

Reserve at Hockett Gulch Planned Unit Development Town of Eagle, CO

Annexation & Planned Unit Development Applications

Revised Submittal
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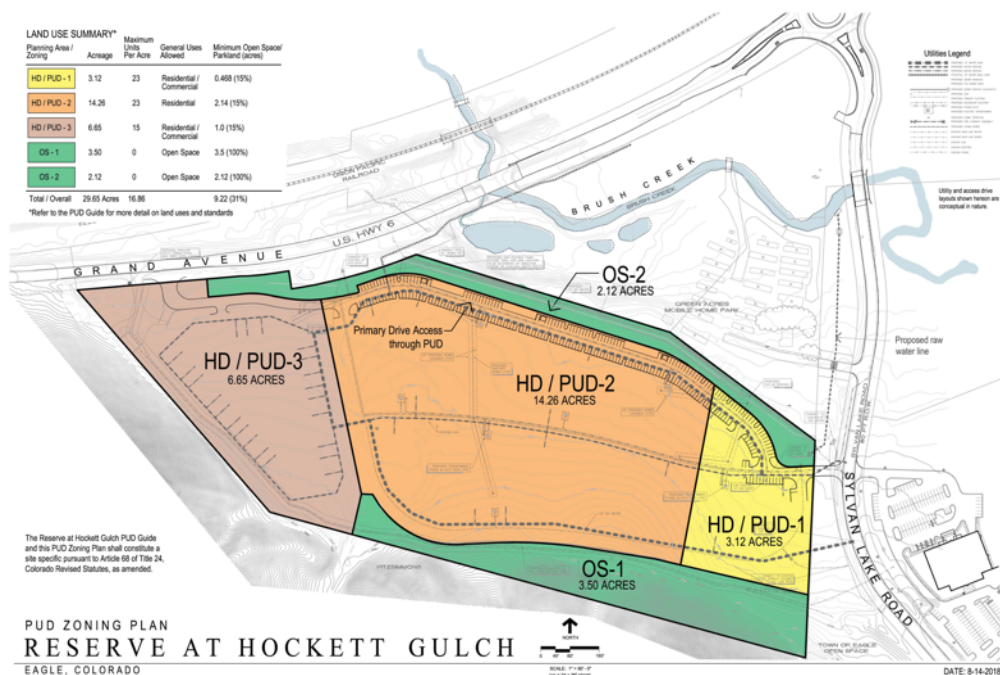


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Development Applications
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Section 1: Introduction and Overview

Brue Baukol Capital Partners ("Applicant") is submitting an annexation petition for the Reserve at Hockett Gulch property, also known as the JHY Parcel, a 29.65-acre parcel located west of Sylvan Lake Road and south of Grand Avenue adjacent to the Town of Eagle municipal boundaries. Accompanying the annexation petition is an application for Planned Unit Development ("PUD"), zoning, and a illustrative concept plan.

The PUD is the result of discussions between the property owner, project team, and Town officials over the last year (submittal January 31, 2018) and the review of the Town's comprehensive planning guidance documents. The property is uniquely positioned to have direct access to both Grand Avenue and Sylvan Lake Road. The PUD Zoning Plan reflects the flexibility this dual access affords the potential for development of both commercial and residential uses. The proposed zoning plan and conceptual plan included with this submittal are the result of responding to the county-wide need for workforce housing, assessing the feasibility of access and utility services to the parcel, allowing for open space areas, providing for onsite amenities, providing for trail access across the property, and meeting the parking demands.

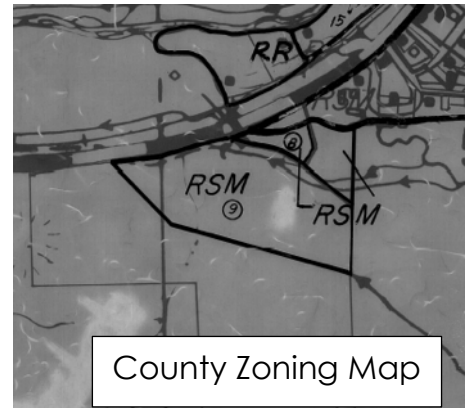
The Reserve at Hockett Gulch PUD will provide for residential and limited commercial development that can provide a catalyst for the redevelopment of the Grand Avenue corridor and West Eagle area while supporting the Eagle business community with access to housing for its employees. The project will add vibrancy to the Town by growing our population in a compact design and location with limited impacts to existing residential areas.

By 2027, it is anticipated that the Town will realize annual revenues of approximately \$1.22 million a year due to the project. Based on an estimated assessed valuation of \$14.58 million at full buildout (tax collection year 2027), it is anticipated that Eagle County, the School District, and Colorado Mountain College will receive increased annual revenues of \$124,000, \$363,000, and \$60,000, respectively. One-time fees collected by the Town from the PUD are estimated at \$8,355,573 million with construction use tax fees accounting for \$3.4 million of the one-time fees. See Section 2 of this report for a broader summary of fees and revenues and the Fiscal Report for the PUD provided by Stan Bernstein and Associates, Inc.

Background:

The subject property is currently located in unincorporated Eagle County. The parcel was originally zoned Resource in 1972 and rezoned to Residential Suburban Medium Density (RSM) in 1979 by the County. The property remains zoned RSM today. For the last almost 40 years the property has been anticipated to be developed with a multifamily community. The RSM zone district also allows for convenience grocery store and other ancillary uses. Significant changes have occurred in the Town of Eagle and Eagle County since the zoning was established in 1979.

While the use of the land remains consistent with what was envisioned 40 years ago, the need for more density and ancillary commercial uses to address issues like workforce housing and the growing demands of the Town have been recognized by the Town's plans.

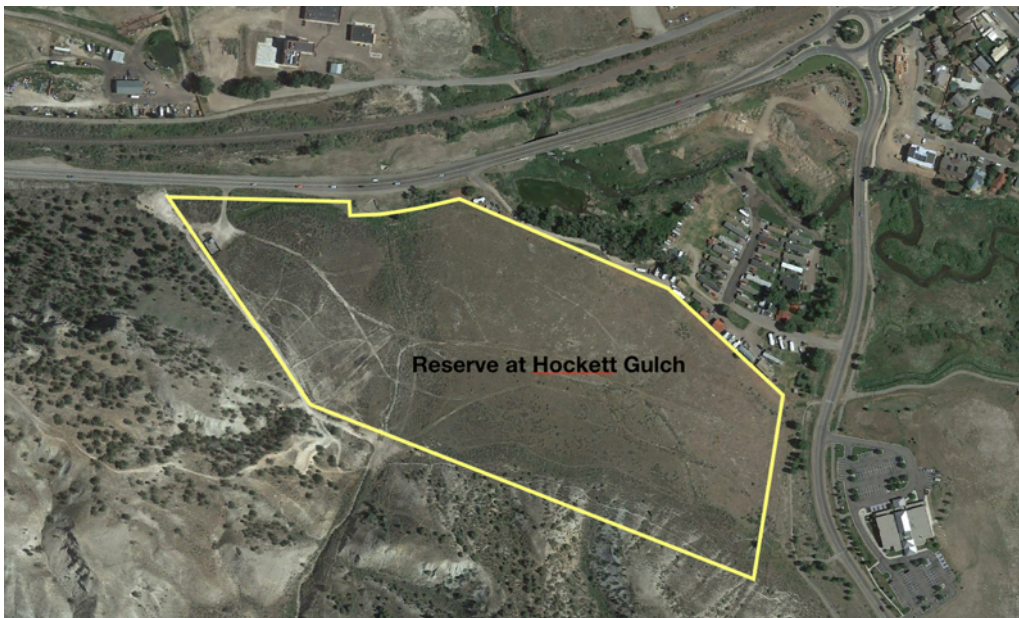


Overview of the PUD:

The proposed PUD allows for 500 dwelling units, 400 of which are envisioned to be rental apartments in one and two-bedroom formats. These envisioned apartment buildings will be three story walkups with approximately 13 structures in total. The remaining 100 units, anticipated in phase 2 of the project, may be a variety of townhouses, apartments, and single-family homes. A minimum density per acre for residential requirement in the PUD will ensure a denser residential component to the project.

The proposed PUD allows for a very limited amount of commercial space; 30,000 sq. ft. in total expressed as an FAR (Floor to Area Ratio) in the PUD Guide. The PUD allows the commercial space to be developed along the Grand Avenue frontage (HD/PUD-3) or the Sylvan Lake Road frontage (HD/PUD-1, at a more restricted amount of 15,000 sq. ft, reduced at the suggestion of Town staff). It is envisioned as small local retail or commercial spaces serving the neighborhood with retail, grocery, and office/service uses to complement the current commercial offerings in the region while not competing with other commercial centers.

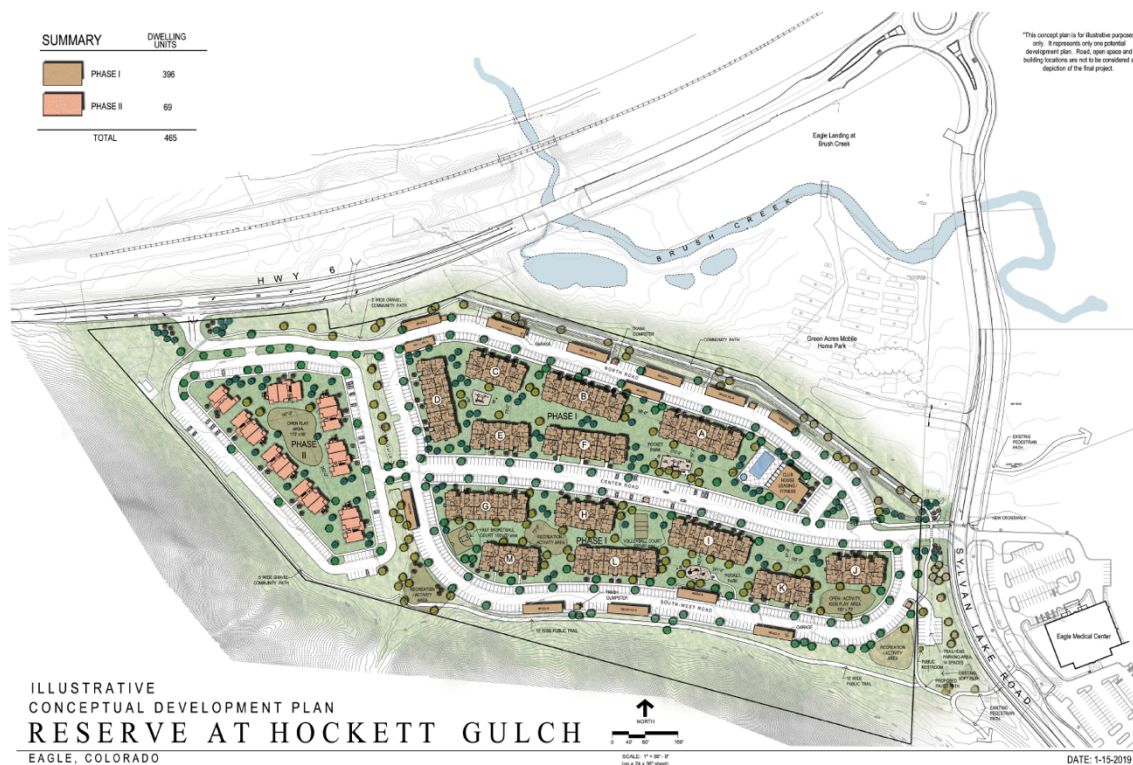
Below are two location maps of the property.



Illustrative Concept Plan:

Note original scale of 1"= 80' on 24 x 36 sheet for the concept plan.

The concept plan shown below and included with the submittal is intended to be just that; conceptual. This is one potential development scenario for the property. As shown below, this scenario shows the entire PUD developed with residential uses and does not include the 30,000 sq. ft. of commercial that would be allowed in the PUD. This conceptual plan shows a total of 465 dwelling units, 396 of which are rental multifamily units in one and two-bedroom formats. All of these multifamily structures shown here in Phase I are assumed at 3-stories. The plan also shows approximately 100 parking spaces located in garages made available to tenants as part of the required parking. A clubhouse, leasing office, and other amenities are also shown along with an outdoor swimming pool as amenities for residents of the PUD. Large open areas and pocket parks are also shown in a campus-like environment and represent another 3.6 acres of open space for a total of over 9 acres of open space and common areas. Recreation paths are also provided, including a perimeter trail around the entire PUD, that link directly to the Town's recreation path system. The parking shown complies with the parking requirements of the PUD which will accommodate all parking demands of this conceptual development scenario. The conceptual plan shows a setback of structures from the edge of pavement on Grand Avenue of approximately 170' and of approximately 150' to Sylvan Lake Road. Phase II depicts a possible townhome development consisting of 69 units.



Design:

The overall design intent of the proposed PUD is to be consistent with the historic mountain architecture of the Town of Eagle, compatible with the nearby uses and residential neighborhoods, and in keeping with the policies of the Eagle Area Community Plan. Specific details are provided within the PUD Guide. The following images are of the rental multifamily structures shown in the conceptual development plan in Phase I of the PUD.

**Access:**

The project will connect to both Sylvan Lake Road and Grand Avenue, which will promote easy access to and from the PUD. As currently conceived, the access is

aligned along the northern boundary of the site and directly across from the existing Eagle Medical Center. Arrangement of the access and parking areas allow for a number of possible phasing and building arrangements on three separate building tracts. On the southern end of the property, a trail system for use by pedestrians, bicyclists, and motorcycle (subject to restrictions found in the PUD Guide) will extend the existing Eagle Ranch trail to access Hockett Gulch to promote the Town's trail system. This trail affords the opportunity for the Town and local trail community, if they are able to gain access through the adjacent privately-owned property, to connect the Eagle Ranch trail with the BLM land to the south and west of the Town. A perimeter pedestrian trail system is also proposed around the entire PUD which connects to the Town's trail system at two locations. A pedestrian warning system is proposed at the Town's existing crosswalk within Sylvan Lake Road to allow safe passage of pedestrians across the street with connections to the Town's park, trail, and open space system.

Traffic:

The traffic analysis was prepared based upon the anticipated full buildout conditions of the site. This included 30,000 square-feet of commercial property and 500 residential dwelling units. The site is anticipated to generate a total of 5,190vpd (vehicles per day) for an average weekday, and 6,477vpd for an average Saturday. This includes both the residential volume of 3,262vpd for an average weekday, and 3,540vpd for an average Saturday; and the retail component consisting of 2,030vpd for an average weekday, and 2,937vpd for an average Saturday. Both residential and retail components include reductions of traffic for internal capture (where residents would use the retail uses and not leave the site), and a multi-modal reduction for walking and cycling. Both the internal capture and multi-modal traffic volume reductions are based upon accepted practices as detailed in the *ITE Trip Generation Manual*.

The traffic volumes for the site accesses will warrant some proposed improvements to Grand Avenue and Sylvan Lake Road.

Grand Avenue / North Site Access: Similar to all accesses on Grand Avenue, the north access will eventually see excessive levels of delay for the northbound left movement. At that time, it is likely that drivers will prefer to turn right and utilize the Sylvan Lake Road roundabout to turn return towards Gypsum to the west. The proposed site traffic volumes warrant the installation of three auxiliary lanes on Grand Avenue, specifically, a right turn acceleration, a right turn deceleration lane, and a left turn deceleration lane. The north site access will need separate left and right turn lanes leaving the site. This scenario will still leave excessive levels of delay for egressing left turns.

Sylvan Lake Road / East Site Access: The intersection is anticipated to operate at an acceptable level of service during the evening and Saturday peak traffic hours through Year 2040. However, the morning peak hour traffic is anticipated to have difficulty leaving the site by Year 2040.

The project's traffic volumes at this access will warrant the construction of a southbound right and north bound left turn lane. The Eagle Medical Center facility is responsible for the construction of a southbound left turn lane into their facility at two locations based on its previous approvals. This turn lane improvement may also provide left turn access into the PUD depending on the final design. This left turn improvement was to be completed by the Eagle Medical Center in 2016 however the agreement was amended in the fall of 2017 to tie the improvements to a volume of traffic trigger. The applicant will coordinate with the Eagle Medical Center to provide these roadway improvements when they are triggered during the development of the PUD.

Parking:

The goal of the parking plan is to provide adequate parking for all uses, without creating an overabundance of excess parking. The parking rates are pursuant with the Town's parking standards, except that the PUD Guide eliminates the Town's guest parking requirement. This modification is supported by an analysis from our traffic engineer submitted with this application and as discussed below.

Parking is proposed at the following rates:

| Use | Town of Eagle Standards | Proposed with PUD |
|--------------------------------------|---|--|
| Single Family or Duplex | 3 spaces for 3 or more bedrooms 2 spaces for <3 bedrooms | Same |
| Multiple Family | 2.5 spaces for 3 or more bedrooms 2 spaces for 2 bedrooms 1.5 spaces for 1 bedroom or studio 1 additional space per 6 dwelling units for guest parking | Same per-bedroom parking standards Guest Parking Deleted Leasing office/amenity facility: 3 parking spaces |
| Restaurant or Bar | 1 1/2 per 100 square feet of floor area used or designed for use by the public, plus 1 1/2 per 200 square feet of kitchen floor space | Same |
| Retail and General Commercial | Parking area equal in square footage to the total floor area of the building, excluding one-half of storage and display areas used for bulky items requiring extensive floor area such as household appliances, furniture, automobiles, farm and construction equipment | Same |
| Office (all) | General Office, Public Administration - 1 space for 300 sq. ft. of leasable floor area | Same |

| | | |
|----------------|---|------|
| | Medical, Dental, Veterinary Office, Service Establishment – 1 per 250 square feet of floor area used or designed for office or public use | |
| Grocery | Parking area equal in square footage to the total floor area of the building, excluding one-half of storage and display areas used for bulky items requiring extensive floor area such as household appliances, furniture, automobiles, farm and construction equipment | Same |

McDowell Engineering prepared a parking analysis, based on ITE parking data of suburban mid-rise apartment complexes, and has found that parking demand for multiple family dwellings, in a development location and scenario similar to the Reserve at Hockett Gulch, at an average of 1.10 to 1.37 space per unit. This average is based on a variety of one, two, and three bedroom units and includes all parking onsite; guest or tenant.

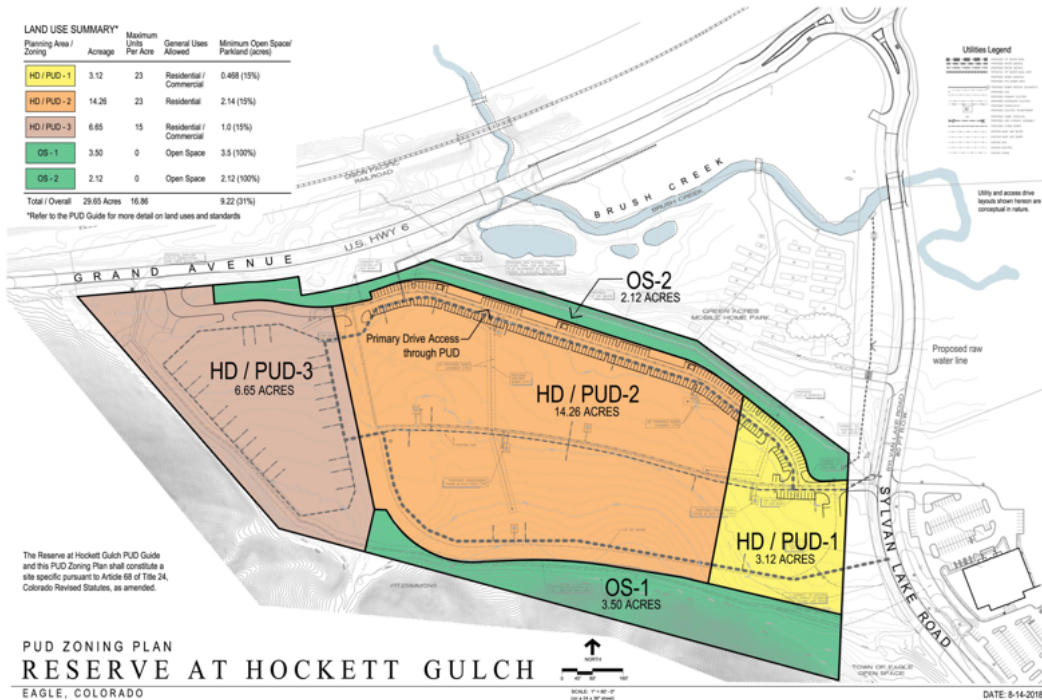
The applicant's proposed rate for multiple family units is 1.75 parking spaces per unit (average of all unit types), which is well above the ITE predicted rate of 1.37, using the high end of the demand prediction. The 1.75 rate matches the Town's current parking requirements before adding in the guest parking requirement.

Considering the conceptual plan for the project with 396 multiple family dwelling units in Phase I with 50% one-bedroom units and 50% two bedroom units, the applicant's proposed parking plan contemplates 693 parking spaces whereas the ITE prediction, with a 95% confidence interval, would be 543 spaces (at 1.37 spaces per unit). The conceptual plan exceeds the ITE prediction by 150 parking spaces. The current Town code would require 759 parking spaces. A variation is proposed to address this difference.

PUD Guide Summary:

The full PUD Guide, which provides all of the zoning and land use restrictions for the PUD, is included as an attachment.

The PUD Zoning Plan shown below provides for five districts or planning areas within the PUD. These five planning areas include two open space districts, OS-1 and OS-2, one residential district, HD/PUD-2, and two mixed use districts, HD/PUD-1 and HD/PUD-3.



The following is a summary of the uses and development allowed in each district:

OS-1 (3.5 Acres) and OS-2 (2.12 Acres):

The open space districts do not allow for vertical development generally. They are set aside to remain free from development but include uses such as trails, drainage facilities, underground utilities, and debris flow mitigation. The OS parcels are located on the north and south sides of the development and act as a buffer to the adjacent private properties. These open space parcels make up a portion of the minimum open and recreational areas provided onsite in addition to the private useable open spaces around the proposed residential uses as shown on the concept plan. With the private open space areas (approximated at a minimum of 3.6-acres+) as shown on the conceptual development plan total open space ends up at approximately 31% of the overall PUD land area, which includes active recreation areas. OS-1, which contains a public trail component, is proposed to be dedicated to the Town of Eagle to satisfy in part the park land dedication requirement and as a public benefit to the Town.

HD/PUD-1 (3.12 Acres):

This is a mixed-use parcel that allows for residential uses and limited commercial uses of no greater than 15,000 sq. ft. Recognizing the existing and future medical uses planned on the property across Sylvan Lake Road, the PUD is proposed to allow flexibility to create opportunities for uses that complement the neighborhood and provide convenient commercial uses for the entirety of Eagle and the Eagle Ranch community. As noted in the PUD Guide, the entire PUD is limited to 30,000 sq. ft. of commercial uses and expressed as an FAR. Commercial and nonresidential uses in this planning area require a Special Use Permit which is reviewed and approved by the Board of Trustees. In addition to the limited commercial uses, this parcel also allows residential uses, including multifamily apartments consistent with the HD/PUD-2 parcel. HD/PUD-1 along with HD/PUD-2 is envisioned as being developed with up to 400 multifamily apartments units of the 500 units allowed within the entire PUD as shown on the conceptual plan.

Building heights are limited to 45' for multifamily structures (also restricted to three stories) and 35' for single-family, duplex, townhomes, and commercial structures. Multifamily structures are limited to 3-stories and the 45' height allows for an adequate roof pitch to be provided and architectural interest to the buildings. A variation is being sought for this multifamily height being proposed.

Building setbacks are a minimum of 25' from the perimeter of the PUD.

Internal building setbacks are provided for in the PUD Guide as well as minimum useable open space requirements for residential uses based on the number of units developed within the planning area.

Maximum residential density is provided at 16.86 units per acre for the entire PUD and 23 units per acre (72 units) within this planning area specifically. A minimum residential density is also proposed to ensure a moderate level of density is built. That minimum density is 6.5 units per acre for the PUD taken as a whole.

Maximum residential FAR is 0.53:1 and maximum commercial floor area 0.11:1.

HD/PUD-2 (14.26 acres):

This parcel is largely restricted to residential uses. Also allowed in this planning area are the common amenities associated with quality multifamily developments including park areas, swimming pool, and clubhouse with fitness facilities. The conceptual plan envisions apartment buildings assembled around common green spaces and amenities with parking on the perimeter. Other customary and accessory uses are allowed

in this district as detailed in the PUD Guide. HD/PUD-2 along with HD/PUD-1 is envisioned as being developed with up to 400 multifamily apartments units of the 500 units allowed within the entire PUD and in the first phase of the PUD.

Building heights are limited to 45' for multifamily structures (also restricted to three stories) and 35' for single-family, duplex, and townhomes. Multifamily structures are limited to 3-stories and the 45' height allows for an adequate roof pitch to be provided and architectural interest to the buildings. A variation is being sought for this multifamily height being proposed.

Building setbacks are a minimum of 25' from the perimeter of the PUD.

Internal building setbacks are provided for in the PUD Guide as well as minimum useable open space requirements for residential uses based on the number of units developed within the planning area.

Maximum residential density is provided at 16.86 units per acre for the entire PUD and 23 units per acre (328 units) within this planning area specifically. A minimum residential density is also proposed to ensure a moderate level of density is built. That minimum density is 6.5 units per acre for the PUD taken as a whole.

Maximum residential FAR is 0.53:1.

HD/PUD-3 (6.65 acres):

This planning area is a mixed-use parcel that allows for limited commercial uses of no greater than 30,000 sq. ft. and residential uses. The PUD allows flexibility so that this parcel can be developed with a commercial component with direct access from Grand Avenue and internal access from other areas of the PUD. The planning area allows up to 100 dwelling units in a variety of formats (single-family, duplex, and multifamily) and a small retail and service market place of no larger than 30,000 sq. ft. based on an FAR. As noted in the PUD Guide, the entire PUD is limited to 30,000 sq. ft. of commercial uses and 500 residential units.

Building heights are limited to 45' for multifamily structures (also restricted to three stories) and 35' for single-family, duplex, townhomes, and commercial structures. Multifamily structures are limited to 3-stories and the 45' height allows for an adequate roof pitch to be provided and architectural interest to the buildings. A variation is being sought for this multifamily height being proposed.

Building setbacks are a minimum of 25' from the perimeter of the PUD.

Internal building setbacks are provided for in the PUD Guide as well as minimum useable open space requirements for residential uses based on the number of units developed within the planning area.

Maximum residential density is provided at 16.86 units per acre for the entire PUD and 15 units per acre (100 units) within this planning area specifically. A minimum residential density is also proposed to ensure a moderate level of density is built. That minimum density is 6.5 units per acre for the PUD taken as a whole.

Maximum residential FAR is 0.86:1 and maximum commercial floor area 0.11:1.

In summary, the permitted residential uses in the PUD include multiple-family, duplex, townhouses, and single-family. The PUD requires a minimum density of 6.5 units per acre, overall, provided as to ensure a more densely-developed property, in contrast to many areas of Eagle that have been developed with larger lot residential development. The intent of allowing single-family and duplex uses is to allow flexibility and creativity in design and development and to meet changing market conditions. It's not uncommon, to have a mixture of housing types densely developed in a variety of formats, including single-family or duplex homes.

Section 2: Benefits and Fiscal Analysis of the PUD and Annexation

Annexation and zoning of the Reserve at Hockett Gulch will create significant benefits and revenues to the Town and the region. These benefits are outlined below.

Fiscal and Revenue Benefits to the Town:

A detailed fiscal analysis was performed for this project by Amy Greer of Stan Bernstein and Associates, Inc. Below is a summary of the positive revenue impacts of this project to the Town of Eagle and other taxing entities.

The PUD at buildout is estimated to generate a full-time population of approximately 900 people and result in an increase in assessed land valuation from approximately \$136,260 to \$14.58 million (year 2027).

The table below summarize the revenues to the Town and other agencies generated by this project. It should be noted that the one-time fees do not include the School Land Dedication Fee that will be based on the appraised value of the land calculated during the Development Permit or Subdivision process.

| Revenues at Stabilization - 2027 | | |
|--|-------------------|-------------------------------|
| Revenue Source - Town of Eagle | Occurrence | Projected Total Amount |
| Sales Tax Revenues - General Fund | Annual | 401,960 |
| Property Tax - General Fund | Annual | 35,342 |
| Water User Fees | Annual | 303,981 |
| Sewer User Fees | Annual | 336,120 |
| Other Revenues (fines, charges, misc) | Annual | 137,010 |
| Conservation Fund Revenues | Annual | 6,230 |
| Total | Annual | \$ 1,220,643 |
| One Time Fees | | |
| Water Plant Improvement Fees | One time fee | 1,234,072 |
| Sewer Plant Investment Fees | One time fee | 1,227,600 |
| Street Improvement Fees | One time fee | 366,465 |
| Construction Use Tax | One time fee | 3,483,400 |
| Licenses and Building Permits | One time fee | 1,069,500 |
| Inspection Fees | One time fee | 500,000 |
| GEFPD - Fire Impact Fees | One time fee | 424,536 |
| Park Land Dedication Fee | One time fee | 50,000 |
| Total | | \$ 8,355,573 |
| Others receiving revenues | | |
| Eagle County | Annual | 123,915 |
| School District | Annual | 363,217 |
| GEFPD | Annual | 145,800 |
| WECMRD | Annual | 53,217 |
| Library District | Annual | 40,095 |
| Eagle Cemetery District | Annual | 3,587 |
| Ambulance District | Annual | 40,139 |
| Colorado Mountain College | Annual | 58,276 |
| Colorado River Water Conservation District | Annual | 3,703 |
| Total | | \$ 831,949 |

* Water and Sewer Plant Investment Fees are based upon the applicant's EQR and water usage analysis

Density and Diversification:

The proposed PUD is located in a relatively isolated section of the Town on its western border. The parcel is ideally suited for higher density residential development and limited commercial uses due to the gentle slope of the land and few environmental resources contained on the land. This property is an infill property located adjacent to two public streets requiring little extension of community infrastructure. The parcel is connected to the fabric of the Town but isolated in terms of impacts to existing developed residential neighbors. This site is ideally located for adding density with relatively few impacts to the Town.

Allowing up to 500 residential units in this location, in close proximity to regional transportation routes and bus facilities, will help diversify the housing types available within the Town and add needed residents, employees, and consumers to allow the Town to thoughtfully grow and yet remain a vibrant small-Town community. In addition, multifamily development is a less burdensome development pattern that increases the Town's ability to deliver clean water and treat wastewater.

Local Workforce Housing:

The Eagle County Housing Needs Assessment prepared in 2018 recognizes a significant housing problem in Eagle County, identifying a need of 2,780 housing units in 2018 and projecting a total of 7,970 housing units needed by 2030. It further recommended that more emphasis be placed on the need for rental housing.

The need for housing is also recognized by the Eagle Area Land Use Plan, which provides the following vision:

Ideally, people who work in Eagle should be able to live in Town or in the surrounding area, and the people who live in Eagle should not have to commute great distances to find good employment. Therefore, as the community grows, a variety of housing types and price points should be maintained, and businesses that offer higher paying jobs should be encouraged to locate within the area.

The PUD goes well beyond the Town's workforce housing requirements which require 10% of the for-sale units to be deed restricted for the local workforce. The PUD requires that at least 30% of any rental multiple family housing be deed restricted for the local workforce with a Residence Occupancy type deed restriction (no rent caps or income caps). As envisioned in the concept plan, that would result in 118 rental units deed restricted for the workforce housing. The PUD also requires that at least 15% of any for-sale housing be similarly restricted as workforce housing but with income restrictions based on Eagle County AMI (120%). As envisioned by the concept plan, that would result in 10 workforce housing units based on 69 for sale units.

The proposed concept plan anticipates that the multiple family development in phase 1 will be developed as rental apartment units in one and two-bedroom formats. This PUD helps relieve the burden of the Town of Eagle to generate workforce housing solutions and helps local businesses by providing housing opportunities for employees in close proximity to businesses while also adding residents into the economy helping local businesses to grow and be successful. This community benefit comes without Town subsidy.

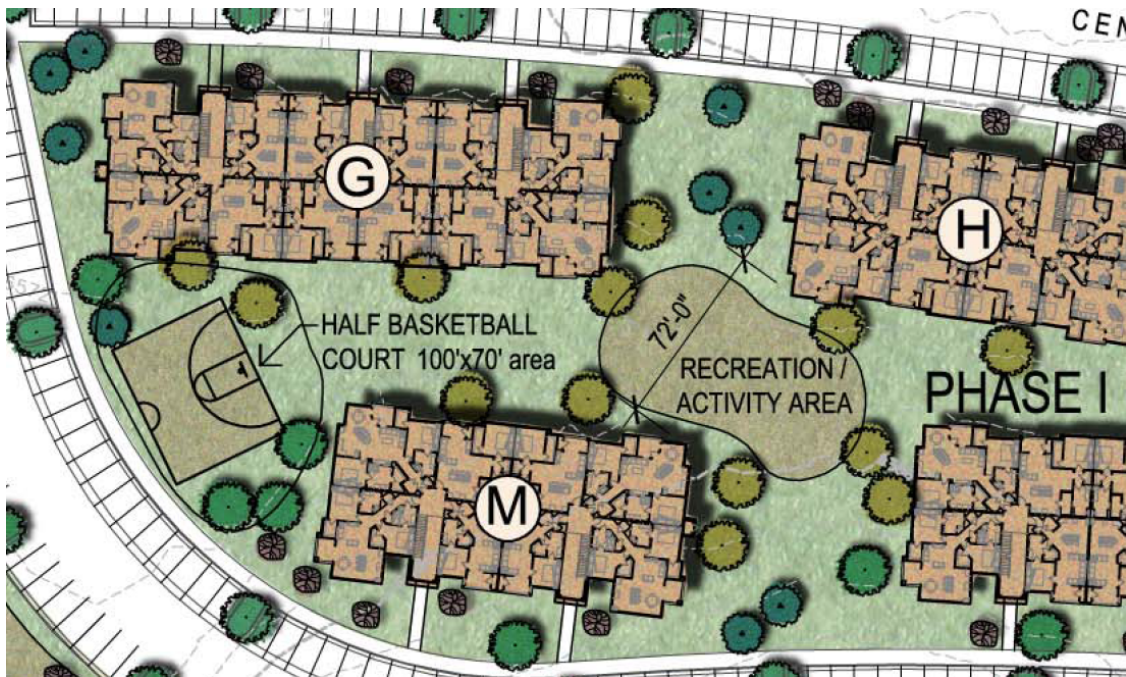
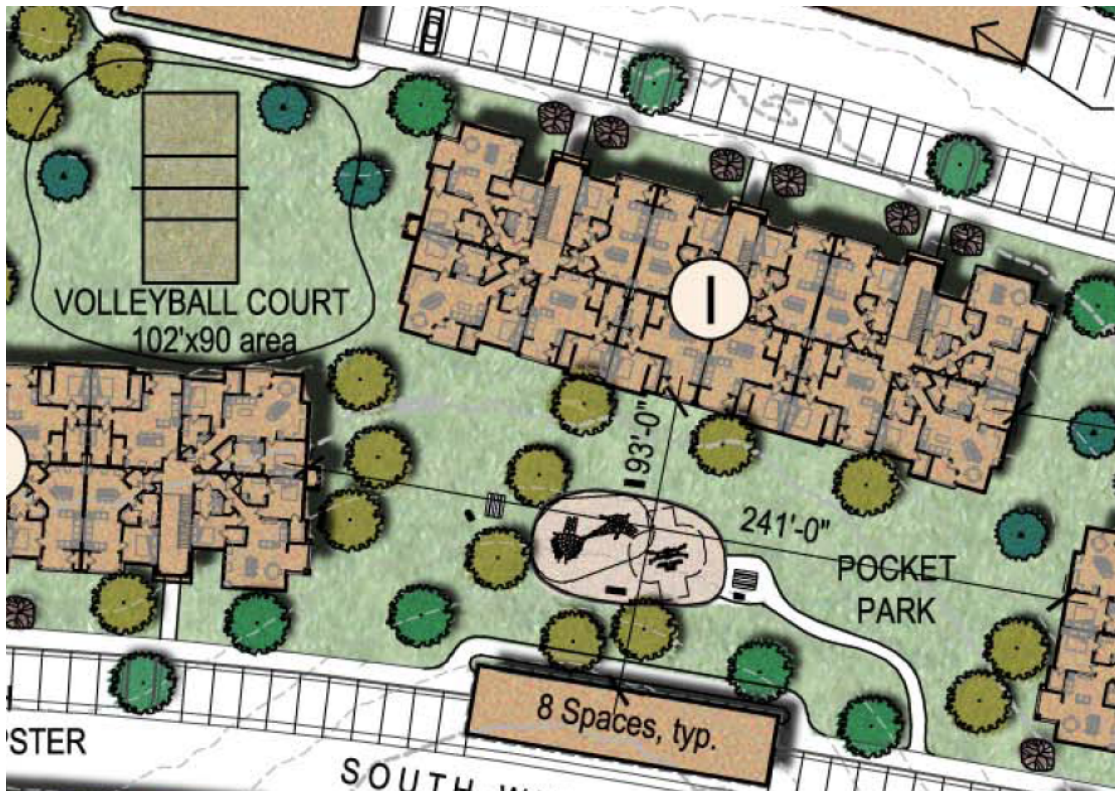
Trails and Amenities:

The PUD recognizes the value placed by the Eagle community on trails, mountain biking, and access to create opportunities for connections to local trails. The proposal includes connecting the current Eagle Ranch trail system located along Sylvan Lake Road to the Hockett Gulch area with a soft path intended for use by pedestrians, bicyclists, and motorcycles (subject to restrictions). Currently there is a private parcel of land located between the PUD and the BLM land system where there is an extensive trail system. The PUD is providing for a connection that can occur in the future should the Town or another organization obtain access across the adjacent private land. Making this connection is a huge benefit to the recreation community by advancing and improving the Town's trail system which helps to enhance the quality of life in Eagle and benefit its economy as a recreation destination. Additionally, the proposal is providing a 5' wide soft recreation trail around the perimeter of the PUD that will connect with the Town's current trail system giving residents of the PUD and the entire community another recreational opportunity.

The project will include extensive passive and active private recreation areas and open spaces as well as anticipated fitness, swimming pool, playgrounds for children, and other onsite amenities to serve the residents living within the PUD as depicted on the concept plan. While the Town and BLM today have extensive park, trails, and recreation facilities, this project will help to serve its own residents with amenities and lessen any burden placed on the Town's resources as well as providing benefits to the entire community.

As part of the proposed trail connection, the PUD is proposing to construct a 14-space trailhead parking lot and waterless vault toilet within the Town's open space along Sylvan lake Road to accommodate a future potential connection to Hockett Gulch.

Below are some images taken from the Conceptual Development Plan showing the size and types of recreation uses that will be provided in the PUD:



Irrigation and Water Use:

The PUD is projected to generate significant revenues annually to the Town's water and sewer funds to pay for capital improvements including the new water plant. The PUD goes further to grant water rights to the Town as well as provide the opportunity to use non-potable, untreated, water for irrigation of landscaped areas. This will reduce the impact to the Town's water treatment needs thus providing a public benefit and a sustainable approach to development. A detailed Water Management and Analysis Report prepared by our water consultant and water engineer has been provided which shows how this project will use water in an extremely efficient manner. Please see water rights letter provided with the submittal that details all of the water rights dedication approaches that may be used with this project and how access to non-potable water for irrigation can be achieved.

The Town's new water plant needs access through the property to accommodate an upsized water distribution pipe that will serve the entire community. The PUD will be accommodating the Town's need for an upsized pipe to run through the property, at the Town's cost.

In addition to using untreated water and efficient irrigation measures, the applicant is proposing to use water efficient fixtures and other monitoring devices to ensure very efficient water use of all residential uses.

Section 3: PUD Review Criteria

Section 4.11.040 of the Eagle Land Use Code provides the following requirement for a PUD Submittal:

A statement of intent, with explanation of how the proposed PUD provides benefits over standard development design and how the proposed PUD meets each of the purposes of this Chapter, as set forth in Section 4.11.020.

An analysis of each of these requirements is provided below:

1. **Statement of Intent**

The intent of the Reserve at Hockett Gulch is to allow for the development of a compact residential neighborhood along with some ancillary commercial uses. The PUD is focused on multifamily residential development (minimum density requirement ensures this focus) in order to provide housing to the local population of the region. The PUD is a creative, environmentally sensitive, and a high-quality design that is consistent with the Eagle Area Community Plan and its goals.

2. **PUD provides benefits over standard development design**

The proposed PUD, unlike standard development design, provides benefits by allowing for development which furthers the goals and objectives of the Eagle Area Community Plan for a conservation-oriented development. The PUD allows for a dense and compact development that better conserves resources while addressing community needs for diverse housing types without impacting environmentally sensitive lands. In addition, the proposed PUD allows both the applicant and the Town of Eagle to have a clear guide for development which restricts the future uses of the site and provides architectural controls.

3. **How the PUD meets the purposes of this chapter (4.11.020)**

- A. *To encourage innovations in residential, commercial and industrial development so that the needs of the population may be met by greater variety in type, design and layout of buildings and land uses and by the conservation and more efficient use of open space;*

Applicant Response:

The proposed PUD allows flexibility in the design and build-out standards of the project, within set zoning parameters and guidelines as contained in the

PUD Guide. The site is uniquely positioned to develop both commercial and residential types, meeting the greater needs of the Eagle community and simultaneously utilizing visually appealing and geologically constrained areas as open space buffers. The project also provides future trail access dedicated to the Town to provide for a new portal to the extensive mountain biking and hiking trail network above Hockett Gulch.

The PUD responds directly to the needs of the community as documented in Town planning documents and Eagle County studies that indicate the need for variety and diversity of housing types in the Town. The PUD promotes the development of multifamily units, primarily directed at rental opportunities, which is in high demand and low supply within the Town. The density proposed is a response to the desire to use resources and land efficiently so that land in the Eagle area can be appropriately conserved while adding the population base needed to make Eagle a vibrant community, economically, and socially.

B. To promote the most appropriate use of the land;

Applicant Response:

The PUD is proposed on a parcel of land being annexed to the Town. The property sits adjacent to Grand Avenue and along the primary access to the Eagle Ranch neighborhood which contains a variety of institutional, residential, and commercial uses in close proximity to the property. The land itself, as discussed in the environmental study provided, is well suited to development given its lack of environmental resources and its position within the Town. The property is well suited for residential development given its connected, yet isolated nature along with some limited commercial opportunities along the frontages of Grand Avenue and Sylvan Lake Road. The property is located within the Town's urban growth boundary.

C. To improve the design, character and quality of new development;

Applicant Response:

The application has included additional design guidelines to establish character of future development on the parcel to create a quality project consistent with design objectives of the Town and those that exist in Eagle Ranch.

D. To facilitate the adequate and efficient provisions of streets and utilities;

Applicant Response:

The PUD will not have an adverse impact on any existing utilities or street capacities. The traffic impact study provided with the submittal indicates that the project can be added to the surrounding public roads without a degradation of level of service in the short term. Utilities and stormwater facilities have adequate capacity to serve the proposed development.

E. *To facilitate efficient provision of solar access;*

Applicant Response:

The property orientation lends itself to significant solar access. The proposed building heights are low and adequate open spaces are planned to allow solar access to all future residential buildings.

F. *To achieve beneficial relationships with the surrounding area;*

Applicant Response:

The PUD will achieve meaningful and beneficial relationships with the surrounding area.

The PUD Zoning Plan was developed as a potential mixed use (residential and commercial), in part, because of the proximity of the project to established residential and commercial areas of the Town and the direct accessibility to Grand Avenue. The project will provide housing for the local workforce thus supporting the local retail and other commercial businesses within the Town. The property is within walking distance to local employers such as the Eagle Healthcare Center, Castle Peak Senior Life and Rehabilitation, Brush Creek Elementary School, and numerous employers within the Eagle Ranch commercial complex, on Grand Avenue, in downtown Eagle, and within the I-70 commercial district, thus providing businesses with convenient housing for workers. The PUD also provides for a new population of consumers to help bolster Eagle's growing business community. The benefits to the surrounding community are significant.

G. *To preserve the unique, natural and scenic features of the landscape;*

Applicant Response:

The PUD is designed with logical placement of development parcels including trails, roadways, and parking areas which was done after analysis of the unique, natural, and scenic features of the landscape. The natural hillside to the south is being protected within an open space parcel. Hockett Gulch, a debris channel, is being recognized and maintained as a natural feature in the landscape. An open space parcel is provided along

the north boundary of the site providing for water quality detention to protect Brush Creek and to provide a sizable buffer to the residents of the Green Acres Mobile Home Park. Therefore, the project is preserving the natural and scenic features of the property.

H. To preserve open space as development occurs;

Applicant Response:

Dedicated open space tracts are included on the zoning and development plan, including a dedicated trail for future access to Hockett Gulch and the extensive Hardscrabble trail network. Significant open space areas are proposed within the residential areas to provide for recreation and relaxation opportunities.

I. To provide for necessary commercial, recreational and educational facilities conveniently located to housing;

Applicant Response:

The PUD provides housing which is in close proximity to commercial, recreational, and educational facilities. The commercial component of this PUD is geared toward the convenience of the residential uses onsite and those in close proximity within Eagle Ranch and the Town. The commercial component is limited to 30,000 sq. ft. allowing it to provide ancillary commercial space within the Town without competing with the Town's commercial cores. The residential component includes ample areas for recreational uses onsite while not duplicating the abundance of under-utilized public parks and facilities located throughout the Town. The property is located in close proximity to schools and its bus routes.

J. To lessen the burden of traffic on streets and highways.

Applicant Response:

The traffic analysis was prepared based upon the anticipated full buildout conditions of the site. This included 30,000 square-feet of commercial property and 500 residential dwelling units. The site is anticipated to generate a total of 5,190vpd (vehicles per day) for an average weekday, and 6,477vpd for an average Saturday. This includes both the residential volume of 3,262vpd for an average weekday, and 3,540vpd for an average Saturday; and the retail component consisting of 2,030vpd for an average weekday, and 2,937vpd for an average Saturday. Both residential and retail components include reductions of traffic for internal capture (where residents would use the retail uses and not leave the site), and a multi-modal

reduction for walking and cycling. Both the internal capture and multi-modal traffic volume reductions are based upon accepted practices as detailed in the *ITE Trip Generation Manual*.

The traffic volumes for the site accesses will warrant some proposed improvements to Highway 6 and Sylvan Lake Road.

Grand Avenue/North Site Access: Similar to all accesses on Grand Avenue, the north access will eventually see excessive levels of delay for the northbound left movement. At that time, it is likely that drivers will prefer to turn right and utilize the Sylvan Lake Road roundabout to turn return towards Gypsum to the west.

The proposed site traffic volumes warrant the installation of three auxiliary lanes on Highway 6, specifically, a right turn acceleration, a right turn deceleration lane, and a left turn deceleration lane. The north site access will need separate left and right turn lanes leaving the site. This scenario will still leave excessive levels of delay for egressing left turns.

Sylvan Lake Road / East Site Access: The intersection is anticipated to operate at an acceptable level of service during the evening and Saturday peak traffic hours through Year 2040. However, the morning peak hour traffic is anticipated to have difficulty leaving the site by Year 2040.

The project's traffic volumes at this access will warrant the construction of a southbound right and northbound left turn lane. The Eagle Ranch Healthcare facility is responsible for the construction of a southbound left turn lane into their facility based on its previous approvals.

Section 4: Review the Town of Eagle Planning Documents

This section provides for a review of the Town of Eagle's planning documents which support the proposed PUD.

Eagle Area Community Plan

The PUD is consistent with the following guiding policies of the Eagle Area Community Plan adopted in 2010:

Land Use Policy 1.1:

Use the goals, policies, principles, implementation strategies, resource maps and future land use designations of the Eagle Area Community Plan in the evaluation of new land use proposals.

Land Use Policy 2.2: *New development should be compact, pedestrian friendly and located within or adjacent to existing development to minimize infrastructure and service needs.*

- a. Promote the development of compact neighborhoods in close proximity to public transit options and established neighborhood retail centers.*
- c. Work to amend regulatory barriers that prevent the intensification of development in identified areas already served by Town infrastructure.*
- d. Identify specific redevelopment and infill opportunities on vacant or under-utilized lots in otherwise built-up areas ... Ensure that (development) areas contain sufficient land for community facilities, recreation and government services as appropriate.*
- e. Utilize incentives including public-private partnerships, density bonuses and modification of development requirements to encourage infill and redevelopment.*
- f. Ensure residential infill and redevelopment outcomes blend appropriately with the character and scale of surrounding neighborhoods.*

Land Use Policy 3.1: *Assure adequate access to and appropriate mobility options within all developed areas.*

- d. Interconnect residential neighborhoods, neighborhood retail centers and other public destinations with a paved recreational path and/or sidewalk system. Connect local paths to regional paths at appropriate locations.*

Land Use Policy 4.1: Preserve high quality agricultural lands, public lands, wildlife resources, water resources, forest resources and viewsheds in the Eagle Planning Area.

- d. Utilize compact development, infill and conservation oriented development to accommodate growth while retaining open lands and protecting environmentally sensitive areas.

Land Use Policy 6.1: Promote vertical mixed use, horizontal mixed use or a combination of mixed-use patterns in appropriate areas within the Town's Urban Growth Boundary.

Community Design Policy 1.3: Work to maintain and enhance the sense of community in the Eagle area.

- c. Design public gathering areas to accommodate activities consistent with their intended use. Differentiate areas suitable for small-scale neighborhood activities and events from those suitable to support larger community activities and events.

Housing Policy 1.1: Support and contribute to efforts to address needs for affordable housing.

Housing Policy 1.2: Promote the preservation and/or creation of a wide range of housing units, including single family, duplex, multi-family and mixed-use arrangement units.

Housing Policy 1.3: Promote increased residential densities in mixed-use commercial residential areas.

Economic Development Policy 1.1: Support an economic development strategy that is consistent with the vision statement.

- g. Work to better capitalize on the Town's proximity to the Eagle County Regional Airport.

Economic Development Policy 1.2: Expand retail diversity to reduce sales tax leakage.

- a. Work to better capitalize on the Town's proximity to the Eagle County Regional Airport.
- d. Optimize commercial development. Determine factors that are preventing build-out of existing commercial centers.

ACTION Plan

The Town of Eagle Planning and Zoning Commission and Eagle County Planning Commission reviewed the recommended strategies for each

policy contained in the Eagle Area Community Plan, and further organized strategies identified as most important to implement, including:

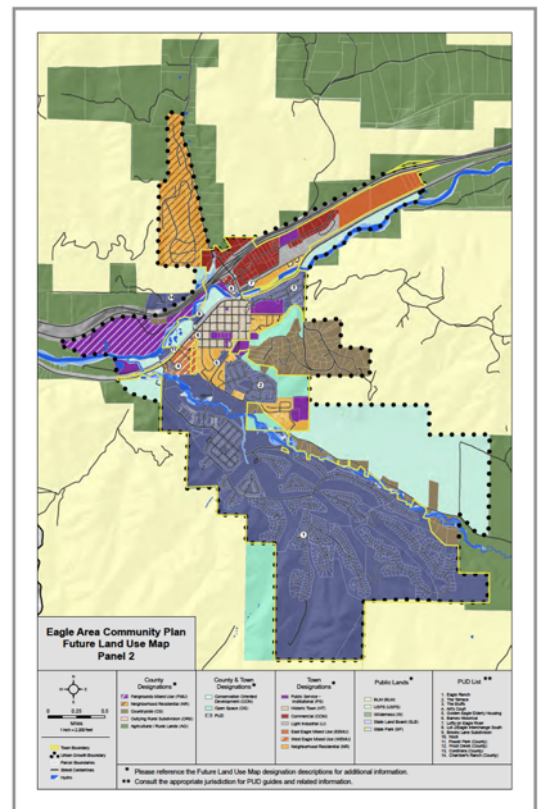
Place Making: Design gateway to reflect the Town's unique identity, providing clear sense of arrival and departure.

Economic Development: Support opportunities to expand the number and diversity of businesses in Eagle and create more local jobs and outlets for goods and services... particularly commercial development that will generate sales tax revenue.

Eagle Area Community Plan Future Land Use Map (FLUM) Designations for Lands within the Town's Urban Growth Boundary:

The PUD project is located with the "Conservation Oriented PUD" Designation of the FLUM and is compatible with the intent, character, location criteria and land uses of the plan, including:

- Development over and above that allowed by existing zoning on properties with this designation predicated on annexation to the Town of Eagle.
- Avoid disconnected, sprawling development by locating higher densities and intensities of land use close to existing developed areas.
- Locate commercial uses in areas easily accessed by automobiles and trucks.
- Development is clustered providing walkable neighborhoods, developed areas are compact and well connected with multimodal, path and trail systems.
- Locate (development) in areas that can be efficiently served by town infrastructure, within reasonable proximity to public services, job centers and shopping, where environmentally or aesthetically valuable lands also exist.
- Use the PUD (Planned Unit Development) zone district for new development



Future Land Use within the Urban Growth Boundary

The PUD is also located in "Western Gateway" special character area identified in the 2010 Eagle Area Community Plan. This special designation includes planning principles that are designed to achieve an attractive, well-managed landscape and distribution of land uses at the Town's western boundary.

The PUD Zoning Plan has taken into consideration the planning principles outlined in the character area and is compliant with the recommendations of the Eagle Area Community Plan.

Section 5: Preliminary Impact Report

Pursuant to Town Planner determination, and in accordance with Section 4.07.030 of the Land Use and Development Code, the applicant has been requested to identify any potential environmental, socioeconomic and utility impacts of the proposed development through submittal of a Preliminary Impact Report. Preliminary Impact Report criteria are as follows:

1. By altering an ecological unit or land form, such as a ridgeline, saddle, draw, ravine, hillside, cliff, slope, creek, marsh, watercourse, or other natural land form feature;

Applicant Response:

The proposed PUD will not alter an ecological unit as described.

2. By directly or indirectly affecting a wildlife habitat, feeding or nesting ground;

Applicant Response:

The proposed PUD will have limited affects to area wildlife as discussed in the baseline ecological report.

3. By substantially altering or removing native grasses, trees, shrubs or other vegetative cover;

Applicant Response:

The proposed PUD will not substantially alter or remove native grasses, trees, shrubs or other vegetative cover as described; the project is on land already zoned historically utilized for irrigated pasture land.

4. By affecting the appearance or character of a significant scenic area or resource, or involving buildings or other structures that are of a size, bulk or scale that would be in marked contrast to natural or existing cultural features;

Applicant Response:

The proposed PUD will not affect the appearance or character of a significant scenic area or resource, nor will it be in marked contrast to natural or existing cultural features as described. Specific development standards will be applied to all development constructed.

5. By potentially resulting in avalanche, landslide, siltation, settlement, flood or other land-form change of hazard to health and safety;

Applicant Response:

The proposed PUD will not result in any increased land-form change or risk to health and safety; recommendation of the soils and structural engineers will be employed as a part of the design and permitting process. A report analyzing the potential for debris flow has been provided and concludes that any impact of debris flow is minor and can be adequately mitigated within the PUD.

6. By discharging toxic or thermally abnormal substance or involving use of herbicides or pesticides, or emitting smoke, gas, steam, dust or other particulate matter;

Applicant Response:

The proposed PUD will not result in any discharge of toxic or abnormal materials or substances, including smoke, gas, steam dust or other particulate matter.

7. By involving any process which results in odor that may be objectionable or damaging;

Applicant Response:

The proposed PUD will not result in any process which results in odor that may be objectionable or damaging.

8. By requiring any waste treatment, cooling, or settlement pond, or requiring transportation of solid or liquid wastes to a treatment or disposal site;

Applicant Response:

The proposed PUD will not require any new waste treatment, cooling or settlement ponds other than those techniques used to retain and treat generated stormwater runoff.

9. By discharging significant volumes of solid or liquid wastes;

Applicant Response:

The proposed PUD will not discharge significant volumes of solid or liquid wastes.

10. By increasing the demand on existing or planned sewage disposal, storm drainage, water distribution system, streets, or other utility systems to a level which is likely to cause an adverse impact on the environment;

Applicant Response:

The proposed PUD will not increase demand on existing or planned sewage systems, storm drainage, water distribution systems, street or other utility systems to a level that is likely to cause an adverse impact on the environment. Adequate services are available through the Town of Eagle and, as necessary, will be constructed to provide additional capacity so as not to cause an adverse impact.

11. By involving any process which generates noise that may be offensive or damaging;

Applicant Response:

The proposed PUD will not generate noise that may be offensive and damaging, as it proposes uses that are typical to the Town of Eagle and already permitted under area zoning regulations.

12. By either displacing significant numbers of people or resulting in a significant increase in population;

Applicant Response:

The proposed PUD will not displace significant numbers of people (the land is currently vacant) but will result in an increase in population through the development of up to 500 dwelling units with an estimated population of 900 persons.

13. By pre-empting a site which is desirable for recreational uses or planned open space;

Applicant Response:

The proposed PUD will not pre-empt a site which is desirable for recreational uses or planned open space; the site is fully developable and uses proposed are consistent with guidance from the Town. Open space is being dedicated within the PUD and includes new trail access to desirable recreational opportunities that are not currently accessible to the public from such a convenient location. The Town and the County have created an abundance of open space areas within the region and the increase of such open spaces is not necessary to be repeated in this location.

14. By altering local traffic patterns or causing an increase in traffic volume or transit service need;

Applicant Response:

According to a study of trip generation of the PUD, acceptable levels of service on impacted roadways are anticipated by build out and the PUD will not cause an unacceptable increase in local traffic patterns or transit service needs.

15. By substantially affecting the revenues or expenditures of the Town government.

Applicant Response:

As proposed, the PUD will positively impact the revenues of the Town of Eagle in several ways including generation of a yearly recurring property tax revenue, and recurring sales tax from proposed commercial areas. The PUD will also expand the permanent residential population that supports existing business and commerce within the Town. The PUD decreases the need of the Town to generate local workforce housing solutions.

16. By increasing the demand on existing or planned school facilities to a level which is likely to cause an adverse impact on such school facilities, an adverse impact on educational opportunities, or an adverse impact on the revenues and expenditures of the Eagle County School District RE-50J.

Applicant Response:

The proposed PUD will not increase demand on school facilities likely to cause an adverse impact. The PUD Guide provides for school land dedication fee payment. The PUD will increase the property value, thus providing the school district with additional revenues.

17. By being a part of a larger project which, at any future stage, may involve any of the impacts listed above.

Applicant Response:

The proposed PUD will not be part of a larger project.

See the compendium of technical reports for more detailed analyzes and development restrictions proposed.