

PEC 19-0041

**Vail Public Works Variance Application Section 14-6-7**

**Project Narrative Site Shoring Walls**

Planning & Environmental Commission:

The following narrative describes the background, purpose and details for Variance Application Request for the Permanent Site Shoring Wall at the Public Works Facility.

The Proposed wall in accordance with the approved Updated Master Plan for the Public Works is proposed to be a single wall ranging approximately 20'-0" - 22'-0" tall.

Per Section 12-17-6 of the Town of Vail Municipal Code the following will be considered by the Planning and Zoning Commission:

1. The relationship of the requested Variance to other existing or potential uses and structures in the vicinity.
2. The degree to which relief from the strict or literal interpretation and enforcement of a specified regulation is necessary to achieve compatibility and uniformity of treatment among site in the vicinity, or to attain the objectives of this title without grant of a special privilege.
3. The effect of the requested variance on light and air, distribution of population, transportation and traffic facilities, public facilities and utilities, and public safety.
4. Such other factors and criteria the commission deems applicable to the proposed variance.

The Commission will need to make the necessary findings in order to approve this Variance.

1. That granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zone district.

*This is property is in the General Use Zone District and as such is intended to provide sites of public and quasi-public uses. Each specific project (or use) requires unique development standards necessary to achieve the purposes of 12-1-2 of the Zoning Code and provide for public welfare.*

*"The General Use District is intended to ensure Public Buildings and grounds are appropriately located and designed to meet the needs of residents and visitors to Vail,*

*to harmonize with surrounding uses and in the case of buildings and other structures, to ensure light, air, open spaces, and other amenities appropriate to the permitted use type."*

*Due to the unique nature of the General Use Zone district, allowing a variance from section 14-6-7 for retaining walls would not constitute a special privilege inconsistent with other properties in this zone district.*

*2. That the granting of the variance will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

*The proposed wall is located behind the existing Public Works Facility building, which is behind a heavily landscaped berm, which is behind interstate 70. The isolated nature of the site from other properties and the screening of the existing building and berm of the wall makes the proposed wall not detrimental to the public, welfare, or materially injurious to properties in the vicinity.*

*3. The Variance is warranted for one of more of the following reasons:*

*a. The strict or literal interpretation and enforcement of the specified regulation would result in a practical difficulty or unnecessary physical hardship inconsistent with the objectives of this title.*

*As this property is within the General Use zone district and its purposes is to provide facilities that achieve the purpose in section 12-1-2 of the zoning code, this variance will allow the Public Works Facility to better function to continue to provide services to the Town of Vail.*

*A strict interpretation would cause the proposed wall to be an additional 10'-0" higher, thereby no longer being screened by the existing buildings.*

*A strict interpretation would cause the drainage issue for future structures that may be placed in front of this wall as part of the adopted Master Plan.*

*A strict interpretation would cause an additional 20'-0 – 25'-0" of horizontal disturbance to the natural hillside. A single vertical wall limits the disturbance both horizontally and allows for soil nailing to construct the wall which is the least impactful wall to construct this retaining wall.*

*A strict interpretation would cause greater impact on the Bighorn Sheep as it further moves the disturbance into and up the hillside which pushes future solar panels further up the hillside.*

*Attached to the application is a diagram showing the effect of a strict interpretation on the site of stepping the proposed wall. This is illustrated on Sheets A51.3 and A3.3.*

*b. There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone district.*

*This isolated site is for the purposes of providing services to the Town. Due to the steepness of the hillside, a large portion of this site (more than 50%) is not practically useable. This wall is intended to provide additional area for use on the site, while minimizing the impact on the natural areas to achieve this additional area.*

*c. The strict or literal interpretation an enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zone district.*

*As this is the General Use District it is intended for sites with unique needs and functions and as such each General*

END NARRATIVE.