

Vail Planning and Environmental Commission  
Vail Town Council  
c/o Jonathan Spence, AICP  
Senior Planner, Town of Vail  
75 South Frontage Road  
Vail, Colorado 81657

Dear PEC and Town Council members:


New workforce housing in Vail Village? A resounding YES from members of the newly formed Eagle County Workforce Housing Coalition! We are very pleased to support the Mountain View Residence Phase II project and the developer's application for a Special Development District in Vail.

It is clear that our workforce housing crisis requires a multi-pronged approach. We are very much in favor of the 10 livable workforce housing units proposed with this project, recognizing that the town of Vail will reach its ambitious goal of 1,000 deed restricted housing units by taking small bites out of a very large apple.

Further, locating these units on the east end of Vail Village and on the in-town bus route will help reduce traffic and parking, making them highly desirable and more environmentally sustainable. We believe demand for these units, that also include dedicated parking, will be tremendous.

Finally, a public-private partnership such as this that requires no financial investment from taxpayers is a win for everyone. Seeking creative solutions to the housing problem that plagues every municipality and business owner in Eagle County is the way we will collectively solve it. We must look for ways to increase the number of workforce housing units at every opportunity. We urge you to approve this well-considered plan in a timely fashion so that construction can begin this fall.

Respectfully,

 Tim Thompson, PE  
35 Stone CK. Dr., Avon, CO 81620

May 15, 2017

Planning and Environmental Commission  
Town Council  
c/o Jonathan Spence, AICP  
Senior Planner, Town of Vail  
75 South Frontage Road  
Vail, Colorado 81657

Dear Mr. Spence, PEC and Town Council Members:

As a member of the Workforce Housing Coalition, I am writing you today to ask for your approval on the Mountain View Residences Phase II SDD application. The Workforce Housing Coalition is a very large group of engaged business owners, employees, elected officials and other concerned Eagle County residents who are looking for ways to address our housing crisis.

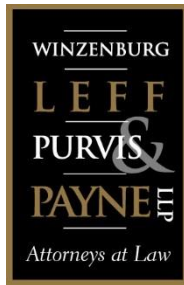
One of our recent topics of discussion was the value of public-private partnerships in addressing this crisis. I believe this project with its 10 workforce housing apartments paid for completely by the developer is a perfect example of a public-private partnership. We must be prepared to make some accommodations for developers to be successful if we want them to build more than the required square footage of EHUs.

I support this project 100% and see it beautifying our view of Vail from the highway.

Sincerely,

A handwritten signature in cursive script, appearing to read 'JM'.

Jeff Morgan  
Associate Broker  
Ron Byrne & Associates Real Estate  
285 Bridge Street  
Vail CO 81657



WENDY E. WEIGLER  
wweigler@wlpplaw.com  
www.cohoalaw.com

May 17, 2017

VIA EMAIL AND U.S. MAIL

Town of Vail  
Planning and Environmental Commission  
Department of Community Development  
75 South Frontage Road  
Vail, Colorado 81657

Re: Tyrolean Condominium Association  
Special Development District for Vail Mountain View Residences

Dear Members of the Commission:

Winzenburg, Leff, Purvis & Payne, LLP represents the Tyrolean Condominium Association (“Tyrolean”). I had the opportunity to attend the April 24, 2017 Commission meeting, along with Tom Saalfeld of Ptarmigan Management, who briefly addressed the Commission. We appreciated the thoughtful consideration given by the Commission and we share many of the concerns raised by the Commission.

The proposed development of Phase II of Vail Mountain View Residences (“Phase II”), in our opinion, has the greatest impact on the Tyrolean building, as the neighboring property. The Tyrolean and its owners formally object to the application of Gore Creek Group, LLC for a Special Development District (“SDD”), submitted on March 27, 2017 (the “Application”).

Tyrolean is the condominium association for the Tyrolean Condominiums, consisting of nine (9) residential units and four (4) parking space units, which was originally developed in 1981. When Phase I of Vail Mountain View Residences was developed in 2008, Tyrolean was not notified and had no opportunity to be heard or object to the parking structure constructed directly next to the Tyrolean. Although the permitted design requirement for the garage was a “subterranean” parking structure, the parking structure actually looms 25 feet above ground on the west side that borders the Tyrolean, as reflected in Pictures 1 and 2.



*Focused on Communities*

8020 Shaffer Parkway, Suite 300  
Littleton, Colorado 80127  
303.863.1870  
Fax 303.863.1872

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Picture 1 – 1<sup>st</sup> Floor Deck



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Picture 2 – 2<sup>nd</sup> Floor Deck

It is our understanding that the parking structure was constructed in such a manner that would support an additional building above it, again, without notice to Tyrolean or any opportunity to be heard. The approval of the parking structure alone, let alone Phase II, substantially impaired the Tyrolean owners' use and enjoyment of their property, constituting a *de facto* taking of property.

The Application includes a letter from Vail Mountain View Residences on Gore Creek Owners' Association ("Phase I"), stating that, pursuant to its governing documents, the consent of the Association is not required for the proposed expansion and development. However, the Town of Vail Code (the "Code"), at



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Chapter 9, Article A, Section 12-9A-3, requires that the Application include “written consent of owners of all property to be included in the special development district, or their agents or authorized representatives.” Despite what the governing documents of Phase I say, written consent of the owners within Phase I is a requirement under the Code. The Application fails to meet this requirement.

Because the proposed development is located within the High Density Multiple-Family (HDMF) District, the Application is required to comply with the underlying HDMF zoning, as set forth in Chapter 6, Article H of the Code, in addition to the design criteria for an SDD, as set forth in Chapter 9, Article A. The SDD criteria requires conformity with the Vail Village Master Plan. These three standards – HDMF, SDD and Master Plan – are addressed in turn.

#### **A. UNDERLYING HDMF ZONING**

1. **Building Height.** The most significant deviation requested in the Application, and that most affects Tyrolean, is the increase in building height from the Code requirement of 48 feet for a sloping roof, to 71.9 feet. A building almost 24 feet above the maximum height would wall in several units in Tyrolean, block views and create significant shade onto Tyrolean.



Picture 3 – 3<sup>rd</sup> Floor Deck

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2. Density. The next significant deviation in the Application is the increase from the Code maximum of 32 dwelling units to 45.5 dwelling units for the combined Phase I and Phase II, which does not include the proposed 9 Employee Housing Units (EHU). Although the EHU are not counted in the Code's density calculations, the reality is that they certainly will impact the quality of life for Tyrolean owners. The proposal to have all of the EHU and hotel units on the first and second floors, which are the floors closest to Tyrolean, will have a dramatic impact on Tyrolean, in terms of noise level and foot traffic. Similarly, the deviation in gross residential floor area (GRFA) from the Code's maximum of 42,871 square feet to 79,548 square feet – almost twice the Code maximum – will have an irrevocable impact on Tyrolean for the same reasons.

## **B. SDD DESIGN CRITERIA**

1. Compatibility. The Application does not reflect design compatibility and sensitivity to the Tyrolean, as the adjacent property. The Application fails to comply with this standard, and simply seeks approval based on the argument that there have been similar deviations approved in the Town of Vail.
2. Relationship. The Application fails to establish that the proposed uses, activity and density are compatible with the surrounding uses and activity, namely the Tyrolean. Tyrolean's 9 wholly owned units would not have a workable relationship with Phase II's 12 for-sale units, with 6 lock-offs, 9 EHU and 21 hotel rooms. The proposed density is not at all similar to the Tyrolean, as represented in the Application.

## **C. CONFORMITY WITH MASTER PLAN**

1. Goal #2. The Application cites Objective 2.3 of Goal #2 and states that Phase II will increase the number of residential units available for short term overnight accommodations. However, the Application shows that participation in a short term rental program is voluntary for the 12 dwelling units. There is no way to predict whether the owners of those units would participate in the rental program. Additionally, the Application fails to explain whether the hotel units will be deed-restricted, to guarantee availability for short term rental. The Application, therefore, is not necessarily consistent with Objective 2.3.
2. Goal #5. The Application cites Objective 5.1 of Goal #5, which is to meet parking demands with public and private parking facilities. The existing parking structure has 112 parking spaces, the excess of which have been available for lease to the public. The parking requirements for Phase II will use up all of the excess parking spaces, resulting in no available parking for the public. Therefore, Phase II is not consistent with Objective 5.1 and



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may actually create more demand for parking, if the parking spaces being leased are no longer available.

3. Building Height Plan. The Application is inconsistent with the Building Height Plan, which anticipated a limit of 4 stories for this property. Phase II will be 5 stories, with the ground floor already elevated at least 10 feet. If mechanical components are located on the roof, it will be even higher. The result will be an inordinately tall building that is not consistent with the Building Height Plan.



Picture 4 – Ground Level



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In summary, the Application seeks such significant deviations that it all but ignores the standards set forth for HDMF, SDD and in the Master Plan. As pointed out by the Commission, the existing zoning is in place for a reason. The applicant's suggestions that the zoning is inappropriate and should be changed, and that other developments had deviations so this one should as well, do not further the Master Plan or the development objectives of the Town. The negatives of Phase II clearly outweigh the potential public benefits. As such, Tyrolean respectfully requests that the Commission decline to approve the Application.

If you have any questions or require any additional information, please do not hesitate to contact me.

Very truly yours,  
WINZENBURG, LEFF, PURVIS & PAYNE, LLP



WENDY E. WEIGLER

*cc: Jonathan Spence, Senior Planner  
Tyrolean Condominium Association  
c/o Ptarmigan Management*

May 15, 2017

The Vail Town Council  
Vail Planning & Environmental Commission  
75 South Frontage Road  
Vail, Colorado 81657

Dear Mayor Chapin, Council Members and PEC members:

I'm writing to voice my support for the proposed Mountain View Residences Phase II development. I believe the project brings a good balance of hot beds and employee housing units along with the additional new condominiums.

Also, Vail and all of Eagle County continue to desperately need livable workforce housing , especially located close to our largest employment centers. Having the proposed 2-bedroom apartments for rent in Vail Village and on the in-town bus route will be a positive addition to our town and will help to fill a crucial need.

It is my opinion that this project brings numerous public benefits to the east end of Vail Village and I urge you to approve it.

Thank you for your time, and for your dedication to the town of Vail.

Sincerely,

Stan Cope  
Gemini Resort Management  
Lodge Tower  
Vail Mountain Lodge  
Residences at Solaris

# **APOLLO PARK AT VAIL**

## **HOMEOWNERS' ASSOCIATION**

**8547 E. Arapahoe Road, #J542  
Greenwood Village, CO 80112-1436  
303-690-6038 - 303-690-6511 FAX**

May 15, 2017

Jonathan Spence, AICP  
Town of Vail  
Planning and Environmental Commission  
75 South Frontage Road  
Vail, CO 81657

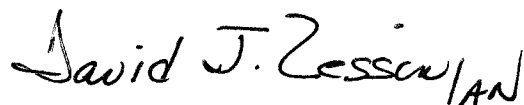
Via e mail: [jspence@vailgov.com](mailto:jspence@vailgov.com)

Dear Mr. Spence:

As President of the Apollo Park at Vail Homeowners' Association, I write to notify you that our Board of Directors has reviewed the plans for Mountain View Residences Phase II.

We will not oppose the plans as presented.

Sincerely,

A handwritten signature in black ink that reads "David J. Zessin" followed by a stylized "AN" or "AN" mark.

David J. Zessin, President  
Apollo Park at Vail

DJZ:an





*East West Destination Hospitality*

May 15, 2017

Planning and Environmental Commission  
Town Council  
c/o Jonathan Spence, AICP  
Senior Planner, Town of Vail  
75 South Frontage Road  
Vail, Colorado 81657

Dear PEC and Town Council Members:

I am in favor of Phase II of the Mountain View Residences currently before the town of Vail Planning and Environmental Commission. As the general manager of a neighboring property, I believe this project will go a long way toward enhancing the Golden Peak area.

In addition to the workforce housing units, I am excited to see new and modern hotel and condominium inventory proposed for this location. It will bring much needed activity and vibrancy to our end of the village.

Please approve this project.

Thank you,

A handwritten signature in blue ink, appearing to read 'D. Schmidt', is written over a light blue horizontal line.

Derek Schmidt  
General Manager, The Wren

April 11, 2017

181 West Meadow Drive, Vail, CO 81657  
PO Box 40,000, Vail, CO 81658

Planning and Environmental Commission  
Town Council  
c/o Jonathan Spence, AICP  
Senior Planner, Town of Vail  
75 South Frontage Road  
Vail, Colorado 81657

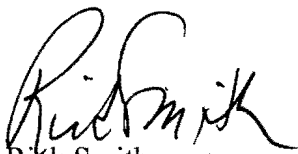
Dear PEC and Town Council Members:

On behalf of Vail Valley Medical Center, I am writing to you to voice our support for the proposed Mountain View Residences Phase 2 project. As you are likely aware, it is a challenge for VVMC and most all employers to find available housing in the Vail Valley, especially in Vail. We were encouraged to see the plans for the second phase of the Mountain View Residences include nine functional and livable EHUs, on the periphery of Vail Village and on the in-town bus route.

A project like this and other projects of its kind are important for employers' staff, particularly mid to upper level managers and professionals so they have the opportunity to both work and live in Vail. More projects like this are seriously needed in Vail and will help assist employers in hiring and retaining quality staff who will continue to provide critical services to residents and guests of Vail.

We view this project as yet another step forward in Vail's plan to acquire 1,000 deed-restricted workforce-housing units, without spending a dime of taxpayer dollars. We hope you'll consider this critical public benefit as the Mountain View project moves through the town's approval process. We urge you to approve this project in as timely a manner as your schedules and processes allows.

Respectfully,



Rick Smith  
Chief Administrative Officer  
Vail Valley Medical Center



May 15, 2017

Vail Planning & Environmental Commission  
Town of Vail  
75 South Frontage Road  
Vail, Colorado 81657

Dear PEC members:

Vail Valley Partnership (VVP) is the regional chamber of commerce representing Eagle County, Colorado. Our organization has over 840 member organizations, representing over 80% of the local workforce within the valley.

As you are aware, the Mountain View project proposes both a mid-range hotel product and much needed workforce housing, both of which are aligned our list of community priorities. As such, the Vail Valley Partnership encourages your committee to move forward with the proposed Mountain View project and we look forward to continuing discussions to give our full and enthusiastic endorsement.

We feel this project addresses several critical issues facing Vail and Eagle County:

1. The dire need for deed-restricted workforce housing with 10 deed restricted apartments
2. Mid-priced, or entry-level, lodging options with 19 units

Through our lens of economic vitality and business success, this project is exactly what is needed in Eagle County. The project's location within the town of Vail and in close proximity to the Vail Village commercial core is another plus. We believe it is important to provide housing within developed areas and within easy access to transit and close to jobs. This is a good example of appropriate in-fill and is similar to other projects along the Frontage Road.

Additionally, we believe now is the time to take bold steps to address the needs of the Vail community, both business and residential, relative to both workforce housing and addressing entry-level lodging options. This project checks every box and does so with a thoughtful and impressive design, careful consideration of the surrounding neighborhood, and located in the highly desirable town of Vail. This type of project is a win for Vail as far as the Vail Valley Partnership is concerned. .

We strongly and respectfully urge the members of town council to consider the many public benefits of this project as it moves through the approval process.

Best regards,

A handwritten signature in black ink, appearing to read "Chris Romer", written over a horizontal line.

Chris Romer  
President & CEO  
Vail Valley Partnership

*PO Box 1130, Vail, CO 81658*

*VailValleyPartnership.com / VisitVailValley.com / VailValleyMeansBusiness.com / VailonSale.com*



**Dan E. Godec**  
**P.O. Box 292**  
**Edwards, CO 81632**

June 6, 2017

Mr. Jonathan Spence

Vail Planning Board

Vail, CO

Mr. Spence:

I am writing in support of Mountain View Residences in Vail. The project addresses housing needs as defined by the Town of Vail. There are 10 employee housing units representing over 30% of the project. It is unusual that a project contains this amount of affordable housing. The need for housing is well documented with the project target audience being mid-level professional residents, the group who will be tomorrow's leaders in the community.

The Town supports hot beds; this project includes 19 hotel rooms which helps events at the Amphitheater. I am past Chairman of BravoVail Board of Trustees. Having rooms available close to our venue helps our visitors. We have abundant hotel rooms in the Village and West Vail but fewer units on the east side of Town. EDU's and hotel rooms make up 50% of the project. Mountain View Residences clearly meet the essential project criteria desired by the Town.

The parking garage was built in 2008; it provides all parking onsite and underground. The site was designed for a later project. The garage was appropriately suited for a building over the top; this project is effective use of space.

This is an infill project located on the South Frontage Road. There are several examples of height management and density to the west. Where better to place the units? Impact is minimal on surrounding buildings and overall benefit outweighs negative effect.

This project appears to fill several needs for the Town of Vail. It brings EDU's and hotel rooms to an underserved location. It creates a barrier between the highway and town and the development team seem to understand what it takes to build a project in Vail unlike other proposed additions.

Thank you for your consideration

Respectively  
  
Dan E. Godec

970-390-6630

7 June 2017

Jonathan Spence  
 Planning Department  
 Town of Vail  
 75 South Frontage Road  
 Vail, CO 81657

Jonathan:

I am submitting this letter today in advocacy for the approval of the Vail Mountain View Residences Phase 2 development project.

For the better part of the last 18 years I have been engaged in the business of managing residential resort property in the geographic area from East Vail to Cordillera, though always with a high concentration of properties within the Town of Vail.

A good number of those properties (currently including 4 units in Phase 1 of the Vail Mountain View Residences) are part of our vacation rental program.

Additionally, until 2006, Peak Properties, the forerunner of Triumph Mountain Properties, built and remodeled numerous residential properties in the Town of Vail, a few of which incorporated the requirement of EHUs.

Given my background and experience in Vail I am in favor of the proposed project for two main reasons.

First, there can be no doubt that our valley is in need of more housing of a standard that works for professional individuals, including those with families. The Town has already demonstrated a willingness to help address this need through a variety of recent housing initiatives.

This project is dedicating 30% of the square footage it intends to build to employee housing - in my time here I am unaware of another project that has dedicated such a large portion of space for this purpose.

By approving this project the Town can help set a standard for future similar development projects and take credit for another successful addition to the stock of housing that expands the year round population of the Town.

Second, the mix of rentable accommodations (i.e. hot beds) available within the proposed building can also be construed as a public good. The planned hotel rooms will certainly be of a high standard from a finish quality level but can occupy a more moderate price point in the marketplace thus making them an attractive lodging option on a year round basis.

For sale condo units with rooms that can be locked off contribute to both the hotel bed base and the bed base of vacation rental condos.

My experience working with owners of luxury resort property is that the flexibility of being able to generate rent revenues from a lock off unit will be highly attractive.

Many owners of these types of properties are hesitant to commit their entire property to being available for rent, though they would like to have the revenues to offset the costs of ownership (maintenance, property taxes, etc.). They often perceive the wear and tear risk to outweigh the rent rewards.

The opportunity to generate rent revenues without having to commit the entirety of their unit to a rental program should be enticing to those more risk averse owners, thereby increasing the number of available short term beds.

Having represented some of the Phase 1 Mountain View units for short term rental since they came out of construction at the very end of 2008 I can personally attest to their popularity. The location allows guests to quickly access Vail Mountain in the winter either via Gondola 1 or Chair 6. Similarly, within a 5-6 minute walk one can be at the center of Vail Village to access shopping and dining.

Understanding that available inventory in these units is governed by the usage patterns of owners, over the past 8 + years the units we have managed for vacation rentals have generated approximately \$2.5 million in taxable rents, contributing nearly \$100K in sales tax revenues to the Town and another \$35K in revenues to the Vail Marketing District.

Given the planned mix of hotel rooms, lock offs, and potentially rentable condos that are included in the current plan it is not unreasonable in my view that the new building could generate at least \$2 million per year in taxable rents which would be a nice addition to the Town's sales tax collections.

I welcome the opportunity to discuss my perspective on this project with the Commission.

Regards,

A handwritten signature in dark ink, appearing to read 'Michael J. Connolly', with a stylized flourish at the end.

Michael J. Connolly  
General Manager



June 9, 2017

Planning and Environmental Commission  
Town of Vail  
Department of Community Development  
75 South Frontage Road  
Vail, Colorado 81657

Attn: Johnathan Spence, AICP

Re: Vail Mountain View Residences Phase II

Dear Members of the Planning and Environmental Commission:

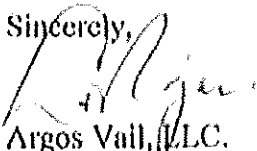
We are writing to inform you and the Town of Vail that as owner of the upper residential unit in the Tyrolean Condominiums, Unit 6, we oppose the plans submitted for the development of Vail Mountain View Residences Phase II and encourage you to recommend denial of the proposed Special Development District. Our Unit #6 is by far the most affected unit in the Tyrolean building by Phase II of the Vail Mountain View Residences.

We are concerned about increased density, building height, setbacks, site coverage, and product mix. We are concerned about the impact on sun, light and views for our unit. We are also very concerned about the impact on the value of our unit if the District is approved.

We do not believe the approval of this project by the Town of Vail would comply with the overall goals of the Vail Master plan to provide more employee housing, additional lock-offs, and mid-priced hotel rooms to provide additional revenues to the Town of Vail.

Please accept this letter as our disapproval of the Vail Mountain View Residences Phase II.

Sincerely,

  
Argos Vail, LLC.