

The regular meeting of the Vail Town Council was called to order at approximately 6:00 P.M. by Mayor Chapin. Jen Mason was absent at this time, but expected to arrive a little later.

Members present:	Dave Chapin, Mayor Jenn Bruno, Mayor Pro Tem Kevin Foley Kim Langmaid Jen Mason Greg Moffet
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Members absent	Travis Coggin
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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**

Michael Cacioppo expressed a suggestion about the need for trimming trees that are in the way of Vail's clock tower, which is one of Vail's signatures.

Randy Guerriero, resident of West Vail, expressed an observation about the need for regular street sweeping in Vail; especially in light of the many locals and guests riding bicycles. He also expressed dissatisfaction with golf course greens as they are not up to the standard of what should be offered by a premier resort.

Paul Rondeau, resident, expressed concern about the recent notice about losing electricity in the valley. He wondered how it would be the resort town would lose power for multiple days and how that would be mitigated by local emergency personnel, the municipalities and the power providers.

Diana Donovan, resident, suggested bringing stakeholder groups together to discuss the civic plan process and encouraged that a steering committee be formed in an effort to ensure checks and balances were satisfied.

## **2. Consent Agenda**

### **2.1. Exit 180 Landscape Improvements Contract Award**

Moffet moved to award the contract to Rocky Mountain Custom Landscapes; and directed the Town Manager to enter into a contract with Rock Mountain Custom Landscapes in the amount not to exceed \$975,000.00 to complete the Exit 180 Landscape Improvements Project. Bruno seconded the motion and it passed (5-0). Foley requested the balance of that budget be used for other projects.

**2.2. Resolution No. 29 Series of 2018, Resolution approving a Ford Park water line easement; and setting forth details in regard thereto**

Moffet moved to approve Resolution No. 29; Bruno seconded the motion and it passed (5-0).

**2.3. Resolution 30, Series of 2018, A Resolution Adopting the 2018 Town of Vail Housing Policy Statements, and setting forth details in regard thereto**

Moffet moved to approve Resolution No. 30; Bruno seconded the motion and it passed (5-0).

**2.4. Resolution 31, Series of 2018, Resolution approving an Amendment to Intergovernmental Agreement between the Town of Vail and the Colorado Department of Transportation regarding I-70 MP 180-182 – Vail water quality– Town of Vail; and setting forth details in regard thereto**

Moffet moved to approve Resolution No. 31; Bruno seconded the motion and it passed (5-0).

**2.5. NWCCOG Member Letter to Colorado Delegation about USFS Funding**

Moffet moved to approve the letter and Foley seconded the motion. The motion passed (5-0).

**2.6. Minutes from June 5, 2018 meeting**

Moffet moved to approve the minutes; Foley seconded the motion (5-0).

**3. Town Manager Report**

**3.1. Town Manager Report**

Presenter(s): Greg Clifton, Town Manager

Kristen Bertuglia presented an update about the recent site tour for the “safe passages for wildlife” with staff from Eagle County. The site visit included a number of Vail area parcels that are very relevant to wildlife and have presented challenges, i.e. West Vail, Dowd Junction. There were a number of officials on the tour and a follow up report would be released in the near future.

**4. Presentations / Discussion**

**4.1. Draft 2018 Open Lands Plan**

Presenter(s): Chris Neubecker, Interim Community Development Director

Action Requested of Council: The purpose of this memo is to present the recommendations of the draft 2018 Open Lands Plan Update, specifically Chapter 3, Town Owned Lands and Use of Lands. As part of this meeting, Staff will also follow up with Town Council on the issues that were mentioned at the July 3, 2018 meeting on Chapter 2, Environmentally Sensitive Lands.

Staff Recommendation: The Community Development Department recommends that the Town Council provide feedback on any elements of the Town Owned Lands and Use of Lands (Chapter 5) section of the draft 2018 Open Lands Plan Update that may need to be modified.

Tom Braun, Braun & Associates, presented the next phase of the plan, with the evening's Agenda as follows:

#### Chapter 2 – Environmentally Sensitive Lands

- ✓ Follow-up questions from July 3<sup>rd</sup>
- ✓ Plan refinements addressing what's changed & management of town lands
- ✓ 16 recommended Action Items

The action items were reviewed for development feasibility as related to access, terrain, environmental constraints, zoning, and observations on development feasibility. Chapin noted that action item #21 parcel was slated to remain as is based on council input at the last meeting; he noted that there continue to be a number of public input letters related to this parcel. The parcel should remain in the plan as part of the inventory

#### Chapter 3 – Town-owned Land and Use of Lands

The Background/1994 Plan objectives were reviewed, as follows:

##### Public Facilities/Land Needs

1. Public Works expansion
2. Vail Fire Department
3. Vail Police Department
4. Eagle County Schools
5. ERWSD
6. Vail Housing Authority

Jen Mason arrived at 6:50 pm. A description of the parcels identified as town owned and privately owned were reviewed which included 16 parcels; there was recommendations that eight (8) of those parcels be potential sites for acquisition for public purposes. Chapin invited public input at this time.

- Paul Rondeau requested that acronyms be defined and conversations about legalese be spelled out for those in the audience.
- Kathryn Bennish, Bighorn Terrace, expressed their position about their lake with a request to remove the parcel from the inventory. She noted there were no plans for development at the site and it zoned agricultural and open space.
- Blondie Vucich, resident, expressed concern their public input was not taken into consideration and asked about submitting written comments. She also expressed that a steering committee might have been helpful with this process.
- Jason Lempky, Bighorn Terrace, requested that Parcel 21 be removed from the list.
- Diana Donovan, resident, requested Parcel 21 be removed from the list; she suggested the homeowners return with an update about how they will preserve the pond. She was bothered by the piece-meal work being done on the plan and read again her 1975 Vail environmental ethic statements.
- Randy Guerrierio, resident, expressed support for the town obtaining the roost lodge site for community purposes.
- Joe Stauffer, resident, expressed the need for open lands in Vail and his concerns about the recent decision to fund an exploration of the use of open space for development, middle creek parcel.

- Paul Rondeau, resident, requested more maintenance work on the middle bench of Donovan Park, such as additional trees with a request to dedicate the parcel as open space for a park.

Public input was closed at this time. Chapin thanked everyone and noted that further review of the open lands plan will occur on August 7

## **5. Action Items**

### **5.1. Permission to Proceed through the Development Process - Market at Vail**

Presenter(s): Jonathan Spence, Senior Planner

Action Requested of Council: The Community Development Department requests that the Town Council evaluate the proposal to utilize Town of Vail property for the purpose of a ground mounted building identification sign. This utilization of Town of Vail property would be subject to the terms of a license agreement and could be discontinued if required to do so.

Background: Rabbi Dovid Mintz of the Chabad Jewish Center and Mark Haynes with Market Management, tenants in the Treetops Building located at 450 East Lionshead Circle, request permission to proceed through the Design Review process for a ground mounted building identification sign to be located on Town of Vail property (E. Lionshead Circle ROW). The applicants request permission to proceed through the Design Review Board process and, if approved, enter into a license agreement with the Town of Vail for the improvement.

Staff Recommendation: The Community Development Department recommends that the Vail Town Council instructs Town Staff to: Sign the development application on behalf of the property owner and permit the project to proceed through the development review process for the proposed improvement.

Mark Haynes, Market Management, presented a summary of their request, detailed above. Foley moved to approve that staff execute the development application and permit the project to proceed the development process. Moffet seconded the motion and it passed (6-0). Public input was invited and none was heard.

### **5.2. Review Council Action Plan 2018-2020**

Presenter(s): Greg Clifton, Town Manager

Action Requested of Council: Confirm latest revisions reflect the Council Action Plan is ready for approval via Resolution at the next meeting.

Background: The Town Council has been working on its action plan since the first of the year. The final presentation will be made by the Town Manager with highlights about some of the revisions to the plan including the new model of the priorities with an addition of the sustainability component and the continued emphasis on housing. The Plan is the product of a collaborative process that has spanned two Council retreats and two Council regular meetings.

After further review of the plan, some additional changes were made with the details of the focus areas. It was noted the final document would be submitted at the next meeting for consideration and approval.

## **6. Public Hearings**

### **6.1. Solar Vail Appeal (TC18-0002) 30 min.**

Presenter(s): Chris Neubecker, Interim Director of Community Development

Action Requested of Council: The Town Council is asked to review the application for the Solar Vail design review application, and determine if the requirements of the Vail Town Code, specifically Title 12, Zoning Regulations and Title 14, Chapter 10, Design Review Standards and Guidelines, were properly applied in the decision to deny a request to amend the design of the proposed Solar Vail Employee Housing development, located at 501 N. Frontage Road West / Lot 8, Block 2, Vail Potato Patch Filing 1.

Background: On June 20, 2018 the Vail Design Review Board voted 2-2 on a motion for approval. As a result of the failure to obtain a majority vote, the motion was denied. Design Review Board members voting against the motion cited a lack of compatibility on the building design, Section 14-10-2, General Compatibility.

Chapin opened the public hearing and staff presented the question for consideration, as follows:

*Were the requirements of the Vail Town Code, specifically Title 12, Zoning Regulations and Title 14, Chapter 10, Design Review Standards and Guidelines, properly applied in the decision to deny a request to amend the design of the proposed Solar Vail Employee Housing development, located at 501 N. Frontage Road West / Lot 8, Block 2, Vail Potato Patch Filing 1 (DRB18-0216)?*

There was further clarification provided by the Town Attorney about the split vote.

Moffet moved to overturns the decision of the Design Review Board concerning the Solar Vail application for a design change, DRB18-0216, located at 501 N. Frontage Road West / Lot 8, Block 2, Vail Potato Patch Filing 1, and setting forth details in regard thereto, and that the Vail Town Council hereby grants the requested Design Review Board application, as originally submitted by the applicant to the Town of Vail." (TC18-0002). Bruno seconded the motion and it passed (6-0). It was noted the Vail Town Code was not properly applied in regard to the June 20, 2018 Design Review Board decision to deny the application for a design change, DRB18-0216. Furthermore, the Vail Town Council finds that the proposed building design is compatible with existing structures, their surroundings, and with Vail's environment, and is in compliance with Title 12, Zoning Regulations, and Title 14, Development Standards, of the Vail Town Code, located at 501 N. Frontage Road West / Lot 8, Block 2, Vail Potato Patch Filing 1, and setting forth details in regard thereto. There were no public comments on this matter. The hearing was closed.

There being no further business to come before the council, Moffet moved to adjourn the meeting and Foley seconded the motion which passed (6-0) and the meeting adjourned at 8:25 p.m.

Respectfully Submitted,

Attest:

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Dave Chapin, Mayor

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Patty McKenny, Town Clerk