

MEMORANDUM

To: Members of the Park City Planning Commission

From: VRCPC Holdings, Inc.

Date: May 23, 2022

Re: Park City Mountain Resorts' Lift Upgrades: Previously Submitted Materials

The following materials were submitted to the Park City Planning Department by the applicant, Park City Mountain, as part of the Administrative Conditional Use Permit application process prior to the April 25, 2022 hearing. These materials, however, were not included in the final staff report dated April 25, 2022, nor are they included on the "Relevant Documents" section on the application's page on the City's website. We ask that the following materials be included in the public record and shared with the Planning Commission for their consideration of the appeal as part of the staff report for the June 8th hearing:

1. **PCM Lift Upgrade Memo (Submitted April 1, 2022)** – This memorandum outlines for staff PCM's lift upgrade Administrative Conditional Use Permit application as it relates to applicable code criteria, LMC requirements, Development Agreements, the approved Mountain Upgrade Plan, and other guiding documents.
2. **Responses to Planning Commission Comments (Submitted April 14, 2022)** – Park City Mountain was made aware that an update was provided by the Planning Director at the March 23, 2022 Planning Commission meeting. This item was not an advertised item, and the applicant was unaware that a discussion would be held on the item. This document responds to the questions raised by the Planning Commission to provide transparency into the Administrative Conditional Use Permit process.
3. **Responses to Public Comments (Submitted April 14, 2022)** – This document addresses comments received from the public as of April 12, 2022 for inclusion in the Administrative Conditional Use Permit staff report.

MEMORANDUM

To: Lillian Lederer, Park City Park City Municipal Corporation

From: John Sale, on behalf of VR CPC Holdings, Inc.

Date: April 1, 2022

RE: Park City Mountain Resorts Lift Upgrades: Administrative CUP Application

This memorandum is a comprehensive analysis of the Park City Mountain (“**PCM**”) administrative conditional use permit application (ACUP) for lift upgrades proposed by Vail Resorts. (the “**Applicant**”).

This memorandum outlines for Park City Planning staff PCM’s lift upgrade Administrative Conditional Use Permit application (the “**Application**”) as it relates to applicable code criteria, LMC requirements, Development Agreements, the approved Mountain Upgrade Plan, and other guiding documents.

RECOMMENDATION

The applicant recommends the Planning Director:

(I) review the proposal to replace the Silverlode lift and support the New Eagle lift in place of the Lift A (New Chondola) as part of the approved Mountain Upgrade Plan.

(II) Approve the Administrative Conditional Use Permit.

DESCRIPTION

Applicant:	VR CPC Holdings, Inc. d/b/a/ Park City Mountain
Property Owner:	TCFC Lease Co LLC
Location:	Park City Mountain
Zoning District:	Recreation Open Space (ROS)
Adjacent Land Uses:	Open Space, Surface Parking, Multifamily Residential, Mixed Use Commercial
Reason for Review:	The Development Agreement for the property requires a conditional use permit subject to administrative review for the development of skiing and related facilities as identified in the Mountain Upgrade plan (Section 2.3)

BACKGROUND

In June 1997, the Park City Planning Commission approved the Park City Mountain Resort Large Scale Master Plan (MPD). The Development Agreement (DA) was recorded with Summit County in July 1998. The approved Master Plan includes development according to the PCM Concept Master Plan and conditions of approval. The conditions of approval include development of skiing and related facilities identified in the Mountain Upgrade Plan (MUP, 1998 Development Agreement Exhibit L). The MUP was recorded with the Development Agreement and identifies the background/methodology, design criteria, existing ski resort facilities, mountain upgrading plan, future expansion potential and conclusion.

On January 25, 2022, the Planning Department received the Administrative Conditional Use Permit application to (1) replace the existing Silverlode chairlift, (2) install a new lift that was approved in the 1998 MUP as Lift A (New Chondola) now referenced as New Eagle chairlift and (3) to remove existing Eagle and Eaglet chairlifts. These proposed improvements are consistent within the approved 1998 Mountain Upgrade Plan. The two proposed chairlifts are on multiple parcels within the Recreation Open Space (ROS) zone district.

Per section 2.3 of the DA, “[d]evelopment of the skiing and related facilities identified in the Mountain Upgrade Plan is a conditional use within the City Limits and is subject to administrative review.” Upon approval, the Applicant intends to construct these improvements during the 2022 construction season, opening the lifts to guests with the 2022-2023 ski season.

ANALYSIS

The Lift Upgrades ACUP approval process is guided by the following approved documents and regulations:

1. Park City Land Management Code (LMC)
 - Zoning
 - Sensitive Lands Overlay (SLO)
 - CUP Criteria
2. 1998 Development Agreement
 - Mountain Upgrade Plan (Exhibit L to the 1998 DA)

Land Management Code

Zoning

The project area includes parcels PCA-S-98-PCMR-1, PCA-29-A, PCA-29-D, PCA-1003, SA-402-A and SA-253-B-2. All of the parcels are zoned Recreation and Open Space (ROS) and included within the Sensitive Lands Overlay (SLO) zone;

A Ski Tow Rope, Ski Lift, Ski Run and Ski Bridge are Conditional Use in the ROS district according to the LMC (LMC 15-2.7-2(C)(8)), however according to the Development Agreement, “Development of the

skiing and related facilities as identified in the Mountain Upgrade plan is a conditional use within the City limits and is subject to administrative review” (1998 DA Section 2.3).

Ski Lift or Tramway towers may extend above the maximum Zone Height (28’), subject to a visual analysis and administrative approval by the Planning Director (LMC 15-2.7-4)

Conditional Use Permit Criteria

The criteria for consideration of a conditional use permit are described in Title 15-1-10 (E). Though this application is for administrative review, the Applicant submitted the following to demonstrate compliance with the applicable LMC review criteria for conditional uses:

I. Size and location of the site

The location of the chairlifts to be replaced are within the boundary of Park City Mountain.

II. Traffic considerations including capacity of the existing streets in the area

The lifts to be replaced serve existing ski terrain. No additional ski terrain is included in this application. Improvements to these mountain lifts will reduce the length and frequency of lift line queues and improve internal circulation and the overall guest experience. There is no anticipated change to traffic as a result of these improvements.

III. Utility capacity

No additional sewer or water capacity is needed for the replacement of the lifts. Additional electrical power will be required for lift drives. The power has been planned and available for use at the new lifts.

IV. Emergency Vehicle Access

The lifts are currently accessed for service and emergencies by existing mountain roads during summer months and over snow during winter conditions. The lifts are being replaced or located within operational boundaries and adjacent to existing roads, no changes will occur to emergency access conditions.

V. Location and amount of off-Street parking

The lifts serve existing ski terrain and the upgrading of the lifts was considered as part of the ski area Mountain Upgrade Plan. The resulting CCC from the lift upgrades is below the CCC approved in the Mountain Upgrade Plan. No additional off-street parking is proposed. At the request of staff, an updated Parking Management Plan will be included with the application.

VI. Internal vehicular and pedestrian system

Vehicles will continue to access the lifts for service on existing internal roads. Several hiking and biking trails traverse the area. No permanent changes to the trails are proposed and after construction, the trail system will be unchanged due to the lift upgrades projects.

VII. Fencing, Screening and landscaping to separate use from adjoining Uses

Proposed lifts are located within existing operational boundaries: site grading and revegetation are designed to minimize impacts and to serve the purpose for winter activities. Lift towers will be treated in a low-reflectivity galvanization.

VIII. *Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots*

Proposed lift terminals and operator buildings are industry standard for mass and bulk and consistent with other lift facilities that currently exist within the operational boundary. Bottom terminals are positioned to operate efficiently while respecting adjoining lot setbacks.

IX. *Usable Open Space*

No changes to Open Space will occur.

X. *Signs and Lighting*

No changes to signs or lighting will occur from current conditions resulting from the upgrading of the lifts.

XI. *Physical design and Compatibility with the surrounding Structures in mass, scale, style, design and architectural style*

The new lift terminals are similar in size, scale and other criteria to the existing lifts of similar type at Park City Mountain. Painting of terminals will be compatible with the existing lifts.

XII. *Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site*

The lifts operate by electric motor drives in the same manner as the current lift system. A diesel powered back up/emergency system is also installed to operate the lift when electrical power is not available. The new Eagle Lift is also a top-drive, meaning the motor is located at the top of the lift, limiting impacts to non-resort buildings at the base of the chair. No noise, vibration or other mechanical factors will affect other properties.

XIII. *Control of delivery and service vehicles, loading and unloading areas, and Screening of trash pickup Areas*

No changes to current operations are proposed as a result of lift replacement.

XIV. *Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly rental, or commercial entities, how the form of Ownership affects taxing entities*

No changes to these items will occur as a result of the lift replacements

XV. *Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the site*

All areas of disturbance will be re-vegetated using an appropriate seed mix. An erosion control plan for terminal areas and material storage areas will be developed and submitted for the construction permitting phase.

Sensitive Lands Overlay Analysis

The chairlift replacements will occur on land within the SLO. The SLO's purpose is to protect and preserve environmentally sensitive land. The applicant has provided the following analysis as required for developments within the SLO (LMC 15-2.21-3):

1. Slope/topographic map

- *As with all ski areas, many of the proposed lift towers are located on Very Steep Slopes, as defined by LMC Chapter 15-5-1, a slope greater than forty percent (40%)*
- *Applicant is compliant with proposed lift projects and the lifts consistency with current approvals under the MUP and therefore exempt from Planning Commission review.*

2. Ridge Line Areas

- *The New Eagle lift alignment is similar to the existing old Eagle and proposed Lift A (New Chondola) lift position on ridgelines and has minimal impact to the viewshed. The Silverlode lift top terminal will be in the same location as the existing Silverlode terminal, which also has minimal impact to viewshed.*

3. Vegetation Cover

- *Applicant will submit a detailed revegetation plan with the Building Permit in accordance with the MUP (2004 MPD Amendment 2.3) and LMC 15-2.7-6 (ROS). The applicant will protect Significant Vegetation during any Development activity and will agree to a condition of approval documenting this commitment.*

4. Designated Entry Corridors and Vantage Points

- *Silverlode is not visible from the selected vantage points*
- *New Eagle alignment is similar to existing Eagle lift and proposed Lift A (new Chondola) has minimal change to the visual impact from selected vantage points from Highway 248 east of the Park City High School and Highway 224 north of the Holiday Ranch Loop Road and Payday Drive.*

5. Wetlands

- *No wetlands exist within the proposed project areas*

6. Stream Corridors, Canals and Irrigation Ditches

- *Existing streams will not be impacted by proposed project areas*

7. Wildlife Habitat Areas

- *Dusky Grouse, Elk, Jackrabbit, Moose, Mule Deer, Ruffed Grouse and Snowshoe Hare are all found within the proposed project area. However, given that this area is already developed as ski terrain, little or no impact is anticipated.*

Development Agreement Consistency

As outlined in the 1998 Development Agreement, mountain upgrades consistent with the Mountain Upgrade Plan shall be reviewed administratively. Section 2.3 of the DA outlines standards that shall apply to the Planning Director's review of the ACUP:

I. Consistency with the Mountain Upgrade plan.

The 1998 Development Agreement includes an approved Mountain Upgrade Plan that outlines the development and improvements for the ski resort, including new terrain, mountain facilities, and ski lifts. The proposed improvements achieve objectives identified in Section VI of the 1998 MUP, including improving the efficiency of out-of-base access and enhancing the end of day return egress and modernizing lift technology.

Silverlode Chairlift

The Silverlode chairlift (referred to as Prospector lift in MUP) is proposed to be replaced with an eight-passenger chairlift. The Mountain Upgrade Plan approved the replacement of the Prospector lift with an approved CCC of 2,080. The new eight-passenger lift will have a new CCC of 1,820.

The proposed replacement will follow the existing alignment and locations for top and bottom terminals. The replacement lift will have a total of 14 lift towers (three towers fewer than existing). Construction of the new lift will result in minimal vegetation impact with only a small amount of clearing needed to accommodate a wider lift corridor. This upgrade will improve internal skier/rider circulation, shorten lift wait times and allow for more efficient egress from Miner's Camp restaurant to other ski terrain on-mountain.

New Eagle Chairlift

The New Eagle chairlift (referred as Lift A (New Chondola) in MUP) will be a six-person lift with a mid-station unload point and modified alignment. It will significantly reduce crowding and wait times, efficiently move guests out of the base area to the Top of King Con ridge and improve the guest experience, especially for beginner and novice skiers/riders. The Mountain Upgrade Plan approved Lift A with an approved CCC of 1,230. The new six-passenger lift will have a new CCC of 580.

The 1998 Chondola lift was planned as either a gondola or combination gondola/chairlift with an overall length of 10,306 feet and with the top terminal at a new restaurant in the "Meadows" area. The New Eagle lift will be only 5,990 feet in length, which will limit impacts by reducing vegetation disturbance by 50%.

Given changes to other lifts since the 1998 approval, the anticipated Chondola alignment is not feasible today. The First Time lift bottom terminal has been moved 100 feet north and Three Kings lift was re-installed in 2011. This does not allow for enough spacing to accommodate skier mazing for all three lifts and airspace clearance between lifts. The modification of the alignment as proposed is necessary to avoid these conflicts, both on the ground and with airspace clearance.

The New Eagle lift will provide direct access to the top of King Con and allow for early season out-of-base access, which is not feasible today until the King Con ski pod is opened. The Mountain Upgrade Plan does not state an anticipated number of lift towers for Lift A but the New Eagle will have 15 lift towers (two fewer than the existing Eagle). New Eagle will also include an off-load only mid-station that will allow novices and beginner skiers/riders to access First Time, Home Run and Three Kings trails. Both existing Eagle and Eaglet lifts are planned to be removed.

This application is consistent with the long-range planning objectives, goals and metrics outlined in the Mountain Upgrade Plan. While increasing existing CCC from 12,570 to 12,869, the replaced lifts will have net reduction in the planned CCC compared to the proposed CCC in the MUP. Due to upgraded technology, the proposed lift upgrades will have a net improvement to on-mountain access and internal circulation efficiency, shorter wait times for Payday, Crescent and First Time lifts and Silverlode lifts and improve the guest experience at Park City Mountain.

- II. Visual impacts are minimal, and any visual issues are mitigated.**
Visual impacts are minimal and consistent with previously developed ski terrain.
- III. Ski run lights are consistent with LMC standards**
No lighting is proposed with either lift project.
- IV. Lift towers shall be treated to blend with the natural surroundings, including treating galvanized lift equipment to minimize reflectivity.**
The proposed Silverlode (Prospector) and New Eagle (Chondola) chairlifts will have fewer lift towers than existing lifts and include muted galvanized treatment to decrease reflectivity.
- V. Vegetation management, re-vegetation and erosion control techniques are designed in accordance with the PCMR Resource Management Plan – Vegetation Management Plan and Revegetation Guidelines.**
Vegetation management, re-vegetation and erosion control techniques are designed in accordance with Park City Mountain's Best Management Practices and SWPPP permits.
- VI. Adequate parking exists, as provided in the Parking Mitigation Plan, to mitigate the impact of any proposed expansion of lift capacity.**

Pursuant to Section 2.3.6 of the DA and at the request of staff, the Applicant will submit a Parking Management Plan.

CONCLUSIONS

- The 1998 Development Agreement states that mountain improvements consistent with the approved Mountain Upgrade Plan are subject to an Administrative Conditional Use Permit.
- The LMC contains conditions for approval for passenger tramways and ski base facilities, which this application addresses
- The lift upgrades are consistent with long term goals and metrics of the MUP along with improving PCM's out-of-base access and enhancing the resort's end of day return egress and together work to modernize the resort's lift technology.
- The 1998 Development Agreement provides additional criteria for approval for mountain improvements, which these upgrades address.
- Improvements to these mountain lifts will reduce the length and frequency of lift line queues and improve internal circulation and the overall guest experience.

**APPLICANT RESPONSE TO QUESTIONS/COMMENTS FROM PLANNING COMMISSION
ON MARCH 23, 2022**

The applicant, Park City Mountain (PCM), was made aware that an update was provided by the Planning Director at the March 23, 2022 Planning Commission. This item was not an advertised item and the applicant was unaware that a discussion would be held on the item.

PCM wanted to take the opportunity to respond to the questions raised by the Planning Commission to provide transparency into the Administrative Conditional Use Permit process.

Does the mountain upgrade application impact the MPD review/PEG application? (Suesser)

- PEG submitted an application to replace Exhibit D of the 1998 Development Agreement (DA), which was deemed expired by the City.
- No amendment to the DA or the Mountain Upgrade Plan (Exhibit L of the DA) is required under this application.
- The two applications, while subject to the same Development Agreement, are independent of one another.
- The ACUP application is not impacted by the Base Area development application.
- Any future submissions under the Base Area application will reflect any improvements or conditions approved under this ACUP.

Is there anything in the current application that requires certain lifts to be open, for example the Silverstar lift that has not been operational? (Hall)

- No, neither the DA nor the MUP include operational mandates for lifts.
- As the Planning Commission is aware, there were significant operational challenges in the early part of this past season, including low snowfall, staffing challenges and rise in Omicron cases.
- PCM along with all Vail Resorts was pleased to announce several significant investments designed to address these challenges, including a \$175 million investment in our employee experience, including a significant increase in our minimum wage to \$20 per hour and an investment in a master lease at the Canyons Village Employee Housing Development for over 400 new employee beds.

Is there an error with the CCC in the MUP in regards to the Town Lift? (Kenworthy)

- The MUP includes a reference to a new alignment for the Town Lift and a reference to increased use of that portal to the mountain but does not reflect an increase in the CCC for the Town Lift if that lift is replaced in the future. Any replacement of the Town Lift would require its own permit application and review process.

Can you give us a brief overview on when the upgrade plan will impact CCC and when that will impact parking? (Suesser)

- As part of the ACUP process, the Planning Director must evaluate that any impacts of the proposed expansion in lift capacity are mitigated through a Parking Mitigation Plan.
- To date, the City has not required additional parking mitigation as part of previous lift applications.

- PCM submitted a letter from SE Group, which was reviewed by staff and their consultant Ecosign. That letter stated that the small increase in CCC that is part of this application does not generate a need for additional parking.
- Despite this, the City requested and PCM has submitted a Parking Mitigation Plan. This transformative mitigation plan includes the implementation of paid parking and a parking reservation system at Mountain Village Base Area for the 2022/2023, an additional 90 guest spaces at the base area with the relocation of some employee parking to Munchkin, and a series of TDM measures.

Hypothetically, does a high-speed lift have more capacity and thus need more parking? (Suesser)

- No, installation of a high-speed lift does not increase lift capacity.
- Regardless, lift capacity does not drive parking demand. Lift capacity is a tool to improve the flow and distribution of guests across the mountain.

Early in PEG's application there was mention that no mountain upgrades were anticipated as part of the project. That seems to have changed. (Suesser)

- PEG's first pre-application meeting with City Staff regarding the Base Area application was in December of 2018. The PEG application was submitted in early 2020, over two years ago. At that time, there were no lift projects planned within the timeline originally estimated by staff for completion of Planning Commission's review of the application.
- Park City Mountain reviews investments in capital projects annually. The projects in this application were publicly announced in September of 2021.

Can a lift be within the guidelines of upgrade plan but exceed the CCC? If so, would that prevent it from being an administrative review? (Suesser)

- Planning staff makes the determination with each application regarding process based upon the language and criteria in DA.

RESPONSE TO PUBLIC COMMENTS (AS OF APRIL 12, 2022)

- 1. Snow Flower has complained about snow melt/runoff flooding their property since the half pipe was constructed and this will only make things worse.**

It is our understanding that the association's concern about runoff has existed since the 1970s and the association has not been able to demonstrate that any infiltration into the garage is directly attributable to changes in resort activities or operations or that it has had material impact on the parking garage. However, grading and surface drainage improvements associated with the proposed Eagle lift will improve existing surface runoff conditions in the area.

- 2. The lift will create noise and is very close to the property line.**

The lift is set back 25 feet from the property line, which is fully compliant with all required setbacks.

The proposed new Eagle Lift will be a top drive lift, which places all mechanical equipment at the top terminal; therefore minimizing noise impacts at or near the base terminal. The lifts do not currently and are not proposed to operate outside of normal daytime operating hours and will be fully compliant with all noise regulations.

- 3. The new lift will increase trespassing, parking, and traffic issues that Snow Flower is already dealing with.**

PCM is unaware of any reported trespass issues onto the Snow Flower property. A sidewalk for the Snow Flower property currently encroaches onto PCM owned property but PCM is unaware of any reported instances of trespassing of resort guests onto Snow Flower property. If the association is concerned, PCM would agree to install a fence to limit access between the properties.

PCM is also unaware of parking and traffic issues specific to Snow Flower. Overall resort parking and traffic are addressed in the Parking Mitigation Plan submitted as part of this application.

- 4. The lift/maze will impact the privacy of the Snow Flower pool and the overall building.**

PCM will set the maze location to comply with all setbacks from the property line.

- 5. The lift will create access issues for the existing staircases connecting Snow Flower with the mountain.**

The existing staircases connecting Snow Flower with the mountain are currently located on PCM property. Similar to the area near Marriott Mountainside and the Payday Lift, pedestrians will need to walk around a low clearance area but access will not be impeded.

- 6. The owners were notified last minute and do not have enough time to respond to the application should be delayed**

PCM's Vice President of Mountain Operations, Shaydar Edelman, has been in frequent contact with General Manager and HOA Board over the past five months. This includes:

- Meeting with the General Manager on November 5, 2021 onsite to review staked terminal locations and discuss lift project.
- Attending the November 20, 2021 HOA Board meeting to show alignment. Except for one resident, feedback was positive at that meeting.
- Participating in a phone call with General Manager on March 29, 2022.
- Attending a site visit with General Manager and Doug Whitney on April 1, 2022.
- Participating in a phone call and emails with General Manager on April 7, 2022, regarding concerns and setting up a time to discuss at a meeting on April 8.
- Meeting with HOA Board on April 8, 2022 to discuss concerns and received verbal support from most participants with one vocal dissenter.
- Exchanging follow-up emails with both the previous and new General Manager offering to answer concerns but declining to accommodate the request to relocate the new lift as well as the existing First Time lift, which was requested by certain residents.

7. The lift will obscure views, cast shadows, infringe on property rights, and ultimately reduce property values of some units

Given the slopeside location of Snow Flower, it is possible that a very small portion of views from some units may be obscured, which is anticipated given the proximity of the building to the resort infrastructure. The existing Eagle Lift is visible but screened by trees. PCM is willing to plant additional trees if desired by the association.

No impacts from shadows are anticipated; however, it is possible that planting of additional trees, if desired by the association, may cause shadow impacts.

PCM is unaware of any infringement on property rights or negative impacts on property value as a result of upgraded lift infrastructure.

8. Lifts construction will cause noise during the summer

PCM will comply with all City-designated construction operating hours.

9. Process should be delayed and Vail should look into relocating new lift terminal closer the existing Eagle lift

The proposed location of the new Eagle Lift meets all code requirements and setbacks.

10. Vail and PCM have had complete disregard for Snow Flower since it is not in the management plan

As previously noted, the Vice President of Mountain Operations, Shaydar Edelmann has been in frequent contact with General Manager and HOA Board over the past five months. This includes:

- Meeting with the General Manager on November 5, 2021 onsite to review staked terminal locations and discuss lift project.

- Attending the November 20, 2021 HOA Board meeting to show alignment. Except for one resident, feedback was positive at that meeting.
- Participating in a phone call with General Manager on March 29, 2022.
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- Meeting with HOA Board on April 8, 2022 to discuss concerns and received verbal support from most participants with one vocal dissenter.
- Exchanging follow-up emails with both the previous and new General Manager offering to answer concerns but declining to accommodate the request to relocate the new lift as well as the existing First Time lift, which was requested by certain residents.

11. The Eagle lift is not recognized in the MUP as being replaced, removed, or upgraded.

The Eagle Lift is included in the Mountain Upgrade Plan and is referred to as Lift A or the Chondola.

12. A functioning and effective PMP must be developed prior to approval and not just be a condition to approval as those have shown to not be enforced.

A parking mitigation plan has been submitted as part of this application.

13. The CCC has been exceeded this season and Vail's business model is only about increasing skiers in spite of safety or enjoyment

CCC is a planning metric and not a visitation metric; therefore, is not exceeded without the construction of new or replacement infrastructure, which did not occur this past season.

The safety and enjoyment of our guests is central to our business. Based on guest surveys, the overwhelming majority of our guests have very enjoyable experiences and feel safe on the mountain.

14. No further CUPs should be issued until the conditions of previous CUPs have been met, including the 23 employee housing units as part of Parcel A (Marriott Mountainside)

PCM is unaware of any outstanding conditions of the MPD or prior CUPs.

Condition #3 of the MPD amendment approved in 2015 states that the employee housing requirement must be fulfilled or updated "as part of the next application for Small Scale MPD/CUP approved after March 25, 2015 under the Development Agreement for Parcels A-E." This ACUP application does not relate to Parcels A-E of the Development Agreement.

15. The DA is outdated and could have never anticipated the PCMR of today so it should not be used as basis for this application

The Development Agreement and Mountain Upgrade Plan are the governing documents for the resort and must be applied as the standard for review.

16. An 8 person lift vs a 6 person will create more accidents- both on the slopes but also with people getting on/off the lift

The safety of our guests and employees is PCM's top priority. The new 8-person chair will have a loading conveyor, similar to a magic carpet, which has been shown to increase loading efficiency and safety. Eight passenger lifts are not shown to create more accidents. Further, the capacity of lifts is not shown to impact incidents on ski runs in any way.

17. The pioneer lift should be upgraded before these lifts, that would do a better job at dispersing crowds

An upgrade to the Pioneer Lift is not contemplated in the approved MUP.