



PLANNING AND ENVIRONMENTAL COMMISSION

June 24, 2019, 1:00 PM

Town Council Chambers

75 S. Frontage Road - Vail, Colorado, 81657

1. Call to Order

Present: Pam Hopkins, Brian Stockmar, Brian Gillette, Rollie Kjesbo, John-Ryan Lockman, Ludwig Kurz

Absent: Karen Perez

2. Site Visits

2.1. 4214 Columbine Way, Unit 6 - Moore Residence

2.2. 3700 North Frontage Road East - Booth Heights Neighborhood

3. Main Agenda

3.1. Unrelated Item

3.2. Unrelated Item

3.3. Unrelated Item

3.4. Unrelated Item

3.5. A request for the review of a Development Plan, pursuant to Section 12-6I- 11, Development Plan Required, Vail Town Code, for a new housing development located at 3700 North Frontage Road East/Lot 1, East Vail Workforce Housing Subdivision ("Booth Heights Neighborhood"), and setting forth details in regard thereto. (PEC19-0018) 60 min.

Applicant: Vail Corporation, represented by Triumph Development

Planner: Chris Neubecker

Motion: Table to PEC19-0018 to July 8, 2019

First: Brian Gillette

Second: John Ryan Lockman

Vote: 6-0-0

Chairman Stockmar indicated that the 3 minute public comment rule will be strictly enforced. Also asked that those with comments sign a sheet so these minutes can be accurately attributed, and names correctly spelled in the minutes.

Planner Neubecker introduced the project by explaining that two applications are being presented today. Both will be explained at the same presentation. One is the development plan itself, the other is a conditional use permit (CUP). Land is currently owned by Vail Resorts (VR), and Triumph Development is under contract from VR to purchase the land. This will then be leased back to VR. 42 apartment units will be leased by VR, 19 townhouse units will be deed restricted. 12 townhouses will be unrestricted units and will need the CUP.

Lockman indicated he is an employee with VR but has no financial stake in this project.

Neubecker: A rezoning was conducted about two years ago to convert this property to Housing (H) zone district. Today is the first of what is expected to be at least 3 meetings with the PEC. Today is a general introduction, explanation of the development review process, site plan, architecture, code requirements, parking and transportation, and the CUP for the unrestricted units.

Stockmar: Next meeting will be the environmental, wildlife, and rockfall issues. There may be overlap, but asks that comments stay relevant to the discussion happening today.

Neubecker: The second meeting will focus on environmental issues and wildlife, rockfall mitigation, and landscaping will also be discussed in the second meeting. There will be a break before the third meeting for the applicant to address comments received in the first two meetings.

Neubecker: The development plan, if approved, would be the guiding document for dimensional standards and use of the land. This plan can be amended through a public process. Neither of these requires Town Council review, but Council can call up these applications for additional review. Neubecker then reviewed the criteria for evaluating the development plan. Six documents of the Vail Comprehensive Plan are relevant to this discussion as well. Neubecker then explains the layout of the proposed site using a visual guide.

Neubecker: 42 apartment style units are proposed with their own kitchen, living area, and bath. Laundry is proposed on site. Neubecker then discusses the exterior architecture of these buildings.

Neubecker: 19 deed-restricted townhomes are proposed, with a mix of 2 and 3 bedrooms. One garage parking space and at least one outdoor parking space for each townhouse is proposed. Neubecker then discusses the exterior architecture.

Neubecker: Introduces the remaining 12 unrestricted townhomes with the same parking as the deed-restricted townhomes. Neubecker then goes over these units' architecture.

Neubecker: Introduces the dimensional standards of the project. Tallest building will reach just over 50' which is more than is allowed for HDMF zone district. Proposal is 20 dwelling units/acre, 49.7 GRFA/ 100 square feet of site area. 45 parking spaces are proposed for 42 apartment units. Code requires 2 parking spaces per unit, however PEC can approve fewer parking spaces than required. Neubecker then discusses the criteria for making that decision for parking. Other developments also have less than 2 spaces per unit. Townhomes will all comply, parking issue is mostly related to the apartments.

Stockmar: Has there been a traffic analysis for the East Vail bus line?

Neubecker: Tom Kassmel from Public Works has been looking into this.

Neubecker, in discussion of bus stops: Mentions that staff is recommending a sidewalk for better connectivity and pedestrian safety in front of the site, but the applicant's biologist recommends against the sidewalk.

Hopkins and Stockmar: Both have questions about snow clearing for pedestrian ways.

Neubecker: Indicated the applicant may have more information in their presentation.

Neubecker: Begins discussion of criteria and findings for evaluating the Conditional Use Permit.

Neubecker closes project introduction with a list of questions for PEC to consider. These are related to architecture, the site plan, pedestrian and vehicle circulation, dimensional and density standards.

Kurz: Asks a question clarifying the parking requirements vs. the proposed parking.

Neubecker: All of the townhomes meet or exceed the parking requirements. The 42 unit apartment parking is what is preventing the proposed parking from meeting the parking required by the code on this site.

Stockmar: Asks about similar developments to see how their reduced parking has affected traffic.

Neubecker directed the PEC to an attachment in the packet addressing traffic impacts.

Gillette: Asked about the zoning and density for Timber Ridge.

Neubecker indicated that the applicant has these answers and will discuss in their presentation.

Gillette: Argues that there are at least two bus lines needed to reach groceries from this site and that walking is too far for most, so parking will be a necessity.

Michael O'Connor, Triumph Development (Applicant): Introduces by mentioning the outreach conducted by Triumph with the local community. Explains the agenda for this meeting. He was intending to address traffic and public transportation at the second meeting. Begins to discuss their development goals for this project. He explains that this is the only undeveloped Housing zoned parcel in town and points out that it was rezoned to Housing from Two Family Residential (R) for this kind of development. There is no other vacant site in town that is zoned for Housing (H). Most other property owners and developers would have developed the site as by right duplexes. Addresses a criticism that this property was never intended to be buildable by pointing out Vail's need

for more housing that has driven development to more difficult lots. He states that this development can be built in an environmentally sensitive manner. Mentions that the property is under contract and is not for sale. Mentions the intention of flexibility in the Housing district. Wants PEC feedback related to the Housing district criteria. O'Connor then begins to explain other site plans that were considered for this property and why they were a bad fit. Next he explains the current site plan using a map on projection.

Stockmar had a question about a powerline easement.

O'Connor: Confirmed the rock fall berm will intersect with this powerline.

O'Connor: Fire Department has asked for three turn around points in the site and the proposal attempts to address this. Draws a comparison to the development layout at Chamonix. The apartments have been broken into three buildings to break up massing and to be a little more consistent with the massing of the townhomes. O'Connor then moves onto a discussion of development standards and the dimensions and density proposed by this project. 84% of units are EHUs. 70% of GRFA is in EHUs, 30% in unrestricted units. O'Connor then explains that the highest roof is due to one of the apartments being built partially on a raised portion of the lot. Moves into a visual explanation of the architecture proposed. Moves next into the parking plan with a visual aide. He provided a list of other housing developments (Solar Vail, First Chair, Lions Ridge, Timber Ridge) and their unit to parking space ratio. Argues that a sidewalk in front of the development is unnecessary and does not justify the effect that further development may have on wildlife habitat. Mentions that reducing parking will result in a reduction of residential units. Doesn't think sidewalks constructed for this site, beyond what is proposed, will be used. Since Vail is limited on other public parking, those who need more parking won't be able to park here and won't rent here, and so the tenants will be self-selecting.

Stockmar: Indicated that there is some demand for crosswalks along the frontage road.

O'Connor: Begins addressing criteria for review. This property is not neighbored by another development, so neighbor impacts are light to none. Having housing here is consistent with East Vail development pattern because there are already a wide mix of zones. He showed numerous examples of townhomes and multifamily buildings in East Vail of similar scale to the buildings proposed at the site. Next moves into a comparison of site coverage, landscaping area, density proposed vs requirements in MDMF and HDMF zone districts and vs site coverage, landscaping area, density in similar housing developments. Specifically addresses how this proposal complies with PEC development review criteria A, B, and F. Mentions that this development site is listed as part of the Open Lands Plan but that the plan mentions this site is likely to be developed anyway.

O'Connor next moves into the CUP request for the unrestricted dwelling units. Mentions that these unrestricted units are allowed by the code to subsidize the EHUs on site.

Hopkins: Has a question about ADA compliant dwelling units.

O'Connor: Knows that lower level units do have ADA compliance but does not have the details with him now.

Kurz: Any use of stone proposed on buildings?

O'Connor: Primarily stucco, wood and some metal paneling. Feels that current materials are attractive.

Kurz: Any balconies?

O'Connor: Yes, all townhomes have balconies and they all face south, not north, for wildlife considerations. No balconies for the multifamily apartments.

Kurz: Can there be more variation to the building heights?

O'Connor: Thinks an opportunity exists and mentions that staff had similar comments. Has tried to address, but there are likely more opportunities as well.

Kurz: Do you have any firm commitments from Vail Resorts for the employee units?

O'Connor: Vail Resorts has committed to leasing 36 units.

Gillette: Are both bus stops necessary?

O'Connor: One of the bus stops is specifically for this site and is ADA complaint. It is assumed that people on the east end of property would make a social trail to a neighboring bus stop and other amenities anyway, so a path and stairs are proposed.

O'Connor: Sidewalk from the west currently ends at the Mountain School. There is also no sidewalk in the underpass to East Vail.

Gillette: So the only real way for residents to reach the south side of the freeway by foot is to go through the underpass?

Stockmar: Wondering about the opportunity for solar power on this site.

O'Connor: May propose some solar at the DRB level. More likely to make the units solar ready so that owners can install and take the tax credit if they desire. However, does intend to install panels on the apartments.

Kjesbo: Still has an issue with parking, thinks more is needed or it will burden the town. Has no issue with the CUP. Has some issue with the tallest building being so close to the frontage road. Is the town subsidizing this project? Agreed with applicant that this project does not

need a sidewalk around the property on the south.

O'Connor: Mentions that the townhouse rooflines at the north of the site will actually be above the apartment buildings due to the elevation of the lot. The town is not subsidizing this project.

Kurz: Still has an issue with parking as well.

O'Connor: Mentions the possibility of the study. Also mentions that parking ratios are disappearing in other communities. Argues that parking shouldn't be a limiting factor.

Stockmar: Encourages adding in charging stations for electric vehicles as electric vehicles are likely to continue to take up more of the automotive market.

Lockman: Expresses concern about the lack of any kind of rendering to show building heights and massing as they will relate to each other and how they may look from I-70. He wants a continuous rendering, not just one of each building.

Stockmar: Echoes and mentions wanting to see shadowing as well.

Hopkins: Mentions that the slope of the proposed berm is too steep to grow landscaping even though it gets to be counted as landscaping.

O'Connor: Berm is 1:1 on the uphill side and can be made to be less steep on the other side. Berm is 12' tall. Was also successful in irrigating the berm at Chamonix which was a 1:2.

Public Comment

Larry Stewart: Requests to combine a group of 12 people into one long presentation.

Stockmar: Denied this request and mentioned that this idea has been previously discussed. Only 3 minutes per person or else group presentations will outweigh individual comments. Encouraged the public to provide written comments if they have a lot of comment.

Larry Stewart: Mass and scale of apartment buildings are too large. 4 stories will face the frontage road and I-70. The edifice does not align with the residential nature of the East Vail community. Mentions that 270-350 people will be on this site and argues that this is not reasonable for the site, reducing the density will help with both parking and wildlife issues. Points out that apartment parking is less than 1 parking spot per unit since apartment residents cannot use townhome parking. Has an issue with the bus stops cutting off sheep to the south side of the property.

Donna Mumma: Concerned about safety in relation to the underpass. The vast majority of recreational facilities are on the south side of the

freeway. The people who will live here and use these recreational amenities will end up walking under the underpass without a sidewalk. The busses are not sufficient to address grocery needs for residents on the site. No safety features in the underpass (no signals, rails, or sidewalks). Mentions Simba Run as having a good underpass walkway. No shoulder in winter either. Thinks the developer should pay for this, not the town.

Tom Burch: Says that no one he's talked to on his street has received any outreach from Triumph. Mentions development must address issues with the site and neighboring properties. Sheep are the elephant in the room and is worried that the sheep will not be discussed at the staff level before the next meeting.

Stockmar: The staff are addressing this but it is not on the agenda for this meeting.

Tom Burch: Wants to make sure staff considers the sheep.

Rol Hamelin: This is a gorgeous property. This proposal does not align with the community or architecture. Calls the proposal a hodgepodge of treehouses. Asks how people will get to Vail without a car in the first place. These are seasonal employees primarily in winter. Issue with parking.

Chris Romer, Vail Valley Partnership: Representing 180 businesses and many employees. PEC is working within the recent rezoning. Don't make the same mistake that was made at Lions Ridge, which has overabundance of parking. Mentions that the rezoning was approved, and the development proposed is requesting no variances.

Carolyn Schierholz: We are not 4 stories in the Pitkin Creek apartments. We constantly have more than 3 visitor spots filled at her place. People also aren't going to go to the more expensive Sim's Market in East Vail and too small. Parking is a huge problem. The underpass is a huge traffic and pedestrian problem. The underpass is an accident waiting to happen. Cars sit on the shoulder of the frontage road for the Mountain School Daily.

Robert Kisker: Represent ownership and management at Doubletree Hotel: We are in support of this project. It is difficult to get employees to Vail due to the shortage of housing. We have managers that currently drive 90 minutes each way to work here.

Laine Lapin: Understands the need for housing but not in favor of this project. Lives near the hospital under construction. We have no idle zone in Town, but we are failing as a town on this. Failing this at schools and especially construction sites. Mentions a story of how every morning a construction related vehicle idles outside of her house for 3 hours. Vail is doing a lousy job of stopping idling. Failing in night sky considerations as well. Wants a sidewalk as here well.

Joe Stauffer: Worried that Vail is looking like an outskirts of Denver as we get development increases. We are not a suburb of Denver. This project

is an environmental disaster.

Anne Esson: Made two site visits to this area. There is year round presence of a stream on this site. These streams are going to eat away at the berms and going to damage residences. Asks the PEC if they would like to live under a waterfall, stream, and saturated soils. Think through the geologic hazards very carefully. Staff should discuss the location of the streams that run right through the development.

Chris Bartlett: This is a beautiful site. No one wants to see it go away, but many want more housing. Can't solve employee housing problems in Vail at this spot, but some can be addressed. Wants to see more rendering of elevations as well. Argues for scaling down the project to some degree. Can you still have a successful project if you tone it down a bit?

Tom Vucich: This is the 3rd public meeting and the public feels silenced each time. Told to come back to talk about wildlife later every time. Urges the PEC to read the minutes of the meetings prior to this area's rezoning. Begins to read quotes from these meetings. Mentions the public was encouraged to continue to look at and comment on development here. Mentions public wildlife forums as well. Encourage PEC members to watch the video for the wildlife forums that the Town sponsored. You should take as many meetings as needed to get through these issues. This is too important to hurry through.

Susan Bristol: Lives in Matterhorn neighborhood, an area where many employees live. Every bedroom in these units near me has two people living in it, so 2 bedrooms have 4 people living in it. Every employee she's seen has a car. The car situation will not work here. Imagine the traffic circulation within this project, then getting to the Mountain School traffic. It doesn't work.

Chris Mills: This project fits with the Town of Vail's vision. Employees need a place to live to maintain Vail's image a premier resort town. This project gives an opportunity to continue down that path.

Jonathan Stauer: Also expressed a desire to talk about the sheep now and to not be put off. Do we have the moral right to condemn the sheep herd?

Stockmar: Promising that the next meeting will address this topic.

Patty Langmaid: Flabbergasted at the size of the 5 acre lot. Worried about the site being filled with enormous buildings. Site is very wet, green and full of aspen. Wants employees to have very good housing but should not be in this area. Also feels that this site should not be developed for this.

Tony Ryerson: Prefers that nothing develops here, but understands the need for housing in Vail. 35 years ago I was renting a balcony, so I understand the housing issues. Biggest problem beyond the massing is the safety of the underpass for pedestrians. On street parking for Mountain School events will also be an issue if this proposal is approved. It is very difficult to address all problems and this is a beautiful site in the

valley. This project will attract young people with cars and toys.
Encourages the PEC take as a lot of time to make sure this is done right.

Gillette: Emphasizes that they are not trying to silence people and further advocates for written comments as well.

Tom Vucich: Asked if the written comments and letters become part of the public record.

Chris Neubecker: Yes.

Charlie Langmaid: Disapproves of the project and doesn't feel that it's appropriate for the site. It is too environmentally sensitive. Also mentions the stream that passes through the site, and would like to know if the stream will be in a culvert. Also wants a rendering to show what the project would look like, and if you will require a model.

Chairman Stockmar stated that a visual and massing model would be helpful to review this project.

Public comments were closed.

Brian Stockmar stated that public comments will be reopened at the next meeting for the items on the agenda. Mr. Stockmar stated that this is an important site for those who have been involved with Vail for many years. He stated that we want to do this right. Mr. Stockmar noted that the board will remain open and will not indicate a position on the application until further evidence and testimony is provided.

Mr. Stockmar noted there is a lot more to learn about the project and the board should discuss the items put before them today.

Chairman Stockmar stated that there will be an active meeting on the other issues at the next hearing. He encouraged participation from the public and asked for comments from the board on items put before them today.

Mr. Gillette noted that on the underpass it seems that if there could be improvements made similar to the Public Works underpass and how they were able to devise another lane under the overpass. Can we take part of the embankment out to provide space for pedestrians?

Neubecker stated that he will discuss the underpass opportunities with Mr. Kassmel.

Mr. Stockmar noted that if this project gets approved the underpass will be more dangerous and safety options should be explored.

Mr. Gillette stated that his other concern is the parking and thinks that it is grossly inadequate.

Mr. Kjesbo stated that his concerns were noted earlier.

Mr. Gillette stated underpass and parking needs to be per the recommendations.

Mr. Kurz stated his comments in regarding to architecture were previously made. In regard to parking and circulation, Mr. Kurz stated he was concerned. Concerns with circulation in and out of the site and the underpass.

Ms. Hopkins stated that the site plan is overwhelming that the entire site is being bulldozed to make the grades work. She noted that she has not seen this done before. In regards to the architecture she thinks the buildings are too close together and appear flat. Ms. Hopkins had a concern about snow shedding, and decks facing south will drip, and noted that there is no protection for the doors and no depth to the buildings. She noted if you have all south facing walls it is going to be too hot and need overhangs and shading to give it relief and to bring the scale down. Ms. Hopkins further noted that she is concerned about ADA access and snow storage and noted the snow banks from this last snow season. Ms. Hopkins noted that 0.5 parking spaces per bedroom is not sufficient. She further noted concerns about noise from the highway.

Mr. Lockman thanked everyone that came for public comments. He noted that public comment is one of the most important parts of this process and hearing from the community is vital. He encouraged the town to get alternative methods out to the community so people can engage more. In terms of architecture, Mr. Lockman stated that he did not have enough tools in front of him to provide comments. He noted specifically in terms of the slope and massing of buildings. Mr. Lockman stated his biggest concern is the density at the multi-family building. Mr. Lockman noted that parking spaces will be regulated with the property by the HOA or leasing body. He further noted pedestrian and access to the site and noted a concern over the existing underpass. Safety features and improving the site is imperative to the success of this project. Mr. Lockman further noted that wildlife will be discussed at the next meeting and noted that its important for a dialogue to occur.

Mr. Stockmar echoed the comments made by the other commissioners. He noted that the commission needs renderings and models to understand how this will be viewed from the road. He asked for visualization that give a feel for what the project looks like from all directions. Mr. Stockmar, in regards of the site plan, noted that during the rezoning of the property he had a concern where it is not a situation that is easy to decide upon because it was and is privately owned. He noted that while the PEC has a lot of authority to address issues that relate to it, the goal is to find a solution that addresses the wildlife, housing needs, develop requirements and historical planning requirements in the Town of Vail. He noted that as it is a private parcel, the commission is limited to their ability to regulate it. Mr. Stockmar noted concerns regarding site planning and site circulation given the physical site constraints. He noted that it is important to deal with the circulation in a way that is important and safe for the future residents. Mr. Stockmar stated that the underpass needs to be addressed in a way that makes it safe.

Mr. Stockmar noted that the density has been reduced and is still dense. He noted that density concerns will better be addressed once massing and scale are better visualized with further modeling.

Mr. Stockmar stated that parking is an issue and while parking demands may be going down in other areas, however, it is uncertain if that will be the case for Vail. This project will need to be served with adequate bus service.

Mr. Stockmar noted he would like more information on snow storage and snow removal.

Michael O'Connor: Asked for feedback on the conditional use. There was a discussion over the request for a conditional use permit to allow up to 30% of the GRFA be unrestricted. The PEC did not have any concerns with the conditional use for the proposed dwelling units.

- 3.6. A request for the review of a Conditional Use Permit, pursuant to Section 12-16, Conditional Use Permits, Vail Town Code, to allow for the construction of dwelling units within the Housing (H) zone district, located at 3700 North Frontage Road East/Lot 1, East Vail Workforce Housing Subdivision ("Booth Heights Neighborhood"), and setting forth details in regard thereto. (PEC19-0019)

Applicant: Vail Corporation, represented by Triumph Development

Planner: Chris Neubecker

See discussion in Item 3.5

Motion: Table to July 8, 2019

First: Gillette

Second: Lockman

Vote: 6-0-0

4. Approval of Minutes

4.1. June 10, 2019 PEC Results

Motion: Approve

First: Kurz

Second: Hopkins

Vote: 5-0-1 (Kurz abstained)

5. Adjournment

Motion: Adjourn

First: Gillette

Second: Hopkins

Vote: 6-0-0

The applications and information about the proposals are available for public inspection during regular office hours at the Town of Vail Community Development Department, 75 South Frontage Road. The public is invited to attend the project orientation and the site visits that precede the public hearing in the Town of Vail Community Development Department. Times and order of items are approximate, subject to change, and cannot be relied upon to determine at what time the Planning and Environmental Commission will consider an item. Please call (970) 479-2138 for additional information. Please call 711 for sign language interpretation 48 hour prior to meeting time.

Community Development Department