

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 Travis Coggin Kevin Foley Kim Langmaid Jen Mason Greg Moffet
------------------	---

Staff members present:	Greg Clifton, Town Manager Matt Mire, Town Attorney Patty McKenny, Town Clerk
------------------------	---

---

## **1. Citizen Participation**

- Tom Saalfeld, Vail Recreation District, informed the community that Mike Ortiz, Executive Director, was recognized as special district manager of the year as presented by the Special Districts Association of Colorado.
- Rondi Borgen, resident, expressed concern about speeding and traffic on Booth Creek Road due to the Booth Creek trailhead.

## **2. Proclamations**

### **2.1. Proclamation No. 7, Series of 2018, Recognizing Library Card Sign-up Month - 35th Anniversary Celebration**

Presenter(s): Dave Chapin, Mayor, Lori Ann Barnes, Vail Librarian

The proclamation was read and approved. Lori Barnes presented some slides about the journey of Vail's library.

## **3. Consent Agenda**

### **3.1. First Chair Path Snowmelt Project Award**

Moffet moved to direct the town manager to enter into an agreement with Icon, Inc. for the First Chair Snowmelt project in the amount of \$301,525 and supplement the project's existing budget from the VRA Red Sandstone Parking Structure Budget in the amount of \$31,525. Bruno seconded the motion and it passed (7-0). It was noted the project would be completed by the end of October.

## **4. Town Manager Report**

Presenter(s): Greg Clifton, Town Manager

The Town Manager's report was reviewed per the topics noted in the report. He also thanked Mike Griffin, IT, for his years of service as his last day would be first of October. An update on construction projects still happening during this fall season was presented by Public Works staff and included Slifer Square, I-70 bridge walkway, West and East Vail sewer main improvements, Red Sandstone Parking Garage, Holy Cross undergrounding, to name a few.

## **5. Presentations / Discussion**

### **5.1. Initial Findings of the West Middle Creek Development Feasibility Report Presentation and Discussion (Middle Creek Subdivision)**

Presenter(s): George Ruther, Housing Director and Bill Pierce, Pierce Architects

Action Requested of Council: What additional information, if any, does the Town Council need to make a determination about future and potential uses of the West Middle Creek Parcel for residential development (Tract A, Middle Creek Subdivision)?

Background: The purpose of this memorandum is to present the initial findings of the West Middle Creek Development Feasibility Report (the "Report"). The Report was prepared at the direction of the Vail Town Council to better understand the feasibility of multi-family residential development on the West Middle Creek Site and to obtain additional objective information and data.

George Ruther, Housing Director, noted some key findings from his council packet memo which addressed the following topics:

Zoning, land use, pedestrian and vehicle circulation, slope analysis, hazards / geotech, wildlife, floodplain, utilities, open space, vehicular access, fire access and public safety, potential development, construction cost analysis, and finally the conclusion, below:

#### **CONCLUSION**

Highly constrained areas have limited development potential; however, the areas are not off limits when following the proper steps necessary for new construction. There is a small portion towards the center of the site to the southern side where residential development could occur within a 30-40% slope. The Town Code states no structure shall be built in any flood hazard zone or on a slope of forty percent (40%) or greater except in a single-family residential, two-family residential, or two-family primary/secondary residential zone districts. Otherwise, a variance would be required in this event to build on a slope greater than 40% due to the practical difficulty resulting from topographic conditions on the site. Variances are governed by the provisions of [12-17](#), Vail Town Code. Significant retaining walls and cuts in the grade would be needed as well. Working within such a highly constrained site will add significant costs to site grading, excavation, and construction.

Bill Pierce, architect, presented some highlights about the feasibility report suggesting some of the developable characteristics, challenges and considerations that their analysis notes. Mayor Chapin invited public input and several comments were made:

- Steve Lindstrom spoke on behalf of the VLHA and expressed support for such location as an option for workforce housing. He suggested the idea be kept on some kind of inventory list so that when the time is ripe the location could be evaluated again.

- Allan Danson noted he was pleased to see the site could be an option for housing and was hopeful it could be rezoned and used as part of a negotiation approach with VRI for the East Vail property.
- Jim Lamont, resident, noted there are many challenges including the need to change its designation with public support and suggested any proceedings occur with caution and keen deliberation.

The council members were satisfied the report was completed and provided helpful information about the residential development feasibility of the parcels. Some were encouraged that the report suggested the land could be used as an option for housing and suggested it be considered as an additional housing site location and not a substitute for other locations. There was a review of three possible building layouts on the land as well as a discussion about the need for zoning changes if it were considered for future housing development. There were others who preferred focusing on properties that were already deemed for housing improvements, such as Timber Ridge.

## **6. Action Items**

### **6.1. Ordinance No. 15, Series of 2018, An Ordinance Amending Section 12-10- 17, Leasing of Parking Spaces, Vail Town Code**

Presenter(s): Chris Neubecker, Planning Manager

Action Requested of Council: Town Council is asked to provide comments on first reading of the ordinance, including any changes to the ordinance that are needed for second reading.

Background: The existing regulations on the leasing of parking spaces in the Town of Vail were first adopted in 1977, and the last significant modification was in 1985. The current regulations are obsolete, and have not resulted in significant applications to lease parking spaces. New technology can help to identify vacant, available parking spaces, but the existing regulations need to be amended to facilitate, and in some cases legalize, short term leasing of parking. The proposed regulations will open additional areas where short term leasing of parking spaces is allowed, while protecting the character of low density residential neighborhoods.

Staff Recommendation: Staff recommends approval of Ordinance No. 15, Series of 2018 on First Reading, and setting the date of October 2, 2018 for Second Reading.

Chris Neubecker, Planning Manager, introduced Ordinance No. 15. and summarized some of the text amendments below which included repealing and replacing Section 12-10-17, Leasing of Parking Spaces, Vail Town Code. The effects of the proposed ordinance include the following:

- Removing the requirement for a permit
- Removing the requirement for a parking utilization study
- Eliminating the minimum size of an eligible parking lot (Current requirement is a parking lot with at least ten (10) parking spaces)
- Prohibiting leasing of parking spaces where access is required through an established pedestrian mall
- Requiring written approval for leasing parking spaces on commonly owned property (HOA property, for example)

- Requiring on-site signage identifying a name and telephone number for the person or management company to contact concerning parking disputes.
- Adding more zone districts where leasing of parking spaces is allowed. These zone districts include higher density residential and commercial areas, while eliminating lower density residential zone districts.

In addition, the new zone districts where leasing of parking spaces would also be allowed by this ordinance were identified:

- General Use
- Arterial Business
- Public Accommodation 2
- Commercial Service Center
- Ski Base Recreation
- Ski Base Recreation 2

Mayor Chapin invited public input and none was heard. Moffet moved to approve on first reading, Ordinance No. 15, Series of 2018, an ordinance amending Section 12-10-17, Leasing of Parking Spaces, Vail Town Code, to modify the regulations applicable to the short-term leasing of private parking spaces, and setting forth details in regard thereto, and noted his motion was 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.

Foley seconded the motion and it passed (7-0).

## **6.2. Ordinance No. 16, Series of 2018, First Reading, An Ordinance Amending Chapter 8 of Title 7 of the Vail Town Code Regarding Low-Speed Electric Vehicles and Golf Cars**

Presenter(s): Matt Mire, Town Attorney

Action Requested of Council: Approve, approve with amendments or deny Ordinance No. 16, Series of 2018 upon first reading.

Background: Pursuant to C.R.S. § 42-4-111, the Town is empowered to regulate the operation of low-speed electric vehicles and golf cars within its jurisdiction. Review draft legislation which addresses allowing electric vehicles on town streets. Several hotels are currently using electric vehicles to transport skis and guests to the mountain. Topics to consider might include identifying a drop off location as well as identifying which streets would be accessed by these vehicles.

Town Attorney Matt Mire introduced the legislation and noted the correspondence received from the Lion manager about their Association's use of an low speed electric vehicle to transport guests to the mountain with skis. Currently electric vehicles are not allowed by the Vail Town Code. Code Enforcement Officer Miguel Jauregui addressed the council about the LSV and related safety concerns. The Lion Property Manager also addressed the town council with

information about their intent to hopefully use the vehicle. Some comments addressed the following aspects of this use:

- ✓ What routes / roads would they be allowed on? On the Frontage Road?
- ✓ Would they be allowed in Ford Park?

There was support for allowing them to be used with a period of time to review what is working and what might not be working.

Moffet moved to approve Ordinance No. 16, Series of 2018, First Reading, An Ordinance Amending Chapter 8 of Title 7 of the Vail Town Code Regarding Low-Speed Electric Vehicles and Golf Cars. Foley seconded the motion and it passed (7-0).

There being no further business to come before the council, Moffet moved to adjourn the meeting and Foley seconded the motion which passed (7-0) and the meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Attest:

\_\_\_\_\_  
Dave Chapin, Mayor

\_\_\_\_\_  
Patty McKenny, Town Clerk