



PLANNING AND ENVIRONMENTAL COMMISSION

May 11, 2020, 1:00 PM

Virtual

75 S. Frontage Road - Vail, Colorado, 81657

1. Call to Order

1.1. Zoom Meeting Registration:

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_sBd8bvXSRIObQ6_6RwypHA

After registering, you will receive a confirmation email containing information about joining the webinar.

1.2. Attendance

Present: Brian Gillette, Rollie Kjesbo, Ludwig Kurz, John-Ryan Lockman, Karen Perez, Henry Pratt, Pete Seibert

Absent: None

2. Main Agenda

- 2.1. A request for the review of a variance from Section 12-6D-8, Density Control, Vail Town Code, to allow for a variance to the requirement that a secondary unit in the Two-Family Primary/Secondary Residential zone district not exceed 40% of allowable site GRFA, and a request for the review of a variance from Section 12-15-3, Definition, Calculation, and Exclusions, Vail Town Code, to allow for a variance to the stipulation that basement GRFA deductions apply only to floors within six vertical feet of the lowest level of a structure, both in accordance with the provisions of Section 12-17, Variances, Vail Town Code, located at 775 Potato Patch Drive/Lot 19, Block 1, Vail Potato Patch Filing 1, and setting forth details in regard thereto. (PEC19-0050) 2 min.

The applicant has requested this item be tabled to the July 13, 2020 PEC meeting.

Applicant: Scott Ryan & Foster Gillett, represented by Mauriello Planning Group

Planner: Erik Gates

Brian Gillette moved to table to July 13, 2020. Rollie Kjesbo seconded the motion and it passed (7-0).

- 2.2. A request for review of a Minor Subdivision, pursuant to Section 13-4, Minor Subdivisions, Vail Town Code, to create a common lot line splitting Lot 1, Middle Creek Subdivision into two separate development lots, located in the vicinity of 145 North Frontage Road West/Lot 1, Middle Creek 20 min.

Subdivision, and setting forth details in regard thereto. (PEC20-0009)

Applicant: Town of Vail

Planner: Greg Roy

Planner Roy introduced the project by showing the location and proposed subdivision line of this request. He then discussed the development standards for the Housing (H) district. Roy stated that Mr. Ruther could not join the meeting but had provided a letter to the Commission.

Commissioner Pratt: Asked why the lots were proposed to be split where they were.

Roy: From his understanding, it is being separated to separate out uses.

Commissioner Perez: Discussed how the resubdivision was likely done in response to getting the property's financing.

Commissioner Gillette: Mentioned that in the past, members of the PEC have pushed for environmental impact reports for subdivisions.

Roy: Stated that there would be no environmental impact for adding a lot line through an existing lot.

Kjesbo: Asked about why this is being pursued. Once again, George is not at the meeting.

Kurz: Asked about why George could not attend the meeting. Feels that this is becoming a pattern and that attendance would be more appropriate.

No Public Comment

Brian Gillette moved to approve. John-Ryan Lockman seconded the motion and it passed (6-1).

Ayes: (6) Gillette, Kurz, Lockman, Perez, Pratt, Seibert

Nays: (1) Kjesbo

- 2.3. A request for the review of a variance from Section 12-21-12, Restrictions In Specific Zones On Excessive Slopes, Vail Town Code in accordance with the provisions of Section 12-17, Variances, Vail Town Code, to allow for a two-story garage within the front setback, located at 670 Forest Road/Lot7, Block 1, Vail Village Filing 6, and setting forth details in regard thereto. (PEC20-0010) 20 min.

Applicant: 670 Forest Road LLC, represented by KH Webb Architects

Planner: Erik Gates

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

Planner Gates made a quick presentation on the proposed variance application. Explained purpose behind request and showed proposed renderings.

Applicant representative Kyle Webb gives an expounded reasoning on why the owners are requesting the variance.

Perez: Are there any other houses with this double stack?

Webb: There are several on this street.

Kurz: Have we looked at this site before?

Gates: Yes, there have been previous applications on this lot, but not for this specific application or configuration.

No public comment.

Commissioner Comments.

Gillette: Agrees with staff.

Rollie: No problem at all with the application.

Lockman: Well laid out solution. I agree with staff.

Perez: Agree with staff, concerned it may be special privilege, but slope makes it acceptable.

Pratt: Agree with Perez.

Seibert: Agree with staff. Great solution.

Kurz: Agreed.

Rollie Kjesbo moved to approve with conditions. Brian Gillette seconded the motion and it passed (7-0).

- 2.4. A request for review of a Major Exterior Alteration, pursuant to Section 12-7J-12, Exterior Alterations or Modifications, Vail Town Code, to allow for the construction of a new hotel and on-site EHUs, located at 1783 North Frontage Road/Lots 9, 10, 11, & 12, Buffer Creek Resubdivision, and setting forth details in regard thereto. (PEC20-0008) 60 min.

Applicant: Vail Hotel Group LLC, represented by Mauriello Planning Group

Planner: Erik Gates

1. Approval of this Exterior Alteration is contingent upon the applicant receiving Town of Vail Design Review Board approval for the proposed improvements prior to receiving a building permit.
2. Prior to requesting a Certificate of Occupancy from the Town of Vail, the applicant shall make a contribution of \$70,000 to the Town in order to construct a bus shelter, with any remaining funds to be used for Art in Public Places (AIPP).

Planner Gates gives an introductory presentation on the proposal. Goes over the history of the site and reviews the proposed plans.

Henry: Staff is treating this as if the Roost was still there and not a green site?

Gates: We are reviewing it as if the Roost was a previous use for housing requirements.

Dominic Mauriello, the applicant representative gives a presentation on the proposal.

Lockman: What's the height of underground access? Questions the practicality of the trash removal.

Dominic: Dumpsters on wheels, allows for them to be moved for easy access for dump truck. All done below grade.

Lockman: Can you, Erik, explain the "net new credit" for the Roost site?

Gates: Code provision requires "net new" commercial linkage and considers the Roost as a previous use so they only need to provide for the difference between the two.

Spence provides further details on "net new" provision.

Gillette: The yellow hashing on frontage road, do we have stuff like that in other areas of town?

Dominic: Not the best on that, but there are other areas that have that lining.

Gillette: Concerned that it could be ineffective after snow cycle. Would a median be better?

Tom Kassmel, Town Engineer, gave reasoning for why those left turn lanes are required.

Gillette: If hashing is temporary and fades, could we just not do it?

Kassmel: Yes, we could not do it and just have that space for asphalt.

Perez: New bust stop going in, is that just for one way?

Dominic: Just replacing a bust stop that is just a sign with one that has an enclosure. Only going westbound.

Lockman: What about east bound?

Kassmel: Closest eastbound stop is Timber Ridge or Safeway.

Perez: What is the fastest way to get to the ski hill from here for employees?

Kassmel: We don't want to put one across the street with no safe way to cross. Not a lot of room on opposite side of street.

Kurz comments on the public inputs that were received on record. Gives Dominic chance to address the one negative letter.

Dominic explains where that comment came from and the reasoning that they still included the walkway.

Kurz asks for public comment.

Chris Wombolt 1860 Meadow Ridge Road #8: I appreciate the new rendering. For that sidewalk, would we have to cut down those evergreens along the side?

Dominic: Some may not be able to be saved. Some are beyond the property that will be saved. A lot of utility work that will have to impact that

area, so trees removed are not just for the sidewalk.

Wombolt: Where on the plan is the garage exhaust fan?

Dominic: Our architect may be able to answer that.

Adam Ford, Architect: The plan is to have a well on the east side and another on the northwest corner of the building and will be a window well with a grate. Nothing above ground. It would be back towards Meadowbrook Road and another on the east side at back of hotel.

Wombolt: That will be by our dumpster and pushing towards our building.

Ford: Not sure where your building is located.

Wombolt: Previous designer agreed to put fan out front and by hill on east side. We don't want to be breathing garage air.

Ford: We can look at that in mechanical design.

Wombolt: There currently is a lot of drainage in that area by the front. Will be by the front of the building and we're worried it will end up in our basement.

Kurz: Sounds like engineering issues.

Spence asks for Kassmel's comments in regard to that concern. Gates repeats the concern for record.

Kassmel: Typically, what would happen would be under drains that would draw groundwater towards foundation and discharge into storm sewer. Very unlikely underground water would go offsite and there are surface drains that would capture surface drainage.

Jamie and Adam Merriman Mustang Townhomes, duplex behind proposed building: Concerns with the architecture in the rear that faces their property and that it will be a dull background.

Dominic: The biggest difference is that there will be no decks or balconies on the back. The previous applications found that neighbors didn't want to see that. There will be stone, building relief, bracings, and should be of same caliber as the front without the decks.

Gates shares his screen to show color rendering of the rear.

Merriman: Is there an outbuilding or electrical building that will create a humming noise on the east side of the rear?

Gillette: Like an AC condenser?

Merriman: Something like that, we just see the building and hear it. Don't know the appliance within. Is there going to be something there that will make that noise?

Dominic: Don't believe there is an outbuilding. We'll be within what is allowed by Town code for noise and should actually reduce noise from highway.

Merriman: Repeats the concern on venting from Wombolt about where the vent comes out.

Wendy Erb 1819 Meadow ridge Road Apt G, Hillside Condominiums: If concerned about the environment for this project the exhaust coming out to that back road will be hitting the condo balconies where we live. That would not be good for neighborhood or environment. On noise, we've become used to traffic noise and believe that mechanical noise closer would be a negative change. Not sure of the level of noise to be expected from something in the back of the building, but it will be a major impact to people living on meadow drive.

Kurz points out that noise levels would have to abide by limits in Town Code.

Erb: I take some issue with what Dominic states that this building wouldn't be far above the frontage road. We believe the building would be two to three stories above Meadow Ridge Road, which would be a significant amount. Would cast shadow on the road in the winter which would be the most problematic time for that to happen. Wonderful that there will be a bus stop at the hotel. Has concerns that the shuttle will shut down and it will overload the Town bus if that happens. References a previous application and concerns about those issues and if that would be the same in this case.

Merriman: Will there be construction traffic on Meadow Ridge Road and how long will construction last?

Dominic: Meadow Ridge Road may not be used for daily construction traffic but could see some traffic for items needed on the rear. An 18-month construction starting in spring of 2021 is expected.

Erb: We have trucks that turn around in our driveway which creates wear and tear on that surface. If there is any traffic on that road we would like a guarantee that there will be no trucks turning around in there. It is not a public driveway.

Gates: Construction would not be allowed to utilize other private property. If they use your driveway, please contact Code Enforcement.

Erb: We want a fine and every instance be fined.

Kurz closes public input. Offers Dominic a chance to comment.

Dominic: As stated a lot of the comments are addressed either in Town Code or the requirements in Town Code.

Perez: The SDD expired in February, correct?

Staff: Yes.

Perez: So that is not being used as a baseline?

Staff clarifies that the expired SDD is not the baseline and the Roost is the baseline.

Seibert: The developers are commended to not have to go larger than the previous plan. It looks like it meets code with the conditions.

Pratt: What a tremendous improvement from the last application. In response to the public comments, I do not see the generator on the plans which will be necessary. Needs to be looked at where that is before final approval.

Perez: Echoing Pratt's comments. Roost is the baseline, not a previous SDD.

Lockman: Concur with previous comments. Best design we've seen so far with bus stop, turn lanes, smaller building, and no variances needed.

Kjesbo: Appreciate the neighbor comments and good points on the exhaust. Don't think water will be a problem and the water should be mitigated on site. Marriott should have shuttles and it is in their best interest. I would like to see the shadowing pulled up so we can see where the shadows will be different times of the year.

Gates bring up the images.

Gillette: My experience with that road is that it is steep and gets western sun that thaws and freezes at the bottom where it flows.

Kjesbo: On the whole I like the project.

Gillette: I agree with staff's recommendation and commissioners. Maybe add some conditions. One, that exhaust or mechanical equipment be located away from neighbors and that DRB look at medians.

Kurz: Echo the previous comments. Made a note that I have the same concern as Merriman that back of building compared to front is less detailed and more plain. Need to look at issues of noise and exhaust to protect neighbors.

Dominic: With respect to exhaust the mechanical features are located within the building and just have a grate or vent. There are restrictions on where they can be located, so just want to be cognizant of where those can go if any more conditions are added.

Spence agrees it could be difficult to condition that and there are Town Codes to address those issues.

Rollie Kjesbo moved to approve with conditions. Karen Perez seconded the motion and it passed (7-0).

3. Approval of Minutes

3.1. April 27, 2020 PEC Results

Brian Gillette moved to approve. Rollie Kjesbo seconded the motion and it passed (7-0).

4. Informational Update

4.1. Following a presentation by the Climate Action Collaborative on green building code recommendations, Staff requests a focused discussion on 30 min.

adoption of construction and demolition (C & D) waste diversion standards, seeking the expertise and input from the PEC as Town Council and Staff are interested in pursuing regulations around C & D waste diversion in Vail.

Applicant: Town of Vail, represented by Beth Markham

Planner:

Markham introduces Kim Schlaepfer and the general presentation on what is being requested of PEC.

Schlaepfer introduces herself and a presentation on Climate Action Plan, Building Code Task Force, and the proposed goals.

Markham go over some more goals. Shows where the Town is on reaching the current goals. Asks for PEC's input on the presented items.

Perez: Can you tell which properties would be affected by #11?

Schlaepfer: Most of those properties would be in unincorporated Eagle County.

Perez: I see liability with imposing something like that.

Spence asks for Markham to expound on the Environmental departments work on this topic.

Markham lists out what Peter Wadden has been doing on the topic.

Kristen Bertuglia explains the stream setbacks that Peter Wadden is currently working on.

Gillette: For this final CMW diversion rates, how would a contractor know what their diversion rate would be?

Markham: would be assisted by haulers on weight of wastes and how much of that was diverted.

Gillette: Get how that works for new construction, but doesn't see how that works for a remodel situation and needs to have a threshold of whether for new construction or remodels and what size of jobs would need to record those numbers.

Markham lists some ideas of how some smaller projects could utilize multiple dumpsters to implement it.

Schlaepfer: No specific size threshold at this time, but that there could be ways to do it for all projects.

Kjesbo: Agree with the plan, but there are a lot of practicality questions. Tight sites make it impossible to have multiple dumpsters on site. Gives examples of how it would be difficult to comply.

Perez: Echoes concerns of Rollie. See issues of practicality for construction.

Gillette: The key is space, which is difficult in Vail. This would need to be worked out with haulers on how it would happen with special dumpsters and when they tip them.

Kjesbo: Curious why this didn't go to Building appeals board before PEC?

Spence: This is informational, and will go to them next.

Bertuglia explains why it was brought to PEC first.

Lockman describes difficulties and relates it to the recycling program that was put in place and the approach that needs to happen to give this proposal a way forward.

Discussion takes place between commissioners on the efficacy of trucking for smaller projects with less materials. Could there be some Town provided dump sites for smaller projects.

Gillette adds that something with a minimum value would be good to have a threshold to have for these regulations. Pratt agrees and adds that he would see it be a higher valuation. Rollie expresses the difficulty that it would impose on small projects.

After further discussion Kurz adds that he appreciates the comments from commissioners in the field and thanks staff for their time.

Gillette has more questions on solar ready provisions and input from other commissioners discusses if it would be better to have solar ready only for certain sites.

Discussion takes place on peak demand, 200-amp ready homes, efficiency of electric boilers, electric heaters, all electric houses, and the viability.

5. Adjournment

Rollie Kjesbo moved to adjourn. Brian Gillette seconded the motion and it passed (6-0).

Absent: (1) Perez

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