



To: Mayor and Town Council

From: Jessica Lake, Planner I, Community Development Department

Date: April 27, 2021

Agenda Item: PUDA20-01 Haymeadow PUD Amendment

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REQUEST: File #PUDA20-01, Haymeadow PUD Amendment, includes two requests for a major Planned Unit Development (PUD) amendment within the Haymeadow development. 1) Request to swap the School Land portion of Tract E with multi-family housing and to allocate a different parcel for a future school site in Neighborhood C and 2) Request to renovate an existing cabin currently located in open space to the East of Neighborhood D as an event space and to swap this open space parcel with land equal in size and desirability.

#### INTRODUCTION:

The Planning and Zoning Commission reviewed this application on March 2, 2021 and on April 6, 2021. During the March 2, 2021 meeting P&Z opened the file, heard presentations from the applicant and staff, asked questions and took public comment. A decision to continue the hearing was made in order for staff to present additional technical reports related to the school swap request as well as for P&Z to hold deliberation/discussion on both requests. At the April 6<sup>th</sup> meeting of the Planning & Zoning Commission, the Commission heard from staff and the applicant, took additional public comment and made recommendations on both the school swap and cabin requests. Minutes from both the March 2<sup>nd</sup> and April 6<sup>th</sup> meetings are included in this packet. To summarize, the Planning & Zoning Commission recommended denial of the school swap request based on non-conformance with Condition #2 of the standards and recommended approval with conditions of the cabin request based on overall conformance with Conditions #1-6 of the standards for a PUD amendment.

The Haymeadow property was annexed, zoned PUD, and preliminarily platted in 2014. The property is roughly 660 acres in size extending south and east from the current intersection of Brush Creek Road and Sylvan Lake Road. Since the original 2014 approvals, the Annexation and Development Agreement has been amended twice, the Final Plat for Filing 1 has been approved, as has an amendment to that plat to address discrepancies in the platted easements.

The PUD Guide sets out densities for the five different neighborhoods within the 660-acre area of land. In 2014, 837 total dwelling units were approved, of that total, 344 are designated as multi-family housing and 493 are single family or duplex units. The PUD Guide does allow for some limited swapping of densities between single family/duplex and multi-family and between neighborhoods. The multi-family units are able to be anything from small condos units in a two-

or three-story building to larger-scale townhomes, allowing for greater flexibility based on market conditions. Design Guidelines for the Haymeadow property will be submitted to the Town via the Major Development Permit process; this will be the Town's opportunity to review designs for both multi-family and single family/duplex construction. Once the Design Guidelines are approved, the Haymeadow Metropolitan District and eventually the Haymeadow Design Review Board will be responsible for enforcing those guidelines. The Town will continue to have enforcement responsibility for only the regulations contained in the PUD Guide.

In 2013 a Traffic Impact Study was put together by Fox Tuttle Transportation Group, LLC. This study looked at the Town as a whole to address the impact that the development of the Haymeadow property would put on existing streets throughout Eagle. There is not an in-depth analysis regarding the internal streets and flow of circulation internal to the Haymeadow Development. This study is attached to this report via a link, for those who would like to review in full.

McDowell Engineering has submitted two updated Traffic Memos included with this application. The first memo focused primarily on traffic influences external to the Haymeadow site. This memo is discussed in greater detail below, but generally found that "a comparison of the sites to be swapped results in a net increase of daily trips for Neighborhood A... peak morning hourly trips are anticipated to be higher at the new school site." The 2<sup>nd</sup> traffic memo focused primarily on internal influences and took into account multi-modal transportation. The memo shows that by swapping the school for multi-family housing, more residential units are within a closer proximity, which may increase pedestrian and bicycle traffic (thereby reducing vehicle trips) at the new proposed school location. Table 4 in the memorandum, notes that when reviewing the original PUD against the proposed school/multi-family swap the traffic impacts to Brush Creek Road and Ouzel Lane do increase. It appears that the overall impacts to traffic are minimal between the PUD as originally proposed and as amended.

Since the original approvals for this project, Eagle has seen many changes. Many new guiding policies have been adopted, including the 2020 Comprehensive Plan, the 2020 Haymaker Trailhead Master Plan, the 2020 Strategic Plan, the 2020 Water Efficiency & Conservation Plan, and the 2018 Eagle Valley Housing Needs and Solutions, just to mention a few.

This application was submitted to Town Staff prior to the adoption of the 2020 Comprehensive Plan and therefore only references the 2010 Eagle Area Community Plan. Staff has reviewed the Eagle Area Community Plan against this application for overall plan compliance, a summary of that review can be found in the analysis below.

In review of this application, staff has solicited feedback from Public Works and Engineering, the Building Department, ToE Open Space, Greater Eagle Fire District, Eagle County School District, Mountain Recreation, Eagle County Community Development, Eagle County Environmental Health, and Colorado Parks & Wildlife. Outstanding concerns from these agencies have been incorporated into staff's review, and when appropriate, as a condition of approval or as the basis for a recommendation.

#### ANALYSIS:

SECTION 4.11.050.A.1-6:

**CONDITION #1:** *The proposed amendment is consistent with the efficient development and preservation of the entire planned unit development.*

Staff Comment – School Swap: The proposed school swap would effectively remove all of the previous 112 multi-family units from Neighborhoods B & C and relocate them to Neighborhood A1. It would then relocate the future School from Neighborhood A1 to Neighborhood C. The school swap request is partially consistent with the clustering of housing towards more developed areas of land encouraged by the 2010 Eagle Area Community Plan (EACP), except that clustering is primarily encouraged in and around established commercial centers. The initial plan distributed multi-family housing throughout the PUD and into Neighborhoods A1, A2, B, and C. The amendment allows for housing stock to be built and enter the market sooner in the project phasing but restricts all multi-family housing to only Neighborhoods A1 and A2, with the expansion of A1 by 14.2 acres.

Traffic has been evaluated, both in terms of internal traffic flows (March Traffic Memo) and external traffic flows (October Traffic Memo). Based on the assumptions made in the memos from McDowell Engineering, there is little to no difference in traffic between the current school site and the proposed school site. From a traffic perspective, there are no greater efficiencies with one school site versus the others or with having multi-family more spread out or within closer proximity to each other.

The use of a “shared campus” between the Recreation District and the School District was noted as being an example of efficient development in the approved PUD. The ability for students to walk to recreation from the School, sharing playgrounds and fields, sharing parking between not only the rec center and school but also for events, expanded after school opportunities and programs are all benefits of having one parcel for both the Rec District and the School District. The proposed swap does allow for much needed housing to be built more quickly, utilizing existing infrastructure and not needing to irrigate a large parcel until it is eventually developed.

The applicant argues that the school swap request is efficient development because it makes use of infrastructure already in place, staff agrees with the applicant on this point – the proposed request is an efficient use of the development ready infrastructure.

Both the original and proposed plans can be argued to fit in with efficient development. Based on the information provided, staff cannot conclude that one plan is substantially more efficient than the other.

Staff Comment – Cabin: The cabin is an existing building on the Haymeadow property and sits in a tract that is slated as future Town Open Space, to be dedicated when Neighborhood D is subdivided. The cabin was originally used by the Ranch Manager for Adam’s Rib, and an agreement was in place between Haymeadow and Adam’s Rib to continue use of the cabin for a few years after the Haymeadow of the property was sold to Abrika. It has been many years now since the cabin has been used for anything and while the structure is good, it will need extensive renovations prior to it being used.

Development of the Cabin site as an events venue necessitates the usage of existing well and septic since it does not follow the phased development of the rest of the PUD. The well and septic system will need to meet all County and State requirements and a condition of approval has been included regarding timing of connection to Town water and sewer.

To reiterate, the cabin sits on a parcel of land that is currently slated for dedication to the Town as Open Space when Neighborhood D is subdivided. The Town has asked to swap the land that the cabin sits on for another open space parcel that is equal in terms of size and desirability. All renovations for the cabin, including brining the well and septic up to code, will be at the sole expense of the applicant. The Town is not incurring any costs relating to this private business enterprise. What we are evaluating, is the appropriateness of the use of this parcel of land for Special Events. To that end, the land sits within a loop of the Haymaker Trail. Staff has discussed the possibility of potential conflicts between trail users and special events users and has included conditions of approval intended to mitigate any conflicts that may arise.

The location of the Cabin poses a challenge in that is very far out on the property. If efficient development of the PUD is to phase from Neighborhood A1 to A2 to B and so on, then technically the cabin likely wouldn't be developed for many years to come. No development of the cabin was proposed in the original PUD, it could be considered efficient development to develop and preserve the structure.

***CONDITION #2:*** *The proposed amendment does not affect in a substantially adverse manner either the enjoyment of land abutting upon, adjoining or across a street from the planned unit development or the public interest.*

Staff Comment – School Swap: Residents in the Soleil Development and other neighborhoods in Eagle have sent in public comment letters noting their thoughts on the proposed school land swap. In the original approvals, the lower portion of Tract E was slated for development as a school (likely to be K-8). Use of Tract E as a school does confine high usage times to primarily weekday daytime hours and would not be heavily used during the summer months. The upper portion of Tract E has been master planned by Mountain Recreation. Mountain Rec did include parking lots on the plan that were planned to be shared use between the Rec District and the School District. A housing development on Tract E would likely have higher usage in the evening hours and on weekends year-round similar to the high demand hours for Mountain Rec. The residents in a housing development on Tract E would have great walkable access to the Mountain Rec facilities, as will residents in the existing Neighborhood A1.

Local businesses, housing proponents, and residents have also commented in favor of this application and the proposed school swap. Several of the residents of Soleil prefer the proposed change to the original PUD as the developer has agreed to provide a landscape buffer between the Soleil and Haymeadow developments. The school is not under any requirement to provide a buffer, other than adhering to the setbacks in the PUD Guide.

Mountain Rec is a referral agency on this application and is directly affected by the proposed school swap. Mountain Rec's Board commented that the *EACP recognizes the 'shared use of school facilities has contributed positively to the Eagle Community' and encourages shared use*

*practices to continue and expand. As well, the factors of livability include maintain the area's 'sense of community', maintaining and enhancing recreational opportunities, and providing infrastructure and public services efficiently and equitably. For quite some time, the Town and its residents have considered the subject area to be valuable as a trailhead and recreation campus, serving as a central social and recreational hub for the community now and even more so once the Town is fully built out. This community 'heart' has been purposefully planned to include an appropriately sized space for recreational and school purposes, which create specific efficiencies for community use of public land. Preserving and protecting this area for its intended use will offer greater opportunity to provide a 'sense of community' than would be possible if the proposed amendment were approved. Shared school/recreation use of the parcel, and its adjacent park land tract, offers Eagle County Schools and Mountain Recreation access to the entirety of both parcels plus access to existing adjacent school and recreation amenities rather than relegating the agencies to segregated properties. Swapping the school site would impact the recreational use of the property by the Town of Eagle and Mountain Recreation, reducing the scale and impact of public services otherwise possible under the existing Haymeadow PUD. To further illustrate the loss in public service efficiency, the site proposed for the future school is approximately one mile from the currently approved location. Relocation to an outlying neighborhood may create a need to bus students to utilize recreation facilities during school hours, increasing the cost of offering student's unique physical education and curricular opportunities. The distance created by the swap also makes access to extracurricular or recreation-based before and after school programs held in recreation facilities that provide pro-social, physical, emotional, and mental health support an unnecessary logistical challenge.*

The Planning & Zoning Commission found that there are substantial adverse effects to the enjoyment of land abutting, adjoining and across from the Planned Unit Development and to the public interest based on the amount of public opposition, the comments from Mountain Rec and the impacts to surrounding neighborhoods.

Staff Comment – Cabin: The cabin is located on a portion of land that lies within a loop of the Haymaker mountain bike trail. The developer has proposed to relocate a portion of the Haymaker trail to minimize any conflict within the area utilized by the cabin. Signage and markers are proposed at the intersection of the trail and the road. Most larger events at the cabin will include shuttle service to and from area hotels, churches, etc., which should cut down on the number of cars parked in the proposed parking area. This parking area will not be available for trail parking, but strictly for cabin event users. Current users of the Haymaker trail do need to cross the existing dirt road that runs to the cabin, from this standpoint not much will change, except that the road will be more frequently used during remodel of the cabin and lands and as an events space. The applicant has agreed to work with the Town's Open Space and Trails Manager to determine the best way to re-route one portion of the trail, as well as signage, trail construction, etc. and staff has included conditions of approval for these items. Conditions of approval have been added to create policies to handle conflicts when and if they arise, staff believes that these conditions help alleviate any concerns and that the inclusion of special events in this area does not represent a substantially adverse impact upon the enjoyment of land or the public.

**CONDITION #3:** *The proposed amendment is not granted solely to confer a special benefit upon any person.*

Staff Comment – School Swap: The proposed school swap does have benefits for the developer. Approval of this request would enable the developer to utilize the infrastructure earlier, as well as sell product earlier. There also may be benefits to the community: housing stock is available sooner, which helps Eagle to better meet demands. The School District (ECSD) has looked at this swap and believes that the greater land size of the proposed parcel is a benefit to them.

ECSD says: *While both the existing and proposed school dedications are viable school sites, the proposed site is preferred due primarily to its size and location.*

As this swap could benefit the developer, the ECSD, and that portion of the community looking for more immediate housing; staff suggests that the proposed amendment does not confer a special benefit upon any person.

Staff Comment – Cabin: Converting the cabin into an events space also has benefits to the developer. To be able to utilize a space that has been vacant for many years and revitalize it will provide a pecuniary benefit to the developer (after a substantial amount of money has been spent on those renovations). There is also an economic benefit to businesses in Eagle who are in the special events industry. Activating this space as an events venue likely will generate added business for small local businesses. Therefore, this request does not confer a special benefit solely upon any person.

**CONDITION #4:** *The proposed amendment does not contain proposed uses that detract from other uses approved in the PUD.*

Staff Comment – School Swap: All the uses currently proposed in this PUD amendment request are the same as those in the original PUD, it is only the location that changes. From a land use perspective, the proposed uses do not detract from any other uses in the PUD, as all uses were previously approved.

Mountain Recreation has made an argument for how the proposed change in use may detract from the Rec District's plans for the use of this parcel. *The intensive community engagement process (Mountain Rec's master conceptual plans) included an exploration of the ways in which the school/recreation parcel could be planned to include the school, shared parking, and shared multi-purpose field spaces. The conceptual plans developed and approved were based on a school being located adjacent to the existing parkland. Changes to the location of the school may result in a need to revise plans for both parcels. Eagle Pool and Ice Rink expansion efforts, which are already under way, may be jeopardized should plans need to be revised because of the land swap. Furthermore, proximal placement of multi-family residences on the parcel proposed may create additional traffic and safety issues. Peak time use of recreation facilities, trails and parking is evenings and weekends, which is generally the same as peak parking times for housing developments. The Haymaker trailhead concept plan addressed parking concerns with the sharing of school and recreation parking for ordinary use since school parking demands complement recreation parking demands. The plan also included a planned overflow parking*

*area for use during seasonal special events. Sharing parking with multi-family housing is not feasible. As well, parking needs for the housing development may adversely impact the recreation parcels, which already see residential overnight parking from adjacent neighborhoods.*

Staff Comment – Cabin: Swapping the Open Space land that the cabin sits on with developable land in Neighborhood D allows the development to maintain the full amount of open space as originally dedicated. The result would be that a section of the Haymaker Trail will be on private land rather than in public open space. It is possible that the use of the cabin as an events space will occasionally conflict with trail users, but it is not clear what the impacts would be. Staff included a condition of approval to create a plan or policy document that could help staff to address any future conflicts that may arise.

**CONDITION #5:** *The proposed amendment does not contain an open space plan that differs substantially in quantity or quality from that originally approved.*

Staff Comment – School Swap: The school swap request does not affect the approved open space plan for the development. Should this request be approved, the applicant has agreed to create a landscape buffer to provide a visual boundary and a “landscaped open space” area resulting in 2.6 acres between the Soleil Development and multi-family housing. This portion of open space would not be part of the open space plan but would be part of the landscape portion of the Design Guidelines. Staff believes that the proposed amendment does not contain an open space plan that differs substantially in quantity or quality from that originally approved.

Staff Comment – Cabin: The cabin request would create a 5.8-acre parcel (Tract I) around the cabin from land that is projected to be deeded to the Town as open space. To maintain the same acreage of open space in the PUD, 5.8 acres of natural land would be subtracted from the northern portion of Neighborhood D and designated as open space. The additional open space in this area will offer a larger buffer between the Haymaker trail and Neighborhood D for trail users while also benefiting wildlife by providing a larger wildlife corridor.

The Haymeadow applicants have also requested a small reroute of the Haymaker Trail near the cabin to separate the trail experience from the event venue. The applicant will be responsible for the costs and construction of the reroute, with the Town having final approval of the new alignment. The final plat for Tract I will include a new trail easement protecting access for the trail through the parcel. Further, with the proposed/modified PUD Amendment, the Town would no longer be responsible for taking over an existing events venue and trying to run a business as a local government entity.

The applicant believes this creates an equal or better level of open space quality for the overall PUD, because the area around the cabin is in an upland area that has been identified as weed infested land that requires mitigation and improvement. The renovation of the cabin and surrounding lands will include a full weed mitigation plan within this 5.8-acre parcel. Approximately one acre of the parcel will be improved with irrigated landscaping and the rest will be revegetated with native grasses. The 5.8-acre portion of Neighborhood D that will become open space is irrigated hayfield. This area will create a larger buffer area between the development lands of Neighborhood D and the upland open space and proposed wildlife

corridor. This area could also be used as a secondary trailhead for access to the Haymaker Trail and adjacent public lands.

The Open Space Manager has reviewed the application and believes the land proposed in the open space swap is substantially similar or better in quantity and quality to what was originally approved. A suggested Condition of Approval has also been added for the proposed Open Space tract to include the Extra Credit trail, which would give the Town the right to make this a permanent extension of the Haymaker Trail.

**CONDITION #6:** *The proposed amendment contains street and utility plans that are coordinated with planned and/or existing streets and utilities for the remainder of the PUD.*

Staff Comment – School Swap: The proposed school swap does not include any alterations to the approved internal street plan from Filing 1.

The 2013 Fox Tuttle Traffic Report notes: *It is anticipated that the traffic accessing the new recreation facilities will use the existing roadways that access the ice rink. There will be a narrow and circuitous connection between the recreation site and the school site, but it is not expected that there will be any through traffic from one parking area to the other. However, this connection will provide a secondary emergency access route to both facilities.*

The existing location for the school and recreation parcel does have the potential benefit of a secondary emergency access point. In terms of primary access points both the existing school location and the proposed alternative school land locations are located on corner parcels with roundabouts conceptually shown at those intersections. The existing school site would place greater demand on the extension of Sylvan Lake Road internal to the Haymeadow development. Staff has included a condition of approval to accelerate the Sylvan Lake Road / Brush Creek Road roundabout and re-alignment.

The proposed school site places a greater demand on roads primarily external to the development – Brush Creek Road and Ouzel Lane. Due to the greater potential for demand to Brush Creek Road and Ouzel Lane, a condition of approval has been added requesting the developer to provide analysis of impacts to this area prior to a Final Plat application for the proposed school site (Tract J). McDowell Engineering's traffic memo from October states that *the remaining 1/3 of the additional morning traffic (27vph in / 12vph out) caused by the school site swap will likely access via Ouzel Lane. This may add to the southbound left turn movement from Brush Creek Road to Ouzel Lane towards the Haymeadow project. The configuration of the Brush Creek Road and Ouzel Lane intersection should be studied prior to time of Final Plat.* Staff has included a condition of approval for the applicant to provide a study for Brush Creek Road and Ouzel at the time of subdivision of the proposed school site. A dedicated left-hand turn lane will be added to Brush Creek Road at the intersection with Ouzel based on the recommendation from McDowell Engineering.

The street and utility plans for the rest of the Haymeadow development will be submitted at time of subdivision for each Neighborhood.



Staff Comment – Cabin: An existing dirt road currently leads to the cabin, situated just east of Neighborhood D. On the site plan, the road is shown only as existing but not to remain. When Neighborhood D is platted, the applicant and the development team will need to show how access will be maintained, but as the Neighborhood is not yet platted, staff does not have concerns about the cabin as it relates to coordination with the overall street and utility plans. A dedicated left-hand turn lane will be added to Brush Creek Road at the Cabin Access Road prior to use of the property for Special Events based on recommendations from Eagle County and McDowell Engineering.

## ANALYSIS OF DEVELOPMENT IMPACT REPORT

### SECTION 4.07.100:

#### 1.) *Development impact report requirements.*

1. *For each area under Subsection (B) of this section for which the response is "will" or "could possibly," a development impact report addressing such concern may be requested by the Town Planner before development review by the Planning Commission or may be required by the Commission or Town Board at any time prior to final approval. In addition, a public facilities impact statement may be required in accordance with the provisions of [Chapter 4.14](#).*
2. *The development impact report shall include technical studies, data, conclusions, summaries, and recommendations, performed by qualified professionals and at a level of detail commensurate with the potential impact of the development. The content, form, preparers and detail shall be adequate to enable the Town staff, Planning Commission and Town Board to Judge the impact of the proposal and the adequacy of the proposed mitigating measures, and shall be subject to approval of the Town Manager.*
3. *The development impact report shall describe temporary and long-term impacts of the project, both primary and secondary, beneficial and detrimental. The report shall include assessment of the following:*
  - a. *Adverse effects which cannot be avoided if the proposal is implemented.*
  - b. *Mitigating measures proposed to minimize the impact.*
  - c. *Cumulative and long-term effects of the proposal, which either significantly reduce or enhance the state of the environment.*
  - d. *Possible alternatives to the proposed action.*
  - e. *Irreversible environmental changes resulting from implementation of the proposal.*
  - f. *Population and economic impacts of the proposal.*

Staff Comment – School Swap: Staff has reviewed the applicant’s responses to the development impact report. Based on the traffic memos submitted by McDowell Engineering it appears that the only intersection that may require additional review is Brush Creek Road and Ouzel Lane, a condition of approval was added to address this review at time of subdivision should the school swap be approved.

Staff Comment – Cabin: Staff has reviewed the applicant’s responses to the development impact report as they regard the cabin and events, as has Colorado Parks and Wildlife. Comments from CPW have been incorporated into the application and PUD Guide and it appears that all concerns have been adequately addressed. However, CPW has not provided any additional comments.

#### ANALYSIS OF 2010 EAGLE AREA COMMUNITY PLAN

Staff Comment: While compliance with the approved plans and policies are not a specific Condition in Title 4 of the Municipal Code, it is relevant to Conditions 1-6 as identified above. As stated in the Introduction, this application falls under the 2010 Eagle Area Community Plan and not the 2020 Elevate Eagle Comprehensive Plan because the application was submitted prior to the final adoption of the 2020 plan. Since the original Haymeadow PUD 2010 plan was deemed in compliance with the 2010 plan, this review will focus only on the change in uses and locations presented.

Planning Principles: Brush Creek Character Area. A. Within the Urban Growth Boundary, locate new development close to existing development of similar intensity. Encourage clustering to balance conservation and development objectives so that wildlife habitat, views and sensitive environmental areas are preserved. **Staff Comment: While the proposal would not increase the number of multi-family units in the Haymeadow project, this proposal would focus more of them into Neighborhood A1 and the result would be no multi-family dwellings in neighborhoods B, C, or D (note that no multi-family dwellings were approved in D).**

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. **Staff Comment: The resulting multi-family would be compact and adjacent to existing development.**

Land Use Policy 3.1.B. Design road, parking and delivery systems to anticipate future development and transportation needs. Promote a land use pattern that minimizes travel distances and encourages mobility by means other than the personal automobile. **Staff Comment: Moving the school minimizes travel distances for neighborhoods internal to the Haymeadow development and may encourage fewer vehicle trips in favor of walking or biking. Moving the school is also likely to result in a greater number of vehicle trips through Eagle Ranch Road to the Ouzel Lane / Brush Creek Road intersection.**

Natural Resources Policy 1.2. B. Encourage site designs and alternative transit incentives that reduce the demand for automobile trips in the area. **Staff Comment: Placing more dwellings within walking distance to the recreation facilities at the Pool and Ice Rink may encourage more pedestrian trips.**

Transportation Policy 1.2.B. Require development applicants to provide traffic studies and traffic impact analysis appropriate to the location, scale and nature of proposed improvements. **Staff Comment: The TOE Public Works Department commented that the Traffic Memorandum submitted as part of the application requires additional information.**

Transportation Policy 1.2. G. Locate high traffic generating land uses close to collector and arterial roadways and transit centers. **Staff Comment: Both the existing and proposed locations share**

**similar distances to Brush Creek Road and the extension of Sylvan Lake Road through the development.**

Community Design Policy 1.1.F. Retain and showcase existing design elements that contribute to the heritage and sense of place of the community and encourage new design to reflect such forms and materials, particularly within the Town Center Character Area. **Staff Comment: With the cabin's conversion to a private special event venue, the views from the facility would provide guests with not only great views of the Eagle area but would further Town branding as a community that focuses on the outdoor lifestyle.**

Community Design Policy 1.3.D. Promote community events and festivals, including but not limited to Flight Days, Christmas on Broadway, 12th Night, 4th of July fireworks, Show Downtown Concerts, recreation district activities and the Eagle County Fair and Rodeo. **Staff Comment: While not necessarily providing events such as those mentioned, this approval would add another event facility to the town – in a location that is presently rural.**

Economic Development Policy 1.1.I. Attract viable businesses and trades specifically for Eagle and/or potential local niche markets. **Staff Comment: Presently, facilities such as wedding venues are considered niche in the Town.**

Economic Development Policy 1.2.A. Support opportunities to expand the number and diversity of businesses in Eagle. **Staff Comment: The approval would result in a new business in Eagle.**

#### COMMUNITY INPUT:

Staff received letters of public comment up until April 22, 2021 to include in the packet. A summary of the comments received is included with the packet, and all letters are attached with the summary. A list of questions from Soleil homeowners along with applicant and staff responses is also included as part of the public record. Letters received after April 21<sup>st</sup> will be gathered and entered into the record at the hearing.

#### BUDGET / STAFF IMPACT:

No impact to the budget.

#### STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

2020 Town of Eagle Strategic Plan:

*8.) Major Objective: Diversify the Attainable Housing Stock*

*a. The Town creates opportunities for a diversified, attainable housing stock for a variety of rental and purchase options.*

Staff Comment – School Swap: 112 multi-family for-sale units will support housing diversity in Eagle.

*4.) Major Objective: Attract Visitors*

- b. The Town is capitalizing on the unique heritage and outdoor amenities to attract visitors to Eagle. Proximity to I-70 and regional airports along with special events will encourage a wide and diverse range of tourists, bringing an investment which will improve the economy and quality of life for everyone.*

Staff Comment – Cabin: This request aligns with the major objective to attract visitors. The private events venue will bring clients into Eagle, these clients may use local Eagle events companies, hotels, and other local services in addition to the events space.

**RECOMMENDED ACTION OR PROPOSED MOTION:**

**SCHOOL SWAP - RECOMMENDED ACTION AND PROPOSED MOTION:**

The Planning & Zoning Commission recommends DENIAL of Ordinance No. 06, Series 2021, “An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Planned Unit Development Amendment for the Haymeadow Development to Swap the School Land Portion of Tract E with Multi-Family Development and to Allocate a Different Parcel for a Future School Site in Neighborhood C”, based on Conditions 1-6 of [Section 4.11.050](#). of the Municipal Code based on the following finding of fact.

**Suggested Motion:**

I move to DENY Ordinance No. 06, Series 2021, “An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Planned Unit Development Amendment for the Haymeadow Development to Swap the School Land Portion of Tract E with Multi-Family Development and to Allocate a Different Parcel for a Future School Site in Neighborhood C”, with the following finding of fact:

**Finding of Fact:**

That the application is not in conformance with Sections Condition #2 of [Section 4.11.050](#).

**Conditions of Approval as listed in Ordinance No. 06, Series 2021:**

Should Council vote in favor of the proposed school swap, staff is recommending the following conditions of approval:

- a. With the application for a Development Permit related to this Application, the Applicant shall comply with Section [4.04.110](#) of the Code regarding local employee housing.
- b. With the application for the subdivision of Tract J, the Applicant shall provide the Town with an updated traffic study with an analysis of vehicle and bus trip counts at the intersection of Ouzel and Brush Creek Road that would occur as a result of moving the school closer to this intersection.
- c. With the application for a Development Permit related to this Application, the Applicant shall submit a Joint Excavation Plan in compliance with [Chapter 13.18](#) of the Code.
- d. With the application for a Development Permit related to this Application, the applicant shall submit documentation detailing potable water and non-potable water changes in use, quantity, pressure, and assumptions of the model (DCW changes) expected from the proposed use changes, especially as they relate to irrigation.

- e. At the time that the Ouzel Lane Trail connection as outlined in the approved trails plan is constructed, the Applicant shall construct pedestrian crossing improvements on Brush Creek Road.
- f. At the time of construction of the Ouzel Lane/Sylvan Lake Road roundabout, the Applicant shall construct pedestrian crossing improvements at the roundabout with activated flashing lights.
- g. The Applicant shall provide a 300' building setback from the Soleil boundary and shall landscape the setback in a manner approved by the Town in advance.
- h. Within one year of the effective date of this ordinance, the Applicant shall submit an application for subdivision of Tract E, the new school parcel, the cabin parcel, and the new open space parcel, and the application shall include the following: updated water modelling for water pressures to new Neighborhood A of the Haymeadow development; a plan for completion of Sylvan Lake Road/Brush Creek Road re-alignment and roundabout; and an agreement detailing infrastructure to the new school site in Neighborhood C.

**CABIN SITE - RECOMMENDED ACTION AND PROPOSED MOTION:**

The Planning & Zoning Commission recommends APPROVAL of Ordinance No. 07, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Planned Unit Development Amendment for the Haymeadow Development to Renovate an Existing Cabin Currently Located in Open Space to the East of Neighborhood D as an Event Space and to Swap this Open Space Parcel with Land Equal in Size and Desirability", based on Conditions 1-6 of [Section 4.11.050](#) of the Municipal Code based on the following finding of fact.

**Suggested Motion:**

I move to APPROVE Ordinance No. 07, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Planned Unit Development Amendment for the Haymeadow Development to Renovate an Existing Cabin Currently Located in Open Space to the East of Neighborhood D as an Event Space and to Swap this Open Space Parcel with Land Equal in Size and Desirability", with the following finding of fact:

**Finding of Fact:**

That the application complies with [Sections 4.07](#) and [4.11](#) of the Eagle Municipal Code (the "Code") and the 2010 Eagle Area Comprehensive Plan.

**Conditions of Approval as listed in Ordinance No. 07, Series 2021:**

- a. When water and wastewater lines are within 400' of the property on which the cabins are located, on-site water and wastewater shall be required to connect to such lines within 2 years.
- b. Prior to submitting an application for any building permits for the cabins, the Applicant shall work with the Town to create a plan for addressing any potential disputes or conflicts between events held at the cabin and trail users and to determine appropriate access easements, signage and other requirements for the Haymaker Trail re-route, recognizing that the trail shall not be closed to avoid such conflicts.

- c. The Applicant shall work with the Town to extinguish the temporary trail extension agreement for the Extra Credit trail and provide the appropriate new permanent trail easement.
- d. On-site parking shall be limited to 20 spaces, and shuttles shall be required for special events that generate more than 20 vehicles. Prior to submitting an application for any building permits for the cabins, the Applicant shall provide staff with a site plan for the cabin showing the parking and designating the 20 parking spaces.
- e. Outdoor events at the cabin shall be seasonal and only permitted from May 15<sup>th</sup> until December 1<sup>st</sup> or aligned with Colorado Division of Parks and Wildlife recommended seasonal trail closures, whichever is more restrictive.
- f. Prior to submitting an application for any building permits for the cabins, the Applicant shall work with County and Town staff to determine necessary improvements for the left-turn lane on Brush Creek Road to the cabin access road, and any such improvements shall be complete prior to the commencement of any special events at the cabin site.

ATTACHMENTS:

- Project Narrative including Site Plans, Conceptual Plans and Development Impact Report
- Redlined PUD Guide
- McDowell Engineering Traffic Memo dated October 16, 2020
- McDowell Engineering Traffic Memo dated March 26, 2021
- Haymeadow Response to Town of Eagle received March 26, 2021
- Updated Public Comment Summary Report dated April 22, 2021
- Questions from Soleil Homeowners with Staff and Applicant Responses dated March 30, 2021
- PZ Minutes excerpt from March 2, 2021
- PZ Minutes excerpt from April 6, 2021
- Applicant Response to Condition(Standard) #2 and the Planning & Zoning Commission Public Hearing
- Ordinance No. 06, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Planned Unit Development Amendment for the Haymeadow Development to Swap the School Land Portion of Tract E with Multi-Family Development and to Allocate a Different Parcel for a Future School Site in Neighborhood C."
- Ordinance No. 07, Series 2021, "An Ordinance of the Town Council of the Town of Eagle, Colorado Approving a Planned Unit Development Amendment for the Haymeadow Development to Renovate an Existing Cabin Currently Located in Open Space to the East of Neighborhood D as an Event Space and to Swap this Open Space Parcel with Land Equal in Size and Desirability."