



PLANNING AND ENVIRONMENTAL COMMISSION

July 9, 2018, 1:00 PM

Town Council Chambers

75 S. Frontage Road - Vail, Colorado, 81657

1. Call to Order

1.1. Attendance

Present: Brian Gillette, Brian Stockmar, John-Ryan Lockman, Karen Perez,
Ludwig Kurz, Pam Hopkins

Absent: Rollie Kjesbo

2. Main Agenda

- 2.1. A request for the review of variance from Section 12-6C-10, Landscaping and Site Development, Vail Town Code, pursuant to Chapter 12-17, Variances, Vail Town Code, to allow for a deviation from the sixty percent (60%) landscaping requirement, located at 5128 Grouse Lane/Lot 8, Block 1, Gore Creek Subdivision, and setting forth details in regard thereto. (PEC18-0026) 30 min.

Applicant: Stanley & Karen Jeranko, represented by Martin Manley Architects

Planner: Justin Lightfield

Lightfield introduced the project and described public comment received on this application, which are letters of support. He described the subject property and the access agreement for access on the rear of the property, which provides accesses for Eagle River Water and Sanitation to their property to the south. The access easement takes up about 15 percent of the site, taking away area to be used for landscaping. Minimum required landscaping is 60% of the site. The applicant is requesting a variance to provide less than the required landscaping. ERWSD needs the full 25' road width to allow truck access to the site.

John Martin, Architect – Existing asphalt on the site creates a problem. We meet all other site requirements, and site already has some site limitations. Half of the parcel must take access from Grouse Lane, and the other unit will take access from the access road. Home is designed to separate the two dwelling units as much as possible. Majority of the front driveway is on Town of Vail property.

Stockmar – Will you meet at parking requirements?

Martin – Yes, we are meeting parking requirements. They will be on the site itself.

Perez – Please describe the slope challenges of the site.

Martin – Building steps down from Grouse Lane, and third level down still does not reach grade. We are working with the grades, but will still have

retaining walls. Shape of the lot has more to do with the design than the slope.

Lightfield – The height of the proposed residence is 32'-10", within the 33' height limit.

Martin- If no landscaping variance, it's an unfair situation for this developer, which would not be the same as other lots without the existing asphalt.

Public Comment –

John Kuchar – 5124 Grouse Lane. Will this application provide less landscaping than required? (Lightfield, yes, landscaping proposed is 58%) We are not looking forward to construction traffic. Road was built with plans for minimal traffic.

Lightfield – Access easement document highlights the construction, repair, and maintenance responsibilities.

Kuchar – There is an existing access agreement, it's not clear if it's a 20 year agreement, which expires soon.

Stockmar – You will need to ask that question to your own counsel.

Perez – Explained in perpetuity means forever.

Kuchar – Road is not designed for heavy construction, and in winter how will snow plowing be addressed. We are asking for a 90 day delay on this application.

Stockmar – That question is not relevant to the Commission's purview.

Chris Mont – Owner of Lot 3. He is in agreement with John on all his points. Who is going to clean the road each day? He is in construction, so he knows how much impact construction can have. He stated no one has done their 20% of maintenance. He uses the access road daily and echoes John's concerns.

Perez – You should discuss the legal document with your counsel.

Mont – What's wrong with waiting 90 days?

Gillette – The road is existing. It has nothing to do with the Town. There are more hoops for the applicant to jump through, including design review and a building permit.

Mont – Not all homes on this road were built using this road.

Commissioner Comment –

Lockman – Appreciate the staff memorandum on this lot. Criteria for the variance has been met, considering that the site already has paving. It's a challenging site, but it's outside the Town's purview to negotiate on private property.

Hopkins – OK with it.

Perez – One of the criteria we must look into, the relationship to other structures in the vicinity. The PEC needs to take into account the impact the development has on adjacent property. The PEC also needs to look at physical hardship, and the issue on slope was determined not to be an issue. She has not seen any evidence that they have not been able to meet the standard. Perez stated the concern of granting a special privilege. We can not look at what we approved before. I'm not swayed that it's impossible to provide 388 additional square feet.

Kurz – Concur with Lockman and Hopkins. The road can be a physical hardship. Most lots don't have a road built through their property. Most lots are allowed a certain amount of site coverage and landscaping based on lot size.

Stockmar – Agrees with most of the other commissioners. The would not be an issue to meet the landscaping requirements if there were no existing road.

Ludwig Kurz moved to approve. John-Ryan Lockman seconded the motion and it passed (6-0).

Absent: (1) Kjesbo

- 2.2. A request for the review of an amendment to an existing Conditional Use Permit, pursuant to Section 12-9C-3, Conditional Uses, Vail Town Code, to allow for the replacement of the existing maintenance facility with a new maintenance facility at the Vail Golf Course, located at 1278 Vail Valley Drive/Unplatted, and setting forth details in regard thereto. (PEC18-0027) 5 min.

Applicant:Vail Golf Course, represented by Pierce Architects

Planner: Justin Lightfield

Lightfield introduced the project. No formal action by the PEC is required.

Jeff Bailey -1287 Vail Valley Drive. Thank you for the communication, it has been great. Question on access to the facility, will it change?

Bill Pierce – No access will change with the project.

Scott O'Connell – No change to access to the facility. No changes to Vail Valley Drive on this site.

Chris Wolder – Adjacent property owner. What time of day will construction take place?

Roz Cochman -1328 Vail Valley Drive – Concerned about the noise level.

Jack Hunn, Consultant – Hope to start late September and finish by April or May 2019.

No commissioner comments.

- 2.3. A request for review of Major Exterior Alteration, pursuant to Section 12-7B-7, Exterior Alterations or Modifications, Vail Town Code, to allow for construction of a new multifamily structure with below grade parking, located at 534 East Lionshead Circle/Lot 2 and 3, Block 1, Vail Lionshead Filing 1, and setting forth details in regard thereto. (PEC18-0016) 45 min.

Applicant Battle Mountain LLC, represented by Braun Associates, Inc.

Planner: Jonathan Spence

1. Approval of this project is contingent upon the applicant obtaining Town of Vail design review approval for this proposal.
2. The Transportation Impact Fee shall be paid to the Town of Vail by the applicant prior to issuance of any building permit.
3. Prior to the issuance of the first certificate of occupancy for the project, the Applicant shall execute and record deed restrictions, in a form approved by the Town Attorney, for the on-site employee housing units (EHUs).
4. The DRB shall review the snowfall conditions on the rear setback at time of review.

Stockmar - for the record, there have already been two meetings on the project.

Braun, representing Battle Mountain LLC, presented to the PEC and stated after the last meeting additional research has been done on the automated parking system. There are four applications today. First, is a minor subdivision (PEC18-0017). Second, Braun presented the "pay in lieu" parking map amendment (PEC18-0019). Third, is the setback variance/west wall (PEC18-0018). The Launch building will confirm to the setback to the 0' setback line. Braun stated the west wall's plane will be determined at the DRB stage in the process. Fourth, is the exterior alteration (PEC18-0016). Braun stated staff is supportive of the new design and the application still must go through the Design Review Board for final design approval.

Braun then presented the automated parking system. He stated the Town Code requires a minimum of 7' clearance. The elevation clearance proposed is 7'6". The system will hold 71 minimum spaces. 46 spaces for Vail 21 and Launch with 25 spaces leased to other users, including retail, real estate office, etc. There is no "rush hour" or "peak arrival time" from the residential users.

Stockmar asked about the demand of the system.

Perez - What percentage of the residential parking are short-term vs. long-term?

Braun could not speak to how many permanent residents live in the building.

Braun mentioned vehicles pull off of the alley, and then enter a code into the key pad, which opens the garage in a matter of seconds. The user then exits the car and the car stages itself in front of the elevator, thereby not holding up any traffic. There are two elevators in the garage and the elevators can work simultaneously.

Stockmar asked if the parking system reverses the car when the elevator returns the car to ground level. This would allow the car to pull out rather than backing out.

Braun stated yes, the cars will pull forward rather than backing out.

Braun stated automated systems have been around for a long duration and many years. The average turnaround time is 90 seconds for the elevator to

park a car and return to the top. Braun showed on a site plan there are six spaces for cars to park and drop off supplies. On site staff will verify cars do not utilize drop off parking zones for long term parking. Braun then presented on elevator reliability. CityLift is on site quarterly checking the system and cleans the system quarterly. The system will be designed differently to handle the winter environment, which will be more resistant to moisture. The system will also have a dehumidifying system to handle the environment. CityLift will have a contract with a local elevator maintenance company. In most cases, problems are solved in minutes. There has not been a repair prohibiting cars from leaving for more than a few hours with the system.

Commissioner Comments -

Hopkins – How you unload and load without affecting other cars entering the elevator? How does the circulation work?

Braun – It will require some moving around of vehicles. There are six dedicated spaces in the drop-off area.

Stockmar stated the normal turn-around, parking patterns, and turning radius analysis would help the PEC and determine when bottlenecks would occur.

Stockmar stated he lived with an automated parking system in Tokyo and it never failed in two and a half years. based on past experiences with using similar systems, it works.

Gillette – If there is not enough time to get items in or out of your car, the complex will have to hire an assistant.

Hopkins – The drop-off and unload area is more likely to back up than the parking elevators.

Kurt Rhoden, with Launch Development – Most often systems are using a public parking format. We have the luxury to have an educated parking environment within their community. The community will view a video on the system that CityLift produces.

Lockman – Is the trash and recycling accessed inside the garage or in the alley?

Braun – They will roll the bin out to the alley and likely go down to the end of the alley to service the other buildings.

Perez asked if Braun obtained a height measurement within the Town of Vail regulations.

Braun stated they meet the minimum requirements at 7'6".

Lockman – Is emergency access available if the elevators back up and cars park in the alley?

Braun – Restoring and having 22' of clear moving area. With a worse case scenario there will still be access back into the property.

Public Comment -

Stewart McNab, representing Lift House Homeowners Association, stated his client's interest is not in the parking garage beneath the Launch Development. His client's interest is in the Lazier section of the parking garage (upper level that has been removed). He mentioned PEC18-0017 replating application.

Stockmar clarified McNab was addressing another application, not the current application, PEC18-0016. He asked for the permission from the Commission to proceed with comments since they are interrelated.

McNab – The final plat is the appropriate place to address parking places that existed prior to earlier this summer when the parking structure was demolished. Lift House requests a condition that would require on Lot 1A that there be a condition for parking places that existed prior to demolition, that the parking spaces be replaced. McNab indicated the condition will preserve the status quo and will not affect the Launch site. It wouldn't change anything. Preserve the spaces that were there prior to development being proposed. Condition reads:

“Any Major Exterior Alteration or other redevelopment of Lot 1A shall include, at a minimum, 95 spaces in addition to the requirements for the altered or redeveloped structure on that lot, so as to conform to the original permits and approval for the Lift House and the Lionshead Arcade buildings for which the parking existing as of June 1, 2018 on Lot 1A was intended to serve.”

McNab stated there are actually 91 spaces after speaking with Braun. The condition can change to 91 spaces rather than 95 spaces. This recognizes the demo for permit was granted without condition and adding the condition to the new plat will ensure preserving the status quo at time of development. It will not affect the Launch side, because parking is being taken care of. Condition would have the effect of preserving the spaces that were there prior to the development being proposed.

Lockman – What was the total allocation of spots across 2A and 1A both top and bottom of the parking structure?

Gillette – How did we get to 46 spaces?

Braun stated Launch will provide their parking numbers as required and Lazier will provide their parking numbers. The 46 number is the number Launch has committed the residential users on their portion of the property.

Gillette – How are we going to get to what we are replacing vs adding?

Kurt Rhoden – There were 52 spaces before demolition. We need to replace those 52 spaces. There are also an additional minimum of 71 spaces needed for the development. The 46 is totaled by adding what Vail 21 and Elevation community would need.

Perez – Clarified there will be 71 spaces on the eastern side 1/3 and 91 or 95 on the western 2/3.

Braun stated 91 spaces existed before demo on Lazier's side of the development. Braun clarified demo occurred prior to the applications coming before the PEC.

Braun explained the following in terms of history:

June 1 (before demo) – there were 52 spaces at Launch and Lazier had 91. 143 spaces total.

Launch is replacing their 52 and providing 17 more for EHUs and condominiums

Lazier will replace 91 spaces and provide parking for his 23 units – 30 some-odd spaces.

- 143 total spaces before deck was removed

Perez asked who was the applicant for the demolition of the garage.

Stockmar asked if there was a condemnation of the parking structure.

Braun responded the parking structure was not condemned. Battle Mountain LLC was the applicant for demo permit. Battle Mountain LLC is part of Launch.

Gillette suggested a change to the condition.

Stockmar asked if the PEC needed to include the Gillette suggested change to the condition.

Neubecker confirm the language is already highlighted in the Vail Town Code.

McNab – The problem is there so no assurance that the project will happen any time soon, whether that be this year, next year, etc.

Lazier – Stated that he is concerned of the terminology of the condition since he does not trust the motivation of the Lift House. He stated he hopes to present his proposed project in 30-45 days. He prefers the condition to be in the PEC's language, not Lift House's. He stated there are no traffic flow issues, without many cars coming in and out on a daily basis. The 91 spaces will be part of their proposal.

Jamie Crosby, Vail 21 resident – Owns parking lots and apartment buildings. Concerns were the elevator maintenance and getting fixed. Mentioned lack of staging with cars and getting garbage trucks through the site.

David Moe – Manager for Vantage Point Condominiums. Stated there was a horizontal crack that went the entire distance of the property. Vantage Point's concern is for their foundation and is seeking assurance that their property will not be affected by construction and building 3 floors underground. The structure was collapsing because it was moving to the south, especially being built 8' from the Vantage Point. Additionally, the proposed sidewalk along the north property line of Launch is a hazard. They believe the sidewalk is a danger due to the cliff of Vantage Point's roof. The area between the two properties is deadly, due to Vantage Point being 6 stories and the proposed building being 7 stories.

Neubecker – This will be examined during the DRB review process.

Moe – Never had snow falling on cars or people, but he has noticed tons of snow falling between the two buildings. The sidewalk is the main concern. Moe asked for a core sample of the soil 10' deep. Lazier

responded well, but Launch did not respond as well.

Commissioner Comment -

Lockman – Largest concern is that parking that was there, stays there. In the Lionshead planning documents, is there a number mentioned in the master planning document for parking?

Neubecker – A number is not indicated on the master planning documents.

Braun – The master plan specifically states parking must be replaced. He believes the parking condition is not required. Stated a condition is not required since this is an active application.

Gillette – Indicated due to high construction costs, the building may not be built any time soon. The condition will verify it is not lost and the condition should be added to the plat and fee-in-lieu applications.

Braun – Wanted to clarify conversations with Vantage Point. Braun stated the applicant will reconvene with Vantage Point once a construction team is selected.

Stockmar – Clarified the PEC was in commissioner comment on PEC18-0018 and PEC18-0016.

Commissioner Comment for all related applications -

Gillette – Adding the condition to PEC18-0019 and PEC18-0017 makes sense to clarify what parking spaces are being talked about.

Kurz – Aggress with Gillette's idea that all applications are appropriate. Kurz will support conditions if supported by Staff. Comfortable with the applications. Concerns have been thought about and addressed.

Perez – Agrees with other commissioners and appreciates the background provided. Thanked applicant for addressing concerns made by the PEC. In favor of Gillette's proposed conditions.

Hopkins – Agrees with adding parking condition. Also added for DRB to review the roof snowfall hazard to be looked at during DRB review.

Lockman – PEC18-0016 applicant listened to the PEC and applicant did a good job describing the automated parking system. More comfortable with setback now. There is less parking now than there was June 1, 2018. Prefers not to create additional regulations on different applications down the road and the condition should be placed only on PEC18-0017.

Stockmar – This is PEC's third meeting on the issues and thanked the applicants. Based on all of the analysis, he is in favor of the development. Vail is a small town with big city problems. The site is challenging because of its size and surrounding buildings. He is comfortable in relying on the Building Department to review plans to address any safety concerns and eliminate structural issues. Comfortable with all four items and is not convinced Gillette's condition is necessary.

Brian Gillette moved to approve with conditions. John-Ryan Lockman seconded the motion and it passed (6-0).

Absent: (1) Kjesbo

- 2.4. A request for review of a final plat, pursuant to Title 13 Chapter 4, Minor Subdivisions, Vail Town Code, to allow for a subdivision to reconfigure the property lines between two (2) development lots located at 500 & 534 East Lionshead Circle/Lots 1,2 and 3, Block 1, Vail Lionshead Filing 1, and setting forth details in regard thereto. (PEC18-0017) 15 min.

Applicant: Lazier Lionshead LLC & Battle Moutnain LLC, represented by Braun Associates, Inc.

Planner: Jonathan Spence

1. Any major exterior alteration or other redevelopment of Lot 1A or Lot 2A shall include, at a minimum, 91 parking spaces for Lot 1A and 52 parking spaces for Lot 2A in addition to the requirements for the altered or redeveloped structures on said lots.

Brian Gillette moved to approve with conditions. John-Ryan Lockman seconded the motion and it passed (6-0).

Absent: (1) Kjesbo

- 2.5. A request for a recommendation to the Vail Town Council for a prescribed regulations amendment to Section 12-10-16 Exempt Areas; Parking Fund Established, Vail Town Code, pursuant to Section 12-3-7 Amendment, Vail Town Code, to remove 1A, Lot 2A, Tract K, Tract L and Tract M of a Resubdivision of Vail Lionshead, Block 1, from the "parking pay-in-lieu" zones for parking regulations purposes, and setting forth details in regard thereto. (PEC18-0019) 15 min.

Applicant: Lazier Lionshead LLC & Battle Moutnain LLC, represented by Braun Associates, Inc.

Planner: Jonathan Spence

1. Any major exterior alteration or other redevelopment of Lot 1A or Lot 2A shall include, at a minimum, 91 parking spaces for Lot 1A and 52 parking spaces for Lot 2A in addition to the requirements for the altered or redeveloped structures on said lots.

Brian Gillette moved to approve with conditions. Ludwig Kurz seconded the motion and it passed (6-0).

Absent: (1) Kjesbo

- 2.6. A request for the review a variance from Section 12-7H-10, Setbacks, Vail Town Code, pursuant to Title 12 Chapter 17, Variances, Vail Town Code, to allow for a rear setback of zero feet (0') where ten feet (10') is required for a new multifamily structure, located at 534 East Lionshead Circle/Lot 2 and 3, Block 1, Vail Lionshead Filing 1, and setting forth details in regard thereto. (PEC18-0018) 0 min.

Please see item PEC18-0016 for the staff memorandum concerning this

request.

Applicant Battle Mountain LLC, represented by Braun Associates, Inc.

Planner: Jonathan Spence

1. Approval of this variance is contingent upon the applicant obtaining Town of Vail design review approval for this proposal.

Brian Gillette moved to approve with conditions. Ludwig Kurz seconded the motion and it passed (6-0).

Absent: (1) Kjesbo

3. Approval of Minutes

3.1. June 25, 2018 PEC Results

Stockmar stated Planner Lightfield's name is misspelled three times.

Ludwig Kurz moved to approve. Karen Perez seconded the motion and it passed (5-0).

Abstain: (1) Lockman

Absent: (1) Kjesbo

4. Adjournment

Stockmar noted the final selection and interviews are taking place next week for the Director of Community position. He stated there is very little interactions between PECs around the state and country.

Neubecker stated issues and challenges should be brought up first, then locations can be selected based on what communities have done before in the past.

Gillette mentioned the PEC should generate a list of what the Town of Vail PEC has done well and poorly.

Stockmar stated when the PEC's agenda lightens up is the ideal time to visit other areas.

Exposing the PEC to other experiences is beneficial.

Neubecker stated a retreat would be an ideal time to have a discussion.

Gillette mentioned ski storage was a good example of learning through the PEC by talking with merchants and owners.

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