



(11 pages)
Julie Saylor <julie.saylor@edcgov.us>

Fwd: KMA Comments on Kirkwood Meadows Drive Agenda Item for 8-7-15 TC-TAC Meeting

1 message

Aaron Mount <aaron.mount@edcgov.us>
To: Julie Saylor <julie.saylor@edcgov.us>

Wed, Aug 5, 2015 at 11:31 AM

Comments for this friday's Tri-Tac.

Aaron Mount
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----- Forwarded message -----

From: **Akroyd, Rebecca** <RAkroyd@kmtg.com>
Date: Wed, Aug 5, 2015 at 11:24 AM
Subject: KMA Comments on Kirkwood Meadows Drive Agenda Item for 8-7-15 TC-TAC Meeting
To: Chuck Beatty <cbeatty@amadorgov.org>, "aaron.mount@edcgov.us" <aaron.mount@edcgov.us>, Zach Wood <zwood@alpinecountyca.gov>, Susan Grijalva <sgrijalva@amadorgov.org>
Cc: "W4A4R8R0@aol.com" <W4A4R8R0@aol.com>

Dear Tri-County Technical Advisory Committee Members and Ms. Grijalva,

Attached please find comments from the Kirkwood Meadows Association ("KMA") on the third item on the agenda for the August 7 TC-TAC meeting. KMA's letter to Vail regarding the same is also attached, including specific concerns regarding the parking proposal.

Please let Judy Flinn or me know if you have any questions.

Regards,

Rebecca

Rebecca R. Akroyd
Attorney at Law



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2 attachments

 **2015-08-05 KMA Letter to TC-TAC.pdf**
494K

 **2015-08-05 KMA Letter to Vail with attachments.pdf**
1294K



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Rebecca R. Akroyd
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August 5, 2015

VIA E-MAIL

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Zach Wood
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Susan Grijalva, Director
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Re: Proposed Kirkwood Meadows Drive Widening Project

Dear Tri-County Technical Advisory Committee Members and Ms. Grijalva:

This letter is submitted on behalf of Kirkwood Meadows Association (“KMA”) regarding the third item on the agenda for the August 7 Tri-County Technical Advisory committee (“TC-TAC”) meeting—a “[p]resentation by Kirkwood Mountain Resort/Vail Resorts providing information showing changing parking lot configurations since 1992 and the proposal for the Kirkwood Meadows Drive Widening Project Improvement Plans for Kirkwood Meadows Drive (“KMD Plans”). KMA understands and appreciates that parking is an important issue within Kirkwood and hopes it can work cooperatively with Kirkwood Mountain Resort and Vail Resorts Management Company (“Vail”) to address any parking needs. However, unless and until Vail addresses KMA’s concerns regarding impacts to KMA’s members and the Kirkwood community, KMA must oppose Vail’s KMD Plans.

First, because Vail has not demonstrated any need for additional parking in Kirkwood, TC-TAC should not approve the KMD Plans. The Mitigation Measures tied to the 2003 Kirkwood Specific Plan dictate that “if the number of day-visitor-related vehicles parked within the resort exceeds the amount of parking spaces available for day visitors (approximately 2,500 spaces), TC-TAC will require KMR [Kirkwood Meadows Resort] to implement a mitigation plan.” (Mitigation Measure 4.7(d).) Recent surveys indicate that the number of day-visitor-related vehicles has not exceeded the amount of parking spaces available for day visitors. Kirkwood’s 2014/15 Parking Analysis noted that “[n]o parking shortages were experienced during the 2014/15 ski season.” Until Vail demonstrates a need for parking and TC-TAC requires implementation of a mitigation plan, the KMD Plans should not be approved.

Second, even if Vail is able to demonstrate the need for additional parking, there are significant limits on Vail’s ability to expand parking on Kirkwood Meadows Drive. The KMD Plans potentially interfere with a parking easement held by KMA along a portion of Kirkwood Meadows Drive. KMA holds an easement for parking of vehicles by its members and their guests along the eastern side of the Drive, which extends from one hundred five feet north of Wintergreen Way to Hawkweed Way. Under a 1988 contractual agreement (“Agreement”) between KMA and Kirkwood Mountain Resort’s (“KMR”) predecessor in interest, Kirkwood Associates Inc. (“KAI”), KMA agreed to allow KAI limited use of the easement area for “overflow

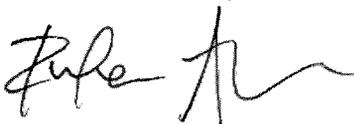
Recipients
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parking" up to 5 days per year. Under the Agreement, KAI agreed it would relocate the parking easement as necessary for any expansion, relocation, or realignment of the Drive, to maintain the same gross area of parking in favor of KMA. In such an event, the Agreement requires that KAI consult with KMA to reach a mutually agreeable relocation of the easement area. TC-TAC should postpone approval of any plan for expanding parking on Kirkwood Meadows Drive until Vail and KMA have reached a mutual agreement on relocation of the easement area. No mutual agreement has been reached to date.

In light of these concerns, KMA requests TC-TAC to reject Vail's application for approval of the KMD Plans. KMA has communicated its concerns to Vail in an August 4, 2015 communication (including attachments) that is attached to this letter. Moving forward, KMA requests that TC-TAC keep KMA apprised of the status of the KMD expansion and related projects, including any updates to the 2001 Kirkwood Master Parking Plan. In addition, KMA requests that TC-TAC consider requiring Vail to demarcate the KMA parking easement area on any plans for Kirkwood Meadows Drive and reference its existence on any update to the 2001 Kirkwood Master Parking Plan. KMA appreciates TC-TAC's ongoing efforts to ensure that changes to parking within Kirkwood receive adequate public input and appropriate consideration.

Regards,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation



REBECCA R. AKROYD

CC: Judy Flinn



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TC-TAC Public Comment
PC Rcvd 08-05-15



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Rebecca R. Akroyd
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August 5, 2015

VIA E-MAIL

Casey Blann
Vice President & General Manager
Kirkwood Mountain Resort
E-Mail: cblann@vailresorts.com

Re: Road and Parking Development in Kirkwood, California

Dear Mr. Blann:

This letter is submitted on behalf of Kirkwood Meadows Association ("KMA") regarding proposed plans for Kirkwood Meadows Drive and the proposed June 1, 2015 update to the Kirkwood Parking and Traffic Management Plan ("Proposed Parking Plan Update"). KMA has concerns regarding how proposed Kirkwood Meadows Drive parking and the Proposed Parking Plan Update could impact KMA's members and the Kirkwood community. KMA understands and appreciates that parking is an important issue within Kirkwood and hopes it can work cooperatively with Vail Resorts Management Company ("Vail") to address any parking needs. However, unless Vail addresses KMA's concerns regarding proposed Kirkwood Meadows Drive parking and the Proposed Parking Plan Update, KMA is prepared to strenuously oppose any related applications to the Tri-County Technical Advisory Committee ("TC-TAC"), Amador County, or Alpine County.

First, it is premature for Vail to consider the expansion of parking on Kirkwood Meadows Drive at this time. The Mitigation Measures tied to the 2003 Kirkwood Specific Plan dictate that "if the number of day-visitor-related vehicles parked within the resort exceeds the amount of parking spaces available for day visitors (approximately 2,500 spaces), TC-TAC will require KMR [Kirkwood Meadows Resort] to implement a mitigation plan." (Mitigation Measure 4.7(d).) Implementation of a mitigation plan may include the provision of additional parking spaces in surface lots or parking structures. But, recent surveys indicate that the number of day-visitor-related vehicles has not exceeded the amount of parking spaces available for day visitors. Kirkwood's 2014/15 Parking Analysis noted that "[n]o parking shortages were experienced during the 2014/15 ski season." KMA believes that a parking lot on the "School Site" will be moving ahead for county approval shortly. In light of the above, Vail has not demonstrated any need for additional parking in Kirkwood.

Second, even if Vail is able to demonstrate the need for additional parking, there are significant limits on Vail's ability to expand parking on Kirkwood Meadows Drive. As Vail should be aware, KMA holds an easement for parking by its members and their guests along the eastern side of the Drive, which extends from one hundred five feet north of Wintergreen Way to Hawkweed Way. The easement was granted to KMA by Vail's predecessor in interest, the Kirkwood Associates Inc. ("KAI"). The KMA easement is for parking by KMA members and their

Casey Blann
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invitees/guests; parking by the general public within the easement is not allowed, except as authorized by contract. The governing 1988 agreement allows Vail limited use of the easement for "overflow parking" up to 5 days per year only. Vail's predecessors have acknowledged this limitation, including in the 2001 Master Parking Plan. Most importantly, the 1988 agreement dictates that if Kirkwood Meadows Drive is expanded, relocated, or re-aligned, Vail "agrees to relocate the parking easement as necessary in such a way as to maintain the same gross area of parking in favor of KMA. In such an event, KAI shall consult with KMA, and the parties shall mutually agree upon the relocation." Prior to Vail submitting any plan for expanded parking that changes Kirkwood Meadows Drive in a manner that relocates the parking easement in any way, mutual agreement on relocation is required. Vail and KMA have not reached agreement regarding relocation of KMA's parking easement on Kirkwood Meadows Drive.

Third, in addition to the two main comments above, KMA has concerns about safety, visual impact, and other implications of the Kirkwood Meadows Drive parking proposal. These concerns are identified in Attachment A to this letter.

Fourth, the Proposed Parking Plan Update must be revised in a collaborative fashion, not unilaterally. Relevant to the issues discussed above, the Update states that parking occurs along Kirkwood Meadows Drive in many areas, but does not acknowledge the limits on resort parking in the KMA easement. The Update also includes a number of specific statements that KMA finds problematic; these statements are highlighted and discussed in Attachment B to this letter. KMA is prepared to oppose TC-TAC approval of the Update, unless revisions are made to correct treatment of parking on Kirkwood Meadows Drive and the Update components discussed in Attachment B.

Unless and until these issues are addressed, KMA will oppose all TC-TAC and county approvals pertaining to expanded parking in Kirkwood. Further, KMA will push for environmental review and additional community input, as the plans suggest parking in Kirkwood that were not analyzed in the 2003 Kirkwood Specific Plan or the Kirkwood Recirculated Revised Final Environmental Impact Report. KMA representatives are happy to meet in person to discuss these concerns.

Regards,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation


REBECCA R. AKROYD

Attachments

cc: Andrew Strain, astrain@vailresorts.com
Judy Flinn, W4A4R8R0@aol.com



Specific Concerns Regarding the Kirkwood Meadows Drive Parking Proposal**ATTACHMENT A**

Primarily because Vail has not demonstrated any need for additional parking and has not adequately addressed other concerns around changes within our parking easement, Kirkwood, Vail, and KMA have not reached mutual agreement regarding relocation of KMA's parking on Kirkwood Meadows Drive, Kirkwood Meadows Association (KMA) is opposed to the widening and parking plan proposed for Kirkwood Meadows Drive (KMD). Specific concerns regarding the proposal include, but are not limited to, the following:

1. SAFETY

- A. Proposed 90-degree head-in parking on KMD is completely unacceptable for safety and traffic operational reasons. Vehicles will not be able to back out of spaces in high traffic situations and vehicle loading and unloading activities will encroach 4 ft. into the travel way, creating very unsafe conditions.
- B. There is no provision for pedestrians. Significant additional pedestrian activity will result with skiers walking in the travel way to get to and from their cars. This will be both a safety and traffic operations problem.
- C. The proposed improvements will result in higher rates of speed on Kirkwood Meadows Drive during off peak hours. KMA wrote a letter to Mssrs. Likens and Gianola about this issue in 2007 or 2008. A speed study needs to be conducted with the speed limit desirably reduced to 25 mph (it's a residential neighborhood), more movable speed humps need to be added (were near Timber Creek last year), alternative methods of speed control should be considered (such as designed bends in the road), and more enforcement of the speed limit is needed). These issues were addressed to the county when the KMD improvement plan was revised in May 2015 at TC-TAC.

2. VISUAL IMPACTS

- A. The visual impacts of a river of pavement and mature tree removals are significant and will affect the quality of life for KMA residents and all persons entering the Valley. Uphill widening on the west side of Kirkwood Meadow Drive will create extensive cuts that will again take 30 years to revegetate.
- B. Kirkwood Meadows Drive is the gateway to Kirkwood Resort. As such, ADDITIONAL median treatments, landscape bulbouts and other aesthetic

improvements should be made to create the world class entry consistent with Vail's other resorts.

3. SNOW REMOVAL

- A. Additional snow removal is shown to be thrown onto private property within KMA and KMA-owned property, creating safety hazards, negative aesthetic impact, and nuisance. This is not acceptable to KMA. The resort operator/Vail does not have a snow removal or storage easement on either side of Kirkwood Meadows Drive.

4. ADDITIONAL CONSIDERATIONS

- A. Proper supervision of parking would be needed, including daily personnel to oversee traffic & ensure: safety requirements are met, obnoxious behaviors such as BBQ, public urination, trespassing, etc. are prevented; and
- B. Implementation of other mitigation measures to ensure that KMD remains clean and attractive, e.g.: daily trash cleanup after KMD parking usage, annual road and shoulder repairs and maintenance, annual sweeping, road design and snow removal/storage plan such that snow does not adversely impact KMA homeowners.
- C. The plan cover sheet shows "Extent of Improvements" that denotes the contractor work area. This is a completely erroneous label as the line denoting this extent is carried through private properties. Vail has no agreement with any property owner for access onto private property abutting the road.
- D. Road Striping. No pavement parking lines will actually be visible during many if not all winter season parking events. As a result, the efficiency of the proposed parking plan would never be realized.

**Specific Concerns Regarding the Proposed June 1, 2015 Update to the
Kirkwood Parking and Traffic Management Plan**

ATTACHMENT B

Kirkwood Meadows Association's (KMA) has previously shared a number of concerns regarding the June 1, 2015 Updated Parking and Traffic Management Plan with Kirkwood Mountain Resort (Resort). A June 16, 2016 letter from R.O. Anderson Engineering, Inc. indicates that the Resort is amenable to some of KMA's suggestions, and has made changes to the parking plan in response to KMA's previous comments and suggestions. However, KMA has a number of outstanding concerns, which include, but are not limited to, the following:

**1. UNNECESSARY OR DETRIMENTAL DIFFERENCES BETWEEN THE 2001
MASTER PARKING PLAN AND THE JUNE 1, 2015 UPDATE**

Issue	Old Plan	New Plan
Parking Areas	"The major parking [areas] are identified as follows: • Red Cliffs Parking (day use for intermediate to advanced); • Village Parking (village use, paid parking and overnight guests); • Timber Creek Parking (day use for intermediate skiers, beginners and children.); • Kirkwood Meadows Drive Parking (overflow); • North of Hwy 88 parking for cross country skiers, stables and the Kirkwood Inn; • Resident Parking associated with the various multi-family and condo units."	"[T]here are four major parking areas within the valley that are used for parking by guests and day skiers. In addition, resident parking is provided through the resort. These areas include: 1. Timber Creek (currently, 840 vehicles); 2. Village Area (520 vehicles); 3. Red Cliffs (625 vehicles); 4. Kirkwood Meadows Drive (450 vehicles); 5. Resident Parking."
Treatment of Kirkwood Meadows Drive	"Kirkwood Meadows Drive Parking is restricted to the east side of the road and guest vehicles are parked in a south to north direction by filling	"Parking occurs along Kirkwood Meadows Drive in many areas. The areas near Timber Creek are popular locations and the resort also

	<p>the closest spots first. On low traffic days cars are parked parallel; on higher traffic days diagonal parking is used for more space availability.”</p> <p>Parking Area Capacity (March 31, 2001) - “Kirkwood Meadows Drive 500-700.”</p>	<p>manages several other areas, as higher volume day’s [sic] warrant. The current capacity for parking along Kirkwood Meadows Drive is approximately 450 vehicles.”</p>
<p>Signage and Parking Attendants</p>	<p>“Entry signage along Kirkwood Meadows Drive greets day visitors and informs guests to park by ability and services. The directional signs continue along Kirkwood Drive giving more details and direction. In addition to the signage there are strategic points where parking attendants are located to give direction and information for parking purposes. Parking attendants valley wide are connected via radio communications.”</p>	<p>“Signage located along Kirkwood Meadows Drive is intended to educate the drivers entering the valley as to the main three areas to park: Timber Creek, Village and Red Cliffs Lots. Additionally, other signs are at main intersections where drivers are given a choice of the various facilities they might want to visit. [¶] Depending upon the business volume that day, KMR may utilize parking attendants in a variety of locations to facilitate parking and manage the traffic flow during the day. This includes both the ingress and egress to the valley. KMR continuously monitors volumes and flow of vehicles and pedestrians to ensure that appropriate safety practices and procedures are in place.”</p>
<p>Parking Capacity</p>	<p>“On average, 2500 day visitor cars can be parked without problem.”</p> <p>“The EIR and Draft Specific</p>	<p>“KMR has access to slightly over [2,400] parking spaces in identified locations in the valley.”</p>

	<p>Plan estimates that at buildout, 6647 day skiers will need to be accommodated. This will require 2569 parking spaces at the 2.5 persons per vehicle rate, which is within the range of spaces available under this plan.”</p> <p>“Past practice has, by special arrangement, used areas not normally considered for guest parking. These included the use of both sides of portions of Kirkwood Meadows Drive, along Fremont Street at its lower extremes, and the Juniper Ridge lower areas. This Master Parking Plan does not depend on or plan to use these areas for guest parking.”</p>	<p>N - “Number to be verified and discussed.”</p> <p>“Assuming a 2.5 person per vehicle occupancy rate, the current number of spaces is insufficient for Kirkwood’s busiest days, and additional parking must be identified... KMR, in connection with the community and developers within the resort, has worked to identify the limited number of locations where additional parking may be developed in the future: namely, (1) an expansion/widening of Kirkwood Meadows Drive, and (2) an expansion of the Chair 7 lots or similar areas in that vicinity.”</p>
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2. ADDITIONAL CONCERNS

- A. KMA agrees with the statement in the June 16, 2015 letter that “KMR staff members will be in-place to monitor ingress and egress throughout each day during which cars are parked along the road.” This sentiment must be added to the revised parking plan. The June 1, 2015 draft plan merely states that attendants “may” be utilized.
- B. Additional snow removal is shown to be thrown onto private property within KMA and KMA-owned property, creating safety hazards, negative aesthetic impact, and nuisance. This is not acceptable to KMA. The resort operator/Vail does not have a snow removal or storage easement on either side of Kirkwood Meadows Drive.