
MAJOR AMENDMENT TO SPECIAL DEVELOPMENT DISTRICT #4: **CASCADE VILLAGE**

TO ALLOW FOR THE MODIFICATION OF THE BUILDING
ENVELOPE ON LOT 39-1 AND THE ABILITY TO PROVIDE
EMPLOYEE HOUSING OFF-SITE



Applicant: Ignacio Torras
Submitted to the Town of Vail:
August 15, 2018
Revised September 18, 2018

I. INTRODUCTION

The owner of 1170 Westhaven Lane / Lot 39-1, Glen Lyon Subdivision, Ignacio Torras, is requesting a major amendment to Special Development District (SDD) #4 Cascade Village to allow for modifications to unique requirements placed on Lot 39-1. Specifically, there is a building envelope located on the property and a requirement for an on-site Type 2 employee housing unit (EHU). Mauriello Planning Group, representing the owner, is requesting a Major Amendment to Special Development District No. 4 to allow for an amendment to the building envelope, language regulating the building envelope, and the ability to provide employee housing off-site. The amended employee housing provision would allow both Lot 39-1 and 39-2 participate if the owners so choose. The applicant is proposing to mitigate the relocation of the employee housing unit off-site at a rate of 2:1, meaning that they will provide double the amount of square footage required. The SDD currently requires each lot to provide a 500 sq. ft. unit on-site, so the mitigation rate of 2:1 would be a minimum of a 1,000 sq. ft. unit to be provided. This mitigation rate mirrors the requirements of the Employee Housing Exchange Program and results in more employee housing floor area within the Town of Vail.

Cascade Village was originally approved as a PUD under Eagle County jurisdiction. The area was annexed by the Town of Vail in 1975, and zoned Special Development District No. 4 in 1976. The Special Development District has been amended over 40 times since its adoption which is not surprising given the large amount of acreage and differing uses located in the SDD. It is unique in that there is no underlying zoning for the property, and development of the site is entirely governed by the Special Development District adopting ordinance and associated development plans.

Lot 39-1 and Lot 39-2 have an interesting and unique history. Originally Lot 39-1 and Lot 39-2 were one large duplex lot, Lot 39. In 1982, Resolution No. 10 allowed an amendment to SDD #4 to allow Lot 39 to be divided into two single-family lots, along with a land dedication to the



Building site for Lot 39-1, looking west

Town's stream tract. In 1997, the then-owner, requested a major amendment to SDD #4 allowing for the lots to be subject to the GRFA requirements of the Primary/Secondary zone district like all of the other residential lots within the SDD, while maintaining the density of 1 unit per lot, plus the ability to construct a Type 2 EHU. At the time, the applicant proposed additional building envelope restrictions, limiting the area of development on the lot. During the approval process, the Town Council approved the request, adding the requirement for each lot to include the construction of a Type 2 EHU.

The original 1997 building envelopes were based on a specific plan for development of the properties. The single family residence with a Type 2 EHU on Lot 39-2 was constructed in 2003. Lot 39-1 is currently vacant. At this time, the applicant is proposing a revised building envelope for Lot 39-1. In order to regulate the improvements within the building envelope more consistent with how the Town Code, the applicant is proposing to modify the language to allow architectural projects, retaining walls, at-grade and above grade improvements, etc., to be outside of the building envelope. Additionally, because the owner is a Padel enthusiast, a secondary recreation envelope area is being proposed for a Padel court (recreational and patio improvements without a roof).

The following is the current language from SDD #4 related to this application. The text indicated as ~~strike-through~~ is proposed to be removed, while the text indicated in **bold** is to be added.

Development Standards

C. Area C, Glen Lyon Primary/Secondary and Single-Family Lots

*Required setbacks shall be based on the Two-Family Primary/Secondary Residential District, Section 12-6D-6, Setbacks, Vail Town Code. For single family Lots 39-1 and 39-2, development shall occur per the approved building envelopes **and recreational use envelope** and is subject to the following:*

~~All future development will be restricted to the area within the building envelopes. The only development permitted outside the building envelopes shall be landscaping, driveways (access bridge) and retaining walls associated with driveway construction. At-grade patios (those within 5 feet of existing or finished grade) will be permitted to project beyond the building envelopes not more than ten feet (10') nor more than one-half (1/2) the distance between the building envelope and the property line, or may project not more than five feet (5') nor more than one-fourth (1/4) the minimum required dimension between buildings.~~

The building shall be restricted to the area within the building envelope. Access roads, driveways, site grading, and retaining walls are permitted outside the building envelope. Architectural projections, including roof overhangs, awnings, flues and chimneys shall be permitted to project four feet (4 ft.) beyond the building envelope. Decks, balconies, steps, pedestrian paths and sidewalks, pools, spas and hot tubs within five feet or less of ground level shall be permitted up to seven and one half feet (7.5 ft.) of property boundaries. Balconies, decks, terraces, pools, hot tubs, and similar unroofed features at a height of more than five feet (5 ft.) above ground level shall be permitted up to ten feet (10 ft.) of property boundaries.

Lot 39-1 also contains a recreational use envelope which restricts the location of recreational improvements, including recreation courts, specifically a padel court and its required unroofed enclosure. Buildings are not permitted within the recreational use envelope.

Development Plans

Area C, Glen Lyon Primary/Secondary and Single Family Lots

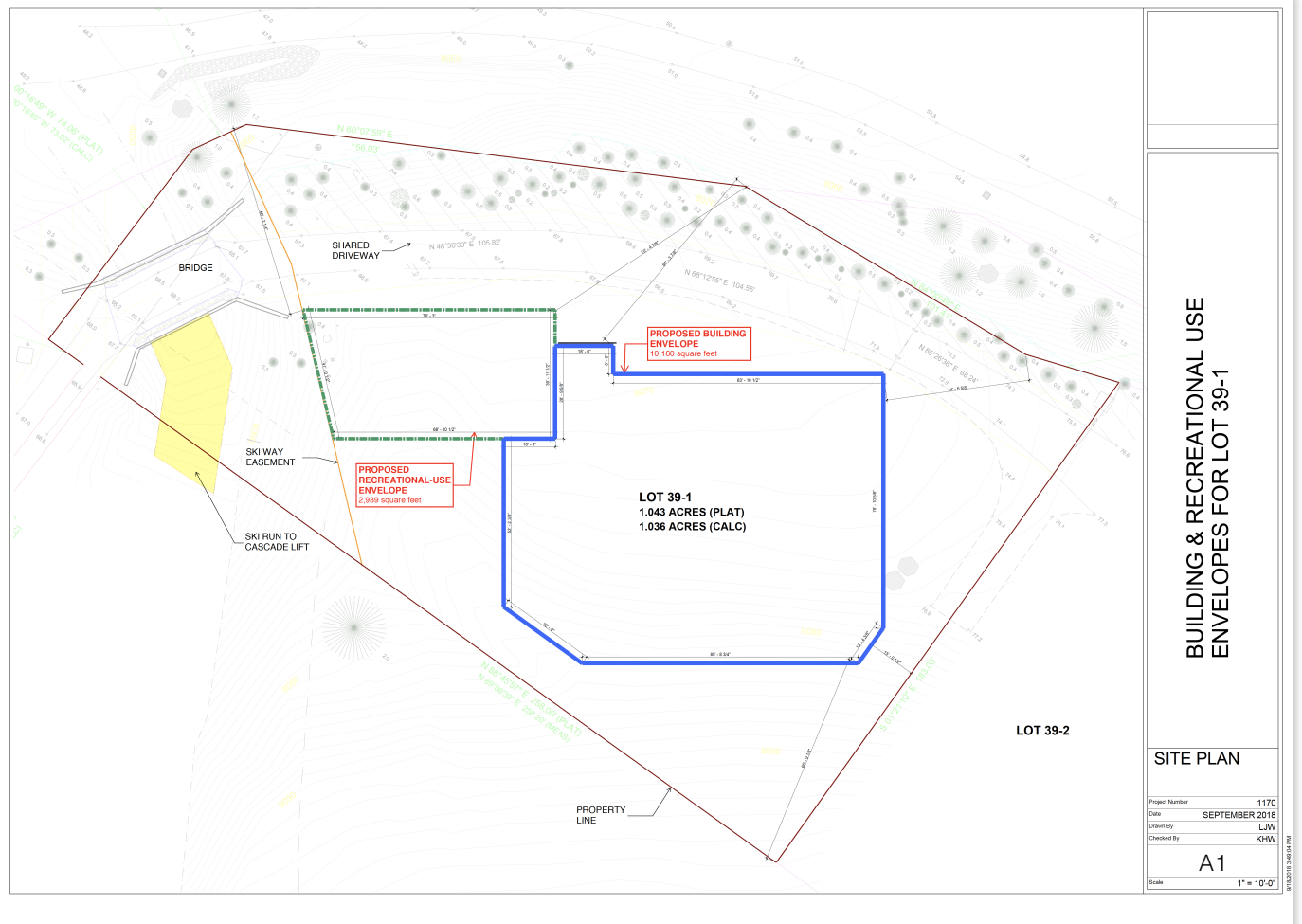
1. *Building Envelopes for Lots 39-1 and 39-2 per sheet, L-1, prepared by Design Workshop, Inc., dated 11-9-98.*
2. **Building and Recreational Use Envelopes for Lot 39-1 per sheet A1, prepared by KH Webb Architects, dated September 2018.**

Employee Housing

In Area C, Lots 39-1 and 39-2, shall **each** be required to provide a **deed-restricted Employee Housing Unit as follows:**

1. The unit may be provided on-site, in which case it shall be a Type II, Employee Housing Unit (EHU) per Chapter 12-13 of the Zoning Regulations of at least 500 sq. ft. each, ~~on each lot. These lots shall not be entitled to the 500~~ 550 sq. ft. of additional GRFA. The 500 sq. ft. shall be included in the allowable GRFA on these lots. Each lot shall also be entitled to 300 sq. ft. of garage area credit for the employee housing unit, in addition to the 600 sq. ft. garage area credit allowed per residence. ~~The driveway width of 12 is allowed to remain (no increase in driveway width is required) for all allowed/required dwelling units and employee housing units on these lots.~~

2. The unit may be provided off-site, in which case it may be any type of Employee Housing Unit (EHU) of at least 1,000 sq. ft. or comprised of multiple units with floor areas totaling at least 1,000 sq. ft. Excess square footage above the 1,000 sq. ft. requirement may be used to satisfy EHU obligations or mitigation for other properties within the Town of Vail, including but not limited to the EHU Deed Restriction Exchange Program as provided in Section 12-13-5 of the Zoning Regulations and Inclusionary Zoning Requirements as outlined in Chapter 12-24 of the Zoning Regulations. No application pursuant to Section 12-13-5 is required to implement this mitigation requirement.



Proposed Building Envelope and Recreational Use Envelope for Lot 39-1

II. ZONING ANALYSIS

Lot Size:

Lot 39-1: 1.036 acres / 45,128 sq. ft.

Lot 39-2: 1.22 acres / 53,143 sq. ft.

Development Standard	1998 Approval	Proposed
Density Lot 39-1 Lot 39-2	1 du 1 du	No Change
GRFA Lot 39-1 Lot 39-2	(Based on P/S Zoning) 9,357 sq. ft. 9,838 sq. ft.	No Change
EHU Requirement Lot 39-1 Lot 39-2	Requirement for Type2 EHU on-site Requirement for Type2 EHU on-site	EHU required, but both properties may provide off-site employee housing units at a floor area mitigation rate of 2:1