

EMERGENCY ORDER POSTPONING THE PUBLIC HEARING FOR REZONING OF 2211 NORTH FRONTAGE ROAD WEST, REZONING OF TRACT C, LOT 1, LOT 2, AND LOT 3 VAIL DAS SCHONE FILING NO. 1 AND LOT 1, VAIL DAS SCHONE FILING 3 AND THE PUBLIC HEARING FOR THE ESTABLISHMENT OF SPECIAL DEVELOPMENT DISTRICT NO. 42 HIGHLINE/DOUBLETREE

WHEREAS, on March 13, 2020, the Town Manager executed an order declaring a local disaster emergency pursuant to the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*;

WHEREAS, also on March 13, 2020, the Town Manager adopted a Remote Meeting Policy for the Town, which Policy allows the Town Council to conduct remote meetings if certain conditions are met;

WHEREAS, the Remote Meeting Policy allows for quasi-judicial public hearings to be conducted remotely with the consent of the applicant;

WHEREAS, applications were filed with the Town for rezoning of the property described as 2211 North Frontage Road West, Tract C, Lot 1, Lot 2 and Lot 3, Vail Das Schone Filing No. 1 and Lot 1, Vail Das Schone Filing No. 3 (the "Property"), and for the establishment of Special Development District No. 42 Highline/Doubletree on the property (the "Applications");

WHEREAS, the Applications are currently scheduled for public hearings before the Town Council on April 21, 2020;

WHEREAS, because of the state of emergency, the Town Council meeting on April 21, 2020 must be conducted as a remote meeting under the Remote Meeting Policy;

WHEREAS, the applicant has consented to the Town Council conducting the public hearing on the applications remotely;

WHEREAS, based on the level of interest in the Applications, the Town expects that individuals will wish to comment on the Applications at the public hearings;

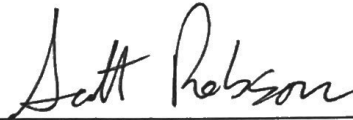
WHEREAS, on April 15, 2020, the Town Manager executed an order allowing the Town Manager to postpone any quasi-judicial public hearing if the Town Manager determines that the public hearing would be compromised by holding the public hearing remotely;

WHEREAS, the Town Manager hereby determines that, based on the public comments received to date on the Applications and the proposed rezoning of the Property, the public hearings on the Applications cannot be conducted in a manner that ensures that due process is maintained and that both the public and the Town Council have adequate opportunity to meaningfully participate in the public hearing;

WHEREAS, the Town Manager finds that postponing the public hearings on the Applications is in the best interest of the public health, safety and welfare; and

WHEREAS, pursuant to Section 13.5 of the Town's Home Rule Charter, in case of emergency, the Town Manager shall assume the authority to execute any action necessary for the protection of life and property, including establishing regulations governing conduct and activities related to the cause of the emergency.

NOW, THEREFORE, IT IS HEREBY ORDERED, on this 15th day of April 2020, that the public hearings on the above-referenced Applications are hereby postponed until such time as the public hearing can safely be conducted at a live, in-person meeting of the Town Council instead of a remote meeting.



Scott Robson, Town Manager

ATTEST:



Tammy Nagel, Town Clerk