splendor...as part of a memorable Aspen/Snowmass experience. Further, we wish to be seen by others as welcoming, dynamic, convenient, and successful.”

Regarding the Guiding Principles of the Comprehensive Plan, the following seems to apply: *“Make the Snowmass Village economy sustainable and resilient, while providing opportunities for a variety of new and innovative businesses and endeavors, and continue to support existing and locally-owned businesses. Together, investments in economic development should provide a variety of shopping, dining, cultural, recreational, housing, lodging and working opportunities for residents and visitors alike.”*

The Community Development Department supports the Special Review request, with the recommended conditions, as it is germane to goals of maintaining Snowmass as a world class tourist destination with varied and exceptional experiences to be offered.

Some of the policies in the current 2018 Comprehensive Plan as amended in 2022 that relate to the proposal include:

- Discourage development in critical wildlife habitat areas
 - Continue to enforce the sensitive wildlife habitat area and town regulations.
 - Require new development to incorporate mitigation measures deemed appropriate by the Town and ecologically sound design principles that protect wildlife and wildlife habitat in Snowmass Village
 - Examine each development proposal for inclusion of public art or other appropriate architectural design, landscaping...within a thoughtful site design during the development review of all new projects.
 - Maintain an appropriate housing mitigation standard for new construction in the Village.
2. *Compliance with the Development Code, including the zone district standards and the development evaluation standards.*

TOWN STAFF: Former actions and allowed uses are explained in the ‘Previous Action’ section of this report. It was found that some of the proposed outdoor or evening activities and the hours of operation were already allowed under the current zoning or PUD Guide, excepting the proposed night lighting in 2011. As a result, compliance with the lighting ordinance should be satisfied as part of a subsequent building permit application review.

Town Staff finds the proposed upper-level deck addition complies with a majority of the Development Evaluation standards, considering they were addressed with the Elk Camp Restaurant proposal in 2011. However, the proposed new deck is considered new development rather than part of a redevelopment or renovation for the Elk Camp Restaurant. As a result, Town staff finds additional employee generation is required. Town staff recommend the municipal code standards as explained below are followed.

Sec. 16A-4-410. Restricted housing requirements.

- (a) *“Employee Generation Rates. Employee generation rates vary by the type of employment. The employee generation rates found in Table 4-5, Employee Generation Rates Per Type of Use, shall be applied to each type of use in the development at **its maximum annual (peak) employment impact** on the community. For any use not listed, **or special circumstances as determined by the Town Council**, the Planning Director shall determine the applicable employee generation rate by consulting recognized professional publications or studies completed for resort communities similar to the Town. **At the Town Council's discretion**, the developer may be required to prepare, or the developer may provide, a **peak season (maximum annual) employee staffing plan** to determine **whether certain multi-family or other short-term occupancy dwellings** should be considered as Multi-Family-1 or Hotel/Lodge for purposes of applying the appropriate employee generation rates.”*

TOWN STAFF: Since Table 4-5 of the TOSV municipal code already establishes a job rate for “ski area restaurants – cafeteria style” at 3.59 per 1,000 interior square feet (which is less than regular restaurants in Town at 5.9 jobs per 1,000 interior square feet), staff is compelled to recommend this standard for the proposed deck addition since it will be accessible from the upper level of the restaurant and covered part of the time by an umbrella system.

**Table 4-5
Employee Generation Rates
Per Type of Use**

Ski area restaurants - cafeteria style	3.59 employees per 1,000 interior square feet
Restaurants /bars	5.9 employees per 1,000 interior square feet

Per the code, a horizontally covered deck may be counted at one-half rate. The code also does not distinguish whether the interior space is fully-service or self-serving. Also, the mitigation percentage in the code is at 60% rather than 100%. In all, these calculations already offer three reductions for the applicant. The restricted housing square footage requirement would be as follows:

3.59 x (1,898 square feet of deck space x 50% / 1,000 square feet = 0.9315) =
3.34 jobs, then x 448 square feet, x 60% mitigation rate =
916 square feet of employee housing required.

Town staff recommends the applicant either provide the mitigation required by the code job rate standard as "built" units acceptable to the Housing Department and deed rested in accordance with Table 4-6 of the Land Use Code or in the form of a cash-in-lieu in the amount of \$500,000.00 per employee = \$1,020,000 (One Million and Twenty Thousand Dollars) paid at the time of building permit issuance for work on the upper deck at the Elk Camp restaurant. A letter of credit in the amount of \$1,020,000 would be acceptable to the Town in lieu of a cash-in-lieu payment at the time of a building permit issuance for the upper deck at the Elk Camp restaurant which can be redeemed if additional housing mitigation is not provided within 3 years from the issuance of the building permit.

The methods of complying with the requirements for providing restricted housing in the municipal code includes the following:

- (a) Developer buy-down;
- (b) Restricted sale; and
- (c) Other means, which may include the provision of restricted rates and use, cash-in-lieu for minor developments (e.g., total cost to build), or the developer responsibility to provide adequate land to build the units.

3. *Compatibility.*

TOWN STAFF: Staff finds the proposed deck addition, as far as its use is concerned, is generally compatible with the character of the area and should offer relief with the additional seating in the already high demand cafeteria area. However, refer to Criteria 5 below for further comments and recommendations. The impact of any proposed lighting should be carefully evaluated with the character of the area.

4. *Adequacy of Access.*

TOWN STAFF: Proposed access by the gondola to the Elk Camp Meadows area and via the lodging and other infrastructure at the base of the ski mountain should be adequate for the proposed small addition.

5. *Design minimizes adverse impact.*

TOWN STAFF: The proposed structure for the deck addition is generally well-designed. Town staff recommends architectural modifications be employed to better blend with the current architectural design of the restaurant building. Options to minimize impacts and increase compatibility with the existing structure include surrounding the metal support posts with stone or similar cladding to match with the existing materials on the building and incorporate other trim or colors to match the current design.

Other than this change, Town Staff does not anticipate the proposal will generate any greater disturbance than is currently experienced during the occasional on-mountain special event (i.e. weddings, conference events) that take place from time to time and on a seasonal basis. Although trash generation may increase, the method of solid waste removal should remain manageable and within the capabilities of the applicant's current

operations.

6. *Design minimizes environmental impacts.*

TOWN STAFF: Per the attached referral notice memorandum, Town staff desired input from Colorado Parks and Wildlife. See the attached Email reply dated March 10, 2025. Reference the prior comments above including the approved conditions from Town Council Resolution 4, 2011 that should be carried forward with this application. Also, the tree removal and mitigation plan to meet the code's 1:1 mitigation and revegetation requirements should be provided for re-review with the building permit application.

7. *Facilities.*

STAFF: Staff finds that there should be adequate water supply and sewage disposal service available for guests within the new Elk Camp Restaurant. However, reference the attached comments from the Snowmass Water and Sanitation District regarding possible impacts of additional seating including the recalculation of the appropriate system development fees and testing of the service lines. Also refer to the applicant's response dated March 20, 2025. This will need to be further addressed with the review of a subsequent building permit application.

8. *Parking.*

STAFF: The Applicant states, "parking is not directly applicable to this ski in / ski out facility as guests and employees access the restaurant over snow or via chairlift / gondola."

LIGHTING:

Staff's understanding with the proposal is that the outdoor / evening activities with night lighting would operate 5:00 – 9:00 P.M. with the outdoor lighting subsequently extinguished or turned off by 10:00 P.M.; thus indoor activities may be permitted up to 12 Midnight.

STAFF RECOMMENDATION: The Planning Commission approve the attached Resolution No. 2, Series of 2025. This Resolution may be modified at the meeting prior to adoption.

ATTACHMENTS:

- Draft Planning Commission Resolution No. 2, Series of 2025.
- Application materials and drawings, also by this Town website link:
<https://portal.laserfiche.com/Portal/Browse.aspx?id=224612&repo=r-b27e3aff>

**TOWN OF SNOWMASS VILLAGE
PLANNING COMMISSION**

**RESOLUTION NO. 2
SERIES OF 2025**

A RESOLUTION MAKING RECOMMENDATIONS REGARDING THE SPECIAL REVIEW FOR AN EXPANSION OF THE DECK AT THE ELK CAMP RESTAURANT ON SNOWMASS MOUNTAIN.

WHEREAS, On January 18, 2011, the Town Council approved Resolution No. 4, Series of 2011, regarding the Special Review application for the Elk Camp Restaurant with a night lighting plan for nighttime operations until 12:00 midnight at the Elk Camp Meadows on Snowmass Mountain; and

WHEREAS, Ordinance No. 4, Series of 2013, modified the Town's floor area measurement standards to allow deck areas as exempt floor area. The deck is a structure needing to meet other PUD, building or structural code requirements; and

WHEREAS, An Administrative Modification on was approved on April 13, 2022 for the Aspen Skiing Company ("Applicant") in accordance with the Snowmass Mountain PUD Guide, the Master Development Plan (MDP), and the municipal code, to add a 2,500 square foot exterior surface deck space with additional seating at the Elk Camp Restaurant to construct a new deck without any covering on the south end of the existing restaurant and surface deck; and

WHEREAS, on February 11, 2025, the Aspen Skiing Company submitted, in accordance with the approved 2024 PUD Amendment for Snowmass Mountain and the 2022 MDP, a Special Review application, to construct an 1,898 square foot deck addition to the Elk Camp restaurant. An elevated steel structure is planned to support the deck on the northeast side of the existing building facing the Elk Camp ski lift. The proposed design allows for the deck to either be open air, or for times of inclement weather to be covered with an umbrella system like what was installed at 'The Cabin' on Snowmass Mountain; and

WHEREAS, the Planning Commission met on April 23rd, 2025, considered staff findings and recommendations, heard and considered public comments, acted upon this resolution and will forward the resolution to the Town Council; and

WHEREAS, the applications for Special Review and a Subdivision Plat were processed pursuant to the 2024 PUD Amendment and PUD Guide for Snowmass Mountain and via Section 16A-5-230 of the Town's Land Use and Development Code.

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

Section One: General Findings. The Planning Commission generally finds:

1. The application was submitted in accordance with the provisions of 2024 PUD Amendment and PUD Guide for Snowmass Mountain and the Town's Land Use and Development Code.
2. The Applicant previously stated there are no substantial impacts on the surrounding adjacent properties, and the project is located outside of the Elk Production Area.

3. Elk Camp Restaurant continues to operate within the vision of the current 2022 Snowmass Mountain Master Development Plan (2022 SM MDP) and per the requirements of the approved Snowmass Mountain 2024 PUD Guide.
4. A public notice of the Planning Commission meeting occurred in accordance with the provisions of the Land Use and Development Code. A formal public hearing process is required during the Town Council review.
5. The request is consistent with the Review Standards for granting a Special Review contained in the 2024 PUD Amendment and PUD Guide for Snowmass Mountain and in Section 16A-5-230(e) of the TOSV Land Use and Development Code.
6. The Town of Snowmass Village Comprehensive Plan Environmental Sensitivity Maps (2018 and per Comp Plan Amendments in 2022), do not identify the Elk Camp Meadows area as a specific wildlife habitat for elk activity, goshawk, redtail hawk or golden eagle nesting areas, winter Ptarmigan range, mule deer range or elk range.
7. In accordance with Article III, Division 2, Restrictions and Limitations to Particular Uses' and Table 3-2 of the TOSV Land Use and Development Code requires the development parameters for Special Review applications on Snowmass Mountain, which is zoned Recreation ('REC'), to be determined by a PUD Plan or Special Review, respectively, with the application review.

Section Two: Action and Recommendation.

The Planning Commission recommends to the Town Council the Special Review application for an 1,898 square foot deck addition to the Elk Camp restaurant on Snowmass Mountain be approved subject to the conditions in Section Three below.

Section Three: Recommended Conditions.

1. The prior April 13, 2022 Notice of Decision Administrative Modification approval for the 2,500 square feet addition to the existing surface deck is repealed as the additional proposed above-grade deck addition on the east side would extend the limitations under the 2022 MDP and the 2024 PUD Guide's development parameters.
2. The Applicant shall adhere to all material representations made in the application.
3. The restricted housing square footage requirement would be as follows:

$$3.59 \times (1,898 \text{ square feet of deck space} \times 50\% / 1,000 \text{ square feet} = 0.949) \\ = 3.40 \text{ jobs, then } \times 448 \text{ square feet, } \times 60\% \text{ mitigation rate} =$$

916 square feet of employee housing required.

The applicant shall either provide the mitigation required by the code job rate standard as "built" units acceptable to the Housing Department and deed restrict in accordance with Table 4-6 of the Land Use Code or in the form of

a cash-in-lieu in the amount of \$500,000.00 per employee = \$1,020,000 paid at time of building permit issuance for work on the upper deck at the Elk Camp restaurant. A letter of credit in the amount of \$1,020,000 (One Million and Twenty Thousand Dollars) would also be acceptable to the Town in lieu of a cash-in-lieu payment at the time of a building permit issuance for the upper deck at the Elk Camp restaurant which can be redeemed if additional housing mitigation is not provided within 3 years from the issuance of the building permit.

4. A building permit application complying with applicable lighting, building and fire codes shall be submitted for the deck expansion prior to construction to the satisfaction of the fire district and the Chief Building Official.
5. To increase compatibility with the existing structure the Deck's metal support posts shall be clad with stone or similar cladding to match with the existing materials on the building and incorporate other trim or colors to match the current design
6. The colors and materials on the deck expansion shall match, complement, or be similar to the exterior finish on the existing Elk Camp Restaurant building.
7. The tree removal and mitigation/restoration plan to meet the code's 1:1 mitigation / revegetation standards shall be submitted for re-review with the building permit application.
8. No construction should occur between May 15 - June 30, as previously recommended by the Colorado Division of Wildlife, because the project would be near an Elk Production Area, considering the current herd status and many factors affecting it.
9. The Applicant shall demonstrate compliance with any affected Colorado Department of Public Health and Environment regulations prior to the Certificate of Completion of the deck addition.
10. The relative conditions in Town Council Resolution No. 4, Series of 2011, regarding the operations of the facility shall continue to be implemented, including:
 - 1) Prior to issuance of a final Certificate of Completion for the deck addition, the applicant shall:
 - a) Substantially re-vegetate all disturbed areas with native plant species appropriate for wildlife after completion of the exterior above-grade deck addition as soon as practical upon the close of the 2025/26 ski season, and completed in full no later than the start of the 2026/27 ski season, for the purposes of erosion control and aesthetic presentation;
 - b) Keep any future proposed outside trash/garbage, such as any proposed dumpsters next to the loading area, in an approved bear resistant containers especially during the operation of the restaurant and deck addition areas in particular from spring to fall, close and lock all doors and windows on the facility during non-operating hours, and install rounded door handle knobs on all exterior doors, unless superseded by other Code requirements;

- 2) In efforts to comply with the prior Colorado Division of Wildlife (CDOW) recommendations, the Applicant shall address or implement the following standards during the operations of the restaurant facility:
- a) If musical performances are conducted outdoors, speakers for amplified music shall be located, directed and projected away from the Burnt Mountain area consistent with attached diagram Exhibit "B" incorporated herein;
 - b) After 10:00 p.m. up to 12:00 Midnight, musical performances together with usage of speakers for amplified music shall only be conducted inside the Elk Camp Restaurant building; Outdoor musical performances after 10:00 p.m. on the Elk Camp Restaurant site shall be prohibited; and
 - c) Special events that do not fall under the current Final PUD Guide provisions could be applied for through the Municipal Code's Temporary Use Permit provisions or via Special Review.
- 3) If advertising signs are proposed in the future, the applicant shall file a sign permit application for review and consideration by the Town's Planning Director.
- 4) Any proposed future snow melting, such as patio / deck spaces, shall comply with the then current Renewable Energy Off-Set Program or related requirements at the time of the building construction plan review for such a change.

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

INTRODUCED, READ, AND APPROVED, by the Planning Commission of the Town of Snowmass Village on _____, 2025, upon a motion by Planning Commission Member _____, the second of Commission Member _____, and upon a vote of __ in favor and __ against.

TOWN OF SNOWMASS VILLAGE

PLANNING COMMISSION

Mathew Dube, Chairperson

ATTEST:

Ashleigh Huff, Planning Commission Secretary