

The regular meeting of the Vail Town Council was called to order at approximately 6:00 P.M. by Mayor Chapin.

Members present:	Dave Chapin, Mayor Jenn Bruno, Mayor Pro Tem Dick Cleveland Kevin Foley Kim Langmaid Jen Mason Greg Moffet
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Staff members present:	Greg Clifton, Town Manager Matt Mire, Town Attorney Patty McKenny, Town Clerk
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1. Citizen Participation

Lea O'Brian, expressed concern about short term rentals occurring in their townhome complex and requested the town consider the regulations adopted by San Francisco.

Chris Romer, Vail Valley Partnership, presented information about their new programming, Careerwise Colorado, an organization coordinating youth apprenticeships among businesses, students and educators. VVP is collaborating with Eagle County Schools, Colorado Mountain College and YouthPower 365 to launch this program. .

2. Consent Agenda

2.1. Resolution No. 27, Series of 2017, A Resolution Approving the Purchase of Real Property in the Town of Vail Legally Described as Altair Vail Inn Condominium, Unit #A104, Eagle County, Colorado with a Physical Address of 4192 Spruce Way, Vail, Colorado
This item was removed from the consent agenda.

2.2. Public Works Site Water Quality Project Award
Background: As a part of the Gore Creek Strategic Action plan, staff has had water quality improvements designed for the Public Works surface parking lots. The Town received two bids for the installation.
This item was removed from the consent agenda.

2.3. Resolution No. 30, Series of 2017 A Resolution Approving an Intergovernmental Agreement Between the Town of Vail Colorado and the Colorado Department of Transportation Regarding the Intermountain Transportation Planning Commission; and Setting Forth Details in Regard Thereto

Background: CDOT works closely with many planning partners throughout the state, including local officials in ten rural Transportation Planning Regions (TPRs) and the five Metropolitan Planning Areas. The Town of Vail is a part of the Intermountain TPR (IMTPR). Town engineering staff meets quarterly with CDOT and the IMTPR to participate in the planning of regional and statewide multimodal transportation plans. CDOT is in the process of updating the outdated IGA's for these TPR's.

Moffet moved to approve Resolution No. 30; Langmaid seconded the motion and it passed (7-0).

3. Town Manager Report

3.1. Chamonix Neighborhood Project Update (verbal report)

4. Public Hearings

4.1. Ordinance No. 13, Series of 2017, First Reading, An Ordinance Approving the Rezoning of Lot 1, East Vail Workforce Housing Subdivision, from Two- Family Residential (R) District to Housing (H) District, and the Rezoning of Tract A, East Vail Workforce Housing Subdivision, from Two-Family Residential to Natural Area Preservation (NAP) District. (PEC17-0039)

Presenter(s): Chris Neubecker, Planning Manager

Action Requested of Council: The Vail Town Council shall approve, approve with modifications, or deny Ordinance No. 13, Series of 2017, upon first reading.

Background: The applicant, The Vail Corporation (aka Vail Resorts), is requesting a zone district boundary amendment, pursuant to Section 12-3- 7, Amendment, Vail Town Code, to allow for a rezoning of an unplatted parcel of land from Two-Family Residential (R) District to the Housing (H) District on the western portion of the site, and Natural Area Preservation (NAP) District on the eastern portion of the site. On September 11, 2017 the Planning and Environmental Commission held a public hearing on this application, and voted 6-0 to recommend approval to the Vail Town Council for this zone district boundary amendment.

Staff Recommendation: The Community Development Department recommends that the Town Council hold a public hearing on this item to take testimony, and then vote on the first reading of this ordinance for a zone district boundary amendment.

Chapin noted the public hearing was opened during the afternoon site visit to the East Vail property with town council members. Neubecker noted the numerous public input letters that have been received which have become part of the public record. Chris Jarnot, Vail Resorts, Inc., spoke about the application and the need for workforce housing. Dominic Mauriello, representing the applicant Vail Resorts, Inc., presented the application to the public. If the rezoning application were to be approved, he noted the company would seek out a development partner on the next phase of the project. He noted the presentation agenda below (see packet materials for full slideshow):

- Introduction to the Project Team
- Overview of the Proposal
- Vail Resort's Commitment to Employee Housing
- Process for Project
- Location and Property Information

- Existing Zoning: Two-Family Residential
CURRENT ZONING
 TWO-FAMILY RESIDENTIAL (H) DISTRICT – 23.3 ACRES
 Permitted Uses – Single-Family Residential Dwellings
 Two-Family Residential Dwellings
PROPOSED ZONING
 HOUSING (H) DISTRICT – 5.4 ACRES Permitted Uses – Deed Restricted Housing
 NATURAL AREA PRESERVATION (NAP) DISTRICT – 17.9 ACRES Permitted Uses – Nature Preserves
 - Proposed Zoning: Housing and Natural Area Preservation
REZONING VS. EXISTING ZONING
 - ✓ •No guarantees what development will be approved under the H zone district
 - ✓ •If the rezoning is not approved, future development of the site will be under Two-Family Residential zoning
 - ✓ •A vote on this application is not about development versus no development •Its about what gets developed
 - Workforce Housing Need was reviewed by the many documents and surveys conducted
 - Environmental Characteristics
- Rick Thomson, certified wildlife biologist, presented highlights from his wildlife study report which addressed bighorn sheep, elk, peregrine falcon, black bear, moose, mountain goat, mountain lion, and mule deer.
- Criteria for Review
 - Conclusions
 - Complies with all of the criteria for review of a zoning amendment
 - Serves the best interest of the community
 - The proposal furthers two major development objectives:
 - Provision of employee housing
 - Protection of environmentally sensitive land
 - Environmental considerations will be appropriately addressed with any development plan

Chapin invited public input at this time during the public hearing:

1. Bill Eggers, resident representing group called “Booth Creek Cares”, expressed there are many issues with the rezoning the property, i.e. ownership issues, transportation, density, wildlife report, town’s mission for overall development, and environment. He asked the town proceed with a more collaborative community approach.
2. Randi Borgen, resident, expressed concerns with traffic issues in that neighborhood.
3. Chris Romer, VVP, expressed their organization supports this rezoning application as it is a step towards sustainability of the community.
4. Gini Grisafi, resident, noted the need for employee housing but wasn’t supportive of this location in light of the bighorn sheep also living in the area. She also requested the effort be collaborative with the town and the community.
5. Jack Stephan, resident, expressed concern the council is taking action and has not yet seen the development plan.
6. Pati Marsh, resident, expressed concerns and questions about the criteria and whether it complies with the town’s land use plan.
7. Alan Danson, resident, expressed concerns using the location for for employee housing and would prefer an evaluation be made of other sites that would be better suited to this type of housing. He requested further review of a land swap options and thanked Jarnot for his consideration of such option. He requested the council table the ordinance and get all parties to consider the pros and cons of a potential swap

8. Elyse Howard, Habitat for Humanity, supported the rezoning application as there is an incredible need for this kind of project.
9. Bobbi Lipnick, resident, supported the rezoning application and was appreciative of the offer to include a portion of the land be rezoned as natural preservation area status.
10. Richard Leslie, resident, opposed the rezone application and questioned why it needed to be decided upon at this time. He supported further review of the land swap option.
11. Charlie Langmaid, resident, expressed support for keeping the property for as is for a “park” for the bighorn sheep population and requested more review so that workforce housing be placed in a better location.
12. James Wilkins, VLHA, reminded everyone the review is about a proposed rezoning application on private property.
13. John Bailey, Eagle resident, expressed support of open space and wildlife as well as supportive of workforce housing and that this proposal accomplished both objectives.
14. Molly Murphy, VLHA, expressed support for the rezoning application.
15. Doug Woolridge, VRI, expressed that recruiting employees has been extremely difficult and workforce housing is a must if they are to hire employees.
16. Lauren Phillips, VRI, expressed the need for her housing and was hopeful the rezoning would lead to workforce housing opportunities.
17. Morgan Landers, expressed support for the rezoning application and sees this problem as a regional issue that needs to be solved with multiple projects.
18. Scott Hunn, Eagle resident, supportive of this project as a solution to the problem and lack of workforce housing.
19. Kim Bell Williams, Eagle County Housing Director, expressed support for the rezoning application as a first step towards creating community In Vail.
20. Pam Stenmark, asked that all parties to listen carefully to the land swap idea and take the time to review the viability of this option.
21. Steve Lindstrom, VLHA, resident, expressed that the matter at hand is a zoning matter and the community would be better for taking this offer.
22. Kirk Dwyer, Ski Club Vail Director, expressed support for the rezoning application and how difficult it is to find housing in the area.
23. Mary McDougall, VLHA, resident, expressed support of the rezoning and noted the need for the private sector to help solve the housing problems.
24. Ann Esson, resident, requested council table the matter and review the land swap idea. She preferred further evaluation of whether the project could even be built on the parcel with all of its difficulties in terrain.
25. Patty Langmaid, resident, expressed support of the bighorn sheep and opposition to the application for rezoning.
26. Brian Eggelton, Minturn resident, expressed support for more housing.

Public comment period was closed at this time. Mauriello noted there was no development plan at this time. It was noted that a letter from the Colorado Parks and Wildlife deferred any input until there is a development plan. Staff noted the parcel is not designated open space. There were some questions about tabling the matter and the history of ownership and tax payments on the parcel.

Langmaid and Mason expressed opposition to the rezoning application noting concerns about displacing the bighorn sheep and historical ownership of the property. Langmaid summarized her basis for opposing the application was not suitable or compatible with the town's goals and not meeting criteria #1, #2, #3, #5, and #8. She noted there is a better location for employee housing. Mason supported more review of a land swap option. Other comments that supported

the application addressed private property ownership having a right to develop, the application is for a down-zoning of the property would be less impactful in the area, and the ability to preserve a larger portion of the property was of great value. Some expressed there may be many challenges in actually building the project in light of the terrain of the parcel. There was agreement that preserving the wildlife in that location would be of great importance.

Moffet moved that Based upon the review of the criteria outlined in Sections VII of the Staff memorandum to the Planning and Environmental Commission dated September 11, 2017, and the evidence and testimony presented, the Vail Town Council finds:

1. That the amendments are consistent with the adopted goals, objectives and policies outlined in the Vail comprehensive plan and compatible with the development objectives of the town;
2. That the amendments are compatible with and suitable to adjacent uses and appropriate for the surrounding areas; and,
3. That the amendments promote the health, safety, morals, and general welfare of the town and promote the coordinated and harmonious development of the town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.”

Moffet moved to approve, on first reading, Ordinance No. 13, Series of 2017, an ordinance for a zone district boundary amendment for an unplatted parcel of land in the South ½, Southeast ¼, of Section 2, Township 5, Range 80 West 6th Principal Meridian from Two-Family Residential (R) District to the Housing (H) District on the western portion of the site, and Natural Area Preservation (NAP) District on the eastern portion of the site, and setting forth details in regard thereto. Bruno seconded the motion and the motion passed (6-2; Langmaid and Mason – nay). Chapin noted the criteria were outlined in the staff memo to the PEC dated Sept. 11 and included in the packet materials (section VII: Review Criteria).

4.2. Ordinance No. 12, Series of 2017, First Reading, An Ordinance Amending Section 12-23-2, Employee Generation and Mitigation Rates, Vail Town Code to Amend Table 23-1, Employee Generation Rates by Type of Construction Use, and to Amend the Definition of Nexus Study in Section 12-2-2, Definitions, Vail Town Code

Presenter(s): Chris Neubecker, Planning Manager

Action Requested of Council: The Town Council shall approve, approve with modifications, or deny Ordinance No. 12, Series of 2017, upon first reading.

Background: The 2006 Vail Employer Survey Summary of Results (Nexus Study) must be updated regularly to remain effective and relevant to ensure an accurate reflection of the current and future employee housing needs resulting from new development and redevelopment in the town. The Nexus Study is used by the Town of Vail in administering commercial linkage requirements for development within the Town of Vail.

Staff Recommendation: The Community Development Department recommends that the Town Council open the public hearing and take testimony on the proposed ordinance.

Moffet moved to approve on first reading, Ordinance No. 12, Series of 2017, an ordinance amending Section 12-23-2, Employee Generation and Mitigation Rates, Vail Town Code, to amend Table 23-1, Employee Generation Rates by Type of Commercial Use, and to amend the

definition of Nexus Study in Section 12-2-2, definitions, Vail Town Code, and setting forth details in regard thereto, based on the following findings:

1. That the amendment is consistent with the applicable elements of the adopted goals, objectives and policies outlined in the Vail Comprehensive Plan and compatible with the development objectives of the town; and
2. That the amendment furthers the general and specific purposes of the sign regulations; and
3. That the amendment promotes the health, safety, morals, and general welfare of the town and promotes the coordinated and harmonious development of the town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.

Langmaid seconded the motion and the motion passed (6-1; Foley opposed). There was no public input on this topic. The ordinance decreased the accommodation unit rate for employee generation by 0.1% and increased the employee generation rate for eating and drinking establishments by 3.45% employees. Foley noted his concern about the recommendation of the increase to restaurants as why he did not support the ordinance.

5. Presentations / Discussion

5.1. Update on Parking & Transportation Task Force recommended 2017-2018 Winter Parking Program

Presenter(s): Greg Hall, Director of Public Works and Transportation

Action Requested of Council: Provide direction to the staff and the PATTF on the information presented as well as provide feedback on the issues regarding any additional information which would be useful from the Task Force as the Town Council will be asked to decide on the winter 2017- 2018 parking program in October.

Background: The Parking & Transportation Task Force was formed in 1999 in an advisory capacity and has been enacted through the years at the direction of the Vail Town Council. In reinstating the Task Force, the role of the 12-member group is to provide advisory input and recommendations on parking, transit and traffic operations.

Staff Recommendation: Staff recommends the Town Council provide input, direction and issues the council would like the Parking and Transportation Task Force to address in order to make a final recommendation to the Vail Town Council to review, adopt or modify at a regular evening meeting in October for the upcoming winter 2017-2018 ski season.

The Task Force addressed some of the following topics during their discussions:

Goals, Policies, Guidelines, 2016-17 winter review, parking customer surveys, peer resort review pricing & parking product, vail free parking and outlying parking, rates and passes, 2-hour free period, daily and overnight parking, transit, the future of parking and transportation.

Winter 2017-2018 objectives and recommendations

- Require construction projects to have an employee transportation and parking plan
- Work with ECO Transit to support increased service in 2018 through county budget process
- Develop a marketing and messaging plan around the following to reach 15 day overflow goal, see memo for details
- Inventory and add bike racks, bike corrals for special events

- Enhancing additional winterer transit service
- Long-term storage of cars
- Inventory winter usage of private lots

The recommendations for rate and parking passes are reflected below:

Recommended Rate Structure:

	<u>Existing</u>	<u>Proposed</u>
0 to 30	Free	Free
30 to 1	Free	Free
1 to 1.5	*Free	Free
1.5 to 2	Free	\$5
2 to 3	\$15	\$10
3 to 4	\$20	\$20
4 to 15	\$25	\$30
15 to 24	\$25	\$40

Recommended Parking Pass Prices

	<u>Existing</u>	<u>Proposed</u>
Gold	\$3250	\$3250
Silver	\$1800	\$2000
Blue	\$1100	\$1500
Green	\$ 500	\$750
Pink	\$150	\$300

After some discussion it was noted final decisions would be made at the next meeting. Some feedback addressed the basis for changes as being revenue neutral and the need to change behavior by changing the rates.

5.2. Commercial Ski Storage Update

Presenter(s): Chris Neubecker, Planning Manager

Action Requested of Council: Staff asks that the Town Council review the attached memo, answer the questions posed the memo, and provide direction on the proposed text amendments concerning Commercial Ski Storage.

Background: On September 5, 2017, the Community Development Department presented the recommendations of the Commercial Ski Storage Task Force on possible code amendments to clarify the Town's existing policy on ski storage, ski concierge, and ski valet. The Town Council directed staff to develop draft text amendments for review before moving forward with the formal ordinance process. The attached memo, recommendations and draft text amendments are provided in response to Council's direction.

Staff noted that the topic would return for further review after the task force reviewed their recommendations with the PEC.

6. Action Items

6.1. Resolution No. 29, 2017 A Resolution Approving the Town of Vail Transportation Impact Fee Schedule, Pursuant to Title 12-26; and Setting Forth Details in Regard Thereto

Presenter(s): Tom Kassmel, Town Engineer

Action Requested of Council: Adopt Resolution No. 29, Series 2107, Transportation Impact Fee Schedule

Background: On July 11, 2017 the Town of Vail adopted Title 12-26, Transportation Impact Fee, of the Vail Town Code. The proposed transportation impact fee applies to new developments, including creation of any new residential dwelling units, or any new commercial floor area. The fee does not apply to residential remodels where no additional units are added, or to commercial remodels that do not increase square footage or change use. In order to implement the impact fee Town Council will need to adopt a Fee Schedule.

Maximum Supportable Transportation Impact Fees	Recommended	5%	10%	15%	20%
<i>Residential Dwellings (per Unit)</i>					
Dwelling, Two Family or Multiple Family (In the Core Area)	\$ 5,960.00	\$ 5,662.00	\$ 5,364.00	\$ 5,066.00	\$ 4,768.00
Dwelling, Two Family or Multiple Family (Outside the Core Area)	\$ 7,450.00	\$ 7,077.50	\$ 6,705.00	\$ 6,332.50	\$ 5,960.00
Dwelling, Single Family	\$ 9,686.00	\$ 9,201.70	\$ 8,717.40	\$ 8,233.10	\$ 7,748.80
Employee Housing Unit	\$0	\$ -	\$ -	\$ -	\$ -
<i>Accommodation Unit (per Unit)</i>					
Accommodation Unit (In Core Area)	\$ 5,960.00	\$ 5,662.00	\$ 5,364.00	\$ 5,066.00	\$ 4,768.00
Accommodation Unit (Outside Core Area)	\$ 7,450.00	\$ 7,077.50	\$ 6,705.00	\$ 6,332.50	\$ 5,960.00
<i>Commercial (per square foot of floor area)</i>					
Restaurant & Retail Establishments	\$ 13.90	\$ 13.21	\$ 12.51	\$ 11.82	\$ 11.12
Facilities Health Care	\$ 9.93	\$ 9.43	\$ 8.94	\$ 8.44	\$ 7.94
Office & Other Services	\$ 6.20	\$ 5.89	\$ 5.58	\$ 5.27	\$ 4.96
Total Projected Revenue	\$ 18,244,320.00	\$ 17,332,104.00	\$ 16,419,888.00	\$ 15,507,672.00	\$ 14,595,456.00
Total Additional Amount Subsidized by Town	\$ 2,553,860.00	\$ 3,466,076.00	\$ 4,378,292.00	\$ 5,290,508.00	\$ 6,202,724.00

There was some brief discussion about the proposed rate schedule (above). Due to the late evening, a motion was made by Cleveland to table the item to a future date; Foley seconded the motion and it passed (7-0).

There being no further business to come before the council, Foley moved to adjourn the meeting and Bruno seconded the motion which passed (6-0) and the meeting adjourned at 11 p.m.

Respectfully Submitted,

Attest:

Dave Chapin, Mayor

Patty McKenny, Town Clerk