MEMORANDUM

Date: February 14, 2008
To: TRPA Governing Board
From: TRPA Staff
Subject: Community Enhancement Project Supporting Documentation

Enclosed please find copies of Attachments D – G that has been provided as a separate package from the Governing Board packet. The enclosed copies are supplemental materials in support of the Community Enhancement (CEP) public hearing item. Due to the volume of materials, attachments, and other related information for this agenda item, only the staff summary and resolution (Attachments A-C) are included in the Governing Board packet.

If you have any questions, please contact Brenda Hunt at bhunt@trpa.org or (775) 589-5225.

Supplementary Attachments included in this packet:

Attachment D: Recommendation Letters (Items 1-9)
Attachment E: County and City Commitment Letters and Resolutions (Items 1-4)
Attachment F: Pre-applicant Commitment Letters (Items 1-9)
Attachment G: Additional Public Comment Letters (Items 1 - 12)
ATTACHMENT F

Pre-applicant Commitment Letters (Items 1-9)

Item 1: Kings Beach Town Center – BB LLC
Item 2: Kings Beach Housing Now – Domus Development
Item 3: Ferrari Family Resort
Item 4: Kings Beach Lakeside Resort
Item 5: Pastore Ryan
Item 6: Boulder Bay, LLC
Item 7: Homewood Mountain Resort
Item 8: South Y Center (Kmart)
Item 9: Former Mikasa Gateway Site
The Commerce Trust Company
A division of Commerce Bank, N.A.

FACSIMILE TRANSMITTAL

To:
Brenda Hunt
TRPA
Stateline, Nevada

Telephone: 775 588 4547 (x225)
Fax: 775 588 4527

From:
Christopher G. Blais
Vice President

Telephone: (816) 234-2568
Fax: (816) 234-1954

3 - Pages (including cover sheet)

January 31, 2008

Re: Seven Springs LP
South Y Center

Comments:

This facsimile contains information which may be legally privileged, proprietary in nature, or otherwise protected by law from disclosure, and is intended only for the use of the above addressee. If you are not the addressee, or the person responsible for delivering this to the addressee, you are hereby notified that reading, copying, or distributing this facsimile is prohibited. If you have received this facsimile in error, please telephone the sender at the number provided and return the facsimile to the above address. Your cooperation is appreciated.
January 31, 2008

Brenda Hunt
Associate II Land Use Planner
Planning and Evaluation/Pathway 2007
TRPA
PO Box 5310
128 Market St.
Stateline, NV 89449

Re: Seven Springs LP Agency 61-0801-01-1

Dear Ms. Hunt:

The Commerce Trust Company, a Division of Commerce Bank, N.A., is the trustee of Jack R. Lydon Trust Two, and in that capacity is the managing member of Real Estate Management Associates LLC, the general partner of Seven Springs Limited Partnership which owns the South Y Center located in South Lake Tahoe. Attached is our response to your request for a letter of commitment.

Mike Mason, our architect, will forward to you separately the revised graphics you have also requested.

We look forward to continuing to work with you and others on the exciting redevelopment potential for South Lake Tahoe. Please let me know if you have any further questions.

Sincerely,

Christopher G. Blait
Vice President

Enclosure
RESPONSE OF SOUTH Y SHOPPING CENTER OWNER RE TRPA REQUEST FOR SUPPLEMENTAL INFORMATION REGARDING POSSIBLE ADDITIONAL DEVELOPMENT ENTITLEMENTS
(January 31, 2008)

The following sets forth the response of the Owner of the South Y Shopping Center, South Lake Tahoe, California ("Center"), to the request of Brenda Hunt of the TRPA for a list of bullet points regarding the Owner's commitment to possible future redevelopment at the Center.

Owner is willing to commit to work with the City and TRPA regarding the following issues with regard to additional development entitlements at the Center, subject to the conditions set forth below:

- Work with others to try to design new and proposed buildings to meet the scale, massing and character as required by the TVCP and TRPA standards. Some modifications may be required for height standards once the residential use is established.
- Work to reduce the existing coverage as much as is possible with the site redesign.
- Work with Raley's to consider options for the former gas station and redesign of this section of the site, including investigation of the question of the stream environment zone, other environmental issues, and possible reconfiguration of coverage.
- Work with others to try to provide options for site design to provide better pedestrian and vehicular access from the adjacent neighborhoods and highway 50. Look at enhancing sidewalks, landscape and parking design.
- Work with others to try to provide landscape improvements as described in the CEP proposal. Investigate the possibility of additional off site improvements as recommended by TRPA in conjunction with the City of South Lake Tahoe and the TVCP.
- Work with others to try to provide new construction to meet LEED standards and to investigate the possibilities for achieving the pilot LEED for neighborhoods program.
- Investigate (a) the financial ramifications of using the multi-residential bonus units; (b) finding available allocations and development rights for developing market rate housing; and (c) development of employee/affordable housing as part of any housing constructed on site.
- Work with the City to investigate a shared parking solution for this area and design for better circulation between the various uses in the immediate area.
- Incorporate into the project the revitalization of the transit facility in conjunction with the City and current modes of mass transit.
- If and when Owner (or a successor) elects to proceed with an actual redevelopment project utilizing the additional entitlements per this program, Owner (or such successor) are committed to complying with TRPA and City requirements regarding EIP Project(s), subject to Owner (or successor) prior approval of the specific costs and liabilities of such requirements (which are currently undetermined).

The preceding bullet points are merely a preliminary expression of current interest by the Owner, and are subject to the following continuing conditions (which must be satisfied to Owner's sole satisfaction):

1. Proposed development must at all times satisfy all trust Owner and trustee requirements and fiduciary, contractual and legal duties, including cash flow and other requirements of the trust Owner (and its beneficiaries and partners).
2. Locate and contract with developer and construction parties with sufficient expertise and funding to pursue the development, without untoward risk to the Owner or trust assets.
3. Investigate and satisfy Owner as to physical and engineering feasibility and desirability of any proposed redevelopment (including satisfaction of parking, access, other physical issues).
4. Investigate and satisfy Owner as to environmental impact, feasibility and desirability of any proposed redevelopment.
5. Obtain any and all necessary or appropriate consent(s) from trust beneficiaries, partners, court(s), lender(s), and/or other persons.
6. Investigate and satisfy Owner as to economic feasibility and desirability of any proposed redevelopment (including costs and timing, development conditions, financing, market factors, surrounding development, potential profits, and risks).
7. Development entitlements must be granted in a reasonable period of time and with reasonable conditions, and must be fully transferable with the Center to successor owner(s).
8. Satisfaction by Owner of any and all other material issues or concerns that may arise in connection with any development.
January 31, 2008

Mr. John Singlaub
Executive Director
Tahoe Regional Planning Agency (TRPA)
PO Box 5310
128 Market St.
Stateline, NV 89449

Re: Executive Summary – Homewood Mountain Resort Community Enhancement Program (CEP) Proposal

Dear Mr. Singlaub:

Homewood Mountain Resort (HMR) acknowledges receipt of the TRPA staff letter of January 15, 2008 and wishes to reiterate its commitment to work with the TRPA and Placer County to fully address the planning and environmental issues addressed therein.

HMR is committed to raising the bar in terms of environmental and planning initiatives by incorporating a number of key sustainable development principles into the HMR Master Plan; principles which go substantially beyond what is normally expected or required by the TRPA of projects within the Lake Tahoe Basin.

In addition to the workshops held by TRPA, HMR has held numerous workshops with the residents of the West Shore, various area homeowners’ associations, and a number of civic organizations with over 1,000 persons having participated and given their input to help with the development of the proposed Master Plan concept. HMR has also met a number of times with both TRPA and County staff to discuss the Master Plan, place based/visioning, and how to best develop a plan that is most responsive to all of the input received.

The HMR CEP proposal is responsive to the expressed desires of attendees at the HMR workshops as well as the various Place Based Planning workshops and the Visioning workshops held over the last two years. Homewood attendees have recognized the continuing economic decline of the area including the loss of services such as a hardware store and full service grocer. Many residents have called for revitalization as a top priority. Residents have also spoken of the need for family activities, jobs, affordable housing, transit alternatives and for improving the Homewood Ski Area.

In response to the call for CEP proposals, HMR has developed a master plan and proposed project that brings significant environmental, economic and social benefits to West Shore residents and guests. Specific elements that are above and beyond the normal requirements of projects include:
- Restoration to-date of approximately 100,000 s.f. of existing coverage on the mountain.
- Additional restoration planned for up to 500,000 s.f. of existing coverage, a portion of which is planned to be retired.
- Cooperative BMP project with Caltrans and Placer County to treat runoff from highway 89, local streets, and the resort, resulting in significant water quality benefits and recycled use of treated water.
- Intercept parking and public/private transit partnership to reduce traffic on Hwy 89.
- Parking automobiles in structures and providing off-street boat trailer parking in summer.
- Sustainable development including Leadership in Energy and Environmental Design (LEED)-criteria designed green buildings and on-site renewable energy production such as micro-hydroelectric generation. Plans also include loaner electric cars, water borne transit, a free-to-residents bicycle fleet
- Cultural enhancements such as creating a permanent home for the Lake Tahoe Music Festival with a new outdoor amphitheater.
- Up to 12 work force housing (affordable) units on site.
- Provide an outdoor swimming pool at the mid-mountain lodge for local area residents

HMR and JMA Ventures would like to reiterate our strong level of commitment to the goals and objectives of the Community Enhancement Program through the development of the HMR master plan. We very much look forward to working with you and your staff on the successful completion of the master plan process and associated environmental review.

We are of course available to respond to any additional requests for information or to clarify any of the responses or information contained herein.

Sincerely,

David A. Tirman  
Executive Vice President
Attachments

Cc:
Brown, Rick- JMA Ventures
Chapman, Art- JMA Ventures
Hitchcock, John- TRPA
Hunt, Brenda- TRPA
Midkiff, Gary- Midkiff & Associates
Requirements for Participation:

Scale, massing, height, and community character:
TRPA recognizes the need to allow additional height to achieve the visions espoused in the existing Community Plan; the place based planning process local and regional visions, and the CEP itself. Staff likes to use the analogy of a camel's hump where the greatest height is significantly set back from the streets and is located more toward the middle of the building. Site context, varying step backs, roof pitch, and articulation need to be considered for additional height to be appropriate for this location. TRPA is considering an alternative method of measuring height in sloped situations. TRPA's design guidelines provide details in relation to stepping a building with the contours. The use of a building envelope that would allow a building to stair step up a slope to a max of 50 ft. at the highest pt. of the envelope/slope, depending on the elevation, may be appropriate for this site. This approach may limit and potentially eliminate the amount of grading/cut required for building foundations which is an added environmental benefit.

Staff has used the initial review of the CEP proposals to look at possible amendments to the Code of Ordinances to allow additional height for mixed use projects located within Community or Master Plans. TRPA has determined that mixed use projects may gain additional height if findings can be made that a project meets specific goals discussed in the Regional Vision (i.e. gathering places, transit oriented development, inclusion of affordable housing, etc.), and other environmental improvements that accelerate the attainment of thresholds (i.e. the reduction land coverage, etc). One potential idea is to amend TRPA Code Section 22.4.B to allow additional height beyond the base allowed for mixed use projects for a reduction in land coverage. Other findings per above could be incorporated to provide a suite of options for additional height if appropriate environmental and mixed use benefits were received.

Staff would like the opportunity to share ideas and thoughts regarding the design and height of your project buildings. We look forward to working with you and your client on an appropriate height in this area that will achieve the goals of the CEP.

Response: SITE AND ARCHITECTURAL DESIGN CONCEPT
The new Homewood Resort design is conceived as an alpine village community in the architectural style of the classic old Tahoe lodges focused on the gamut of four season activities in the project program. The site design strategy is to cluster development in two separate base villages maximizing the amount of natural land and open space. Buildings have been arranged on the site to create several distinct neighborhoods within the development
focused around key recreational uses such as gondola staging, ice pond, lodge hotel, shops and restaurant venues. 2 story structures are located along highway 89 with taller structures placed further up the slope while pedestrian plazas of the village occupy the space between. By placing building masses on the site at various angles and heights, and stepping the buildings with the topography, the informal massing of a hillside village is created.

Certain architectural features, in particular, gable and hipped roof shapes, dormer configurations, as well as the use of exposed timber and natural materials are designed to express the Tahoe lodge design theme in the manner of the Tahoe Tavern and Ehrman Mansion. These and similar National Park Service structures, exemplified by such buildings as The Ahwahnee Hotel and Timberline Lodge, stand powerfully on the land, all on the most sensitive of sites, expressing the theme of man and nature simultaneously. In its own way, the Homewood design seeks to convey this kind of presence on this site. However, because of the wooded site and the placement of lower scale buildings along the highway, the larger scale and taller parts of the project will not be readily apparent from the highway and will only be experienced from within the site.

The concept of a clustered hillside village and architecture in the tradition of classic Tahoe lodges is currently not possible within TRPA's height measurement rules. This is because maximum height is measured from a point of lowest grade along a building's exterior wall to highest point on the roof. The height limit for a building becomes a level plane at the maximum allowable height set by the lowest point of grade and ignores the configuration of the site's topography. This method of measurement penalizes buildings on sloping land and discourages tight hillside village concepts. Additionally, architectural elements common to alpine and rustic vernaculars such as steeply sloping gable roofs are not accounted for.

A possible method of measurement responding to clustered alpine villages might be to establish a measurement plane that slopes with existing topography and allows for some architectural elements to extend above the plane by a certain percentage or be measured to the midpoint of roof slope. Similar methods establish a level plane for a building but allow the down sloping height to exceed the standard height by a certain percentage depending on degree of slope. The design team is in the process of developing an interactive computer model that will allow quick viewpoints and animations to be taken from any location on the project. Height and massing issues can then be understood visually from the point of view of anyone on or in the vicinity of the site rather than relying on strict dimensional limits.

Attached is a conceptual building section through the site from Highway 89 towards the toe of the slope illustrating the topography and maximum
building height; this at the north base gondola structure and at the lodge hotel.

Please specify the percentage of land coverage reduction proposed for this overall project. The increase in density and height should result in an overall reduction in land coverage.

**Response: COVERAGE:**
Homewood mountain has TRPA verified existing land coverage of over 1,780,000 s.f. Over 400,000 s.f. of this coverage is hard coverage associated with parking and ski facilities, lodges, etc., while the balance represents roads and trails on the mountain. In 2006 and 2007, HMR has restored approximately 100,000 s.f. of roads and trails on the mountain and plans to continue to restore unnecessary roads and trails. A significant percentage of this restored coverage is planned to be permanently retired. The balance will be banked for possible use on the resort, or transfer to desirable uses as permitted by the TRPA Code of Ordinances.

HMR anticipates that at least a portion of the proposed additional height for the master plan development will be earned by retirement of some of the above land coverage.

A Scenic/Visual analysis of roadway unit and how it will enhance the scenic travel route rating will be required for this project. Additionally, portions of your project will be visible from Lake Tahoe. The scenic analysis should also include an analysis of how the scenic threshold will be potentially impacted and any impacts mitigated.

**Response: SCENIC:** HMR is working with its design team to reach a sufficient level of design to enable it to proceed with scenic analysis for both highway and Lake views.

Although there will be at least a small portion of the development which will be visible from the Lake, the property and proposed development is outside the "Shoreland" and therefore will be evaluated along with the highway views under the applicable elements of the Scenic Quality Improvement Program. HMR anticipates that although more buildings will be visible from the highway and Lake, the removal of surface parking and dilapidated buildings, construction of new buildings which are consistent with TRPA and Placer County design standards, addition of extensive landscape plantings, setback of buildings from the roadway, and stepping buildings up and away from the roadway will contribute to an overall improvement of scenic quality.

**Environmental Improvements/ Environmental Improvement Program (EIP):**
For commodities to be reserved and projects to be approved, CEP projects must commit to substantial environmental improvements, which must
include specifically identified EIP projects. Your project proposes a number of environmental benefits/improvements. TRPA requires written commitments regarding the funding, construction, and overall maintenance/monitoring for the specific EIP proposals. Some EIP components that were discussed in your pre-application or in verbal conversation are listed below:

TRPA is fully supportive of the prospect of storm water from Highway 89 and the Homewood site be diverted to properly sized treatment facilities that are constructed and maintained by Homewood Mountain Resort. TRPA understands your clients have been in discussions with both Placer County and Caltrans relating to this issue. Provide details and commitments regarding the Homewood water quality improvements and how they will be integrated with the Caltrans water quality improvements and the Placer County Homewood Erosion Control Project. Specifically, what is the quantifiable reduction of sediment loads entering Lake Tahoe in the Homewood area garnered through the construction of these targeted water quality facilities?

Response: HIGHWAY 89 STORMWATER TREATMENT:

Fine sediment (<63 μm), nitrogen, and phosphorus are the primary pollutants contributing to the loss of clarity in Lake Tahoe. Over 70% of the fine sediments causing loss of clarity comes from the developed urban uplands, primarily through stormwater runoff. A significant source of sediment in this area comes from the Caltrans’ application of sand for traction control. Homewood Mountain Properties (HMP) plans to reduce the Total Maximum Daily Loads (TMDLs) within their development footprint through implementation of sound best management practices (BMPs) that will reduce sediment and nutrient sources. In addition, through improvements to the collection systems in the Caltrans easement, stormwater will be treated and/or infiltrated on the Homewood Mountain Properties parcel. By capturing run-off from Highway 89, the project should effectively capture and treat all sediment applied to the roads for traction control by Cal-trans in the winter months. HMP will provide all funding for planning, construction, maintenance and monitoring of BMPs within the parcel ownership, however an agreement will need to be reached with Caltrans regarding maintenance associated with the improvements along Highway 89.
Response: BIKE TRAIL IMPROVEMENTS
Homewood Mountain Resort will incorporate a bike path into the future
development. The bike path will be designed and constructed to meet all safety
standards for slope and width, and will have standard pavement markings and
signs to designate its course along both the Highway 89 Caltrans easement and
through the future Homewood development. HMR will participate in the funding
for planning, construction, and maintenance of the bike trail through the
proposed development.

Provide details and commitments regarding the under grounding of the utilities
that cross the Homewood site.

Response: UNDERGROUNDING OF UTILITIES
Power lines (32 KV or less) will be installed underground within the project area
and along the Highway 89 corridor. An overhead power utility corridor currently
exists, and will be utilized for future sub-surface placement of electric power, in
collaboration with Sierra Pacific Power Company. HMR will participate in the
funding for planning and construction of the sub-surface electric lines through the
proposed development.

Provide details and commitments regarding the day-lighting of the creek under
the ski-bowl (new residential area) parking lot. Also, explore possibilities to
restore creek/SEZ along proposed cat road between base areas

Response: DAYLIGHTING OF STREAM
Homewood Creek will be ‘Daylighted’ in the area where that creek passes under
the north-south extension of Tahoe Ski Bowl Way. Daylighting is a process
whereby a constrained creek or water body is released from that constraint, in
this case the culvert that is used to pass the creek beneath the road. The current
conceptual plan includes removal of the culvert, widening of the overall stream
cross-section and increasing flow length through incorporation of additional
meanders within the stream channel. A bridge will be used to cross the stream
while allowing for maximum stream function. Native vegetation will be used
exclusively and will mimic the species composition currently in place in the
undisturbed portions of the creek.
These restoration elements will be used to increase function within and adjoining the creek. Sediment production will be reduced through velocity reduction during low flow regimes by increasing flow length and vegetation flow interception. Bank sediment production will be minimized through the strategic use of vegetation and rock placement, exclusion of foot traffic and soil restoration. In-stream function will be improved by designing proper width to depth ratios and designing for maximum macro invertebrate habitat.

Constrained, steep gradient Sierra streams can be problematic to effectively restore. However, Integrated Environmental has developed processes to enhance impacted streams that include multi-level stream flow paths, maximum and appropriate placement of vegetation and bio-physical soil stabilization. Daylighting of streams represent a broad range of challenges as well as opportunities. We will use previously gained knowledge by other practitioners to minimize potential issues. Daylighting. Published by Rocky Mountain Institute (RMI 1739 Snowmass Creek Road, Snowmass, CO 81654, www.rmi.org) in 2000 will be used as a primary guidance document for this project.

Additionally, consider participation in the Hwy. 89 re-alignment EIP project # 855 at Tahoe City.

**Response: PARTICIPATION IN EIP #855**

HMP will participate in discussions regarding funding for planning, construction, maintenance and monitoring of this project.

Green building commitments: You have provided detailed information on how your project would score against the LEED program system. TRPA is recommending that each of the project’s buildings need to meet the minimum LEED certification. This is to ensure that green building methodology will be completed and a long term commitment to maintain this certification is undertaken. In California, this may be a minimal request given the State requirements relating to Title 21. If possible, applicants should strive to achieve higher certification, but this will not be a requirement

TRPA understands that this proposal has been accepted into the pilot LEED for Neighborhood Development program. Please provide confirmation of this acceptance and a commitment to be a certified LEED for Neighborhood Development program. TRPA is recommending that each CEP project be scored using the criteria in the pilot LEED for neighborhoods program and obtain a minimum score of 40. The scoring would be reviewed by TRPA as the program is only in a pilot stage and projects are unable to receive a certification at this time. TRPA is recommending this scoring system be used as the pilot program has very similar goals to the CEP and it is a nationally recognized quantifiable way to ensure that the mixed use projects are achieving those goals.
Response: GREEN BUILDING

Included with this submittal is a copy of the acceptance letter of the Homewood North Base mixed use development proposal into the U.S. Green Building Council LEED for Neighborhood Development Pilot Program. We are also forwarding a draft copy of the Homewood Green Guide which is being jointly authored by the Sierra Business Council along with JMA Ventures and the project planning team (architects, engineers, environmental consultants).

One of the important goals outlined in the TRPA Code of Ordinances and the CEP is to promote the transfer of development that results in substantial environmental benefits. This proposal is requesting 50 TABUs which requires a 1 to 1 transfer of TAU from sensitive parcels. Provide specific details on where the 50 units on sensitive parcels are located (APN, Transfer applications, etc). Please be aware that TRPA understands the location of the units lies within the North Stateline CP. This CP contains policies that encourage the transfer of TAUs into this area, not out of the area. Provide justification as to why the transfer of these commodities out of this CP would be considered beneficial.

Response: TRANSFER OF DEVELOPMENT FROM SENSITIVE LANDS:

HMR proposes to transfer approximately 139 TAUs from a site in the North Stateline Community Plan that has been verified as primarily class 3. The class 3 portion of the site, the location of the Tahoe Inn and adjacent parcel on which 45 units are banked, is proposed to be restored to its natural condition. Verification of the existing units of use (TAUs and ERUs) and coverage is pending with Placer County. TRPA has been asked to confirm the land capability overlay map adopted with the CP or if necessary verify land capability.

HMR is pursuing a possible partnership with the Workforce Housing Association of Truckee-Tahoe (WHATT) to evaluate the class 4 portion of the site for a possible affordable housing project.

While we are aware that the CP policies encourage transfer into this area, we believe that the subject site is primarily too sensitive to redevelop, and that the greatest overall environmental and economic benefit to the community and Tahoe Basin will be achieved by the proposed transfer and use of these rights at HMR. Additionally, recent approval of redevelopment of the CalNeva Lodge, and proposed expansion/redevelopment of the hotel portion of the Biltmore will likely bring the Stateline area density to a point where traffic and other issues would reduce the economic viability, if not the ability to meet required environmental standards for redevelopment of the 139 units at the Tahoe Inn.

Conversely, the proposed use of the subject TAUs and bonus units will enable HMR to be converted from a day skier operation with all guests coming and going every day to more of a destination resort where guests will stay several days...
and not use their cars while there. The HMR proposal will result in a much more environmentally friendly recreation experience, reduced dute, and improved air quality.

**Housing:**
Provide details on the specific Placer County requirements for employee housing. Your proposal provides for some units to be located on-site, where are the balance of the employee housing units proposed to be built? Provide details on the location, number of units, type of housing, travel distances and transportation options.

**Response: EMPLOYEE HOUSING**
The proposed master plan includes up to 12 workforce housing apartment with two bedrooms each and the ability to sleep up to four employees in each apartment unit. The 12 apartments could potentially provide beds for up to 48 full time employees. HMR and JMA are entering into an agreement with the Workforce Housing Association of Truckee-Tahoe to find workforce housing solutions for the balance of the full time employees generated by the proposed master plan. We are currently working on identifying potential options to house the balance of employees including securing additional workforce housing beds within a close proximity to Homewood. A detailed workforce housing plan will be provided in consultation with WHATT at a later date.

Clarify and detail the proposed residential ownership of south base area.

**Response: SOUTH BASE RESIDENTIAL OWNERSHIP**
The South Base plan calls for the development of a residential neighborhood with three story residential condominiums organized at the base of the ski slopes into four separate buildings. The south base neighborhood will include 120 residential condominiums that would be wholly owned by private parties (market rate for sale residences). Parking for the residences will be provided below grade directly underneath the building footprints. Existing day skier access will be completely relocated to the north base along with the removal of all existing day skier parking. The buildings are being designed in such a way that they appear to be three story from street level as well as viewed from up slope. The roof pitch will contain residential units which is effectively the third level of the buildings; this taking advantage of the roof volume.

Please note that deed restrictions are required in perpetuity for the use of MRBU's for affordable housing.

A minimum of eight residential units per acre for the multi-residential portion of your proposal is required to meet minimum transit oriented development standards.

**Response: 8 UNITS PER ACRE MINIMUM:**
The master plan density is roughly 10 units per acre between the north and south base areas. There is a similar density requirement for participation in the LEED for Neighborhood Development Pilot Program.

Parking/Transportation:
In your parking analysis, provide details and commitments on your over all parking strategies that not only include your proposed on-site facilities, but include utilization of satellite parking to reduce onsite parking demands, links to existing transit system, shuttle system details, and water taxi details.

**Response: PARKING DETAILS:**
A detailed parking demand analysis will be provided once plans are finalized. Based upon parking codes, a review of parking requirements at similar mountain resort developments and the specific characteristics of the site, on-site parking will be provided adequate to serve the needs of the lodging, residential, fitness center, commercial land uses, as well as a portion of the day skier parking. To minimize both the impacts on the site as well as traffic on SR 89, day skier parking is planned to be limited to 400 spaces. In addition, on peak winter days all employees will be prohibited from parking on-site (other than for the on-site employee housing units).

The additional access required to address the limitations to on-site parking will be provided through the following transit strategies:

- **Employee Shuttle Bus** – Employee shuttle buses will be operated during both summer and winter seasons from employee housing areas on the North Shore and from intercept parking lots, thereby reducing employee vehicle traffic. Up to two vehicles will be operated to fully meet the ridership demand.

- **Employee Public Bus Transit Fares** – HMR will provide free passes for Tahoe Area Regional Transit services to all HMR employees, for those that find TART services more convenient than the employee shuttle buses.

- **Scheduled Shuttle Service** – A scheduled shuttle vehicle will be operated between Homewood and Tahoe City seven days a week, from 7 AM to 11 PM, during the summer and winter seasons. This service will be operated at least hourly, and will be scheduled to complement existing TART schedules. A modest fare (consistent with TART fares) will be charged for passengers that are not HMR guests or residents.

- **Winter West Shore Dial-A-Ride Service** – HMR will operate a Dial-A-Ride transit program serving the West Shore, with up to ten vehicles in operation at peak times in winter. Service will be provided as far north as Tavern Shores and Granlibakken, and as far south as Rubicon Bay (excluding the Talmont and Upper Ward Canyon areas), providing service
from 8:00 AM to 6:30 PM. Within this service area, residents and visitors will be able to call for pick-ups for service to the HMR base area. Service could generally be provided within 15 minutes of a request. For major lodging centers (such as Sunnyside or Granlibakken), a specific schedule of service times could be established in order to better group passengers. In the opposite direction, specific departure times from the base areas would be established (such as once every half-hour), with passengers simply telling the driver their desired destination. This will be similar to the successful Dial-a-Ride program in the Northstar area, which carries 22 percent of local residents to and from the Northstar ski lifts.

- **Summer West Shore Dial-A-Ride Service** – An on-demand dial-a-ride service will be operated for persons traveling to or from HMR, seven days a week from 8 AM to 6 PM. Up to three vehicles will be used to operate this service, which will accommodate rides to/from the Resort in an area bounded by Granlibakken Road to the north and Sugar Pine Point to the south. This is similar to the existing summertime service provided by Chamberlands to Chambers Landing beach. A modest fare (consistent with TART fares) will be charged for passengers that are not HMR guests or residents. This service is expected to be particularly useful for West Shore residents visiting the resort in the summer to use the pool.

- **Skier Intercept Shuttle Service** -- Shuttle services will be provided from off-site skier parking lots in the Tahoe City / Sunnyside area to the north and inTahoma to the south. Up to four buses will be used in this service to meet the peak ridership demands.

- **Water Taxi Service** – A service will be operated using a vessel with at least a 25-passenger capacity between Homewood and Tahoe City. This service will be operated seven days a week between 9 AM and 8 PM, on at least an hourly frequency. HMR residents and guests will be served at no fare, while other passengers will be served as space permits for a modest fare. As this service will provide an opportunity to get out on the Lake while also avoiding the traffic congestion in the Fanny Bridge area, it is expected to be well utilized.

As the plans for HMR include a substantial reduction in day skier parking, another important element of the parking strategy will be to actively eliminate on-street skier and employee parking near the project site. While the alternative transportation program (specifically the intercept parking shuttles and Dial-A-Ride program) will be provided to accommodate day skier access, it will be important to control parking near the HMR base areas in order to reduce impacts on the resort’s neighbors. JMA Ventures is committed to a parking control program on nearby state and county roadways to eliminate shoulder parking by day skiers. This will include parking regulations, enforcement, and a monitoring program to ensure that the parking control program is effective.
Considering the limitations that will be placed on the peak number of skiers, the increase in skiers lodged on the site, the limitations on day skier parking, the limitations on employee parking, and these alternative transportation strategies, it is forecast that 200 off-site parking spaces will be required on a busy (10th highest) winter day (92 for day skiers and 108 for employees). JMA Ventures is currently in negotiations with individual property owners to obtain rights to these spaces and it is premature to identify specific locations at present. We are confident that at least 200 spaces can be defined, with the majority in the Tahoe City / Sunnyside area and the smaller proportion in the Tahoma area (for skiers and employees approaching from the south). We are also confident that these spaces will not require new parking to be constructed solely due to the HMR parking needs. It is expected that most or all of these off-site spaces will be near existing TART bus stops. All sites – served by TART or not – will be served by HMR shuttle buses.

Include VMT reduction strategies and methodology.

**Response: VMT REDUCTION:**
A full evaluation of VMT impacts will be presented in the project’s traffic/parking study, to be completed once plans are finalized. Key strategies planned to reduce VMT consist of the following:

- **Limiting Day Skiers** – JMA Ventures has committed to limiting the number of skiers at any one time to 3,300. The new residents and guests of the resort are estimated to result in 644 skiers on a peak winter day that wake up within an easy walk of the lifts. On a peak day, therefore, the number of day skiers will be no more than 2,656, which is a substantial reduction from current levels.

- **Intercept Existing Vehicle Trips** – One key transportation strategy is to minimize the need for travel. The limited commercial opportunities on the West Shore require that many trips require travel to Tahoe City, adding to traffic congestion. In particular, the lamented closure of Homewood Hardware now forces West Shore residents to travel to Tahoe City for the smallest of home repair needs. By providing a modest-sized hardware store within HMR, these existing auto trips can be shortened or more easily replaced by a bicycle or walk trip. Expanding the range of grocery options in a manner that complements other existing markets on the West Shore can also reduce existing auto travel.

- **Transportation Information Strategies** – Providing accurate, “real time” information to HMR travelers can also help to reduce transportation problems. Information on parking/lift ticket availability, non-auto transportation options, and Fanny Bridge traffic congestion can encourage travelers to make travel decisions that reduce auto impacts. This
information will be provided through the Internet, text messaging, in-room or front desk displays, and/or low-wattage driver advisory radio.

- **Alternative Transportation** – As discussed above regarding parking, numerous public transit strategies (both on the highways as well as on the water) will be implemented. Along with the following other elements, these transit improvements constitute HMR’s proposed “Alternative Transportation Program”:

- **Extension of the West Shore Bike Trail** – The bike trail system along the West Shore is very well used: counts conducted in 2006 at Fawn Street indicated that up to 400 bicyclists and 100 pedestrians per day use the existing trail. This trail, however, has a key “missing link” from Fawn Street north to Cherry Street. As part of the North Lodge development plan, this bike trail will be extended to Silver Street, reducing the size of this gap.

- **Electric Car Rental Service** – HMR will purchase five electric vehicles, and offer them for short-term rental to HMR residents and guests. In addition to encouraging use of zero emission vehicles, this service will also tend to encourage use of public transit options for persons arriving and departing the region (such as the North Tahoe Express van service from the Reno Tahoe International Airport), as it allows persons arriving without a car the opportunity to rent a car for only a day or two of their stay.

- **Free “Bicycle Share” Service** – HMR will operate a “bike sharing” program, making bicycles available to any HMR guest or resident for up to a week at a time. This will encourage bicycle use, particularly for recreational trips between the resort and destinations along the West Shore.

Table A (included) presents an evaluation of the VMT reductions associated with reduced auto use associated with the Alternative Transportation Program elements. Ridership levels are estimated based upon preliminary evaluations of total trip generation, estimates of feasible transit mode shares of total travel, and observed ridership on similar systems serving other mountain resort centers. For those elements for which a reasonably accurate estimate can be made, the VMT reduction is estimated to equal 1,544 VMT on a busy summer day, and 2,136 on a busy winter day. Other elements (extension of bike trail, free bike rentals, electric auto rental) will have additional VMT reduction benefits, but quantifying these benefits would be a matter of conjecture.

Provide assurances that a transit stop is needed in this location and will be supported by the local transit authority.

**Placer County Public Works**, the operator of the Tahoe Area Regional Transit (TART) system, already provides stops in both directions along SR 89 both
directly at the North Lodge as well as at the SR 28 / Tahoe Ski Bowl Way intersection to serve the South Lodge. Ridership data in the TART Short Range Transit Plan (LSC, 2004) indicates that these stops are some of the busier stops on the TART route network. The proposed project will include improvements to the southbound SR 89 stop at the North Lodge. In addition, a separate transit stop will be provided within the North Lodge site for HMR shuttle and Dial a Ride vehicles.

A kiosk with signs, maps, etc. that provides linkages to schools, community facilities; bike paths should be located on site in or near the transit center/shelter.

**Response: SIGNAGE & GRAPHICS:**
As part of the improved transit shelter to be constructed as part of the project, JMA Ventures commits to providing an information display in the shelter design. JMA Ventures further commits to maintaining this display with information on alternative transportation options (transit, bicycle trails, hiking/pedestrian trails), community facilities, and community events. This display will be integrated with the Master Signage Plan.

**Recreation:**
The Plan Area Statement (PAS) 157 was anticipating that this area would grow for recreation purposes by a maximum of 1100 Persons At One Time (PAOTs); however, the proposal is actually reducing the capacity. How is the reduction of PAOTs impacting the achievement of the recreation threshold and how will this be mitigated?

**Response: RECREATION:**
HMR is not proposing to reduce PAOTs. Although the CEP submittal discusses limiting lift ticket sales to 3300 per day, that limit is due to the available on-site parking. Guests arriving by transit will not be subject to that limit. HMR’s intercept parking, dial-a-ride, and coordination with TART is designed to bring additional guests to the site on a daily basis. The goal is to improve the recreational experience for guests by spreading use more evenly through the week. Current maximum skier days have been over 4,000 on weekends, with weekday numbers in the range of 200 – 500. HMR expects that by giving guests the option of staying on site the average stay will be 3 - 5 days with skiers perhaps going off-site (hopefully by transit, shuttles, or waterborne transit) for one of those days.

Also, the replacement of aging facilities (such as the old fixed grip quad with a detachable quad lift this year), an 8 passenger gondola from the north base to mid-mountain, and addition of a new mid-mountain lodge, ski-school, and other amenities will greatly improve the recreational experience at HMR.
In addition, interconnection with the rehabilitated Nordic ski trails created for the Squaw Valley Olympics will provide improved dispersed recreation opportunities. Finally, the addition of the Gondola to the mid-mountain will enable non-skiers to visit the mountain, watch children and new skiers at the learn-to-ski area, have lunch on the mountain, and perhaps get married there. Although on-mountain weddings have been occurring for many years, the convenience of a tram ride to a modern lodge will significantly improve that experience year around.

In your presentations you described that the mid-station lodge would be available for the public to use (pool, access to hiking, etc.) In your pre-application, you limit this access quite substantially. What are the potential reasons and impacts to the project associated with reduced public access to the mid station lodge/pool?

Response: MID MOUNTAIN LODGE
Mid Mountain Lodge will be open to the public without restriction. It is designed primarily as a skier/winter facility, but will be available during the spring, summer, and fall for public use and private events such as weddings. The lodge is planned to have an adjacent swimming pool open only during the summer months. The swimming pool would be open for use by Homewood and other area West Shore residents upon proof of address. The pool is designed as an amenity for locals and would be accessible by gondola from the north base.

Provide details and commitments on where and how five miles of hiking trails will be developed per the PAS 157.

Response: PAS 157
There is a historic public use of roads and trails on the mountain (albeit without authorization) and HMR is aware that it would be truly impossible to stop such use on a 1270 acre property. Therefore, in evaluating which roads and trails to restore to natural condition, and which roads are necessary for facility access, maintenance, timber harvest access, etc., we are also evaluating where trails should be retained so that hikers (both authorized and unauthorized) use the trails rather than disturbing new areas and/or areas which have just been restored. At this time, we are not prepared to identify the exact amount of hiking trails that will be established, or their location, HMR will provide the amount of hiking trails that can be made available without creating a threat to water quality, soil stability, and safety.

Basic Site Information:

BH/sb
Provide verification of the existing land coverage, land capability, units of use, etc.

**Response: LAND COVERAGE:**
Land capability – Exhibit 1 is a spreadsheet of the existing land coverage on the mountain which is under review by TRPA for verification. Also in this spreadsheet are the IPES scores on the various parcels (21) on the mountain and the Determinations of Allowable Coverage (DOAC) for each of these parcels.

There is an unresolved issue regarding the land capability of the base areas. TRPA has assigned preliminary land capability to these areas, but a land capability challenge is proposed to determine final land capability classifications of the lower mountain. HMR has retained a certified soil scientist who has completed soil sampling which confirms our belief that most of this lower area is high capability. An application for the land capability challenge will be submitted this spring.

Units of Use - The existing recreation use of the property includes the historic skier capacity. There has also been historic use of the base lodges and portions of the mountain for weddings and related activities, but no CFA is recognized on the resort.

As noted above, although a land capability challenge is necessary to confirm the high capability, the areas proposed for facility development are high capability according to our soil scientist.

Ensure that locations of proposed buildings and proposed transfers are not impacting sensitive lands.

**Miscellaneous CEP Items:** The proposed project will require some changes to the current PAS 157 and will need to incorporate these into the new Master Plan document:

- Multi-Family Residential and Timeshare Residential need to be added to the permissible use list in this PAS/Master Plan Area
- Multi-Residential Incentive Program and Existing Development receiving area designations need to be added to the PAS/Master Plan Area. This will be required to transfer in the MRBU, TAUs and CFA.
- To undertake these, Transit Oriented Development (TOD) findings will need to be made.

**Response: MISC. CEP ITEMS:**
• HMR proposes to amend the PAS (157) to add multiple family residential and Tourist Accommodation/Timeshare (residential design) as permissible uses in the base areas of the Master Plan.
• Multi-residential incentive program and existing development receiving area designations are requested in the HMR CEP application and Master Plan application.
• TOD findings require that the area be served by transit and those services are within a 10 minute walk. The proposed Master Plan will readily comply with both requirements in that a grocery store and hardware store, as well as restaurants will be included on site, and existing transit which serves the area will be augmented by dial-a-ride, private shuttles, loaer electric cars for resort guests, and waterborne transit on site or within a quick shuttle ride.

Project should include some form of functional public art in proposed gathering places.

**Response: PUBLIC ART:**
The project will propose public art at the north base public plazas including near the main hotel lodge and at the skier services/drop-off area. JMA has a long history of supporting art in public places and is committing to carry on with this tradition with the Homewood master plan.

Please provide details on the number and types of proposed mix of uses for the site using TRPA Chapter 18, Permissible Uses as a guide

**Response: MIX OF USES:**
As noted in the attached Master Plan Development Program, the site is proposed to be developed as follows:

- **North Base Area**
  o 30 private penthouse condominiums (SFD)
  o 40 condo hotel (for sale) units, 20 of which will have lock-off units (TAUs)
  o 50 – 60 traditional hotel rooms (nightly rental TAUs)
  o ~12 employee housing affordable rental apartments
  o 42 residential condominium units, 30 of which are planned to be sold as fractional ownership residences.
  o Approximately 17,000 s.f. of CFA for hardware store, grocery store, and ice cream parlor.

- **Mid- Mountain**
  ~8000 s.f. of CFA if summer use of these amenities is considered commercial

- **South Base Area**
  120 residential condominiums (ERUs)
Provide commitments and details in relation to the proposed sign at the Tahoe City Y on how this system will provide information to the public and to what benefit.

**Response: SIGN AT TAHOE CITY “Y”:**
JMA Ventures commits to providing real-time signage near the Tahoe City “Y” on busy ski days to provide skiers with information regarding the availability of parking (and supporting shuttle services) at intercept parking areas. This sign will be either staffed or operated electronically to change messages as needed to provide timely information to arriving day skiers. A good example of the benefits of this strategy is the trailer-mounted sign used by Northstar-At-Tahoe to divert day skiers approaching Northstar in periods when there is no remaining day skier parking available at the resort.

Identify public/private open spaces for the residential housing and/or general public use within the mixed use development.

**Response: PUBLIC & PRIVATE OPEN SPACE:**
Both base areas include open space areas for both public and private use. The base area master plan graphic is being updated to more clearly identify these areas. The North Base includes a public ice skating pond to the east of the main lodge/hotel building. The ice pond is surrounded by public plaza area that will include fire pits, bench seating and other such pedestrian oriented amenities. Please refer back to the first response relating to architectural height, scale, and massing for further delineation of the open space concept. The South Base will include private open space as an amenity to the residential development. This would include a swimming pool for residents and trail access to the base slope.
<table>
<thead>
<tr>
<th>AGENDA ITEM X.A</th>
<th>TABLE A: VMT Impacts of Alternative Transportation Strategies</th>
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| 2136           | Positive Impact or Difficulty                              | 181                          | 2.42                          | 438                          |
|                | Positive Impact or Difficulty                              | 244                          | 1.82                          | 444                          |
|                | Positive Impact or Difficulty                              | 28                           | 2.42                          | 141                          |
|                | Positive Impact or Difficulty                              | 11                           | 2.42                          | 22                           |
|                | Positive Impact or Difficulty                              | 48                           | 1.42                          | 48                            |

**Winter**

- Total VMT Reduction
  - Extension of Bike Trail
  - Electric Car Rental Program
  - West Shore Dial A Ride (Up to 3 Vans)
  - N. Base - S. Base Shuttle
  - Scheduled West Shore Shuttle
  - Employee Shuttle Bus

**Summer**

- Total VMT Reduction
  - Free Bicycle Sharing Program
  - Electric Car Rental Program
  - West Shore Dial A Ride (Up to 10 Vans)
  - N. Base - S. Base Shuttle
  - Scheduled West Shore Shuttle
  - Employee Shuttle Bus
  - Employee Shuttle Bus (Homewood - Tahoe City)
## Homewood Mountain Resort Report Card

The Ski Area Citizens' Coalition encourages you to visit Homewood Mountain Resort and also requests that you click here to send an email to Homewood Mountain Resort to encourage them to continue their environmental stewardship.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Maximum Points</th>
<th>Awarded Points</th>
<th>Reason</th>
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<tbody>
<tr>
<td>1. Maintaining Ski Terrain Within the Existing Footprint</td>
<td>30</td>
<td>30</td>
<td>JMA Ventures recently purchased Homewood and has initiated a new master planning effort.</td>
<td></td>
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<tr>
<td>2. Preserving Undisturbed Lands from Development</td>
<td></td>
<td></td>
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### 2a Real Estate Development

| | 20 | 20 |

"Homewood states that they have limited virtually all redevelopment to areas that have already been developed. The real estate projects will take place on existing parking areas. Future parking areas for day skiers will be reduced in size and located underground beneath new buildings. The Homewood master plan currently includes 50-60 traditional hotel rooms, 40-two bedroom, two bath condo hotel suites. The new lodge building will include 30 penthouse units. In addition another 42 residential condos will be spread throughout the ninth base. 25,000 sq ft of retail space is being planned. The south base is being designed to accommodate 120 multi-family residences and 11 single family residences. Environmental review and approvals are expected by the end of 2008 or early 2009."

### 2b Road Construction

| 8 | 8 |

### 2c Parking Lots

| 3 | 3 |

### 2d Protecting Endangered Species Habitat

| 22 | 22 |

### 2e Preserving Environmentally Sensitive Areas

| 9 | 9 |

### 2f Wetlands

| 9 | 9 |

### 2g Old Growth Forests

| 9 | 9 |

### 2h Unique Geology

| 3 | 3 |

### 2i Roadless Areas

| 9 | 9 |

### 3 Conserve Water and Energy by Avoiding New Snowmaking

| 20 | 15 |

### 4 Preserving Water Quality

| 12 | 12 |

### 5 Environmental Policy Positions and Advocacy

| 0 | 0 |

### 6 Not opposing "green" policies

| 5 | 5 |

### 7 Supporting "green"

Homewood is planning on expanding snowmaking capacity. The expansion is planned for the Homewood Bound trail to the top of Rainbow Ridge.


AGENDA ITEM X.A

1/31/2008
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<tbody>
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<td>7b policies</td>
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<tr>
<td>7c Statements On Climate Change</td>
</tr>
<tr>
<td>8 Renewable Energy</td>
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<tr>
<td>8a Biodiesel</td>
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<tr>
<td>8b Generating Renewable Energy</td>
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<tr>
<td>8c Purchasing Renewable Energy Credits</td>
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<td>9 Water and Energy Efficiency</td>
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<td>9a Energy Efficiency Retrofits</td>
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<td>9b Updating Snowmaking Equipment</td>
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<td>9c Water Conservation Retrofits</td>
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<td>9d Water Conservation in New Construction</td>
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<td>9e Green Building Policies</td>
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<td>10 Transportation</td>
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<td>10a Skier Carpool Incentives</td>
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<td>10b Employee Carpool Incentives</td>
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<td>10c Promoting Mass-Transit</td>
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<td>11 Waste Stream Management</td>
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<td>11a Recycling Customer Products</td>
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<td>11b Recycling Non-Consumer Products</td>
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<td>11c Recycling Building Materials</td>
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<td>11d Composting</td>
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<td>12 Purchasing</td>
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<td>12b Recycled Paper Products</td>
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<tr>
<td>12c 4-Stroke Snowmobiles</td>
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<td>13 Environmental Reporting and Accountability</td>
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<tr>
<td>13a Environmental Performance Report</td>
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<tr>
<td>13b 3rd Party Environmental Audit</td>
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<tr>
<td>14 Community Sustainability</td>
</tr>
<tr>
<td>14a Environmental Philanthropy</td>
</tr>
<tr>
<td>14b Environmental Restoration</td>
</tr>
</tbody>
</table>

The Ski Area Citizens' Coalition works to ensure that ski area management decisions, either by the Forest Service, the ski companies, or local governments, are responsive to the needs of our environmental protection, local communities, and the skiing public.

PO Box 2434, Durango, CO 81302
970.385.9833 info@skiareacitizens.com
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AGENDA ITEM X.A  
1/31/2008
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<td><a href="mailto:mike.green@brownstrategies.com">mike.green@brownstrategies.com</a></td>
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<tr>
<td>11/08/2022</td>
<td>X.A</td>
<td>Project Schedule Review: Projects #2 and #9</td>
</tr>
</tbody>
</table>

**Project Schedule Review:**

Projects #2 and #9 are currently on schedule. The team will continue to monitor progress and make adjustments as necessary.
Your project is not currently accessible through LEED-Online.

### PROJECT SUMMARY

**Summary**

- **Project Name (40 character limit):** Homewood Mountain Resort Redevelopment
- **Project Access ID:** 2232024367184022
- **How Did You Hear About LEED?** Professional Colleague
- **Is Project Confidential?** (Confidential Projects are not listed on Web Site)

### BASICS

- **Project Address:**
- **Certification:**
- **Primary Contact:**
- **Project Manager:**
- **Owner:**
- **Architect:**
- **Project Type:**
- **Documents:**

### BUILDING USE

- **Owner Type:** Profit Corporation
- **Will Owner Occupy Completed Project:** No
- **Occupant Type:** Mixed Occupancy
- **Estimated Date of Occupancy:**
- **Current Project Phase:**

### PROJECT INFORMATION

- **% New construction:** 0
- **% Renovation:** 0
- **Located in Historic District:** No
- **Year original (or new) building constructed:**
- **Project Scope:** Multiple Buildings
- **Hours/week building is in use/occupied:** 0

### PROJECT SITE

- **Total Property Area:** (in Square Feet)
- **Gross Square Footage:** (in Square Feet) 700000
- **Total Building Footprint:** (in Square Feet)
- **Surface Parking Spaces:**
- **Structure Parking Spaces:**
- **Undisturbed Site Area:**
- **Site Context/Setting:**
- **Site Conditions:** Previously Developed

### PROJECT BUILDING CODE

- **Floors Above Ground Plane:** 0
- **Construction Classification Code:**
- **Occupancy Classification Code:**
- **Project Building Code:**
- **Building Occupants:** 0
June 27, 2007

Dear LEED for Neighborhood Development Pilot Project:

Thank you for registering your project, and welcome to the LEED for Neighborhood Development pilot program. We are excited to have your project on board.

To get projects started, we will be holding pilot orientation webcasts using WebEx to provide details about the certification process and to explain what to expect during the pilot program. We are soliciting questions from pilot projects in advance, so that we can make sure that we answer as many as possible during the webcast. If you would like to assist us in this endeavor, please send any questions about the certification process that you would like answered at the webcast to nd@committees.usgbc.org prior to July 17th. You will also have an opportunity to ask questions during the webcast, but depending on the number of attendees, we may not be able to get to all questions asked during the webcast. Directions to join the webcast via WebEx are on the following page. The webcasts will be held at the following times:

Tuesday July 17th from 1-4 pm EDT
Wednesday July 18th from 12-3 pm EDT
Friday July 20th from 10-1 pm EDT

At this point, we are particularly interested in learning about how pilot teams will approach the requirements involving walk distance measurements in several prerequisites and credits. If you have already considered how you will be measuring, calculating, and demonstrate your project’s performance regarding walk distance (e.g. the percent of project residential units that are within 1/2 mile walk distance of a school), we would appreciate any comments you have to offer in advance. We will also provide time during the webcast for discussion on this topic.

We will begin posting resources on the pilot webpage over the coming weeks such as the pilot conference call schedule, certification process instructions, LEED Submittal Templates, and the LEED for Neighborhood Development Pilot Reference Guide.

To access this page, project team members should follow these steps:
Visit www.usgbc.org → Log in to Your Account → Choose Resources at the top of the screen → Choose LEED Project Teams → Choose Resources & Letter Templates → Choose LEED for Neighborhood Development (Pilot)

Please note that although we will post the pilot reference guide and submittal templates during the week of July 9th, we will not be accepting any certification submittals until the week of July 23rd, after the pilot orientation webcasts.

Feel free to contact me with any questions or concerns: 202-828-1156 or nd@committees.usgbc.org.
Sincerely,

Dara Zycherman
Asst. Manager, LEED for Neighborhood Development

**WebEx Directions**

Please log in to the meeting at least 5 minutes in advance and be sure you mute your phone, in order to reduce background noise.

1. Go to [http://usgbc.webex.com](http://usgbc.webex.com)
2. Enter the meeting number (see below).
3. Enter your name, e-mail address and meeting password (see below; passwords are case sensitive).
4. WebEx may ask you to Install “ActiveX” – please follow the instructions to install this program (this may take a few minutes)
5. Once you have joined the meeting, a box will pop up on the screen showing the call-in number, passcode, and attendee number. Please call this number and follow the prompts to join. Once connected, please remember to mute your phone.
6. Just in case you miss the box that pops up, here is the call-in information:
   Call-in number: 866-469-3239 (toll free)
   Meeting number: (see below)

If you have any trouble while joining, please e-mail nd@committees.usgbc.org and a staff person will be available to help you through the process.

**Tuesday July 17th from 1-4 pm EDT**
Meeting Number: 750 692 943
Password: Orientation1

**Wednesday July 18th from 12-3 pm EDT**
Meeting Number: 758 687 246
Password: Orientation2

**Friday July 20th from 10-1 pm EDT**
Meeting Number: 756 852 361
Password: Orientation3
May 30, 2007

Dear Pilot Program Applicant,

We are pleased to report that, due to overwhelming interest in the LEED for Neighborhood Development Pilot Program, additional resources have been made available that enable us to accommodate more than 120 pilot projects. All pilot applicants that submitted a complete application before the April 6th deadline will be given the opportunity to register and participate in the pilot program.

Therefore, on behalf of the LEED for Neighborhood Development Core Committee, and the LEED for Neighborhood Development partnership between the U.S. Green Building Council (USGBC), the Congress for the New Urbanism (CNU), and the Natural Resources Defense Council (NRDC), I would like to extend this invitation to your project to participate in the pilot program. We are looking forward to working with you and learning more about your project, should you decide to register and participate in the pilot program.

The LEED for Neighborhood Development pilot program is an opportunity for projects that have incorporated smart growth, new urbanist, and green design principles to be recognized for their accomplishments in these areas through a third-party certification; use the pilot rating system as guidance to potentially improve their projects further; and to provide us with direct feedback about the rating system. As a pilot participant, your project’s experience will inform the LEED for Neighborhood Development Core Committee as its members revise the pilot standard and prepare it for full approval by the three partner organizations.

We are very excited that your project has expressed interest in pursuing LEED for Neighborhood Development. However, we want to make sure that you are aware that participation in the pilot will involve some obligations on the part of the project team, and should not be entered into without careful consideration. We have not verified that your project will meet the prerequisites and credits that you indicated it would in the checklist submitted as part of your application, and this invitation to participate in the pilot program should not be interpreted or reported as any such verification. **Participation in the pilot program is not a guarantee that your project will be certified**; successful certification will depend on your ability to demonstrate and document—during the pilot program—your project’s achievement of individual prerequisites and credits as described in the corresponding “Submittals” sections of the pilot rating system. **Fees are paid at the beginning of the program and will not be refunded if the project is not able to certify or chooses not to submit for certification.** Additional detail about fee policies can be found as an attachment to this letter.
Although your status as a potential pilot applicant will not be made public, we will be publicizing the list of registered projects soon after the registration deadline. This list will not include any projects that indicate that they would like their participation to be kept confidential on the registration form. While we welcome any efforts on your part to help spread the word about your leadership and the benefits of LEED for Neighborhood Development to the environment and the community, we ask that you please abide by the following as to how to refer to your project’s participation in order to be fair and accurate with respect to all potential pilots:

- Until such time as you have registered and submitted payment for the pilot program, your project is not and should not be referred to as a “LEED for Neighborhood Development pilot project.” After you have registered and paid the pilot fees, you will receive a confirmation email, after which you are welcome and encouraged to refer to your project as a “LEED for Neighborhood Development pilot project.”

- Until such time as you have successfully completed the LEED for Neighborhood Development certification process, your project is not and should not be referred to as a “LEED for Neighborhood Development certified pilot project.” Projects that successfully complete the certification process will receive notification when certification becomes official, after which you are welcome and encouraged to refer to your project as a “LEED for Neighborhood Development certified pilot project.”

**Please follow these steps** to help you decide if you would like to participate in the LEED for Neighborhood Development pilot program, and how to complete the registration process if you decide to participate. Save this letter until you have completed the process. Please also note that there are deadlines for registration and payment of fees, detailed below. If you would like to decline this opportunity, it would also be helpful if you would inform us of that decision as soon as possible.

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**Step 1: Decide if you would like to participate in the pilot program**

1a) **Check rating system requirements**

Rating system requirements for prerequisites and credits will not change during the pilot program and pilot participation fees are non-refundable. Certain clarifications may be made via Credit Interpretation Requests (CIRs) during the pilot, but a project team should not assume that the requirements will be changed to meet the circumstances of their project. Because of the application deadline, project teams may have filled out the checklist quickly, without comparing the requirements of the rating system to their project. We strongly advise that you again review the requirements of all prerequisites and credits in the rating system, to make sure that you are confident that the project meets all
prerequisites and enough credits to certify. Projects that indicated “Maybe” on
their checklist or other uncertainty with respect to prerequisites should pay
special attention to these requirements. Similarly, the project team should
also not depend on their proposed innovation credits (ID Credit 1) to earn enough
points to certify, as these will be reviewed on a case-by-case basis and will not
necessarily result in additional points earned. Project teams should also check
the definitions of terms in bold in the rating system’s “Definitions” section; e.g.,
review the definition of “buildable land” to ensure that the average density of the
project meets NPD Prerequisite 2 (Compact Development) using that definition.
If you are not sure if your project will meet specific requirements, please direct
your questions about the requirement language to Dara Zycherman at
nd@committees.usgbc.org or 202-828-1156.

1b) Confirm ability to document during the pilot phase
Documentation of prerequisite and credit achievement is required for successful
certification, and involves the completion of submittal template forms as well as
the submission of supplementary documentation such as site plans, tables of
project information, or brief narratives specified in the “Submittals” section of
the rating system. In order to certify, the project team should have one or more
members identified internally that will be able to complete this documentation
accurately.

1c) Confirm intent to certify with project decision-makers
Some credit and prerequisite achievement (not just documentation) will
necessitate coordination and cooperation with various members of the
development, planning, architectural, engineering, operational, and other teams.
For example, the person heading up the certification process may want to achieve
Silver level certification, and that may require earning a new point. If he or she
decides that this can be done through NPD Credit 16 (Local Food Production) by
adding a community garden to the project, that decision will necessitate changes
to plans over which he or she may or may not have direct influence. It is vital
that the sponsor of the project certification has sufficient understanding and
agreement from the various entities involved with project development that
LEED for Neighborhood Development certification is a common goal.

1d) Confirm timeline
In order to help us learn from the pilot phase of LEED for Neighborhood
Development, we need each participating project to submit for certification for at
least one of the three stages (detailed in the introduction to the rating system)
during the pilot program. The project is free to select which stage is most
appropriate, but if the project team is not able to submit for one stage of
certification in the 18 months following registration (by January 9, 2009), the
project may lose its pilot status. Projects that submit for certification for one of
the stages during the pilot program will have the choice of continuing to use the pilot version of the rating system for subsequent stages of certification, or transitioning to the post-pilot version of the rating system. (More detail on this can be found in the attached “LEED for Neighborhood Development Pilot Project Fee and Transition Policy.”)

Step 2: Register

Once you are committed to pursuing LEED for Neighborhood Development certification, complete the attached project registration form. **The deadline for submitting your registration form is Thursday, June 28, 2007 at 5:00 p.m. EDT.** On the form, you are asked to insert an authorization code. The authorization code is 327553729182120. You must have Adobe Acrobat Reader 7.0.9 or higher to use the form and must be online to submit it. After you click “submit,” you will receive an email confirmation that explains that we have received your registration and that you owe $0. However, you will receive a separate email within a few days that will serve as your invoice for payment.

Step 3: Pay Fees

After USGBC receives your registration and processes it, an invoice will be issued via email. Write the invoice # on your check and mail both the invoice and the check to the address provided in the invoice. **The deadline for submitting your payment is Monday, July 9 2007 at 5:00 p.m. EDT.** Pilot fees are as follows and will be based on the project size information submitted as part of your application:

<table>
<thead>
<tr>
<th>Project Size</th>
<th>Pilot Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 20 acres</td>
<td>$8,000</td>
</tr>
<tr>
<td>20-100 acres</td>
<td>$14,000</td>
</tr>
<tr>
<td>Greater than 100 acres</td>
<td>$20,000</td>
</tr>
</tbody>
</table>

Once your check has been processed, you will receive a confirmation email.

Step 4: Project Team Coordination

After USGBC processes payment, the primary contact (also called the project administrator) will receive an email that provides the project’s ID number. The number is automatically connected to the project administrator’s site user account (which is created during the registration process) and should be distributed to other project team members with the following message:

“If you have a site user account on USGBC’s website, visit [www.usgbc.org](http://www.usgbc.org), log in to Your Account, click on Membership & Project Access → LEED Project Access → Enter project ID# in the Access code field → Add project. If you do not have a site user account, create one by choosing Your Account and then Register now. Complete the required fields and enter the project ID#.”
The project ID# allows team members to use the LEED for Neighborhood Development Pilot Resources webpage. To access this page, team members should follow these steps:

Visit www.usgbc.org → Log in to Your Account → Choose Resources at the top of the screen → Choose LEED Project Teams → Choose Resources & Letter Templates → Choose LEED for Neighborhood Development (Pilot)

On this page, we will post the pilot conference call schedule, CIRs (Credit Interpretation Requests), LEED Submittal Templates, the LEED for Neighborhood Development Pilot Reference Guide, and any other resources and announcements we believe will help projects. These resources may not all be available the first time you visit the site; we will post resources as they become available.

Step 5: Pilot Orientation

We will be holding events via webcast to help orient pilot project teams to the process of pilot certification soon after the registration and payment deadlines. Exact dates and times will be forthcoming. Attendance is strongly encouraged, but not required. If no member of the team is able to make any of these events, we will provide copies of the presentations made on the Pilot Resources webpage.

Additional Information

Focus Group. Because all applicants that choose to participate will have that opportunity, the LEED for Neighborhood Development partner organizations have decided to identify a “focus group” of 60 projects that may be subject to additional analysis and given priority in the certification queue. This will expedite the LEED for Neighborhood Development Core Committee’s ability to learn from the pilot program and begin their revision of the rating system. Participation in this group will be voluntary, and while the selection of the 60 projects will be based primarily on the need to identify a diverse and representative sample, we would like to know if you are interested in being a part of it. If you are interested, please send an email to nd@committees.usgbc.org to that effect by July 9, 2007, and include with it the following: a) your staff capacity to respond to additional surveys or research questions, b) your estimated timeline for submitting for certification; and c) an overall site plan (please do not mail hard copies; only electronic submissions will be accepted).

Financial Assistance. Those projects that applied for financial assistance for pilot fees should be notified within a week as to whether they were selected as a financial assistance recipient, and the amount of assistance available.

EPA Stormwater Opportunities. Finally, we would like to alert you to another opportunity available to your project, regardless of whether you decide to participate in the pilot program. The U.S. Environmental Protection Agency (EPA) will be conducting
research regarding stormwater management, and would like to identify projects that would be available for additional follow-up inquiries, even if your project had not indicated it would achieve the stormwater credit in the rating system. Identified projects that do attempt stormwater management may be eligible for awards under a future stormwater and smart growth recognition program. If you are interested in finding out more about the research project or award program, please contact Abby Hall at EPA: hall.abby@epa.gov.

Thank you for your interest in being a part of the pilot program and feel free to contact us at anytime with questions. I can be reached at 202-828-1162 and Dara Zycherman can be reached at 202-828-1156.

Sincerely,

Jennifer Henry
LEED for Neighborhood Development
Program Manager
### Boundary Line Adjustment TABLE 2

**HOMEWOOD MOUNTAIN RESORT**  
**PROPOSED COVERAGE CALCULATIONS**

**January 31, 2008**

<table>
<thead>
<tr>
<th>Parcel Reference Number</th>
<th>APN</th>
<th>Parcel Size</th>
<th>Description</th>
<th>Bailey Land Capability</th>
<th>IPES Score</th>
<th>DOAC %</th>
<th>Base Allowable Coverage</th>
<th>Existing Coverage (Hard)</th>
<th>Existing Coverage (Soft)</th>
<th>Total Existing Coverage (Hard + Soft)</th>
<th>Banked Restored Coverage</th>
<th>Remaining Allowable Coverage</th>
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<td>19</td>
<td>30,607</td>
<td>20,063</td>
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**Total**  

| 54,590,588.8 | 54,607,869 | 4,161,737 | 1,760,529 | 126,324 | 2,380,912 |
### Boundary Line Adjustment TABLE 2

**HOMEWOOD MOUNTAIN RESORT**

**PROPOSED COVERAGE CALCULATIONS**

**January 31, 2008**

<table>
<thead>
<tr>
<th></th>
<th></th>
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**Total**

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### Boundary Line Adjustment TABLE 2

**HOMEWOOD MOUNTAIN RESORT**

**PROPOSED COVERAGE CALCULATIONS**

January 31, 2008

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**Total**                      | 54,590,066.8                                                | 54,607,569                  | 4,161,737   | 1,786,823                   | 126,324                   | 2,380,912                   |
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Boundary Line Adjustment TABLE 1
HOMEWOOD MOUNTAIN RESORT
EXISTING COVERAGE CALCULATIONS
January 31, 2008

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<td>126,324</td>
<td>2,641,944</td>
</tr>
</tbody>
</table>

Boundary Line Adjustment TABLE 1
HOMEWOOD MOUNTAIN RESORT
EXISTING COVERAGE CALCULATIONS
January 31, 2008
January 30, 2008

Brenda Hunt
Tahoe Regional Planning Agency
128 Market Street
Stateline, NV 89449

Dear Ms. Hunt,

In response to the Crystal Bay Community Enhancement Program letter dated January 16, 2008, we have prepared the following commitment letter for your review. Boulder Bay, LLC (BOULDER BAY) remains committed to participation in the CEP, completion of our project and revitalization of the entire north shore community.

**Project Commitment:**

- BOULDER BAY has purchased 100% of the 14+ acres scheduled for redevelopment.
- BOULDER BAY has purchased in excess of $5 million of TAUs and ERUs since July 2007.
- BOULDER BAY has secured 100% of the required capital required for predevelopment and entitlement.
- BOULDER BAY has completed 90% of the design and engineering necessary to submit the TRPA application.
- BOULDER BAY expects to submit its TRPA application February 2008.
- BBLC submitted its Road Abandonment and variance application to Washoe County on January 16, 2008.

**Environmental Benefit:**

- BOULDER BAY is proactively working to coordinate completion of three priority EIP projects planned for Crystal Bay: Stateline WQIP, Crystal Bay WQIP and Washoe County Utility Undergrounding Project.
- BOULDER BAY has reached an agreement pursuant to a Memorandum of Understanding with Commissioner Galloway’s office to contribute $600,000 to the completion of the Washoe County Utility Undergrounding Project.
- BOULDER BAY has coordinated with Washoe County on the Crystal Bay Water Quality Improvement Project. BOULDER BAY has committed to completing the elements of the Crystal Bay WQIP that fall within the Boulder Bay project area. Costs have not been estimated.
- Stateline Interstate Flow Mitigation System: BOULDER BAY has engaged in discussions with Peter Kraatz from Placer County Department of Public Works regarding the completion of the Stateline WQIP. BOULDER BAY and Placer are working cooperatively to determine the most effective and efficient plan for the project.
- Placer County has abandoned plans for the state line mini-park, and BOULDER BAY will implement this EIP project and Community Plan goal as part of our project.
- Existing coverage on the site will be reduced by approx. 10% as a result of the proposed master plan.
- The project will transfer TAUs from Class 1(b) SEZ land as part of the development program.
- Vehicle trips will be reduced based upon preliminary results of a parking and traffic study being completed by LSC Transportation Consultants.
- Gaming floor area will be reduced as a result of the proposed master plan (amount reduced will be determined as a result of the NTRPA ruling to allow the relocation of gaming floor area, tentatively scheduled for February 15, 2008).
- 98% of all parking stalls will be relocated into on-site underground and structured parking facilities.
- BOULDER BAY will seek LEED certification for the Boulder Bay Resort.

**Public Benefit:**

- The development program includes on-site workforce housing. The project is also evaluating off-site housing options. Total number of units will be determined pending completion of off-site acquisitions.
- The project will include 4.16 acres of deed restricted open space in the form of public green space with foot paths and lake vistas, to be maintained by the resort.
- Master plan proposes an additional 2.13 acres of public space in the form of a pedestrian village with approximately 35,000 sq ft of dining and retail.
- Project will implement a comprehensive public transportation strategy including linkage with existing TART services in addition to resort managed area-wide direct shuttles.
- Improved roadway and circulation system.
Other Requirements:

• BOULDER BAY has met with J. Singlaub, J. Machetta, L. Barnett and P. Nielsen to review the existing deed restrictions. BOULDER BAY has proposed a solution which involves an increase in the deed restricted sensitive land (4.16 acres), creation of a public green space and relocation of developable land from the location currently permitted by the existing deed restriction to a location where development will have less of a scenic impact to the lake.

• As part of the project application BOULDER BAY will request that North Stateline Community Plan be amended to include the properties which are currently bisected by the plan area boundary.

• Parking counts proposed in the project application will be consistent with the detailed parking study currently being completed by LSC.

• BOULDER BAY’s preliminary analysis indicates relocation of existing non-conforming height in excess of 50’ is appropriate for this mixed use site.

• BOULDER BAY will complete a scenic analysis as part of the project application to evaluate and address any issues related to scenic impacts to the lake and travel route.

Sincerely yours,

Brian Helm
Tahoe Regional Planning Agency
ATTN: Brenda Hunt
128 Market Street
Stateline, NV 89449

RE: Community Enhancement Program, Letter of Intent

2/05/08

Dear Brenda,

Thank you for meeting with us on January 15th to discuss the letter you sent on January 14th. It was good for us to meet with Mr. Wells, Mr. Landry and Mr. Haven as well as yourself. Your letter recognizes several concerns that we share as well.

We hope that our comments and our vision were articulated in a fashion that allowed the TRPA to understand our thinking and our commitment to Lake Tahoe. We take environmental quality very seriously. Lake Tahoe is a place we love dearly and a place that should be here forever.

After having discussed the points of your letter of January 14th with you and the aforementioned staff, we feel confident that all points can be adequately addressed through good design and good communication with the appropriate persons and agencies.

Our intention is to “raise the bar” by demonstrating truly innovative, careful and experienced eco-design and by engaging our local community. Furthermore, as evidenced by the Lake Tahoe TMDL, “parcel scale” development is an important factor effecting environmental thresholds such as clarity as well as the economic and social capital of the region. E.F. Schumacher articulated this concept eloquently in his 1973 groundbreaking treatise on economics and sustainability, “Small is Beautiful, Economics as if People Mattered”.

We look forward to solidifying widespread agency support for our little gem of a project. We intend to continue in the CEP and put forward a project that the TRPA, Placer County and Kings Beach can all be very proud of.

Kind Regards,

Tony D. Pastore
Andrew T. Ryan, P.E. LEED AP
To: TRPA Governing Board
From: Kings Beach Resorts LLC

RE: Summary of Commitment Letter for the Kings Beach Lakeside Resort

Kings Beach Resorts LLC is proposing a new approx. $50,000,000 development that addresses the rehabilitation of the deterioration of North Lake Tahoe’s built environment by redevelopment of aging hotels and commercial uses into a quality resort located in the “center” of Kings Beach. Kings Beach Resorts is committed to provide the following:

- Synergy for a walkable community with direct public linkage to the Community Conference Center, the State Beach and the Lake.
- 50 foot public plaza with ada access to the Lake from Highway 28;
- Treatment of runoff for the 100 year storm.— Standard: 20 year 1 hour storm;
- Increase in landscaping of more than 5% from existing conditions. Standard: 5% reduction;
- Reduction of 387 Vehicle Mile Traveled and 95 PM peak hour trips over existing conditions with current project proposal;
- 450 plus linear feet of sidewalk, and other frontage improvements by participation in the Kings Beach Commercial Core Improvement Project;
- LEED Certification for the buildings as well as a goal to achieve a score of 40 for neighborhood LEED certification;
- Reduction of existing driveways off Highway 28;
- Reduction of parking on the lakeside from 96 cars to 50.
- Improvements to the quality of life for the workforce by providing new, upgraded facilities to replace substandard existing housing;
- Commitment to providing proportional assistance towards EIP improvements benefiting the Kings Beach community including but not limited to:

1. Coordination with Placer County to improve the storm drainage and outfall leading to the Lake adjacent to the Conference Center as part of the KB CCIP Water Quality improvements.
2. Partnering or participation in a new bus shelter to be located within project area of resort or on adjoining properties.
3. Partnering with Tahoe Conservancy, NTPUD, Placer County etc regarding potential acquisition of land to provide public access to Lake Tahoe and open scenic view corridors.
4. Participation in the KBCCIP- Kings Beach Commercial Core Improvement Project. (Sidewalks, frontage improvements, street amenities etc).
5. Other projects as they come up during the planning process such as opportunities to participate in a bike trail, transfers of development, transit oriented proposals etc.
January 30, 2008

Brenda Hunt  
TRPA  
P.O. Box 5310  
Stateline, Nevada  
89449

RE: Commitment Letter regarding KINGS BEACH RESORTS, LLC  
Participation in the Community Enhancement Program (CEP).

Dear Brenda,

This letter serves as the longer response to your request for written commitment from the Kings Beach Resorts, LLC regarding the TRPA January 14, 2008 letter on issues to be addressed in order for this project to move forward and be recommended for continued participation as a CEP project. (The shorter bulleted version is also included for Governing Board members to read). We look forward to the continued good working relationship with Agency staff as this project progresses.

At this point we have come to a “cross roads” in our project and need additional direction from both TRPA as well as Placer County staff regarding both agencies recommendation to coordinate with the adjoining neighbor- Ferrari Family Resort. We are unable to give clear direction to our consultants, develop accurate financial models for the project, or have meaningful discussions with potential construction lenders. As a consequence, there is no choice but to propose our existing project until we are provided with clear direction from your staff.

Kings Beach Resorts, LLC has continually expressed a willingness to work with the neighboring property owner (Ferrari Family Resort) in order to achieve a design that is complementary with each other’s project and with the Community. We have tried on numerous occasions on our own to facilitate this process. We will continue with this commitment and have asked both TRPA as well as Placer County to help set up a meeting between the two projects in order to facilitate this effort.

Kings Beach Resorts understands and supports the mutual benefit of shared parking, and access, water quality improvements, lake access, pedestrian circulation, participation in a bike trail, options for Brockway Vista Road, public art, utility services, etc.

Our own proposal calls for many of these elements including public access that links from the highway to the lake and adjacent conference center via a boardwalk/bike trail. Continuing this pedestrian circulation thru the neighboring properties makes sense. Sharing parking with our neighbor makes sense and
encouraging shared public lake access is also a positive community and tourist benefit.

It is also our intent that the environmental document will examine alternatives to the preferred project. This could include design options with shared parking, shared amenities, and other features that present a more unified approach.

- **Scale, Massing, Height, and Community Character**

Several design options showing varying heights, and different architectural features have been presented to TRPA by the architect Don Fulda of Ward Young. Not one of them is set is stone or is intended to be the final design. The architect will work with TRPA staff to refine the design in order to show varying stepped heights, reduction of massing, etc. Extra height over existing ordinances will be required in order to achieve a design that is in keeping with the community character, achieves the goals of the project by taking advantage of creating connections between the elements and opportunities around the site. The current plan shows a pedestrian pathway leading from the sidewalk along Hwy. 28 to the beach and a boardwalk connecting the North Tahoe Conference Center to a restaurant on the west side of the site. The buildings are organized around these public amenities and are oriented to take advantage of the southern exposure and views to the lake while achieving separation between the private and public spaces.

Additionally this project proposes mixed uses of tourist accommodation and retail commercial as well as reductions in land coverage, and implements regional vision goals. For example, the design is centered on a public plaza which is intended to provide a gathering place, public spaces with benches and a fountain/water feature, planters, locations for kiosks and public art.

Elevations as part of project submittal will show height as measured from the lowest point of natural grade

- **Land Coverage Reduction**

The Kings Beach Community Plan requires a 5% increase in landscaping for those projects that are over 75% covered. At this time no final designs have been presented so the amount of land coverage existing as well as proposed is only an estimate. Kings Beach Resorts will commit to a reduction in coverage/increase in landscaping over the required 5% based on if the project area coverage is over 75%.

- **Scenic Assessment**

Roadway Unit #20 which extends from Tahoe Vista to North Stateline is currently not in scenic attainment. As part of redevelopment the Kings Beach Lakeside
Resort project must show a net visual improvement over existing conditions. Thresholds in the TRPA Code of Ordinances also require evaluation of existing views and protection of scenic vistas and mountains.

(Based on the current aging architecture, the addition of new structures, landscaping, underground utilities, and frontage improvements, etc will be a vast improvement over existing conditions).

Additionally, even though not technically littoral property, Kings Beach Resorts applicants will coordinate with TRPA staff on a scenic assessment from Lake Tahoe and evaluation of thresholds as they relate to the code.

- **Kings Beach Commercial Core Improvement Project**

  Increased setbacks have been provided from existing conditions to Highway 28 to allow for large sidewalks where now stairs and other improvements are encroaching into the Highway right of way. The final outcome of the roadway design (three lanes with roundabouts or four lanes with traffic signals) will determine ultimate width of the pedestrian walkways along the frontage of the property but in any case with the setbacks to new development many design options are possible.

  The applicant will also commit to working with Placer County, Caltrans, TRPA, and the business community etc. on streetscape elements to insure there is consistent design for lighting, pavers, curb and gutter, street furniture, etc.

- **Environmental Improvement Program**

  In light of the recent Placer County DPW letter dated January 24, 2008, regarding a request for participation in the Kings Beach grid and Commercial Core drainage projects, Kings Beach Resorts would like to be more flexible in our approach to a specific EIP.

  Kings Beach Resorts is committed to providing assistance in whatever EIP improvements the County/TRPA feel would be the most valuable and needed for the Kings Beach community.

  This could include a combination of proposals including: participation financially in an EIP project, participation directly by actual construction of needed improvements, dedication of property, transfers etc.

  Additionally, TRPA collects water quality mitigation fees based on proposed projects “excess coverage” mitigation in relation to overall project cost for identified improvements. We would support the DPW request that these fees otherwise collected by TRPA as part of final permit conditions should go straight towards funding the water quality improvements identified in the DPW letter.
other words, “What is created in Kings Beach should stay in Kings Beach”.

We also agree with the proportional or “score card/ commodities needed” approach outlined in the Placer County-DPW letter. We feel strongly that a quantitative analysis needs to be thought out before any kind of final fiscal commitment can be made. These include weighing and evaluating individual components of:

- Entitlements/Commodities of CFA, residential units of use, bonus units, etc.
- Height over what is allowed by code
- Density over what is allowed by code
- Parking
- Re-zoning etc.

What is the value of each of these components to a project applicant in relation to EIP participation?

The following are examples of projects that have merit in terms of participation by Kings Beach Resorts:

1. Coordination with Placer County to improve the storm drainage and outfall leading to the Lake adjacent to the Conference Center as part of the KBCCIP.

2. Partnering or participation in a new bus shelter to be located within project area of resort or on adjoining properties. Location to be determined by TART. Shared participation with other private/public entities.

3. Partnering with Tahoe Conservancy, NTPUD, Placer County etc regarding potential acquisition of additional land to provide public access to Lake Tahoe and open scenic view corridors. Participation in banking of entitlements and land coverage. Participation in removal of buildings and working on partnership agreements for long term maintenance etc.

4. Reduction in VMT.

5. Participation in the KBCCIP- Kings Beach Commercial Core Improvement Project. (sidewalks, frontage improvements, street amenities etc).

6. Other projects as they come up during the planning process such as opportunities to participate in a bike trail, transfers of development, transit oriented proposals etc.

- Green Building

The project applicant proposes to pursue LEED certification for the new resort. The LEED rating system establishes a set of performance standards to evaluate the
environmental qualities in the design and construction of new buildings. The system is divided into five environmental categories, the goals of which can be summarized as follows:

- **Sustainable Sites**: The project will provide for enhanced community connectivity, access to public transportation, and restore habitats, while incorporating the latest storm water management techniques.

- **Water Efficiency**: Water efficient plumbing systems will be incorporated into all of the buildings. Landscaping will utilize native species and minimize irrigation demands.

- **Energy and Atmosphere**: Heating and Air handling systems will be selected based on efficiency and energy usage and will exceed current energy standards. Alternative heating systems and renewable energy opportunities will be considered.

- **Materials and Resources**: Construction materials will be appropriate for use in the Sierra climate.

- **Indoor Environmental Quality**: The building design will maximize day lighting and exterior views while incorporating state of the art energy management systems for the heating systems. Natural, low emitting materials will be utilized throughout.

The final goal of the process is the creation of high performing, healthy, durable buildings that have minimum impacts to the environment.

Additionally, TRPA has requested that each CEP applicant pursue neighborhood LEED certification with an ultimate goal of reaching a score of 40. The LEED for Neighborhood Development Rating System integrates the principles of smart growth, urbanism and green building into the first national system for neighborhood design. LEED certification provides independent, third-party verification that a development's location and design meet accepted high levels of environmentally responsible, sustainable development.

Currently in its pilot period, LEED for Neighborhood Development is a collaboration among USGBC, the Congress for the New Urbanism and the Natural Resources Defense Council. Kings Beach Resorts will work towards achieving this score with the final project.

- **Housing**

State law for all Redevelopment Areas within California requires a 15% work force housing requirement for new residential units proposed as part of any project located within a redevelopment area. 40% are required to be very low income and 60% can be
for low-moderate income levels. Placer County Housing Ordinances currently adopted also have requirements as does TRPA ordinances.

The project proponent would like to work closely with Placer County, TRPA, and WHATT – Work force housing advocate group to determine new and replacement housing requirements, staffing needs, location for the housing and other related matters. Housing to be replaced will be based on qualifying criteria in accordance with TRPA and HUD requirements. An inventory of the existing employees associated with the existing properties will be made in comparison with the new employees needed to run the resort.

Additionally, the developer will be exploring several locations for providing work force housing including on as well as off-site options.

(Additional property located within the grid of Kings Beach has been identified for this purpose).

- Kings Beach Resorts is aware that the multiple residential Bonus Units allocated to this project are to be deed restricted in perpetuity.

- Project applicant to work with TRPA staff to determine number of units required for transit oriented development standards based on the residential component of the project. Kings Beach Resorts proposes a mixed use project containing tourist accommodation and commercial mixed uses which will have a bearing on the final number of residential units required for transit oriented development standards. We would propose mixed use in lieu of providing eight units per acre of residential density for transit purposes.

• **Parking**

The project proponent will work with TRPA/Placer County on the design for ingress and egress for this project. The environmental document will explore the feasibility of different options including possible shared access with the neighbor or other options. Our current plan proposes a reduction in parking from the existing 96 spaces on the lakeside to 50 spaces screened and not visible from either the lake or the highway.

Kings Beach Resorts will be very supportive of opportunities to work with other CEP project proponents on a shared parking plan and with Placer County on an overall parking strategy including reductions of parking for this project and for community wide solutions.

• **Transportation**

VMT reductions strategies and methodology have been explored with the traffic consultant- Leigh, Scott and Cleary and will be further evaluated as part of the environmental document.
• **Basic Site Information**

Final verification of existing land coverage, land capability, (including the backshore), units of use, etc. for the entire project area is in process and should be complete shortly. Project proponent is actively working with TRPA staff.

Location and distance of transit stops to the proposed project areas and the pedestrian linkages required to access these transit locations will be provided.

Areas for snow storage will be identified on the BMP conceptual plans that are intended to accompany the application.

Elevations, and associated floor, drainage, landscaping plans that clearly articulate and depict proposed buildings on both the lakeside and the mountain side of Highway 28 will be part of the project submittal package.

Number and types of proposed mix of uses (per Chapter 18) will also be provided. As per our pre-application submittal as part of the CEP Kings Beach Resorts is requesting re-zoning to allow residential timeshare with associated increase in density. Residential timeshare is currently not a permitted use.

• **Miscellaneous CEP Items**

Kings Beach Resorts will consider additional commercial floor area for the lower floor retail wrapping into the public plaza from Highway 28. This can be considered as part of design alternatives evaluated in the environmental document for this project.

The boardwalk/bike trail will be coordinated with Placer County as it is proposed to be located within the Placer County right of way of Brockway Vista Road. (Placer County is owner of this land). Designs will be modified in accordance with alternatives proposed as part of the environmental document as well as alternatives that are proposed by the Agencies, community and project proponents.

• **Density/Zoning**

The proposed density and need to add residential timeshare as a use in the community plan is paramount to the financial viability of this CEP project. We can not stress enough that there will be no project if this important matter is not considered and addressed very early on. We understand that Placer County must also change their zoning and density requirements to match TRPA as part of this proposal.
Kings Beach Resorts LLC is prepared to make a commitment toward improving the viability of Kings Beach by removing existing aging properties and developing a new project that enhances the community. We are looking forward to responsibly participate with the agencies in one or more of the EIP projects best suited to Kings Beach. As stated previously, we need additional guidance before we can finalize our project. We trust if we are unable to have any meaningful dialogue with Ferrari Family Resort or their assigns before the February 13, 2008 APC meeting then we can proceed with our project as presently designed.

Sincerely,

Michael Blakeman
Kings Beach Resorts, LLC

CC: George Bean
    Nancy Frisch
February 1, 2008

Mr. John Singlaub
Executive Director
TRPA
P.O. Box 5310
Lake Tahoe, NV 89449

Re: Response to TRPA letter of January 14, 2008 regarding Ferrari Family Resort CEP Project

As discussed in recent conversations with TRPA staff, we are in receipt of Brenda Hunt’s letter of January 14, 2008 regarding the Ferrari Family Resort CEP proposal, and acknowledge that you raise a number of issues regarding various elements that require further attention and possible revision.

Recognizing that the concept design is preliminary and subject to change, the Ferrari family is committed to working with TRPA and Placer County to a successful design and entitlement for the Ferrari Family Resort and the various environmental, social and economic elements that are part of the CEP program.

The Ferrari family is proud to present this proposal as a major step toward significant environmental, social and economic improvements to the Kings Beach community and the Tahoe Basin. Toward that goal, the project incorporates major elements that are above and beyond the normal requirements from either the TRPA or Placer County. Although the Lakefront portion of the property could be redeveloped under existing rules with the same land coverage, density, height, parking, etc., the proposed concept as currently envisioned includes the following major improvements:

- Remove existing TAUs and other improvements from a beach area of 50’ x 250’; restore beach and open a portion of that area to public use (public beach access)
- Remove over 7,000 square feet of coverage from SEZ/1B backshore area
- Remove 19,000 square feet of existing parking from Lakefront portion of site
- Open up a 50’ wide view corridor from Highway 28 to Lake Tahoe
- Abandon Brockway Vista roadway except for emergency access
- Participate in KBCCIP project to provide sidewalks, curb, gutter, and related improvements through the project frontage
- Provide relocation of utilities as appropriate
- Provide bike/pedestrian trail along Brockway Vista former roadway alignment through the site
- Put all parking into parking structure across the highway from the Lakefront in cooperation with County and other project proponents
- Incorporate BMPs for the property as well as adjacent properties
- Participate in implementation of EIPs in Kings Beach area – To Be Determined
- Create a transparent ground level storefront at the lobby and café with views through the building to the landscaped courtyard

As noted above, we look forward to working with the TRPA, Placer County, and other CEP proponents toward a greater future for the Kings Beach Community and all of the Tahoe Basin.

Regards,

Gary D. Midkiff

Appendix – detailed response to issues

Cc: Brenda Hunt ✓
    John Hitchcock
    Allen Breuch
    Jennifer Merchant
    Michele Kingsbury-Perez
February 1, 2008

Appendix
Ferrari Family Resort

Re: Response to TRPA letter of January 14, 2008 regarding Ferrari Family Resort CEP Project

As discussed in recent conversations with TRPA staff, we are in receipt of your letter of January 14, 2008 regarding the Ferrari Family Resort CEP project and acknowledge that you raise a number of issues regarding the project and associated elements that require further attention and possible revision. In the following paragraphs, I will address the specific issues in your letter.

Recognizing that the concept design is preliminary and subject to change, the Ferrari family is committed to working with TRPA and Placer County to a successful design and entitlement for the Ferrari Family Resort and the various environmental, social and economic elements that are part of the CEP program.

**Partnership opportunities –**

As discussed in our meeting on January 16, we remain open to examining opportunities to ensure that our concept design and that of others in the community are complementary. Specifically, we anticipate that the following will be further evaluated during the entitlement process:

- Lake access is clearly a commitment of the family, with details of the location and manner of access to be determined. To the extent possible, Ferrari will cooperate with other property owners to optimize public benefits of Lake access.
- As proposed, a view corridor from Highway 28 to the Lake will be provided. To the extent this view corridor can be relocated to the east property line and complement an adjoining view corridor on the adjacent property we are willing to consider that option.
- The Bike trail along, or near, the alignment of Brockway Vista is an element of the Ferrari concept and will incorporate pedestrian access both through the area, and to the beach. With a change in the KB Resorts (KB) project, the bike trail may be able to extend through the Ferrari property and then transit the adjacent property over to the conference center and state beach.
We anticipate retaining an emergency access on Brockway Vista as well as retaining underground utilities unless another option can be identified.

- Public art is a possible element on the Ferrari project site, but no specific location or subject has been determined.
- Water quality improvements for all elements of the Ferrari concept, as well as properties up hill from the area, is proposed to the extent feasible. Initial discussions with Placer County Public Works staff indicate that incorporation of treatment for flows from up hill properties is the most likely way for Ferrari to participate in the WIP.
- Only handicapped parking and drop off/registration parking will remain on the Lake side of Hwy 28, with all other parking in the parking garage across the street. A question remains as to how much larger the garage can be made to incorporate more public/private partnership, but the possibility of a partial level below grade and a slightly higher height may make some expansion possible.
- The pedestrian overpass is intended to provide safe pedestrian access across Hwy 28 for Ferrari patrons and guests, as well as the general public. Whatever option is chosen for the KBCCIP, there is no signal or safe pedestrian crossing in this area. The overpass, with public pedestrian access on both sides of the highway, will provide this safe connection between the Lakefront and the upper community.
- The Ferrari family is committed to providing ~ 4 workforce housing units in the immediate concept area and, through partnership with Domus, to provide affordable housing on a number of parcels within the grid. Ferrari is providing Domus with the parcel at Speckled and Bear Streets for construction of a proposed 19-25 affordable housing units in the community. This site is particularly important in that it is vacant. New housing can be built on this site without displacing existing residents. Once the new housing is completed, residents of existing substandard housing can be relocated there while replacement housing is under construction. The current Ferrari concept is limited by the absence of an agreed upon set of guidelines from Placer County and TRPA to determine the exact number of workforce and/or inclusionary housing units for the current development concept.

**Scale, massing, height, and community character**

As discussed, the proposed Lakefront portion of the project is designed preliminarily with three stories (as is much of the existing lakefront building) in order to enable the project to open the 50’ x 250’ of beach including some public
access, remove 7,000 s.f. of coverage from the beach, and retain enough units to make the project economic. We are open to evaluating alternative designs, including the pitched roof element that TRPA favors. In order to get three stories and a pitched roof, a greater height in the mid-upper 40’s will likely be necessary. With the current design, the height as measured under existing TRPA ordinance provisions is 43’. As noted by John Singlaub in our meeting, “design is the key”, and we will work on balancing aesthetics and economics as we proceed. As plans develop further, the required information on building height, where measured and how, will be incorporated.

We acknowledge the desire to step buildings back from the front and rear (at least) to minimize the impression of height, and will consider that as the design work continues. Future simulations should also be better as design moves forward to include more detail on stepping buildings up and back away from the Lake and highway, roof pitch, and articulation.

In relation to our need for more height than existing buildings, due to contracting the footprint to open up beach, bike/pedestrian trails, etc., we are able to provide extensive reductions in coverage on 1b (SEZ) lands as an offsetting environmental and scenic benefit. The remainder of the concept incorporates mixed uses including commercial, tourist, residential, and public service (public/private partnership in parking garage). Providing a public/private parking garage, wrapped with housing units to provide aesthetic improvement, is an additional benefit due to reductions in coverage and surface parking. Our plan also incorporates transit shelter(s) into the street frontage to serve the users of public transit.

As noted in our application, the coverage reduction on the Lakefront portion of the project is approximately 20% (from 80+ % to approximately 60%). Details of the garage design and relationship to the other buildings, as well as the size of the garage if it is enlarged to accommodate other users, will have a significant impact on the coverage in the upper area. As the concept design is advanced further, details of coverage will become more available and calculations will be provided to document the proposed coverage.

Transparency is provided at both the upper and lower levels. At the lower level, there is storefront glass along the lobby and café frontage and then full height glass on the interior wall to provide visibility through to the interior courtyard. This viewpoint of the streetfront elevation does not show this area very well.
Your comment regarding the need for greater communication of colors, textures, and materials in presentation materials is well taken. We will make every effort to better address this issue in the application submittal and to make our elevations correspond to the images presented to the public and to TRPA and the Placer County.

We understand that a scenic/visual analysis of the roadway unit, as well as the shoreline travel route threshold, will be necessary.

As recommended by TRPA staff, we have talked with Placer County staff regarding the relationship of the project to CP improvements and the KBCCIP and Caltrans roadway improvements. To the maximum extent possible the concept design will be coordinated with these public projects and will meet CP requirements including consistent design of curb and gutter, sidewalk size and materials, etc.

**Environmental Improvements/Environmental Improvement Program (EIP)**

- As concept design proceeds, we will be working with a qualified professional in the area of beach restoration to address the issues raised by staff. We know that any restoration effort will have to address the impact of fluctuating water levels, and wind and wave action. We do not have a restoration plan at this time.

- Preliminary discussions with Placer County Engineering personnel involved with the areawide drainage program indicate that the Ferrari project location in relation to the area-wide system does not readily lend itself to an interconnection. However, as the Ferrari project design of BMPs proceeds, we will certainly look to ways to cooperate with the County system. More likely is the possibility that the onsite improvements can be sized to handle collection and treatment of at least a portion of the adjacent neighborhood runoff. We do not know at this time what the scope of the BMP design will include, the cost, or the sediment loading reduction that can be obtained.

- We discussed above the Ferrari family’s intent to provide the bike path and pedestrian access along Brockway Vista through our concept area. To the extent the adjacent project design is compatible, this pathway can easily connect to the Conference Center and State Beach facilities. Further connections in the future to the NTPUD Beach to the west are certainly
possible if the PUD or CTC were to acquire a right-of-way and complete the construction.

- While your letter is not clear, discussions indicated that TRPA is anxious to connect through the Ferrari concept to the newly opened beach access. We will further evaluate possible access through the site in that manner, and whether such access can be in cooperation with the project to the east. However, please remember that the economic stimulus that makes a project such as this possible is the ability to create value to the real estate and investors with a quality project. Guests of the hotel, condo-hotel, etc. require at least a level of private guest amenities and provision of a public pathway through the site can detract from the guest experience.

- We are unfamiliar with the referenced Kings Beach Residential Erosion Control Project Fisheries enhancements you referenced in your letter. We will investigate this idea further.

**Green Building Commitments:** As with the rest of the concept design issues discussed herein, we note that the building design is in its very early stages. We are, however, committed to Green Building design and will make every effort to achieve at least minimum Leed certification. We will also evaluate the Leed Neighborhood Pilot program criteria to determine if the score of 40 is possible.

The open space identified in the Lakeside portion of the concept is the interior courtyard of the tourist accommodation element of the project and is reserved for use of guests. The final size of this area will be resolved in further project design.

**Housing:**

- As discussed in our meeting, we will work with Placer County and TRPA staff to resolve the details of the number of units/bedrooms recognized as existing and to further refine the proposed number of units/bedrooms. It is our intent to meet the applicable requirements of California Redevelopment Law and Placer County. The project intent is to provide at least the same number of affordable units/bedrooms at a much higher quality level.

- The Speckled/Bear St. parcel is one of the VERY FEW vacant parcels in the immediate area of the grid in Kings Beach that is potentially available/affordable/viable for construction of affordable housing. All other potential sites are small lots which are not realistically able to support the number of units proposed. We will work tirelessly with Domus, Placer County and
TRPA to obtain the required PAS amendment for multiple family housing so that this site can be utilized for this important housing element.

- We are aware that the TRPA requirement for use of MRBU's is in perpetuity. However, we urge TRPA to consider a standard more in keeping with the HUD and other jurisdictions (such as 50 years which is the economic life of a structure?)

- The TOD finding requirement of a minimum of 8 units/acre is not a concern. The proposed density of the mixed use on the north side of Hwy 28 (residential/tourist) is 15 units/acre. We have not applied the TRPA chapter 21 formula due to the inclusion of 4 classes of uses under the Chapter 18 definitions (SFD condos, commercial, tourist, and public service (garage)).

Parking:

- As soon as design of the parking garage and associated housing units, retail and public service, circulation patterns, and overall design intent is further developed we will be happy to share it with everyone.

- It is definitely our intent to work with the County and others in Kings Beach on the parking garage and a shared parking plan. As noted earlier, the option of increasing the capacity of our preliminary design by going down at least ½ level below grade, and possibly ½ level higher, could add perhaps 80 spaces. The design of the garage, the final number of housing units and amount of commercial parking demand will have to be evaluated in the permitting phase. If there is not sufficient space to meet all needs on this site, it may be necessary for the County and other proponents to find another site, perhaps in the middle between Ferrari and Brown.

Transportation:

- With regarding to VMT reduction strategies, discussions are underway with the other proponents, including Boulder Bay, regarding an expanded shuttle/transit program for the immediate vicinity. At this time, it is unclear if this is a part of TART, or a private service among the proponents. By providing an improved quality lodging product, and more housing in the downtown core for residents and guests, the project is anticipated to reduce VMT. The projected amount will be more readily identifiable as the elements become clearer during further project design.
- The location of existing/on-going transit stops in the concept area is shown in the previous submittals. However, there are (and will continue to be) transit stops on both sides of the highway in the middle of the Ferrari project area. The incorporation of the pedestrian overpass will further facilitate pedestrian access to both of these transit stop locations. The preliminary design of the Rite-Aid/commercial opportunity on the NE corner of the Ferrari project area incorporates a transit shelter into the building frontage.

- Contrary to your note, we anticipate that the pedestrian overpass will be incorporated into whatever design is chosen for the KBCCIP project. Location details will, as with the rest of the resort, be subject to further evaluation as the site plan evolves. (For instance, should we work out changes to allow the KB/Ferrari projects to more complement each other that might affect the details of design, location, etc.)

- As to valet parking, we don’t know at this point if there will be strictly valet (that would allow for more flexibility in the design and parking layout in the garage and be more efficient use of the space), a combination of valet/self park, or just self park. This will depend heavily on the flag operator of the resort as each one has its own philosophy on that and other operational issues.

**Basic Site Information:**

- The spreadsheet submitted with our last package of preapplication materials included all of the verified existing coverage, units of use, and land capability that we presently have. As soon as the verification for the Rite-Aid and adjacent parcels is received from Placer County, we will submit that to TRPA.
- As the site and concept design are further refined a more precise idea and development of plans for snow storage, BMPs, etc. will be forthcoming along with elevations of buildings, floor elevations, drainage, landscaping, and other details of the mountain side elements of the project.

**Miscellaneous CEP Items:**

- As discussed during our meeting, the loss of the Langston house/parcel does indeed have impacts on the project, albeit not major. We were already
required to either retain the existing utilities (mainly power and sewer) that run through the roadway easement and anticipated that the pedestrian/bike path would run along that same alignment. It may also be necessary to provide vehicular access and parking for the Langston house since there is no off-street parking on that parcel. Hopefully, the access and parking can be somehow incorporated into an alternative access for the interior of the KB project and not require car access through the middle of the Ferrari project. The primary impact to the project of not including the Langston property in the project is that we probably cannot provide continuous pedestrian access along the beach above the highwater line of the Lake, and cannot open that 50’ of beach to public use.

- A table with the number and type of uses proposed in the project is attached. The list of primary uses will include:
  - Multi-family residential
  - Single family residential
  - Tourist Accommodation (timeshare, interval ownership, condo-hotel)
  - Commercial – retail, food and beverage, eating and drinking establishments
  - Public Service – parking garage
- To the extent possible, the project will include at least some portion of the tourist accommodations as nightly rental in some way, shape or form.

Again, the Ferrari family reaffirms their intention to pursue a project that will be in the best long term interest of the family and community. The Ferrari family has visited Kings Beach since the late 20s, owned property since 1944, operated a business continually since 1956 and intends to continue to live, work and recreate in the community for years to come. For this reason, the family will retain their well established commitment to being a positive part of the North Tahoe region. The family feels that the current development concept incorporates many of their strongest values including maintaining clarity and access to the Lake, encouraging a far increased use of public transportation, and providing affordable, well designed and well maintained affordable housing. In doing this, the Ferrari family has brought these and other positive values freely to the table rather than being compelled by the permitting process to do the “right” thing.

We look forward to working with the TRPA, Placer County, and the other project proponents to design and build a group of projects that are in the best long term interest of the social, environmental and economic health of Kings Beach.
Ferrari Family Resort
The next 50 years on the lake and in the community

Proponent: Ferrari Family
Location: Kings Beach, CA

Project Description:

More than 50 years ago, the Ferrari Family purchased a little cabin on the shores of Lake Tahoe in Kings Beach. Since that time, the family has lived, worked and played in the community, created a much loved family resort, contributed continuously to it's environmental, economic and social vitality, and has taken an active leadership role in shaping it's current redevelopment effort. The culmination of this effort is the proposed Ferrari Family Resort: The next 50 years on the Beach and in the Community. This is a complex and comprehensive proposal that will transform the Western gateway of Kings Beach from a collection of time worn underperforming and environmentally damaging motels, cabins, parking areas, and retail spaces into a vibrant community and tourist serving transit oriented mixed-use activity center. This proposal provides 44 new housing opportunities for full-time residents, new work force housing in collaboration with DOMUS Development, a new Leed certified resort, more than 30,000 square feet of enhanced and new retail opportunities, extensive environmental improvements, significant consolidated parking, an enhanced transit center, and important public views and access to the lake.

Existing Site Context/Conditions:

The existing sites, located on both sides of Highway 28 between Sawmill Street and Deer Street, contain an eclectic mix of aged residential, resort and commercial buildings. These single and multi-story buildings, built over the past 50 plus years, are dispersed on the sites, creating excessive coverage and uncontrolled site drainage. Some of the residential buildings, originally built as cabins, are under 200 square feet, yet they are homes to families. Additionally, many of the motel units have long been utilized as residences because they represent the only affordable options for many people. The Rite Aid store is housed in a former bank building, one of many improvised uses. The current Ferrari Crown Resort, including the former Gold Crest are a collection of 2 and 3 story buildings that extend to the lake high water line, completely block any views of the lake, and have coverage of more than 80 percent.

The sites on the North of Highway 28 are relatively flat with an over abundance of trees that are often encroaching on building foundations. There are no curbs, gutters or sidewalks, and no water treatment measures. On the lake side of the highway the site slopes slightly to the Brockway Vista Drive, an unimproved County Road, and then slopes down to the lake. Here trees are sparse, but well located. There is little screen planting on the lake side of the buildings.

The existing site conditions include:

- Coverage in excess of 80 percent on most sites
- 27 Residential Units
- 93 Tourist Accommodation Units
- 19,000 square feet of pavement for parking and vehicle circulation on the lake side
- 5,972 square feet of Commercial Floor Area
- Predominantly Class 5 land with a portion of the lake side classified as 1 B
- No public access through the sites or open space
- No bus shelters
- No sidewalks or bike paths
Proposed Site Context/Conditions:

The Ferrari Family Resort proposal incorporates residential, commercial, resort, parking, and open space in a vertical and horizontal mixed-use project encompassing multiple sites on both sides of Highway 28. On the north side of the highway, three different housing sites on Rainbow Avenue add approximately 38 new flats and live/work townhouses in 3 story buildings. A fourth mixed-use housing project adds an additional 6 units over retail in a 3 story building facing the highway. A new 16,000 SF commercial space is proposed on the existing Rite Aid site, flanked by new ground floor retail and a pedestrian overspill entrance. At the center of the block a 4 level parking structure is planned, its walls screened by the surrounding retail and residential structures. The new resort spans both sides of the highway, linked at the second floor by a pedestrian overspill that is also open to the public and connects to the parking structure. The lake side of the 3 story resort is planned to provide a streetfront cafe, a waterfront restaurant, and a view corridor to the lake. The buildings are pulled back from the high water line approximately 50 feet. Brockway Vista is closed to vehicles at the current Goldcrest property and dedicated for pedestrian access. On the North side of the highway, the resort wraps around and over the new commercial space creating a stepped back 4 story building with balconies overlooking the street and lake. Neighborhood BMP gardens are sited to control and treat site drainage.

Code Amendments/Commodities:

Code Amendments: The following Code issues will need to be addressed to implement the Ferrari Resort Community Enhancement Proposal.

- Parking: The Ferrari application proposes a parking structure incorporating approximately 320 shared parking spaces which eliminates scattered parking from most sites and consolidates them into one structure.
- Density: TRPA Code, Chapter 21, does not provide for a methodology of calculating this number of uses in a mixed-use project. As conceptual planning and economic analysis continues, the product mix of number and type of units may change to ensure that the proposal is economically viable and can be built.
- Height: Current TRPA Code, Chapter 22, will need to be revised to allow for 3 and 4 story building heights that support reduced coverage and transit oriented development.
- Coverage: The Code will need to be adjusted to consider the entire proposal coverage, including non-contiguous parcels.
- Land Use: Multiple-family residential and Time Share uses will need to be added to the allowable land uses, and designate the proposal area to receive transfers of existing development.

Commodities: The proposed development has 93 TAU’s and will require approximately 87. The project will require 44 RU’s. Currently 46 RU’s, 19 of which will need to be transferred as bonus units from a site developed in conjunction with DOMUS’s affordable housing initiative. Approximately 29,100 square feet of additional CFA is required to meet the goal of 35,000 square feet.

Environmental Enhancement Improvements:

Several elements will specifically contribute to environmental improvements, recreational access to Lake Tahoe, and scenic improvements within the Kings Beach commercial core.

- Remove approximately 7,000 square feet of coverage from sensitive 1B lake front land, restore an area of beach, and open the beach to some public access.
- Open a 50’ wide view corridor from Highway 28 to Lake Tahoe.
- Remove nearly 15,000 square feet of parking from the lake side of Highway 28.
- Reduce lake side coverage from 81% to less than 60%.
- Enhance water quality with roof designs that capture and direct rain and snow to on-site BMPs.
- Participate in the implementation of the Community Core project where it interfaces with the project.
- Contribute substantially to the Scenic Quality Improvement EIP with new, high quality buildings utilizing natural and recycled materials, deep root systems, and waterwise landscaping.
Distinguishing Characteristics:

The project will incorporate a high quality architecture that takes its cues from the modern construction methods and materials utilized in contemporary sustainable, green alpine architecture with the idea of continuing the evolution of the Kings Beach character from seasonal campsites, to mid-century resort and worker enclaves, to a viable, environmentally-focused, diverse year-round community. We are designing architecture that celebrates the views of the lake and the surrounding forest, incorporates modern alpine construction methods and fire resistant materials, is filled with light, shadow and texture, and emphasizes the specific structural and aesthetic characteristics of trusses, beamed ceilings, stone walls, deep recesses, and spaces adaptable to both summer and winter seasons. The proposed architecture will respect its relationship to Lake Tahoe by using multiple planes to diminish the presence of walls, and by using colors and materials that recede from view and blend into the background. It will also demonstrate the value and beauty of incorporating many recycled and naturally weathering materials, as well as Green building practices as it attempts to obtain LEED Certification.

Buildings will step up from the highway frontage to no more than 3 stories on the lake side and no more than 4 stories on the North Side. The street edge will be 1 and 2 stories in height, with the upper stories stepping back. It should also be noted that the Ferrari property has an existing three-story building located 25 feet from the high water mark that will be removed to reduce coverage.

As a catalyst project for an important mixed-use transit node in Kings Beach, the proposal intends to incorporate the informal, eclectic quality that currently exists, yet develops a high standard for sustainable architectural design and construction as well as a model for reducing coverage, creating environmental enhancements, and promoting a strong public realm. It is a comprehensive project that intends to benefit the entire community.

Environmental, Social and Economic Benefits:

There are three resonating themes that distinguish this proposal. First, this is a proposal that is intended to strengthen and revitalize this struggling community by providing various types of housing, both market rate and affordable, by creating density at an important community transit activity node, and by creating opportunities for jobs with a valuable tourist accommodation attraction, and enhanced and new retail activities. Second, this proposal provides numerous environmental and scenic core improvements including:

- A significant view corridor where none now exists
- Beach public access
- Sidewalk pedestrian access
- Reduced coverage
- Public open space improvements
- Neighborhood water quality management improvements
- Enhanced transit opportunities
- Elimination of asphalt and other paving
- Removal of all parking and vehicles from the beach side of Highway 28

And third, that the Ferrari family has long been stewards of the environment, the lake and community in Kings Beach and that tradition and responsibility continues in this proposal through their desire to create new housing for full time residents; enhance the living conditions of many of the lowest paid members of the community; expand the public's views and access to the lake, develop a high quality resort; and enhance the quality and beauty of the environment they have lived and worked in over the past half century.
Measurable Benefits:

The Ferrari Family Resort proposes, as part of this project proposal, to implement the following measurable Benefits:

- Creation of some new public beach access to 250 feet of previously private land.
- Elimination of all vehicles from the lakeside portion of the project except handicap parking, valet drop off and emergency access.
- Improved scenic quality along Highway 28 and as seen from Lake Tahoe with removal of rundown, crowded development along the view corridor, and replacement with new, attractive, quality multi-planed architecture, screened with landscape plantings.
- Full BMPs for all project elements and creation of a neighborhood BMP project to treat runoff from surrounding properties (depending on space/treatment capacity) of the site.
- Creation of a 50’ wide view corridor from Highway 28 to Lake Tahoe.
- Remove extensive coverage (over 7,000 s.f.) from 1B area that will then contribute to recreation, scenic and water quality improvements while improving publicly accessible recreational beach use opportunities.
- Reduction in coverage from more than 80% to less than 60% on the lakefront portion of the property.
- Abandonment of Brockway Vista, an unimproved county road, to the extent of the existing Crown Resort and Goldcrest properties, to be replaced with emergency and pedestrian public access to the existing and potentially expanded beach, reducing automobile access in the project area.
- Creation of 44 new family residential units, a new family resort, more than 300 parking spaces, and 35,000 square feet of CFA in existing transit node.
- Creation of new work force residential units through donation of a site and cooperation with DOMUS Development.
- Commercial Core improvements to create a pedestrian friendly streetscape and varied setbacks to create places for people to congregate.
- An elevated pedestrian crossing to facilitate people safety crossing Highway 28 where no signals are proposed.
January 29, 2008

Dear Ms Hunt,

This is Domus' commitment letter in response to TRPA's January 10, 2008 letter of recommendation for reservation of commodities for the Domus' Kings Beach Housing Now proposal as part of the Community Enhancement Program (CEP).

TRPA has proposed to reserve 14,213 sq. ft. of Commercial Floor Area (CFA) for the Domus proposal; this is a 7.05% reduction from the 15,292 sq. ft. requested. TRPA has also reserved 79 multi-residential bonus units for the project. The scope of the program has recently been reduced by removing one of the proposed mixed use sites and therefore, the amount of required commodities has been decreased equaling a net total of 8,175 sq. ft. CFA and 74 MRBUs.

Following is how Domus plans to fulfill its commitment to TRPA's requirements for continued participation in the CEP outlined in your letter:

1. Scale, massing, height, and community character:
   - Although the corner section of the building on Chipmunk and North Lake Blvd. cannot be setback due to site constraints, Domus is looking at ways to provide additional articulation to that building for visual interest.
   - Domus has proposed a coverage reduction within the total program of at least 2,737 sq. ft. or 8%. Project plans are not yet complete and by the time of submittal that number may be reduced further.
   - The current residential roof design has no snow shedding directly into entrance areas of the buildings. The rear stairway on the uphill building at 200 Chipmunk will be relocated to an area that isn’t impacted by shedding snow.
   - A Scenic/Visual analysis will be prepared for Site 4 (200 Chipmunk) which is in Roadway Unit #20.
   - High quality natural materials will be incorporated into the project. The structures have been designed to look like individual townhouses and will vary in materials and colors. The buildings will be clad with either a combination of wood shingles, plywood siding, and hardboard siding. Natural stone will be used on the retaining walls on Site 4.
   - Domus is working with Placer County to ensure that streets improvements will be consistent with the Kings Beach Commercial Community Plan (CP) and the Kings Beach Commercial Core Improvement Project (KBCCIP).

2. Environmental Improvements/Environmental Improvement Program:
   - Domus is working with Placer County Public Works to contribute to the KBCCIP by donating land on Site 4 where a water quality basin will be constructed. The details regarding funding, construction, and overall maintenance/monitoring will be worked out by time of project submittal.
• All the structures will meet minimum LEED certification and Domus will maintain a minimum score of 40 for the project against the pilot LEED for neighborhoods program.
• Transferred coverage will be used for the sites needing additional coverage.

3. Housing:
• These units will be deed restricted as affordable housing in perpetuity.

4. Parking:
• Domus will work with other CEP participants on the possibility of shared parking where appropriate. A parking analysis evaluating the proposed reduce parking standards will be submitted with the project application.

5. Transportation:
• The manager’s office located at 200 Chipmunk will contain information regarding bike paths, bus routes and times for linkages to schools and community facilities.
• Domus will provide an analysis of VMT reduction strategies and methodology. That analysis will include a map showing the location of transit stops from the proposed project areas and the pedestrian linkages to access these stops.

6. Basis Site Information:
• TRPA verifications for existing land coverage, land capability, and units of use will be included with the project submittal packages.
• Snow storage areas and best management practices will be included on the project plans.

7. Miscellaneous CEP items:
• The site earmarked by Placer County Redevelopment for a gateway feature is no longer in the Kings Beach Housing Now program. However, Placer County still plans to use that site for signage welcoming people to Kings Beach.
• The mixed-use project at 200 Chipmunk will contain multi-family residential and commercial. The commercial uses will most likely be neighborhood serving retail and office.
• Domus will provide pocket parts where appropriate. Those areas have not been identified yet.

Should you require additional information, please do not hesitate to contact me at 415-856-0010 ext. 201.

Sincerely,

Meea Kang
President
January 30, 2008

Brenda Hunt
Associate Planner II, Land Use
Pathway 2007 Branch
Tahoe Regional Planning Agency
128 Market Street
Stateline, NV 89449

Subject: Community Enhancement Program
          BB, LLC – Kings Beach Town Center

Dear Ms. Hunt:

Thank you for your letter dated January 10, 2008 in response to our pre-application submittal for the Community Enhancement Program (CEP). This letter summarizes staff’s recommendation for the reservation of commodities and candidacy of the proposed Kings Beach Town Center project to move forward in this process.

Our project team met with TRPA senior staff on January 15th to review and discuss the stated requirements for continued participation in the CEP. In this meeting we agreed that a number of these items would be addressed or analyzed at a later date during environmental review. However, we defined four prevailing items that staff requested B.B., LLC commit to addressing in our formal application, which will follow the Governing Board’s resolution. These items are as follows:

- Scale, massing, height and community character: Building Height
- Scale, massing, height and community character: Parking Garage Design Alternatives
- Environmental Improvements/Environmental Improvement Program (EIP): A quantifiable and irrevocable commitment to on-site and off-site water quality improvements
- A reduction in existing land coverage across the project area
January 30, 2008
Brenda Hunt
TRPA
BB, LLC – Kings Beach Town Center
Page Two

We are committed to continuing to work with TRPA and Placer County staff to address afore items during further development of this proposed project. An expanded letter to this effect will be provided to you prior to the Advisory Planning Commission.

We look forward to continued work with the TRPA and Placer County staff to make this an outstanding project.

Sincerely,

Wyatt Ogilvy

cc: Bill Turner
    Steven Brown
    Wally Auerbach
    Whitney Bibbins
February 5, 2008

Brenda Hunt
Associate Planner II, Land Use
Pathway 2007 Branch
Tahoe Regional Planning Agency
128 Market Street
Stateline, NV 89449

Subject: B.B., LLC Proposed Kings Beach Town Center Project
Lake Tahoe Community Enhancement Program

Dear Brenda:

This letter is in response to your Community Enhancement Program (CEP)) letter dated January 10, 2008, concerning our proposed project located in downtown Kings Beach, California. As you are aware, I am the Managing Member of B.B., LLC and would like to take this opportunity to respond to the issues and considerations that you raised concerning our project. However, I would first like to state to you and the Board that our team worked very hard in preparing our pre-application submittal. The vision for this project very closely parallels the Kings Beach Community Plan, Placer County and Regional Vision Summary documents. Furthermore, we are fully committed to continued work with the TRPA and Placer County staff to make this an outstanding and approvable project.

Our project team met with TRPA senior staff on January 15th to review and discuss the stated requirements for continued participation in the CEP. In this meeting we agreed that a number of these items would be addressed or analyzed at a later date during environmental review. However, we defined four prevailing items that staff requested B.B., LLC commit to addressing in our formal application, which will follow the Governing Board’s resolution. These items are as follows:

BH/sb
- Scale, massing, height and community character: Building Height
- Scale, massing, height and community character: Parking Garage Design Alternatives
- Environmental Improvements/Environmental Improvement Program (EIP): A quantifiable and irrevocable commitment to on-site and off-site water quality improvements
- A reduction in existing land coverage across the project area

Additionally, we discussed at a cursory level the following items or issues that would be addressed under a joint environmental document for the project:

- Scenic/Visual Analysis
- LEED Certification
- Library Relocation
- Employee/Affordable Housing
- Removal of cars from the Park and Conference Center
- Transit stop relocation
- Placer County Government Center located at site;
- Art Walk/functional public art

**Major Issues Identified:**

**Overall Height**

Building 1 - Parking Structure

We will continue to work with the TRPA staff concerning this parking structure. We would like to reiterate that we employed Gordon Shaw of LSC Transportation Consultants, Inc. to complete a shared parking demand analysis that led revision to our original drawings. This design revision reduced the size of the garage with a capacity reduction of more than 100 vehicles. We are continuing to evaluate ways to further reduce the size and apparent mass of this structure.

However, we are desirous of providing the necessary parking that will be required for the project, as well as offer an alternative to the cars that are currently being parked at the Kings Beach Conference Center. As you know, we are in discussions with both the Conservancy and the NTPUD on this very sensitive matter. The location of the garage is driven by the goal that pedestrians come first, not the automobile. Through consolidation of the parking to the rear of the site, it allows for the creation of pedestrian friendly plazas through the heart of the site and minimizes vehicle impacts.
We are continuing to evaluate methods to soften the look of the building, tying it into the rest of the Town Center and surrounding community. The garage will utilize the same materials as the adjacent buildings. It is clear to us that the garage and all of the Town Center buildings will include natural stone veneer, horizontal siding and storefront glazing in the appropriate places. Additionally, the incorporation of architectural metal mesh softens the pre-cast concrete construction and provides attachment for landscaping to grow on the structure. Special attention will be paid to the landscaping surrounding the structure to reduce its apparent scale and mass. This will provide the maximum allowable screening and provide a natural buffer to the adjacent parcels. The design team will continue to work with TRPA staff to provide additional details and information on the design enhancements of the garage.

Summary:

- The layout and massing of the parking garage is directly based on creating the most compact, efficient garage configuration possible.
- In order to soften the scale of the building and tie it into the rest of the Town Center, it utilizes the same materials as the adjacent buildings.
- The design team will continue to work with TRPA staff to provide additional details and information on the design enhancements of the garage.

Building 6 + 7 Residential/Commercial Mixed Use

The buildings along North Lake Boulevard are designed to provide a lively pedestrian activation for the pedestrian level streetscape. This is done by providing large amount of retail storefronts for shops and restaurants for easy access by the public. At the street level, the varied building setbacks provide recessed sitting and dining areas that create a synergy along this scenic corridor. This will enable the streetscape to be active all year long, which is essential for the livelihood year round of small local businesses. Based upon our public meetings and comments from the TRPA staff, we have continued to provide a building step back that greatly reduces the perceived height from the street. The fourth floor of building 7 sets back up to 33 feet. These setbacks have been incorporated based upon public meeting comments and discussions with the TRPA staff.

We feel confident that we can continue to work with the TRPA staff on ways to decrease the overall height of this building, without losing its signature features. This includes looking at reduced floor-to-floor plate heights and alternate roof configurations to reduce the building’s overall height. It is essential to the economic viability of the Town Center that no additional floor area is eliminated. We are committed to working with TRPA staff in finding an acceptable compromise between the currently proposed height, and a height that is acceptable to TRPA.
Summary:

- The buildings along North Lake Boulevard are designed to provide a lively pedestrian activation for the pedestrian level streetscape.
- The varied building setback at the street level provides recessed sitting and dining areas that create a synergy along this scenic corridor.
- A setback at the third and fourth floors provides for only the second story to be noticed from the street as the height.
- We are committed to working with Staff in finding an acceptable compromise between the currently proposed height, and a height that is acceptable to TRPA. Because of this site potentially containing the Community Health Center, the Post Office, the library, medical offices and the large pedestrian gathering places, height should be allowed to identify this area of Kings Beach.

EIP and Offsite Water Quality Improvements

We will commit to utilizing Best Available Technology (B.A.T.) for all onsite water quality treatment systems. We will commit to design, installation and maintenance of improvements that will reduce fine sediment discharge levels from the site by at least 50%, which is the anticipated level of reduction of the improvements proposed by Placer County throughout the Kings Beach grid. In addition, we will commit to participation in the Kings Beach Stormwater Quality Improvement Project (KBSWQIP) in a number of ways. First, we intend to build roadway and curb, gutter and sidewalk improvements that are currently included in the plan, such as those associated with Salmon Avenue and Fox Street along the project frontage. Second, we will incorporate storm water runoff from Salmon Avenue and portions of Fox Street into our onsite water quality treatment systems, reducing the runoff and treatment needs of the County system. Third, we will design, build and construct portions of the Salmon Avenue, Coon Street and Fox Street water quality treatment systems that are currently being planned by Placer County. We understand that the County is currently reviewing the sediment reduction benefits of each of the project elements, and will develop a matrix of costs and water quality benefits for their project. We assume that all the CEP projects will be assigned some level of participation in that project based on an in-depth and inclusive discussion of how that should be accomplished.

Please refer to the attached letter, dated January 24, 2007, from Peter Kraatz of Placer County Department of Public Works that addresses how the County intends to work with CEP projects in the Kings Beach area.
Land Coverage Reduction and Landscaping

B.B., LLC is committed to a land coverage reduction across the project area in accordance with the goals originally set forth for the CEP. We will be working to refine and quantify the proposed reduction in our forthcoming project application.

In recent correspondence, we agree that the Kings Beach Community Plan language that you reference is as follows:

"Integrate more landscaping into both private development and public projects. Policy: Projects with existing coverage in excess of 75% of their project area, shall be required to provide an increase in landscaping equal to 5% of the project area."

We have previously completed a preliminary landscape plan and are committed to providing landscaped areas totaling beyond five percent of the project area. This will be quantified in our forthcoming project.

Additional Issues Identified:

We agreed in our meeting with TRPA staff that these additional issues would be addressed during the development of a joint environmental document for the project.

LEED NC and ND

The project team began with the goal of using the LEED NC 2.1 Template as a barometer for gauging the projects adherence to the environmental goals. It is now our understanding that TRPA is suggesting a LEED certified rating for the project. We will continue to discuss the LEED options with the TRPA staff to come up with a program that works for TRPA and that will be affordable by the developer considering the administrative, application and commissioning costs that would be required for each of the buildings on site to meet the current rating outlined by staff.

Because a comprehensive review of the LEED ND Pilot Program has not been completed at this time, both the Developer and TRPA will need additional research into this requirement, including the clear understanding from the development team on how TRPA will be reviewing and interpreting the LEED credits.
Scenic/Visual Analysis

B.B., LLC will hire a third-party consultant to provide this analysis. This work will be completed as a component of the joint environmental document.

Library Relocation

B.B., LLC views the cohesive Kings Beach/North Tahoe CEP projects as a “once-in-a-lifetime” opportunity to do provide as much as possible for this community. Lake Tahoe and Kings Beach have the opportunity to make two great changes at one time, namely by relocating the current 1,600 square foot library from an SEZ to the B.B., LLC site and providing a state-of-the-art library/learning center for the community. Without education, there can be no great long-term changes within a community. B.B., LLC is working with several entities at this time to find a financially feasible method of moving the library to our site. Because of the sensitive political and financial nature of these discussions, we are not able to provide further details at this time. We can tell you that there are several viable options available to make this happen, and we will provide the TRPA with the details as they develop over the next few months.

Affordable/Employee Housing

We have an on-going relationship with Placer County RDA to finalize the actual housing requirements for our project. We have worked continuously with Joanne Auerbach and Jim Lobue in this regard. This project will be in full compliance with Placer County’s rules, regulations and policies regarding the housing matter. We are currently under an Exclusive Rights to Negotiate Agreement with Placer County RDA concerning our property on Trout Avenue and Domus for six (6) affordable housing units. We have also designed 10 affordable housing/employee housing units into our Town Center site located in Building 2 on our site plan.

The attached letter, dated December 10, 2007, from Rae James of Placer County Redevelopment Agency summarizes our commitment to fulfilling the affordable/employee housing needs of this project.

Removal of cars from the Park and Conference Center

With the proposed parking structures at the B.B., LLC and Ferrari sites, these two project teams have met with the Conservancy and the NTPUD about moving the cars from the KB Conference Center and returning the beach front to its natural state.
Transit Stop Relocation

We have designed a new transit shelter to be located in front of the current Scraps Building location. We would propose to combine the two current bus stops located at the corners of Fox and Coon into one highly upgraded transit stop at the center of the block. We have personally opened discussions with Will Garner at TART and Dan LaPlante at Placer County DPW. Preliminarly they have both indicated a willingness to work with us in this design. This new site would also provide an informational kiosk with local transit information.

Placer County Government Center

We have been in constant communication with the Placer County Department of Facilities concerning the selection of the location for the Government Center. At this date, we know that we are one of the three (3) finalists. It is our opinion that our site will be the final selection for this building. The selection of the final candidate should be made at the February 26, 2008, Placer County Board of Supervisors Meeting. In the event that we would not be chosen, it is our intention to provide this building for professional office and business space on the site.

Art Walk/Functional Public Art

It has been our intention to provide a major public gathering place on our site that would be located around and through the site from the Scraps Building across the rear of the property to Salmon Avenue. This gathering place would have a Boating Theme and have as an integral part of the gathering place an outdoor amphitheater for outdoor education programs and local entertainment. Throughout this public gathering place will be local art provided by local artists from the area. We will ask for local artists to showcase their various art forms along the walkways, on the internal buildings, and perhaps on the parking façade as well.

Conclusion

Since 1996, the Kings Beach Community Plan has told us that the community is ready for rehabilitation and revitalization in a number of ways.

Our project will provide a Pedestrian Tourist Village, Mixed-use facilities with tourist retail and recreational commercial uses. This project will provide retail stores, professional offices, arts and crafts shops, restaurants, condominiums, condo-tels, and fractional shares living units that will encourage and enhance a “year round” economy that Kings Beach so desperately needs.

B.B., LLC – Proposed Kings Beach Town Center
TRPA Response Letter
BH/sb

AGENDA ITEM X.A
This project will promote land use changes and development patterns that will encourage the use of alternative transportation modes and reduce travel distances. However, the most impact that this project will have on Kings Beach and Lake Tahoe will be by providing state-of-the-art infrastructure and water quality filtration systems that will reduce the current 45,000 tons of sediment running into Lake Tahoe mostly from Coon and Fox Streets. Additionally, this project will remove all of the current blighted conditions on the Town Center property.

All of the proposed CEP projects will have a positive cumulative effect on the future of Kings Beach and surrounding communities by increasing property values, creating employment opportunities, generating property and income tax revenue, as well as sales tax revenue for Placer County and the Lake Tahoe Region.

We are prepared to work diligently with the TRPA and Placer County to make Kings Beach and the North Shore a better place to live and work. To that end, the CEP process will provide us with the incentives we need to provide for the rehabilitation and revitalization that is so badly needed right now.

Thank you for your continued efforts as they relate to the CEP. We look forward to continued work with the TRPA and Placer County staff to make this an outstanding project.

Sincerely yours,

Steven K. Brown
Managing Member
December 10, 2007

John Hitchcock
Brenda Hunt
Tahoe Regional Planning Agency
128 Market Street
P.O. Box 5310
Stateline, NV  89449

Dear John and Brenda,

The purpose of this letter is to clarify the position of Placer County and the Placer County Redevelopment Agency regarding housing obligation calculations related to development concepts submitted under the Community Enhancement Program (CEP).

As Placer County is not using federal funds for developments submitted under the CEP, there is no federal housing requirement.

California Redevelopment Law requires that all low or moderate income units destroyed or removed within a redevelopment area—the agency must rehabilitate or construct an equal number of replacement dwelling units within four years of the destruction or removal. The replacement housing units are to remain available at affordable housing cost to persons and families of very low, low and moderate income, and occupied by those persons and families for the longest feasible time, but for not less than 55 years for rental units and 45 years for homeownership units. Additionally, the local jurisdiction may impose other housing requirements based on increased housing need.

Below is a conservative preliminary estimate of the housing obligation by developer.
As each concept undergoes the environmental review process and final design, these estimates may change. Also please note that early discussions are being held with individual developers and Domus development to satisfy part or all of the replacement housing obligation.

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<th>Developer</th>
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* Based on preliminary development concepts. Assumes Kings Beach is a successful bidder for the Government Center.

**Includes units tentatively agreed to be provided by Domus for Ferrari (19 units) and BBLLC (6 units).

Please feel free to contact me at (530) 745-3178 if you need further information.

Yours Truly,

*Original Signed By*

Rae C. James
Special Projects
January 24, 2008

Ms. Brenda Hunt
Associate II Land Use Planner
Planning and Evaluation/Pathway 2007
Tahoe Regional Planning Agency
PO Box 5310
128 Market St.
Stateline, NV 89449

Regarding: EIP WATER QUALITY BENEFITS RELATED TO CEP PROJECT APPLICATIONS, PLACER COUNTY

Greetings Brenda:

A major foundation for Placer County’s view of future urban development in the Lake Tahoe basin area of the county is largely based on the Community Enhancement Program (CEP) developed as part of the Tahoe Regional Planning Agency’s (TRPA’s) Pathway 2007 process. Projects applying under the CEP are expected to go above and beyond the typical requirements of a private development project conditioned and permitted in the basin. Often referred to as the triple-net gain, these requirements relate to environmental, social, and economic benefits that CEP project will provide to the region.

With regard to CEP projects being considered in Placer County, the Department of Public Works (DPW) would like the following issues considered in the review and selection of CEP project applications and how they can provide maximum environmental benefit in helping meet the water quality threshold of TRPA’s Environmental Improvement Program (EIP) as well as the forthcoming total maximum daily load (TMDL) of fine sediment and nutrients to be assigned to responsible Basin jurisdictions.

The DPW is the lead Placer County department for developing and delivering capital erosion control and stream environment zone (SEZ) restoration projects that help the county make progress towards the EIP water quality threshold standards and applicable storm water quality discharge standard assigned to Placer County by TRPA and the Lahontan Region Water Quality Control Board (LRWQCB) respectively. These projects all have an assigned EIP project no. and ones currently in the planning or design phases are located throughout the north and west shore areas of the basin including Tahoe Pines, Homewood, Tahoe City, Tahoe Vista, Kings Beach and Brockway. With CEP projects located in Homewood and Kings Beach, a strong nexus exists for fulfilling the goals of our water quality EIP projects and providing maximum water quality benefit by the CEP projects.
In order to more fully develop this water quality nexus between public and private projects, the following points are recommended by DPW for consideration by TRPA staff and CEP applicants. **In addition, DPW commits to TRPA and CEP applicants to work through the details as necessary to satisfy final conditions for EIP environmental contributions to be made by the CEP projects that are considered equitable and above and beyond as roughly defined in the triple-net gain concept.**

1) For CEP projects located in Kings Beach, DPW has three EIP project nos. that encompass the Kings Beach Watershed Improvement Project (WIP). This project addresses the urban area of Kings Beach just upgradient of State Route 28 (SR 28). The project has been divided into **six construction phases corresponding with six sub-watersheds.** The estimated timetable for construction of these phases is between 2009 and 2014, pending available funding. The construction cost for the WIP improvements is currently estimated at $17M. **Two additional phases of water quality improvements correspond with the Kings Beach Commercial Core Improvement Project (CCIP) (EIP Project No. 10060) with improvements occurring along the SR 28 and storm water outfall zones below the highway.** These improvements are scheduled for construction between 2010 and 2011, pending available funding. The construction cost for the CCIP water quality improvements is currently estimated at $9M. These eight water quality construction phases are shown graphically on the attached figure entitled “Construction Phasing Plan.” Overall proposed water quality components for Kings Beach are shown on the second figure entitled “Proposed Water Quality Improvement Components.”

2) The eight phases of Kings Beach water quality improvements combined are estimated to reduce fine sediment discharge from an average of 88,000 pounds per year to 45,000 pounds per year, or nearly a 50 percent annual pollutant loading reduction. Should more specificity be desired with respect to the loading reduction applied to each major construction phase, an additional study will be needed, estimated to cost $50K. This study is underway but should not be considered the critical path for assigned EIP improvements to the various CEP projects as articulated below.

3) DPW’s current budget situation currently has considerable funding assigned to the CCIP water quality improvements ($4.2M) with the anticipation that an additional funding allotment of $3M will be approved in 2008. However, there is no current funding available for the WIP improvements.

4) One or more of the CEP projects in Kings Beach can consider supporting the implementation of both CCIP and WIP improvements with emphasis placed on the WIP improvements as no funding has amassed for these improvements. In order to maximize these environmental benefits, CEP project applicants should propose a logical portion of these capital improvements to be constructed as part of their project(s). The details for a “logical portion” requires an effort to determine what that should be, but at least initially, applicants should make a proposal to TRPA and DPW can provide technical feedback if necessary.

5) DPW believes the **design, easement acquisition and/or construction of these proposed water quality improvements**, as opposed to collecting mitigation or in-lieu fees based on developed area or commodities given, **would be the most productive and efficient means in making progress towards the EIP water quality threshold.**
As the CEP project applications progress, additional information can be provided by DPW with regard to specific water quality improvements within each of the eight major construction phases that could be assigned to one or more of the Kings Beach CEP projects.

6) In summary for the Kings Beach CEP project applicants, there is a $26M current construction cost estimate in water quality improvements proposed by DPW’s CCIP and WIP projects with $4.2M acquired to date, and a total potential annual fine sediment reduction of 43,000 pounds per year. Further delineation of both construction cost estimates and pollutant load reduction by sub-watershed will be performed by DPW and should be completed by the end of February 2008. The attached financial spreadsheet shows a total of over $32M for Kings Beach water quality improvements when considering final design tasks, administrative costs, easements needed, and construction management.

7) Regardless of the outcome of the more detailed pollutant load modeling study, DPW sees the entire Kings Beach watershed that includes the six sub-watersheds as needing all the proposed water quality improvements outlined in the attachments. Kings Beach is the densest urban area in the north shore area of Placer County with the fewest water quality improvements. Our view is that right now, water quality improvement projects as delineated in each sub-watershed could be assigned in part or whole to the CEP program applicants. The details of how much of a project gets assigned could be based on the commodities needed and the “score card” concept discussed by TRPA staff in recent CEP meetings. In the end, our recommended approach would be to assign projects to CEP projects that have the closest physical spatial relationship (i.e., BB LLC gets assigned delivering a part of the Coon Watershed improvements with a current total estimated budget of $9.64M). DPW cannot overemphasize the fact that all of the proposed public water quality improvements need to be accomplished to achieve the 50% fine sediment reduction in Kings Beach. In addition, more opportunities will be afforded through a close spatial relationship between the locations of CEP projects and public water quality improvements such as capitalizing on consolidating drainage and treatment infrastructure needed by both parties.

8) For the Homewood CEP project applicant, DPW has water quality improvement planning efforts underway in the Homewood area and a similar process can occur by which an equitable approach is applied using the “score card” or commodities-based approach to quantify the amount the applicant contributes to proposed public water quality improvements still to be finalized by DPW.

9) Additionally, there are several other non-DPW related opportunities for EIP contribution that each of the projects have discussed at this early conceptual stage. The extent to which each project will participate will depend greatly on their proximity and the potential for appropriate application specific to the project. Those projects include, but are not limited to, transfer of development off of sensitive lands, pedestrian and bicycle improvements, transit capital and operating improvements and scenic improvements. The County is committed to working with each applicant to require and maximize opportunities for contribution in these areas.
Should you require any additional information regarding our recommendations, please feel free to contact me at (530) 581-6230.

Best regards,

[Signature]

Peter R. Kraatz, P.E.
Deputy Director, Placer County Public Works Department

Attachments: Kings Beach Construction Phasing Plan
             Kings Beach Water Quality Improvements Cost Summary

cc w/attachments:  Allen Breuch, Land Use Manager, Placer County CDRA
                   Jennifer Merchant – Tahoe CEO, Placer County
                   Rae James – Placer County RDA
KB Water Quality Improvements project  
Cost Summary  
12/11/2007  JM

KINGS BEACH WATER QUALITY IMPROVEMENTS COST SUMMARY

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<th>Watershed</th>
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Note: "Griff Creek Water Quality" and "Griff Creek SEZ" coincide with "Griff Creek Watershed" on the Construction Phasing Plan drawing.
February 1st, 2008

Brenda Hunt
Tahoe Regional Planning Agency
128 Market Street
Stateline, NV 89449

Dear Brenda,

Based on the letter we received dated January 17, 2008 and the meeting held with TRPA staff on January 18, 2008 to review the comments, we are responding that on behalf of Gene Garfinkle, owner of the Community Enhancement Program (CEP) – Former Mikasa Site, we are committing the resources to continue with the process. Furthermore, it is our understanding that you would like to have a response to you describing how we intend to address the requests outlined in the letter. Since the project is still in its infancy with regards to specific details we have tried to provide additional information where possible, recognizing that actual design solutions are part of the evolution of the design. Here are our responses.

Scale, Massing, Height, Community Character
Generally the comments are favorable regarding where the project is headed and we will continue to consider these statements as we proceed to the next level of architectural design. One item worth noting is that it is the intent to provide as many neighborhood connections as possible on-site since we feel this project will truly provide a gathering spot for the community. Regarding the scenic/visual analysis, we anticipate providing the required TRPA scenic evaluation. It is our opinion that the project we are conceptually proposing will have a measurable/quantifiable positive influence on Roadway Unit 35 Travel Route Rating. Improvements in the ratings to Unity, Vividness, Variety, and Intactness will move the numerical rating towards attainment with this one project by improving the built environment at the South “Y” intersection. Thus, this proposal will be contributing more than the project areas fare-share to improving the scenic quality rating, and, will provide the physical catalyst for more scenic quality improvements in the vicinity.

Environmental Improvements, Environmental Improvement Program (EIP)
We recognize that the environmental improvements these CEP projects provide is probably the most important aspect. Understanding this and recognizing the location of this project, we feel the best environmental contribution this project will provide regarding water quality will be to work collaboratively with the City of South Lake Tahoe and Cal Trans to explore and implement options for water quality improvements on site and within the immediate area. This coordination approach will also explore strategies and implement a design and maintenance agreement for the right-of-way landscape improvements.

Other environmental improvements that we have already committed to in our stated program include improvements to the transit/trolley stop, reducing land coverage and exploring green development strategies and LEED accreditation for the project.
Housing
We continue to explore the housing component and what that may consist of. We are currently in conversations with people that develop affordable/ moderate income housing throughout California as well as exploring options for acquiring residential development rights. In any case we recognize the need to provide work force housing, including employee housing either on site or within the City and will work with TRPA and the City once we have a better understanding which direction we are heading.

Parking
As the project evolves, we will be working with the City to develop a parking strategy for this part of the community since we recognize that there are some creative ways to provide the framework for parking for this project and as other projects in the area that come forward as a result of the improvements to the Mikasa site. A creative approach to parking at the South “Y” is critical. The land value and its contribution to our community’s identity at this location is much too valuable to rely on traditional parking and the acres of concrete and cars that result.

Transportation/ Recreation
We recognize that there may be access issues related to this site yet for the submittal we used the lane configuration which is currently part of the “Y” intersection improvements. Since access is critical to the success of the tenants, we are open to suggestion on how traffic and circulation can be improved. The other comments listed under this heading will be provided as the design evolves.

The South “Y” is the gateway to the south shore beaches, Camp Richardson, The Tallac Historic Site, U.S. Forest Service Visitor Center and Stream Profile Chamber, Desolation Wilderness, Emerald Bay and California State Park Camping Facilities. Our project proposes to take advantage of our location and provide the venue where recreation information, guidance and special events calendars are made available to visitors of the Basin. In doing this we see the Mikasa site as an off-site trailhead to the amazing recreation opportunities that are just down the road. We also see this as a huge catalyst for the creation or expansion of small businesses focused on potential recreation market opportunities.

The following list outlines our proposed concept site information.

- Project Area 145,210 sq. feet
- Building Footprints 48,570 sq. feet
- Parking 51,192 sq. feet
- Paving 23,664 sq. feet
- Total Land Coverage Reduction Goal, 10% to 15%
- Water Quality Improvements on-site and off-site coordinated and integrated with Cal-Trans and CSLT
- Ground floor Retail/Commercial 48,570 sq. feet
- Second floor Office/Commercial 19,825 sq. feet (researching a for-sale product)
- 156 Parking Spaces
- Residential 28 live/work lofts (combination moderate, market, and employee housing)
- Public Gathering Spaces 5,500 sq. feet
• Gateway Art Featured at Intersection
• Context Sensitive Design: wood, rock, pitched roofs, native landscaping, green spaces
• Additional Height, 3 & 4 story for residential on back building
• Bicycle - connections with existing bike trail system, provide sheltered secure bike parking
• Sidewalks - Create Pedestrian circulation and safe connections through project and with adjoining properties
• Sheltered transit/trolley stop

This community enhancement project will be the first project at the South Lake Tahoe "Y" that has carefully reviewed, considered and incorporated the Tahoe Valley’s Community Plan Team’s goals as well as the visions developed by the South Shore community-at-large through the Place-Based process. We truly believe that the implementation of our proposed concept at the Mikasa site will provide the catalyst for positive change the City of South Lake Tahoe, the community, and the Region are looking for. Implementation of the above project elements will create a Legacy project that highlights the positive integration of environmental improvements, economic viability, community enhancement and artful place-making.

Sincerely,

Steve Noll
Design Workshop, Inc.