



Memorandum

TO: Vail Town Council

FROM: Community Development Department

DATE: October 16, 2018

SUBJECT: First reading of Ordinance No. 18, Series of 2018, an ordinance amending and repealing portions of Ordinance No. 5, Series of 2016 to allow for an amendment to the building envelope, language regulating the building envelope, and the ability to provide employee housing off-site, located at 1150 and 1170 Westhaven Lane/Lot 39-1 and Lot 39-2, Glen Lyon Subdivision, Development Area C, SDD No. 4 (Cascade Village) and setting forth details in regard thereto. (PEC18-0032)

Applicant: Ignacio Torras, represented by Mauriello Planning Group
Planner: Jonathan Spence

I. SUMMARY

The applicant, Ignacio Torras, represented by Mauriello Planning Group, is requesting a first reading of Ordinance No. 18, Series of 2018, an ordinance amending and repealing portions of Ordinance No. 5, Series of 2016 to allow for an amendment to the building envelope, language regulating the building envelope, and the ability to provide employee housing off-site, located at 1150 and 1170 Westhaven Lane/Lot 39-1 and Lot 39-2, Glen Lyon Subdivision, Development Area C, SDD No. 4 (Cascade Village) and setting forth details in regard thereto.

On September 24, 2018, the Planning and Environmental Commission (PEC) forwarded a unanimous recommendation, for approval, with a condition, of a major amendment to Special Development District No. 4, Glen Lyon Subdivision, pursuant to Section 12-9A-10, Amendment Procedures, Vail Town Code. Please find the staff memorandum to the PEC included as Attachment B and the minutes from the September 24th meeting included as Attachment C.

II. ACTION REQUESTED OF THE TOWN COUNCIL

The Vail Town Council shall approve, approve with modifications, or deny Ordinance No. 18, Series of 2018, upon first reading.

III. BACKGROUND

Cascade Village, which includes the subject properties, was approved under Eagle County jurisdiction prior to annexation by the Town of Vail in 1975 and was zoned SDD #4 in 1976. Unlike other Special Development Districts within the Town of Vail, the project does not have an underlying zone district. Originally, Lots 39-1 and 39-2 were on large residential lot permitted for a duplex. In 1982, via a major amendment to the SDD, the property was split into two (2) single family lots. This amendment also included a dedication of land to the adjacent town-owned Streamtract.

In 1997, also via a major amendment to the SDD, the property became subject to the development standards of the Two-family Primary/Secondary Residential (PS) District, similar to other low density residential lots within the SDD, while maintaining the allowable density at one unit per lot. Although originally proposed as an option, the Vail Town Council required both lots to include an onsite Type II EHU with a minimum size of 500 square feet of GRFA. Although the required EHUs were Type II, additional allowances of GRFA, permitted under the Type II regulations, were specifically prohibited. Please see Ordinance No. 23, Series of 1998 (Attachment D of the PEC Staff memorandum, Attachment B to this memorandum) for additional information concerning this amendment.

Ordinance No. 5, Series of 2016 most recently repealed, revised and reenacted the approved development standards for SDD No. 4, Cascade Village. Ordinance No. 18, Series of 2018 proposes to amend language concerning Lots 39-1 and 39-2 exclusively.

IV. REVIEW CRITERIA

Before acting on an SDD application, the PEC and Town Council shall consider the following factors with respect to the proposed SDD:

- 1. Compatibility: Design compatibility and sensitivity to the immediate environment, neighborhood and adjacent properties relative to architectural design, scale, bulk, building height, buffer zones, identity, character, visual integrity and orientation.**

The proposed major amendment involves only the reconfiguration of an existing building envelope, minor modifications to the location of retaining walls and the creation of a recreational amenity envelope solely for at grade and below grade improvements. Future development on the site must adhere to all appropriate development standards including GRFA, site coverage and building height, which are unaffected by this proposal. As a result, the proposed amendment will have no effect on design compatibility and sensitivity to the environment and neighboring and adjacent properties.

Staff finds the proposal complies with this criterion.

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

The proposed major amendment will have a minimal effect on the permitted uses, activities or site density. The proposed recreational building envelope will have a minimal impact as it is restricted to at grade and below grade development. The ability to locate the required EHU(s) off-site may result in a decrease in density on the subject properties.

Staff finds the proposal complies with this criterion.

3. Parking and Loading: Compliance with parking and loading requirements as outlined in Title 12, Chapter 10, Off Street Parking and Loading, Vail Town Code.

The proposed major amendment may result in a reduction of the required parking for the property upon development. All future development or redevelopment will be required to provide parking in accordance with the code.

Staff finds the proposal complies with this criterion.

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

The proposed major amendment conforms to the following elements of the Vail comprehensive plan, town policies, and urban design plans:

Vail Land Use Plan

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

- 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).*
- 5.4 Residential growth should keep pace with the market place demands for a full range of housing types.*

Staff finds the proposal complies with this criterion.

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.

The subject property is not located within any natural or geologic hazard.

Staff finds the proposal complies with this criterion.

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.

Future development on the site will be required to meet all applicable development standards and require a review by the Design review Board.

Staff finds the proposal complies with this criterion

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

The proposed major amendment will have no effect on on-site or off-site traffic circulation. The payment of a traffic impact fee will be required prior to building permit issuance.

Staff finds the proposal complies with this criterion.

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

The proposed major amendment does not include any changes to the landscaping or open space on the site. Landscaping will be reviewed as part of any future development application before the Design Review Board.

Staff finds the proposal complies with this criterion.

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.

The proposed major amendment does not include any phasing or subdivision plan.

Staff finds this criterion non-applicable.

V. RECOMMENDED MOTION

Should the Vail Town Council choose to approve Ordinance No., Series of 2018, upon first reading, the Community Development Department recommends the Council pass the following **motion**:

“The Vail Town Council approves, on first reading, Ordinance No. 18, Series of 2018, an ordinance amending and repealing portions of Ordinance No. 5, Series of 2016 to allow for an amendment to the building envelope, language regulating the building envelope,

and the ability to provide employee housing off-site, located at 1150 and 1170 Westhaven Lane/Lot 39-1 and Lot 39-2, Glen Lyon Subdivision, Development Area C, SDD No. 4 (Cascade Village) and setting forth details in regard thereto.”

Should the Vail Town Council choose to approve Ordinance No. 18 Series of 2018, the Community Development Department recommends the Council make the following findings:

“Based upon the review of the criteria outlined in Sections VIII of the Staff memorandum to the Planning and Environmental Commission dated September 24, 2018, and the evidence and testimony presented, the Vail Town Council 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;*
- 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.”*

VI. ATTACHMENTS

- A. Ordinance No. 18, Series of 2018
- B. Staff Memorandum, PEC18-0034, September 24, 2018
- C. PEC Minutes, September 24, 2018
- D. Applicant Narrative, September 18, 2018
- E. Plan Set, September 2018