



PLANNING AND ENVIRONMENTAL COMMISSION

October 12, 2020, 1:00 PM

Virtual

75 S. Frontage Road - Vail, Colorado, 81657

1. Call to Order
 - 1.1. Register in advance for this webinar:
https://us02web.zoom.us/webinar/register/WN_4L_TjmMESC2fq0dXPDqUfg
 - 1.2. Attendance

Present: Ludwig Kurz, Karen Perez, Rollie Kjesbo, Brian Gillette, Henry Pratt, Pete Seibert, John-Ryan Lockman
Absent: None
2. Joint Worksession
with Vail Local
Housing Authority
 - 2.1. Joint worksession to discuss housing goals and policies including possible revision to the Commercial Linkage and Inclusionary Zoning programs. 60 min.
3. Main Agenda
 - 3.1. A request for a recommendation to the Vail Town Council for a Prescribed Regulation Amendment pursuant to Section 12-3-7 Amendment, Vail Town Code to amend Section 12-23-6: Methods of Mitigation and Section 12-24-6: Methods of Mitigation, Vail Town Code, to update the Payment of Fees in Lieu provisions of Commercial Linkage and Inclusionary Zoning, and setting forth details in regard thereto. (PEC20-0027) 2 min.

Staff and the applicant have requested this item be tabled to November 9, 2020.
Applicant: Town of Vail, represented by George Ruther
Planner:

Rollie Kjesbo moved to table to November 23, 2020. Brian Gillette seconded the motion and it passed (7-0).
 - 3.2. A request for review of Major Exterior Alteration, pursuant to Section 12-7H-7, Exterior Alterations or Modifications, Vail Town Code, to allow for the conversion of eleven (11) fractional units to fee simple whole ownership units, located at 701 West Lionshead Circle/Lot 3, Block 2, Vail Lionshead Filing 3, and setting forth details in regard thereto. (PEC20-0022) 30 min.
Applicant: Lion Vail LLC
Planner: Jonathan Spence

Planner Spence gives a brief presentation on the application and the history of previous applications that have taken place affecting the site.

Rocky Cortina representing the applicant gives some insight into the rental situation taking place on the property and which units are selling or being rented the most. Fractional ownerships are not as popular as they were when the building was being built.

No public comment or questions from the Commission.

Rollie Kjesbo moved to approve. Brian Gillette seconded the motion and it passed (7-0).

- 3.3. A request for a recommendation to the Vail Town Council for a Prescribed Regulation Amendment pursuant to Section 12-3-7 Amendment, Vail Town Code to amend Section 12-16-7: Use Specific Criteria and Standards, Vail Town Code, to amend the use specific criteria for funiculars and other similar conveyances, and setting forth details in regard thereto. (PEC20-0023) 30 min.

Applicant: LSC 27 LLC, represented by Mauriello Planning Group

Planner: Jonathan Spence

1. The word "vehicular" be removed from the proposed changes to Section 12-16-7A (11)A and the words "pedestrian or" be removed from the proposed changes to Section 12-16-7A (11)B by the applicant prior to the Town Council meeting.

Planner Spence introduces the applicant and references the recommendation given by staff in the memorandum.

Pratt asks for background on the approval process for a funicular.

Spence lays out the process to go through to get approval for a funicular.

Kurz asks if the Tramway Board of Colorado is a reviewing agency for funiculars.

Spence does not believe so but defers to the applicant to answer in full.

Mauriello begins his presentation and gives some background. Goes into some of the criteria needed for a Conditional Use Permit (CUP) to install a funicular. The applicant compares funiculars to ski lifts in terms of impact and how a ski lift does not have additional criteria for a CUP and could be installed on a single-family lot. Some examples of existing funiculars and a private gondola are listed and explained. Goes over how one of the funiculars on Forest road created a controversy which led Town Council to change a funicular to a conditional use. Town Council added specific criteria at the meeting and did not remand the application back to the Planning and Environmental Commission.

The application is looking to amend certain parts of the section to make it more flexible. He then goes over the specific changes proposed in the language.

Gillette expresses concern that it may be too restricting still and could be broader to include patio or deck.

Mauriello explains that's possible and that they were trying to propose as little change as possible. Goes into explanation of minimal activity or noise

produced by funiculars.

Spence adds that the change could be simply done with a few words added to the proposed change.

Gillette wants to know what is needed to do small additions to lots like patios. There is nothing prohibiting you from using your lot if steep, so why not let people do this?

Perez is concerned with the “vehicular” portion as people may start using ATVs or snowmobiles to access and how that could be a big impact.

Gillette gives a possible explanation of how a vehicle funicular would affect.

Spence adds that funiculars could not be the sole access for a home per fire code.

Michael Suman adds a small description of what a funicular is.

Perez says while they can be small they could be large as well. Does there need to be language added to limit it to residential use or could it be limited to a conditional use?

Spence adds that those concerns could be addressed as this is a conditional use and needs another round of review.

Mauriello adds that they could strike out the “vehicular” part and still move forward.

Suman adds again that a house would not be built up a hill without the garage at the bottom.

Spence clarifies why the language was included, coming from another section. It could also be appropriate to strike the “pedestrian of” out of section B.

Perez and applicant agree with this.

Kurz asks what the grade is between house and recreation facility for the example shown.

Suman estimates between 35-40 degrees.

There is no public comment.

Rollie Kjesbo moved to recommend approval with conditions. Brian Gillette seconded the motion and it passed (7-0).

3.4. A request for review of an exemption plat, pursuant to Title 13 Chapter 12, Exemption Plat, Vail Town Code, to allow for increases to the allowable Site Coverage and Gross Residential Floor Area (GRFA) allotment for individual lots within the Spraddle Creek Estates subdivision, and setting forth details in regard thereto. (PEC20-0015) 45 min.

Applicant: Spraddle Creek Estates Homeowners, represented by Zehren and Associates

Planner: Jonathan Spence

Planner Spence goes over the reason why the application is back for another round of discussion before asking for a recommendation. He lists the requests made by the PEC at the previous meeting for more information needed. Spence adds how the application has been changed and the additional information that was reported.

Pratt asks about changing the HR language and if that would satisfy the request.

Spence adds that it could be done that way, but a plat would still have to be amended.

Pratt clarifies that this is the only property in the HR district.

Gillette doesn't get how we can amend if they are voluntarily capping some of the lots.

Spence adds that this could have been an SDD from the start since this is the only property in this town with this zoning.

Pratt asks if this was the result of a negotiation.

Spence clarifies how there was a designated use for Hillside, but no zoning and the zoning came at a later date.

Gillette asks exactly what the application is now.

Spence clarifies and says changing the HR district would be another, longer process. There is a general discussion among commissioners and staff on how this application could be sufficed without a plat and if amending the zoning district would be more appropriate.

The discussion turns to the allotted amount of GRFA and if it is warranted. What has changed since the original approval and does that support the request?

Gillette explains how he sees this as correcting a mistake that was done in the plat.

Seibert says that the reason for restricting GRFA is to limit visibility and that has not changed. They still have a prominent location and adding to that could undo the reason for putting the restriction in place. There is concern about where the square footage would be added.

More discussion takes place on how building envelopes or GRFA would affect the visibility takes place amongst those present.

Kurz asks if the cap listed would hold over to buyers of those properties in the future.

Spence clarifies with explaining the chart.

Pratt doesn't like the disconnect but understands how the caps could be a problem in the future. He doesn't see how language could be written that wouldn't be arbitrary.

David Kaselak, representative of the applicant, answers some questions on

visibility, and how a plat note would negate any future legal issues.

Spence asks for additional feedback on materials needed and if there are any more comments.

Gillette still has questions on clarity of comparable areas of town. How would this affect the area and what would additional GRFA look like.

Discussion on design and restrictions in the area takes place. Gillette asks for a photo rendering on what the difference would look like.

Lockman adds that he's agreed with some comments earlier on the arbitrary numbers being proposed. It would be appropriate to give them a commensurate increase with GRFA that other areas enjoyed.

Kjesbo voices his support of the comments by Gillette.

Kurz adds a question on whether there is a public benefit associated with the application?

Spence adds that there is none proposed.

There is no public comment.

Brian Gillette moved to table to October 26, 2020. Pete Seibert seconded the motion and it passed (7-0).

4. Approval of Minutes

4.1. September 28, 2020 PEC Results

Rollie Kjesbo moved to approve. Karen Perez seconded the motion and it passed (6-0).

Abstain: (1) Seibert

5. Adjournment

Rollie Kjesbo moved to adjourn. Karen Perez seconded the motion and it passed (7-0).

The applications and information about the proposals are available for public inspection during regular office hours at the Town of Vail Community Development Department, 75 South Frontage Road. The public is invited to attend the project orientation and the site visits that precede the public hearing in the Town of Vail Community Development Department. Times and order of items are approximate, subject to change, and cannot be relied upon to determine at what time the Planning and Environmental Commission will consider an item. Please call (970) 479-2138 for additional information. Please call 711 for sign language interpretation 48 hour prior to meeting time.
Community Development Department