



Memorandum

TO: Vail Town Council

FROM: Community Development Department

DATE: August 1, 2017

SUBJECT: First reading of Ordinance No. 9, Series of 2017, an ordinance establishing Special Development District No. 42 (Vail Mountain View Residences), pursuant to Section 12-9(A), Special Development Districts, Vail Town Code, to allow for the development of a mixed use building consisting of 12 dwelling units with 15 attached accommodation units (lock-offs), 19 accommodation units and 10 employee housing units, located at 430 and 434 South Frontage Road/Lot 1, Vail Village Filing 5 and setting forth details in regard thereto. (PEC17-0006)

Applicant: Lunar Vail LLC, represented by Mauriello Planning Group
Planner: Jonathan Spence

I. SUMMARY

The applicant, Lunar Vail LLC, represented by Mauriello Planning Group, is requesting a first reading of Ordinance No. 9, Series of 2017, an ordinance establishing Special Development District No. 42, pursuant to Section 12-9(A), Special Development Districts, Vail Town Code, to allow for the development of a mixed use building consisting of 12 dwelling units with 15 attached accommodation units (lock-offs), 19 accommodation units and 10 employee housing units (EHUs), located at 430 and 434 South Frontage Road/Lot 1, Vail Village Filing 5.

On June 12, 2017 the Town of Vail Planning and Environmental Commission (PEC) held a public hearing on the request to establish SDD No. 42, pursuant to the requirement of Section 12-9(A), Vail Town Code. At the conclusion of the public hearing, the PEC voted 4-3 (Gillette, Perez and Rediker opposed) to forward a recommendation of approval, with conditions, to the Vail Town Council.

Staff has received considerable correspondence from groups and individuals concerning this application. Some of this correspondence posed questions concerning process and other elements of the Vail Town Code. In these instances, responses were provided either by the Community Development Department or by the Town Attorney. All correspondence received to date, including responses from town staff, are included as Attachment H.

II. DESCRIPTION OF REQUEST

The applicant, Lunar Vail, represented by Mauriello Planning Group, is requesting a recommendation to the Vail Town Council to establish Special Development District No. 42, pursuant to Section 12-9(A), Special Development Districts, Vail Town Code, to allow for the development of a mixed use building consisting of 12 dwelling units with 15 attached accommodation units (lock-offs), 19 accommodation units and 10 employee housing units, located at 430 and 434 South Frontage Road/Lot 1, Vail Village Filing 5. The project is composed of the following components:

Employee Housing Units (EHUs)

The proposed ten (10) EHUs will be deed-restricted rental units, limited to residents working at least thirty (30) hours per week in Eagle County. The proposed EHUs range in size from approximately 384 square feet to 1,199 square feet and include eight (8) two-bedroom units, one (1) one-bedroom unit and one (1) studio. The EHUs are located on the first and second floors above the parking garage in the proposed structure. The total floor area of the ten (10) units totals 10,574 square feet. EHUs, per the Vail Town Code, are not considered Gross Residential Floor Area (GRFA) and are thus not deducted from a development's available GRFA. In addition, EHUs do not contribute to the calculation of dwelling units for purposes of calculating allowable units per acre.

Accommodation Units

The applicant is proposing nineteen (19) accommodation units also located on the first and second floor of the proposed structure. The units range in size from 363 square feet to 431 square feet. The total GRFA for the nineteen (19) accommodation units is 7,263 square feet. The accommodation units, in the HDMF district, are counted as one-half ($\frac{1}{2}$) of a dwelling unit for purposes of calculating allowable units per acre.

Dwelling Units

The applicant is proposing twelve (12) for sale dwelling units to be located on the third, fourth and fifth (dormer) floors of the structure. These units range in size from 1,197 square feet to 2,827 square feet, exclusive of the Attached Accommodation Units. The units proposed are a mixture of 2, 3 and 4 bedroom layouts. The total proposed GRFA of the dwelling units is 21,982 square feet.

Attached Accommodation Units (Lock Offs)

The applicant is proposing fifteen (15) Attached Accommodation Units or lock-offs attached to eleven (11) of the dwelling units. These units may be rented separately and have direct access from common areas without necessitating passing through a dwelling unit. These units range in size from 238 square feet to 512 square feet and are located on the third and fourth levels of the proposed structure. The total proposed GRFA for the Attached Accommodation Units is 5,139 square feet. Attached accommodation units do not contribute to the calculation of dwelling units for purposes of calculating allowable units per acre.

Existing Parking

As part of Phase 1 of the Mountain View Residences, discussed in greater detail in the background section below, a 112 space parking structure was built in 2006 along the northern portion of the property. This three level structure, located predominately below grade, provides required parking for the 23 dwelling units located in the Mountain View Residences Phase 1 building and the required parking for the proposed Phase 2 building. No additional parking is proposed.

Attached for review are the following documents:

- A. Vicinity Map
- B. Draft Ordinance No. 9, Series of 2017 (SDD No. 42, Vail Mountain View Residences)
- C. PEC Staff Memorandum, June 12, 2017, without attachments.
- D. Revised Project Narrative, May 31, 2017
- E. Revised Plan Set, May 31, 2017
- F. Alternative North Elevations, June 5, 2017
- G. Vail Village Master Plan (in part)
- H. Correspondence received to date
- I. Minutes from the June 12, 2017 PEC public hearing

III. SPECIAL DEVELOPMENT DISTRICT-PURPOSE AND PROCESS

Purpose

Per Section 12-9A-1, Vail Town Code, the purpose of a Special Development District (SDD) is:

"encourage flexibility and creativity in the development of land in order to promote its most appropriate use; to improve the design character and quality of the new development with the town; to facilitate the adequate and economical provision of streets and utilities, to preserve the natural and scenic features of open space areas; and to further the overall goals of the community as stated in the Vail comprehensive plan. An approved development plan for a special development district, in conjunction with the property's underlying zone district, shall establish the requirements for guiding development and uses of property included in the special development district.

Process

Section 12-9A-4, Development Review Procedures, Vail Town Code, outlines the various steps and procedures for establishing a Special Development District. According to Section 12-9A-4, there are three primary steps in the establishment procedures:

- 1) Pre-application meeting with the Town staff

- 2) Planning and Environmental Commission review and recommendation
- 3) Town Council review

Development applications for the establishment of a Special Development District are first reviewed by the Planning & Environmental Commission (PEC) for impacts associated with the proposed uses on the development objectives of the Town and compatibility of any requested deviations from the prescribed development standards (i.e. GRFA, site coverage, building height, etc.) with the Town's adopted design criteria. The review and recommendation of the application by the PEC is based upon a set of prescribed criteria. According to the Section 12-9A-8: in part,

“design criteria shall be used as the principal criteria in evaluating the merits of the proposed special development district. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development plan comply with each of the following standards, or demonstrate that one or more of them is not applicable, or that a practical solution consistent with the public interest has been achieved”

Please see Section X of this memorandum for a review of each of the nine (9) design criteria.

IV. ACTION REQUESTED OF THE VAIL TOWN COUNCIL

Following the introductory presentation on the proposal on June 20, 2017, the Vail Town Council continued the proposed first reading of Ordinance No. 9, Series of 2017 to the July 11, 2017 public hearing. At this meeting of the Town Council, the first reading was tabled to the August 1, 2017 to allow more time for the applicant and staff to work through outstanding items. The draft ordinance, included as Attachment B, includes the conditions of approval as recommended by the PEC with slight changes by the Town Attorney in terms of format. Staff and the applicant have come to agreement on a revised set of conditions of approval that are more clear, understandable and enforceable. These conditions, which would replace the conditions in the attached ordinance (Section 5), are as follows:

- a. Approval of an associated Design Review Board ("DRB") application.
- b. Prior to submittal of the DRB application, the Applicant shall work with Town staff to increase the number and size of the new landscape plantings.
- c. Prior to the issuance of the first certificate of occupancy for the project, the Applicant shall execute and record, in a form approved by the Town Attorney, a pedestrian easement on the east side of the applicant's property for the existing paved path and stairs from the South Frontage Road right-of-way to the Town's recreational path.
- d. Prior to issuance of the first certificate of occupancy for the project, the Applicant shall design and construct a continuous 10'-wide separated concrete sidewalk

along the South Frontage Road from Vail Valley Drive to the easternmost boundary of the Property. All necessary easements for the sidewalk west of the Property shall be acquired by the Town within 11 months of issuance of the first building permit for the project. The sidewalk shall be designed in general accordance with Option A as shown on the plans approved by the PEC on June 12, 2017, and shall be submitted to the Town and approved by the Town prior to construction. The Applicant shall grant a pedestrian easement on the Property to the Town for the sidewalk, which easement shall be expanded as necessary to accommodate Option B as shown on the plans approved by the PEC on June 12, 2017. In such sidewalk, the Applicant shall install a snowmelt system, including the heat source and all necessary components, in compliance with Town standards. The Applicant shall be responsible for the cost of maintenance and operation of the sidewalk and snowmelt system on or adjacent to the Property, and prior to issuance of the first certificate of occupancy for the project, the Applicant shall execute the Town's standard snowmelt maintenance agreement. The Town will be responsible for the maintenance and operation of the sidewalk and snowmelt system that is west of the Property, and prior to issuance of the first certificate of occupancy for the project, the Applicant shall execute the Town's standard snowmelt operations reimbursement agreement for that portion of the sidewalk and snowmelt system.

e. Prior to issuance of the first building permit for the project, the Applicant shall pay the Traffic Mitigation Fees for the net new increase in development traffic, which has been calculated at 17.73 PM Peak Hour trips, after taking a multi-modal reduction and excluding the EHUs. The Traffic Mitigation Fees shall be \$11,200 per net new PM Peak Hour trip, which results in a total fee of \$198,576.

f. Prior to issuance of the first building permit for the project, the Applicant shall provide a construction staging plan and parking plan to demonstrate that the construction will not impact public parking or adjacent properties.

g. Within 90 days after the issuance of the first building permit for the project, the Applicant shall engage the Town's Art in Public Places Board on the determination of an acceptable public art installation. The minimum value of the public art installation shall be \$50,000.

h. Prior to the issuance of the first building permit for the project, the Applicant shall pay the recreational amenities tax as required by Section 12-9A-11 of the Vail Town Code.

i. Prior to the issuance of the first certificate of occupancy for the project, the Applicant shall execute and record deed restrictions, in a form approved by the Town Attorney, for the EHUs.

j. Prior to obtaining any building permit application for the project, the Applicant shall obtain approval from the Colorado Department of Transportation ("CDOT") for all proposed work within the CDOT right-of way, and shall submit evidence of such approval to the Town.

It is staff's recommendation that the Vail Town Council approve Ordinance No. 9, Series of 2017, upon first reading, with the revised conditions of approval and offers the following motion:

I move to approve Ordinance No. 9, Series of 2017, on first reading with the conditions of approval amended as set forth in Section IV of the staff memorandum to the Town Council, dated August 1, 2017.

V. BACKGROUND

The subject parcel, together with the adjacent Apollo Park parcel to the east, comprised Tract D of Vail Village Fifth Filing, approved by the Eagle County Planning Commission in November of 1965, prior to the incorporation of the Town of Vail in 1966. In the mid 1970s the Apollo Park development was constructed with 89 dwelling units in four buildings. An aerial view of this development can be found on page 5 of the applicant's narrative, included as Attachment B. In 2006 the Town of Vail Design Review Board (DRB) approved the replacement of buildings C and D of the Apollo Park development with a new structure, Mountain View Residences Phase 1, and the associated parking structure. Subsequent to this approval, Tract D was split through the Minor Subdivision process into two parcels. This subdivision was recorded in 2008 with the Eagle County Clerk and Recorder. The eastern parcel contains the remaining Buildings A and B of the original Apollo Park Development, containing 40 dwelling units functioning predominately as a timeshare development, while the western parcel contains the Mountain View Residences Phase 1 structure, and the associated parking structure.

VI. PLANNING AND ENVIRONMENTAL COMMISSION SUMMARY

The Planning and Environmental Commission (PEC) held three (3) public hearings on this application on April 24, May 22 and June 12, 2017. At the June 12, 2017 public hearing the PEC voted 4-3 (Gillette, Perez and Rediker opposed) to recommend that the Vail Town Council approve, with conditions, the proposed SDD with the following deviations underlying High Density Multiple-Family (HDMF) District:

- Setbacks: A fifteen foot (15') side setback on the east side where twenty feet (20') is required.
- Building Height: An overall maximum height of 70' where the maximum for a structure with a sloped roof in the HDMF district is 48'.
- Density: The maximum density of 44.5 units or 34.75 DU/acre where the maximum allowable DUs/Acre in the HDMF district is 25 DU/acre units which equates to an allowable density of 32 units on the subject parcel.
- GRFA: A maximum allowable Gross Residential Floor Area (GRFA) within the SDD of 76,977 square feet or 136/100 square feet of buildable site area. The allowable GRFA in the HDMF district is 76/100 square feet of buildable site area

or 42,871 square feet of GRFA for the 56,410 square foot parcel. Phase 1 of the development utilized 42,593 square feet of GRFA, leaving only 278 square feet remaining. The proposed Phase 2 includes an additional 34,384 square feet of GRFA.

- Site Coverage: A maximum allowable site coverage of 70.07% where the allowable site coverage in the HDMF district is 55%. Although the application makes a distinction between above and below grade site coverage, Ordinance No. 14, Series of 2004 amended the Vail Town Code's definition of site coverage to include both above and below ground improvements.

Commissioners voting in opposition to the project cited the following:

- Negative impacts to light and air on the adjacent property;
- A lack of compatibility with the neighborhood;
- An overall density excessive for the site; and
- An architectural approach and building that does not complement the design of the surrounding area or Vail in general.

The recommendation of approval, with conditions, was made on the following motion:

"The Planning and Environmental Commission forwards the Vail Town Council a recommendation of approval for an application to establish Special Development District No. 42 (Vail Mountain View Residences), pursuant to Section 12-9(A), Special Development Districts, Vail Town Code, to allow for the development of a mixed use building consisting of 12 dwelling units with 15 attached accommodation units (lock-offs), 19 accommodation units and 10 employee housing units, located at 430 and 434 South Frontage Road/Lot 1, Vail Village Filing 5 and setting forth details in regard thereto."

The PEC's recommendation of approval includes thirteen (13) conditions as follow:

1. *Approval of Special Development District No. 42, Vail Mountain View Residences, is contingent upon the applicant obtaining Town of Vail approval of an associated design review application. Although building mass and scale and relationship to adjacent properties is largely determined through the PEC review, the DRB shall have the flexibility to require changes to the buildings articulation, building stepbacks and stepdowns that will not affect overall height but may result in changes to the building's perceived mass and scale, in order to create an architecturally unified structure, with unified site development, that is compatible with existing structures and its surroundings;*
2. *The applicant shall work with Town of Vail staff to increase the robustness of the proposed landscaping, including an increase in the number and size of the new plantings, prior to submittal of an application for review before the Design Review Board;;*

3. *Prior to submittal of a Design Review Board application, the applicant shall provide Town of Vail staff with information for review and approval concerning the proposed operation and configuration of the loading space. If it is determined by staff that the operation poses too great a conflict with the adjacent pedestrian walkway, an alternative location/operation shall be proposed for review and approval by staff;*
4. *Prior to the issuance of a certificate of occupancy, the applicant shall cause to be recorded with the Eagle County Clerk, in a format approved by the Town attorney, a pedestrian easement for the paved path and stairs from the South Frontage Road right-of-way to the Town of Vail recreational path;*
5. *Prior to issuance of any certificate of occupancy, the applicant shall construct a continuous 10' wide separated concrete sidewalk along the South Frontage Road from Vail Valley Drive to the easternmost driveway that is shared by Mountain View and Apollo Park. The walk alignment, Option A or B, shall be approved by the Town of Vail Public Works Department prior to its construction, and shall be designed in conjunction with the ongoing conceptual design of the South Frontage Road improvements in this area as a part of the Vail Transportation Master Plan Update;*
6. *Prior to issuance of any certificate of occupancy, the applicant shall install a snowmelt system within the above mentioned sidewalk along South Frontage Road and shall enter into the standard snowmelt agreement with the Town of Vail. The applicant shall be responsible for providing the heat source, and the on-going maintenance of the sidewalk and snowmelt system;*
7. *Prior to issuance of a building permit, the applicant shall update the Traffic study (March 14, 2017) and Turn lane study April 19, 2017) to include any change of units and/or density. This study shall include the net new development PM peak hour generated trips. The applicant shall implement any changes required as a result of the updated studies as approved by the Town of Vail;*
8. *Prior to issuance of a building permit, the applicant shall pay the Town of Vail Traffic Mitigation Fees for the net new increase in development traffic. The total fee shall be updated based on the updated traffic study. This fee was \$6500 in 2005; this fee shall be appropriately increased due to construction cost inflation, and in coordination with the on-going Vail Transportation Impact Fee Study, and for this approval be set at \$11,200 per net new development PM peak hour trip, based on the net new 12 Dwelling Units, 15 Lock-Offs, 10 EHU's, and 19 Accommodation Units;*
9. *Prior to issuance of a building permit, the applicant shall provide a construction staging plan and parking plan showing how the construction of this site will not impact town parking or adjacent properties;*

10. *Prior to issuance of a building permit, the applicant shall engage Art in Public Places Board on the determination of an acceptable public art installation with a minimum value of \$50,000.00;*
11. *Prior to the issuance of a building permit, the applicant shall pay the recreational amenities tax, as required by Section 12-9A-11 of the Vail Town Code;*
12. *Prior to the issuance of a certificate of occupancy, the applicant shall record deed restrictions with the Eagle County Clerk and Recorder, in a format approved by the Town Attorney, for the Type III Employee Housing Units; and*
13. *Prior to submitting any building permit application, the applicant shall submit approval from the Colorado Department of Transportation (CDOT) related to all proposed work within the CDOT right-of way.*

The PEC's recommendation of approval includes the following findings:

1. *The SDD complies with the standards listed in Section VIII of this memorandum, or the applicant has demonstrated that one or more of the standards is not applicable;*
2. *The SDD is consistent with the adopted goals, objectives and policies outlined in the Vail comprehensive plan and compatible with the development objectives of the town;*
3. *The SDD is compatible with and suitable to adjacent uses and appropriate for the surrounding areas; and*
4. *The SDD promotes the health, safety, morals, and general welfare of the town and promotes 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."*

VII. APPLICABLE PLANNING DOCUMENTS

Please refer to Section IV of the PEC Staff Memorandum, June 12, 2017, included as Attachment C.

VIII. ZONING / SDD NO. 42 ANALYSIS

Address:	430 and 434 South Frontage Road E
Legal Description:	Vail Village Filing 5, Lot 1, a resubdivision of Tract D
Existing Zoning:	High Density Multiple-Family (HDMF) District
Existing Land Use Designation:	Vail Village Master Plan
Mapped Geological Hazards:	Steep Slopes >40% (result of prior development)

Standard	Allowed / Required HDMF	Existing (Phase 1)	Proposed Phase 2***	Mountain View Phase 1 and 2***
Site Area	Min. 10,000 sq. ft.	56,410 sq. ft. (1.295 acres)	No Change	56,410 sq. ft. (1.295 acres)
Setbacks	Front – 20' Side – 20' Rear – 20'	Front – 20' Side(W) – 20' Side(E) – 20' Rear – 20'	Front – 20' Side(W) – 20' Side(E) – 15' Rear – 20'	Front – 20' Side(W) – 20' Side(E) – 15' Rear – 20'
Height	Flat or Mansard Roof – 45' Sloping Roof – 48'	Sloping Roof – 48'	Sloping Roof – 70'	Sloping Roof – 70'
Density	25 DUs/ per acre of buildable site area, or 32 units on a 1.295 acre parcel.	23 DUs 17.8 DU/acre	19 AUs=9.5 DUs 12 DUs w/ lock-offs 10 EHUs Total=21.5 DUs	44.5 DUs 34.75 DU/acre
GRFA*	Max. 76/100 Buildable Site Area or 42,871 sq. ft.	42,593 sq. ft.	34,384 sq. ft.	76,977 sq. ft. or 136/100
Site Coverage**	Max. 55% of total site area (31,026 sq. ft.)	22.35%=12,599 sq. ft. above grade 69.91%=39,424 sq. ft. including below grade	14,511 sq. ft. above grade 102 sq. ft. Below grade	48.06%=27,111 sq. ft. above grade 70.07%=39,526 sq. ft. including below grade
Parking/Loading	Per Chapter 10	49 Required 112 Provided 1 Loading Space Provided/Required	Additional 63 Spaces	109 Required 112 Provided 1 Loading Space Provided/Required Deviation for location requested.
Landscaping	Min. 30% of total site area (16,923 sq. ft.)	63.62% (35,881 sq. ft.)	40.07% (22,996 sq. ft.) Site in Total)	40.07% (22,996 sq. ft.)

* Although the EHUs total 10,574 square feet in size, they do not count towards GRFA.

** The existing site coverage became nonconforming with the subdivision of the property in 2008

IX. SURROUNDING LAND USES AND ZONING

<u>Existing Land Use</u>	<u>Zoning District</u>
North: I-70 ROW	None
East: High Density Residential	High Density Multiple-Family (HDMF) District
South: Gore Creek Streamtract	Natural Area Preservation (NAP)
West: High Density Residential	High Density Multiple-Family (HDMF) District

X. SPECIAL DEVELOPMENT DISTRICT DESIGN CRITERIA

Before acting on a special development district application, the Planning and Environmental Commission and Town Council shall consider the following factors with respect to the proposed special development district.

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.

Each series of revisions have brought the proposal more in line with the character of the neighborhood and Vail in general. The mass, scale, and bulk of the structure is larger than that of the surrounding structures; however, the newly proposed architectural treatments such as a variety of roof forms and increased horizontal and vertical articulation serve to visually break up the mass, bulk, and scale of the building and help make the design more compatible with Phase 1. Please see the revised north elevation (Attachment D), indicative but not fully representative of, the anticipated changes to the building through the Development Review Board process. It is believed that the applicant still prefers to differentiate the southern elevation from the north significantly. The proposed building material and color palettes may be consistent with the identity and character of Vail as a mountain community. Staff finds that the change in architectural approach, as signified by the revised north elevation, is a significant improvement from the previous plan.

The subject property is located on a development site in the HDMF zone district, which allows for a maximum 48 foot building height. Many of the Town's taller buildings are located along the frontage road, which buffer surrounding area from the noise and aesthetics of the highway. Though the proposed building height is greater than those in the surrounding area, the applicant has demonstrated that the height is consistent, in general, with the recommended heights of the Vail Village Master Plan and is necessary to meet the development objectives of the town.

Staff finds the proposal, as conditioned, meets this criterion.

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

The proposed mix of uses, including EHUs, DUs, AUs and AAUs, is an appropriate program for this location. Located along the frontage road on the periphery of Vail Village, the site allows the density and related height necessary to meet the development objectives of the applicant and the town. Although the proposed building is significantly taller than the adjacent Tyrolean, the building's mass steps down on the west side in acknowledgment of its shorter neighboring building. The applicant professes that it would not be appropriate to lower the building further as the Tyrolean Condominium Building is not developed to its potential, under existing zoning. As conditioned, staff has proposed that the Design Review Board be given the flexibility to require changes to the buildings articulation, building stepbacks and stepdowns that will not affect overall height but may result in minor changes to the building's perceived mass and scale.

The proposed project is primarily residential in nature, similar to surrounding uses which are also residential, including Apollo Park and the Tyrolean. It is not anticipated that there will be any adverse impacts resulting from the operation of the project.

Staff finds that the proposal, as conditioned, meets this criterion.

3. Parking and Loading: Compliance with parking and loading requirements as outlined in chapter 10 of this title.

The parking dimensions and number of parking spaces provided comply with Vail Town Code. Staff has concerns about the utility of the proposed loading space and its possible conflict with the pedestrian path. Staff has a recommended condition of approval to address this concern.

Staff finds the proposal, as conditioned, meets this criterion.

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

Staff has reviewed the Vail Comprehensive Plan and found the following documents and associated goals, objectives, statements applicable to this proposal:

Vail Land Use Plan (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).*

3.1 *The hotel bed base should be preserved and used more efficiently.*

3.3 *Hotels are important to the continued success of the Town of Vail, therefore conversion to condominiums should be discouraged.*

3.4 *Commercial growth should be concentrated in existing commercial areas to accommodate both local and visitor needs.*

5.1 *Additional residential growth should continue to occur primarily in existing, platted areas and as appropriate in new areas where high hazards do not exist.*

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.*

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

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.*

Vail 20/20 Strategic Action Plan (in part)

Land Use and Development:

Goal #4: *Provide for enough deed-restricted housing for at least 30 percent of the workforce through policies, regulations and public initiated development.*

Housing:

Goal: *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 for enough deed-restricted housing for at least 30 percent of the workforce through policies, regulations and publicly initiated development.*

Actions / Strategies:

- *Research parking requirements for employee housing and consider reducing requirements for employee housing developments.*
- *Expand the number of employee beds in the Town of Vail.*

- Consider increasing incentives in performance zoning for property owners who build EHUs.

Vail Economic Development Strategic Plan (in part)

Policies:

Goal #4: Provide support for a quality workforce delivering world-class service to positively impact Vail's economy.

Objective 4.1: Work with the business community, Eagle County and other municipalities to address future workforce housing needs.

Objective 4.3: Work with the business community and Eagle County to address parking and transportation issues for workers and guests.

Chapter VII. Evaluation and Analysis, Weaknesses:

Inefficient Facilities: Older lodging accommodations

Vail Housing 2027 (in part)

Mission:

We create, provide, and retain high quality, affordable, and diverse housing opportunities for Vail residents to support a sustainable year round economy and build a vibrant, inclusive and resilient community. We do this through acquiring deed restrictions on homes so that our residents have a place to live in Vail.

Policy Statement:

We acknowledge that the acquisition of deed restrictions on homes for Vail residents is critical to maintaining community. Therefore, we ensure an adequate supply and availability of homes for residents and recognize housing as infrastructure in the Town of Vail; a community support system not unlike roads, bridges, water and sewer systems, fire, police, and other services of the municipal government.

Ten Year Goal:

The Town of Vail will acquire 1,000 additional resident housing unit deed restrictions by the year 2027. These new deed restrictions will be acquired for both existing homes as well as for homes that are newly constructed by both the Town of Vail and private sector developers.

The proposed development of EHUs realizes several community goals, especially the Vail Housing 2027 Ten Year Goal of acquiring 1,000 deed restrictions. It is important to note that the requirements of inclusionary zoning and commercial linkage are not enough to close the gap in the employee housing deficit in Vail. The proposal to add 10 Type III deed-restricted EHUs will make a contribution toward the goals of providing workforce housing in the town. The significance of providing local workforce housing is critical to reduce the number of employees driving to and parking in town. By doing so, numerous policies of the Vail Economic Development Strategic Plan are realized, such as Goal Number 4, "Provide support for a quality workforce delivering world-class service to positively impact Vail's economy."

The proposal specifically addresses Goals 1.1, 1.12, 3.3, 5.4, and 5.5 in the Vail Land Use Plan in that they speak to the importance of infill redevelopment and meeting visitor and employee lodging and housing demands.

The proposal also speaks to the Vail 20/20 Strategic Action Plan's statement that the Town recognizes the need for housing as infrastructure that promotes community, reduces transit needs and keeps more employees living in the town.

The proposal is representative of a rare infill-development opportunity in Vail that will accommodate a mix of desirable uses consistent with the development objectives of the town.

Staff finds that the proposal meets 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.

No natural or geologic hazards are present on the subject site.

Staff finds that the proposal meets 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.

The proposed revisions to the architectural approach contribute positively to the development. While open space is minimal, the applicant has attempted to provide appropriate landscaping. The applicant has provided a high quality design in regards to the site plan and building appearance and has attempted to balance elements such as open space and landscaping with other important community goals that would help improve the overall quality of the community.

Staff finds the proposal meets this criterion.

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

The provided Traffic Impact Analysis has determined that the existing access point is suitable with no modifications required to serve the development. There are concerns related to how the project interfaces with the anticipated future South Frontage Road alignment. The adopted traffic plan indicates a four-lane road configuration to accommodate the possibility of increased parking availability at Ford Park via a structure or other means. The Public Works Department has worked with the applicant on a possible alternative to this configuration which would be a roundabout at the intersection of Vail Valley Drive and South Frontage Road. As a result, two options, Options A and B, have been prepared related to a necessary relocation of the sidewalk. Option A is predicated on the roundabout and requires a minor encroachment on the property for the relocation of the sidewalk. Option B is based on a four-lane configuration with no rotary and results in greater impacts to the property.

At this time, it appears that Option A will not be feasible due to sight distance constraints. Although the applicant has indicated their unwillingness to accommodate Option B because of its site impacts, staff believes the design, construction and associated easement are reasonable and necessary for the project to move forward and has recommended a condition of approval in this regard. Further, as this is a proposed Special Development District with significant deviations to GRFA and height, the applicant should construct the appropriate sidewalk from Vail Valley Drive to the Apollo Park access drive which will accommodate future conditions and significantly improve snow storage in the interim.

Staff believes that this sidewalk should be snowmelted as a result of building shading but proposes to offset the energy usage through the purchase of energy credits through a program such as the Renewable Energy Management Program. The applicant has indicated their acceptance of this approach.

Staff finds the proposal, as conditioned, meets this criterion.

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

The location of the existing garage and the minimum setbacks proposed limit the area remaining for landscaping. The Vail Village Master Plan has identified the area between the proposed structure and South Frontage Road for robust landscaping. As conditioned, the continued evolution of the landscape plan is encouraged with input and assistance from Town of Vail staff and the Design Review Board.

Staff finds the proposal, as conditioned, meets 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 proposal is intended to be constructed in one phase. Staging for any construction related activity will be reviewed by staff to ensure impacts to public rights-of-way and adjacent properties are minimized. It is anticipated that the use of the South Frontage Road right-of-way may be necessary. This right-of-way is controlled by the Colorado Department of Transportation (CDOT) and will require all appropriate review and permits from CDOT prior to the start of construction.

Staff finds the proposal meets this criterion.

XI. ATTACHMENTS

- A. Vicinity Map
- B. Draft Ordinance No. 9, Series of 2017 (SDD No. 42, Vail Mountain View Residences)
- C. PEC Staff Memorandum, June 12, 2017, without attachments.
- D. Revised Project Narrative, May 31, 2017
- E. Revised Plan Set, May 31, 2017
- F. Alternative North Elevations, June 5, 2017
- G. Vail Village Master Plan (in part)
- H. Correspondence received to date
- I. Minutes from the June 12, 2017 PEC public hearing