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## Memorandum

TO: Planning and Environmental Commission

FROM: Community Development Department

DATE: June 26, 2017

SUBJECT: A request for a recommendation to the Vail Town Council for a zone district boundary amendment, pursuant to Section 12-3-7, Amendment, Vail Town Code, to allow for a rezoning of Lot 2E and Lot 2E-1, Block 1, Vail Lionshead Second Filing, from Lionshead Mixed Use 1 (LMU-1) District to the General Use (GU) District, and a rezoning of Lot F-1, Vail Village Second Filing from General Use (GU) District to Lionshead Mixed Use 1 (LMU-1) District, located at 180 and 250 South Frontage Road West, Vail Lionshead Second Filing and Vail Village Second Filing, and setting forth details in regard thereto. (PEC17-0015)

Applicant: Vail Valley Medical Center, represented by Braun Associates  
and Evergreen Hotel, represented by Mauriello Planning Group

Planner: Jonathan Spence

### I. SUMMARY

Vail Valley Medical Center (VVMC), represented by Braun Associates and Evergreen Hotel, represented by Mauriello Planning Group, are requesting a recommendation to the Vail Town Council for zone district boundary amendments, pursuant to Section 12-3-7, Amendment, Vail Town Code, to allow for a rezoning of Lot 2E and Lot 2E-1, Block 1, Vail Lionshead Second Filing, from Lionshead Mixed Use 1 (LMU-1) District to the General Use (GU) District, and a rezoning of Lot F-1, Vail Village Second Filing from General Use (GU) District to Lionshead Mixed Use 1 (LMU-1) District, located at 180 and 250 South Frontage Road West, Vail Lionshead Second Filing and Vail Village Second Filing and setting forth details in regard thereto. Based upon Staff's review of the criteria outlined in Section VII of this memorandum and the evidence and testimony presented, the Community Development Department recommends the Planning and Environmental Commission **forward a recommendation of approval** to the Vail Town Council of this application, subject to the findings noted in Section VIII of this memorandum. A vicinity map (Attachment A) and the applicants' narratives (Attachment B) are attached for review.

## II. DESCRIPTION OF REQUEST

Vail Valley Medical Center, represented by Braun Associates and Evergreen Hotel, represented by Mauriello Planning Group, are requesting a recommendation to the Vail Town Council for a zone district boundary amendment, pursuant to Section 12-3-7, Amendment, Vail Town Code, to allow for a rezoning of Lot 2E and Lot 2E-1, Block 1, Vail Lionshead Second Filing, from Lionshead Mixed Use 1 (LMU-1) District to the General Use (GU) District, and a rezoning of Lot F-1, Vail Village Second Filing from General Use (GU) District to Lionshead Mixed Use 1 (LMU-1) District, located at 180 and 250 South Frontage Road West, Vail Lionshead Second Filing and Vail Village Second Filing.

The proposed rezonings will allow for the Development Lots for the Vail Valley Medical Center and the Evergreen Lodge to have consistent zoning designations. All of the lots subject to the rezoning proposal meet the minimum lot size for their proposed new zoning designations and comply with all applicable development standards. The net effect on Development Lots is as follows:

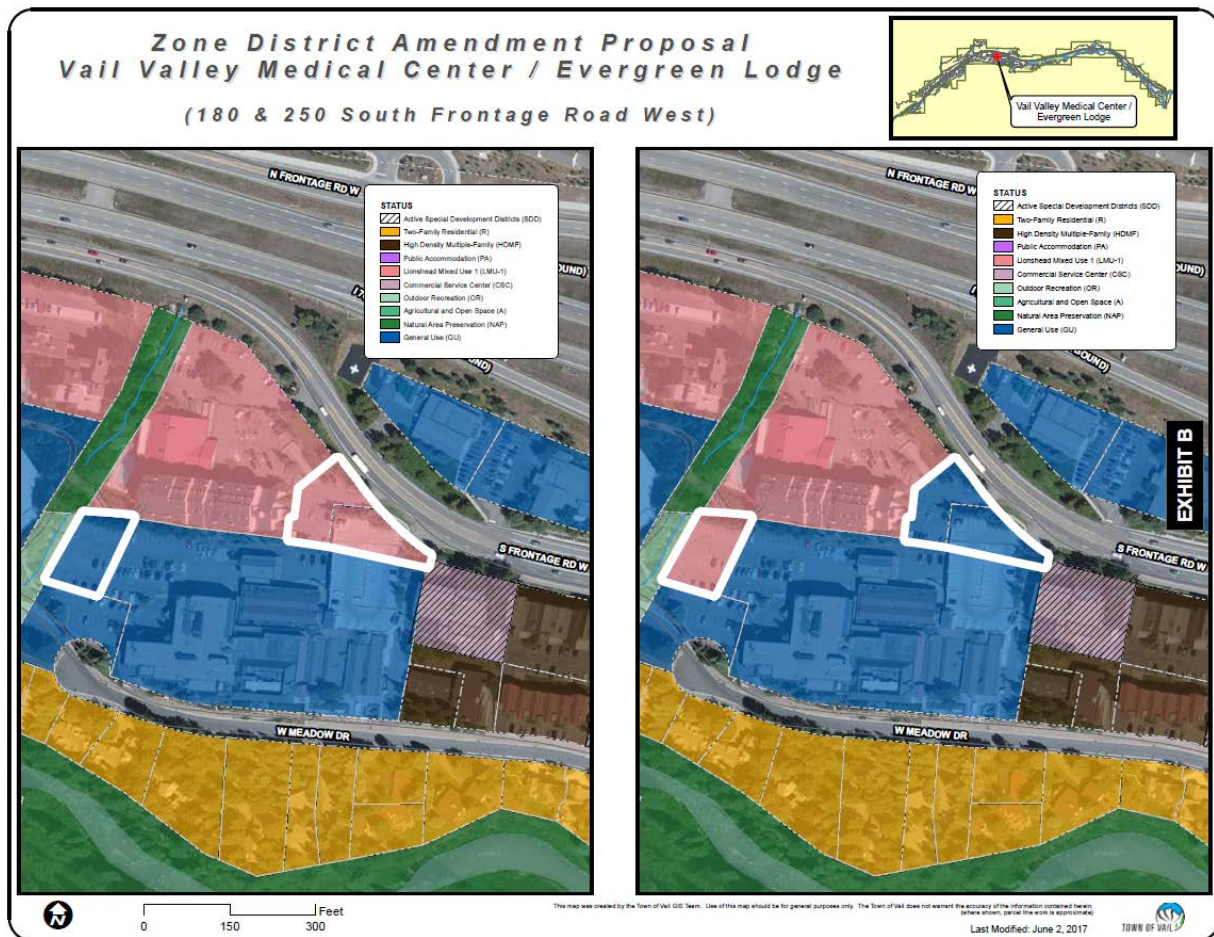
### Proposed Rezonings and Conveyances

- The Evergreen property previously conveyed Lot 2E to VVMC. This Lot is 10,006 square feet and is currently zoned LMU-1. This property is proposed to be rezoned GU.
- The recently created Lot 2E-1, a 10,001 square foot parcel, is intended to be conveyed from the Evergreen to VVMC, is currently zoned LMU-1 and is also proposed to be rezoned to GU.
- The recently created Lot F-1, a 12,501 square foot parcel, is intended to be conveyed from VVMC to the Evergreen, is currently zoned GU and is proposed to be rezoned LMU-1

### Net Effect

- The Evergreen Development Lot, zoned LMU-1 will decrease by 7,506 square feet.
- The VVMC Development Lot, zoned GU will increase by the same amount, 7,506 square feet.

The graphic below illustrates the existing and proposed zoning for the affected properties.



The proposed rezoning, to be approved via ordinance with the Vail Town Council, will not take effect until the recordation of the final plats, creating Lots 2E-1 and F-1, has occurred with the Eagle County Clerk and Recorder.

### III. BACKGROUND

The Evergreen Lodge and the VVMC have entered into a series of subdivisions and rezonings to lay the groundwork for a land exchange that provides mutually beneficial modifications to the respective property's Development Lots. In other words, the proposed rezoning of these two lots will allow all of the land owned by Vail Valley Medical Center to be zoned General Use, and all of the land owned by the Evergreen Lodge to be zoned Lionshead Mixed Use-1. The reconfigured Development Lots, with consistent zoning, will allow for future redevelopments of the Evergreen Lodge, and allow for expansion of the VVMC. These projects further the adopted goals, objectives and policies outlined in the Vail Comprehensive Plan and are compatible with the development objectives of the Town.

#### IV. APPLICABLE PLANNING DOCUMENTS

Staff believes that following provisions of the Vail Land Use Plan, the Vail Village Master Plan and the Vail Town Code are relevant to the review of this proposal:

##### *TITLE 12: ZONING REGULATIONS, VAIL TOWN CODE*

##### *Article H. Lionshead Mixed Use 1 (LMU-1) District (in part)*

##### **12-7H-1: PURPOSE:**

*The Lionshead mixed use 1 district is intended to provide sites for a mixture of multiple-family dwellings, lodges, hotels, fractional fee clubs, timeshares, lodge dwelling units, restaurants, offices, skier services, and commercial establishments in a clustered, unified development. Lionshead mixed use 1 district, in accordance with the Lionshead redevelopment master plan, is intended to ensure adequate light, air, open space and other amenities appropriate to the permitted types of buildings and uses and to maintain the desirable qualities of the zone district by establishing appropriate site development standards. This zone district is meant to encourage and provide incentives for redevelopment in accordance with the Lionshead redevelopment master plan.*

*This zone district was specifically developed to provide incentives for properties to redevelop. The ultimate goal of these incentives is to create an economically vibrant lodging, housing, and commercial core area. The incentives in this zone district include increases in allowable gross residential floor area, building height, and density over the previously established zoning in the Lionshead redevelopment master plan study area. The primary goal of the incentives is to create economic conditions favorable to inducing private redevelopment consistent with the Lionshead redevelopment master plan. Additionally, the incentives are created to help finance public off site improvements adjacent to redevelopment projects. With any development/redevelopment proposal taking advantage of the incentives created herein, the following amenities will be evaluated: streetscape improvements, pedestrian/bicycle access, public plaza redevelopment, public art, roadway improvements, and similar improvements.*

##### *Article C. General Use (GU) District (in part)*

##### **12-9C-1: PURPOSE:**

*The general use district is intended to provide sites for public and quasi-public uses which, because of their special characteristics, cannot be appropriately regulated by the development standards prescribed for other zoning districts, and for which development standards especially prescribed for each particular development proposal or project are necessary to achieve the purposes prescribed in section [12-1-2](#) of this title and to provide for the public welfare. The general use district is intended to ensure that public buildings and grounds and certain types of quasi-public uses permitted in the district 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 adequate light, air, open spaces, and other amenities appropriate to the permitted types of uses.*

#### *Vail Land Use Plan (in part)*

#### *Chapter II - Land Use Plan Goals / Policies (in part)*

##### *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.*

*1.12 Vail should accommodate most of the additional growth in existing developed areas (infill areas).*

#### *Chapter VI – Proposed Land Use (in part)*

**GOAL #2 TO FOSTER A STRONG TOURIST INDUSTRY AND PROMOTE YEAR-AROUND ECONOMIC HEALTH AND VIABILITY FOR THE VILLAGE AND FOR THE COMMUNITY AS A WHOLE.**

*Objective 2.1: Recognize the variety of land uses found in the 11 sub-areas throughout the Village and allow for development that is compatible with these established land use patterns.*

*Objective 2.3: Increase the number of residential units available for short term overnight accommodations.*

*Policy 2.3.1: The development of short term accommodation units is strongly encouraged. Residential units that are developed above existing density levels are required to be designed or managed in a manner that makes them available for short term overnight rental.*

*Objective 2.4: Encourage the development of a variety of new commercial activity where compatible with existing land uses.*

*Policy 2.4.1: Commercial infill development consistent with established horizontal zoning regulations shall be encouraged to provide activity generators, accessible greenspaces, public plazas, and streetscape improvements to the pedestrian network throughout the Village.*

*Objective 2.5: Encourage the continued upgrading, renovation and maintenance of existing lodging and commercial facilities to better serve the needs of our guests.*

## **V. SITE ANALYSIS**

Address: 180 South Frontage Road West  
Legal Description: Lot F-1, Block 1, Vail Village Second Filing  
Existing Zoning: General Use (GU) District  
Proposed Zoning: Lionshead Mixed Use 1 (LMU-1) District  
Land Use Plan Designation: Vail Valley Medical Center Master Plan  
Current Land Use: Associated infrastructure of the Medical Campus (parking)  
Anticipated Future Land Use: Lodging/Multi-Family  
Geological Hazards: None

Address: 250 South Frontage Road West  
Legal Description: Lot 2E and Lot 2E-1, Block 1, Lionshead Second Filing  
Existing Zoning: Lionshead Mixed Use 1 (LMU-1) District  
Proposed Zoning: General Use (GU) District  
Land Use Plan Designation: Lionshead Redevelopment Master Plan  
Current Land Use: Lodging/Multi-Family and Medical Campus  
Anticipated Future Land Use: Medical Campus  
Geological Hazards: None

## **VI. SURROUNDING LAND USES AND ZONING**

	<u>Existing Use</u>	<u>Zoning District</u>
North:	I-70 Interchange	None
South:	Medical Center	General Use (GU) District
East:	TOV Offices	General Use (GU) District
West:	Lodging/Multifamily	Lionshead Mixed Use 1 (LMU-1)

## **VII. REVIEW CRITERIA**

*Before acting on an application for a zone district boundary amendment, the planning and environmental commission and town council shall consider the following factors with respect to the requested zone district boundary amendment:*

**1. The extent to which the zone district amendments are consistent with all the applicable elements of the adopted goals, objectives and policies outlined in the Vail comprehensive plan and is compatible with the development objectives of the town.**

The proposed rezonings, in concert with the related subdivisions, allow for the exchange of properties between the Evergreen Lodge and the Vail Valley Medical Center and subsequent redevelopment. The redevelopment enabled by the

subdivisions, rezonings and land exchange further the adopted goals, objectives and policies outlined in the Vail Comprehensive Plan and are compatible with the development objectives of the Town. Specifically, the rezonings helps to ensure vehicular access to the medical campus and the existing and future parking garage is maintained along the South Frontage Road furthering the goal of minimizing the number of vehicular trips to the medical campus from West Meadow Drive as referenced in the VVMC Master Plan, a component of the Vail Comprehensive Plan.

Staff finds this criterion to be met.

**2. The extent to which the zone district amendments are suitable with the existing and potential land uses on the site and existing and potential surrounding land uses as set out in the town's adopted planning documents.**

The zone district boundary amendments are both suitable and compatible with the existing and proposed land uses on the sites and the existing and potential surrounding land uses. The rezoning will aid in the facilitation of the further redevelopment of the VVMC Campus and the future redevelopment of the Evergreen Lodge. The redefined Development Lots resulting from the subdivisions and rezonings are compatible with existing and potential surrounding land uses

Staff finds this criterion to be met.

**3. The extent to which the zone district amendments present a harmonious, convenient, workable relationship among land uses consistent with municipal development objectives.**

The proposed zone district amendments will create a cohesive land use scheme consistent with the development objectives of the town, namely orderly development and redevelopment that improves the community for both resident and guests.

Staff finds this criterion to be met.

**4. The extent to which the zone district amendments provide for the growth of an orderly viable community and does not constitute spot zoning as the amendment serves the best interests of the community as a whole.**

The zone district amendments and the accompanying subdivisions allow for the further redevelopment of the VVMC Campus, an identified asset to the community. The amendment does not constitute spot zoning as it is compatible with and supportive of adjacent land uses and serves the best interest of the community, as a whole.

Staff finds this criterion to be met.

**5. The extent to which the zone district amendments result in adverse or beneficial impacts on the natural environment, including, but not limited to, water**



**quality, air quality, noise, vegetation, riparian corridors, hillsides and other desirable natural features.**

The proposed rezonings will not result in adverse impacts to the natural environment. Future developments on the reconfigured and rezoned parcels will be required to adhere to all applicable environmental standards during development review, construction and facility operation.

Staff finds this criterion to be met.

**6. The extent to which the zone district amendments are consistent with the purpose statement of the proposed zone district.**

The proposed rezonings are consistent with the purpose statement of the General Use (GU) District and the Lionshead Mixed Use 1 (LMU-1) Districts and future developments on these sites will also be required to be compatible with its intent.

Staff finds this criterion to be met.

**7. The extent to which the zone district amendments demonstrate how conditions have changed since the zoning designation of the subject property was adopted and is no longer appropriate.**

The proposed zone district boundary amendment demonstrates how conditions have changed regarding the subject property. The land exchange between VVMC and the Evergreen Lodge, as contemplated by the VVMC Master Plan, a component of the Vail Comprehensive Plan, necessitates the need for the rezoning.

Staff finds this criterion to be met.

**8. Such other factors and criteria as the commission and/or council deem applicable to the proposed rezonings.**

**VIII. STAFF RECOMMENDATION**

The Community Development Department recommends the Planning and Environmental Commission **forwards a recommendation of approval** to the Vail Town Council for zone district boundary amendments, pursuant to Section 12-3-7, Amendment, Vail Town Code, to rezone Lot 2E and Lot 2E-1, Block 1, Vail Lionshead Second Filing, from Lionshead Mixed Use 1 (LMU-1) District to the General Use (GU) District, and a rezoning of Lot F-1, Vail Village Second Filing from General Use (GU) District to Lionshead Mixed Use 1 (LMU-1) District, located at 180 and 250 South Frontage Road West, Vail Lionshead Second Filing and Vail Village Second Filing and setting forth details in regard thereto. Staff's recommendation is based upon the review of the criteria described in Section VII of this memorandum and the evidence and testimony presented.



Should the Planning and Environmental Commission choose to forward a recommendation of **approval** to the Vail Town Council for the zone district boundary amendments, the Community Development Department recommends the Commission pass the following **motion**:

*“The Planning and Environmental Commission **forwards a recommendation of approval** to the Vail Town Council for zone district boundary amendments, pursuant to Section 12-3-7, Amendment, Vail Town Code, to rezone Lot 2E and Lot 2E-1, Block 1, Vail Lionshead Second Filing, from Lionshead Mixed Use 1 (LMU-1) District to the General Use (GU) District, and a rezoning of Lot F-1, Vail Village Second Filing from General Use (GU) District to Lionshead Mixed Use 1 (LMU-1) District, located at 180 and 250 South Frontage Road West, Vail Lionshead Second Filing and Vail Village Second Filing and setting forth details in regard thereto.”*

Should the Planning and Environmental Commission choose to **forward this recommendation of approval**, the Community Development Department recommends the Commission makes the following **findings**:

*“Based upon the review of the criteria outlined in Sections VII of the Staff memorandum to the Planning and Environmental Commission dated June 26, 2017, and the evidence and testimony presented, the Planning and Environmental Commission 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; and*
- 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.”*

## **IX. ATTACHMENTS**

- A. Vicinity Map
- B. Please see Attachments B for PEC17-0016 and PEC17-0018 for the Evergreen Lodge and the VVMC project narratives, respectively.