

ATTACHMENT F - APPLICANT NARRATIVE

1. The Property: parcel 2101-123-00-006 Commonly Known as the Buetel parcel East Vail.
2. The Property is 45.26 acres.
3. The Property has three property lines of its boundary adjacent to current zoning of Two-family Residential. There are approx. 26 adjoining-built residences whose 2FR (R) lots average .526 acres or 22,900 sf each.



4. The property is adjacent to two Town owned properties.
5. History: Cara Buetel has owned the property since 1979 and is currently under contract to sell to SMF East Vail LLC (SMF) whose principal is Mr. Steven M. Finn
6. The Property is currently zoned (A) Agriculture and Open Space (AOS)

Purpose: ***The AOS district is intended to preserve agricultural, undeveloped, or open space lands from "intense development while permitting.... low density Residential" Provided that the land of these uses remain predominantly open. Standards are to preclude intense development and to maintain the open space characteristics of the zone district"***

Permitted uses include: Employee Housing Units, Single Family Residential Dwellings, Golf Courses, plant and tree nurseries and raising of field, row and crop trees, Public parks, passive and active recreation area, open spaces.

Accessory uses: accessory buildings incidental to permitted agricultural issues; barns, silos, sheds, pens and similar uses. Private greenhouses, toolsheds, playhouses, garages, carports, swimming pools, patios, recreational facilities incidental to single family use, retail of plants, trees, or other farm or agricultural products grown or produced on the premises and other uses customarily incidental and accessory to permitted or conditional uses and necessary for the operation thereof.

Density: one dwelling unit that shall not exceed (2,000) square feet of gross residential area (GRFA).

7. The property is **Not** Designated Open Space.

The Property is **NOT**: Designated Open Space as it does not qualify as:

- a. Town Owned Land
- b. Dedicated by Ordinance as “Designated Open Space”
- c. Received a recommendation from the Open Space Board of trustees and one member of the Town Council and one member of the PEC
- d. Must be a zoned parcel of NAP or OR or AOR and the parcel must be either:
 - i. Environmentally Sensitive
 - ii. High Hazard
 - iii. TOV park

8. The Property is noted as Open Space on the Current Land Use Plan (LUP) and appears in the 2018 Open Lands Plan (OLP) an update from the 1994 OLP:

Plan Highlights:

The OLP was asked to study “privately-owned lands (that could further the goals of this Plan)”
This parcel was included in this Study.

The Plan focus was to provide: Recommendations of land and easement acquisitions, for protection of environmentally sensitive areas, development of recreational trails, follow up studies for the implementation of the goals in the plan.

Goals of the OLP:

In lieu of outright acquisition, the protection of lands could be achieved by the Town working with land owners to protect the land from development, this could be accomplished by placing a conservation easement on the land that would restrict or limit its development.

In certain cases, the conservation easement could involve compensation to the land owner for development rights that would be relinquished by the conservation easement.

Another alternative could be to work with the land owner to rezone the property to define no build areas that would prevent development of environmentally sensitive portions of a parcel.

Action Plan of the OLP:

Acquisition of lands or easements to further the Towns goals.

Strategies for Action involve the outright purchase of land, working with the land owners to re-zone property or to establish conservation easements to limit the development of the land.

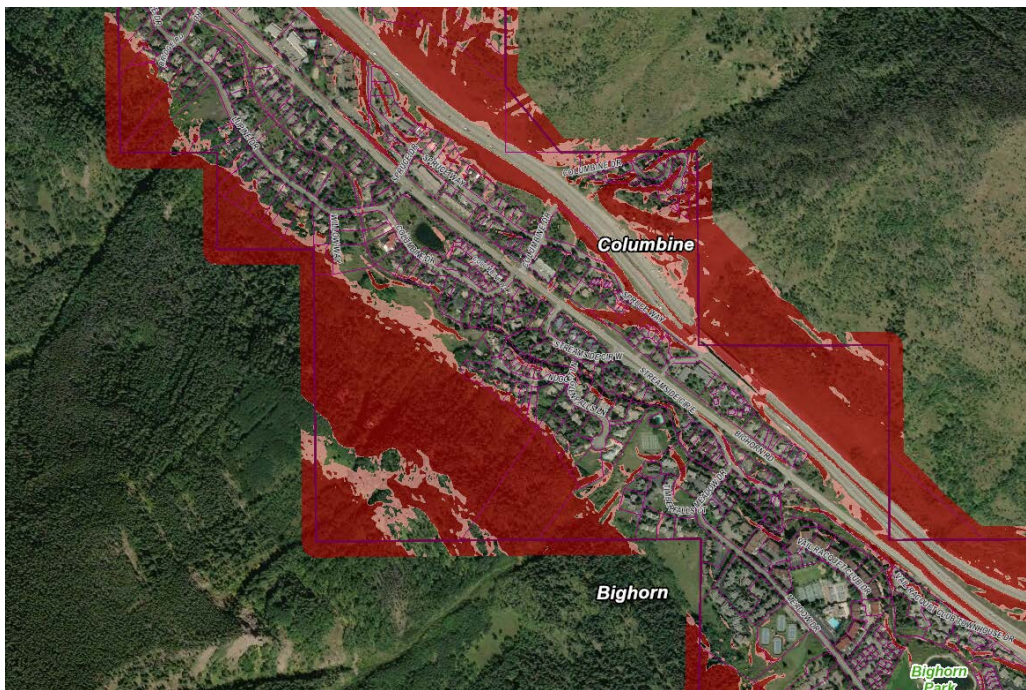
OLP Implementation steps:

- 1. Staff to work with the Town Council***
- 2. Staff to initiate dialog with the land owner to gauge interest in working with the Town on acquisition of their property or on other steps to protect the land.***
- 3. Conservations easements limit the development and protect privately-owned lands from development in a way that can be beneficial to the land owner and to the Town.***

While in many regards the Plan provides fairly explicit direction, the Plan is a master plan document and as such the Plan is general in nature. It is noted throughout the Plan, much additional work, analysis, and community involvement will be necessary prior to making future decisions.

9. The property has area noted by the Town as slope in excess of 40%

A detailed survey should be performed, however approximately 6 (six) acres of this property is already shown outside the existing Town slope study and is buildable today.

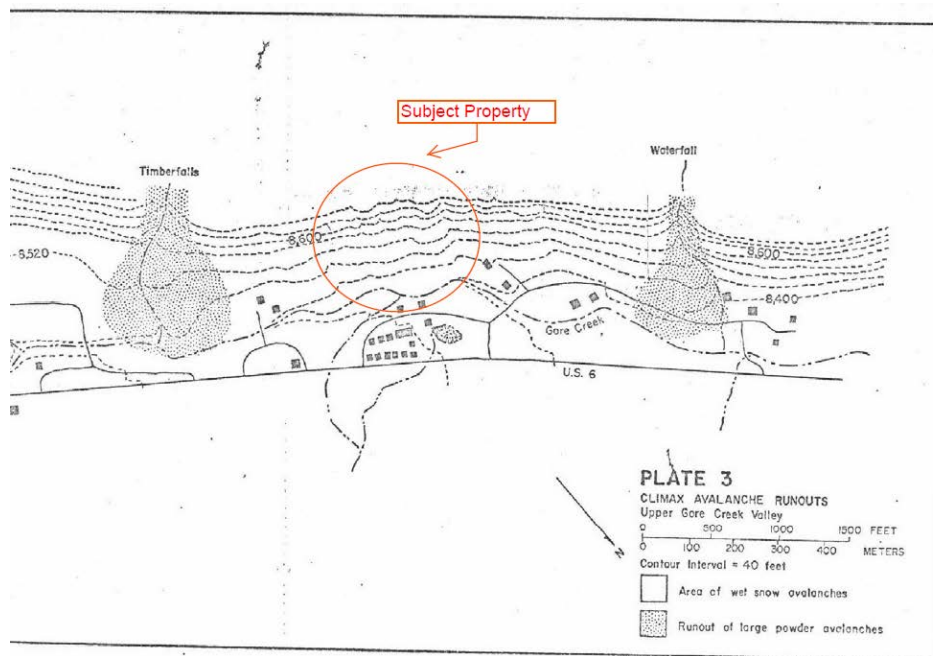


10. The property has area noted by the Town as GSA Hazard: Avalanche

An updated review of the avalanche hazard area should be performed as recommended by the report itself.



The 1977 Art Mears Avalanche Report does NOT highlight the subject property as a High Avalanche risk.

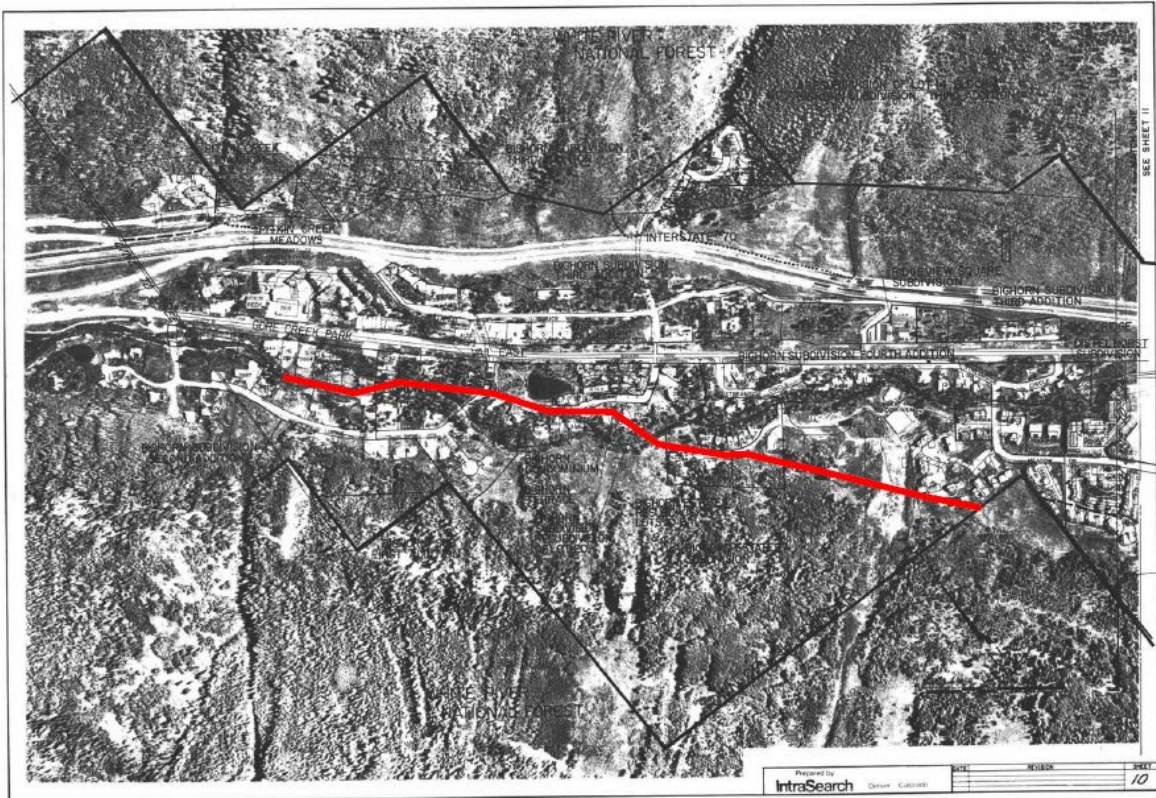


Notes from report 1977:

There is no added danger to existing structures but recommends no structures be build in High Hazard areas as noted by this and previous studies.

11. The property has area noted by the Town as GSA Hazard: Rock Fall.

The property appears to be in the Rock Fall zone; however, the report adds numerous exceptions and a detailed report should be created.



Notes from Rock Fall report 1984:

The results of this study including maps and technical material provided in this text, do not preclude detailed and site-specific study which may be required for any design of any mitigating structure, either at the source or in the runout zone; in fact, site specific studies are strongly recommended.

Additional studies of rockfall phenomena in and around Vail may affirm, negate, or require substantial revision to the findings of this study which include, but are not limited to, the positions of hazard lines on the maps and their grade of severity.

It is obvious from the map that accompanies this report that a significant portion of the Town of Vail is subject to moderate to high severity rockfalls.

2. To allow the PEC to review access opportunities including a potential “best solution” easement across the Town owned Lot 10 on Willow Way for the use of the Buetel parcel Owners in an attempt to work together with the Town Staff and constituents and to proceed to the Planning and Environmental Commission as an application for a Subdivision Plan and an application to Town Council for a “Partial” Zoning Change, in such this allowance/understanding would include that the Buetel Owner(s) would be required:
 - a. to update all required/existing hazard and environmental reports specific to this property and to work with the Town Staff to confirm no development will occur within the clarified High Hazard area.
 - b. to transfer property rights/uses etc. through dedication or a conservation easement, the super majority of the land to the management of The Eagle Valley Land Trust (or similar) and/or the Town of Vail as to be mutually determined by the Owner and Town and to be used to progress the current Land Use Plan and trails plan goals.
 - c. to require that the super majority of dedicated land is confirmed to meet the goals of the (A) AOS zoning:
 - i. Preserve undeveloped or open space lands from intense development
 - ii. Maintain the open space characteristics of the zone district
 - d. to require that any approved outside the High Hazard density/zoning is in conformance to surrounding existing zoning of (R) and meets the development standards of the (R) district without exception.
 - e. to require that a minimum of 50% of any residential (R) zoning will require the construction of a conforming Type II EHU.

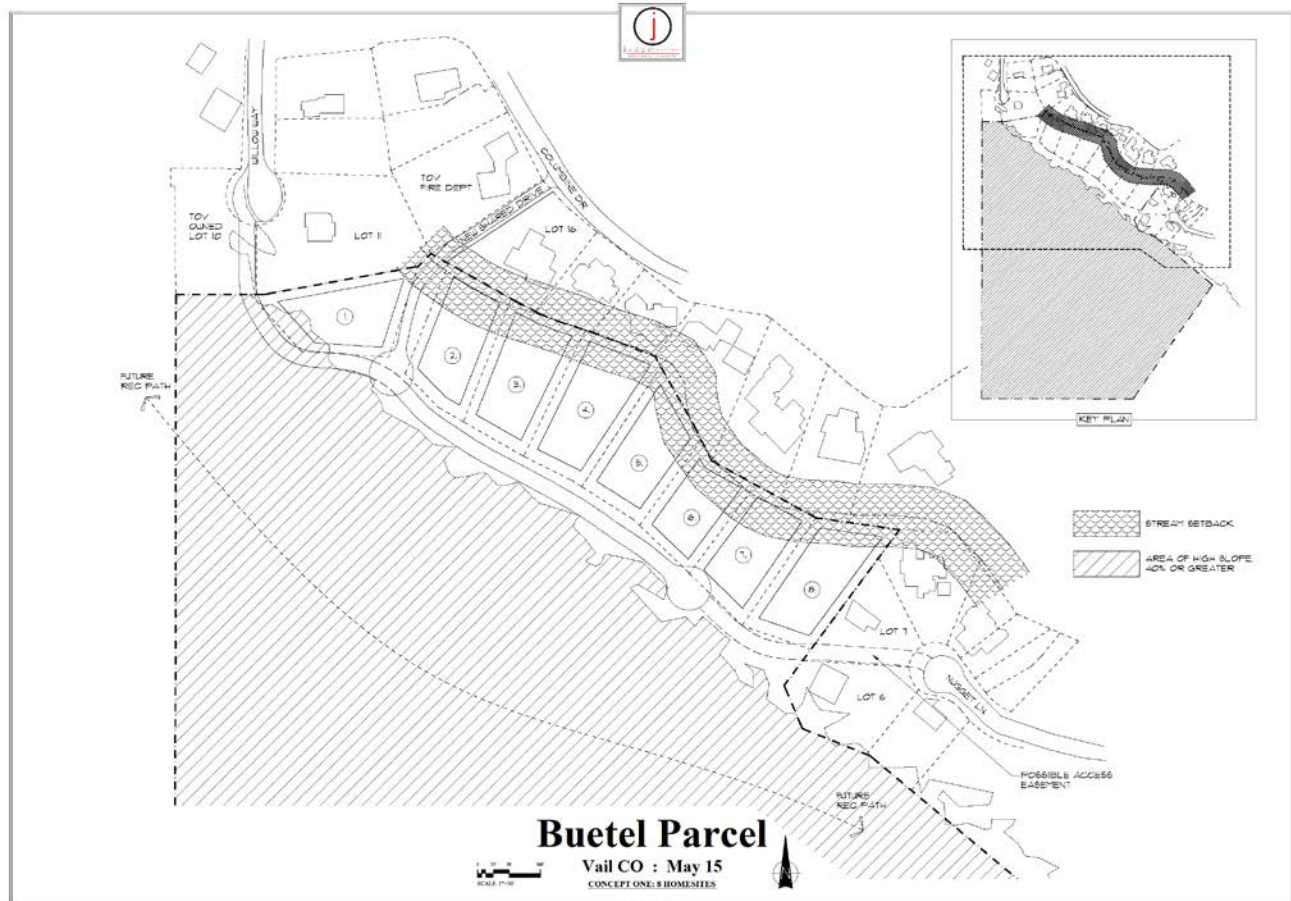
This goal of the applicant is Option 2 above. This approval will allow the Town through a no land acquisition cost or other financial compensation to meet the goals of the OLP as outright acquisition and easement and to allow the Town to proceed as desired with the determination of uses/functions etc. of the super majority parcel such as: Open Space, Dedicated Open Space, passive park, trails or other Town determined uses and functions as outlined and suggested through the implementation of the OLP Plan.

Preliminary Planning Concepts:

Concept 1: 8 Homesite Concept

For Comparable zoning analysis only to illustrate a conforming .562 acre average 8 (eight) - (R) zoning lots at an average of .562-acres. This is the **highest use** per the adjacent and comparable zoning. This is the area outside the anticipated 40% slope zone and would require updates to the High Hazard report analysis.

This is not a preferred plan.

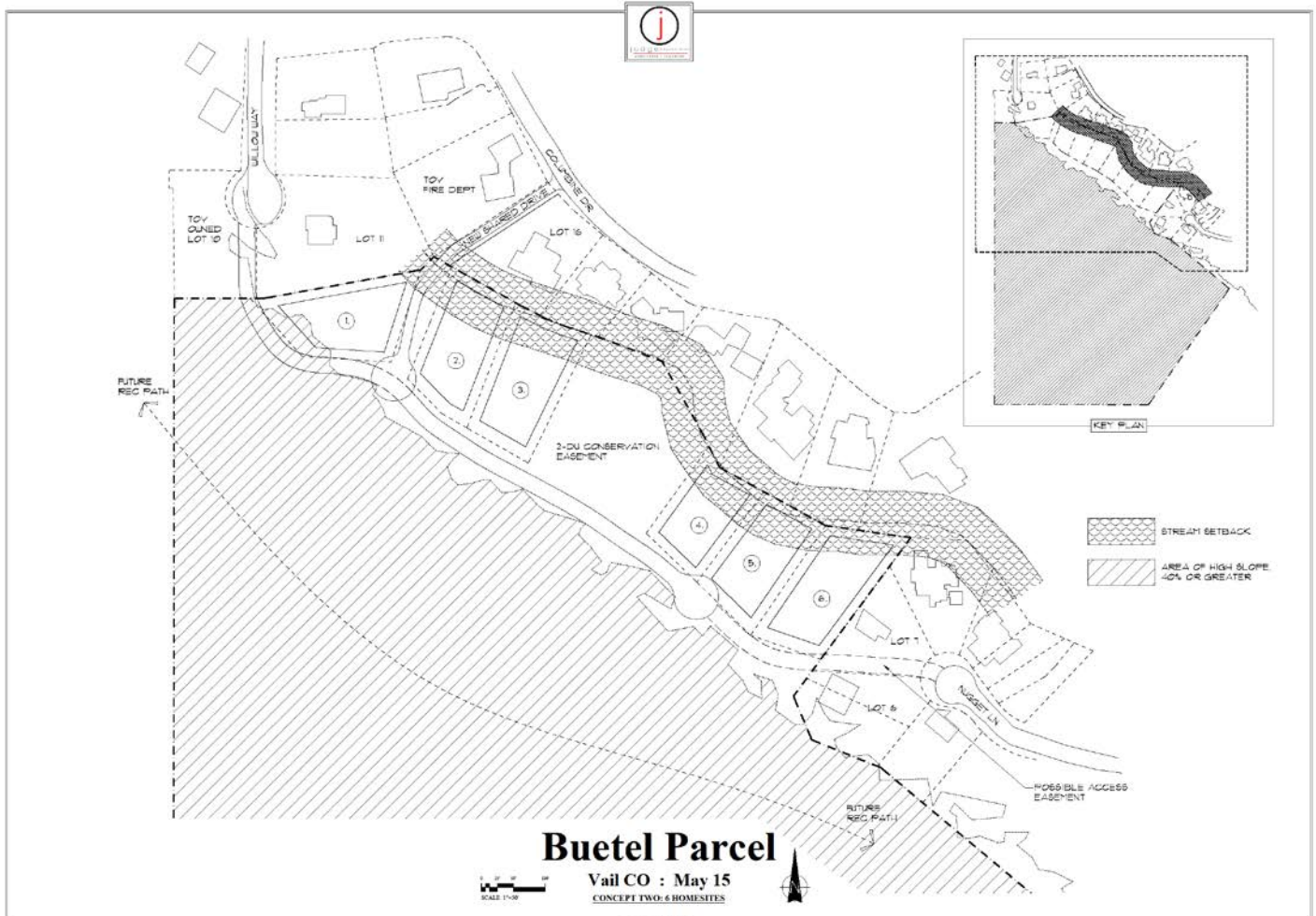


Concept 2: 6 Homesite Concept

A conforming .562-acre average 6 (six) - (R) zoning lot configuration. Access from multiple possible locations including Lot 16 as existing, Lot 10 (Town owned parcel) and a possible Nugget Lane access point through acquisition.

This concept allows for a sizeable park area in the buildable area of the property and direct Buffehr Creek access in the advancement of the OLP.

This is a possible plan.



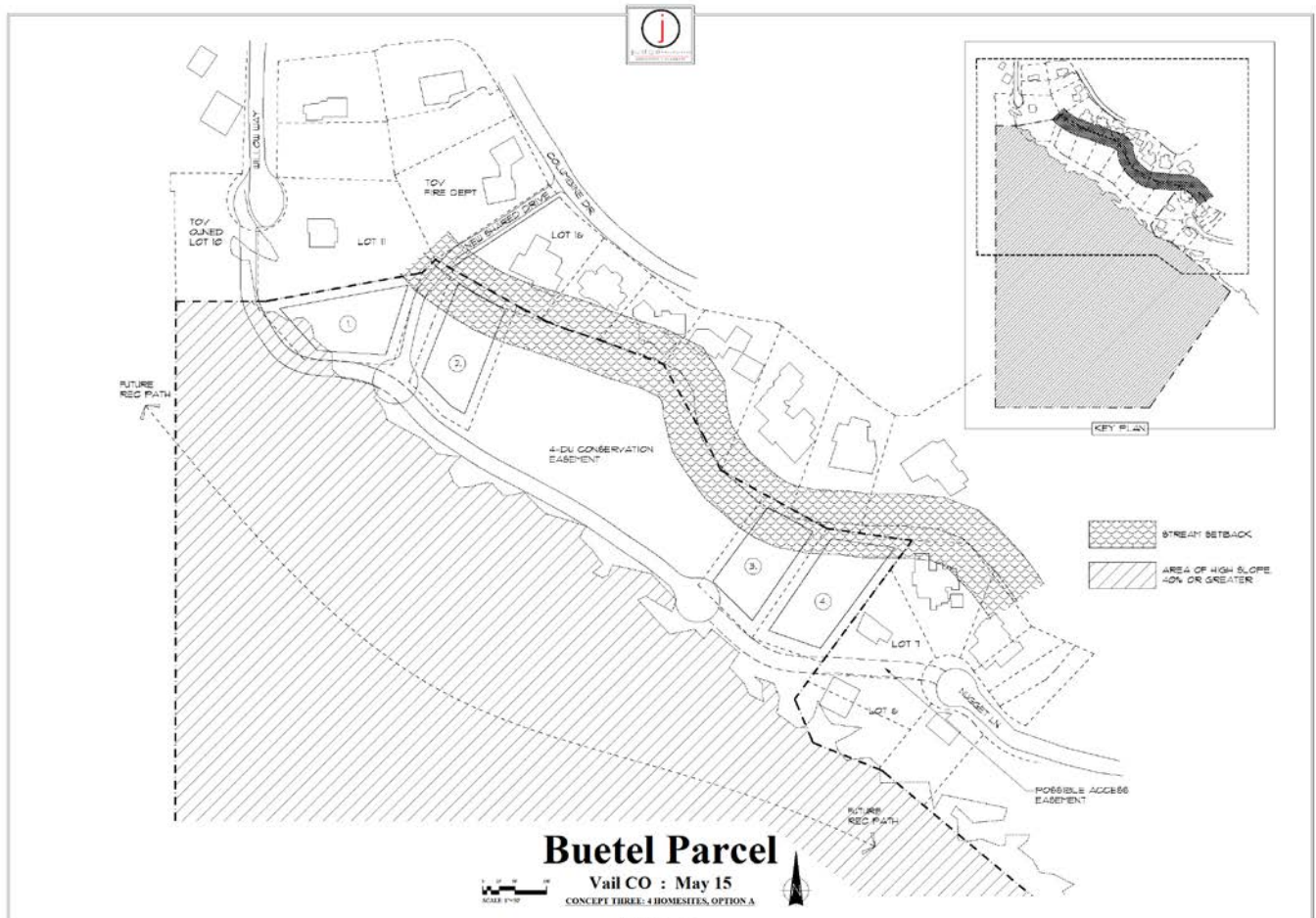
Concept 3: 4 Homesite Concept with an A and B layout

A conforming .562-acre average 4 (four) - (R) zoning lot configuration. Access from multiple possible locations including Lot 16 as existing, Lot 10 (Town owned parcel) and a possible Nugget Lane access point through acquisition.

This concept allows for a large park area in the buildable area of the property and direct Buffehr Creek access in the advancement of the OLP.

These are the preferred plan concepts.

Concept 3-A



Concept 3-B

