

**BOARD OF COUNTY COMMISSIONERS
OCTOBER 8, 2019
PLANNING CASE #PLN18-08 0: KEYSTONE RESORT PUD
MINOR PUD AMENDMENT
PUBLIC HEARING**

PROJECT INFORMATION:

Location: Keystone Resort Planned Unit Development. Generally located one block south and west of the intersection of Hunki Dori Court and Montezuma Road.
Project/Request: A Minor Amendment to the Keystone Resort PUD to convert multi-family units for Parcel A, River Run Neighborhood; Lot 4A-1, Base 1 at Keystone Sub #2.

ISSUES:

None

PLANNING COMMISSION RECOMMENDATION:

The Snake River Planning Commission does not review minor PUD amendments.

RESOLUTION STATUS

Draft Resolution attached

STAFF RECOMMENDATION:

Approval with 7 findings and 1 condition.

ATTACHMENTS:

1. Draft PUD language
2. New Exhibit M-15 Neighborhood Densities
3. Draft Resolution



STAFF REPORT

TO: Board of County Commissioners
FROM: Dan Osborn, Senior Planner
FOR: Meeting of October 8, 2019
SUBJECT: PLN18-080 - Keystone Resort PUD - Minor PUD Amendment
APPLICANT: One River Run, LCC. Represented by Scott Russell.

REQUEST: A Minor Amendment to the Keystone Resort PUD to convert multi-family units for Parcel A, River Run Neighborhood; Lot 4A-1, Base 1 at Keystone Sub #2.

PROJECT DESCRIPTION:

Location: Keystone Resort Planned Unit Development. Generally located one block south and west of the intersection of Hunki Dori Court and Montezuma Road.

Legal Description: Lot 4A, A Lot Line Adjustment Plat for Lot 4A and Tract A, the Fifth Subdivision Exemption Replat of the Remainder of Lots 3 and 4, Keystone Base 1, Filing No. 2, According to the Plat Filed March 28, 2006, under Reception No. 818174, County of Summit, State of Colorado.

Existing Zoning: Keystone Resort PUD

Existing Uses: Lot 4A, Hunki Dori surface parking lot, River Run Gondola terminal and Ski & Ride School buildings.

Adjacent land uses:

East: Red Hawk Lodge Condos, zoned Keystone Resort PUD.

North: Springs at River Run Condos, zoned Keystone Resort PUD

South: Base 1 at Keystone and Lone Eagle Above River Run Condos, zoned Keystone Resort PUD.

West: River Run Village, zoned Keystone Resort PUD.

BACKGROUND:

The subject parcel is located in the Keystone Resort PUD near the intersection of Hunki Dori Court and Montezuma Road. Specifically, the parcel is located at the base of the River Run Gondola in the Keystone Resort Base 1 Village.

This Application is for a minor modification to the Keystone Resort PUD affecting Lot 4A in the River Run Village area, commonly known as the "One River Run" property. The River Run Neighborhood was established as part of the Keystone Resort PUD in March 1995. The PUD establishes the overall use of the property, and proposes a general development plan for a base village in addition to guidelines that must be followed by the owners and developers of property within its boundaries. From its inception, River Run Parcel A has been designated for and envisioned as a location for "mixed-use, multi-family, lodge and commercial space in a predominately pedestrian oriented village environment".

The original Keystone Resort PUD was approved in 1995 and listed lodging as an allowed use on River Run Neighborhood Parcel A and allocated 250 lodge units to the Neighborhood. Since adoption in 1995, the Keystone PUD has been amended several times, including moving density between Neighborhoods and parcels, and converting the density from one type of permitted use to another. These changes in quantities of actual and equivalent units allocated to the various neighborhood parcels is documented in the PUD through a series tables located in Exhibit M of the PUD. The following excerpts from selected iterations of Exhibit M are included below, highlighting the changes in the River Run Neighborhood since the PUD was initially adopted.

Original 1995 River Run Actual/Equivalent Unit Allocation, Exhibit M:

		ACTUAL UNITS						EQUIVALENT UNITS					
		SF	MF	EMP	COMM	LODGE	TOTAL	SF	MF	EMP	COMM	LODGE	TOTAL
Keystone PUD Neighborhood Densities, as approved March 1995 by Summit BOCC													
Ski Tip													
Parcel A	14					14	35						35
Parcel B		156			5,000	50	206		156		5	17	178
Parcel C		271			7,800	100	371		271		8	33	312
Parcel D		43					43		43				43
Parcel E		56			2,200	8	64		56		2	3	61
Parcel F				23			-						-
Parcel G							-						-
Total Units	14	526	23	15,000	158	698	35	526		15	53		629
River Run													
Parcel A		781			190,000	250	1,031		781		190	83	1,054
Parcel B		85					85		85				85
Parcel C				100			-						-
Parcel D							-						-
Total Units		866	100	190,000	250	1,116	-	866		190	83		1,139
Mountain House													
Parcel A		24					24		24				24
Parcel B		427			14,000		427		427		14		441
Parcel C		450			34,000		450		450		34		484
Parcel D				16			-						-
Parcel E							-						-
Parcel F							-						-
Total Units		901	16	48,000		901	-	901		48	-		949

In March of 2006, the Vail Resorts Development Company received approval (PLN06-008) to shift density within the Keystone PUD for the future development of a large-scale multi-family project and converted the Parcel A lodge units to multi-family units. Subsequently, in April 2008, the Snake River Planning Commission approved PLN08-020, a Site Plan for 183 multi-family units, 17,861 square feet of commercial use, and 9,272 square feet of skier services on Lot 4A. This project was also designated One River Run, but was never built.

2006 River Run Actual/Equivalent Unit Allocation, Exhibit M-7:

Keystone PUD Neighborhood Densities, with revisions for transfer of density from Parcel D to Parcel C in the Lakeside Neighborhood and to convert 250 hotel rooms to 83.3 MF units in Parcel A of River Run												
	ACTUAL UNITS						EQUIVALENT UNITS					
	Single Family Lots	Multi- Family	Employee Units	Commercial Sq. Ft.	Lodge Rooms	TOTAL	Single Family Units	Multi- Family	Employee Units	Commercial Units	Lodge Units	TOTAL
Ski Tip												
Parcel A	-					-	-					-
Parcel B	26	66				92	65	66		-	-	131
Parcel C	8	295.5		7,800		304	20	296		8	-	323.3
Parcel D		36				36		36				36
Parcel E		50		2,200	8	58		50		2	3	54.9
Parcel F	14		-			14	35					35
Parcel G						-						-
Subtotal	48	448	-	10,000	8	504	120	448		10	3	580.2
River Run												
1. Parcel A		974		157,000	-	974		974		157	-	1,131.3
Parcel B		51				51		51				51
Parcel C			100			-						-
Parcel D						-						-
Subtotal		1,025	100	157,000	-	1,025		1,025		157	-	1,182.3
Mountain House												
Parcel A						-		-				-
Parcel B		439		14,000		439		439		14		453
Parcel C		462		34,000		462		462		34		496
Parcel D						-						-
Parcel E						-						-
Parcel F						-						-
Permitted Subtotal		901	-	48,000		901		901		48		949

The current PUD allows “lodge units” as a permitted use on River Run Parcel A. However, all of the density on Parcel A is currently allocated to multi-family (1074 actual units or 1186.33 equivalent units) with none currently allocated for lodging.

Current River Run Actual/Equivalent Unit Allocation, Exhibit M-14:

EXHIBIT M-14												
Keystone PUD Neighborhood Densities												
	ACTUAL UNITS						EQUIVALENT UNITS					
	Single Family Lots	Multi- Family	Employee Units	Commercial Sq. Ft.	Lodge Rooms	TOTAL	Single Family Units	Multi- Family	Employee Units	Commercial Units	Lodge Units	TOTAL
Ski Tip												
Parcel B	26	66				92	65	66		-	-	131
Parcel C	18	89.0		-		107.0	45	148.0		-	-	193.0
Parcel D		36				36		36				36
Parcel E		50		2,200	8	58		50		2.2	3	54.9
Parcel F	14		-			14	35					35
Parcel G						-						-
Subtotal	58	241	-	2,200	8	307	145	300		2.2	3	449.9
River Run												
Parcel A		1,074		112,000	-	1,074		1,074		112.0	-	1,186.3
Parcel B		51				51		51				51
Parcel C		33	25			33		59				59
Parcel D						-						-
Subtotal		1,158	25	112,000	-	1,158		1,125		112.0	-	1,237.3
Mountain House												
Parcel A						-		-				-
Parcel B		439		14,000		439		439		14.0		453
Parcel C		445		34,000		445		445		34.0		479
Parcel D						-						-
Parcel E						-						-
Parcel F						-						-
Permitted Subtotal		884	-	48,000		884		884		48.0		932

The applicant has proposed to convert 35.67 actual/equivalent units of multi-family density into lodging units. This request would allow for the construction of 107 lodging units on Parcel A.

Making the allocation change is within the scope of the uses allowed on Parcel A; but would necessitate updating Exhibit M-15 to accurately account for the change to the number of actual/equivalent multi-family and lodge units approved for Parcel A.

Proposed River Run Actual/Equivalent Unit Allocation, Proposed Exhibit M-15:

EXHIBIT M-15													
Keystone PUD Neighborhood Densities													
		ACTUAL UNITS					TOTAL	EQUIVALENT UNITS					TOTAL
		Single Family Lots	Multi-Family	Employee Units	Commercial Sq. Ft.	Lodge Rooms		Single Family Units	Multi-Family	Employee Units	Commercial Units	Lodge Units	
Ski Tip													
	Parcel B	26	66				92	65.00	66.00			131.00	
	Parcel C	18	89.0		-		107.0	45.00	148.00			193.00	
	Parcel D		36				36		36.00			36.00	
	Parcel E		50		2,200	8	58		50.00		2.20	2.67	54.87
	Parcel F	14		-			14	35.00				35.00	
	Parcel G						-					0.00	
	Subtotal	58	241	-	2,200	8	307	145.00	300.00		2.20	2.67	449.87
River Run													
	Parcel A		1038.66		112,000	107	1145.66		1,038.66		112.00	35.67	1,186.33
	Parcel B		51				51		51.00				51.00
	Parcel C		33	25			33		59.00				59.00
	Parcel D						-						0.00
	Subtotal		1,122.66	25	112,000	107	1,229.66		1,148.66		112.00	35.67	1,296.33
Mountain House													
	Parcel A						-		0.00				0.00
	Parcel B		439		14,000		439		439.00		14.00		453.00
	Parcel C		445		34,000		445		445.00		34.00		479.00
	Parcel D						-						0.00
	Parcel E						-						0.00
	Parcel F						-						0.00
	Permitted Subtotal		884	-	48,000		884		884.00		48.00		932.00

Since 1995 most of the land area within the Keystone Resort PUD has been developed. However, no new applications have been considered since the 2008 One River Run application was approved but not built. Other than this property, only the Gold Bug parking lot remains for potential development within the Keystone Base area (Lot 3A, Base 1 at Keystone Sub #2 a ReSub Lot 3). If One River Run is built as currently proposed, (with 95 multi-family units, 107 lodging units, and 24,232 square feet of commercial floor area), 233.66 actual multi-family units and approximately 19,000 square feet of commercial floor area would remain for the Gold Bug parcel.

Note, in the M-14 Table above, there was an error in the spreadsheet formula for multi-family Equivalent Units; the subtotal for River Run did not include River Run Parcel C. That error will be corrected with the new proposed Exhibit M-15 as part of this PUD amendment. This PUD amendment would increase the number of actual units in the PUD by 71.33 (107-35.67 = 71.33); however the number of equivalent units remains the same (the difference between the 1237.33 in M-14 and the 1296.33 in proposed M-15 is 59, resulting only from the prior spreadsheet formula error).

CRITERIA FOR DECISION

Section 12203.02 of the Summit County Land Use and Development Code (“Code”) states that the BOCC may approve a minor PUD modification zoning amendment, only if the application meets all relevant County regulations and standards and provided the BOCC makes the following findings:

- A. The proposed PUD modification is consistent with the efficient development and preservation of the entire PUD.
- B. The proposed PUD modification does not affect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the PUD or the public interest.
- C. The proposed PUD modification is not granted solely to confer a special benefit upon any person.
- D. The proposed PUD modification is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans.
- E. The proposed PUD modification is consistent with the purpose and intent of the County's Zoning Regulations and Rezoning Policies.
- F. The proposed PUD modification is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
- G. The proposed PUD modification amendment is not substantial and conforms to the intent and integrity of the original PUD and the PUD modification has been determined to be a minor amendment in accordance with Section 12202.04.

The Proposed PUD Modification is Consistent with the Efficient Development and Preservation of the Entire PUD

This minor PUD modification will not alter the character of the Keystone Resort PUD nor will it impede efficient development. Since its original approval in 1995, the PUD has allowed lodge units in Parcel A. Therefore, re-allocating actual/equivalent units from multi-family back to lodge for Parcel A preserves the intent and integrity of the PUD. The subject lot is existing and will be slightly modified with a separate general subdivision exemption application (PLN18-082) facilitating the development of Lot 4A-1.

The Proposed PUD Modification Does Not Affect, In a Substantially Adverse Manner, Either the Enjoyment of Land Abutting Upon or Across a Street from the PUD or the Public Interest

This minor PUD amendment will not affect the use of the lot or the adjacent lots in the area. The development within Parcel A, and Lot 4A specifically, have always been for higher density mixed-use, multi-family, lodge and commercial space in a predominately pedestrian oriented village environment. A previously approved Site Plan (PLN08-020) intended to build 183 units of multi-family in addition to commercial and skier services in three multi-story buildings on this parcel.

The Proposed PUD Modification is not Granted Solely to Confer a Special Benefit Upon Any Person

The intent of the request is to facilitate the efficient development of this parcel in the River Run village. The request would allow for the development in accordance with the allowed use of the Keystone Resort PUD as well as the Snake River Master Plan's intent to develop a "Community Center" in this area. Any benefit related to this application will serve the overall intent of the Keystone PUD. Therefore, this PUD modification intends to serve the larger Keystone PUD and will not solely benefit any one person.

The Proposed PUD Modification is in General Conformance with the Goals, Policies/Actions and Provisions of the Summit County Countywide Comprehensive Plan and any Applicable Basin Master Plans

Conformance with the Countywide Comprehensive Plan

Land Use Element:

- Goal C: Maintain the current level of density in Summit County.

- Goal D: Guide the appropriate development of land through the County's master plans and development regulations.

Environmental Element:

- Goal A: Protect and preserve environmentally sensitive areas.
- Goal B: Provide for the long-term protection and 'no net loss' of wetland functions and values.

Conformance with the Snake River Master Plan

- Goal A: Future land use should be consistent with land use designations identified on the Land Use Map.
- Goal D: Protect identified environmentally sensitive areas from development.

This minor PUD amendment does not alter the approved density for the PUD. The PUD amendment is in accordance with the intent of the Keystone Resort PUD and maintains the character of the area. No disturbance is proposed within existing wetland areas. Wetland setback disturbance areas have been adequately mitigated as outline in the wetlands disturbance report submitted with the Site Plan application. The PUD modification is in accordance with the allowed use and the Community Center Land Use Designation shown on the Land Use Map in the Snake River Master Plan.

The Proposed PUD Modification is Consistent with the Purpose and Intent of the County's Zoning Regulations and Rezoning Policies

Upon original adoption and subsequent amendments, the Keystone Resort PUD has been found to comply with the intent of the County zoning regulations and rezoning policies, and this proposed PUD modification is not changing the intensity of use or the development plan of the PUD, so the proposed PUD modification is consistent with the purpose and intent of the County's Zoning Regulations and rezoning policies.

The Proposed PUD Modification is Consistent with Public Health, Safety and Welfare, as Well as Efficiency and Economy in the Use of Land and its Resources

This PUD modification does not compromise any health or safety standards. This PUD modification will continue the efficient use of the subject parcel by allowing the applicant to develop the site in accordance with the Keystone Resort PUD and applicable Master Plan policies.

The Proposed PUD Modification Amendment is Not Substantial and Conforms to the Intent and Integrity of the Original PUD and the PUD Modification Has Been Determined to be a Minor Amendment in Accordance with Section 12202.04

This PUD modification is minor in nature, maintains the intent of the original Keystone Resort PUD, does not increase the number of units in the PUD, does not change the permitted uses of the PUD, or decrease the amount of open space within the Keystone Resort PUD.

STAFF RECOMMENDATION:

Staff recommends that the Board of County Commissioners approve PLN18-080, Minor Amendment to the Keystone Resort PUD to convert multi-family units for Parcel A, River Run Neighborhood, Lot 4A-1, Base 1 at Keystone Sub #2, with the following findings and 1 condition:

FINDINGS:

1. The proposed PUD modification is consistent with the efficient development and preservation of the entire Keystone Resort PUD. The modification will comply with the standards as listed in the PUD.

2. The proposed PUD modification does not affect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the Keystone Resort PUD or the public interest.
3. The proposed PUD modification is not granted solely to confer a special benefit upon any person.
4. The proposed PUD modification is in general conformance with the goals, policies/actions and provisions of the Land Use elements pertaining to density in the Summit County Countywide Comprehensive Plan, and the Snake River Master Plan.
5. The proposed PUD modification is consistent with the purpose and intent of the County's Zoning Regulations and Rezoning Policies. This amendment does not allow for additional units within the PUD.
6. The proposed PUD modification is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
7. The proposed PUD amendment is not substantial and conforms to the intent and integrity of the original Keystone Resort PUD and the PUD modification has been determined to be a minor amendment in accordance with Section 12202.04.

CONDITION:

1. The PUD modification shall be recorded prior to site plan approval for the subject property.