



Memorandum

TO: Planning and Environmental Commission

FROM: Community Development Department

DATE: June 25, 2018

SUBJECT: A request for a recommendation to the Vail Town Council for a zone district boundary amendment, pursuant to Section 12-3-7, Amendment, Vail Town Code, to allow for the rezoning of two parcels of land located in the vicinity of 366 Hanson Ranch Road; A portion of Lot d-1, Block 2, Vail Village Fifth Filing and a portion of Tract E, Vail Village Fifth Filing. The rezoning will change the Zone District from Agriculture and Open Space (A) District to the Public Accommodation (PA) District, and setting forth details in regard thereto. (PEC18-0022)

Applicant: VailPoint LLC, represented by Pylman & Associates, Inc.
Planner: Jonathan Spence

I. SUMMARY

The applicant, VailPoint LLC, represented by Pylman & Associates, Inc., is requesting a recommendation to the Vail Town Council for a zone district boundary amendment, pursuant to Section 12-3-7, Amendment, Vail Town Code, to allow for the rezoning of two parcels of land located in the vicinity of 366 Hanson Ranch Road; A portion of Lot d-1, Block 2, Vail Village Fifth Filing and a portion of Tract E, Vail Village Fifth Filing. The rezoning will change the Zone District from Agriculture and Open Space (A) District to the Public Accommodation (PA) District.

Based upon Staff's review of the criteria outlined in Section VII of this memorandum and the evidence and testimony presented, the Community Development Department recommends the Planning and Environmental Commission **forward a recommendation of approval** to the Vail Town Council of this application, subject to the findings noted in Section VIII of this memorandum. A vicinity map (Attachment A) and the applicants' narratives (Attachment B) are attached for review.

II. DESCRIPTION OF REQUEST

The applicant, VailPoint LLC, represented by Pylman & Associates, Inc., is requesting a recommendation to the Vail Town Council for a zone district boundary amendment, pursuant to Section 12-3-7, Amendment, Vail Town Code, to allow for the rezoning of two parcels of land located in the vicinity of 366 Hanson Ranch Road; A portion of Lot d-1, Block 2, Vail Village Fifth Filing and a portion of Tract E, Vail Village Fifth Filing. The rezoning will change the Zone District from Agriculture and Open Space (A) District to the Public Accommodation (PA) District.

The two portions of parcels are located within the historic fence boundary of the property, as shown on the exhibit below.



The proposed rezoning, to be approved via ordinance with the Vail Town Council, will not take effect until the recordation of the final plat to incorporate a portion of Lot d-1, Block 2, Vail Village Fifth Filing and a portion of Tract E, Vail Village Fifth Filing into the existing property located at 366 Hanson Ranch Road/Lot d, Block 2, Vail Village Filing 1, has occurred with the Eagle County Clerk and Recorder.

III. BACKGROUND

In 1963, Vail Associates conveyed the entirety of Lot d, Block 2, Vail Village First Filing (Lot d) to Christiania-at-Vail, Inc. (VailPoint's predecessor in title). Lot d is comprised of the present-day Christiania at Vail Lodge, the Chateau Christian Condominiums, and the single family residence at 366 Hanson Ranch Road.

Over time and apparently prior to enactment of subdivision regulations in the Town Christiania- at-Vail, Inc. severed portions of Lot d. They did so by recording deeds that

described these smaller parcels by metes and bounds description. These deeds effectively served to subdivide Lot d, although not through the process that would be required today. The property at 366 Hanson Ranch Road is one of these severed parcels.

The property has an existing residence that was built in the early 1960s, prior to the incorporation of Vail as a Town in 1966. It is located between the Christiania at Vail Lodge and Chateau Christian Condominiums to the west, and the Tivoli Lodge to the east. The land to the south of the home and to the east of the home (between the home and the Tivoli Lodge) is owned by Vail Resorts. The land to the east of the home is Lot d-1, Block 2, Vail Village Fifth Filing. The lands south of the home are a part of Tract E, Vail Village Fifth Filing.

For as long as 50 years, the existing property and the proposed properties subject to the rezoning have been surrounded by a fence. For unknown reasons, the fence was not built on the deeded property line and instead encloses a larger area, both to the south and east. All previous owners have treated the fenced area as an integral part of the property and have landscaped and maintained it consistent with the remainder of the property.

In January, 2018, the Eagle County District Court entered an Order and Decree Quieting Title (Court Order) to this area outside the deed boundary but inside the fence. Recognizing the historic conditions, the Court Order declared VailPoint to be the fee simple owner of all of the lands within the fence.

The intent of this application is to complete the process started by the Court Order. The re-zoning application seeks to rezone the property subject to the Court Order from Agriculture and Open Space (A) to Public Accommodation (PA), consistent with the existing zoning of the remainder of Lot d. This action will also ensure that all lands within the subject property have the same zoning designation.

The total area of land within the existing fence and proposed lot is 13,242 square feet. The original metes and bounds description of the 366 Hanson Ranch Road property consists of 7,862 square feet. The additional area within the fence that the Court recognized as VailPoint's property is 5,380 square feet.

IV. APPLICABLE PLANNING DOCUMENTS

Staff believes that following provisions of the Vail Land Use Plan, the Vail Village Master Plan and the Vail Town Code are relevant to the review of this proposal:

TITLE 12: ZONING REGULATIONS, VAIL TOWN CODE

Article A. Public Accommodation (PA) District (in part)

12-7A-1: PURPOSE:

The public accommodation district is intended to provide sites for lodges and residential accommodations for visitors, together with such public and semipublic facilities and limited professional offices, medical facilities, private recreation, commercial/retail and related visitor oriented uses as may appropriately be located within the same zone district and compatible with adjacent land uses. The public accommodation district is intended to ensure adequate light, air, open space, and other amenities commensurate with lodge uses, and to maintain the desirable resort qualities of the zone district by establishing appropriate site development standards. Additional nonresidential uses are permitted as conditional uses which enhance the nature of Vail as a vacation community, and where permitted uses are intended to function compatibly with the high density lodging character of the zone district. (Ord. 29(2005) § 24: Ord. 23(1999) § 1: Ord. 30(1977) § 7: Ord. 8(1973) § 7.100)

12-7A-2: PERMITTED USES:

The following uses shall be permitted in the PA district:

Automated teller machines (ATMs) exterior to a building.

Employee housing units, as further regulated by chapter 13 of this title.

Lodges, including accessory eating, drinking, or retail establishments located within the principal use and not occupying more than ten percent (10%) of the total gross residential floor area of the main structure or structures on the site; additional accessory dining areas may be located on an outdoor deck, porch, or terrace. (Ord. 12(2008) § 11)

12-7A-3: CONDITIONAL USES:

The following conditional uses shall be permitted in the PA district, subject to issuance of a conditional use permit in accordance with the provisions of chapter 16 of this title:

Bed and breakfasts, as further regulated by section 12-14-18 of this title.

Communications antennas and appurtenant equipment.

Fractional fee club units, as further regulated by subsection 12-16-7A8 of this title.

Healthcare facilities.

Lodges, including accessory eating, drinking, or retail establishments located within the principal use and occupying between ten percent (10%) and fifteen percent (15%) of the total gross residential floor area of the main structure or structures on the site.

Major arcades.

Private clubs and civic, cultural and fraternal organizations.

Private parking structures.

Private unstructured parking.

Professional and business offices.

Public and private schools.

Public buildings, grounds and facilities.

Public parking structures.

Public parks and recreational facilities.

Public transportation terminals.

Public unstructured parking.

Public utility and public service uses.

Religious institutions.

Ski lifts and tows.

Theaters and convention facilities. (Ord. 12(2008) § 11)

12-7A-4: ACCESSORY USES:

The following accessory uses shall be permitted in the PA district:

Home occupations, subject to issuance of a home occupation permit in accordance with the provisions of section 12-14-12 of this title.

Meeting rooms.

Minor arcades.

Swimming pools, tennis courts, patios, or other recreation facilities customarily incidental to permitted lodge uses.

Other uses customarily incidental and accessory to permitted or conditional uses, and necessary for the operation thereof. (Ord. 29(2005) § 24: Ord. 23(1999) § 1: Ord. 6(1982) § 8(b): Ord. 8(1973) § 7.400)

12-7A-5: LOT AREA AND SITE DIMENSIONS:

The minimum lot or site area shall be ten thousand (10,000) square feet of buildable area and each site shall have a minimum frontage of thirty feet (30'). Each site shall be of a size and shape capable of enclosing a square area eighty feet (80') on each side within its boundaries. (Ord. 23(1999) § 1: Ord. 12(1978) § 3)

12-7A-6: SETBACKS:

In the PA district, the minimum front setback shall be twenty feet (20'), the minimum side setback shall be twenty feet (20'), and the minimum rear setback shall be twenty feet (20'). At the discretion of the planning and environmental commission and/or the design review board, variations to the setback standards outlined above may be approved during the review of exterior alterations or modifications (section 12-7A-12 of this article) subject to the applicant demonstrating compliance with the following criteria:

A. Proposed building setbacks provide necessary separation between buildings and riparian areas, geologically sensitive areas and other environmentally sensitive areas.

B. Proposed building setbacks comply with applicable elements of the Vail Village urban design guide plan and design considerations.

C. Proposed building setbacks will provide adequate availability of light, air and open space.

D. Proposed building setbacks will provide a compatible relationship with buildings and uses on adjacent properties.

E. Proposed building setbacks will result in creative design solutions or other public benefits that could not otherwise be achieved by conformance with prescribed setback standards. (Ord. 29(2005) § 24: Ord. 23(1999) § 1: Ord. 50(1978) § 2)

12-7A-7: HEIGHT:

For a flat roof or mansard roof, the height of buildings shall not exceed forty five feet (45'). For a sloping roof, the height of buildings shall not exceed forty eight feet (48'). (Ord. 23(1999) § 1: Ord. 37(1980) § 2)

12-7A-8: DENSITY CONTROL:

Up to one hundred fifty (150) square feet of gross residential floor area (GRFA) may be permitted for each one hundred (100) square feet of buildable site area. Final determination of allowable gross residential floor area shall be made by the planning and environmental commission in accordance with section 12-7A-12 of this article. Specifically, in determining allowable gross residential floor area the planning and environmental commission shall make a finding that proposed gross residential floor area is in conformance with applicable elements of the Vail Village urban design guide

plan and design considerations. Total density shall not exceed twenty five (25) dwelling units per acre of buildable site area. For the purposes of calculating density, employee housing units, accommodation units and fractional fee club units shall not be counted towards density.

A dwelling unit in a multiple-family building may include one attached accommodation unit no larger than one-third (1/3) of the total floor area of the dwelling. (Ord. 29(2005) § 24: Ord. 5(2003) § 4: Ord. 31(2001) §§ 3, 5: Ord. 23(1999) § 1: Ord. 50(1978) § 19: Ord. 12(1978) § 2)

12-7A-9: SITE COVERAGE:

Site coverage shall not exceed sixty five percent (65%) of the total site area. Final determination of allowable site coverage shall be made by the planning and environmental commission and/or the design review board in accordance with section 12-7A-12 of this article. Specifically, in determining allowable site coverage the planning and environmental commission and/or the design review board shall make a finding that the proposed site coverage is in conformance with applicable elements of the Vail Village urban design guide plan and design considerations. (Ord. 29(2005) § 24: Ord. 23(1999) § 1: Ord. 17(1991) § 7: Ord. 8(1973) § 7.507)

12-7A-10: LANDSCAPING AND SITE DEVELOPMENT:

At least thirty percent (30%) of the total site area shall be landscaped. The minimum width and length of any area qualifying as landscaping shall be fifteen feet (15') with a minimum area not less than three hundred (300) square feet. (Ord. 23(1999) § 1: Ord. 19(1976) § 8: Ord. 8(1973) § 7.509)

12-7A-11: PARKING AND LOADING:

Off street parking and loading shall be provided in accordance with chapter 10 of this title. At least seventy five percent (75%) of the required parking shall be located within the main building or buildings and hidden from public view. No at grade or above grade surface parking or loading area shall be located in any required front setback area. Below grade underground structured parking and short term guest loading and drop off shall be permitted in the required front setback subject to the approval of the planning and environmental commission and/or the design review board. (Ord. 29(2005) § 24: Ord. 23(1999) § 1: Ord. 19(1976) § 8: Ord. 8(1973) § 7.510)

12-7A-12: EXTERIOR ALTERATIONS OR MODIFICATIONS:

A. Review Required: The construction of a new building or the alteration of an existing building shall be reviewed by the design review board in accordance with chapter 11 of this title. However, any project which adds additional dwelling units, accommodation units, fractional fee club units, any project which adds more than one thousand (1,000) square feet of commercial floor area or common space, or any project which has

substantial off site impacts (as determined by the administrator) shall be reviewed by the planning and environmental commission as a major exterior alteration in accordance with this chapter and section 12-3-6 of this title. Complete applications for major exterior alterations shall be submitted in accordance with administrative schedules developed by the department of community development for planning and environmental commission and design review board review. The following submittal items are required:

1. Application: An application shall be made by the owner of the building or the building owner's authorized agent or representative on a form provided by the administrator. Any application for condominiumized buildings shall be authorized by the condominium association in conformity with all pertinent requirements of the condominium association's declarations.

2. Application; Contents: The administrator shall establish the submittal requirements for an exterior alteration or modification application. A complete list of the submittal requirements shall be maintained by the administrator and filed in the department of community development. Certain submittal requirements may be waived and/or modified by the administrator and/or the reviewing body if it is demonstrated by the applicant that the information and materials required are not relevant to the proposed development or applicable to the planning documents that comprise the Vail comprehensive plan. The administrator and/or the reviewing body may require the submission of additional plans, drawings, specifications, samples and other materials if deemed necessary to properly evaluate the proposal.

3. Work Sessions/Conceptual Review: If requested by either the applicant or the administrator, submittals may proceed to a work session with the planning and environmental commission, a conceptual review with the design review board, or a work session with the town council.

4. Hearing: The public hearing before the planning and environmental commission shall be held in accordance with section 12-3-6 of this title. The planning and environmental commission may approve the application as submitted, approve the application with conditions or modifications, or deny the application. The decision of the planning and environmental commission may be appealed to the town council in accordance with section 12-3-3 of this title.

5. Lapse Of Approval: Approval of an exterior alteration as prescribed by this article shall lapse and become void three (3) years following the date of approval by the design review board unless, prior to the expiration, a building permit is issued and construction is commenced and diligently pursued to completion. Administrative extensions shall be allowed for reasonable and unexpected delays as long as code provisions affecting the proposal have not changed. (Ord. 29(2005) § 24: Ord. 5(2003) § 5: Ord. 31(2001) § 7: Ord. 23(1999) § 1)

12-7A-13: COMPLIANCE BURDEN:

It shall be the burden of the applicant to prove by a preponderance of the evidence before the planning and environmental commission and the design review board that the proposed exterior alteration or new development is in compliance with the purposes of the public accommodation district, that the proposal is consistent with applicable elements of the Vail Village master plan, the Vail Village urban design guide plan and the Vail streetscape master plan, and that the proposal does not otherwise have a significant negative effect on the character of the neighborhood, and that the proposal substantially complies with other applicable elements of the Vail comprehensive plan. (Ord. 29(2005) § 24: Ord. 23(1999) § 1)

12-7A-14: MITIGATION OF DEVELOPMENT IMPACTS:

Property owners/developers shall also be responsible for mitigating direct impacts of their development on public infrastructure and in all cases mitigation shall bear a reasonable relation to the development impacts. Impacts may be determined based on reports prepared by qualified consultants. The extent of mitigation and public amenity improvements shall be balanced with the goals of redevelopment and will be determined by the planning and environmental commission in review of development projects and conditional use permits. Substantial off site impacts may include, but are not limited to, the following: deed restricted employee housing, roadway improvements, pedestrian walkway improvements, streetscape improvements, stream tract/bank restoration, loading/delivery, public art improvements, and similar improvements. The intent of this section is to only require mitigation for large scale redevelopment/development projects which produce substantial off site impacts. (Ord. 29(2005) § 24: Ord. 23(1999) § 1)

12-7A-15: ADDITION OF GROSS RESIDENTIAL FLOOR AREA TO EXISTING PA PROPERTIES:

For any gross residential floor area added to a public accommodation zoned property following the effective date hereof, a minimum of seventy percent (70%) of the added gross residential floor area shall be devoted to accommodation units, or fractional fee club units subject to the issuance of a conditional use permit. This limitation shall not apply to gross residential floor area being added in accordance with sections 12-15-4 and 12-15-5 of this title. (Ord. 23(1999) § 1)

Vail Land Use Plan (in part)

Chapter II - Land Use Plan Goals / Policies (in part)

1. General Growth/Development

1.1 Vail should continue to grow in a controlled environment, maintaining a balance between residential, commercial and recreational uses to serve both the visitor and the permanent resident.

1.3 The quality of development should be maintained and upgraded whenever possible.

1.12 Vail should accommodate most of the additional growth in existing developed areas (infill areas).

Chapter VI – Proposed Land Use (in part)

GOAL #2 TO FOSTER A STRONG TOURIST INDUSTRY AND PROMOTE YEAR-AROUND ECONOMIC HEALTH AND VIABILITY FOR THE VILLAGE AND FOR THE COMMUNITY AS A WHOLE.

Objective 2.1: Recognize the variety of land uses found in the 11 sub-areas throughout the Village and allow for development that is compatible with these established land use patterns.

Objective 2.3: Increase the number of residential units available for short term overnight accommodations.

Policy 2.3.1: The development of short term accommodation units is strongly encouraged. Residential units that are developed above existing density levels are required to be designed or managed in a manner that makes them available for short term overnight rental.

Objective 2.5: Encourage the continued upgrading, renovation and maintenance of existing lodging and commercial facilities to better serve the needs of our guests.

Vail Village Master Plan (in part)

GOAL #1 ENCOURAGE HIGH QUALITY, REDEVELOPMENT WHILE PRESERVING UNIQUE ARCHITECTURAL SCALE OF THE VILLAGE IN ORDER TO SUSTAIN ITS SENSE OF COMMUNITY AND IDENTITY.

Objective 1.2: Encourage the upgrading and redevelopment of residential and commercial facilities.

GOAL #2 TO FOSTER A STRONG TOURIST INDUSTRY AND PROMOTE YEAR-AROUND ECONOMIC HEALTH AND VIABILITY FOR THE VILLAGE AND FOR THE COMMUNITY AS A WHOLE.

Objective 2.1: Recognize the variety of land uses found in the 11 sub-areas throughout the Village and allow for development that is compatible with these established land use patterns.

Policy 2.1 The zoning code and development review criteria shall be consistent with the

goals and objectives of the Vail Village Master Plan.

Objective 2.3: Increase the number of residential units available for short-term overnight accommodations.

Policy 2.3.1 : The development of short term accommodation units is strongly encouraged. Residential units that are developed above existing density levels are required to be designed or managed in a manner that makes them available for short term overnight rental.

GOAL #4 TO PRESERVE EXISTING OPEN SPACE AREAS AND EXPAND GREEN SPACE OPPORTUNITIES.

Objective 4.1: Improve existing open space areas and create new plazas with green space and pocket parks. Recognize the different roles of each type of open space in forming the overall fabric of the Village.

Policy 4.1.3: With the exception of ski base-related facilities, existing natural open space areas at the base of Vail Mountain and throughout Vail Village and existing green spaces shall be preserved as open space.

V. SITE ANALYSIS

Address: 366 Hanson Ranch Road

Legal Description: Part of Lot d, Block 2, Vail Village First Filing, a portion of Lot d-1, Block 2, Vail Village Fifth Filing and a portion of Tract E, Vail Village Fifth Filing

Existing Zoning: Public Accommodation (PA) District and Agriculture and Open Space (A) District

Proposed Zoning: Public Accommodation (PA) District

Land Use Plan Designation: Vail Village Master Plan

Current Land Use: Single Family Dwelling Unit

Anticipated Future Land Use: TBD

Geological Hazards: None

VI. SURROUNDING LAND USES AND ZONING

	<u>Existing Use</u>	<u>Zone District</u>
North:	Lodging/Multifamily	Public Accommodation (PA) District
South:	Open Space	Agriculture and Open Space (A) District
East:	Lodging/Multifamily	SDD #37, Tivoli Lodge with an underlying zoning of Public Accommodation (PA) District

West: Lodging/Multifamily

SDD #28, Christiania at with an underlying zoning of Vail Public Accommodation (PA) District

VII. REVIEW CRITERIA

Before acting on an application for a zone district boundary amendment, the planning and environmental commission and town council shall consider the following factors with respect to the requested zone district boundary amendment:

1. The extent to which the zone district amendments are consistent with all the applicable elements of the adopted goals, objectives and policies outlined in the Vail comprehensive plan and is compatible with the development objectives of the town.

The Vail Land Use Plan designation and applicable planning document for the subject property is the Vail Village Master Plan. The Public Accommodation Zone district designation for this property is consistent with the adjacent parcels and is consistent with the goals, objectives and policies outlined in the Vail Village Master Plan.

The lands within the fence have long been perceived and used as an integral part of the existing home. The amendment of the zone district boundaries to conform to the fenced area will have little or no overall effect upon the larger goals of the community. The amendment, in concert with the exemption plat, will bring the property into greater conformance with the development standards of the Public Accommodation Zone District including minimum lot size, setbacks, site coverage and landscaping.

The proposed rezoning is supported by the Goals #1 and #2 of Vail Village Master Plan that speak to encouraging high quality redevelopment and the importance of the tourist industry to the health and vitality of the community.

Goal #4 is relative to open space and is relevant to the zone district boundary amendment request. Because it was within the fence, the 5,380 square feet of area proposed for zone change has likely not ever been a part of the perceived open space corridor behind or adjacent to the home. The Vail Village Master Plan was originally adopted in 1990. The area proposed for re-zoning has been enclosed by a fence, landscaped as part of the yard and used exclusively and privately by the owners of the home since well prior to, and since, 1990. The re-zoning of this land will not impact the historic area of perceived open space that exists in this area. The lands outside of the fence will remain zoned as Agricultural and Open Space.

Staff finds this criterion to be met.

2. The extent to which the zone district amendments are suitable with the existing and potential land uses on the site and existing and potential surrounding land uses as set out in the town's adopted planning documents.

The zone district boundary amendment is both suitable and compatible with the existing and proposed land uses on the site and the existing and potential surrounding land uses. The rezoning and accompanying exemption plat will bring the property into greater conformance with the development standards of the Public Accommodation Zone District including minimum lot size, setbacks, site coverage and landscaping that will assist in redevelopment.

As the rezoning follows the historical fence boundary, no impacts on surrounding land uses are anticipated.

Staff finds this criterion to be met.

3. The extent to which the zone district amendments present a harmonious, convenient, workable relationship among land uses consistent with municipal development objectives.

The proposed zone district amendments will create a cohesive land use scheme consistent with the development objectives of the town, namely orderly development and redevelopment under a unified zoning designation.

Staff finds this criterion to be met.

4. The extent to which the zone district amendments provide for the growth of an orderly viable community and does not constitute spot zoning as the amendment serves the best interests of the community as a whole.

The zone district boundary amendment proposes to recognize the lot boundary correction and maintains the Public Accommodation zoning of the 366 Hanson Ranch Road property. This zone district designation is consistent with the Vail Village Master Plan and does not constitute spot zoning. The application fosters order in the sense that it aligns zone district and subdivision boundaries.

Staff finds this criterion to be met.

5. The extent to which the zone district amendments result in adverse or beneficial impacts on the natural environment, including, but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other desirable natural features.

The proposed rezonings will not result in adverse impacts to the natural environment. Future developments on the reconfigured and rezoned parcels will be required to

adhere to all applicable environmental standards during development review, construction and facility operation.

Staff finds this criterion to be met.

6. The extent to which the zone district amendments are consistent with the purpose statement of the proposed zone district.

The proposed rezoning is consistent with the purpose statement of the Public Accommodation (PA) Districts and future development on the property will also be required to be compatible with its intent. As stated previously, the rezoning and accompanying exemption plat bring the project into greater compliance with the development standards of the zone district.

Staff finds this criterion to be met.

7. The extent to which the zone district amendments demonstrate how conditions have changed since the zoning designation of the subject property was adopted and is no longer appropriate.

The proposed zone district boundary amendment recognizes the historical boundary of the property. With the recent court action concerning this property, maintaining the existing zoning designation would be inappropriate.

Staff finds this criterion to be met.

8. Such other factors and criteria as the commission and/or council deem applicable to the proposed rezonings.

VIII. STAFF RECOMMENDATION

The Community Development Department recommends the Planning and Environmental Commission **forwards a** recommendation to the Vail Town Council for a zone district boundary amendment, pursuant to Section 12-3-7, Amendment, Vail Town Code, to allow for the rezoning of two parcels of land located in the vicinity of 366 Hanson Ranch Road; A portion of Lot d-1, Block 2, Vail Village Fifth Filing and a portion of Tract E, Vail Village Fifth Filing. The rezoning will change the Zone District from Agriculture and Open Space (A) District to the Public Accommodation (PA) District and setting forth details in regard thereto. Staff's recommendation is based upon the review of the criteria described in Section VII of this memorandum and the evidence and testimony presented.

Should the Planning and Environmental Commission choose to forward a recommendation of **approval** to the Vail Town Council for the zone district boundary amendments, the Community Development Department recommends the Commission pass the following **motion**:

*“The Planning and Environmental Commission **forwards a recommendation of approval** to the Vail Town Council for a zone district boundary amendment, pursuant to Section 12-3-7, Amendment, Vail Town Code, to allow for the rezoning of two parcels of land located in the vicinity of 366 Hanson Ranch Road; A portion of Lot d-1, Block 2, Vail Village Fifth Filing and a portion of Tract E, Vail Village Fifth Filing. The rezoning will change the Zone District from Agriculture and Open Space (A) District to the Public Accommodation (PA) District and setting forth details in regard thereto.”*

Should the Planning and Environmental Commission choose to **forward this recommendation of approval**, the Community Development Department recommends the Commission makes the following **findings**:

“Based upon the review of the criteria outlined in Section VII of the Staff memorandum to the Planning and Environmental Commission dated June 25, 2018, and the evidence and testimony presented, the Planning and Environmental Commission finds:

- 1. That the amendments are consistent with 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 amendments are compatible with and suitable to adjacent uses and appropriate for the surrounding areas; and*
- 3. That the amendments promote the health, safety, morals, and general welfare of the town and promote 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.”*

IX. ATTACHMENTS

- A. Vicinity Map
- B. Applicant Narrative, May 2018