

and the Frontage Road. Vegetation along the ski way is also preserved and enhanced.

The proposed changes to the building envelope will have little impact upon neighbors due to the remoteness of the property and buffer zones provided. The adjoining property owner, Lot 39-2, has revised the proposed changes to the SDD and has authorized the submittal of the application. The proposed changes will not result in a structure with any significant increase in bulk and mass on the property.

The proposal is in compliance with this criterion.

2. *Relationship: Uses, activity and density which provide a compatible, efficient and workable relationship with surrounding uses and activity.*

Applicant Response All uses, activity, and density are currently allowed by the SDD for this property. There are no proposed amendments to the list of permitted, conditional, and accessory uses. Density remains the same, with one dwelling unit plus one Type 2 EHU allowed per lot. As a result, the proposal is in compliance with this criterion.

3. *Parking And Loading: Compliance with parking and loading requirements as outlined in [chapter 10](#) of this title.*

Applicant Response All parking requirements will be met. The proposed amendments have no impact on this criterion.

4. *Comprehensive Plan: Conformity with applicable elements of the Vail comprehensive plan, town policies and urban design plans.*

Applicant Response Cascade Village does not have a specific master plan beyond the Vail Land Use Plan to provide guidance on development within the area. The following land use goals and policies from the Vail Land Use Plan are applicable to the project:

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.

The Town Vail Land Use Plan offers the following goals with regard to employee housing:

5.3 Affordable employee housing should be made available through private efforts, assisted by limited incentives, provided by the Town of Vail, with appropriate restrictions.

5.5 The existing employee housing base should be preserved and upgraded. Additional employee housing needs should be accommodated at varied sites throughout the community.

In 2008, the Town of Vail established the Employee Housing Strategic Plan, which brought together all of the Town's goals on employee housing into a single plan. It also provides guidance applicable to this project:

The single goal of the Plan is clear and concise..."acquire 1,000 additional resident housing unit deed restrictions by the year 2027." When achieved, this goal, along with the more than 698 existing deed restricted homes, ensures homes for more than 3,736 Vail residents.

In this case, the applicant is proposing to mitigate employee housing at a rate of two times the size of the EHU required for this site, in effect replacing a 500 sq. ft. EHU requirement with a 1,000 sq. ft. EHU requirement which achieves the goals of the Employee Housing Strategic Plan.

In 2006, through the Vail 20/20 Focus on the Future process the community established a housing goal. It is as follows:

"The Town of Vail recognizes the need for housing as infrastructure that promotes community, reduces transit needs and keeps more employees living in the town, and will provide enough deed-restricted housing for at least 30 percent of the workforce through policies, regulations and publicly initiated development."

Based upon the community's work, the Vail Town Council has confirmed the Town of Vail recognizes deed restricted employee housing as basic infrastructure. This type of housing allows employees to live within the town, promoting community, and improving the quality of our local workforce, thereby supporting the local economy, and reducing regional transit needs. The Employee Housing Strategic Plan (EHSP) seeks to meet the expectations established by the community and confirmed by the Town Council and provide enough deed-restricted housing for at least 30 percent of the community's workforce to live in the Town of Vail through a variety of policies, regulations and publicly initiated development projects.

As indicated in this submittal, the proposal complies with and furthers the purposes and goals of the Town's employee housing requirements and master plans. The proposal conforms with the goals outlined in the Vail Land Use Plan.

5. *Natural And/Or Geologic Hazard: Identification and mitigation of natural and/or geologic hazards that affect the property on which the special development district is proposed.*

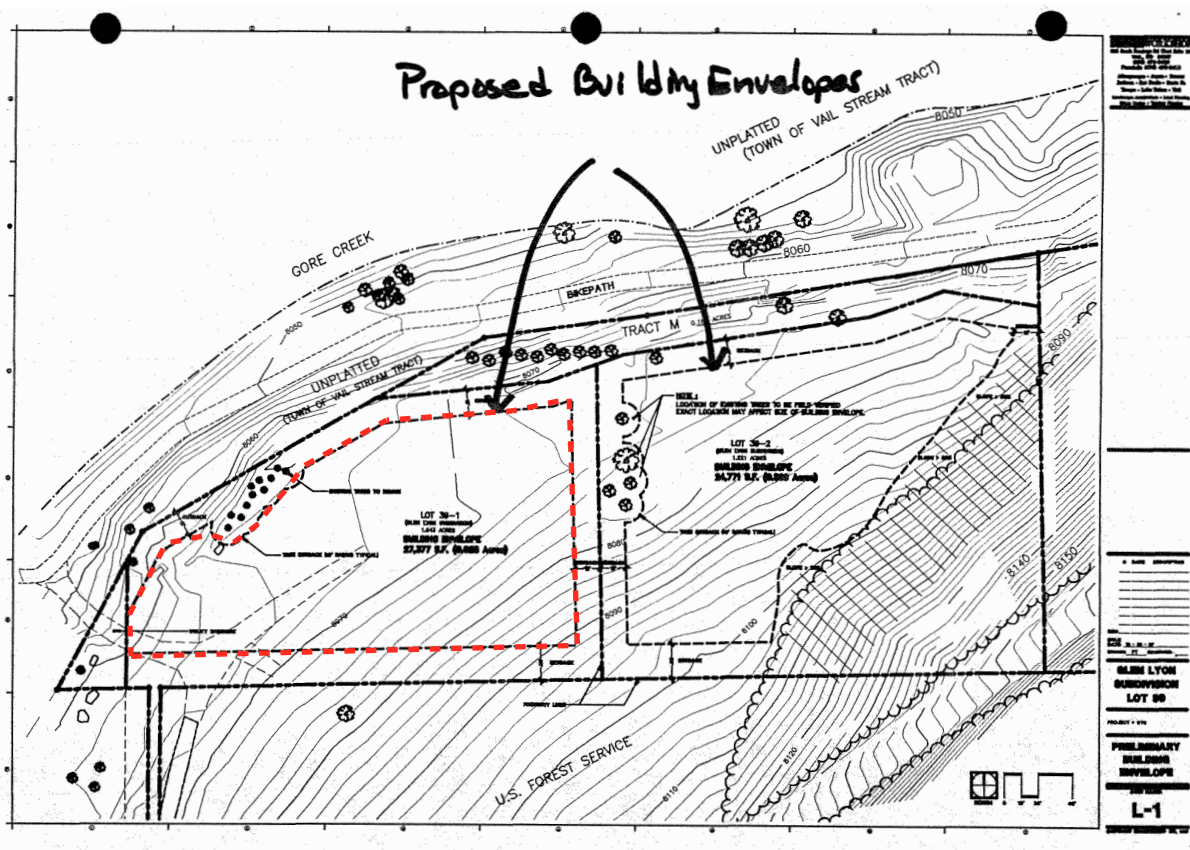
Applicant Response The proposed amendment has no effect on the above criterion. According to the Town of Vail Hazard Maps (GIS), there are no natural or geologic hazards that affect the property.

6. *Design Features: Site plan, building design and location and open space provisions designed to produce a functional development responsive and sensitive to natural features, vegetation and overall aesthetic quality of the community.*

Applicant Response The proposal to amend the building envelope has two important objectives for the applicant:

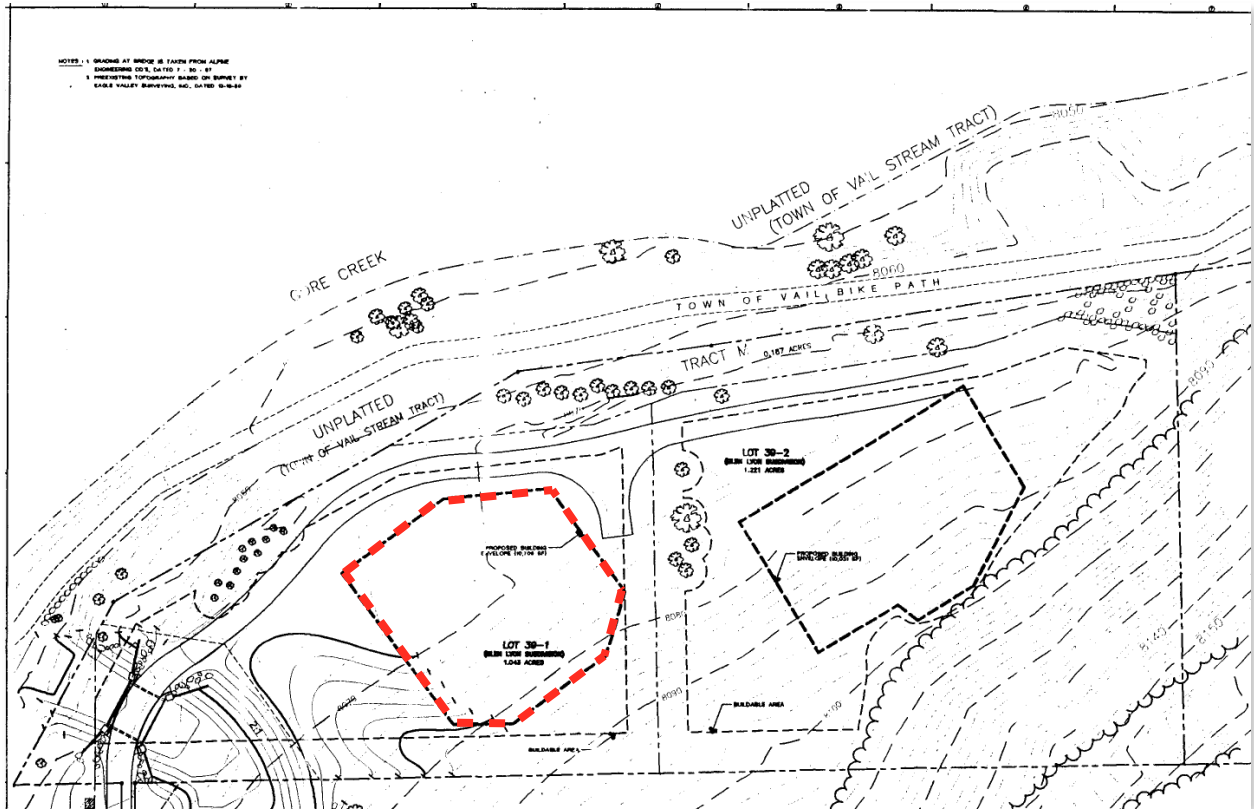
- ◆ Creating a building envelope which is similar in size to the originally adopted building envelope, but clarifying that roof overhangs and retaining walls can extend beyond the envelope, which is consistent with how all other properties are treated by the Town Code.
- ◆ Creating a secondary recreational use envelope for improvements such as patios and recreational facilities, specifically the allowance for the padel court the applicant is proposing.

When the language regulating building envelopes was developed back in 1997 for Lot 39-1 and 39-2, the proposed envelopes were extensive and covered the entire buildable area of the lots. The envelopes were similar to more traditional setbacks, and limited development to areas with slopes below 40% and protected existing vegetation on the site. The originally proposed envelopes which were reviewed by the Planning and Environmental Commission in 1997 were based on this graphic:



Building envelopes for Lot 39-1 and Lot 39-2 as reviewed and recommended approval by the Planning and Environmental Commission in 1997. The building envelopes were sited to avoid steep slopes and existing vegetation.

However, when reviewed by the Town Council in 1998, the building envelopes had been further limited, and were approved based on this graphic:



Building envelopes for Lot 39-1 and Lot 39-2 as approved by the Town Council in 1998. The building envelopes were clearly located as to encompass just the structure itself. However, the language about what could occur outside the building envelope was not modified to allow for site improvements such as patios and recreation facilities or roof overhangs.

These building envelopes were likely the result of additional design of the homes for the properties, and were designed to encompass the proposed homes only. The language regarding the restrictions on what could occur outside the building envelope was not modified in response to the reduction in the building envelope size.

The proposal corrects this oversight and creates two building envelopes: one specifically for the home itself, and one that allows recreation facilities that are located appropriately on the site.

In 1987, when the original Lot 39 was created, significant open space was granted to the Town. Additionally the proposed location of the building envelope and recreation use envelope are appropriately located to minimize impacts to mature vegetation uphill on the property. The proposed envelope is sensitive to the natural areas of the property.

The proposal is consistent with this criterion.

7. *Traffic: A circulation system designed for both vehicles and pedestrians addressing on and off site traffic circulation.*

Applicant Response There are few effects on traffic with the proposed SDD amendment. Initially, there was some concern about the ability of these lots to each have a Type 2 EHU, as the development standards require a wider access to 4 units. When requiring the Type 2 EHUs, the Town Council also specifically stated that the access road width was adequate to serve these units. As a result, allowing the EHUs to be located elsewhere actually serves to bring the road width into compliance with current code, and is a benefit to the traffic anticipated for the units. The relocation of the building envelope does not impact the traffic circulation system.

8. *Landscaping: Functional and aesthetic landscaping and open space in order to optimize and preserve natural features, recreation, views and function.*

Applicant Response The building envelope has been located in such a way as to minimize any impacts to existing trees and to ensure that development does not occur on any areas with steep slopes. This allows for the preservation of natural features on the lot. The envelope has also been located to minimize any impacts to views from adjacent property owners, specifically those from Lot 39-1 and the applicant has continued to work with this neighbor to ensure that the envelope location is appropriate and minimizes impacts to their property.

9. *Workable Plan: Phasing plan or subdivision plan that will maintain a workable, functional and efficient relationship throughout the development of the special development district.*

Applicant Response There is no phasing or subdivision plan associated with this application.

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