Request to Amend the 1998 Development Agreement

Planning Commission Meeting July 8, 2020
Determination

Staff requests a formal determination from the Planning Commission on whether or not the applicant’s submittal meets the definition of an “MPD Modification,” which “constitute a change in concept, Density, unit type or configuration of any portion or phase of the MPD which will justify review of the entire master plan and Development Agreement by the Planning Commission.”
Differences between plans

1. The shifting of density and total square footage to Parcel C which is explicitly prohibited per Section 2.1.1 of the 1998 DA;
2. Changes to building setbacks and height variations;
3. The amount of above grade garage space;
4. Changes to pedestrian connectivity, plaza/open space and view corridors;
5. Changes to the number of provided parking stalls;
6. Changes to the Phasing and Traffic Mitigation Plans;
7. Proposed use of City property; and
8. The proposed bifurcation of resort operations and base development.
1. The shifting of density among parcels is expressly prohibited in Section 2.1.1 of the 1998 DA which states that the square footages in the DA are *maximums* permitted for each Parcel.

<table>
<thead>
<tr>
<th>Parcel Gross Square Footage Allowance and Proposed Table Summary</th>
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<tbody>
<tr>
<td>Gross Residential SF</td>
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<tr>
<td>Parcel C</td>
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<tr>
<td>Allowed</td>
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<td>Proposed</td>
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2. The 1998 Site Plan has expired, as did exceptions to Setbacks and Height, which were granted in concert with the 1998 Plan.

The applicant has newly applied for Setback and Height exceptions for the new plan.
Garage Space

3. PEG’s plan includes above grade garage parking that is not counted in their application’s square footage.
Changes in Open Space

4. Changes to pedestrian connectivity, plaza/open space and view corridors.
5. Changes to the number of parking stalls.

“...1200 surface stalls will be replaced by 1800 underground stalls for the exclusive use of the Resort....”

- Finding 13 of the 1997 MPD
Changes to Exhibits

6. The applicant will need to replace a number of Exhibits to the 1998 DA including:
   • Exhibit D: Site Plan;
   • Exhibit H: Master Phasing and Construction Management Plan; and
7. Proposed use of City property for two new roundabouts and a new traffic circulation pattern for the base area.
8. The proposed bifurcation of resort operations and base development in the new application.
Conclusion

Staff Recommends the Planning Commission take public comments, hear from the applicant, and then make a determination on whether or not the applicant’s submittal meets the definition of an “MPD Modification.”
<table>
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<tr>
<th>Date</th>
<th>Anticipated Agenda</th>
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| July 22, 2020 - Tentative | Planning Commission Public Hearing  
Architecture, Site and Landscape Design  
Exceptions to Height and Setback Requirements  
Opportunity for public input |
| July 30, 2020 - Tentative  | Housing Authority Public Hearing  
Affordable Housing Mitigation Plan  
Opportunity for public input |
| August 26, 2020     | Planning Commission Public Hearing  
Transit and Pedestrian Connectivity, Traffic, Parking and Circulation  
Recap of July 30 City Council Public Hearing on the Housing Mitigation Plan  
Opportunity for public input |
| September 23, 2020  | Planning Commission Public Hearing  
Utilities and Project Phasing Plan  
Sustainability  
Other topics that come up or remain open  
Opportunity for public input |
| October 22, 2020    | Public Hearing  
Final topics/review of any plan revisions  
Review of Draft Findings of Fact and Conditions of Approval  
Opportunity for public input  
Planning Commission Vote |
| November – Date TBD | Hold as needed |
| December – Date TBD | Hold as needed |