



PLANNING AND ENVIRONMENTAL COMMISSION

March 14, 2016, 1:00 PM

Vail Town Council Chambers

75 S. Frontage Road - Vail, Colorado, 81657

1. Call to Order

Members Present: Brian Gillette, Ludwig Kurz, John Rediker, John Ryan Lockman, Kirk Hansen, Henry Pratt

Members Absent: Webb Martin

Site Visits:

- 1) Booth Creek Park - 2900 Manns Ranch Road
- 2) Red Lion Condos - 304 Bridge Street

2. A request for a recommendation to the Vail Town Council for a Prescribed Regulations Amendment, pursuant to Section 11-3-3, Prescribed Regulations Amendment, Vail Town Code, to amend Section 11-7-15 Ski Base Area Signs, and setting forth details in regard thereto. (PEC160007)

Applicant: Vail Resorts, represented by Mauriello Planning Group

Planner: Brian Garner

Action: Approval, with amendments

Motion: Rediker

Second: Kurz

Vote: 6-0-0

Brian Garner presented the proposal per the staff memorandum. Code is not clear; current code prohibits commercial advertising. Epic Discovery signs are desired, but are technically commercial activities. Applicant is requesting a change to the text of the code. If approved, this change will apply to all base areas of the Town. Staff believes that more clarity in code is needed. PEC is asked to make a recommendation to Town Council. Allison Kent from Mauriello Planning Group (MPG) is here representing the applicant.

Allison Kent, MPG – Intent is to seek more clarity. We worked closely with staff to coordinate the proposed language.

Pratt – Are these signs electronic?

Jeff Babb, Vail Resorts – One of the signs is electronic. This will also go through DRB this week.

Garner – Code was amended in 2010 to make changes to ski base signage

Pratt – Will the signs be bright?

Babb – They will be LED. We would be able to display operational information on the sign, only during daylight hours, turned on 30 minutes before the ski area opens.

Hansen – Are there options for people with visual challenges (blind)?

Babb- There is no current plan for sight challenged people to be accommodated with these signs, but this may be considered moving forward.

Public Comment - None

Gillette – Agree with staff.

Rediker – We can achieve what the applicant wants without broad text changes. That language was put into the code for a reason. Not limited to eating and drinking establishments. First change proposed is fine; I don't agree with second change on eating and drinking establishments. Language on seasonal offerings on the mountain allows the applicant to install signs that they propose. Paragraph A (1st part ok to change, but not 2nd). Preference to strike Section A.8.c

Kurz – Agree with Rediker's proposed language. Are there any competitive advantages to one applicant vs. another recreation provider?

Garner – We are specifically trying to avoid advantages to marketing eating and drinking establishments as originally intended by the 2010 amendment.

Hansen – Support Rediker's proposed changes. Would like to hear from the applicant.

Babb - Vail is the exclusive permit holder for activities in the Forest Service Properties. Therefore should not be competitive advantage.

Lockman – In general, this change provides clarity.

Pratt – In general, this change is a good thing. Agree with Rediker that we are opening the door to some commercial use that is a step beyond.

Gillette – Are we allowing these uses because they are recreational uses, and not other types of commercial uses?

Rediker – Because they are recreational uses that generate revenue, are they allowed or are they commercial? That's why they are requesting these changes. You just don't know what may come down the pike. But if we can make the change it could be viewed as broad.

Rediker – Motion to approve, amended as follows: Section 11-7-15, second proposed change in paragraph "A" to retain "commercial uses" and strike "retail stores and eating and drinking establishments."

8b proposed language approved.

8c changes not to be included, but retain existing language.

3. A request for review of a Major Exterior Alteration, pursuant to Section 12-7B-7, Exterior Alterations or Modifications, Vail Town Code, to allow for the addition of 1,193 square feet of gross residential floor area (GRFA), located at 304 Bridge Street Units R2 & R3 (Red Lion Inn Condos)/Lots E-H, Block 5A, Vail Village Filing 1, and setting forth details in regard thereto. (PEC160008)

Applicant: Oscar Tang & Blue Mountain Investments, represented by J+A Architects aka VAg Architects
Planner: Brian Garner

Action: Continued to March 28, 2016 PEC
Motion: Gillette

Second: Kurz

Vote: 6-0-0

Brian Garner – PEC review is to consider the proposed form and location of improvements including siting, setbacks, height, bulk and mass, site improvements and landscaping. If approved today, then the Design Review Board (DRB) review is next. Final approval of the design would be by the DRB. Architect, Brian Judge is representing the applicant and is here to present.

Rediker – Question on Urban Design Guide Plan, pages 7-9 in memo: Do all of these come from the Design Guide Plan?

Garner – Yes. He referenced the sub-heading for Vail Village Design Considerations on page 7.

Rediker – Major issue from my understanding is the sun and shade analysis. I would like to know what the Urban Design Guidelines say about sun and shade. I would like to know if that is the verbatim language in guidelines.

Brian Judge, Architect – One of the clients was trying to attend today, but the pass is closed. We have reviewed the documents to see what the requirements were on bulk, height, etc. Our code analysis led us to understand that there is 2,213 sq. ft. of GRFA remaining on the property. We spent a lot of time reviewing the Vail Village Design Plan and the Urban Design Guide Plan. There are three residential density units on the property, and that will remain. We are trying to be respectful to Mill Creek. Building has not had much renovation in a long time. That area of Town had some significant changes starting in 2007, including the Rucksack Building. Enclosure of the patio at the Red Lion occurred, but not additional GRFA. Site sits at about 83% site coverage. This building crosses the property line slightly, and the building to the north also crosses the property line. Streetscape Master Plan was reviewed, but does not really apply to this case. There are five primary urban design considerations.

Mr. Judge reviewed the proposed plans. Height allowed is a 60/40 split. 60% can exceed 33 feet and none can exceed 43 feet. The building is within height limits. Guidelines talk about presentation of the building to the street. Stairs to the north are old and not well built. Canopy was added in 1980s, and it's included in site coverage. New design will be cleaner and more architecturally consistent. Red Lion Restaurant has a Class-A hood. Venting and egress of that hood discharges on the roof. There is a series of access doors on the roof, near the discharge of the fumes from the restaurant. The discharge is below the roof ridge. Proposal would alter the hood to discharge further from the Village pedestrian area.

Bulk and scale model was shown to the Commission. Stair enclosure was reviewed. No change proposed to the materials. We are trying to embrace the indigenous architecture in a high quality way. Pedestrianization from Design Guidelines was reviewed. New design will have much quieter exhaust fans, with access from inside. New exhaust chimneys will be raised up to 14 feet to get smells farther away.

Judge reviewed the Urban Design Guide Plan, on Pedestrianization. Building has movement

to it at the pedestrian level, with niches in and out. Condos on upper level are set back from the street. This allows corner glass on adjacent building retail spaces. We felt that the best location for the addition was on the upper level, to keep the ground level unchanged. This keeps in character of the building as it is today. We spent time looking at the adjacent building. We pulled the northeast quadrant back 19 feet, to help maintain views from the neighbors. He showed areas on the plan where views would be maintained. Street Edge from Urban Design Guide Plan was reviewed. We did not want to change the street edge. There are some nice trees in this area, and places for people to pause.

Judge reviewed the two View Corridors in area. Not going any taller than the existing building. Chimney will be raised. But we will stay under the height limit. View Area 4 is between Christy Sports and Hill Building, looking back to the east toward the Gore Range. Our addition and dormer is well behind the Christy Sports building and will not impact the view corridor.

Sun Shade Analysis – We started with the sun shade analysis, then pulled the addition back to preserve light and view for the neighbors. We are keeping roofs below existing ridge height. Slight increase of infill will result in some additional shading. GRFA will remain unused on the site.

Gillette asked about the dates when sun and shade analysis is performed. Brian Garner explained the requirements, which includes analysis between March 21- September 23.

Judge – Current shadow shades adjacent building to the 3-4 foot point above the second story. Character of the architecture is staying the same. Facade materials and Tyrolean architecture has been preserved. Balconies and railings may be replaced. We will discuss in greater detail with DRB. Master Plan calls for upgrading the buildings in the Vail Village.

Action Plan calls about the uniqueness of the Red Lion Building. Huge public benefit to clean up the area below the stairs. So will raising the chimney and exhaust from the kitchen. They will both improve health and safety. Master Plan calls for commercial activities in the Mill Creek corridor, but this plan does not impact the creek corridor. Still below building height. Land Use Map calls for a 3-4 story village area, we are well below those heights. Action Plan calls for commercial activities facing Mill Creek, and that is still possible if that is desired. No impacts are proposed on Siebert Circle. Plan also calls for infill developments with Tyrolean architecture. Plan anticipates that the Red Lion building has remaining GRFA and development rights. We are not developing to the maximum density. Architecture using same size detailing, windows, roof overhangs, etc.

Hansen - Is exterior being upgraded, or just area of construction?

Judge – Just area of construction. Roof has been recently repaired.

Hansen – You mentioned there may be minor tweaks to the detailing, railings, etc.

Judge – We are within GRFA and massing, height and setbacks. DRB may ask some questions and request changes. If the DRB asks us to move a wall by 4 feet, we would come back to the PEC.

Rediker – Please show where the back corner changes are proposed.

Judge reviewed the first floor (condo level) plans. Mechanical equipment in the back corner of

the condo level. This remodel will allow the mechanical to be moved.

Rediker – Where will the new kitchen hoods vent?

Judge – Pointed to location on the roof where hoods will vent out. He explained how the vents will be combined into fewer ducts. They will vent in northeast corner of the roof.

Gillette – Should we come up with a maximum shadow analysis to show what the potential impacts would be? We are not really seeing the impact of the shade. Would like to see impact if the height was at the maximum.

Rediker – This plan does not show the full impact on the south elevation of the adjacent. He asked about the code language on shadow analysis and the dates when shading should be shown on the plan.

Neubecker and Garner explained the code language.

Rediker – Guidelines dictate that we look at two dates (spring and fall equinox). We can't tell from this plan where the shadow falls.

Garner – In an urban context, you will have shadows on adjacent properties. Rucksack Building also casts a shadow on property to the north.

Pratt – Discussed the code requirements for when a shadow analysis is required. 3D models are shown in a grassy field with no context. I would like to see the south elevation of the Rucksack Building in the shadow analysis. Shadow analysis does not show the windows on the adjacent building. Sheet 3.2 North Elevation, even if you showed the south elevation of the Rucksack in relation to this building, it would be helpful. I would like to see this shadow revision, relative to the existing and proposed. You are adding a lot of mass on the north side. It would help us to understand the relationship of this building to the building next door. It's a relative situation, but it's a shading issue.

Gillette – I have no problem with this application. One of the tenets of review is the sun shade analysis but I can't tell if it's substantial.

Public Input –

Bill Gardner, Unit R-1, Lower Unit in back of Rucksack Building. I also have a letter from the owner of unit upstairs, Unit 2. Applicant made a good effort to accommodate the Town and some of the issues. Rucksack building will submit a series of questions. Height 60/40 split was not addressed well. Back of Rucksack is the same as it was in 1979. This is the second time that the applicant has expanded that unit. Want to see if there is another way to expand without moving toward the Rucksack Building. We are opposed to this design until we understand it better.

Final Comments -

Pratt – You are proposing to infill area below the stairs; once you enclose the stairs, how will you access these triangles of space?

Judge – Stairs are hung from structure above, no foundation below stairs. Access will be

provided to these areas.

Pratt – On view corridors, would like to see images in the packet.

Lockman – Although applicant is within the code requirements, there is an impact to the adjacent property to the north. I would like to better understand the impact to the building to the north. Project meets a lot of the Town's goals, but right now I don't understand all the impacts to neighbor.

Hansen – Generally in favor of the application. Red Lion is a community gem for residents and visitors. Because of that we are taking a cautious approach. There are impacts, but they are minor. Windows will probably receive less sunlight on some days on the year. Let's look at shade analysis to make a better decision.

Kurz – Agree with Hansen, but not enough information. In general it looks to meet most codes, but warrants a closer look.

Rediker – Much of the application is within what is allowed for the property, height, GRFA, etc. Walking down Bridge Street, I feel the scale is appropriate, especially looking at other buildings in the area. Generally, the application fits within the goals of the master plan. Also complies with Town Code and Urban Design Criteria, but need to look at the sun shade analysis, but not sure how valid there concerns are, since I don't have enough information. I don't see hard evidence from either side. Comment to Rucksack Building owners, you are coming in late in the game. If you have concern, get those objections in quickly. Guidelines state that they are not intended to limit building height.

Gillette – Mimic what Rediker just said. Encourage Rucksack owners to read the packet and report.

Pratt – Looks like there is a significant impact on the neighbors light and air, but a right to direct sunlight is not protected. I'm not a lawyer, but I don't believe that views are not protected.

4. A request for the review of a conditional use permit, pursuant to Section 12-8B-3, Conditional Uses, Vail Town Code, in accordance with the provisions of Section 12-16 Conditional Uses, Vail Town Code to allow for construction of public parks and active public outdoor recreation areas and uses, including tennis courts and playground, as well as an accessory restroom building and picnic shelter, located at 2900 Manns Ranch Road (Booth Creek Park)/Lot 11, Block 1, Vail Village Filing 13, and setting forth details in regard thereto. (PEC160009) - 60 Min.

Applicant: Town of Vail, represented by Todd Oppenheimer

Planner: Chris Neubecker

Action: Approve with Conditions

Motion: Kurz

Second: Hansen

Vote: 5-0-1 (Pratt Abstained)

Conditions: As contained on page 11 of the staff report.

Conditions of Approval:

1. ***This Conditional Use Permit shall lapse and become void if a building permit is not obtained and diligently pursued toward completion or the approved use has not***

commenced within two (2) years from the date of approval. Any conditional use which is discontinued for a period of two (2) years, regardless of any intent to resume operation, shall not be resumed thereafter; any future use of the site or structures thereon shall conform to the provisions of Title 12, Vail Town Code.

- 2. Hours of operation shall be from dawn to dusk.***
- 3. Artificial lighting of the tennis courts is prohibited.***
- 4. Prior to issuance of a building permit and any site work, applicant shall install silt fencing or other appropriate erosion control features to prevent degrading the wetlands to the east of the courts and water quality in Booth Creek. These erosion control features shall remain in place until the final landscaping is installed and vegetation is established.***
- 5. No disturbance of the delineated wetlands is allowed.***
- 6. Prior to start of construction or issuance of a building permit, the applicant shall obtain approval from the Design Review Board of the proposed park plans, proposed architecture and landscaping plan.***
- 7. Prior to issuance of a building permit, applicant shall revise the plans to include the Town of Vail standard construction notes.***
- 8. The minimum asphalt section shall be 3" asphalt over 6" base.***
- 9. The minimum concrete section walk section shall be 4" concrete over 6" base. All Concrete paving shall be Class P with fiber mesh.***
- 10. A separate sign permit is required for all signs within the park. All sign posts shall be the standard Town of Vail timber sign post.***
- 11. Prior to issuance of a building permit, applicant shall revise Sheet C1.0 "Grading and Drainage Plan" to provide necessary drainage conveyance under or over the west walk connection.***
- 12. Prior to issuance of a building permit, applicant shall rectify floodplain lines on plan. Per FEMA, use BFE from Flood Profile with updated topography.***
- 13. Prior to issuance of a building permit, applicant shall revise site plans to show that all parallel parking spaces will be at least 9'x24' and a minimum of 5' off the edge of road. Gravel shoulder can be reduced to 12". Applicant shall also show cross-slope of parking spaces on final design plans.***

Neubecker - Presented an overview of the project, the plans and stated the applicant is the Town of Vail.

The applicant is proposing 11 parking spaces including handicapped accessible parking. Applicant worked with children to design the new park and the Art in Public Places (AIPP) board on the design. Note that wetlands are on the site. A proposed trail would cross Town owned stream tract, but there may be other options to consider.

Gillette – How far is path from creek? Does it allow views to the creek?

Todd Oppenheimer, Public Works – Creek is close in proximity but views uncertain due to heavy vegetation, and creek is lower. No vegetation will be removed in that area and following existing foot path.

Gillette – Is the foot path is existing?

Oppenheimer – Yes.

Rediker – Any additional opening remarks?

Neubecker – Finished opening remarks and staff is supportive of the project in general. However, just have some concerns about wetlands and stream tract. Kristin Bertuglia is present to answer questions as well.

Lockman – Would like to more information about wetland designation.

Oppenheimer – Property was deeded to Town of Vail by Vail Resorts a long time ago. Tennis courts were existing. Likely no wetland at that time, but land was likely low and water has infiltrated from other portions of the site and created a wetland. Staff went through six different iterations of park site designs to come to this design. Current proposed configuration makes the most sense. Tennis courts make more sense to be relocated. Wetlands stay untouched with no grading or construction access near them. Old retaining wall remains in place. Process has been happening for two years with public input. Staff wanted to know concerns of adjacent neighbors, and most residents stated they wanted most existing vegetation left intact. Site has been designed to avoid impacts to large stands of vegetation. Proposed path is located where public stated they wanted to walk.

Gillette – What are the paths going to be made of?

Oppenheimer – Concrete. He went on to explain the grades and configuration of the paths.

Gillette – Other paths are gravel. Why concrete here?

Oppenheimer – Neighbors and Council wanted hard surface to be able for small children to ride around in a loop on a bike.

Rediker – What kinds of lighting will be used?

Oppenheimer – 9 bollard lights around path.

Neubecker – Downcast light will be used. Dark sky compliant.

Gillette – How will drainage work?

Oppenheimer – Explained grading and drainage.

Kurz – Believes this is the most vetted park design done by Town with very engaged neighbors. The project has strong neighbor approval. Feels very comfortable with project overall.

Hansen – What is the configuration of the restrooms?

Oppenheimer – They will be 3 season restrooms fully plumbed. Closed only during middle of winter.

Rediker – Clarify on plans the location of restrooms?

Oppenheimer – Showed location on site plan. Explained architecture of site buildings including restrooms.

Kurz – Who manages the restrooms? Town of Vail or Vail Recreation District?

Oppenheimer – Town of Vail.

Gillette – What's north of the courts?

Oppenheimer – Pathway and a picnic table.

Rediker – Where are the parking spaces? Are they head-in parking stalls?

Oppenheimer – One head in (for ADA access); others will be parallel. Parking spaces along Manns Ranch Road.

Neubecker – Also, there will be bike racks included. Oppenheimer showed locations of racks and showed a drinking fountain location.

Gillette – May want to reconsider location of a bike rack right on the trail and put it more in the park where people may be more comfortable leaving their bike, since many bikes are not locked.

Oppenheimer – Showed location of picnic shelter with charcoal grill and other picnic tables. Explained movable park furniture will be used so users can manipulate the furniture to better fit their needs.

Rediker – Any additional questions? None.

Public comment - None.

Comments from the Commission.

Gillette – Likes the plan.

Kurz – Likes the plan.

Hansen – Appreciates the public process and likes the design.

Lockman – Appreciates the public process and likes the project.

Rediker – Appreciates the process and likes the project. Prefers to see stream tract not impacted but is OK with the path crossing the stream tract as proposed.

Any other comments or questions? None. Closed comment.

Entertain motion.

5. A request for final review of a Development Plan, pursuant to Section 12-6I-11, Vail Town Code, to allow for the future development of Employee Housing Units on the Chamonix parcel located at 2310 Chamonix Road, Parcel B, Resubdivision of Tract D, Vail Das Schone Filing 1, and setting forth details in regard thereto. (PEC150019)

Applicant: Town of Vail Community Development Department

Planner: George Ruther

Action: Table to May 9, 2016

Motion: Rediker

Second:

Gillette

Vote: 6-0-0

6. Approval of Minutes
February 22, 2016 PEC Meeting Results

Action: Approval

Motion: Gillette Second: Kurz Vote: 4-0-2 (Hansen, Pratt Abstain)

7. Informational Update
March 28 update from Environmental Team on the Town's natural gas usage.

8. Adjournment

Action: Approval

Motion: Hansen Second: Kurz Vote: 5-0-1 (Pratt Abstain)
