



**Planning & Zoning Commission
Tuesday, October 19, 2021, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO**

This agenda and the meetings can be viewed at www.Townofeagle.org.

PUBLIC WIFI - TOEG – townofeagle2019

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access for the public to attend via the Zoom link below.

[ACCESS THE ON-LINE MEETING HERE](#)

Please note: All participants are automatically muted. In order to be called upon and unmuted, you will need to use the "Raise Hand" from the Reactions tab at the bottom of your screen. When it's your turn to speak, the moderator will unmute your line and you will have three (3) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the Planning Department at Planning@townofeagle.org and will be included as part of the record.

For technical difficulties, please email Nikki.Davis@townofeagle.org and we will do our best to assist you.

6:00 PM - REGULAR MEETING CALLED TO ORDER

APPROVAL OF MINUTES *Approval of minutes from the following meeting(s) of the Planning & Zoning Commission.*

1. Minutes dated October 5, 2021

PUBLIC COMMENT

Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person. Those who are speaking are requested to state their name & address for the record.

PUBLIC HEARINGS

1. Project: Land Use and Development Code Amendment - Parking Fee In-Lieu Program Update
File #: LURA21-05
Applicant: Town of Eagle
Location: Town of Eagle
Staff Contact: Chad Phillips, Community Development Director/Town Planner
Request: For the Planning Commission to review and provide feedback on the new Parking Fee In-Lieu Program.

2. Project: East Eagle Sub Area Plan (EESAP) - Public Adoption Hearing
File # LURA21-03
Applicant: Town of Eagle
Location East Eagle Planning Area
Staff Contact: Chad Phillips, Community Development Director/Town Planner
Peyton Heitzman, Planner I
Jessica Lake, Planner I
Request: Approval of Resolution 03, Series 2021, A Resolution of the Planning & Zoning Commission of the Town of Eagle, Colorado to Adopt the East Eagle Sub Area Plan (EESAP).

COMMUNITY DEVELOPMENT DEPARTMENT & TOWN COUNCIL UPDATE *Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council*

1. Department and Council Update

OPEN DISCUSSION

ADJOURN

I hereby certify that the above Notice of Meeting was posted by me in the designated location at least 24 hours prior to said meeting.



Jessica Lake
Planner I



MEETING MINUTES
Planning & Zoning Commission
Tuesday, October 5, 2021, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO

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PUBLIC WIFI - TOEE – ((TOEEWireless))

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with access for the public to attend via Zoom.

6:00 PM REGULAR MEETING CALLED TO ORDER

Chair Hood called the meeting to order at 6:02 PM.

COMMISSIONERS PRESENT

Matthew Hood, Kyle Hoiland, Bill Nutkins,
Charlie Perkins, Jesse Gregg,
Robert Townsend, Keegan Winkeller (via Zoom)

COMMISSIONERS ABSENT

Lani Webb

STAFF

Chad Phillips – Community Development Director
Dennis Wike – Town Engineer
Peyton Heitzman – Planner I
Nikki Davis - Administrative Tech II

APPROVAL OF MINUTES *Approval of minutes from the following meetings(s) of the Planning & Zoning Commission.*

1. Minutes dated September 7, 2021

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 4 (HOILAND, NUTKINS, PERKINS, WINKELLER) IN FAVOR AND 0 OPPOSED. CHAIR MATTHEW HOOD AND COMMISSIONERS ROBERT TOWNSEND AND JESSE GREGG ABSTAINED.

2. Minutes dated September 21, 2021

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO APPROVE THE MINUTES. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 5 (HOOD, HOILAND, NUTKINS, GREGG,

TOWNSEND) IN FAVOR AND 0 OPPOSED. COMMISSIONERS CHARLIE PERKINS AND KEEGAN WINKELLER ABSTAINED.

PUBLIC COMMENT *Citizens are invited to comment on any item not on the agenda subject to a public hearing. Please limit your comments to three (3) minutes per person. Those who are speaking are requested to state their name & address for the record.*

Public comment opened at 6:05 PM. There was no public comment.

PUBLIC HEARINGS

1. Project: Updated to Chapter 3 of the Elevate Eagle Comprehensive Plan (2021)
File #: LURA21-04
Staff Contact: Peyton Heitzman, Planner I, Community Development Department
Chad Phillips, Director, Community Development Department
Request: Approval of Resolution 02, Series 2021, "A Resolution of the Planning and Zoning Commission of the Town of Eagle, Colorado Amending the Elevate Eagle Comprehensive Plan."

Staff Presentation

Ms. Heitzman provided a brief presentation reviewing the proposed amendments to the Future Land Use Map (FLUM) and Future Land Use Categories. Ms. Heitzman also presented a new request staff received to modify the Urban Growth Boundary (UGB) to include a portion of 306 Eby Creek Road. The property under consideration is within the I-70 Influence Character Area and would be designated as Mixed-Use.

To conclude, Ms. Heitzman asked the Commission if the I-70 Influence Character Area boundary should be amended to avoid conflict between the residential permitted through the Mixed-Use designation. Ms. Heitzman also asked the Commission to consider if there are unintended consequences with expanding the UGB.

Q & A

Chair Hood asked to clarify what uses would be prohibited by redesignating the land north of I-70 from Commercial/Light Industrial to Mixed-Use. Mr. Phillips commented that the Title 4 update will create the new Mixed-Use zone district, and this will help define commercial uses.

Public Comment

Public Comment opened at 6:25 PM.

Tom Boni, 712 Bull Run – Mr. Boni provided a brief presentation related to his request to expand the UGB. Mr. Boni explained that currently, the UGB follows the property line of 306 Eby Creek Rd. The proposed amendment to the UGB would allow the boundary to cross through the property and follow a ridgeline boundary instead. The amended UGB would include 5 acres of 306 Eby Creek Rd. This change would make the adjacent lot, 295 Rule Rd, more buildable. Furthermore, by expanding Mixed-Use designation into this area, Mr. Boni stated that there is potential to build and increase housing density.

Commissioner Perkins asked if extending the boundary would improve driving accessibility for emergency response vehicles. Mr. Boni replied yes and included that there is also enough land to build recreational facilities.

David Nudell, 210 Mesa Drive – Mr. Nudell submitted public comment regarding 435 Eby Creek Rd, just north of ‘The House’. Mr. Nudell asked the Commission to consider designating this area as High Density Residential instead of Mixed-Use given that the uses are not yet defined. He also commented that Commercial will not be visible in this location.

Public Comment closed at 6:35 PM.

Deliberation

Commissioner Gregg asked for clarity regarding limiting residential uses within the I-70 Influence Character Area if the boundary is expanded. Commissioner Nutkins was in favor of excluding the UGB expansion from the Character Area to avoid residential use conflicts.

Commissioner Winkeller highlighted the need to better define Mixed-Use designation.

The Planning Commission was in unanimous agreement to approve the presented amendments.

MOTION: COMMISSIONER KYLE HOILAND MOTIONED TO APPROVE RESOLUTION NO. 02, SERIES 2021, “A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO APPROVING AND ADOPTING THE 2021 AMENDMENT TO THE ELEVATE EAGLE COMPREHENSIVE PLAN,” WITH THE FOLLOWING CONDITIONS OF APPROVAL

- A. THE FUTURE LAND USE MAP (EXHIBIT A) SHALL BE AMENDED TO REFLECT CHANGES IN LAND USE CATEGORIES;**
- B. THE “MEDIUM DENSITY RESIDENTIAL” LAND USE CATEGORY SHALL BE AMENDED TO READ AS FOLLOWS: “SMALL LOT, SINGLE-FAMILY UNITS, DUPLEXES/TRIPLEXES, MULTI-FAMILY, AND TOWNHOMES” UNDER THE LAND USE CATEGORY’S PRIMARY USES;**
- C. THE “PUBLIC / INSTITUTIONAL” LAND USE CATEGORIES SHALL BE AMENDED TO INCLUDE “ON-SITE EMPLOYEE HOUSING” AS A SECONDARY USE;**
- D. THE I-70 INFLUENCE CHARACTER AREA BOUNDARY SHALL BE MODIFIED TO EXCLUDE THE FOLLOWING ADDRESSES: 85 POND ROAD, 435 EBY CREEK ROAD, 295 RULE ROAD, AND 306 EBY CREEK ROAD.**

MOTION WAS SECONDED BY COMMISSIONER CHARLIE PERKINS AND PASSED WITH A VOTE OF 7 (HOOD, HOILAND, NUTKINS, PERKINS, GREGG, TOWNSEND, WINKELLER) IN FAVOR AND 0 OPPOSED.

Chair Hood closed file LURA21-04.

OPEN DISCUSSION

Commissioner Hoiland asked when the first Land Use and Development Code Update Committee meeting will be. Mr. Phillips replied that this will likely be scheduled for late November, after the election.

Commissioner Perkins asked when we can expect occupancy approval for Broadway Station. Mr. Phillips replied they are starting exterior finishes now.

Chair Hood asked for an update on Hockett Gulch. Mr. Phillips replied they are still grading and relocating gas mains. Also, that the development permit hearing will likely be scheduled in the next couple of weeks.

Staff asked if the Commission could commit to the December 21st regularly scheduled meeting.

ADJOURN

MOTION: COMMISSIONER BILL NUTKINS MOTIONED TO ADJOURN. MOTION WAS SECONDED BY COMMISSIONER KYLE HOILAND AND PASSED WITH A VOTE OF 7 (HOOD, HOILAND, NUTKINS, PERKINS, GREGG, TOWNSEND, WINKELLER) IN FAVOR AND 0 OPPOSED.

MEETING ADJOURNED AT 6:50 PM.

APPROVED:

DATE:

Matthew Hood, Chairman

Nikki Davis, Administrative Tech II



To: Planning & Zoning Commission

From: Chad Phillips, Director, Community Development
Dennis Wike, Town Engineer, Public Works
Carrie McCool, Eagle Contract Planner

Date: October 19, 2021

Agenda Item: Land Use and Development Code Amendment - Parking Fee In-Lieu Program Update

BACKGROUND:

WALKER Consultants completed a Downtown Parking Study for the Town in 2017. The study's goals were to evaluate the supply and demand conditions within the downtown core, bounded by Grand Avenue to the north and west, Capitol Street to the east, and 5th Street to the south. The parking inventory estimated roughly 696 parking stalls within the study area, noting that much of the parking was informal (unpaved, unstriped, spaces located in swaths of open areas along streets with no curb and gutter). As such, WALKER utilized parking stall measurements to estimate inventory. The following figure shows a breakdown of stall inventory by type.

Stall Type	Inventory		% of Total System
Public	551		79%
Private	145		21%
Grand Total	696		100%

2017 WALKER Parking Study

As noted above, the majority of parking spaces are public parking in Downtown Eagle. While some of these spaces are paved, striped, and signed, others are informal. The table below shows how the public parking is configured with a definition of the type of on-street parking.

Public Parking Type	Inventory	Definition
Broadway Time-Limited	58	Parking stalls within the public right-of-way that are clearly delineated and demarcated (with striping and signage) and have time restrictions.
Unrestricted Formal Spaces	239	Parking stalls within the public right-of-way that are clearly delineated and demarcated (with striping and some signage) but do not have any restrictions.
unrestricted informal spaces	254	Parking areas within the public right-of-way that are not delineated or demarcated (e.g., no striping, signage, etc.).
TOTAL	551	

2017 WALKER Parking Study

The WALKER study noted that of this available public parking, 254 (43%) are informal, unmarked, and located on public right-of-way (ROW). Those who park in the undesignated areas of ROW do not maximize the available area because they park in different ways (parallel, angled, and head-in). The ROW is also used for parking and/or storing large recreational vehicles and boats that cannot easily fit on private property or in a driveway.

One of the study recommendations to address supply sufficiency would be to pave, stripe and install signage in unimproved rights-of-way dedicated to on-street parking. The purpose of this parking study is to verify and implement the recommendations outlined in the WALKER study by developing a parking strategy that leverages existing unimproved right-of-way dedicated to on-street parking and to provide proposed projects or uses the option to pay a fee rather than provide on-site parking spaces as required by Section 4.07.140 of the Land Use and Development Code.

PARKING FEE IN-LIEU PROGRAM:

Study Area

The Parking Fee In-Lieu Program study area expanded the study area boundaries of the 2017 WALKER Parking Study further east to include Howard Street and includes the newly formed Downtown Development Authority (DDA) boundaries. Grand Avenue forms the northern and western boundaries of the study area and is the subject of an ongoing corridor study. The Grand Avenue Corridor Study is estimated to be completed in November of 2022 and therefore has been excluded from this analysis.



Downtown Study Area



Community Outreach

2017 WALKER Parking Study recommended that the Town engage in additional public input and community outreach prior to making definitive decisions about what parking management techniques and policies to implement. As such, Town Staff spearheaded the community outreach that included regular discussions related to downtown parking issues and possible solutions with the newly formed Downtown Development Authority (DDA) Board and Economic Vitality Committee. Public input opportunities also included a digital survey distributed to a list of eighty (80) downtown stakeholders that have direct interest in the district, wherein 32 responses were received. The survey included two open-ended questions and eight yes/no

questions. The majority of responses from the open-ended questions acknowledged that developing parking on their property would be very expensive with cost estimates ranging from \$15,000 to \$200,000. Many respondents noted that developing parking on their property is not an option or not physically possible. Only a few respondents indicated they have parking on their property. Additionally, respondents indicated their customers and tenants park zero to eight cars on-street. Below is an overview of the survey respondents responses to the yes/no questions contained in the survey.

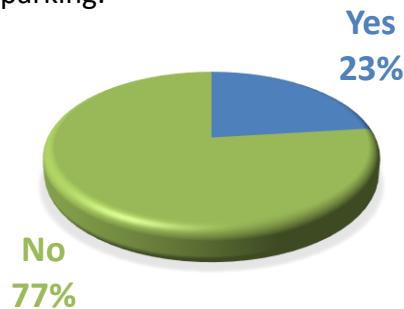
1. Have you heard customers complain about parking? Over half of the respondents (53%) heard complaints about parking in the downtown.



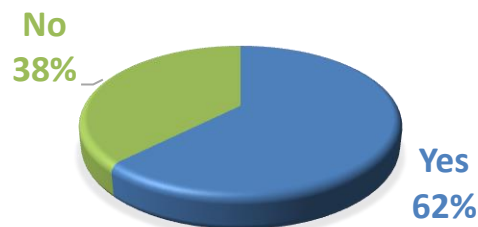
2. Do you have off-street parking for your business? 56% of businesses do not have off-street parking for their business.



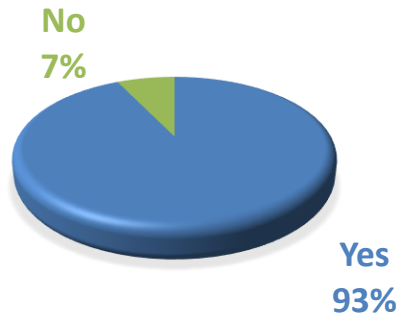
3. If not, could your property accommodate off-street parking? 77% of respondents stated their property could not accommodate off-street parking.



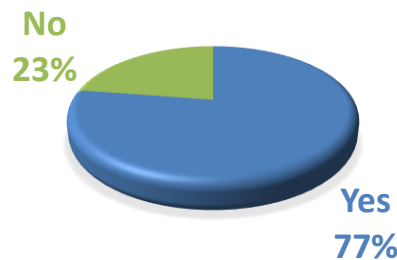
4. Do you believe parking is an issue in and around the Downtown Business District?



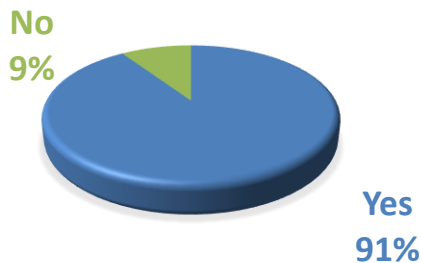
5. If parking is not an issue downtown currently, do you think it will be an issue if the town approves more dense residential and commercial projects? 93% of respondents think parking will be an issue downtown if the town approves denser residential and commercial projects.



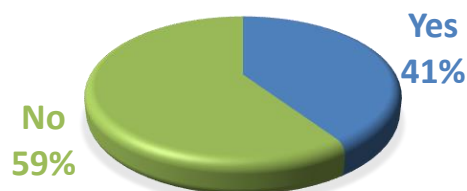
6. Would you support new curb/gutter and 8-foot sidewalk adjacent to your property? Most respondents (77%) indicated support for new curb/gutter and sidewalks adjacent to their properties.



7. Have you experienced parking adjacent to your property during Town events? The majority of respondents (91%) have experienced parking adjacent to their property during Town events.



8. Does your property have a driveway? Almost 60% of the respondents properties do not driveways.



Parking Inventory

The rights-of-way in the study area vary between 60 to 80-feet. The type of parking includes a variety of parking stall types, including time-limited spaces on Broadway, angled, parallel, and head-in (perpendicular). As noted above, the 2017 WALKER Parking Study estimated the number of parking stalls by utilizing parking stall measurements for much of the informal parking areas located in swaths of open areas along streets with no curb and gutter. This study included a detailed survey of existing conditions with field verification of all rights-of-way provided by the Public Works Department. Field survey efforts analyzed the type of parking (angled, parallel, or head-in) that could be accommodated in the undeveloped areas and considered areas

where spaces would be lost from cut and driveways. A total of **503 new parking spaces** could be constructed with 228 angled, 165 parallel, and 50 head-in within the study area. This represents a significant increase from the 254 informal spaces identified in the 2017 WALKER Parking Study. Additionally, this study found **316 existing developed spaces** in the study area. This compares to the 297 formal parking spaces identified in the 2017 WALKER Parking Study. The results of the field study are summarized in the table below. Please refer to the attached Downtown Parking Inventory for the full analysis including assumptions used in the calculations.

SUMMARY	TOTALS	TYPE	DEV	HC-DEV*	UNDEVELOPED	SUB-TOTAL
Total Angled Parking Space		A	223	8	228	519
Total Parallel Parking Spaced		P	66		165	231
Total Head-In Parking Spaces		H	19		50	69
Total Parking Spaces Available	819		308	8	503	819
Total Parking Spaces Lost to Cuts/Driveways	165					

*Handicapped Spaces that are developed.

Preliminary Recommendations on the In-Lieu Fee

The Community Development Department is aware of over a dozen projects within the study area that are ripe for development or currently within a planning or construction process. Of these projects, parking seems to be a significant financial or practical deterrent to their ultimate construction. The analysis and community input received throughout this study form the basis for a recommended parking in-lieu fee amount to relieve the barriers to downtown's continued revitalization.

The new in-lieu fee is proposed to be voluntary in nature. A developer or property owner would have the option to pay a fee if they choose not to provide all or a portion of the required parking spaces on-site as required by the Town's parking regulations. The new in-lieu fee is a **per parking space** fee. It is recommended that the initial parking in-lieu fee be set at **\$23,100 per space**. This would be a "universal" fee amount and would be consistently applied regardless of land use or project location within the Downtown Eagle Study area. All changes of use within the proposed district (including additions or renovations) shall be eligible for the parking in-lieu fee.

Reasonable Relationship Study

The primary goal of the reasonable relationship study is to demonstrate evidence of the parking in-lieu fee's "reasonable relationship" between the in-lieu fee amount and the costs associated with constructing, operating, and maintaining the 503 new parking spaces in the right-of-way. The reasonable relationship of the parking in-lieu fee is not arbitrary but is justified through an analysis that correlates directly to per space parking construction and operating cost estimates in the study area.

To determine the per-stall fee, the Town Engineer estimated capital costs of construction for improvements (e.g., paving, striping, curb/gutter, sidewalk, storm sewers, utility relocation, signage, etc.) based on historic unit prices, which were updated to reflect recent increases in construction costs. The Town Engineer prepared two tables (attached) that outline the capital cost to construct parallel and angled parking in undeveloped right of way: parallel parking is approximately \$16,100 per space and for angled parking is approximately \$13,000 per space. The ultimate build-out of either parallel or angled parking would not be known until final design and would consider public input. Adjacent property owners may prefer parallel spaces over angled. As such, staff recommends utilizing the most conservative costs estimate of **\$16,100** for parallel spaces.

Additionally, the Town Engineer estimated prepared two tables (attached) that outline the town's operating cost to maintain developed right-of-way parking: \$700 per space for parallel parking and \$570 per space for angled parking annually over a ten-year timeframe. Due to the unknowns related to the ultimate final design of the parking spaces (parallel vs. angled), staff recommends utilizing the most conservative operating cost estimate of \$700 per space annually and include **\$7,000** to the parking in-lieu fee amount. After the ten years, the Town would assume operating costs and budget for them as part of the capital improvements programming.

It is important to note that construction costs are extremely volatile today due to skyrocketing material prices and labor shortages. As such, staff recommends that the new parking in-lieu fee be linked to a construction cost index and adjusted annually.

NEXT STEPS:

November 2, 2021: Town Council Work Session

December 7, 2021: Planning and Zoning Commission recommendation on Land Use and Development Code Amendment

January 11, 2021: Town Council Adoption of Land Use and Development Code Amendment

ATTACHMENTS:

1. Downtown Parking Inventory
2. Engineering Cost Estimates

Town of Eagle - Downtown Parking Inventory

<u>Location</u>	<u>Developed Parking Spaces</u>	<u>Developed Handi-cap Parking</u>	<u>UnDev Potential Spaces</u>	<u>Parking Type</u>	<u>Existing Driveway /Cuts (ft)</u>	<u>Existing Sidewalks (Width-Type)</u>	<u>Spaces Lost from Cuts /Driveways</u>
HOWARD STREET* - 60' ROW							
- South of Grand (W)			8	P	0	5'-A	0
- South of Grand (E)			7	P	35	4'-A	2
- Between 2nd & 3rd (W)			11	P	0	NO	0
- Between 2nd & 3rd (E)			10	P	40	NO	2
- Between 3rd & 4th (W)			9	P	50	5'-A PARTIAL	2
- Between 3rd & 4th (E)			9	P	35	4'-A PARTIAL	2
- Between 4th & 5th (W)			11	P	0	N	
- Between 4th & 5th (E)			7	P	75	N	4
SUB-TOTAL			72		235		11
CAPITOL STREET* - 60' ROW							
- South of Grand (W)			4	P	65	3'-A	3
- South of Grand (E)			8	P	15	NO	1
- Between 2nd & 3rd (W)			10	P	20	5'-A	1
- Between 2nd & 3rd (E)			8	P	45	4'-A	2
- Between 3rd & 4th (W)			9	P	52	NO	2
- Between 3rd & 4th (E)			10	P	30	5'-A	2
- Between 4th & 5th (W)			10	P	55	NO	3
- Between 4th & 5th (E)			9	P	50	NO	2
SUB-TOTAL			68		332		16
BROADWAY STREET - 80' ROW							
- South of Grand (W)	4	1		5A	20	10'-A W/ TREES	2
- South of Grand (E)	7			7A	0	10'-A W/ TREES	0
- Between 2nd & 3rd (W)	13			6P-7A	0	10'-A W/ TREES	0
- Between 2nd & 3rd (E)	13			6P-7A	0	10'-A W/ TREES	0
- Between 3rd & 4th (W)	12			5P-7A	0	10'-A W/ TREES	0
- Between 3rd & 4th (E)	12			5P-7A	0	10'-A W/ TREES	0
- Between 4th & 5th (W)	8	1		2P-7A	0	10'-A W/ TREES	0
- Between 4th & 5th (E)	8			5P-3A	0	10'-A W/ TREES	0
SUB-TOTAL	77	2	0		20		2

Town of Eagle - Downtown Parking Inventory

<u>Location</u>	<u>Developed Parking Spaces</u>	<u>Developed Handi-cap Parking</u>	<u>UnDev Potential Spaces</u>	<u>Parking Type</u>	<u>Existing Driveway /Cuts (ft)</u>	<u>Existing Sidewalks (Width-Type)</u>	<u>Spaces Lost from Cuts /Driveways</u>
WALL STREET - 80' ROW							
- Between 2nd & 3rd (W)			13	A	30	NO	2
- Between 2nd & 3rd (E)	9	0	12	H	30	5'-A	3
- Between 3rd & 4th (W)			19	A	45	6'-D PARTIAL	3
- Between 3rd & 4th (E)	9	1	9	A	40	6'-A PARTIAL	3
- Between 4th & 5th (W)			19	A	32	NO	2
- Between 4th & 5th (E)			19	A	40	NO	3
SUB-TOTAL	18	1	91		217		17
WASHINGTON STREET - 80' ROW							
- Between 3rd & 4th (W)			16	H	30	NO	3
- Between 3rd & 4th (E)			13	A	79	NO	6
- Between 4th & 5th (W)			19	A	38	NO	3
- Between 4th & 5th (E)			19	A	30	NO	2
SUB-TOTAL			67		177		14
MCINTIRE STREET - 80' ROW							
- Between Grand & 5th (W)			11	A	30	NO	2
- Between Grand & 5th (E)			16	A	41	NO	2
SUB-TOTAL			27		71		4
5th STREET - 80' ROW							
- Between Grand & McIntire (N)	5		3	A	81	4'-A	6
- Between Grand & McIntire (S) East of Alley			8	A	17	N	1
- Between Grand & McIntire (S) West of Alley				NONE	57	N	4
- Between McIntire & Wash (N) East of Alley			7	A	19	4'-D PARTIAL	1
- Between McIntire & Wash (N) West of Alley			7	A	19	N	1
- Between McIntire & Wash (S) East of Alley			7	A	15	N	1
- Between McIntire & Wash (S) West of Alley			5	A	28	N	2
- Between Wash & Wall (N) East of Alley			6	A	16	N	1
- Between Wash & Wall (N) West of Alley			5	A	26	N	2
- Between Wash & Wall (S) East of Alley	21			A	0	5'-D	0
- Between Wash & Broadway (S)	5	1		A	0	5'-D	0
- Between Wall & Broadway (N) East of Alley	2			P	35	5.5'-D	2

Town of Eagle - Downtown Parking Inventory

<u>Location</u>	<u>Developed Parking Spaces</u>	<u>Developed Handi-cap Parking</u>	<u>UnDev Potential Spaces</u>	<u>Parking Type</u>	<u>Existing Driveway /Cuts (ft)</u>	<u>Existing Sidewalks (Width-Type)</u>	<u>Spaces Lost from Cuts /Driveways</u>
- Between Wall & Broadway (N) West of Alley	5			P	0	5.5'-D	0
- Between Wall & Broadway (S) West of Alley	10			A	0	5.5'-D	0
- Between Broadway & Capitol (N) East of Alley	6			A	0	7.5'-A	0
- Between Broadway & Capitol (N) West of Alley	5			A	20	7.5'-A	2
- Between Broadway & Capitol (S) East of Alley	14			A	0	5'-D	0
- Between Capitol & Howard (N) East of Alley			6	2P-4A	0	NO	0
- Between Capitol & Howard (N) West of Alley			6	H	26	NO	2
- Between Capitol & Howard (S) East of Alley			7	A	0	NO	0
- Between Capitol & Howard (S) West of Alley			3	P	20	NO	1
SUB-TOTAL	73	1	70		379		27
4th STREET - 80' ROW							
- Between McIntire & Wash (N)			5	H	105	NO	11
- Between McIntire & Wash (S) East of Alley			4	A	67	NO	5
- Between McIntire & Wash (S) West of Alley			1	H	38	NO	4
- Between Wash & Wall (N) East of Alley			7	A	0	3'-D	0
- Between Wash & Wall (N) West of Alley			6	A	16	N	1
- Between Wash & Wall (S) East of Alley			6	A	20	N	2
- Between Wash & Wall (S) West of Alley			6	A	22	4.5'-D	2
- Between Wall & Broadway (N) East of Alley	9	1		A	0	5'-A	0
- Between Wall & Broadway (N) West of Alley			3	A	65	N	5
- Between Wall & Broadway (S) East of Alley	9			A	0	N	0
- Between Wall & Broadway (S) West of Alley			9	A	0	N	0
- Between Broadway & Capitol (N) East of Alley			9	A	0	N	0
- Between Broadway & Capitol (N) West of Alley	9			A	0	N	0
- Between Broadway & Capitol (S) East of Alley			4	P	18	N	1
- Between Broadway & Capitol (S) West of Alley	4		4	4A+4H	22	4'-A +5'-A	2
- Between Capitol & Howard (N) East of Alley			8	A	0	N	0
- Between Capitol & Howard (N) West of Alley			6	H	35	N	4
- Between Capitol & Howard (S) East of Alley			6	A	24	N	2
- Between Capitol & Howard (S) West of Alley			8	A	0	N	0
SUB-TOTAL	31	1	92		432		37

Town of Eagle - Downtown Parking Inventory

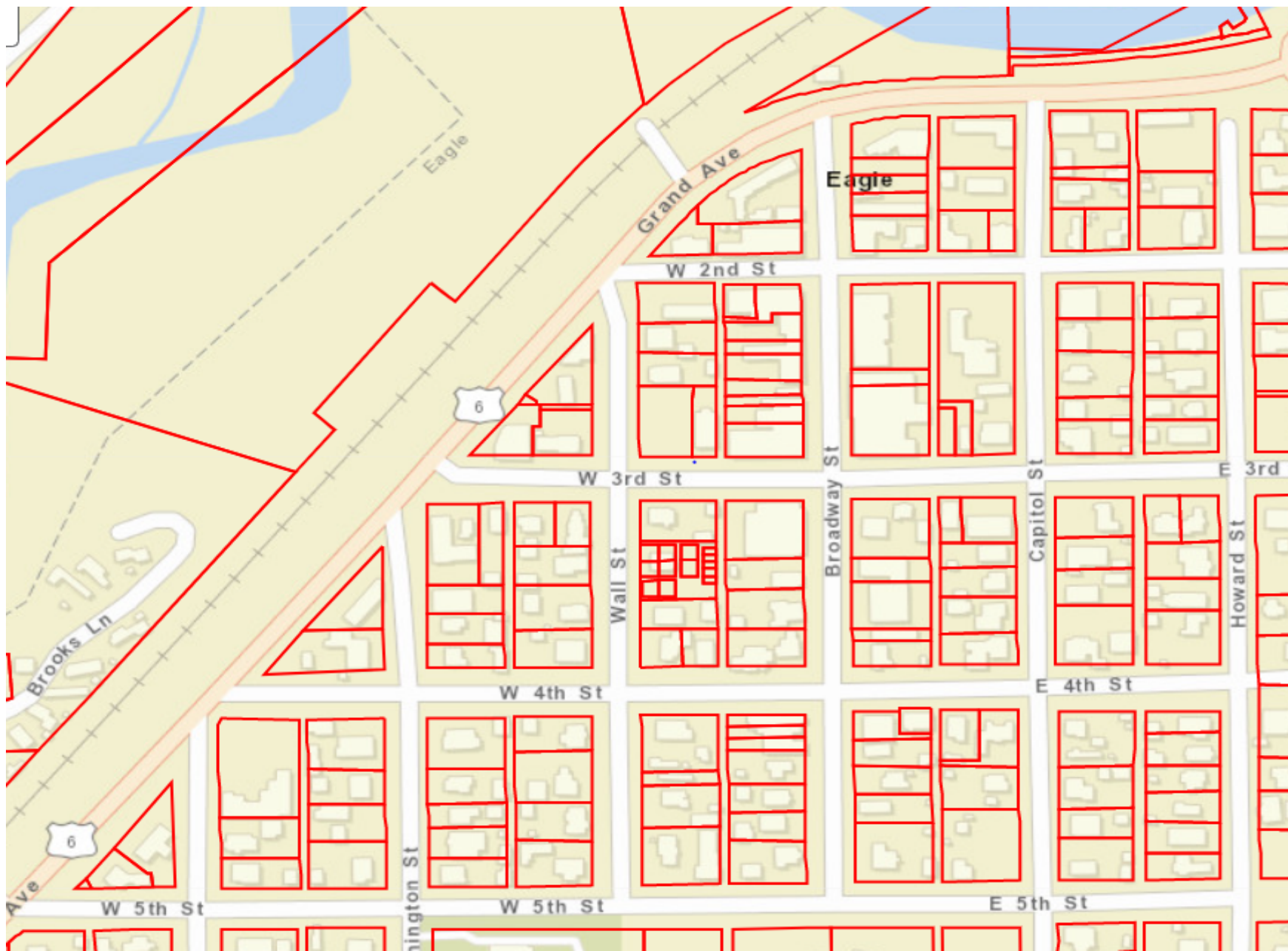
<u>Location</u>	<u>Developed Parking Spaces</u>	<u>Developed Handi-cap Parking</u>	<u>UnDev Potential Spaces</u>	<u>Parking Type</u>	<u>Existing Driveway /Cuts (ft)</u>	<u>Existing Sidewalks (Width-Type)</u>	<u>Spaces Lost from Cuts /Driveways</u>
3rd STREET - 80' ROW							
- Between Grand & Wall (N)	7			A	74	5'-A	6
- Between Wash & Wall (S) East of Alley	5			A	15	4.5'-A	1
- Between Wash & Wall (S) West of Alley	3			A	58	5'-A	4
- Between Wall & Broadway (N) East of Alley	9			A	0	9.5'-A	0
- Between Wall & Broadway (N) West of Alley	10			H	0	5.5'-A	0
- Between Wall & Broadway (S) East of Alley	5	1		A	42	6.5'-A	3
- Between Wall & Broadway (S) West of Alley	6			A	14	5'-A	1
- Between Broadway & Capitol (N) East of Alley	6			A	16	6'-A	1
- Between Broadway & Capitol (N) West of Alley	5	1		A	24	6'-A	2
- Between Broadway & Capitol (S) East of Alley	2			A	94	6'-A	7
- Between Broadway & Capitol (S) West of Alley	7			A	18	6'-A	1
- Between Capitol & Howard (N) East of Alley	3			P	41	4.5'-D	4
- Between Capitol & Howard (N) West of Alley	3			P	34	4.5'-D	2
- Between Capitol & Howard (S) East of Alley	4			P	20	4'-D	1
- Between Capitol & Howard (S) West of Alley	3			P	17	4'-D	1
SUB-TOTAL	78	2	0		467		34
2nd STREET* - 60' ROW							
- Between Wall & Broadway (N) East of Alley	5			P	0	6.5'-A	
- Between Wall & Broadway (N) West of Alley	0			P	0	8'-A	
- Between Wall & Broadway (S) East of Alley	4			P	0	6.5'-A	
- Between Wall & Broadway (S) West of Alley	0			H	102	6'-A	10
- Between Broadway & Capitol (N) East of Alley	4			P	0	5'-A	
- Between Broadway & Capitol (N) West of Alley	4			P	0	5'-A	
- Between Broadway & Capitol (S) East of Alley	7			A	0	7.5'-A	
- Between Broadway & Capitol (S) West of Alley	7	1		A	0	7'-A	
- Between Capitol & Howard (N) East of Alley			3	P	20	N	1
- Between Capitol & Howard (N) West of Alley			4	P	15	N	1
- Between Capitol & Howard (S) East of Alley			5	P	0	4'-A	
- Between Capitol & Howard (S) West of Alley			4	P	0	4'-A	
SUB-TOTAL	31	1	16		137		12

Town of Eagle - Downtown Parking Inventory

<u>Location</u>	<u>Developed Parking Spaces</u>	<u>Developed Handi-cap Parking</u>	<u>UnDev Potential Spaces</u>	<u>Parking Type</u>	<u>Existing Driveway /Cuts (ft)</u>	<u>Existing Sidewalks (Width-Type)</u>	<u>Spaces Lost from Cuts /Driveways</u>
GRAND AVENUE - 80' ROW	NOT INCLUDED IN STUDY						
SUMMARY		TOTALS	TYPE	DEV	HC-DEV	UNDEVELOPED	SUB-TOTAL
Total Angle Parking Spaces			A	223	8	288	519
Total Parallel Parking Spaces			P	66		165	231
Total Head-In Parking Spaces			H	19		50	69
Total Parking Spaces Available		819		308	8	503	819
Total Parking Spaces Lost to Cuts/Driveways		165					

Assumptions Used In Calculations

- 1. ROW VARIES 60' TO 80', see each street name for details
- 2. PAVED TRAVEL SURFACE 24 FEET in WIDTH, typical.
- 3. FUTURE SIDEWALKS in RESIDENTIAL AREAS TO BE 6' in WIDTH.
- 4. AVAILABLE WIDTH = 1/2 ROW MINUS PAVEMENT WIDTH of 12' typical.
- 5. AVAILABLE PARKING LENGTH EXCLUDES DRIVEWAYS AND INTERSECTION SETBACKS





Town of Eagle - FEE IN LIEU OF PARKING STUDY

UNDEVELOPED ROW-PARALLEL PARKING	EST	UNITS	HISTORIC UNIT PRICES			EST UNIT PRICE	ITEM TOTAL
ITEM	QTY	USED	Hwy 6-2013	Capital-2020	Haymeadow-2019	USED	
Mobilization	1	LS				\$4,500.00	\$4,500.00
Traffic Control	24	HR				\$100.00	\$2,400.00
Erosion Control	260	LF			\$3.00	\$3.00	\$780.00
Utility Relocations	1	LS				\$4,000.00	\$4,000.00
Clear & Grub-15' wide x 250' long x 2 sides	7500	SF			\$0.30	\$0.40	\$3,000.00
Sawcut Asphalt/Concrete	500	LF		\$3.00		\$3.50	\$1,750.00
Earthwork/Subgrade Prep-15' wide x 250' long x 2 sides	7500	SF	\$3.00		\$2.10	\$3.50	\$26,250.00
Remove & Replace Unsuitable	800	SF	\$5.00	\$4.70		\$5.50	\$4,400.00
Export Waste Material	1000	CF		\$0.65		\$0.75	\$750.00
Storm Drain Pipe	400	LF	\$75.00		\$71.50	\$85.00	\$34,000.00
Storm Manhole/Inlet	4	EA	\$5,000.00	\$4,700.00	\$4,500.00	\$5,500.00	\$22,000.00
Connect to Existing	1	EA	\$10,000.00			\$11,000.00	\$11,000.00
Class 6 Road Base-6 in depth-15' wide x 250' long x 2	7500	SF	\$1.09	\$1.30	\$1.32	\$1.50	\$11,250.00
Asphalt Pavement-4 in depth-7' wide x 250' long x 2	3500	SF	\$2.15	\$3.50	\$2.50	\$4.00	\$14,000.00
Concrete Curb & Gutter	540	LF	\$25.00	\$30.00	\$30.00	\$35.00	\$18,900.00
Concrete Sidewalk-6' wide x 260' in length x 2	3120	SF	\$5.00	\$12.00	\$5.50	\$13.00	\$40,560.00
Concrete Pan-3 ft width	0	LF			\$31.00	\$35.00	\$0.00
ADA Concrete Ramp	4	EA		\$1,470.00		\$2,000.00	\$8,000.00
Signage	8	EA			\$500.00	\$550.00	\$4,400.00
Pavement Markings-Striping	120	LF			\$0.34	\$1.00	\$120.00
Pavement Markings-Handicapped	2	EA				\$1,000.00	\$2,000.00
Place Topsoil-1.5' in width x 260' in length x 2	20	CY			\$7.00	\$10.00	\$200.00
Revegetation-2' wide x 260' in length x 2	1040	SF				\$1.00	\$1,040.00
Contingency (20%)	1	LS				\$43,060.00	\$43,060.00
Engineering, Surveying & Project Management (15%)	1	LS				\$32,295.00	\$32,295.00
TOTAL						TOTAL	\$290,655.00
COST PER UNDEVELOPED PARALLEL SPACE		18	Parallel Spaces			\$16,147.50	PER SPACE
Option: Street Lighting		EA			\$18,450.00		

NOTES

1. Estimate for adding parking, sidewalks, & storm sewers in TOE ROW on both sides of the road for a Typical 266 LF East/West Block with a 16' alley in Eagle Downtown area
2. Pavement for a typical parallel parking space is 7' wide x 25' in length = 175 sq ft / parallel space.
3. Pavement for a typical 45 deg angled parking space is 16.5' wide x 14.3' in length = 235 sq ft / angled space.
4. All estimate costs assume only one plan revision and are 2021 costs, not escalated.

Town of Eagle - FEE IN LIEU OF PARKING STUDY

UNDEVELOPED ROW-ANGLE PARKING	EST	UNITS	HISTORIC UNIT PRICES			EST UNIT PRICE	ITEM TOTAL
ITEM	QTY	USED	Hwy 6-2013	Capital-2020	Haymeadow-2019	USED	
Mobilization	1	LS				\$4,500.00	\$4,500.00
Traffic Control	24	HR				\$100.00	\$2,400.00
Erosion Control	260	LF			\$3.00	\$3.00	\$780.00
Utility Relocations	1	LS				\$4,000.00	\$4,000.00
Clear & Grub-25' wide x 250' long x 2 sides	12500	SF			\$0.30	\$0.40	\$5,000.00
Sawcut Asphalt/Concrete	500	LF		\$3.00		\$3.50	\$1,750.00
Earthwork/Subgrade Prep-25' wide x 250' long x 2	12500	SF	\$3.00		\$2.10	\$3.50	\$43,750.00
Remove & Replace Unsuitable	1000	SF	\$5.00	\$4.70		\$5.50	\$5,500.00
Export Waste Material	1500	CF		\$0.65		\$0.75	\$1,125.00
Storm Drain Pipe	550	LF	\$75.00		\$71.50	\$85.00	\$46,750.00
Storm Manhole/Inlet	4	EA	\$5,000.00	\$4,700.00	\$4,500.00	\$5,500.00	\$22,000.00
Connect to Existing	1	EA	\$10,000.00			\$11,000.00	\$11,000.00
Class 6 Road Base-6 in depth-25' wide x 250' long x 2	12500	SF	\$1.09	\$1.30	\$1.32	\$1.50	\$18,750.00
Asphalt Pavement-4 in depth-16.5' wide x 250' long x 2	8250	SF	\$2.15	\$3.50	\$2.50	\$4.00	\$33,000.00
Concrete Curb & Gutter	600	LF	\$25.00	\$30.00	\$30.00	\$35.00	\$21,000.00
Concrete Sidewalk-6' wide x 260' in length x 2 sides	3120	SF	\$5.00	\$12.00	\$5.50	\$13.00	\$40,560.00
Concrete Pan-3 ft width	0	LF			\$31.00	\$35.00	\$0.00
ADA Concrete Ramp	2	EA		\$1,470.00		\$2,000.00	\$4,000.00
Signage	4	EA			\$500.00	\$550.00	\$2,200.00
Pavement Markings-Striping	280	LF			\$0.34	\$1.00	\$280.00
Pavement Markings-Handicapped	1	EA				\$1,000.00	\$1,000.00
Place Topsoil-1.5' in width x 260' in length	10	CY			\$7.00	\$10.00	\$100.00
Revegetation-2' wide x 260' in length	520	SF				\$1.00	\$520.00
Contingency (20%)	1	LS				\$53,993.00	\$53,993.00
Engineering, Surveying & Project Management (15%)	1	LS				\$40,494.75	\$40,494.75
TOTAL						TOTAL	\$364,452.75
COST PER UNDEVELOPED ANGLE SPACE		28 Angled Spaces				\$13,016.17	PER SPACE
Option: Street Lighting		EA			\$18,450.00		

NOTES

1. Estimate for adding parking, sidewalks, & storm sewers in TOE ROW on both sides of the road for a Typical 266 LF East/West Block with a 16' alley in Eagle Downtown area
2. Pavement for a typical parallel parking space is 7' wide x 25' in length = 175 sq ft / parallel space.
3. Pavement for a typical 45 deg angled parking space is 16.5' wide x 14.3' in length = 235 sq ft / angled space.
4. All estimate costs assume only one plan revision and are 2021 costs, not escalated.

Town of Eagle - FEE IN LIEU OF PARKING STUDY

DEVELOPED ROW-PARALLEL PARKING			HISTORIC UNIT PRICES			EST UNIT PRICE	ITEM TOTAL
ITEM	EST QTY	UNITS USED	Hwy 6-2013	Capital-2020	Haymeadow-2019	USED	
Mobilization	1	LS				\$1,000.00	\$1,000.00
Traffic Control	8	HR				\$100.00	\$800.00
Erosion Control	0	LF			\$3.00	\$3.00	\$0.00
Utility Relocations	0	LS				\$4,000.00	\$0.00
Clear & Grub-0' wide x 250' long	0	SF			\$0.30	\$0.40	\$0.00
Sawcut Asphalt/Concrete	0	LF		\$3.00		\$3.50	\$0.00
Earthwork/Subgrade Prep-0' wide x 250' long	0	SF	\$3.00		\$2.10	\$3.50	\$0.00
Remove & Replace Unsuitable	50	SF	\$5.00	\$4.70		\$5.50	\$275.00
Export Waste Material	30	CF		\$0.65		\$2.00	\$60.00
Storm Drain Pipe	0	LF	\$75.00		\$71.50	\$85.00	\$0.00
Storm Manhole/Inlet	0	EA	\$5,000.00	\$4,700.00	\$4,500.00	\$5,500.00	\$0.00
Connect to Existing	0	EA	\$10,000.00			\$11,000.00	\$0.00
Class 6 Road Base-6 in depth-20' wide x 20' long	400	SF	\$1.09	\$1.30	\$1.32	\$1.50	\$600.00
Asphalt Pavement-4 in depth-20' wide x 20' long	400	SF	\$2.15	\$3.50	\$2.50	\$4.00	\$1,600.00
Concrete Curb & Gutter	10	LF	\$25.00	\$30.00	\$30.00	\$35.00	\$350.00
Concrete Sidewalk-6' wide x 10' in length	60	SF	\$5.00	\$12.00	\$5.50	\$13.00	\$780.00
Concrete Pan-3 ft width	0	LF			\$31.00	\$35.00	\$0.00
ADA Concrete Ramp	1	EA		\$1,470.00		\$2,000.00	\$2,000.00
Signage	2	EA			\$500.00	\$550.00	\$1,100.00
Pavement Markings-Striping	120	LF			\$0.34	\$1.00	\$120.00
Pavement Markings-Handicapped	1	EA				\$1,000.00	\$1,000.00
Place Topsoil-1.5' in width x 260' in length	0	CY			\$7.00	\$10.00	\$0.00
Revegetation-2' wide x 100' in length	200	SF				\$1.00	\$200.00
Contingency (20%)	1	LS				\$1,977.00	\$1,977.00
Engineering & Project Management	5	HR				\$150.00	\$750.00
TOTAL						TOTAL	\$12,612.00
ANNUAL COST PER DEVELOPED PARALLEL SPACE		18	Parallel Spaces			\$700.67	PER SPACE
Option: Street Lighting		EA			\$18,450.00		

NOTES

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4. All estimate costs assume only one plan revision and are 2021 costs, not escalated.

Town of Eagle - FEE IN LIEU OF PARKING STUDY

DEVELOPED ROW-ANGLE PARKING	EST	UNITS	HISTORIC UNIT PRICES			EST UNIT PRICE	ITEM TOTAL
ITEM	QTY	USED	Hwy 6-2013	Capital-2020	Haymeadow-2019	USED	
Mobilization	1	LS				\$1,000.00	\$1,000.00
Traffic Control	8	HR				\$100.00	\$800.00
Erosion Control	0	LF			\$3.00	\$3.00	\$0.00
Utility Relocations	0	LS				\$4,000.00	\$0.00
Clear & Grub-0' wide x 250' long	0	SF			\$0.30	\$0.40	\$0.00
Sawcut Asphalt/Concrete	0	LF		\$3.00		\$3.50	\$0.00
Earthwork/Subgrade Prep-0' wide x 250' long	0	SF	\$3.00		\$2.10	\$3.50	\$0.00
Remove & Replace Unsuitable	50	SF	\$5.00	\$4.70		\$5.50	\$275.00
Export Waste Material	30	CF		\$0.65		\$2.00	\$60.00
Storm Drain Pipe	0	LF	\$75.00		\$71.50	\$85.00	\$0.00
Storm Manhole/Inlet	0	EA	\$5,000.00	\$4,700.00	\$4,500.00	\$5,500.00	\$0.00
Connect to Existing	0	EA	\$10,000.00			\$11,000.00	\$0.00
Class 6 Road Base-6 in depth-35' wide x 20' long	700	SF	\$1.09	\$1.30	\$1.32	\$1.50	\$1,050.00
Asphalt Pavement-4 in depth-35' wide x 20' long	700	SF	\$2.15	\$3.50	\$2.50	\$4.00	\$2,800.00
Concrete Curb & Gutter	25	LF	\$25.00	\$30.00	\$30.00	\$35.00	\$875.00
Concrete Sidewalk-6' wide x 10' in length	60	SF	\$5.00	\$12.00	\$5.50	\$13.00	\$780.00
Concrete Pan-3 ft width	0	LF			\$31.00	\$35.00	\$0.00
ADA Concrete Ramp	1	EA		\$1,470.00		\$2,000.00	\$2,000.00
Signage	2	EA			\$500.00	\$550.00	\$1,100.00
Pavement Markings-Striping	600	LF			\$0.34	\$1.00	\$600.00
Pavement Markings-Handicapped	1	EA				\$1,000.00	\$1,000.00
Place Topsoil-1.5' in width x 260' in length	0	CY			\$7.00	\$10.00	\$0.00
Revegetation-2' wide x 100' in length	200	SF				\$1.00	\$200.00
Contingency (20%)	1	LS				\$2,508.00	\$2,508.00
Engineering & Project Management	6	HR				\$150.00	\$900.00
TOTAL						TOTAL	\$15,948.00
ANNUAL COST PER DEVELOPED ANGLE SPACE		28	Angled Spaces			\$569.57	PER SPACE
Option: Street Lighting		EA			\$18,450.00		

NOTES

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3. Pavement for a typical 45 deg angled parking space is 16.5' wide x 14.3' in length = 235 sq ft / angled space.
4. All estimate costs assume only one plan revision and are 2021 costs, not escalated.



To: Planning & Zoning Commission

From: Chad Phillips, Community Development Director
Peyton Heitzman, Planner I
Jessica Lake, Planner I

Date: October 19, 2021

Agenda Item: LURA21-03 East Eagle Sub Area Plan (EESAP) – Public Adoption Hearing

REQUEST: Approval of Resolution 03, Series 2021, A Resolution of the Planning & Zoning Commission of the Town of Eagle, Colorado to Adopt the East Eagle Sub Area Plan (EESAP).

INTRODUCTION: The EESAP was initiated in Spring of 2021 with the assistance of Zehren and Associates. The EESAP is a long-range planning document that provides guidance on future development for the planning area located in the northeast portion of Town. The Council and the Commission have reviewed multiple iterations of the draft plan and its Future Land Use Map (FLUM).

The Commission met on June 15th and discussed the residential land use category removed by Council and replaced with Mixed-Use. On July 27th, Council met and discussed the importance of preserving commercial opportunities in the area. On September 7th Council and the Commission held a joint Worksession to discuss the land use categories and to provide direction to staff.

ANALYSIS:

During the September 7th joint Worksession, staff posed questions to the Commission and Council to better understand the final direction for EESAP. Staff received the following direction:

- Ensure clear, flexible language and definitions in both the Commercial/Light Industrial and Commercial Interstate locations.
- The 17.6-acre far east parcel will be converted to Interstate Commercial and labeled as 'Gateway Element'.
- The section between the power line and drainage will be converted to Interstate Commercial.
- To prevent or limit continuous boundary modifications to the map, staff will add language that allows flexible interpretation of boundary lines as seen in the Elevate Eagle Comprehensive Plan.
- The 26-acre western parcel will remain as Commercial/Light Industrial.

Zehren and Associates have updated the Future Land Use Map (FLUM) and staff has updated the plan to reflect the above direction. Aside from the above-mentioned updates to the FLUM, the majority of changes to EESAP since the September 7th work session have been clarifying text, formatting, and general design. However, two new policies are being introduced to the EESAP as well as a new action item. Changes that staff would like to bring to the Commission's attention are as follows:

Changes to 'Goals and Policy Topics' (starting on page 10)

<u>Policy</u>	<u>Previous Text</u>	<u>Current Text</u>
Policy 1.3	Streets shown on the FLUM are intended to be flexible in terms of location.	Major streets and intersections shown on the FLUM are intended to be flexible in terms of location.
Policy 2.8	To the greatest extent practicable, new development should provide convenient multi-modal access to the Central Business District.	To the greatest extent practicable, new development should provide convenient multi-modal linkage to the local and regional trail system.
Policy 3.1	Promote commercial development that fits the desired character of the community and focuses on businesses that rely on vehicular rather than pedestrian access.	Promote commercial development that fits the desired character of the community and focuses on businesses that rely on primarily vehicular rather than pedestrian access.
Policy 6.4	New Policy	Encourage green building techniques including but not limited to LEED certifications, the installation of solar panels and other renewable energy solutions.
Policy 6.5	New Policy	Utilize non-potable systems for irrigation where possible.
Policy 7.1	On-site employee housing is encouraged throughout the planning area to support business opportunities.	Accessory on-site employee housing is encouraged throughout the planning area to support business opportunities.

Changes to 'Implementation' (starting on page 19)

<u>Action Item</u>	<u>Previous Text</u>	<u>Current Text</u>
14	New Action Item	Create standards as part of the development code update to increase the quality of storm water runoff from development sites. The standards utilize solutions such as rain gardens, bioswales, and naturalistic basins.

COMMUNITY INPUT: Trinity Red Eagle Development, LLC has submitted public comment that is included in the packet. All other public comment received to-date can be accessed through this [LINK](#).

BUDGET / STAFF IMPACT: Staff anticipates budgeted funds to cover all EESAP project costs.

STRATEGIC PLAN ALIGNMENT/STANDARDS ACHIEVED:

The EESAP supports a number of major objectives in the 2020 Strategic Plan including Improve Community Responsive Services through the adoption of policies that support local businesses (existing and in the future) through thoughtful planning that considers a growing population and the need for large lots to support commercial needs. The major objective to Enhance the

Economic Resiliency of the Town Government. The EESAP provides land uses that will support a variety of future business, diversifying revenue sources and enhancing the Town's resiliency. The major objective to Stimulate Economic Vitality and Development is supported in the EESAP as it plans for future land uses that will benefit visitors and businesses alike through thoughtful infrastructures to support land designated for commercial uses.

RECOMMENDED ACTION OR PROPOSED MOTION:

Move to **APPROVE** Resolution 03, Series 2021, A Resolution of the Planning & Zoning Commission of the Town of Eagle, Colorado to Adopt the East Eagle Sub Area Plan (EESAP).

ATTACHMENTS:

- Adoption Plan – East Eagle Sub Area Plan (EESAP) – October 2021
- Resolution 03, Series 2021
- Public Comment



Town of Eagle

EAST EAGLE SUB AREA PLAN (2021)



Prepared for the Town of Eagle, Colorado

Adopted by the Town of Eagle, Planning & Zoning Commission

Certified by the Chairman of the Commission

Matthew Hood, Planning & Zoning Commission Chairman

Attest

Ratified by the Town of Eagle, Town Council

Scott Turnipseed, Mayor

Attest



ACKNOWLEDGEMENTS

PLANNING & ZONING COMMISSION

Matthew Hood, Chair
Jesse Gregg, Vice-Chair
Charlie Perkins
Kyle Hoiland
Bill Nutkins
Robert Townsend
Lani Webb
Keegan Winkeller

TOWN COUNCIL

Scott Turnipseed, Mayor
Mikel “Pappy” Kerst, Mayor Pro Tem
David Gaboury
Ellen Bodenheimier
Janet Bartnik
Geoffrey Grimmer
Matt Solomon (former Council Member)
Andy Jessen (former Council Member)
Adam Palmer (former Council Member)

TOWN STAFF

Brandy Reitter, Town Manager
Chad Phillips, Community Development Director
Peyton Heitzman, Planner
Jessica Lake, Planner
Nikki Davis, Administrative Tech

CONSULTANTS

Zehren Associates
Pedro Campos
Jesse Gregg

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AREA MAP - EAST EAGLE

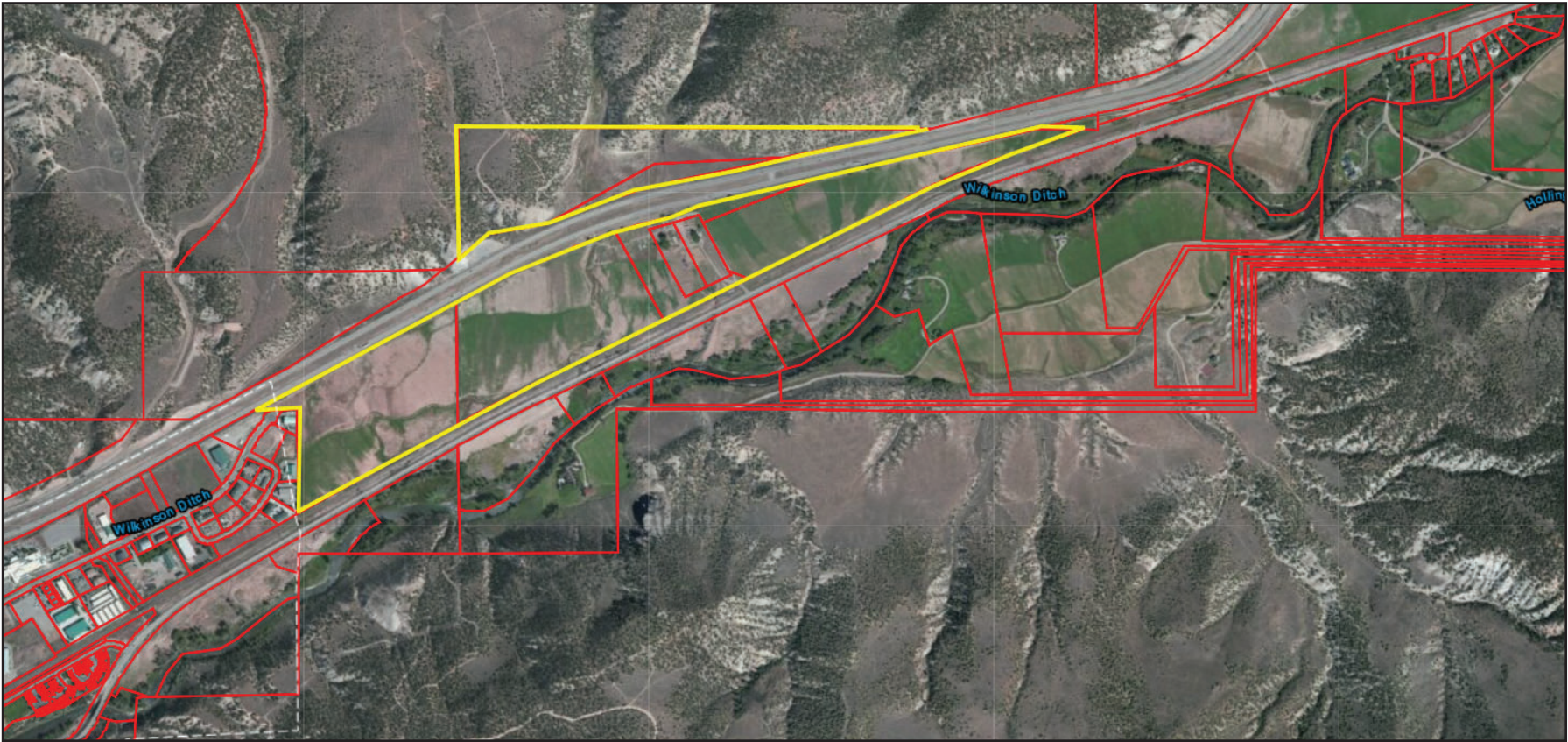
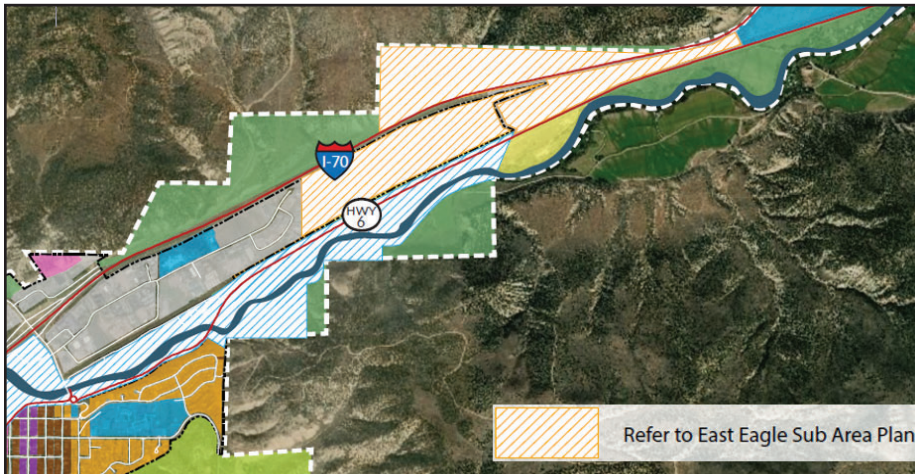


Image A: The 175-acres of the East Eagle planning area is outlined in yellow on this image from Eagle County geographic information system (GIS).

Purpose

The Town of Eagle adopted the 2020 Elevate Eagle Comprehensive Plan (Comprehensive Plan) on December 15, 2020, as a policy document to aid decisions on land use, development, public services, and economic development within the Town's boundary and Urban Growth Boundary. Within the Comprehensive Plan is the Future Land Use Map (FLUM) that provides future land uses within the Town of Eagle. Sections of the FLUM refer to subarea plans for future land use designations. The FLUM refers to this East Eagle Sub Area Plan for the future land use designations of this planning area, known as "East Eagle."

The purpose of this subarea plan is to identify and define desired future land uses and guide future growth that will meet the needs of the community today, and for decades to come.



Graphic B: East Eagle is identified in this snapshot of the Comprehensive Plan's Future Land Use Map (FLUM). A section of East Eagle is identified in the FLUM with orange and white stripes.

The East Eagle property is approximately 175 acres, located in the furthest northeast section of town. The planning area is east of the Chambers Avenue Commercial and Industrial Park, north of Highway 6. Areas north of Interstate 70 are also included in the East Eagle planning area.

Once developed, this property will provide a connection from the east end of Chambers Avenue to Highway 6, enhancing the connectivity to this part of town. Heavy commercial and light industrial development in Eagle has been limited to Chambers Avenue, Eby Creek Road and Market Street, with some light commercial along Highway 6 and in West Eagle. Interstate Commercial is currently limited to Eby Creek Road, Market Street, and the western end of Chambers Avenue. Eagle's downtown is Broadway Street, which connects to Grand Avenue (Highway 6). The East Eagle property is located roughly 1.25 miles from Broadway Street. Walking/running/biking connectivity exists through this property to the Town Center area via the Regional Trail.

East Eagle will be the first development that welcomes westbound visitors as they drive into the Town of Eagle. This plan was designed to include an attractive eastern gateway. Design elements have been incorporated into this plan to create cohesion and encourage high quality development among the different uses in East Eagle.

Introduction

BACKGROUND

While the entire planning area exists within the Town's Urban Growth Boundary, only 100 acres are incorporated into the Town of Eagle. The 100-acres adjacent to Chambers Avenue were annexed into the Town of Eagle in 2006. The current zoning for this portion of East Eagle is Resource (R). The remaining 75 acres to the far east and north of East Eagle are not yet within the Town's boundary, but rather zoned Resource in unincorporated Eagle County. The planning area between I-70 to the north and Highway 6 to the south is currently used as pasture.

Land availability for auto-oriented commercial and industrial uses is limited within the Town. The Chambers Avenue area has few vacant lots remaining. East Eagle provides a large tract of land that can meet the community's future needs for heavier commercial and industrial development. I-70 and Highway 6 both provide locals with ingress and egress

EAST EAGLE SUB AREA PLAN (2021)

to Eagle. This property is uniquely situated and will provide access to both. The size of the property and its proximity to I-70 spurs an opportunity for highway-oriented development unlike what exists at the Eby Creek Road interchange. The East Eagle Sub Area Plan also includes plans for a future highway interchange, further supporting highway-oriented development.

Eagle has changed substantially from 2006 when a portion of the planning area was annexed into the Town. Eagle Ranch is nearly built out and there are several approvals of other large primarily residential

Planned Unit Developments throughout the Town. From 2005 to 2010 the Town of Eagle's population increased by 2,200 people. From 2010 to 2019 Eagle's population increased by roughly another 500 people. While growth certainly slowed over the past 9-10 years, the demand for housing continues to increase and home prices continue to rise. Since 2014, Eagle has annexed an estimated additional 795 acres to the Town. Most of this land is slated for residential development and roughly 1,500 dwelling units are approved (but unbuilt) as of 2021.

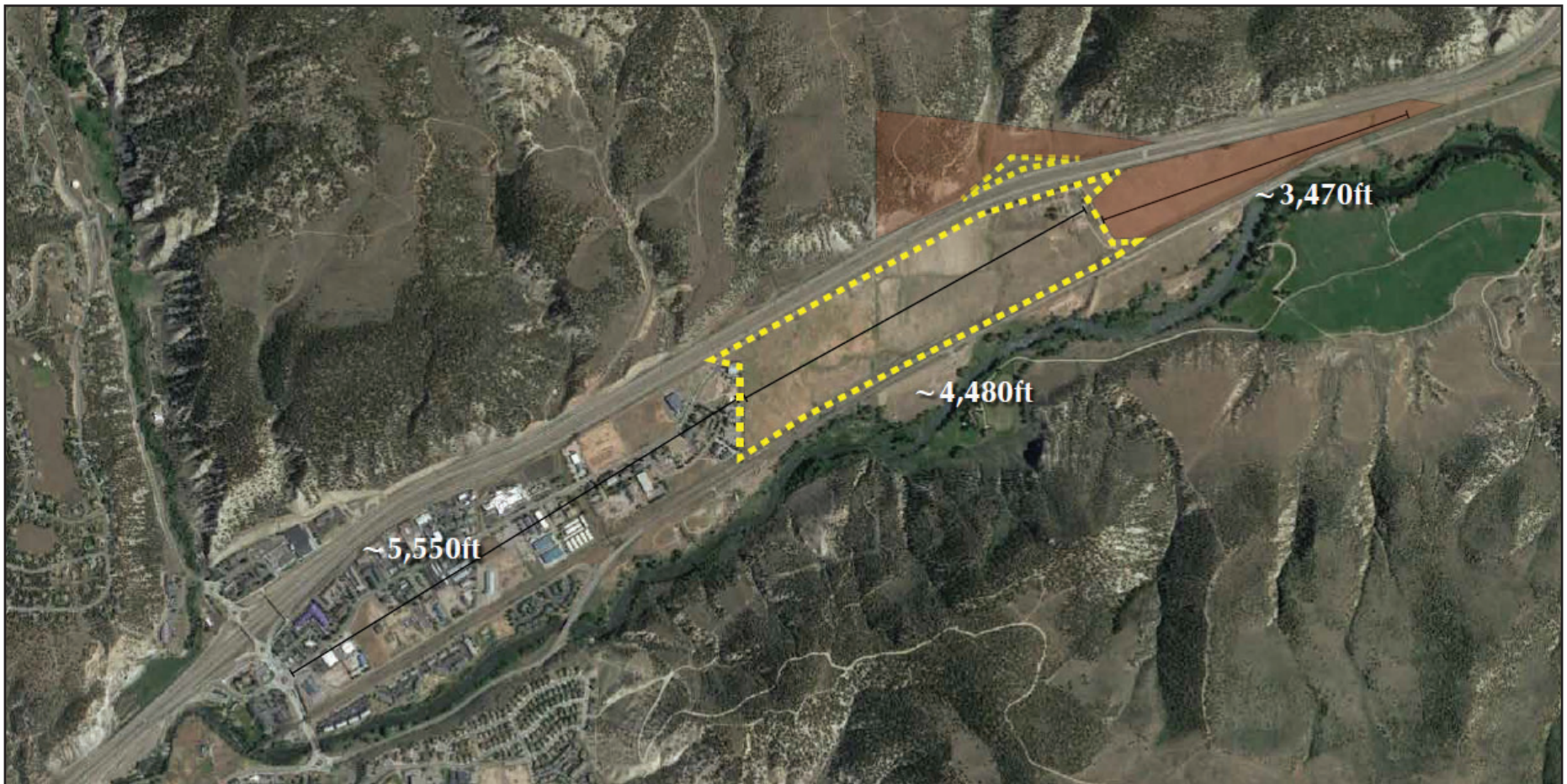


Image C: This Context Map provide the linear feet of different segments of Town including Chambers Avenue (5,550 feet) and the East Eagle area (7,950 feet).

REGIONAL CONTEXT

Commercial businesses in East Eagle will serve the valley with their proximity to the Eagle County Airport that enplaned (origin and destination) 194,905 passengers in 2019. Visitors arriving at the Eagle-Vail Airport drive through Eagle's Grand Avenue (Highway 6) to the Eby Creek / I-70 interchange to get to up-valley destinations. Upon returning to the airport, visitors take the same return trip, as Eagle has one interchange.

The Town of Eagle is within an hour's drive of world class ski resorts that draws in visitors from around the world. The Town of Eagle is surrounded by BLM land and natural attractions such as Sylvan Lake State Park, the White River National Forest and the mining town of Fulford. During the summer, visitors come to the area for access to camping, hiking, mountain biking, fly fishing, rafting, river surfing, etc.

In addition to serving the visitors of the area, East Eagle's commercial and industrial uses will serve nearby communities. The closest municipality to the west is the Town of Gypsum with a population of 7,582 in the year 2019. To the east are unincorporated areas of Wolcott and Edwards. Unincorporated Eagle County had a population of 24,038 in 2019. The total population for Eagle County was 55,070 as of 2019; this population number includes unincorporated Eagle County, Avon, Basalt (partial), Eagle, Gypsum, Minturn, Red Cliff, and Vail.



SITE ANALYSIS

Size

The length of East Eagle along I-70 is greater than the length of Chambers Avenue, as depicted in the Context map (Image C, page 4). East Eagle is approximately 7,800 linear feet while Chambers Avenue is 5,550 linear feet. In terms of depth, the distance from the property boundary abutting I-70 to the north and the southern boundary line ranges from

1,038 linear feet on the west end of East Eagle and gradually reduces in distance heading east. Of the total 175 acres of the planning area, approximately 17 acres is designated for the future highway interchange, leaving 158 acres for other land uses.

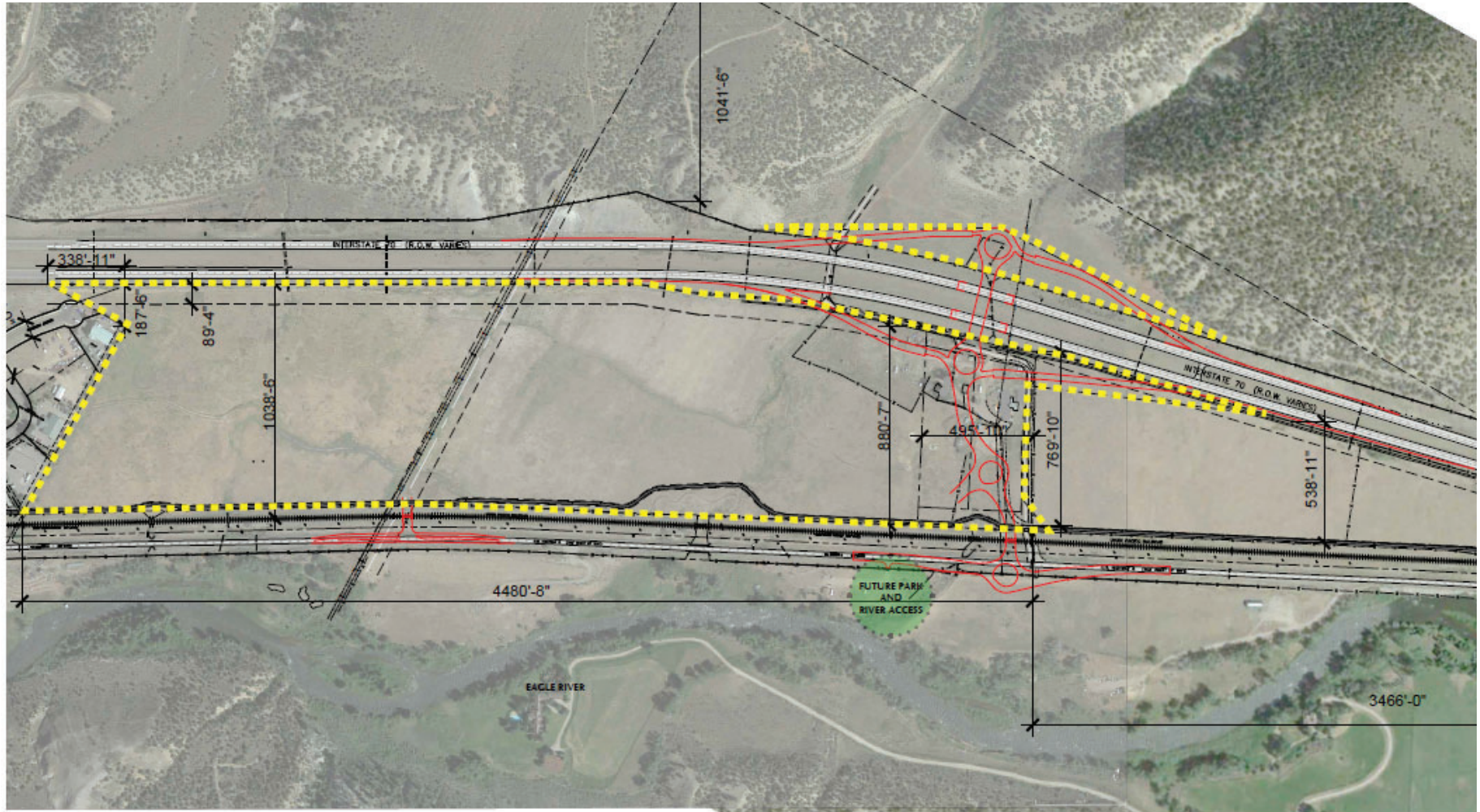


Image D: Site Overlay with Dimensions and Aerial 1:200.

Surrounding Properties

To the north and east of the East Eagle planning area, are properties in unincorporated Eagle County with Resource zoning. Across Highway 6 to the south is the Red Mountain Ranch (RMR) development, which is zoned Planned Unit Development within the Town of Eagle. The Red Mountain Ranch development is currently undeveloped but has received approvals for up to 153 residential units; this development will include both multi-family and single family residential. A future river access and park is planned in RMR and will provide active recreation within close proximity to the East Eagle planning area. To the west is the Chambers Avenue Commercial and Industrial Park with mixed Commercial General and Industrial Town of Eagle zoning. The Eagle Valley Trail and Railroad run parallel between the East Eagle property and Highway 6.

CONSTRAINTS AND PARAMETERS

Though the sub area plan focuses on the area identified as East Eagle, this plan accounts for the regional context and its potential impacts on the development of East Eagle. There is recognition that the Town of Eagle has limited options for expansion, especially expansion and/or annexation of land for commercial and industrial uses. The Bureau of Land Management (BLM) owns land surrounding the Town in every direction, limiting future expansion. BLM land is depicted in pale yellow in Image E.

Aside from the surrounding terrain, East Eagle has its own set of constraints that have impacted this planning process and the conceptual planning design of the property. These constraints include:

- Utility Easement
- Railroad Crossing
- Highway 6 Access Permits
- Drainage
- Future I-70 Interchange
- Regional Trail (ECO Trail)

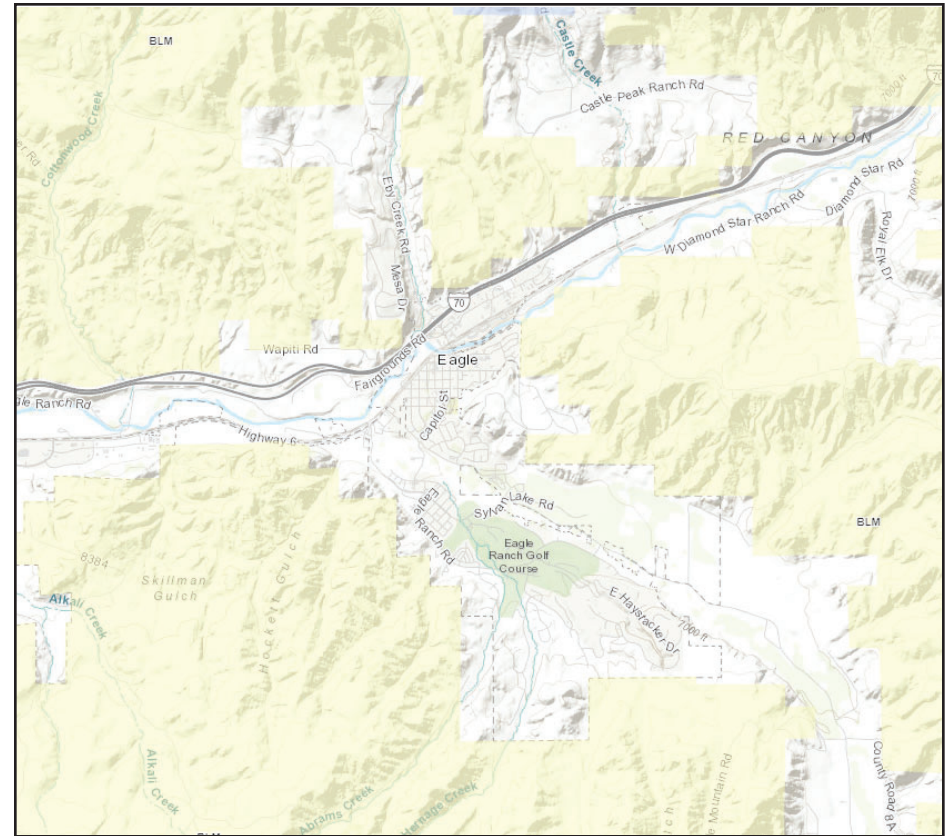


Image E: The pale yellow overlay depicts land owned by the Bureau of Land Management (BLM). Image from Eagle County GIS.

- Visibility from I-70
- Topography
- Market Influences
- Wildlife
- Water Resources

Utility Easement

There is a 100 foot utility easement passing through the planning area from north to south. The easement is approximately 1800 linear feet from the western boundary of the planning area. The easement is used by a Holy Cross Energy powerline running through the property. The

powerline is shown in Image D on page 6.

Railroad Crossing

While presently inactive, there has been community effort to revive the Tennessee Pass rail line for freight and/or passenger use. The rail line stretches from Eagle to Cañon City. If the rail line becomes operational, the community may want to consider a location for a future transit center for the loading and unloading of freight and passengers.

Highway 6 Access Permits

Access permits allowing entrance onto the property from Highway 6 have already been issued by the Colorado Department of Transportation (CDOT). There are two points of access from Highway 6 that are depicted in the Site Overlay with Dimensions and Aerial (Image D, page 6). Not shown on the Site Overlay is another access permit located to east end of the property that may impact the location of a third entrance off Highway 6. The existing CDOT Access Permits can be accessed through this [LINK](#).

Drainage

A drainage feature runs through the property. The drainage is located just west of the future highway interchange and runs from north to south. This EESAP preserves the drainage by encouraging development to the west and east. The drainage also serves as a wildlife movement corridor.

Future I-70 Interchange

The Town has identified a need for a future highway interchange that will provide additional access points to the property. The future interchange is intended to address problems with congestion, safety, and facilitate the flow of traffic on Chambers Avenue. The location of the highway interchange is restricted to the east end of the property due to the slope to the north of I-70, that limits the location of the highway on/off ramp. The highway interchange is a large capital investment that may not be constructed in the near future.

Regional Trail

The Eagle County ECO Trail is located along the southern border of East Eagle and follows the railroad track moving east and west. The ECO Trail is a popular public trail system that provides multi-modal access throughout the Eagle Valley.

Visibility from I-70

With tens of thousands of vehicles driving on I-70 each day, East Eagle is highly visible to locals and visitors alike. This visibility has shaped various elements of this planning document such as the eastern gateway, the need for design standards, and importance of landscaping.

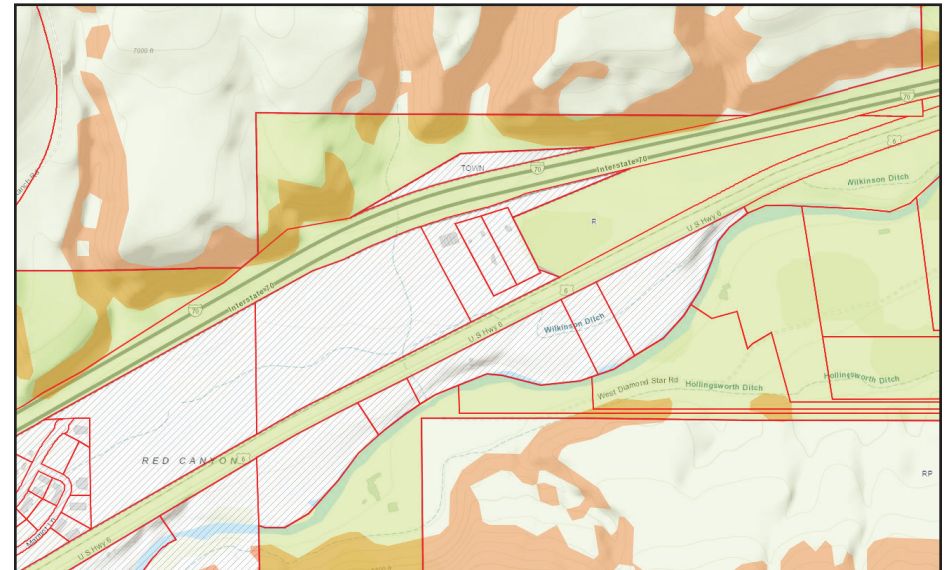


Image F: The pale red overlay depicts where there are slopes greater than or equal to 30%. Image from Eagle County GIS.

Topography

North of the East Eagle planning area are steep slopes that limit the developability of the northernmost property. These steep slopes are depicted in red in Image F.

Market Influences

Other constraints taken into consideration during this planning process were changes to markets resulting from a shift to online shopping, only accelerated by the recent COVID-19 pandemic. The shift to online shopping begged the question; will big box be profitable in the future? This question comes with the recognition that the markets change and predicting the future can be an impossible task. The East Eagle Subarea Plan provides flexibility to future commercial land uses by allowing for a variety of commercial uses, rather than restricting the area to large lots for big box/chains.

Wildlife

A vision of the community is to celebrate and preserve its unique connection with the environment by minimizing growth impacts to water and wildlife resources. Numerous goals in the 2020 Elevate Eagle Comprehensive Plan focus on preserving and protecting critical habitat for wildlife as well as riparian areas. Through this planning process, potential impacts to water and wildlife resources were identified and addressed in the Goals/Policies section of the plan.

The local Elk population use the East Eagle area during the winter months. The graphic shows that the southern section of the property is used as Elk winter range.

The Mule Deer population are also active in East Eagle. Mule Deer use a significant portion of the property as a concentration area and the southern portion as a winter range.

Wildlife utilize the underpass at mile markers 147 and 150. The community recognizes that development of East Eagle will disrupt wildlife movement through the property, however efforts can be made to minimize any negative impacts. The EESAP incorporates wildlife friendly goals and policies to mitigate adverse impacts to wildlife throughout several stages of development.

Water Resources

Eagle River is south of East Eagle across Highway 6. Mapping provided by the Colorado Wetland Inventory depicts riparian zones and other water resources. While East Eagle has three streams feeding into the water sources to the south, there are no riparian zones within the planning area.



Image G: The graphic shows the Elk winter range overlay.

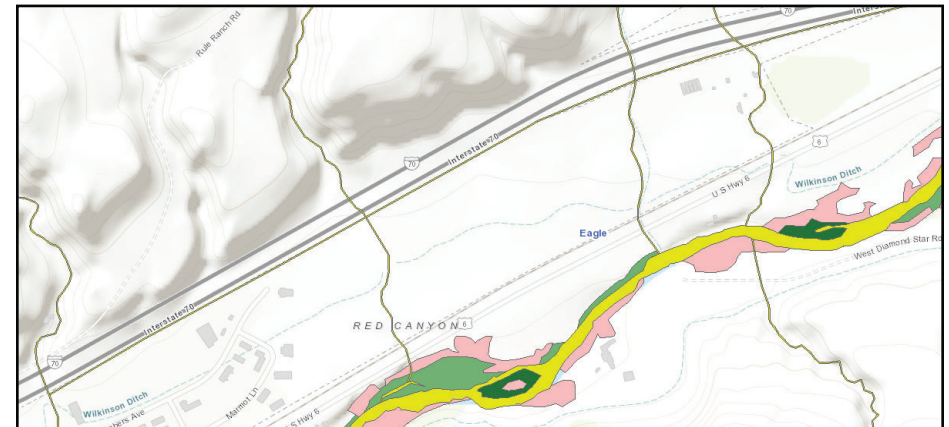


Image H: Colorado Wetland Inventory depicts water resources in East Eagle, including the three streams feeding into the Eagle River. Sensitive wetlands are south of East Eagle along Eagle River.

Goals and Policy Topics

The goals and policies in this section support and advance the Town's vision for East Eagle. Goals articulate a desired ideal and a value to pursue. Supporting strategies are specific policies and action items (under Implementation) that provide a means of implementation for each goal.

DEVELOPMENT

1) Goal: The EESAP shall provide direction for future land use development but shall also include flexibility to accommodate minor modifications that address community or market changes.

Policy 1.1. Land use areas shown on the Future Land Use Map (FLUM) (see page 14) may be slightly enlarged or reduced if it is deemed by the Town that such modification is other wise in conformance with the goals and policies of the EESAP and the Comprehensive Plan.

Policy 1.2. While future development should be in conformance with the EESAP goals, policies, and the FLUM, the Town will only support development within the Urban Growth Area after annexation.

Policy 1.3. Major streets and intersections shown on the FLUM are intended to be flexible in terms of location.

Policy 1.4. Flexible interpretation of the boundaries of each land use may be granted by the Town Planning staff, Planning and Zoning Commission, and Town Council; provided the proposed change is consistent with the vision, goals and policies contained in EESAP.

TRANSPORTATION

2) Goal: Within the planning area, transportation infrastructure shall be located and sized to achieve excellent circulation, avoid congestion, and promote visual qualities.

Policy 2.1. Streets should provide for free-flowing circulation and allow for access to Chambers Avenue, Highway 6, and I-70.

Policy 2.2. Final determination of street locations should take into account best practices for circulation in an auto-intensive commercial area.

Policy 2.3. Streets that access commercial and industrial properties should be wide enough to accommodate large semi-trucks.

Policy 2.4. Commercial lots should accommodate onsite deliveries and large semi-trucks and trailers without impacting public rights-of-way.

Policy 2.5. New development should include elements that address current and future public transportation such as buses, multi-use trails, and trains/rail.

Policy 2.6. Where feasible, the EESAP area should include a frontage road along I-70.

Policy 2.7. Encourage connection from Chambers Avenue to Highway 6 in the early phases of development prior to adding uses to the extension of Chambers.

Policy 2.8. To the greatest extent practicable, new development should provide convenient multi-modal linkage to the local and regional trail system.

COMPATIBILITY

3) Goal: To help support Broadway Street and Capitol Street businesses, avoid the creation of a new town center.

- Policy 3.1. Promote commercial development that fits the desired character of the community and focuses on businesses that rely primarily on vehicular rather than pedestrian access.
- Policy 3.2. Pedestrian amenities should focus on utilizing the ECO Trail and access to Broadway Street rather than creating a walkable shopping area within the EESAP.
- Policy 3.3. The EESAP area should provide lots that can accommodate mid-size to large-size services and retailers.
- Policy 3.4. Landscaping should be utilized to reduce large areas of asphalt with a naturalistic element, as a buffer between incompatible uses, and to create more attractive streetscapes between I-70 and other roads or developments.
- Policy 3.5. Avoid developments that create the downtown feel (e.g. zero lot line allowance from the front yard).

OUTDOOR LIFESTYLE

- 4) Goal: The EESAP area shall contribute to the Town's outdoor/active lifestyle by encouraging recreation and tourism-based opportunities.
 - Policy 4.1. Larger scale commercial recreation uses and businesses should be encouraged.
 - Policy 4.2. Development should be planned to provide easy access to the ECO path and a thoroughfare to the river.
 - Policy 4.3. Development should provide opportunities for recreational amenities to support local businesses, employees, residents, and visitors.
 - Policy 4.4. Encourage new development to provide adequate parks, trails, other recreational facilities, and connections to pedestrian/bicycle-oriented amenities such as the River Access and Park proposed for the Red Mountain Ranch Development.

WILDLIFE

- 5) Goal: Protect and preserve wildlife habitat, movement corridors, and other sensitive lands.
 - Policy 5.1. Remove unnecessary fencing, minimize the use of fencing where possible, and if fencing is necessary, encourage the use of wild life-friendly fencing according to Colorado Parks and Wildlife standards.
 - Policy 5.2. Vegetation screening should be used to buffer the wildlife movement corridor from future development.
 - Policy 5.3. The wildlife movement corridor should be of sufficient width to effectively funnel wildlife movement through existing wildlife under passes.
 - Policy 5.4. Cluster development where possible to preserve open space for wildlife movement.
 - Policy 5.5. New development should be phased to limit disturbance.
 - Policy 5.6. Encourage and support wildlife mitigation plans approved by Colorado Parks and Wildlife.
 - Policy 5.7. Locate parks to take advantage of wildlife areas.
 - Policy 5.8. Traffic calming measures should be considered to reduce driver/wildlife encounters and traffic casualties.
 - Policy 5.9. Encourage the incorporation of bear proof trash cans and domestic predator controls with future development.

SUSTAINABILITY

6) Goal: New development in the EESAP area supports environmental and sustainability efforts.

Policy 6.1. Tree species should be native, drought-resistant, and consistent with the Town's alpine and high desert landscape.

Policy 6.2. Xeriscaping is highly encouraged.

Policy 6.3. Future development should pay special attention to, and avoid, development hazards such as steep slopes and drainages.

Policy 6.4. Encourage green building techniques including but not limited to LEED certifications, the installation of solar panels and other renewable energy solutions.

Policy 6.5 Utilize non-potable systems for irrigation where possible.

COMMERCIAL OPPORTUNITIES

7) Goal: Provide opportunities for the expansion of commercial and light industrial uses.

Policy 7.1. Accessory on-site employee housing is encouraged throughout the planning area to support business opportunities.

Policy 7.2. Avoid "strip" commercial development along Highway 6. Use clusters of compact development set back from the highway where practicable.

PARKING

8) Goal: The EESAP area will include adequate parking areas located and buffered to avoid visual blights as seen from I-70 and Highway 6.

Policy 8.1. Portions of parking lots should be encouraged to be located to the rear of buildings with buildings situated closer to the street frontage. Look for opportunities for consolidated parking lots with shared parking and internal connections within parking lots.

Policy 8.2. Parking lots should provide sufficient landscaping for shade coverage.

Policy 8.3. Developments that provide employee housing units shall provide on-site parking and shall avoid dependence on on-street parking for employees and guests.

CHARACTER AND IDENTITY

9) Goal: Enhance the community's identity and quality of life by promoting the Town's visual character.

Policy 9.1. New development should support design elements that reflect the western slope mountain town appearance (historic mountain west/mountain modern)

Policy 9.2. Discourage proposals that include architectural styles inconsistent with that of Colorado's Western Slope mountain towns and high

desert.

Policy 9.3. Strongly encourage new development to include native, drought-resistant landscaping species and/or xeriscaping.

Policy 9.4. The EESAP area shall provide open spaces that benefit trail users, wildlife, and provide quality visual buffers adjacent to development.

EASTERN GATEWAY

10) Goal: Create a quality, welcoming Eastern Gateway that reflects the image of the Town.

Policy 10.1. Enhance the Eastern Gateway through landscaping, streetscape character, and design aesthetics.

Policy 10.2. The gateway design elements should integrate features associated with the Colorado's Western Slope Mountains/high desert and may include items that reflect active outdoor recreation.

Policy 10.3. The area between the frontage road and I-70 should include landscape buffers to support the aesthetics of the area.

Policy 10.4. If frontage road is not feasible or appropriate, landscaping or buffering should be integrated so that the rear of the building is screened from I-70. Colorado Department of Transportation requirements should not impede the goal of screening.

Policy 10.5. Locate entryway features at the future I-70 interchange and at the EESAP land furthest east between I-70 and Highway 6.

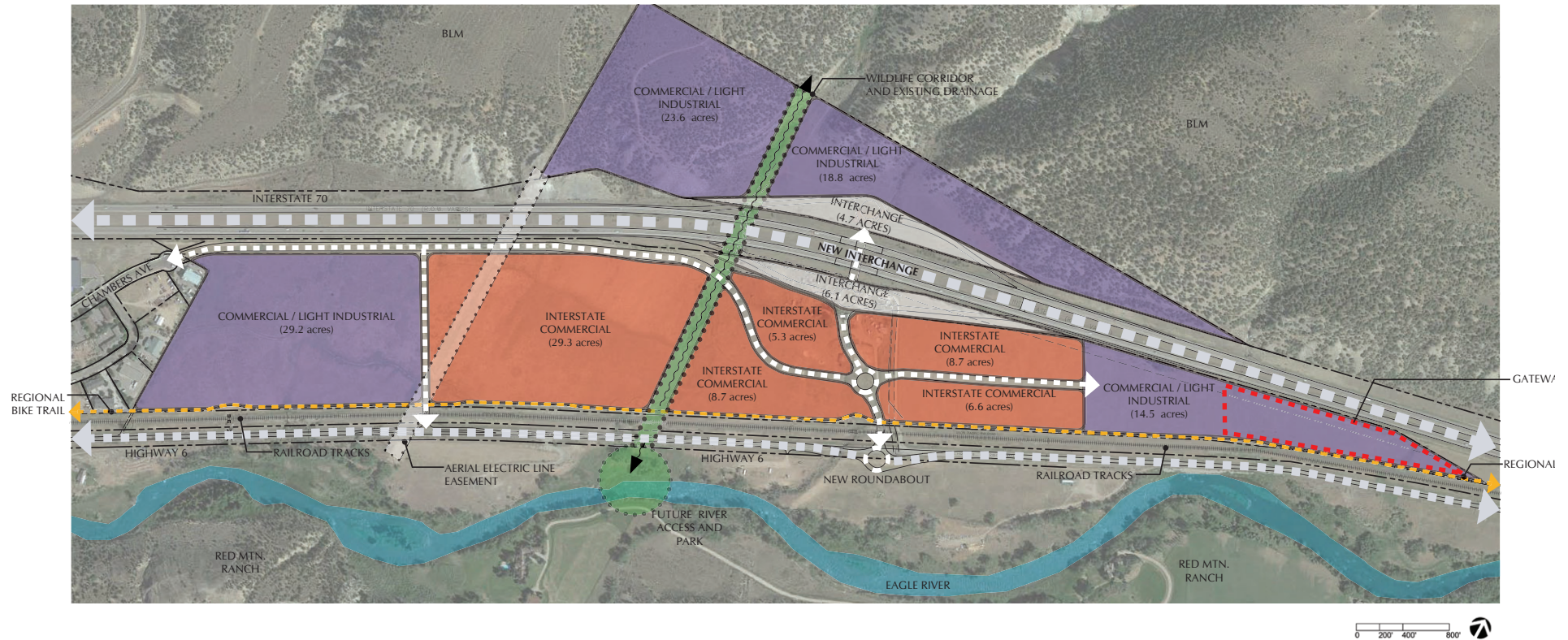
Policy 10.6. Ensure that the rear of buildings are not the dominant features for development abutting and as seen from I-70.

Policy 10.7. Ensure that development located on the eastern edge of East Eagle between I-70 and Highway 6 is appropriately spaced to blend with agricultural and County Resource zoning. Uses in this area should transition from low impact uses to the furthest east to gradually higher impact uses as the development moves west towards the I-70 interchange.

Future Land Use Map / Circulation Plan

The Future Land Use Map (FLUM) portrays the study area's desired future. It is a tool to guide zoning decisions in East Eagle. The FLUM identifies locations of anticipated, and community-supported land uses over the next 10 to 20 years.

Division between land use categories generally follows parcel lines, roadways, and other geographic boundaries. Future land use and zoning category changes shall generally adhere to the FLUM but may vary due to development constraints or other factors that would make strict adherence difficult or impossible. Flexible interpretation of the boundaries may be granted by the Town Planning staff, Planning & Zoning Commission, and Town Council, provided the proposed change is consistent with the overall vision, goals, and strategies contained in this Plan.



LAND USE CATEGORIES

COMMERCIAL/LIGHT INDUSTRIAL

This area will include uses common to those that exist in the Chambers Avenue area but with larger lots that are more accessible to delivery trucks. Such uses include those typically seen in light industrial areas such as manufacturing, assembly, storage, distribution, repair, service, contractor's yards, outdoor retail, and kennels, AND commercial/retail uses typically not found on Broadway Street such as restaurants with drive up windows, grocery stores, gas stations, service establishments, storage facilities, and recreation establishments. Residential uses are limited and will mainly include accessory employee units.

INTERSTATE COMMERCIAL

This area should take advantage of the vehicular traffic present at interstate interchanges and provide the Town's citizens with alternatives to driving out of town for goods and service. This area shall primarily include lodging, regional retail, large-format restaurant, convenience stores/gas stations, and may include other service and recreation establishments. Because this will also be the eastern gateway to the Town of Eagle, uses should reflect the character of the Town's active/outdoor branding in addition to maintaining high quality design elements. Residential uses are limited and will mainly include accessory employee units.

Conceptual Design Direction

Feedback received from the elected and appointed officials as well as the general public has stressed the importance of the aesthetics of East Eagle. This section of the EESAP provides design direction to help this area achieve high-quality aesthetics. The design direction is intended to aid developers by providing general parameters for the future design of East Eagle.

ARCHITECTURAL DESIGN

Eagle is an eclectic mix of architectural styles and residents prefer a mix of styles throughout Town and our various neighborhoods. In East Eagle, the architectural style should be reflective of the Town's Outdoor Recreation Brand and should pay tribute to the Historic Mountain West as well as incorporate a Mountain Modern aesthetic where appropriate.



Examples of the Historic Mountain West architectural style.



Examples of the Mountain Modern architectural style.



LANDSCAPING

Landscaping serves as a critical element of the EESAP. Landscape buffers should be used to visually screen commercial and industrial buildings from drivers on the highway. Massing in landscaping will be used to provide visual appeal through a variety of plant material.

Plant selection should be intentional to achieve the goals of this plan. Types of trees should include evergreen and trees appropriate for the Colorado environment. Xeriscape landscaping should be utilized whenever possible. High desert landscaping reflects the character of Eagle and should be incorporated into any landscape design. Xeriscape encourages water conservation, especially in our arid, dry landscape. The use of xeriscape design does not mean the elimination of plantings and should not result in large areas of gravel or dirt without plantings.

WATER-WISE/XERISCAPE LANDSCAPING



All photographs of xeriscape gardens were provided by Plant Select (plantselect.org).

The image below shows *Achnatherum calamagrostis* (common name UNDAUNTED Alpine Plum Grass). Photo by Scott Skogerboe.



The image below shows a *Penstemon rostrifolius*. Photo by D. Winger Smaller.



STREETSCAPE CHARACTER

A mix of trees and shrubs should be incorporated into the streetscape in East Eagle. Evergreen trees or large shrubs should be limited to the I-70 buffer zone and for screening and shade in commercial properties and parking lots. Low rocks, grasses, and flowers should be utilized along streets and roadways. Streets and roadways should be constructed to handle large semi-trucks and trailers (and other vehicles with large turning radius).



Examples of high alpine streetscapes.



EASTERN GATEWAY

Direction from this portion of the plan came directly from the public through public meetings and surveys and from guidance in the Eastern Gateway Character Area is defined in the Elevate Eagle Comprehensive Plan. A strong landscape buffer should be incorporated along I-70 and at the planned eastern interchange in order to screen commercial and industrial uses, reduce noise impact of the interstate and provide a visually appealing eastern gateway to visitors and residents.



The image above shows an example of a strong landscape buffer to screen the commercial use.

Implementation

Action Items

This section provides a list of action items. Action items provide the Town and community partners specific steps to implement the goals provided in the East Eagle Subarea Plan. The implementation of action items can take time, necessitating regular, even annual, re-assessment and re-prioritization of these action items.

ITEM NO.	ACTION	TIME FRAME	RESPONSIBILITY / POTENTIAL PARTNERS
1	Regularly review goals and policies to ensure alignment with goals and policies from the Elevate Eagle Comprehensive Plan.	ST, MT, LT	Town (Community Development)
2	Explore funding/partnership opportunities for development of the I-70 interchange.	ST, MT, LT	Town, CDOT, Grants
3	Obtain a traffic study to understand circulation and traffic patterns to be generated by new development in East Eagle.	ST, MT	Town (Public Works/Community Development), Developer
4	Incorporate design and landscape standards into the updated land use code.	ST	Town (Community Development)
5	Coordinate with Red Mountain Ranch and Colorado Department of Transportation for actual locations of access points on Highway 6.	ST, MT	Town, Developer, CDOT, RMR
6	Create zone districts through the updated land use code that avoid inappropriate uses that would result in a new town center.	ST	Town (Community Development)
7	Explore PIF options to have new development pay its own way.	ST, MT	Town, Developer
8	Explore the opportunity for a pedestrian connection under Hwy 6 to the future river access & park.	ST, MT	Town, Developer, Developer of RMR PUD
9	Consider Colorado Parks and Wildlife best practices in land use code update to mitigate adverse impacts to wildlife.	ST	Town, CPW
10	Commission feasibility study for a wildlife overpass (rather than underpass) to help facilitate wildlife movement across I-70. Consider opportunities to improve existing underpass.	ST, MT	Town, CPW, CDOT, Eagle County
11	Review ECO trail location throughout development to ensure connectivity and public safety.	ST, MT, LT	Town, Developer, Eagle County

12	Inform future residences and businesses about cohabitating with wildlife.	ST	Town, Residents, Developer, Businesses, CPW
13	Conduct feasibility study of the Town's ability to provide water and wastewater services to the far eastern and northern areas within East Eagle.	ST, MT	Town (Public Works)
14	Create standards as part of the development code update to increase the quality of storm water runoff from development sites. The standards should utilize solutions such as rain gardens, bioswales, and naturalistic basins.	ST	Town (Community Development/Public Works)
Key: ST = Short Term (1-5 years) MT = Mid Term (5-10 years) LT = Long Term (10-20 years)		Town = Town of Eagle CPW = Colorado Parks & Wildlife CDOT = Colorado Department of Transportation	

RELATED PLANS

The 2020 Elevate Eagle Comprehensive Plan and the 2018 Eagle County Housing Study are long range planning documents used to assist the development of the EESAP. The planning area may be affected by policies in other long-range planning efforts that are ongoing. All adopted long-range planning projects can be accessed on the Town of Eagle website and through this [LINK](#).

2020 Elevate Eagle Comprehensive Plan

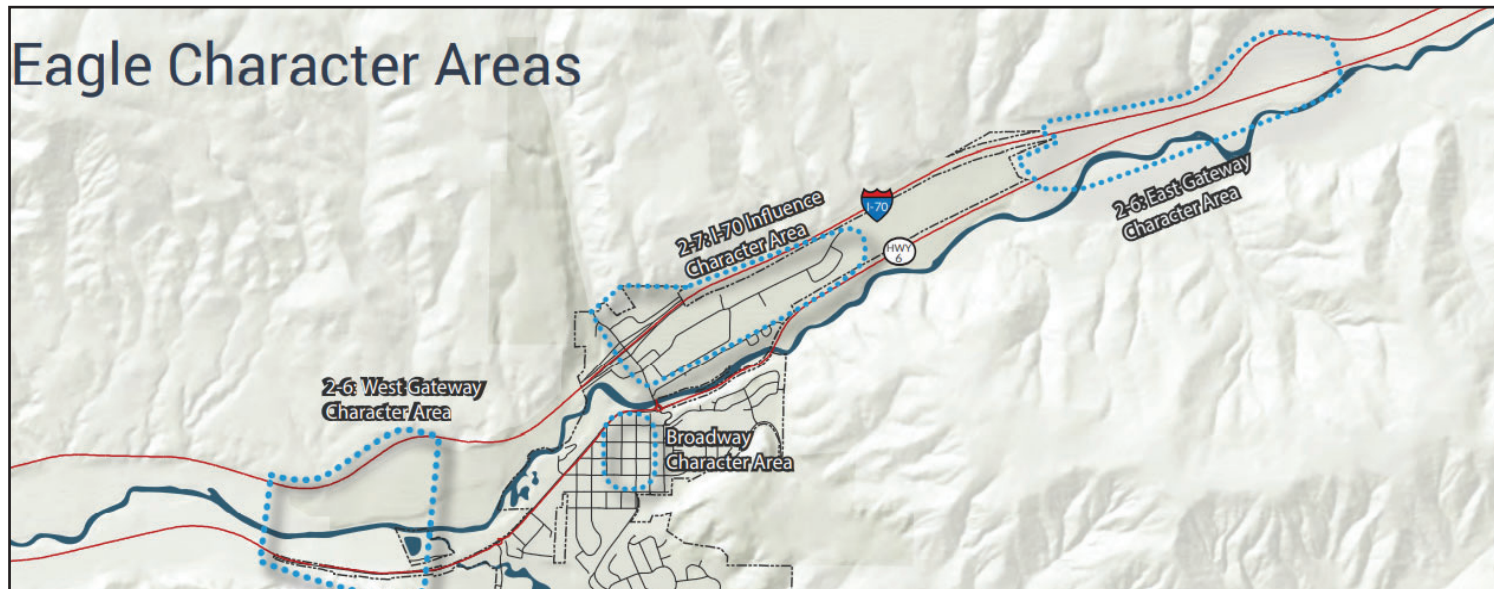
The 2020 Elevate Eagle Comprehensive Plan (Comprehensive Plan) is the primary document used by the Town of Eagle to guide future growth and development. The Comprehensive Plan identifies Character Areas in Eagle to provide guidance to specific tracts of land. A portion of the East Gateway Character Area is included in the East Eagle planning area. The East Gateway Character Area provides policies that support attractive, well-maintained landscaping as well as aesthetic architecture at the community's gateways. These same policies inform and support the Goal #11 and supporting policies in the EESAP. Landscaping and aesthetics are important components of the Comprehensive Plan in general, and this sub area plan seeks to incorporate design standards for this highly

visible land.

The importance of locating highway-oriented businesses in the vicinity of Eby Creek Road is documented in the Elevate Eagle Comprehensive Plan. The East Eagle Sub Area Plan will also include plans for a future highway interchange and should also include a land use category for highway-oriented businesses.

2018 Eagle County Housing Study

The community and its elected/appointed officials recognize the desperate need for attainable housing valley wide. A question considered with the assemblage of the Future Land Use Map (page 14) is what the appropriate amount of housing is for East Eagle. The Eagle County Housing Study (2018) was used as a tool for this determination, as well as for the formation of Goals/Policies for the EESAP. Relevant takeaways from the Eagle County Housing Study include the need for a diversity of housing products. The study noted the high importance of character, affordability and residential amenities for residents in the valley. Eagle is largely made up of families. When the study came out, it found that almost half (48%) of down valley households included children.



APPENDIX

- A PUBLIC ENGAGEMENT OVERVIEW
- B PUBLIC SURVEY AND RESULTS
- C HOUSING SNAPSHOT (2021)
- D ZEHREN AND ASSOCIATES PACKET
- E PLAN GRAPHICS



APPENDIX A - Public Outreach

Public Outreach

Summary

The East Eagle Subarea Plan is the result of community collaboration. At the time of these planning efforts, East Eagle was under the ownership of two entities. The planning area is owned by two entities. Throughout the planning process, these owners met with staff to provide input on future land uses in East Eagle. Public participation was encouraged through numerous formats including a Public Open House on March 31st. Public input was received through live polling during the a Planning Commission work session and through a public survey. The survey questions and results are available in Appendix B.

The Planning Commission and Town Council held nine public meetings collectively to provide input on the plan and receive public feedback.

Challenges

Public engagement efforts transformed throughout the process. The Public Open House and the first Planning Commission work session were held virtually due to emergency restrictions in place from COVID-19. The live polling at the Planning Commission work session was conducted through the Zoom platform. The public survey was made available online, and advertised through the Town’s website and the Town of Eagle Facebook page. The first in-person discussion on EESAP was held June 1st during a Town Council work session. The remaining public meetings to discuss EESAP were available to the public through a hybrid meeting that allowed in-person and virtual attendance.

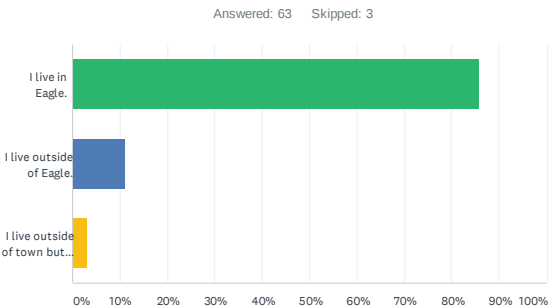
Public Meetings

Public Open House	March 31st
Planning Commission	May 4th
Town Council	June 1st
Town Council	June 8th
Planning Commission	June 15th
Town Council	July 13th
Town Council & Planning Commission Joint Work Session	September 7th
Planning Commission Adoption Hearing	October 19th
Town Council Ratification Hearing	October 26th

APPENDIX B - Public Survey and Results

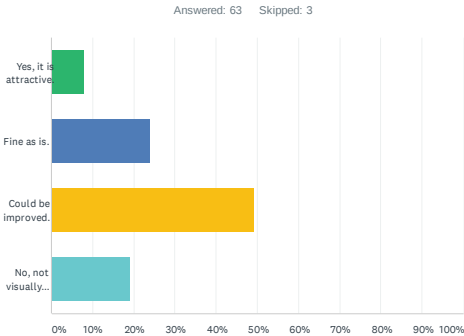
Public input was also solicited through live Zoom polling during a Planning Commission work session on May 4, 2021 and through a survey made available from May 7th - May 21st. The questions in the Zoom poll and survey were substantially the same. The combined results can be found on the following pages.

Q1 Do you live in Eagle?



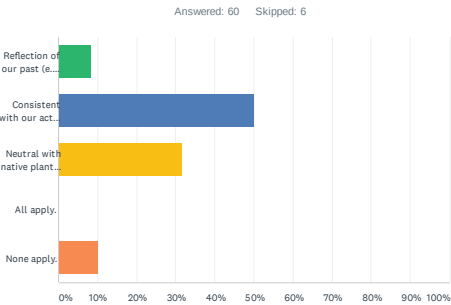
ANSWER CHOICES	RESPONSES	
I live in Eagle.	85.71%	54
I live outside of Eagle.	11.11%	7
I live outside of town but would like to move to Eagle in the future.	3.17%	2
TOTAL		63

Q2 Are you happy with the appearance of Town driving west on I-70?



ANSWER CHOICES	RESPONSES	
Yes, it is attractive.	7.94%	5
Fine as is.	23.81%	15
Could be improved.	49.21%	31
No, not visually pleasing.	19.05%	12
TOTAL		63

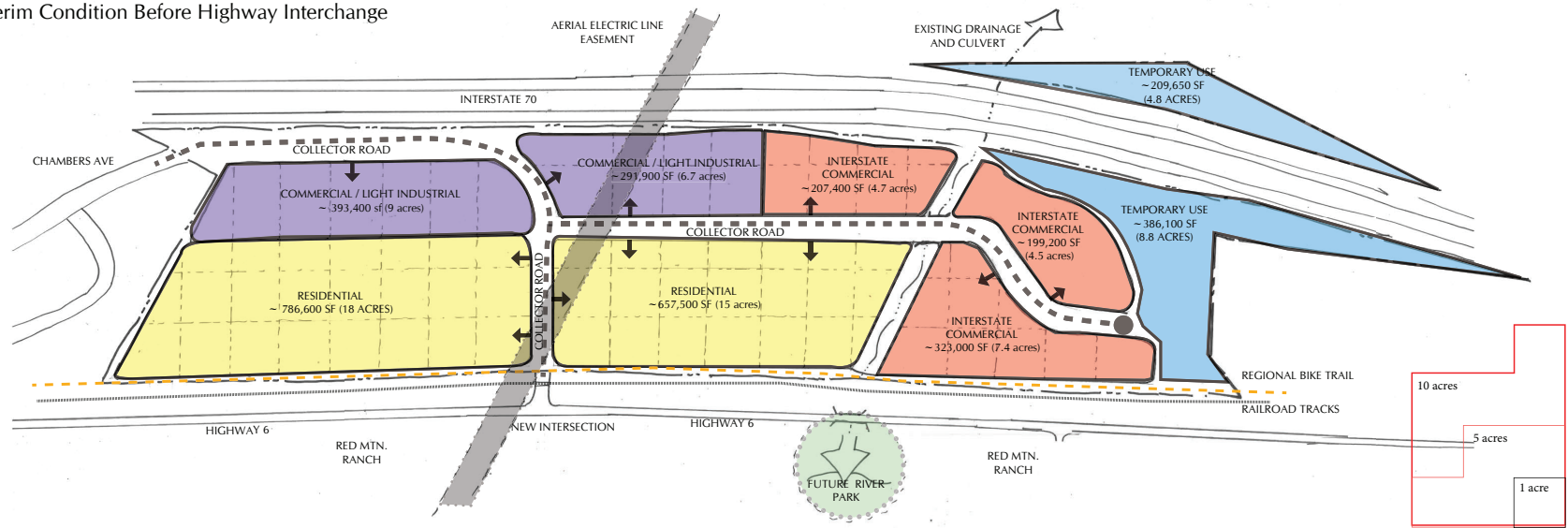
Q3 What should visitor's first impression be driving into Town?



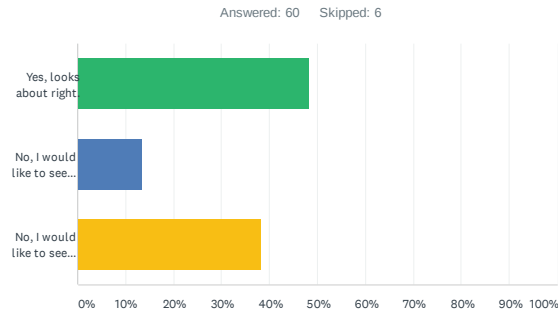
ANSWER CHOICES	RESPONSES	
Reflection of our past (e.g. mining, agriculture).	8.33%	5
Consistent with our active outdoor brand/lifestyle.	50.00%	30
Neutral with native plant landscaping.	31.67%	19
All apply.	0.00%	0
None apply.	10.00%	6
TOTAL		60

APPENDIX B - Public Survey and Results

Conceptual Land Use Diagram
Preferred Concept Interim Condition Before Highway Interchange

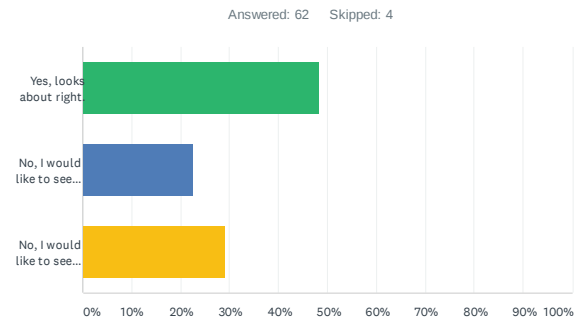


Q4 Does the diagram show the right amount of Interstate Commercial?



ANSWER CHOICES	RESPONSES
Yes, looks about right.	48.33%
No, I would like to see MORE Interstate Commercial.	13.33%
No, I would like to see LESS Interstate Commercial.	38.33%
TOTAL	60

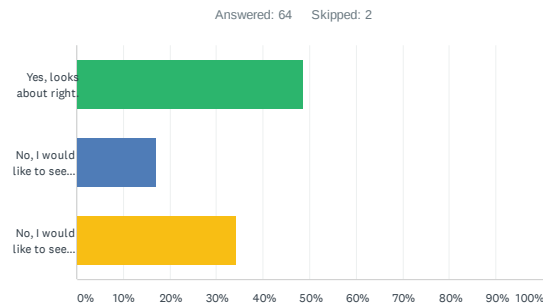
Q5 Does the diagram show the right amount of Commercial/Light Industrial?



ANSWER CHOICES	RESPONSES
Yes, looks about right.	48.39%
No, I would like to see MORE Commercial/Light Industrial.	22.58%
No, I would like to see LESS Commercial/Light Industrial.	29.03%
TOTAL	62

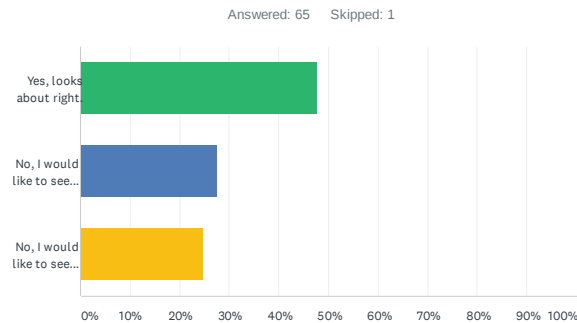
APPENDIX B - Public Survey and Results

Q6 Does the diagram show the right amount of Residential?



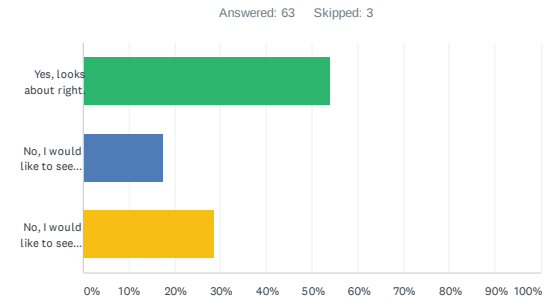
ANSWER CHOICES	RESPONSES
Yes, looks about right.	48.44% 31
No, I would like to see MORE Residential.	17.19% 11
No, I would like to see LESS Residential.	34.38% 22
TOTAL	64

Q7 Is the proposed density in the Residential land use (minimum 10 Dwelling Units/acre) appropriate?



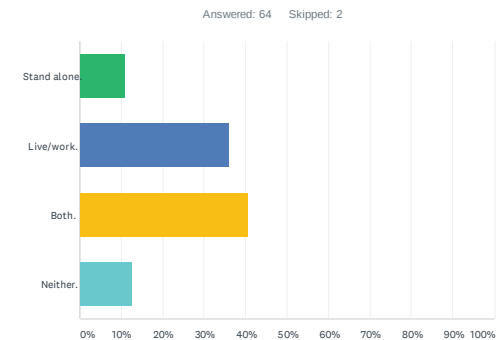
ANSWER CHOICES	RESPONSES
Yes, looks about right.	47.69% 31
No, I would like to see MORE Residential.	27.69% 18
No, I would like to see LESS Residential.	24.62% 16
TOTAL	65

Q8 Should multi-family be allowed in the Commercial/Light Industrial land use (current description allows up to 10% for multi-family)?



ANSWER CHOICES	RESPONSES
Yes, looks about right.	53.97% 34
No, I would like to see MORE density.	17.46% 11
No, I would like to see LESS density.	28.57% 18
TOTAL	63

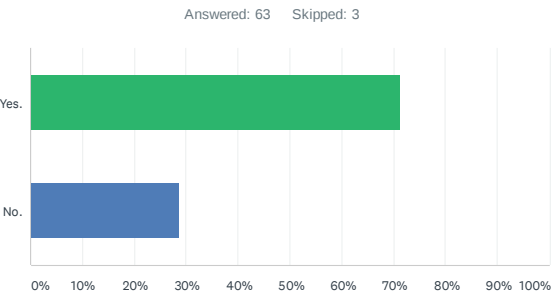
Q9 Should the multi-family residential in the Commercial/Light Industrial land use be stand alone or limited to live/work?



ANSWER CHOICES	RESPONSES
Stand alone.	10.94% 7
Live/work.	35.94% 23
Both.	40.63% 26
Neither.	12.50% 8
TOTAL	64

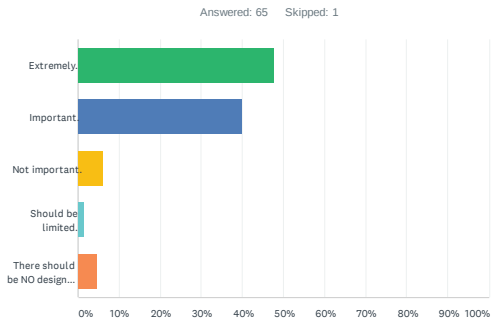
APPENDIX B - Public Survey and Results

Q10 Should projects with secondary residential uses be allowed in the Interstate Commercial land use (e.g. condos above a big box)?



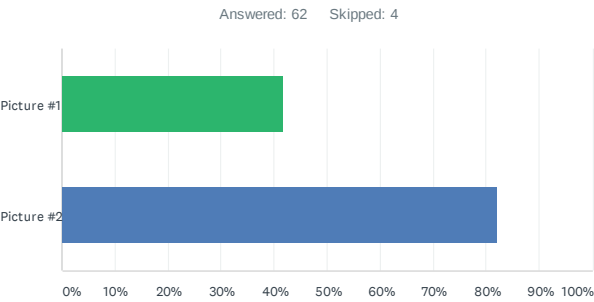
ANSWER CHOICES	RESPONSES
Yes.	71.43%45
No.	28.57%18
TOTAL	63

Q11 How important are design standards for this area?



ANSWER CHOICES	RESPONSES
Extremely.	47.69%31
Important.	40.00%26
Not important.	6.15%4
Should be limited.	1.54%1
There should be NO design standards.	4.62%3
TOTAL	65

Q12 Should the commercial areas look like picture #1 or #2? Or both (you may choose both)?



ANSWER CHOICES	RESPONSES
Picture #1	41.94%26
Picture #2	82.26%51
Total Respondents: 62	



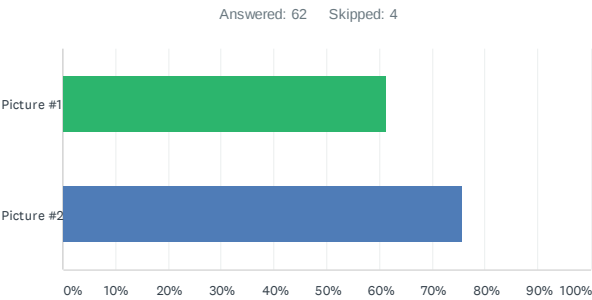
Picture #1



Picture #2

APPENDIX B - Public Survey and Results

Q13 Should the commercial areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES	
Picture #1	61.29%	38
Picture #2	75.81%	47
Total Respondents: 62		

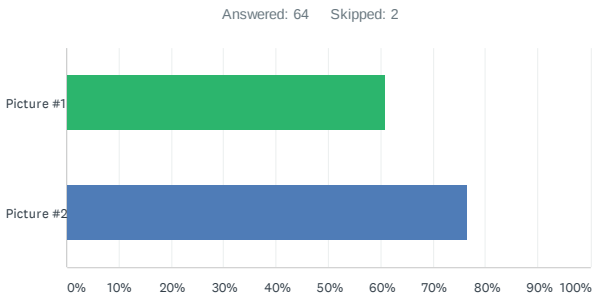


Picture #1



Picture #2

Q14 Should the commercial areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES	
Picture #1	60.94%	39
Picture #2	76.56%	49
Total Respondents: 64		



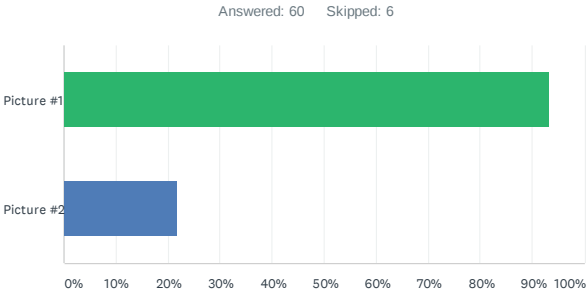
Picture #1



Picture #2

APPENDIX B - Public Survey and Results

Q15 Should the commercial areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES
Picture #1	93.33%56
Picture #2	21.67%13
Total Respondents: 60	

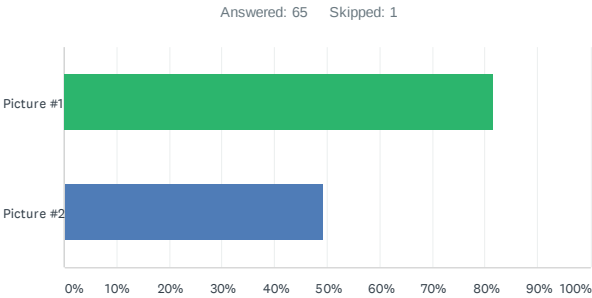


Picture #1



Picture #2

Q16 Should the commercial areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES
Picture #1	81.54%53
Picture #2	49.23%32
Total Respondents: 65	



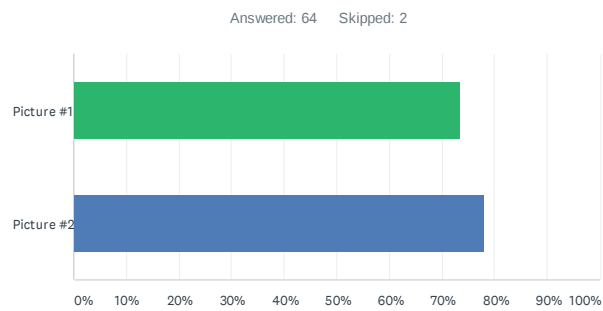
Picture #1



Picture #2

APPENDIX B - Public Survey and Results

Q17 Should the residential areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES
Picture #1	73.44%47
Picture #2	78.13%50
Total Respondents: 64	

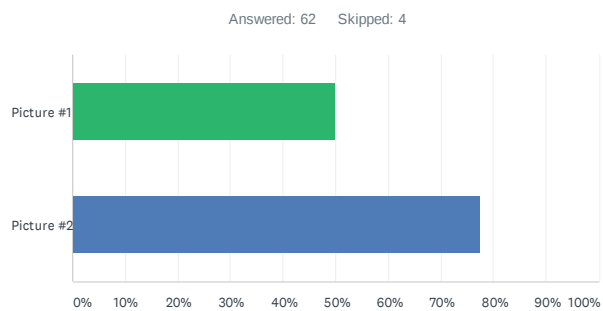


Picture #1



Picture #2

Q18 Should the residential areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES
Picture #1	50.00%31
Picture #2	77.42%48
Total Respondents: 62	



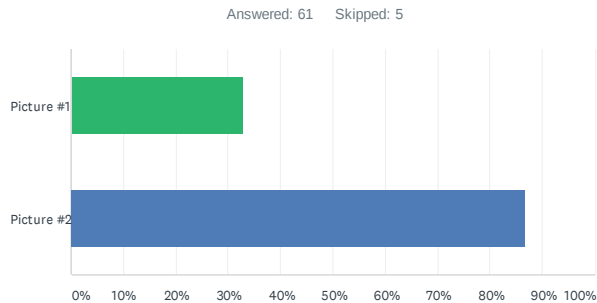
Picture #1



Picture #2

APPENDIX B - Public Survey and Results

Q19 Should the residential areas look like picture #1 or picture #2? Or both?



ANSWER CHOICES	RESPONSES	
Picture #1	32.79%	20
Picture #2	86.89%	53
Total Respondents: 61		

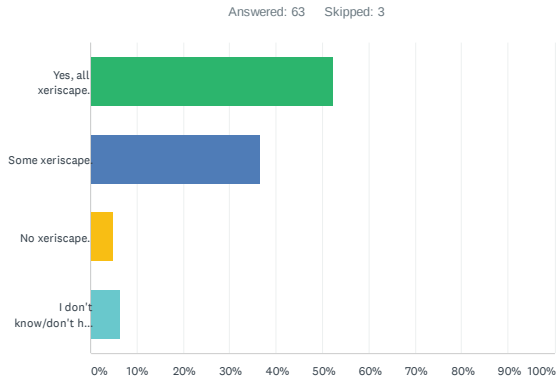


Picture #1



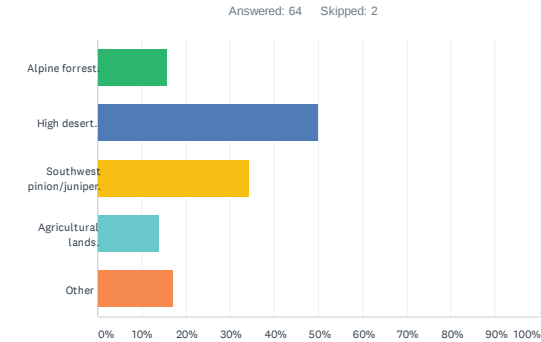
Picture #2

Q20 Should xeriscape be a required element for this area?



ANSWER CHOICES	RESPONSES	
Yes, all xeriscape.	52.38%	33
Some xeriscape.	36.51%	23
No xeriscape.	4.76%	3
I don't know/don't have an opinion.	6.35%	4
TOTAL		63

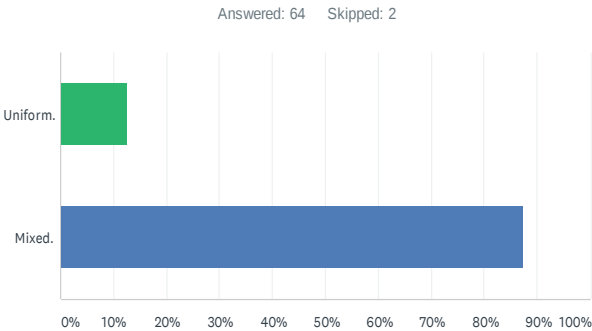
Q21 Which landscape type best reflects the greater Eagle area?



ANSWER CHOICES	RESPONSES	
Alpine forrest.	15.63%	10
High desert.	50.00%	32
Southwest pinion/juniper.	34.38%	22
Agricultural lands.	14.06%	9
Other	17.19%	11
Total Respondents: 64		

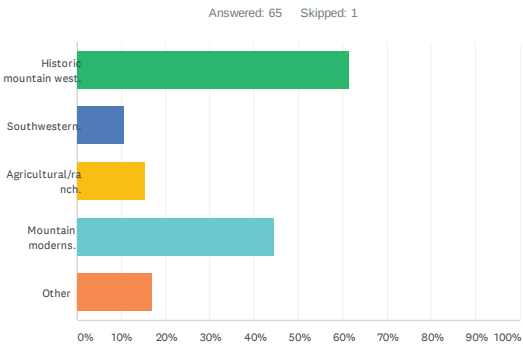
APPENDIX B - Public Survey and Results

Q22 Should the architectural style within the Town of Eagle be uniform throughout or mixed?



ANSWER CHOICES	RESPONSES
Uniform.	12.50%8
Mixed.	87.50%56
TOTAL	64

Q23 What would you prefer the Town of Eagle's architectural style be?



ANSWER CHOICES	RESPONSES
Historic mountain west.	61.54%40
Southwestern.	10.77%7
Agricultural/ranch.	15.38%10
Mountain moderns.	44.62%29
Other	16.92%11
Total Respondents: 65	

APPENDIX B - Public Outreach

Q24 Please share any other comments/questions/ideas you have about the East Eagle Subarea Plan.

- The I-70 interchange should be included in the Conceptual Land Use Diagram.
- Temporary land uses should not be considered in the EESAP.
- Commercial recreation should be a component of the plan and incorporated in the commercial land use categories.
- Would like to know the appropriate width for the wildlife movement corridor. Staff should consult with CPW and/or the Round Table.
- Avoid developments like East Avon and West Glenwood (not ideal entries to the communities or walkable).
- I would like to see residences for a variety of incomes. It would benefit the town to have some homes restricted to county residents and incentives to help families become homeowners (not investors renting out).
- The town of Eagle is the oldest in the Vail Valley and should reflect that history with its architecture. All of Eagle is a bit disjointed. This development will be one of the first things visitors will see. Let's make sure that it is a good introduction to our beautiful historic town. I would also like to see an In N Out and a Trader Joes ;D (No Chilis or Applebees :|).
- This area needs to reflect our Town and not just be the back side of a bunch of big boxes, it should accommodate work and live walking districts that tie in with the residential. It should have highway access and be coordinated, with design standards.
- Great survey. Bring more housing into Eagle to support our growing communities and help our businesses hire and retain a workforce. Mandate deed restriction units on developers to help build more affordable housing down the line. Without it, the housing units will become non-attainable in 10+ yrs for our workforce again. Aspen did a great job years ago creating these housing units and it's a driving factor for the vibrancy of their core downtown. Well done!
- Connecting the heart of the river to the soul of our valley should serve as a lead into future developments. What do the majority of residents or business owners approve of in their own neighborhoods? Can we make commercial areas more attractive with landscape, walking paths, dog parks and other amenities? Look at Stapleton and other areas that blend commercial and residential together well...it's a great vibe! Thanks for the survey!
- Developing all of East Eagle just helps the specialness of this town disappear.
- I really like what they have done with willits in basalt.
- As a local business and property owner please keep in mind the cost to business when imposing restrictions and changes. Small businesses are what pays for our government to operate!
- If there isn't room for yards within the residential area, there should be access to dog parks or areas. Also, please build units with 3 bedroom options. 2 bedrooms are not big enough for families. Also, they need to be affordable and available to only Eagle county residents or those who work exclusively in Eagle. Because, to be honest, anything over \$350K is NOT remotely affordable. These should NOT be second homes for rich people. We've been renting here for almost 2 years, and are still unable to buy anything because everything is too expensive. We would really like to stay, but we might have to move to Grand Junction to find anything remotely in our price range.
- If there's more residential development in this town, there needs to be another grocery store and post office at a minimum. Prefer not much more residential development due to current crowded essentials. But will definitely need another access to I-70, especially for those living in the south eastern part of town.
- I don't want to input additional restrictions on property owners. Part of what makes Eagle Eagle is that we are not Vail, Beaver Creek, or Breckenridge with design standards. We can be ourselves. If HOA's want to have design standards that's fine, but the Town shouldn't have them too. Don't add more regulations.
- This area should not have stand alone residential zones and only allow a slight increase in density to continue what was established

APPENDIX B - Public Outreach

on chambers already limited to employee and live work type multi family. To do otherwise is unjustified and changes the informed and careful direction of long range planning of the last 40 years for the Town.

- the existence of an interchange should be in place before any “digging” starts!
- I would rather the whole area were pastureland, but I know most of you are gung-ho for development -- another Edwards? Have you considered that with climate change and the drought this may not end up where people want to come. Where’s all the water going to come from?
- Zehren’s plan is more of the typical zoning . . . suggest a some “mod” and appropriate “live-work” and community center element/vibe with a designated “restaurant, patio, park . . .

APPENDIX C - Housing Snapshot (2021)

EXISTING HOUSING: Total of 2,252 Dwelling Units in October 2021

Breakdown By Housing Type

- 1,797 single family homes
- 143 accessory dwelling units (ADU's)
- 312 multifamily units

*Information based on TOE utility billing

APPROVED HOUSING: Total of 1,561 Dwelling Units in October 2021

Breakdown By Development

DEVELOPMENT	# OF UNITS	UNIT TYPE
Reserve at Hockett Gulch	500	High-density MF
Haymeadow	837	344 MF; 493 SF/Duplexes
** Red Mountain Ranch	153	Varies
410 Broadway	9	Mixed-use
106 Broadway	20	Mixed-use
Broadway Station	22	Mixed-use
Talon Flats	20	Mixed-use

EAGLE COUNTY HOUSING AUTHORITY DATA



2018 Eagle County Housing Study ([LINK](#))

Valley-wide need for housing estimated at 3,800 for 2020.



January 2019 Regional Workforce Housing Report ([LINK](#))

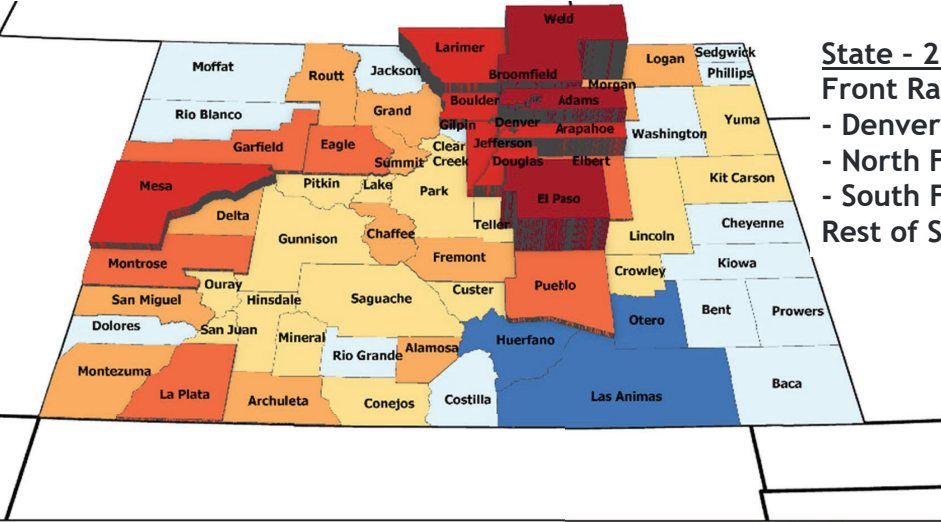
“Housing in the Eagle to Gypsum area is meeting housing demands from other parts of the region. This area contains 1,300 housing units that essentially meet housing demands emanating from other parts of the region. On the basis of affordability, however, the area has a small (200- unit) shortfall for households at 60 percent AMI and a 160-unit shortfall at 140 to 160 percent AMI. Those conditions, however, are likely to change over the next 10 years, when a 1,100-unit shortfall at 60 percent AMI and a 150 unit shortfall at 80 to 100 percent AMI are projected to emerge”.

** Red Mountain Ranch – Densities Per Planning Area (Dwelling Unit/Acre)

Planning Area 1	2.8
Planning Area 2	2
Planning Area 3	0.4
Planning Area 4	3.2
Planning Area 5	1.05
Planning Area 6	1.25

APPENDIX C - Housing Snapshot (2021)

Population Forecast 2050
7.9 million



State - 2.1 million
Front Range - 1.8M
- Denver Metro - .8M
- North FR- 550K
- South FR - 350K
Rest of State - 400K

Of the 400k population growth anticipated outside of the Front Range by 2050, an estimated **20,001 – 50,000** will be in Eagle County.

Projected Population Change
2020 - 2050

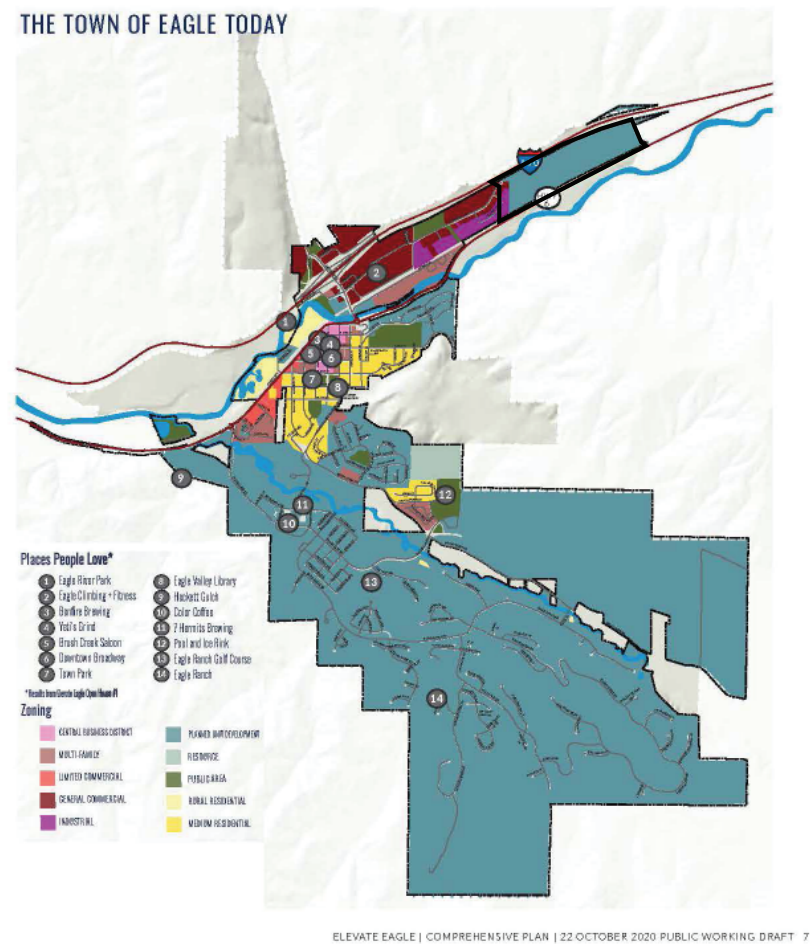
State Demography Office, October 16, 2020



COLORADO
Department of Local Affairs

APPENDIX D - Zehren and Associates Packet

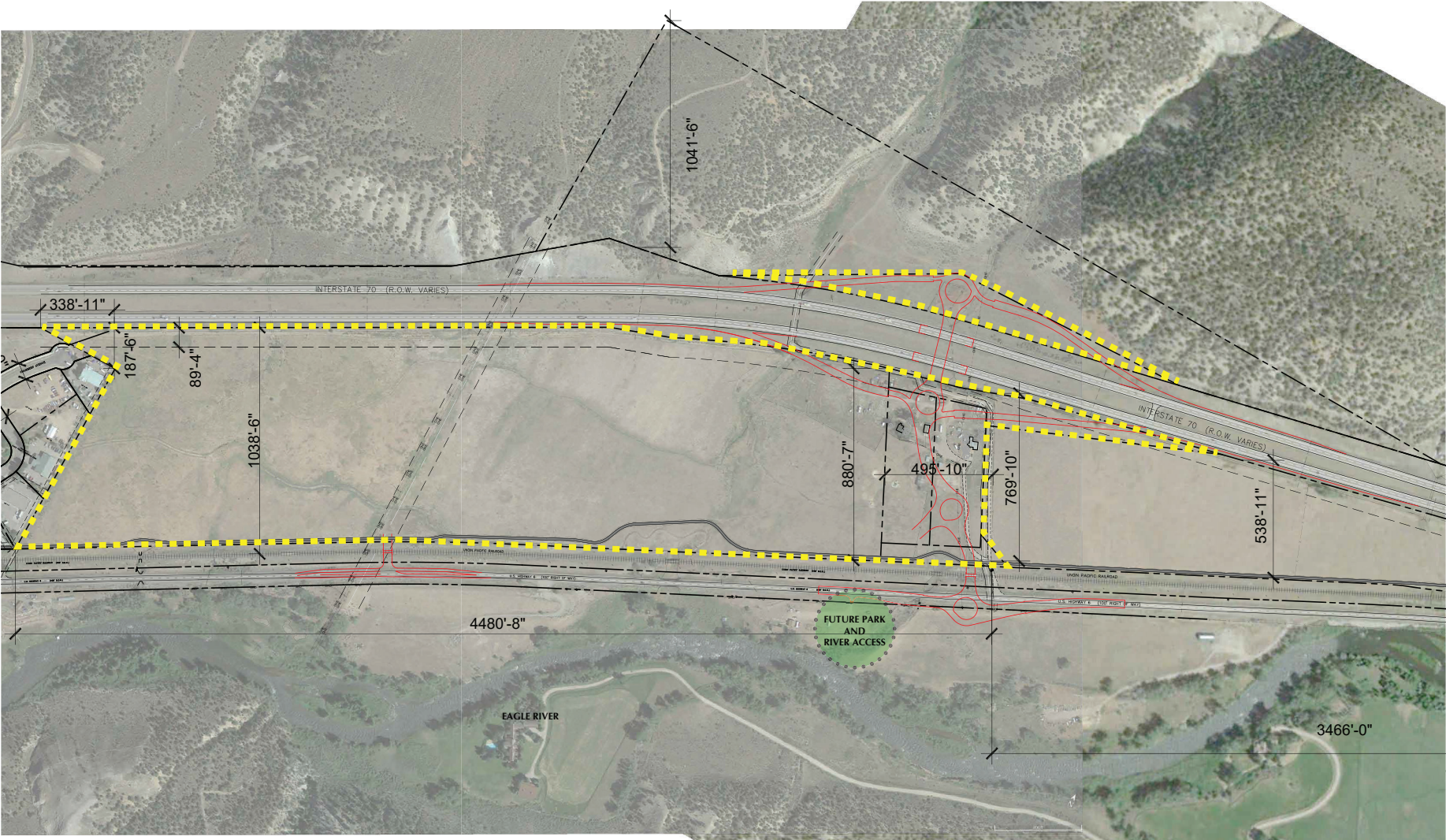
East Eagle Subarea Plan
Planning and Zoning Meeting



Prepared for the Town of Eagle

By Zehren and Associates
June 15, 2021

APPENDIX D - Zehren and Associates Packet

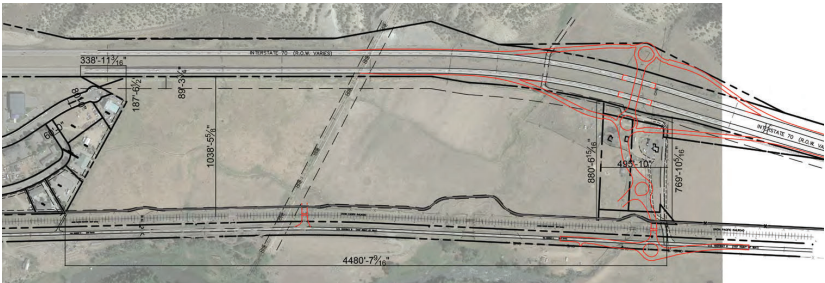


APPENDIX D - Zehren and Associates Packet

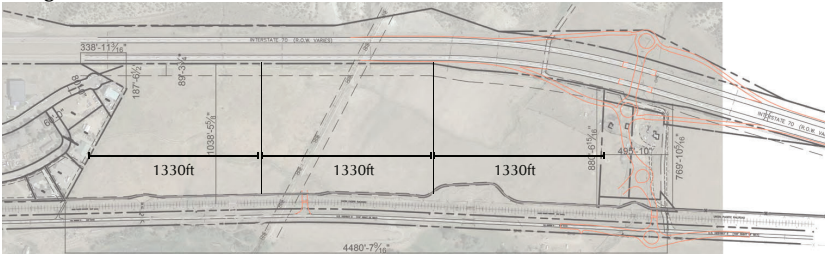


APPENDIX D - Zehren and Associates Packet

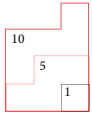
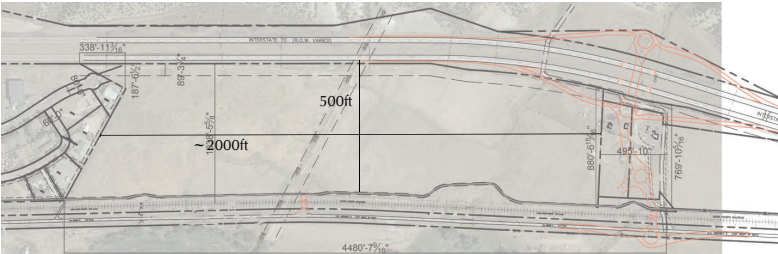
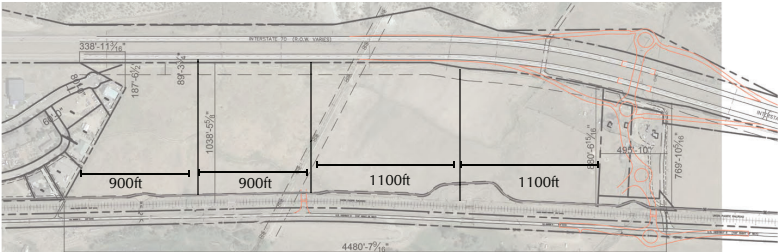
Site Map 1:400 scale 1 Acre



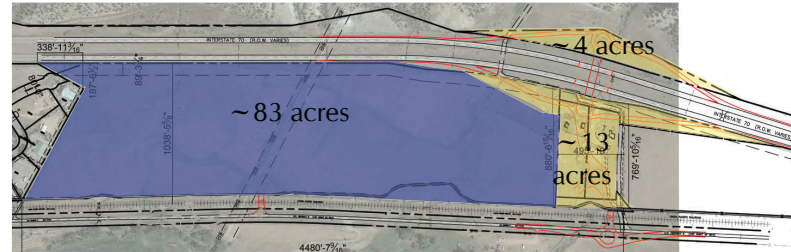
3 Segments



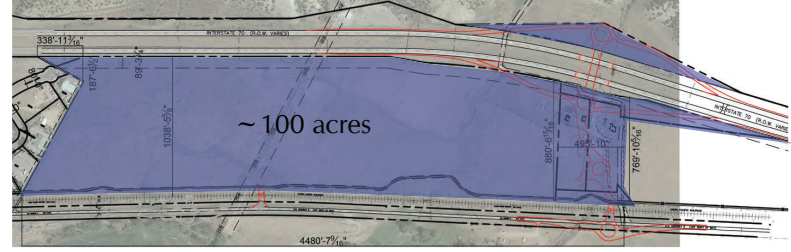
4 Segments



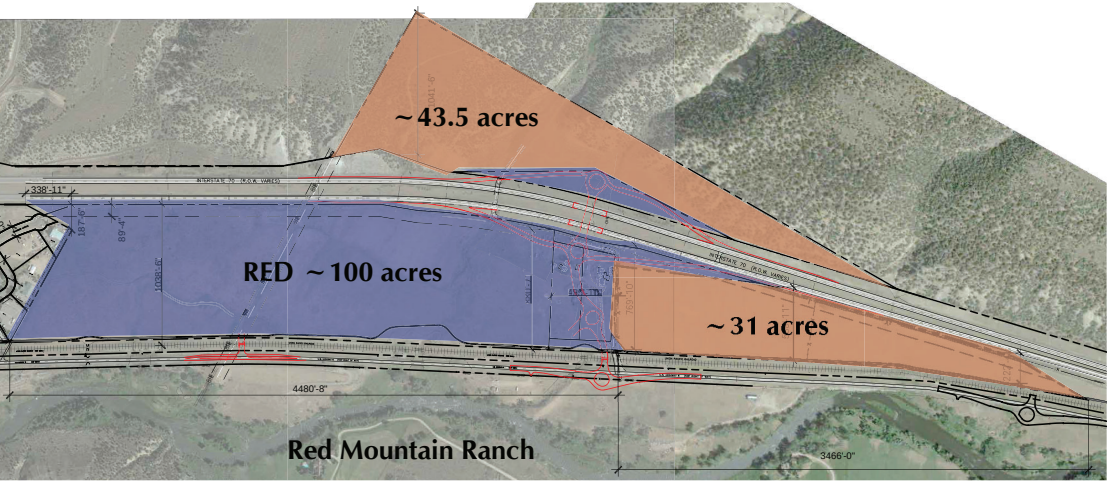
Area With Highway Interchange



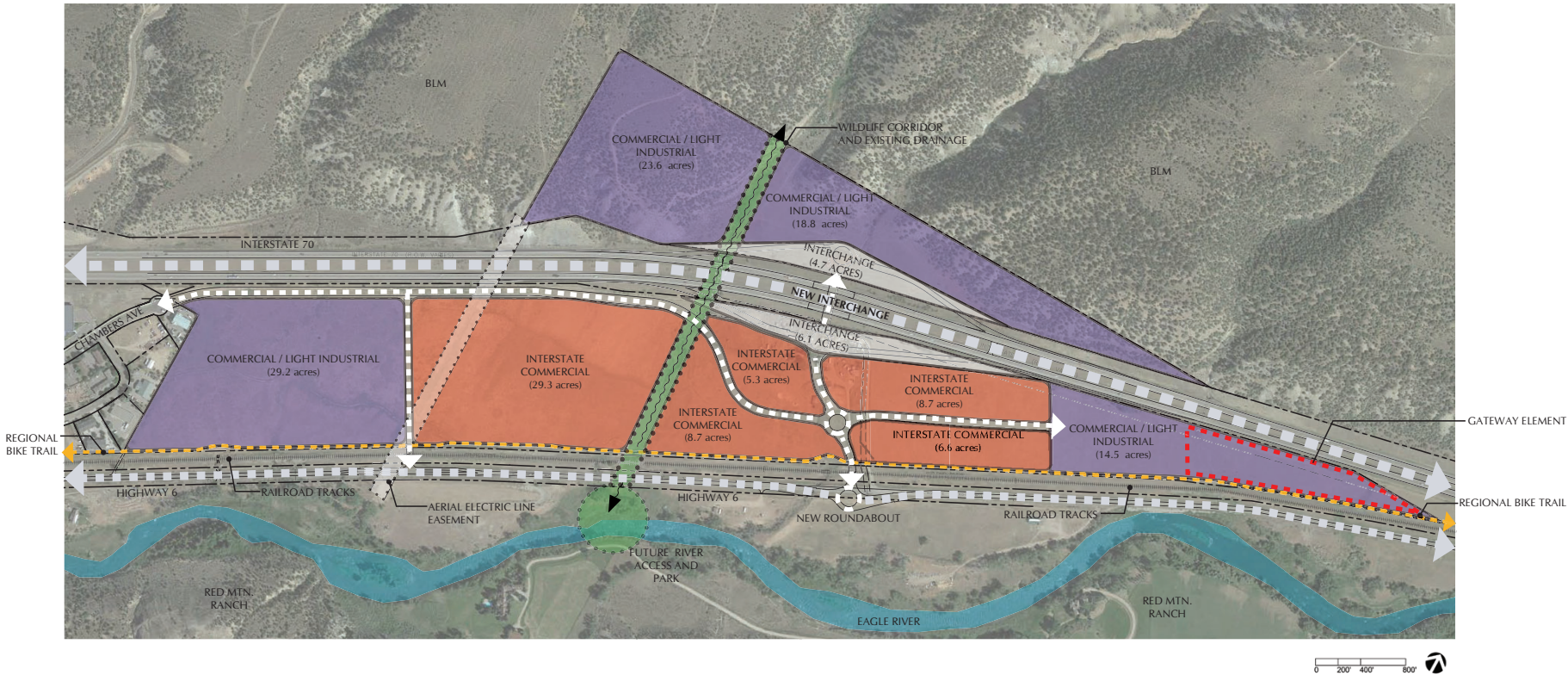
Area Without Highway Interchange



East Eagle Development 1 Acre

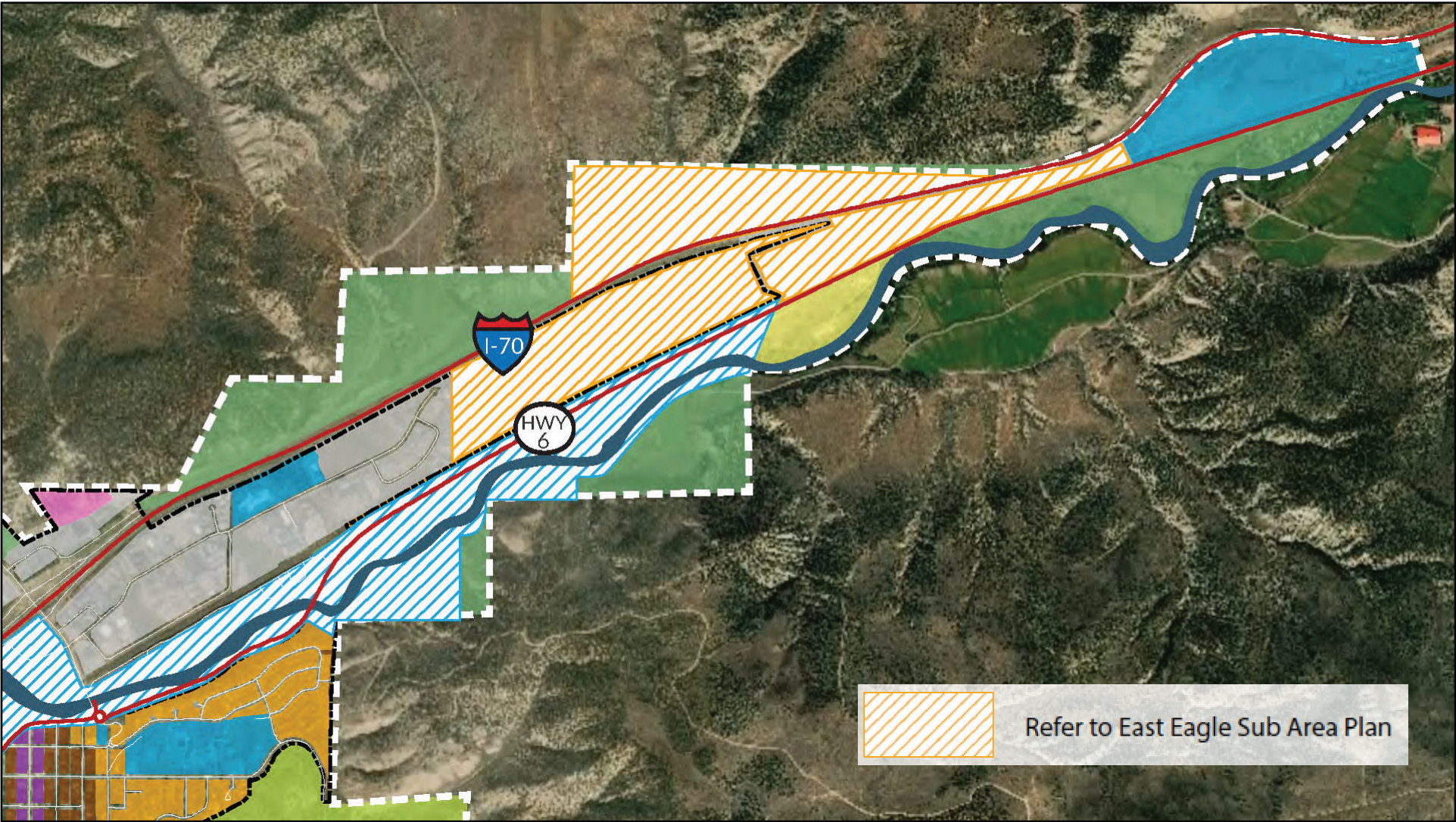


APPENDIX D - Zehren and Associates Packet



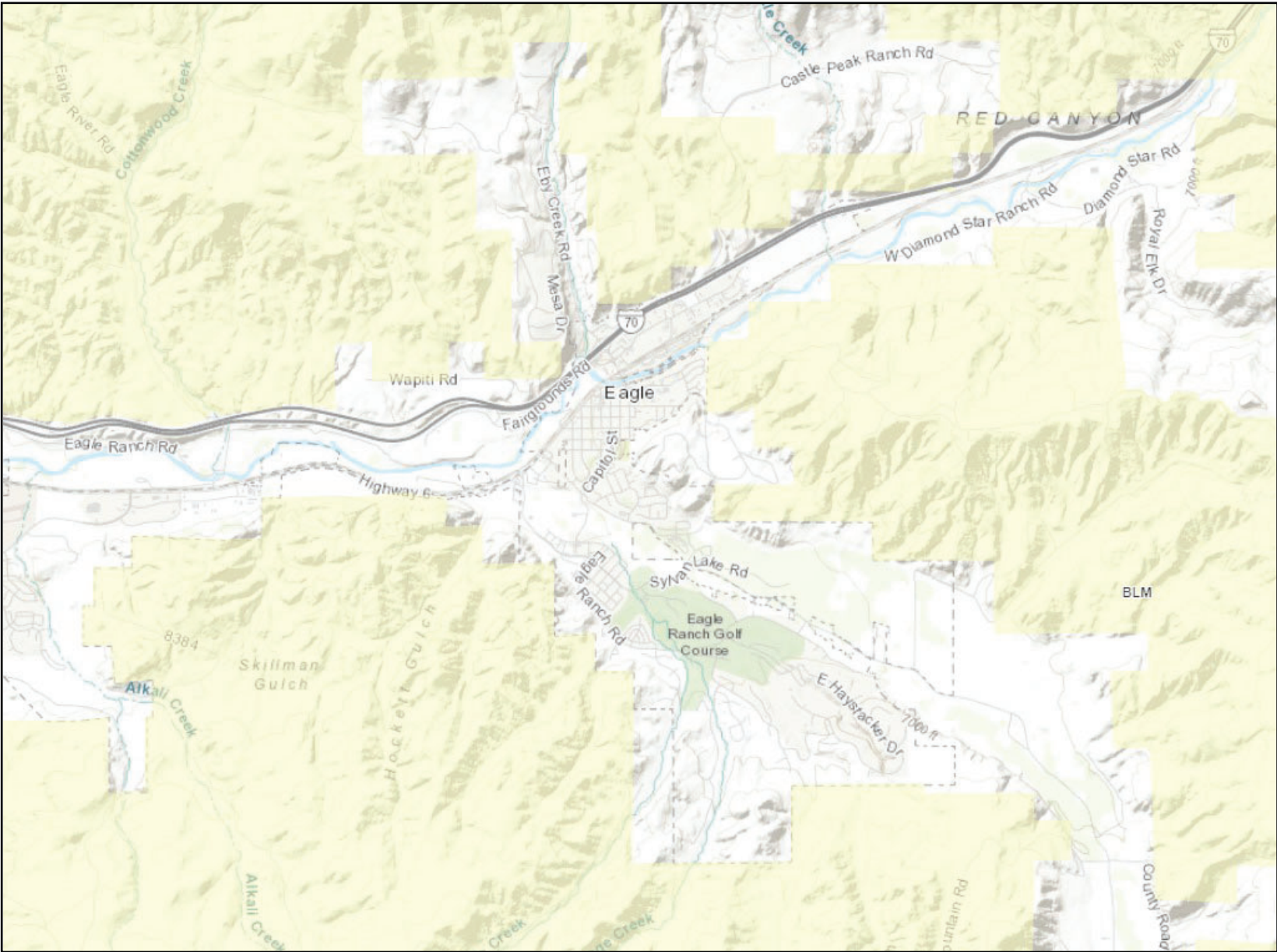
Future Land Use Diagram

APPENDIX E - Plan Graphics



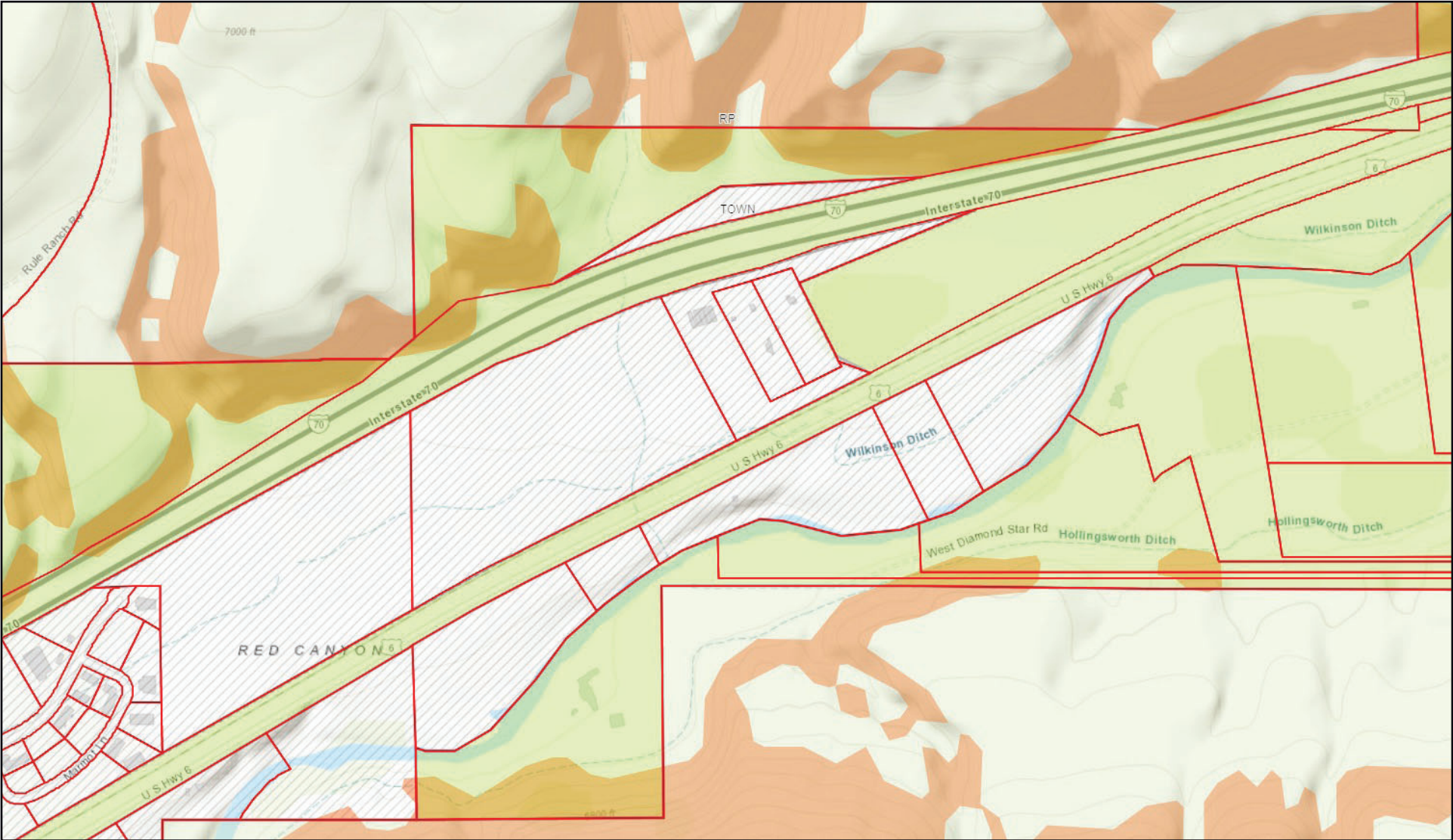
Graphic B

APPENDIX E - Plan Graphics



Graphic E

APPENDIX E - Plan Graphics



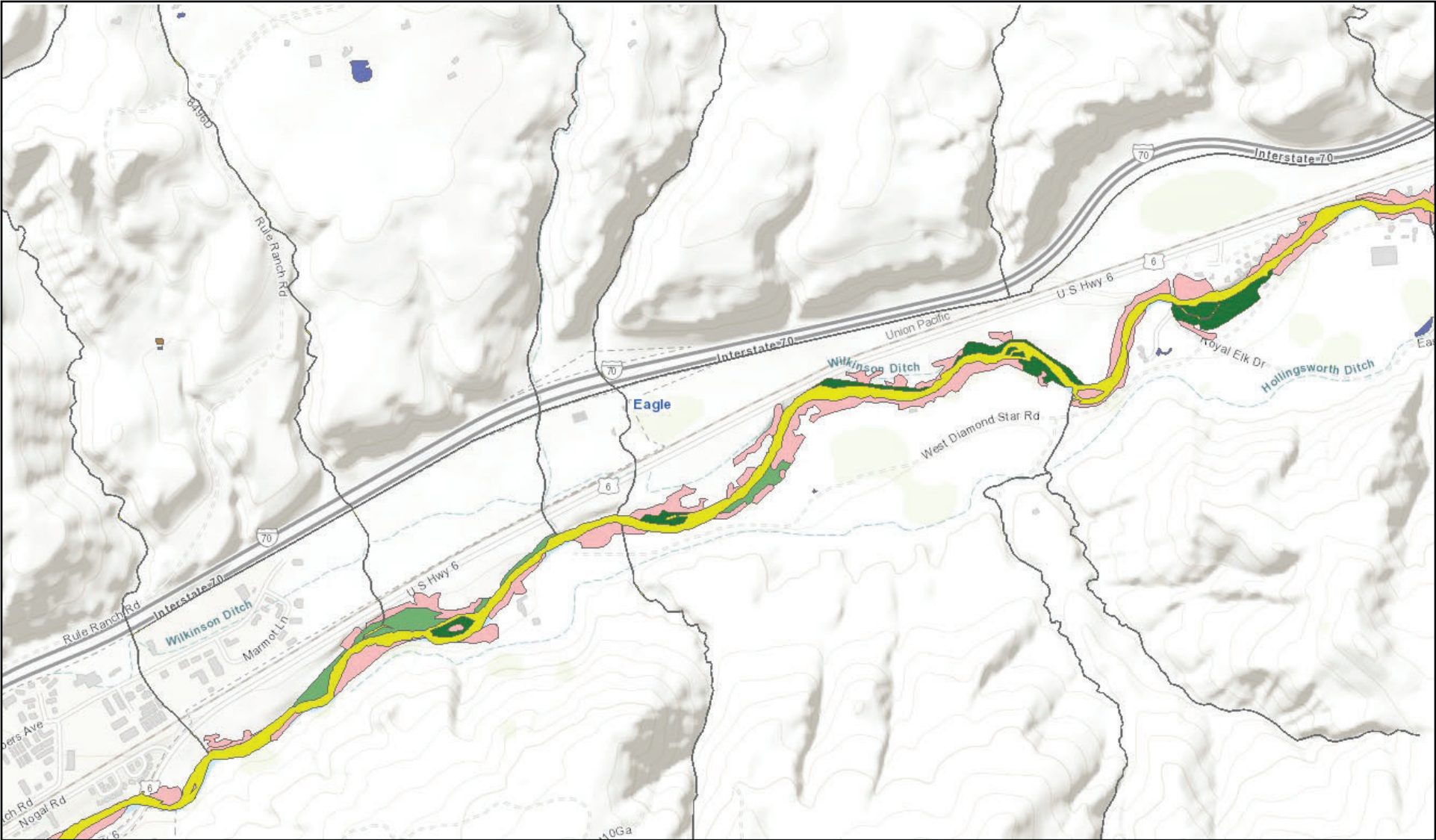
Graphic F

APPENDIX E - Plan Graphics



Graphic G

APPENDIX E - Plan Graphics



Graphic H

**TOWN OF EAGLE, COLORADO
PLANNING AND ZONING COMMISSION
RESOLUTION NO. 03
(Series of 2021)**

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF
EAGLE, COLORADO ADOPTING THE EAST EAGLE SUB AREA PLAN

WHEREAS, pursuant to C.R.S. § 31-23-206, it is the duty of the Planning and Zoning Commission (the "Commission") to make and adopt a comprehensive plan, also known as a master plan, for the physical development of the municipality, including any areas outside its boundaries, which in the Commission's judgment bears relation to the planning of the Town;

WHEREAS, the adopted Elevate Eagle Comprehensive Plan (2020) defers to certain Sub Area Plans, such as the East Eagle Sub Area Plan (2021);

WHEREAS, on October 19, 2021, the Commission held a properly-noticed public hearing on the East Eagle Sub Area Plan (2021); and

WHEREAS, the Commission wishes to approve and adopt the East Eagle Sub Area Plan (2021).

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. The East Eagle Sub Area Plan (2021) is hereby approved and adopted.

INTRODUCED, READ, PASSED AND ADOPTED ON OCTOBER 19, 2021.

TOWN OF EAGLE PLANNING AND ZONING
COMMISSION

Matthew Hood, Chair

ATTEST:

Nikki Davis, Administrative Technician II

October 14, 2021

Carolynne C. White

Attorney at Law

303.223.1197 tel

cwhite@bhfs.com

VIA ELECTRONIC MAIL

Town of Eagle Town Council

Town of Eagle Planning and Zoning Commission

RE: Opposition to East Eagle Sub Area Plan (the "**Subarea Plan**")

Dear Town Council and Planning and Zoning Commission:

This letter is sent on behalf of our client, Trinity Red Eagle Development, LLC ("**Trinity**"), the owner of the majority of the privately-held property (the "**Property**") within the proposed Subarea Plan area (the "**East Area**"), and one of the largest landowners in the Town of Eagle (the "**Town**").

Background

Trinity purchased the Property from Red Mountain Ranch Partnership, LLLP in 2005. At the time, Trinity planned to construct a large mixed use project with residential and a variety of commercial uses. Trinity was unable, however, to construct the project due to a variety of obstacles, most notably, the 2008 economic recession and online shopping trend that has reduced most retailers' needs for additional physical stores. As a result, the Property has sat vacant since that time.

In August of 2018, the Town began the process of adopting the Elevate Eagle Comprehensive Plan (the "**Comp Plan**"), which culminated in the adoption of the Comp Plan on December, 15 2020. As you may recall, Trinity submitted comments during the adoption process, expressing concern about the Town's failure to meaningfully include one of the Town's largest stakeholders in the Comp Plan adoption process. Trinity's comments also highlighted specific Comp Plan provisions that could make the Property undevelopable or more difficult to develop in light of current market demand. In subsequent communications with Town Staff, Trinity learned that the development of the Property would be more specifically guided by the forthcoming Subarea Plan, not the Comp Plan, and consequently expressed its support of the Comp Plan.

In light of its involvement with the development of the Comp Plan, Trinity was hopeful that the Town would include Trinity in the planning process for the Subarea Plan. Although Trinity was initially encouraged by Town Staff's response and consensus building, at the June 1, 2021 Town Council (the "**Council**") meeting, Trinity was blindsided by the Council's direction to Town Staff to reduce residential uses in the Subarea Plan to designate the Property for employment growth. The revised Subarea Plan was a sharp departure from the initial Subarea Plan that was developed by Town Staff and the Town's

outside consultant, which appropriately balanced employment opportunities and multifamily residential uses. This imbalance was exacerbated by the ill-advised direction by the Council and the Planning and Zoning Commission (the “**Commission**”) to Town Staff at the September 7, 2021 joint meeting to remove *all* residential uses from the Subarea Plan (the “**Prohibition**”). Now, the most recent iteration of the Subarea Plan designates the entirety of the Property as commercial/light industrial and interstate commercial, with no opportunity for residential uses.

Additionally, the Subarea Plan designates approximately 12 acres (approximately 13% of the Trinity Property) on the eastern portion of the Property for a future interchange (the “**Designation**”). Trinity understands that the Town believes, as the Town grows, an interchange may be necessary to meet traffic demands and to support highway-oriented development. However, the Town has not to our knowledge even commissioned a study to determine whether this interchange is necessary. To the extent that it is necessary, this demand is not created by Trinity; it is driven by existing traffic demands within the Town, without regard to the development of the Property, and legally, developers cannot be required to pay money or dedicate land in excess of their impacts. By proceeding with the Designation without an agreement to compensate Trinity for the loss of that land, the Town is depriving Trinity of the use of the land.

Opposition to the Subarea Plan

We note that Trinity fundamentally agrees with the Town’s underlying purpose in considering the Subarea Plan, the East Area welcomes visitors into the Town and would benefit from a cohesive vision for future development that complements the existing development within the Town. Nonetheless, Trinity must oppose the Subarea Plan, given that the Prohibition and Designation would render valueless Trinity’s investment in the Property and preclude development of the Property.

We ask the Council and the Commission to consider the significant investment that Trinity must undertake to make the Property capable of sustaining a development that will contribute to the Town’s tax and employment base and that reflects current and foreseeable market conditions. Existing constraints already make the Property difficult and expensive to develop. These constraints include utility easements, a rail line, Highway 6 access, drainage ways, the Town’s proposed I-70 Interchange, and the ECO Trail. Recognizing the impact of these constraints on development, Trinity has spent significant time and resources in evaluating and designing thoughtful solutions to accommodate development on the Property that are responsive to current market demands and meet the Town’s employment-related objectives. Imposition of the Prohibition and Designation would render that work valueless.

Trinity believes that a balance between employment uses and residential uses would achieve the Council’s and Commission’s goal of encouraging employment growth in the East Area, while also giving a voice to the numerous survey respondents who support residential uses in the East Area. Trinity also

believes that the acquisition and construction of the interchange must not be at Trinity's cost, because the need for the interchange is driven by existing traffic demands in the Town, not the development of the Property. If the Town adopts the Subarea Plan without modifying the Prohibition and Designation, the Town will have impaired Trinity's property rights.

Prohibition

By designating the Property solely for employment-related uses, the Town would deprive Trinity of the use and value of the Property by limiting the Property to uses that have a severely limited market demand into the foreseeable future. In essence, the Prohibition would force Trinity to leave the Property undeveloped.

Several members of the Council and the Commission have recognized the obvious problem with the Prohibition, expressing concern that the removal of residential uses creates an inflexible long-range plan that may interfere with the Town's future housing needs and may prevent development of the Property. Trinity agrees with these members. While Trinity understands the Town's desire to foster growth of employment uses, this overly-restrictive Prohibition is not a justifiable means to achieve those ends. Not only would the Prohibition unconstitutionally deprive Trinity of the ability to develop the Property, it ultimately would not advance the Town's objectives in adopting the Subarea Plan because it would render development of the Property economically and commercially infeasible. This would result in exactly what the Town is trying to avoid by adopting the Subarea Plan – underdeveloped land that would not benefit the Town. Instead of enabling Trinity to overcome the Property's considerable constraints to develop a mixed use center that attracts desirable businesses to the Town and that provides multi-family housing for future Town growth, the Prohibition would render the Property valueless and likely incapable of development.

Designation

Many state and federal courts have held that it is not fair to require a single property owner to bear a public burden which in all fairness and justice should be borne by the public as a whole. *See, e.g., Armstrong v. United States*, 364 U.S. 40 (1960), *Krupp v. Breckenridge Sanitation Dist.*, 19 P.3d 687, 695 (Colo. 2001) (*The Takings Clause assures that the government may not force 'some people alone to bear public burdens which, in all fairness and justice, should be borne by the public as a whole.'* (quoting *Dolan v. City of Tigard*, 512 U.S. 374 (1994))). This concept is enshrined in the United States Constitution, the Colorado Constitution, and the Colorado Revised Statutes. Governments simply may not thrust the expense of improving the public condition upon an individual.

In *Dolan*, the Supreme Court found that the City of Tigard's requirement that a property owner bear the burden of dedicating land along a creek to minimize flooding and facilitate a pedestrian and bicycle path when the burden should have been borne by the public as a whole was an unconstitutional taking. *See*

Dolan, 512 U.S. at 395-96. Similarly, if the Town were to require Trinity to dedicate the land or pay for construction costs without compensating Trinity, the Town's actions would be an unconstitutional taking of the Property.

The current text of the Subarea Plan can be read as a requirement that Trinity dedicate land or construct the interchange, a requirement that is not borne by any other private property owners in the City and that will undoubtedly benefit the public. Therefore, as currently written, the Subarea Plan cannot stand. If the Town wants such an interchange, it must compensate Trinity for the cost of dedication or construction. Without compensation, the Town will have illegally taken Trinity's land in violation of state and federal law.

Conclusion

Thank you for the opportunity to comment on the Subarea Plan. We urge the Council to exclude the Prohibition and reinstate the Subarea Plan to the 50-50 blend of residential and employment uses as originally presented at the June 1, 2021 meeting. We also urge the Council to include in the Subarea Plan the City's constitutional obligation to compensate Trinity for the Designation and any construction costs associated with the interchange.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carolynne C. White', written in a cursive style.

Carolynne C. White

cc: Matt Mire and Kendra Carberry, Town Attorneys

23129484.4



To: Planning & Zoning Commission

From: Chad Phillips, Director/Town Planner, Community Development Department
Jessica Lake, Planner I, Community Development Department
Peyton Heitzman, Planner I, Community Development Department
Nikki Davis, Administrative Technician II, Community Development Department

Date: October 19, 2021

Agenda Item: Community Development Department Update

LONG RANGE PLANNING

- **The Land Use and Development Code Update**
 - Staff received Clarion's Code Assessment Report on October 12th and has begun a preliminary review of the content. Staff is anticipating the Sign Code draft by end of October.
 - The Committee forming documents are forthcoming, following a review from Clarion.
 - The first Committee meeting is tentatively scheduled for mid-late November, following the elections.
- **Elevate Eagle Comprehensive Plan**
 - The Planning & Zoning Commission adopted the amendments to the Future Land Use Map (FLUM) and Future Land Use Categories on October 5th. The Town Council ratification hearing is scheduled for October 26th.
- **Grand Avenue Corridor Study**
 - Project is now in Phase 2 (April 2021 – October 2021) which has a greater focus on conceptual planning.
 - Phase 2 Public Open House Progress Meeting was held on October 7th.
 - A stakeholder group meeting is scheduled for October 21st.
- **East Eagle Sub Area Plan (EESAP)**
 - The Public Adoption Draft was posted on September 17th.
 - If the Planning & Zoning Commission adopt the draft at the October 19th meeting, the Town Council ratification hearing is scheduled for October 26th.
- **SolSmart (Bronze Solar Designation) – CommDev lead project**
 - Baseline zoning assessment has been completed.
 - Permit Tech will assume lead role with Clarion's assistance.
 - No new information to report as of 10/18/21.



LAND USE APPLICATIONS IN PROGRESS

Pre-Application Meetings

- **(4)** pre-application meeting have been or will be held in October.

Planning Active Applications

- **Reserve at Hockett Gulch**
 - A Subdivision and Major Development Permit application. Staff received application resubmittal on September 13th and completeness review is ongoing.
 - Department and agency referral comments deadline was October 15th. A post referral meeting will be scheduled the week of October 18th.
- **PUDA21-02 Haymeadow PUD Amendment #2**
 - Town Council public hearing was on October 12th and continued to November 9th.
- **PUDA21-01 Eagle Ranch 6th PUD Amendment**
 - Ongoing completeness review.
 - Staff is working with Town Attorney to determine when water fees need to be paid (at time of approval or at time of building permit issuance).
- **SU21-05: 332 Grand Ave (AG Roofing)**
 - Special Use Permit application submitted for outdoor storage, but applicant also need to apply for shop use.
 - Application not deemed complete for processing.
- **SU21-04: 263 Sawatch**
 - Special Use Permit application for contractor yard.
 - Application is undergoing completeness review.
- **RZ21-02 & S21-01: Eagle County School District (ECSD) 3rd Street Housing**
 - Applicant is proposing 16 units.
 - Application deemed complete and comments were due on October 14th.
 - The Public Hearing schedule is as follows:
 - Planning Commission public hearing 11/2/21
 - Town Council public hearing 12/4/21
- **446 Broadway**
 - Staff received application for development permit. Application not deemed complete for processing.
 - No new information to report as of 10/18/21.
- **341 Broadway (Mountain Animal Hospital Center)**
 - Staff received partial submission for a minor development permit. Application not deemed complete for



processing.

- No new information to report as of 10/18/21.

- **Other: 106 Broadway**

- Minor Development Permit was approved on 11/5/2019. If no building permit application is received within three years, the Development Permit will expire on 11/5/2022.

A **Planner of the Day** schedule has been implemented to field zoning questions from the community. A variety of these inquiries require on-going conversations with staff.

- September 2021 - (10) inquiries received
- October 2021 – (7) inquiries received to date

Code Enforcement: Active Cases

- (6) – Planning
- (1) – Building
- (4) – Public Works

TOWN COUNCIL and PLANNING & ZONING COMMISSION MEETING SCHEDULE:

October 2021
October 19 th Planning & Zoning Commission • Parking Fee in-lieu work session • EESAP adoption hearing • Community Development and Council Update
October 26 th Town Council • EESAP ratification hearing • Chapter 3 / FLUM Amendments to Comp plan ratification hearing
November 2021
November 2 nd Planning & Zoning Commission • ADU work session • ECSD Rezone & Sketch Plan • Sinclair Station Minor Development Permit & Zoning Variance
November 2 nd Town Council Work Session • Parking Fee in-lieu
November 9 th Town Council • ADU presentation • Community Development Department Update
November 16 th Planning & Zoning Commission • ADU public hearing • Community Development and Council Update
November 23 rd Town Council



Meeting Cancelled - Thanksgiving
December 2021
December 7 th Planning & Zoning Commission Parking Fee in-lieu
December 7 th Town Council Special Meeting and Work Session Grand Ave Corridor Plan Phase 2 Review
December 14 th Town Council - ADU adoption hearing - ECSD Rezone & Sketch Plan - Community Development Department Update
December 21 st Planning & Zoning Commission Meeting Cancelled - Christmas
December 28 th Town Council Meeting Cancelled – Christmas / New Year

BUILDING DEPARTMENT UPDATE: *Major Construction Projects Under Review and Oversight*

- Broadway Station: Mixed Use/Multi-Family**
 - Received revised plans for the first level and comments have been provided. Anticipated occupancy approval to be determined, although exterior finishes have begun.
- Talon Flats: Mixed Use/Multi-Family**
 - There are ongoing public improvements around the property. The development obtained full occupancy approval on October 1st.

TYPE OF WORK PERFORMED	NUMBERS PERFORMED IN 2020	NUMBERS PERFORMED TO-DATE 2021
Inspections (n/i planning/pw)	1,970	1,000
Building Permits Processed	498	205

TOWN COUNCIL UPDATE:

September 28, 2021: Town Council Meeting

Land Use Decisions:

- Council approved Resolution No. 67, Series 2021, “A Resolution of the Town Council of the Town of Eagle, Colorado Approving a Development Agreement for 761 Sylvan Lake Road (Talon Flats)”.

October 12, 2021: Town Council Meeting

- PUDA21-02 Haymeadow PUD Amendment #2
 - Continued to November 9th.