



**Planning & Zoning Commission
Tuesday, June 4, 2024, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631**

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

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an in-person meeting with access via Microsoft Teams. First-time users of Teams will need to download the app.

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Please Note: All participants must remain muted until they are requested to speak. This will reduce background noise disruptions for all meeting attendees. When it is your turn to speak, you will have three (3) minutes for public comment. For technical difficulties, please email denise.cardoza@townofeagle.org and we will do our best to assist you.

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.

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 April 16, 2024
2. Minutes dated May 21, 2024

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: Red Mountain Ranch Subdivision Sketch Application for Planning Areas 1 and 2
File # SS24-01
Applicant: Doug Newby of Tres Birds
Location 17500 US-6, Parcel #1939-331-18-002 and #1939-331-18-003
Staff Contact: Jessica Lake, Planner II
Request: An application for Subdivision Sketch to review and provide comments on the conceptual plans for Planning Areas (Parcels) 1 and 2 within the Red Mountain Ranch PUD.
2. Project: Sweet Leaf Pioneer Special Use Permit
File # SUP 24-01
Applicant: Dave Manzanares of Sweet Leaf Pioneer
Location 825A Chambers Ave
Staff Contact: Sydney Dynek, Planner
Request: An application for a Special Use Permit to include marijuana medical retail, with optional cultivation premises and consolidate it with the existing recreational marijuana cultivation, medical and recreational marijuana retail at the store's existing location.

COMMUNITY DEVELOPMENT DEPARTMENT AND TOWN COUNCIL UPDATE

Staff update to the Planning & Zoning Commission on recent work, upcoming files and decisions made by Town Council.

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.

Denise Cardoza

Denise Cardoza
Administrative Technician II



MEETING MINUTES
Planning & Zoning Commission
April 16, 2024, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

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

PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with an option for the public to attend via Teams.

6:01 PM - REGULAR MEETING CALLED TO ORDER

COMMISSIONERS PRESENT

Matt Hood, Bill Nutkins, Keith Klesner, Keith Montag, Laura Hartman
Weston Arbogast, Jennifer Sturgeon, Keegan Winkeller

STAFF

Cliff Simonton – Interim Com Dev Director
Peyton Heitzman – Planner
Jessica Lake – Planner
Sydney Dynek – Planner
Denise Cardoza – Com Dev Admin

COMMISSIONERS ABSENT

APPROVAL OF MINUTES

1. Minutes dated December 19, 2023

The minutes were approved as presented.

PUBLIC COMMENT

There was no public comment.

Chair Pro Tem

Keith Klesner was nominated by Commissioner Arbogast. Commissioner Klesner declined the nomination. Laura Hartman was nominated by Keith Klesner and the nomination was seconded by Jennifer Sturgeon

MOTION: All in favor, none opposed to Laura Hartman being nominated as Chair Pro Tem

Chair Hood Opened land use file DR24-02

PRESENTATIONS

Project: DR24-02 Eagle Pool Replacement

Project File # DR24-02

Applicant: Town of Eagle / Mountain Recreation

Location 1700 Bull Pasture Rd.

Staff Contact: Jessica Lake, Planner II

Request: A Minor Development Plan application to expand the Pool & Ice Rink building by roughly 1,600 sf and to demolish and rebuild the outdoor pool area and surrounding landscaping 2.

Staff Reviewed pool project and Zone District Standards. Staff reviewed exterior design.

Staff is recommending **approval** with conditions based on conditions of approval and reviewed all conditions of approval.

Chair Hood opened discussion:

Applicant staff in attendance:

Melissa Daruna – Town of Eagle Assistant Town Manager

Mallorey Redmon- Norris Design; Planner for Mountain Recreation

Toru Nycum- Executive Director, Mountain Recreation

Scott Rough – Superintendent of Facilities, Mountain Recreation

Bob McDonald – OLC Architecture

David Hissom – JHL Construction

Adam Fernham – JHL Construction

Commissioner Hartman requested information regarding the community survey and public engagement.

Mallorey Redmon from Norris Design spoke as the Planner of Mtn Rec. reviewed in person and online surveys. Ms. Redman reviewed the community engagement, discussed the 518 survey responses, clarified that most of the surveys were from Eagle and Gypsum.

Commissioner Montag: Requested information on the two plans implemented and the conditions.

Ms. Redman: Reviewed conditions, Fencing landscaping ect. and the design which included additional features that were identified as preferences of the community.

Chair Hood: Requested clarification on the funding process

Melissa Daruna: Clarified that funding is implemented in installments in regard to prioritization with the survey feedback as the driver of the actual prioritization with relocation as needed.

Chair Hood: Requested information on how to prevent the failures that happened to the last pool.

Daruna: Introduced the attendees. Reviewed that process of preventing similar issues moving forward.

David Hissom: Explained that the existing pool was highly collapsable due to the granular soils. We are using compaction grout columns for soils stabilization improvement. Reviewed the stabilization improvement process.

Commissioner Klesner requested clarification on the possibility of fully electric heating elements.

Daruna: we didn't have it in the budget to add that in in the forefront of the application. We are reusing some equipment from the previous pool for the current pool.

Commission and applicants continued discussion on the possibility of future electrification of the pool boilers.

Public Comment:

No Public comment. Chair Hood Closed Public comment

ITEMS FOR DISCUSSION

Discussion ensued between the applicant, staff and the planning and zoning commission. The topic were electric readiness of the pool, then Town's 2028 sustainability goals, funding and amenities provided. The Commission provided recommendations for sustainability features. The applicant responded positively to the input. The commission expressed appreciation for the team commended the project for how well it fits in with Eagle's goals, polices and land use requirements.

Motion:

Commissioner Winkeller: I move to approve the Minor Development Permit for the Eagle Pool Replacement Project, File #DR24-02, with the following findings of fact:

That the application for DR24-02 meets the requirements of Title 4 of the Municipal Code and substantially supports the 2021 Elevate Eagle Comprehensive Plan. I move to approve with conditions one through five as stated in the staff report.

Commissioner Montag seconded the motion.

All in favor, none opposed: Motion carries.

Chair hood closed the file DR24-02

PRESENTATIONS

Project: ReCode Adjustments

Project File # LUDC24-01

Applicant: Town of Eagle

Location Town of Eagle

Staff Contact: Planning Department

Request: A LUDC text amendment to resolve inconsistencies, provide clarity and correct omissions for several items within the Land Use and Development Code (LU).

Staff reviewed adjustment analysis and recommended adjustments.

-Staff reviewed PP presentation and future adjustments and the 8 modifications to the Land Use and Development Code.

Chair Hood: Requested clarification on numbering and applicability of the subset.

Staff: Reviewed consideration and specific evaluation, agreed with a and b, or c.

Commissioner Nutkins: Expressed agreement with Chair Hood

The commission and staff discussed functional vs decorative turf and the definition of “turf” in the code. Staff confirmed that there is no definition to propose but will be tackled at the time of reviewing current definitions section, and that staff is currently utilizing the Colorado’s definition of “turf”.

Public Comment:

No Public comment. Chair Hood Closed public comment

DISCUSSION ITEMS: None

MOTION:

Commissioner Hartman: I Move to approve the staff proposed modification to Land Use Development Code line 1-8 with revised language on item 6 to say A and B, or C .

Commissioner Nutkins Seconded the motion

All in favor, none opposed: Motion carries.

Chair hood closed the file LUDC24-01

Open discussion

Topics of discussion

Rapid Block update

P&Z report

DOLA Planning Capacity Grant

Brush Creek Road Extension

Grand Ave Road project

Update on North Broadway Annexation

Town Council approvals

ADJOURN

MOTION: Commissioner Arbogast motioned to adjourn.

Meeting adjourned at 7:40 PM.

DRAFT



MEETING MINUTES
Planning & Zoning Commission
May 21, 2024, 6:00 PM
Public Meeting Room / Eagle Town Hall
200 Broadway, Eagle, CO 81631

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PUBLIC WIFI – Eagle Guest

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

This was an in-person meeting with an option for the public to attend via Teams.

6:00 PM - REGULAR MEETING CALLED TO ORDER

Noted that there was an absence of a quorum as only 3 commissioners are in attendance

COMMISSIONERS PRESENT

Bill Nutkins, Laura Hartman, Keegan Winkeller

COMMISSIONERS ABSENT

Keith Montag Matt Hood, Bill Nutkins, Keith
Klesner, Weston Arbogast, Jennifer Sturgeon,

STAFF

Cliff Simonton – Interim Com Dev Director

Peyton Heitzman – Planner

Jessica Lake – Planner

Sydney Dynek – Planner

Denise Cardoza – Com Dev Admin

APPROVAL OF MINUTES

1. Minutes dated April 16, 2024

The minutes were not approved as there was no quorum.

PUBLIC COMMENT

There was no public comment.

Chair Pro Tem Hartman opened land use file SS24-01

PRESENTATIONS

Project: Red Mountain Ranch Subdivision Sketch Application for Planning Areas 1 and 2

File: #SS24-01

Applicant: Doug Newby of Tres Birds

Location: 17500 US-6, Parcel #1939-331-18-002 and #1939-331-18-003

Staff Contact: Jessica Lake, Planner II

Request: An application for Subdivision Sketch to review and provide comments on the conceptual plans for Planning Areas (Parcels) 1 and 2 within the Red Mountain Ranch PUD.

File was continued as there was no quorum.

Chair Pro Tem Hartman closed land use file SS24-01

Open discussion

-P&Z Report

ADJOURN

Meeting Adjourned at 6:06



STAFF REPORT AND CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Jessica Lake, Planner, Jessica.lake@townofeagle.org

DATE: May 21, 2024

FILE NUMBER: SS24-01

PROJECT: Red Mountain Ranch Parcels 1-2 Subdivision Sketch

LOCATION: 17500 US-6, Parcel #1939-331-18-002 and #1939-331-18-003

APPLICANT: Doug Newby of Tres Birds

REQUEST: An application for Subdivision Sketch to review and provide comments on the conceptual plans for Planning Areas (Parcels) 1 and 2 within the Red Mountain Ranch PUD.

ZONING: Planned Unit Development (PUD) Zone District

CODE: PUD Guide Zoning Regulations
Chapter 4.10 Site Layout and Structure Design Standards
Chapter 4.11 Landscaping, Screening and Fencing Standards
Chapter 4.12 Parking and Loading Standards
Chapter 4.13 Outdoor Lighting
Chapter 4.14 Sustainability, Resilience, and Hazards
Chapter 4.15 Subdivision Design and Improvement Standards
Chapter 4.17 Administration and Procedures
4.17.130.E. Subdivision Sketch Plan

EXHIBITS:

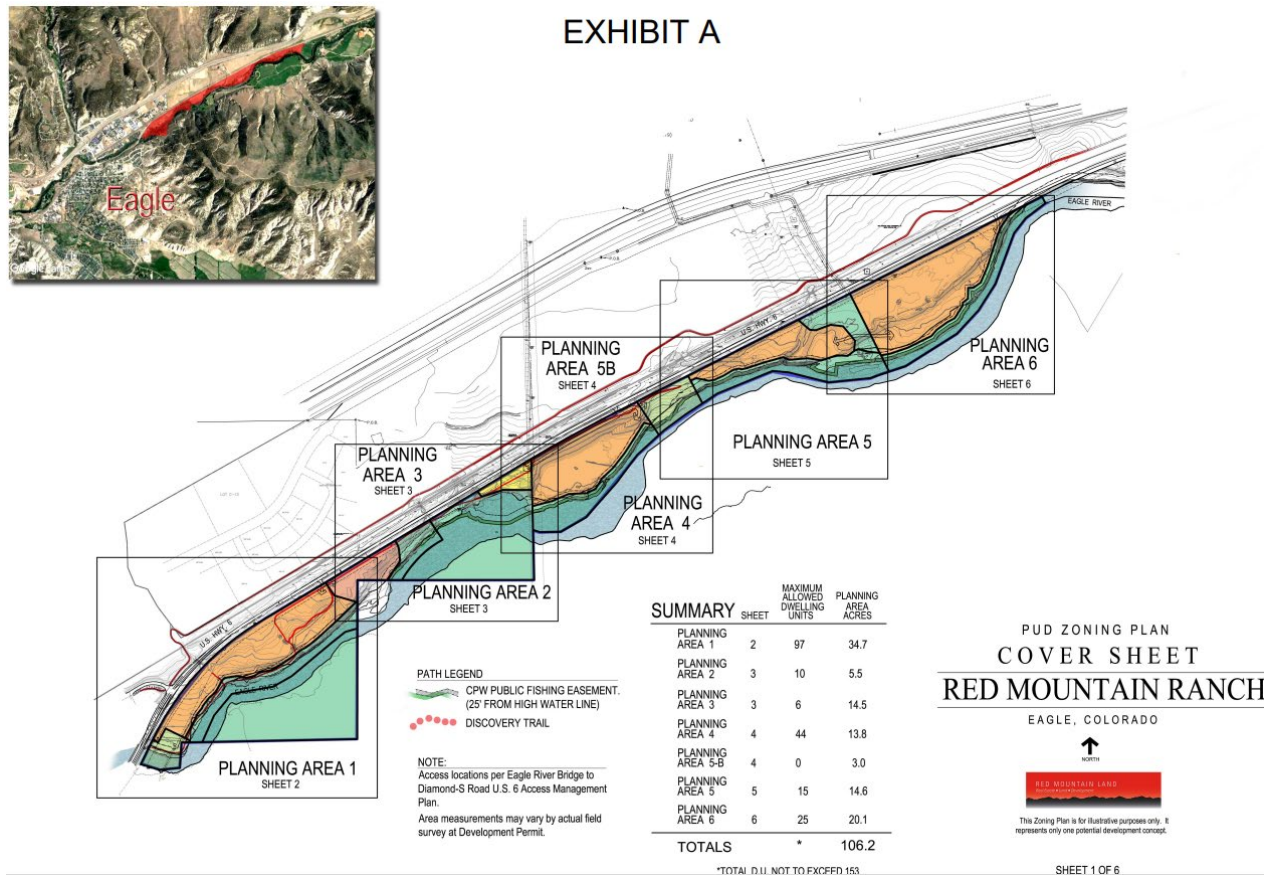
- A: Land Use Application and Project Narrative
- B: Illustrated Site Plan
- C: Pitch Deck ([LINK](#))
- D: Sketch Subdivision Plans ([LINK](#))
- E: Referral Response Report Summary ([LINK](#))
- F: Approved PUD Guide ([LINK](#))
- G: Approved Zoning Plan ([LINK](#))
- H: The following additional documents are available on the [Town's website](#): Developer Requirements, Draft Design Guidelines, Draft Riparian Management Plan, Geological Hazard Letter, Utility Service Plan Narrative, Background Traffic Memo, Notice of Decision for Annexation/PUD/FP/Dev. Agreement, Final Plat-Filing 5, Water Demand Study, EQR Assessment, EQR Assessment Parcels 1-6, Water Dedication Final Memo.

PUBLIC COMMENT:

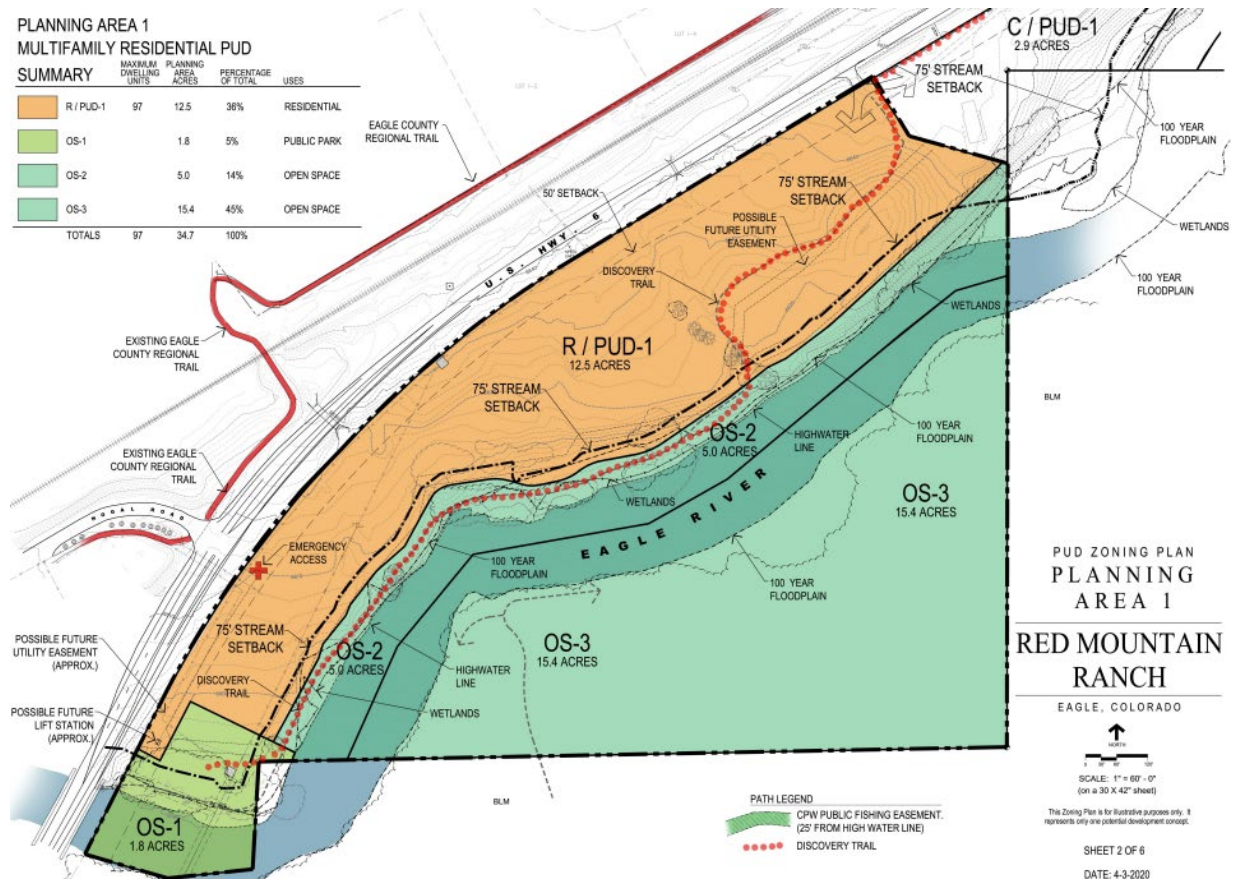
Staff have not received any comment letters from the public as of May 17, 2024. Letters received after this time will be gathered and shared at the meeting.

INTRODUCTION**Background**

In the fall of 2020, the Town of Eagle Town Council approved the annexation, annexation map, final plat and PUD zoning for the property known as Red Mountain Ranch. The property fills the space between Hwy 6 and the Eagle River for two miles east of town, and is subdivided into seven different Planning Areas, as shown on the map below. This application is focused on Planning Area 1 and Planning Area 2, which are located closest to Town.

**The Proposal**

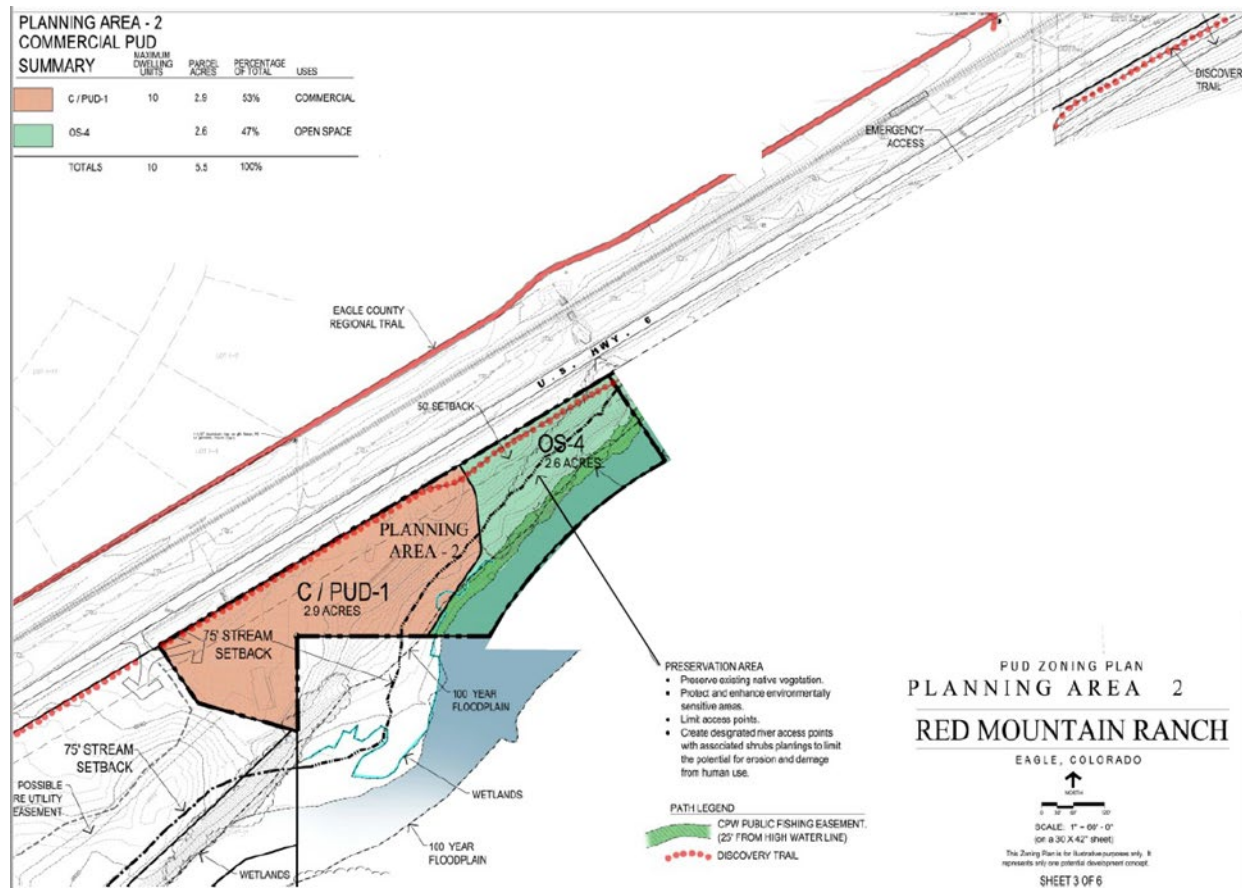
Doug Newby of Tres Birds and Rodrigo Cortina of Griffin Development LLC (the "Applicants") are requesting feedback for conceptual plans for development of Parcels 1 and 2 (see larger maps on the following pages) within the Red Mountain Ranch PUD. Proposed is a subdivision that would accommodate 67 total dwelling units (44 townhomes, 12 duplexes, and 11 single-family homes) a 60-room hotel, a restaurant, a tasting room, and an outdoor beer garden and lobby.



Planning Area 1 Map

Parcel 1 is not depicted on PUD maps but is synonymous with Planning Area 1 and R/PUD-1, shown above. Planning Area 1 is further divided into OS-1, OS-2, and OS-3 which are open space parcels, and R/PUD 1, which is the developable land of the property. The PUD Guide's stated purpose for the R/PUD-1 portion of Planning Area 1 is "to provide sites for a variety of residential land uses including single family, two-family dwelling, townhomes, condominiums and apartments at a maximum density of 97 dwelling units". For the purposes of this staff report, we will refer to the area as Planning Area 1. The PUD guide allows 97 dwelling units within the R/PUD site; this application includes a proposal for development of 67 total dwelling units. The applicant notes in the Narrative that they "aim to disturb the existing site as little as possible" and that "dwelling units are incorporated into the natural topography".

Parcel 2 is synonymous with Planning Area 2 and C/PUD-1, as shown in the map on the following page. For the purposes of this staff report, we will refer to this part of the PUD as Planning Area 2. The PUD Guide's stated purpose for the C/PUD-1 portion of Planning Area 2 is "to provide land for a neighborhood center area allowing for small scale residential and commercial uses with a focus on walkability from existing and future residential density and proximate public and educational uses". Walkability will be promoted via the Discovery Trail, which travels along the river through both Planning Area 1 and Planning Area 2.



Planning Area 2 Map

Within Planning Area 2, the applicant is proposing a hotel with 60 rooms, a restaurant, a tasting room, and an outdoor beer garden and lobby, which will comprise roughly 55,000 gross square feet. This is inconsistent with the approved PUD Guide, which allows for a boutique hotel of up to 30 rooms, up to 10 residential units and only 10,000 sf of commercial use. After the applicant receives feedback from this Sketch Plan review process the project team will likely apply for a PUD amendment to accommodate these inconsistencies.

The Property

The two planning area parcels are bounded on the northwest by Hwy 6, the high side of the property, which slopes south towards the Eagle River. Most of Planning Area 1 is gently sloped, while Planning Area 2 is narrower, especially where BLM land intersects, and steeper. In Planning Area 1, the River is buffered from developable lands by the open space tracts of OS-1 and OS-2. On the other side of the Eagle River from Planning Area 1 is the steep and inaccessible OS-3 open space where no development or access is planned. Planning Area 1 was at one time used for ranching and shows signs of related historic disturbances and land management. Vegetation on the uplands is sparse, and invasive weeds are predominant. Along the Eagle River corridor, are extensive and relatively undisturbed riparian habitats, with stands of mature cottonwoods, evergreens, expansive areas of willows, native shrubs and other vegetation typical to wetlands and river corridors in Eagle County.

There is an existing access point at the northeastern edge of the parcel boundary that will provide access to both the proposed residential development in Planning Area 1 and the commercial activities in Planning Area 2. The existing access point for the properties will need to apply for new access permits from CDOT.

Planning Area 2 has steeper topography than Planning Area 1 and includes a unique development challenge where BLM land intersects in the middle of the developable C/PUD1 land. Red Mountain Farm currently grows fresh produce in their gardens within Planning Area 2. An existing greenhouse and barn

are located on the west side of Planning Area 2 and are shown as remaining in this application. Colorado Parks & Wildlife has a fishing easement with Planning Area 2 and there's an existing raw water intake and irrigation pumphouse located in a disturbed section of the riverbank.

DISCUSSION ITEMS

Further analysis of discussion items is provided throughout this staff report. Staff have attempted to indicate when an analysis is relevant to a discussion item by listing the assigned number provided in this section of the report.

Section 4.17.100.D.e.ii. Review and Discussion Criteria:

1. How does the proposed project comply conceptually with the applicable requirements of the LUDC?
2. How does the proposed development incorporate variety in the type, design, and siting of buildings?
3. How will the proposed subdivision be connected to and integrated with the surrounding natural and developed areas?
4. How will the project impact neighboring properties (ie: water drainage, traffic circulation, environmental impacts, view corridors)?
5. How does the project promote the efficient use of land and public streets, utilities, and governmental services?

Staff Questions:

6. Who should approve, and who should ultimately implement the Riparian Area Management Plan (the "RAMP")? Staff, P&Z or Town Council?
7. Who should approve the Design Guidelines? Staff, P&Z or Town Council?
8. Section 5.g. of the ADA requires that access easements, associated with CDOT access permits and located within the 50-ft setback from the Hwy. 6 right of way line, be granted to the Town prior to approval of the Major Development Plan.
 - a. Applicant team requests approval at building permit in lieu of Major Development Plan.

Applicant Requested Feedback:

9. Feedback on road widths and building locations relative to setbacks and roads?
10. Utility connections to the Town systems and distribution throughout the site?
11. Planning Area 1: Consensus that the proposed plan fits what is outlined in the PUD and Ownership and the Design team can proceed with confidence to Major Development Permit, Preliminary Plan and Final Plat.
12. Planning Area 2: Does the proposed hotel/restaurant/tasting room program, paired with river access, an outdoor event space and demonstration farm, fit what the Town is looking for in regard to increased commerce and visitors?
13. Planning Area 2: Timeline for a PUD Amendment and approval?

THE REVIEW PROCESS FOR SUBDIVISION SKETCH PLAN

Section 4.17.100.D.2. of the Land Use and Development Code states that the purpose of the Subdivision Sketch Plan is to provide the Town the opportunity to describe the community's vision to the applicant, and to give the applicant an opportunity to indicate how proposed plans will further that vision. Through a collaborative discussion, the Planning and Zoning Commission should work with the applicant to ensure that the proposed development is consistent with community goals, and that issues are identified early in the development process. The Commission shall make comments and recommendations to the applicant regarding the proposal which should be considered by the applicant in preparation of the preliminary and/or development plan.

Next Steps:

The applicant has communicated that they plan to use the information generated by this meeting and the meeting with Town Council to submit land use applications for platting and development of Planning Area 1 first. An application for a PUD Amendment for Planning Area 2 will likely follow applications for Planning Area 1.

PROJECT ANALYSIS

Staff analyzed the proposed development utilizing applicable provisions of the Red Mountain Ranch PUD Guide, the Municipal Code, the Town's Comprehensive Plan, and the Eagle River Corridor Plan. The Planning & Zoning Commission should be aware of some distinct differences between this Subdivision Sketch application and the North Broadway application, in terms of the analysis. The staff report for North Broadway focused almost exclusively on the applicable goals and policies within the Comprehensive Plan and the River Corridor Plan because PUD zoning was being requested as part of an application for annexation. This staff report will be much more grounded in the Code, as Red Mountain Ranch has already received Town approval for Annexation, PUD Zoning, and the Filing 5 Final Plat, which platted the Planning Areas and some of the Open Space parcels. Overall, the project has already received analysis under the Town's relevant master planning goals and policies.

Discussion Items 6 & 7:

The applicant has outlined the project in an application narrative, a utility service plan narrative, and with an illustrated site plan and a prospective plan set; please note the application materials included in your packet for that information. Also included in the application packet are a draft riparian area management plan (the "RAMP") and a draft of the Design Guidelines. Staff has provided some initial comments and feedback to the applicant on these documents but has not included an analysis of these documents in this staff report. However, both documents are required to be reviewed and approved by the Town. Review and approval for the RAMP is required prior to the first Development Plan application for any of the parcels. The Design Guidelines can be separated into the Planning Areas, and if they are separated then each one is required to be approved prior to Subdivision Final Plat for that area. Both the RAMP and the Design Guidelines require approval by the Town, but staff would like feedback from P&Z and Council on whether they want to review each document or allow for staff review and approval.

Conformance to the PUD Guide and applicable Land Use Code Standards

Planning Area 1 – where comments are the same for both planning areas, this will be indicated in the “Staff Comment” (ie: Staff Comment Planning Areas 1 & 2).

PUD Zoning Requirements

Setbacks / Discussion Item 9

5. Minimum Building Setback Requirements:

- a. **Highway 6:** All habitable buildings shall maintain a 50-foot setback from the Highway 6 right-of-way line. Non-habitable buildings including garages, and surface parking areas shall maintain a 25-foot setback from the Highway 6 right-of-way line.
Internal roads, driveways, signs, landscaping, grading, berms and utility structures shall be allowed within the Highway 6 setback.
- b. **Front:** The front building setback shall be 10 feet from the front property line.
- c. **Side:** The side setback for single family homes and two-family dwelling buildings shall be 7.5 feet. The side setback for multi-family buildings shall be 7.5 feet.
- d. **Rear:** The rear yard setback shall be 10 feet.
- e. **Stream:** 75 feet as defined in this PUD Guide.
- f. **Supplementary setback requirements:**
Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

Staff Comment/Discussion Item #9: Setbacks appear to be generally met; however, the applicant has advised staff that they will provide additional clarity on future applications to ensure compliance with the setback requirements. Staff has made a note that in addition to the 75-ft stream setback described above, the PUD Guide also restricts projections into the 100-year floodplain, which at times, is more restrictive than the 75-ft stream setback. OS-2, which buffers the developable land in Planning Area 1 from river, introduced additional confusion to review of setbacks, since this area is not platted or clearly delineated on the plans, but has its own separate uses and requirements in the PUD Guide. The applicant will need to clearly delineate the boundaries of OS-2 on future land use applications, so that staff is able to ensure that development does not encroach into this area.

Building Height

6. **Maximum Building Height:**
35 feet for single family and two-family dwelling buildings. 40 feet for multi-family residential buildings.

Staff Comment Planning Areas 1 & 2: Elevations were not provided in this application; staff will review building height at time of Major Development Plan application.

Lot Coverage

7. **Maximum Lot Coverage:** To encourage clustering, small lots and the provision of common open space while integrating Conservation Oriented Design and Residential Cluster Design techniques there are no maximum lot coverage restrictions.

Staff Comment: There are no maximum lot coverage requirements for Planning Area 1. Staff believes that the general intent of this PUD section has been met with layout of the townhouses along the primary internal street, which parallels Hwy 6, and the clustering of duplexes and single-family units along the smaller secondary street.

Density

8. Maximum Density:

The maximum density shall not exceed 97 dwelling units.

Staff Comment: The proposed unit count is 67 dwelling units, which is within the maximum of 97.

Additional Zoning Requirement

- Within the 12.5 acres designated as R/PUD-1, there should be 4 acres designated as parks, open space or buffer zones for a ratio of 68% development area to 32% of buffer zone and common open space.

Staff Comment: This is a challenging requirement for staff to ensure compliance with. Staff will review this zoning requirement at time of Development Plan application.

PUD Use Review

Staff Comment: All proposed uses in Planning Area 1 are compliant with uses by right and accessory uses listed in the PUD Guide.

Chapter 4.10. Site Layout and Site Structure Design Standards

Staff Comment Planning Areas 1 & 2: The initial conceptual review of the Design Guidelines by staff, compared to the standards in Chapter 4.10 and the PUD Guide, indicated general compliance in terms of orientation, massing, and related aspects. However, staff will need to confirm full conformance prior to or at time of Development Plan application. At such time as the final draft of the Design Guidelines are submitted, the applicant will need to demonstrate conformance with the requirements outlined in Section 4.10.040.A. *Standards for Residential Development* and Section 4.10.040.B.6 *Private Outdoor Space*. When reviewing Design Guidelines, staff looks for either conformance with the pertinent sections of the Land Use Code or more restrictive requirements. The Guidelines cannot be less restrictive than our Land Use Code or the PUD Guide requirements.

Setbacks: The setbacks identified in the draft Design Guidelines for R/PUD-1 and C/PUD-1 do not match the setbacks specified in the PUD Guide, staff conveyed to the applicant that these will need to be rectified, and the applicant has noted the required change.

Planning Area 1: Staff identified a discrepancy between the PUD Guide and the Design Guidelines regarding whether ADUs are permitted or not in Planning Area 1. The applicant will need to demonstrate alignment between these documents at time of Development Plan application.

Chapter 4.11. Landscaping, Screening, and Fencing Standards

Staff Comment Planning Areas 1 & 2: The applicant provided high level landscape plans that depict where existing vegetation will remain and where new vegetation and landscape elements will be installed. At time of Development Plan application, the applicant will need to demonstrate compliance with the landscaping standards specified in Section 4.11.030.A *Landscape Plan Required*, 4.11.030.B *Landscape Materials*, Section 4.11.030.C: *Landscaping within the Public Right of Way*, and Section 4.11.050.A.1 *Landscaped Islands or Rain Gardens Required*.

PUD Requirements: At time of Development Plan application, the applicant will need to demonstrate compliance with the standards outlined in the PUD Guide in Section 14.0.C *Landscape Design Standards*, including setting minimum and maximum planting standards, promoting water conservation, and controlling the spread of noxious weeds. With this application, there will also need to be demonstrated conformance with the fencing design standards outlined in Section 14.0.E of the PUD Guide and Section 4.11.070 of the Town's Land Use Code.

Chapter 4.12. Parking and Loading Standards

Staff Comment: The applicant included a parking chart on sheet SDP-14 of the Sketch Subdivision Plan set. Staff reviewed the chart against the relevant standards and the site plan and concurs with the applicant's parking analysis. In Planning Area 1, the parking requirements are satisfied through a combination of garage and surface parking. The applicant has confirmed in their review comments that they will meet the minimum EV charging requirements in the adopted energy codes, as well as any additional Town of Eagle requirements, ensuring that residential units will be EV ready.

Chapter 4.13. Outdoor Lighting

Staff Comment Planning Areas 1 & 2: Within the draft Design Guidelines, the applicant identified the intended light fixtures for the development and the color temperature in Kelvin for these fixtures. They also included photometrics plans for Planning Area 1—At time of Development Plan application, the applicant will need to demonstrate compliance with the following Code Sections: Section 4.13.020.A *Manufacturer Specifications*, Section 4.13.02.0.B.1 *Lighting Plans*, Section 4.13.040.A *General Lighting standards*, Section 4.13.040.A.3 *Lighting Output Levels* and Section 4.13.040.A.4.a *Lighting Design*.

Chapter 4.14. Sustainability, Resilience, and Hazards

Staff Comment Planning Areas 1 & 2:

Riparian Area Management Plan: Due to the property's location adjacent to the Eagle River, a Riparian Area Management Plan is an established requirement for this development. The applicant submitted a draft version of this plan as part of their application materials. Section 8 of the ADA outlined a set of minimum requirements to be included in the RAMP. When staff reviews the finalized RAMP, they will be ensuring compliance with these requirements Prior to the first Development Plan application for the property, the applicant will be required to provide a finalized version of this Plan that has been reviewed by the appropriate agencies.

Code Requirements: At the time of Development Plan application, the applicant will need to demonstrate conformance with the following Code sections: Section 4.14.010: *Natural Hazards and Environmentally Sensitive Lands*, Section 4.14.050: *Water Body & Riparian Buffer*, Section 4.14.040.B.1: *Wildlife Impact Review Required*, Section 4.14.040.C.1: *Buffers*, and Section 4.14.040.E.1: *Wildlife Conservation Plans*.

Geologic Hazards: The Colorado Geological Survey (CGS), acting as a referral agency for this application, provided commentary on the development. In 2018, CGS reviewed the Red Mountain Ranch PUD Zoning Map and Development Plan, identifying several unresolved constraints, including water-soluble evaporites, sinkholes, ground subsidence, and compressible/collapsible/hydrocompactive soils. CGS recommends the applicant perform additional evaluations to develop site-specific mitigation strategies. They also highlighted concerns about potential erosion and slope instability from the Eagle River. CGS advises the Town to request verification from a certified professional to ensure the proposed buildings are sufficiently distanced from the Eagle River's 100-year flood hazard limits plus an erosion setback. If not, CGS recommends reconfiguring the placement of lots and structures to minimize erosion and instability risks.

PUD Requirements: At time of Development Permit application, the requirements and standards dictated in Section 10.0 of the PUD Guide will need to be addressed, including but not limited to the stream setbacks and permissible activities as outlined.

Chapter 4.15. Subdivision Design and Improvement Standards

Staff Comment Planning Areas 1 & 2: The River Corridor Plan advocates for conservation-oriented development with residential clustering in the Red Mountain Ranch planning areas. While cluster development deviates from typical subdivision lot and block designs, it offers a more suitable layout for buildings and streets within Red Mountain Ranch, considering the constraints posed by the Eagle River,

its riparian corridor, and Highway 6. Cluster development allows for more efficient use of space, better integration with the natural landscape, and improved community design by concentrating buildings and infrastructure in specific areas, thereby preserving open spaces and minimizing environmental impact. Planning Areas 1 and 2 are designed to comply with general subdivision requirements and align with the conservation-oriented principles of the Eagle River Corridor Plan. The applicant will need to ensure future applications meet the code requirements, including dimensional standards for lot design.

Current subdivision standards require that at least 30% of residential units be solar-oriented. The applicant has confirmed that all residential units in Planning Area 1 will be solar-oriented, with direct solar access and passive heating and cooling strategies. The solar panel installation for commercial buildings has not yet been determined. No residential units are planned for Planning Area 2.

Per the ADA, Red Mountain Ranch will use private wastewater collection systems with lift stations instead of connecting to the Town's wastewater system. These systems must comply with Colorado Department of Public Health and Environment (CDPHE) standards.

Additionally, the ADA requires access permits from CDOT for property access from Hwy. 6. The previous access permits have expired, and the applicant will need to reapply and obtain new permits before the Development Plan approval. Access easements must also be granted to the Town before the first Major Development Plan approval, as required by Section 5.g. of the ADA. Any changes to the trigger for access easements would need mutual agreement to amend this section of the ADA, under the Town Council's authority.

Summary of Planning Area 1:

The application for Planning Area 1, of Red Mountain Ranch development, generally complies with key zoning and Land Use Code requirements and integrates well with the surrounding natural and developed areas.

A Riparian Area Management Plan is required due to the property's proximity to the Eagle River, and the applicant must ensure it meets the established ADA requirements. Geologic hazards identified by the Colorado Geological Survey require additional evaluations for site-specific mitigation strategies, including concerns about erosion and slope instability from the Eagle River. To address these concerns, the applicant may need to revise the layout of buildings and streets.

Overall, Planning Area 1 adheres to the principles of conservation-oriented development with residential clustering, optimizing space and integrating with the natural landscape. If modifications are needed to mitigate CGS' concerns, then staff would support changes that maintain the clustering of residential units to optimize common space and integrate with the natural landscape.

Planning Area 2 – for code requirements specific to Planning Area 2 that were not already reviewed under Planning Area 1 and 2 comments above.

PUD Zoning Requirements:

Setbacks / Discussion Item 4

6. Minimum Building Setback Requirement:

- a. **Highway 6:** All habitable buildings shall maintain a 50-foot setback from the Highway 6 right-of-way line. Non-habitable buildings including garages, and surface parking areas shall maintain a 25-foot setback from the Highway 6 right-of-way line.
Internal roads, driveways, signs, landscaping, grading, berms and utility structures shall be allowed within the Highway 6 setback.
- b. **Front:** The front building setback shall be 10 feet from the front property line.
- c. **Side:** The side setback for single family homes and two-family dwelling buildings shall be 7.5 feet. The side setback for multi-family buildings shall be 7.5 feet. The side setback for commercial buildings shall be 12.5 feet.
- d. **Rear:** The rear yard setback shall be 20 feet.
- e. **Stream:** 75 feet as defined in this PUD Guide.
- f. **Supplementary setback requirements:**
Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback except the stream setback.

Staff Comment: Reviewing the setbacks within Planning Area 2 is more challenging than in Planning Area 1. Staff is unsure how to interpret the setback standards for this area. The angle of the BLM land encroaching into Planning Area 2 presents an additional challenge, as shown in the image below. Typically, staff would interpret the rear lot line as the property line for the BLM land, regardless of any angles. However, this interpretation may significantly impact the developability of this Planning Area. To address these issues, staff suggests that modifications to these setbacks be included in the scope of the PUD Amendment, or that the development be scaled down to better fit within the site constraints.



Site Coverage

8. Maximum Site Coverage:

As this standard is applied to C/PUD-1 site coverage shall be measured against the entire parcel of 2.9 acres. This standard will not apply to internal lots created to define building or lot ownership.

- a. Building: 20%
- b. All impervious: 40%

Staff Comment: Staff has not reviewed site coverage in Planning Area 2, since uses and building placement are still highly conceptual. The applicant will provide staff with site coverage calculations at time of Development Plan application for Planning Area 2. OS-4, which is 2.6 acres of the total 5.5 acres within Planning Area 2, will not be included in the site coverage calculation.

Density

5. Maximum Density:

Up to 10 residential units and 10,000 square feet of commercial use.

Staff Comment:

Staff has not reviewed the maximum density for Planning Area 2, and no residential units are currently proposed in this area. The PUD Guide lacks a definition for measuring commercial use, with building height being the only provided measurement definition. If P&Z and Town Council are generally supportive of increasing commercial uses on this site, including an expanded hotel and the addition of an outdoor event space and/or beer garden, then the maximum square footage for commercial use in the PUD Guide may need to be updated accordingly. In this case, staff would advise establishing a method of measurement for commercial use.

PUD Use Review

2. Uses by Right:

- a. Single family, two-family dwelling and/or multi-family residences.
- b. Accessory dwelling unit to owner-occupied single family dwelling.
- c. Boutique Hotel.
- d. Bed & Breakfast.
- e. Restaurant.
- f. Retail.
- g. Farmer's Market
- h. Community garden.
- i. Greenhouse.
- j. Existing or restored historic buildings.
- k. Home occupation.

3. Special Uses:

- a. Child care facilities.

4. Accessory Uses:

- a. Parks, playground, pools, greenbelt.
- b. Pedestrian and bicycle trails.
- c. Detached garages

Staff Comment: The PUD Guide allows all the uses detailed above as 'by right', 'special' or 'accessory'. On the surface the applicant's concept for a 60 room Boutique Hotel with a lobby appears to be in line with the 'by right' uses listed. However, Boutique Hotel is defined in the beginning of the guide as "a non-residential structure with no more than 30 rooms which provides temporary overnight sleeping accommodations to guests for a fee for a total continuous duration of less than thirty (30) days. A Boutique Hotel shall not include any dwelling units". The Town's updated Land Use Code also includes a definition for Boutique Hotel as "a building or portion thereof, designed or used for temporary or extended stay lodging for transients, other than a dormitory or hostel, that contains no more than 20 rooms, where for compensation, lodging is offered and provided to members of the general public, and that includes a supervised inside office or lobby. Accessory uses may include a dining room or area, kitchen, and/or shops and services catering to transients". The difference between a boutique hotel that is capped at 20 rooms

and one that is capped at 30 rooms, does not appear to staff to be a significant departure from the nature of a “small format” hotel or motel.

Additional uses proposed by the applicant include a restaurant, tasting room, outdoor beer garden, retail, community garden, greenhouse, existing or restored historic buildings, outdoor event space, and Eagle River access (list of additional uses was compiled from both the narrative and sheet SDP-00 of the Subdivision Sketch Plan set). In comparing this list against the PUD Guide, tasting room, outdoor beer garden and outdoor event space are not included in the Guide. The PUD Guide does not provide a provision that allows staff the ability to make interpretations for uses similar to by right or for uses that are typically viewed as accessory to by right uses. As an example, staff would typically consider a tasting room and an outdoor beer garden as accessory to the restaurant, but the approved PUD Guide does not include an allowance for these types of interpretations.

Access to the Eagle River is allowed to occur in OS-4 which, like OS-2, is not platted. Uses by right in OS-4 include soft surface trails with limited river access points. Catch and release fly fishing is also permitted within OS-4.

Based on staff’s review of the PUD Guide, approved by right or accessory uses include restaurant, retail, community garden, greenhouse, existing or restored historic buildings and Eagle River access. Proposed uses that are not included in the PUD Guide are the 60-room hotel, tasting room, outdoor beer garden, and outdoor event space. Staff could not recommend approval of a Development Plan that included these uses without an approved PUD amendment occurring first.

Chapter 4.12. Parking and Loading Standards

Staff Comment: The nomenclature used for the proposed hotel in Planning Area 1 becomes very important when determining the amount of parking required. The parking requirements for a Boutique Hotel (small format) is 1 per guest room, whereas the requirements for a Hotel/Motel (large format) is 1 per guest room, plus 1 space per 6 guest rooms. Staff has provided a table of the parking requirements in the Code below:

Use	Number of Rooms	LUDC Requirement	Parking Required	Parking Provided
Boutique Hotel (small format, max. 20 rms)	20	1 space / guest room	20 parking spaces	92*
Boutique Hotel (PUD Definition)	30	1 space / guest room + 1 space / 6 guest rooms	35 parking spaces	92*
Hotel/Motel (large format, no max. # of rms.)	60	1 space / guest room + 1 space / 6 guest rooms	70 parking spaces	92*
**92 reflects the total number of spaces provided on the site plan, the parking requirements listed above only include the hotel use, parking and parking calculations for all additional uses will also need to be calculated to determine whether the parking provided meets the code requirements.				

Staff has not fully reviewed the parking standards for Planning Area 2 due to the numerous unknowns. The applicant is requested to keep in mind the requirements for parking count, stall size, access, and maneuverability as future land use applications are submitted for Planning Area 2. There are various options available to the applicant to adjust the proposed uses or the PUD Guide to address parking needs. Staff is concerned that, with all the uses proposed in this application, plus the hotel expansion, the current parking count may be inadequate to serve the development.

4.08.070. PUD Amendment / Discussion Item 13

The applicant has provided a proposed scope for the PUD Amendment to Planning Area 2, which includes changes to allowed uses, modifications to definitions, an increase in the commercial use density, an adjustment of open space and Hwy. 6 setbacks.

The PUD Guide does not define an amendment process, but rather defers to the Amendment process described in the Land Use Code. The Code allows for minor PUD amendments to be approved by the Director, while major PUD amendments are reviewed in the manner required for the original PUD application, which means a major PUD amendment would go through the Public Hearing process with P&Z recommendation and Town Council decision. There are certain changes to an approved PUD that do not qualify for a minor amendment and automatically trigger a major amendment, those are: “changes to the allowed uses listed in the approved PUD final plan, changes to required open space, or changes to the PUD perimeter boundary”.

Staff Comment: Staff wants to clarify that the proposed PUD amendments, as generally listed above, would not be relevant to Planning Area 1, so Development and/or Subdivision applications for Planning Area 1 could precede or run concurrently with a PUD Amendment application.

Based on the applicant’s proposed scope for this PUD amendment, staff has determined that a Major PUD Amendment would be triggered.

Review criteria for a PUD Final Plan or a Major PUD Amendment, can be found in Section 4.08.070.E.2. of the Code, and generally are that the application meets the approval criteria for a rezoning, complies with the approved PUD concept plan and the requirements of Chapter 4.08, Planned Unit Development District, and meets all the applicable standards of this LUDC not expressly modified by the application.

CONFORMANCE TO MASTER PLANS, the Elevate Eagle Comprehensive Plan

Red Mountain Ranch was annexed and received PUD zoning from the Town in 2018, predating the adoption of the Elevate Eagle Comprehensive Plan. Staff has reviewed the previous analysis of the Eagle Area Community Plan and compared it with any differences in this application and the new Comprehensive Plan. Staff has not identified any new areas of non-conformity in the Comprehensive Plan beyond the previous review for conformance with the Eagle Area Community Plan. For Commissioners interested in Staff’s review of the approved Red Mountain Ranch applications for plan conformance, we refer you to the [February 19, 2019](#), Staff Report to the Planning & Zoning Commission.

CONFORMANCE TO MASTER PLANS, the Eagle River Corridor Plan

The Future Land Use Map (FLUM) of the Elevate Eagle Comprehensive Plan refers to the Eagle River Corridor Plan for detailed information on land use opportunities and expectations. During the previous land use application process, this application underwent extensive review against the River Corridor Plan. Staff has reevaluated the previous analysis of the River Corridor Plan in relation to Planning Areas 1 and 2, resulting in the following observations:

1. Planning Area 1 adheres to the approved PUD Guide as well as the Land Use Code and does not deviate from the previous staff review of the Eagle River Corridor Plan.
2. Planning Area 2 does not strictly align with the PUD Guide and necessitates a PUD Amendment before subsequent land use applications. Staff recommends reviewing the River Corridor Plan during the PUD Amendment process, as comments and recommendations made during the Subdivision Sketch phase are not binding.

Other Staff or Agency Comments / Discussion Items 9, 10 & 12:

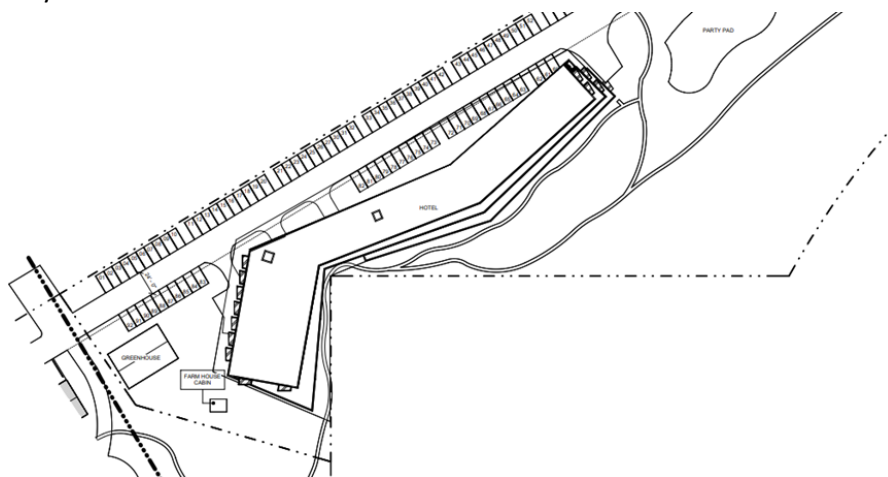
After staff sent review comments to the applicant and received the applicant’s response, staff received comments from the Army Corps of Engineers, which have been shared with the applicant and can be viewed via this [LINK](#).

Planning Comment: The applicant will need to respond to the Army Corps of Engineers and provide staff with an update regarding whether a definitive determination has been provided and if permits are required.

Public Works General Comment #3: Evaluation of the existing culvert structure will be necessary if the intention is to use the culvert as pedestrian connectivity. Evaluation at a minimum should include hydraulics, surfacing of pedestrian path, height, lighting, CDOT approval, maintenance requirements and agreements with CDOT.

Discussion Item 9 – feedback on road widths and building locations relative to setbacks and roads?

Planning Comments: Staff has conducted an analysis of setbacks for Planning Areas 1 and 2. The primary concern regarding building placement arises in Planning Area 2, where the hotel and restaurant structures appear to be situated very close to the boundaries of BLM property. Upon examination of the image provided, it appears that there may not be adequate space for the Discovery trail between the buildings and the BLM property lines.



Public Works Comments: Public access easements will need to be granted on the private street system where access to public amenities is necessary. Street and intersection alignment and geometrics should be modified to show street centerlines and indicate curvature of the roadways and curves should be tangent to the preceding curves or lines. There is inconsistency between the road sections and plan view width of the proposed roads, which should be reconciled. Minimum street widths must comply with fire access standards. Where street parking is provided along the road, the road width will comply with the parking and loading standards. The cul-de-sac diameter is required to meet IFC standards or be coordinated with the Fire District.

Discussion Item 10 – utility connections to the Town systems and distribution throughout the site?

Staff Comment: Public Works has informed the applicant that utility crossing permits will be required with CDOT and Union Pacific. Once these permits are obtained, a copy will need to be submitted to staff. The ownership group will be required to gather and submit information relative to the sanitary sewer capacity in Nogal Road and regarding capacity/pressure requirements for off-site water system connections. Staff will require alignments of sanitary sewer force main and water lines to be verified with existing easements, or new easements will need to be granted. Lift stations may not be located within the 100-year floodplain. Lift stations are required to have backup power and be located in areas that are conducive for maintenance of all components of the facility.

Discussion Item 12 – Planning Area 2: does the proposed hotel/restaurant/tasting room program, paired with river access, an outdoor event space and demonstration farm, fit what the Town is looking for regarding increased commerce and visitors?

Staff Comment: Staff has pulled some relevant goals and policies from the Comprehensive Plan and the River Corridor Plan to help the Commission and Council in their consideration of this question ([LINK](#)).

STAFF RECOMMENDATION

Staff does not provide a formal recommendation for the Sketch Plan Subdivision application since the process is designed to foster a collaborative conversation between the applicant and the Planning & Zoning Commission. During the next phase in the application process, staff recommends the applicant use the review comments provided to flush out areas of concern, provide additional detail and data to alleviate concerns and work with staff to ensure that ADA triggers/deadlines are adhered to.

PLANNING AND ZONING COMMISSION ACTION

1. Given stated outcomes of the Subdivision Sketch Plan review discussion, the Planning and Zoning Commission should clearly detail its opinions, positions and or concerns regarding the various categories and specific elements of the application, providing a clear recommendation to the Applicant for how the plan should be adjusted prior to the next formal application. No motion is required for the Sketch Subdivision Plan.
2. According to the Development code, the outcome of this meeting is: *...to ensure that all new development is consistent with the community's goals and that issues are identified...* If shortcomings are too numerous for the P&Z Commission to fully discuss or resolve in the time allotted, the P&Z Commission may continue the review to a future date. In that event, the P&Z should detail topics not fully covered under a tabling motion. Under this option, a suggested motion could be: I move to continue this discussion to (date) in order for the applicant to provide more information or modify the application to address the following regulatory issues: (insert items).

Once finalized, the Planning and Zoning Commission's suggestions and recommendation will be forwarded to the Town Council for its consideration in advance of a similar sketch review discussion.



TOWN OF EAGLE
COMMUNITY DEVELOPMENT
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www.townofeagle.org

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☐ Special Use Permit	☐ Minor Development Permit	☒ Concept Plan
☐ Zoning Variance	☐ Major Development Permit	☐ Preliminary Plan
☐ Rezoning	PLANNED UNIT DEVELOPMENT (PUD) REVIEW	☐ Final Plat
☐ Temporary Use Permit	☐ PUD Zoning Plan	☐ Lot Line Adjustment
☐ Amendment to Zone District Regulations	☐ PUD Development Plan	☐ Condominium / Townhouse
☐ Encroachment Permit		☐ Minor Subdivision
☐ Wireless Communications Facility		

PROJECT NAME Red Mountain Ranch

PRESENT ZONE DISTRICT Red Mountain Ranch PUD **PROPOSED ZONE DISTRICT** _____
(if applicable)

LOCATION

STREET ADDRESS 17500 US-6, Eagle, CO 81631

PROPERTY DESCRIPTION

SUBDIVISION _____ **LOT(S)** _____ **BLOCK** _____
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE Application for the Sketch Subdivision submittal in regards to Red Mountain Ranch Parcels 1 and 2.

APPLICANT NAME Tres Birds - Doug Newby **PHONE** 303.442.3790

ADDRESS 3821 Steele St Suite #1311 Denver, CO 80205 **EMAIL** dn@tresbirds.com

OWNER OF RECORD Griffin Development **PHONE** 970.331.3736

ADDRESS 701 W Lionshead Cir. Vail, CO 81657 **EMAIL** rcortina@pegaso.net

REPRESENTATIVE* _____ **PHONE** _____

ADDRESS _____ **EMAIL** _____

*A representative must submit an affidavit or power of attorney signed by the property owner of record authorizing the representation.

APPLICATION SUBMITTAL ITEMS:

The following submittal materials must be submitted in full before the application will be deemed complete (please check all items that are being submitted):

- ☒ Applicable fees and deposits.
- ☒ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- ☒ Surrounding and interested Property Ownership Report (see project specific checklist for more information).
- ☒ Proof of Ownership (ownership & encumbrance report) for subject property.
- ☒ Site Plan, drawn to scale and depicting the locations and boundaries of existing and proposed lots and structures.
- ☒ Project specific checklist.

FEES AND DEPOSITS:

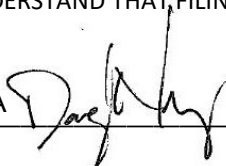
See Eagle Municipal Code Section 4.03.080

1. Application fees shall be paid in full at the time of the filing of the application and unless paid, the application shall not be deemed complete. All fees are nonrefundable.
2. As described in Eagle Municipal Code § 4.03.080, third-party consultants may be necessary for the review and processing of applications. These costs ("pass-through costs") must be paid by the applicant. If pass-through costs are expected, the applicant must pay a deposit at the time the application is filed. If at any time the deposit does not fully cover the pass-through costs, the applicant must pay another subsequent deposit before the Town will continue processing the application.
3. The Town may withhold the recording of any Subdivision Final Plat or Development Plan or the signing of any Resolution or Ordinance until all pass-through fees are paid in full.
4. Within 30 days of approval or denial of an application, any remaining deposit shall be returned to the applicant. If an application is withdrawn, any remaining deposit shall be returned to the applicant within 60 days.

I have read the application form and certify that the information contained herein is correct and accurate to the best of my knowledge. I understand that it is my responsibility to provide the Town with accurate information related to this application. I UNDERSTAND THAT FILING AN APPLICATION IS NOT A GUARANTEE THAT THE APPLICATION WILL BE APPROVED.

Douglas Newby, AIA

Signature



2/5/2024

Date

FOR OFFICE USE ONLY

DATE RECEIVED _____ BY _____ FILE NUMBER _____
REVIEW FEE _____ DATE PAID _____ RECEIVED BY _____
DATE CERTIFIED COMPLETE _____ BY _____
P&Z HEARING DATE _____ DECISION _____
TC HEARING DATE _____ DECISION _____

Red Mountain Ranch

Sketch Subdivision Submittal Narrative



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Scope of this Submittal

The scope of this Sketch Subdivision Submittal for Red Mountain Ranch includes Planning Areas 1 and 2 of the Red Mountain Ranch PUD located in the Town of Eagle. This submittal does not include Planning Areas 3, 4, 5, and 6 of Red Mountain Ranch.

Planning Area 1: consisting of OS-1, which is to be dedicated to the Town of Eagle for use as public open space, OS-2 which is to contain 67 dwelling units, storage buildings, amenity building, and the Discovery Trail, and OS-3 which is open space.

Planning Area 1 lies completely within the regulations set forth in the PUD for Red Mountain Ranch and consists of 67 total dwelling units: 44 townhomes, 12 duplexes, and 11 single-family homes. There are two internal roads for circulation, a two-way road neighboring Highway US6 with access to the townhomes, and a one-way loop for access to the duplexes and single-family homes. Consistent with the Riparian Area Management Plan (RAMP) and the Town of Eagle's guidelines, Red Mountain Ranch aims to disturb the existing site as little as possible. Dwelling units are incorporated into the natural topography of the site, while maintaining existing healthy ecology, while roads are kept to a minimum to increase shared outdoor space for residents.

Planning Area 2: consisting of a proposed hotel and restaurant, in addition to an existing outdoor event space, direct Eagle River access, and the Discovery Trail.

Planning Area 2 is consistent with the designated uses set forth in the PUD for Red Mountain Ranch, but exceeds the square footage allowed. The proposed boutique-hotel consists of a 60-key hotel, a restaurant, tasting room, outdoor beer garden, and lobby. This proposed program is approximately ~55,000 gross square feet. From Highway US6 the building appears to be 2-stories with a mostly single loaded corridor of hotel rooms all facing the Eagle River. From the Eagle River, the building steps down the natural topography existing on the site and allows for a walk-out garden level of hotel rooms with direct access to the river. Consistent with the Town of Eagle's Community Masterplan's the hotel will commit to the long-term growth of the Eagle economy, expand the employment base, amplify Live Work Play, attract regional retail, increase the art economy, and increase guest visitation year-round.

Legal Description

GRIFFIN DEVELOPMENT LLC, EAGLE RIVER COMMERCIAL LLC, & RED MOUNTAIN RANCH PARTNERSHIP LLLP being the owners of 100 percent of the property exclusive of streets and alleys described as:

A parcel of land situate in Sections 26, 27, 33, and 34, Township 4 South, Range 84 West, of the Sixth Principal meridian, being a portion of Tracts 58, 59 and 70, of said Township and Range, County of Eagle, State of Colorado, being a portion of these lands described in Land Survey Plat No. 574, 575, and 576, as deposited in the Eagle County Land Survey Plat Records, more particularly described as follows:

Beginning at a point on the south line of Highway 6 right of way and subject property; thence departing said south line S 73°54'09" E, 166.17 feet; thence N 83°53'51" E, 164.57 feet; thence N 03°16'32" E, 207.75 feet; thence N 88°53'49" E, 1444.68 feet; thence N 00°03'48" E, 1304.45 feet; thence N 89°56'08" E, 1452.88 feet; thence N 01°26'49" W, 410.52 feet to approximate centerline of the Eagle River; thence along said approximate center of the Eagle River S 74°05'42" E, 61.00 feet; thence N 89°29'45" E, 168.06 feet; thence N 60°21'13" E, 237.26 feet; thence N 41°29'08" E, 382.43 feet; thence N 36°38'50" E, 287.00 feet; thence N 47°37'56" E, 301.83 feet; thence N 53°45'25" E, 221.64 feet; thence N 56°52'49" E, 306.49 feet; thence N 67°43'57" E, 484.77 feet; thence S 85°00'54" E, 131.72 feet; thence S 75°53'38" E, 341.84 feet; thence N 83°57'06" E, 341.07 feet; thence N 71°13'40" E, 310.58 feet; thence N 57°40'11" E, 499.51 feet; thence N 42°33'26" E, 259.34 feet; thence N 32°48'52" E, 262.87 feet; thence N 21°21'27" E, 271.70 feet; thence N 18°01'29" E, 171.02 feet; thence N 38°30'11" E, 154.44 feet; thence N 52°40'07" E, 201.11 feet; thence departing said approximate centerline of the Eagle River N 26°50'41" W, 63.81 feet to the south line of Highway 6 right of way; thence along said south line of Highway 6 right of way S 63°08'01" W, 3932.72 feet; thence in a southwesterly direction with a non-tangent curve turning to the left with a radius of 11410.00 feet, having a chord bearing of S 61°05'01" W and a chord distance of 816.31 feet, having a central angle of 04°06'00" and an arc length of 816.48 feet; thence S 59°02'01" W, 2572.80 feet; thence in a southwesterly direction with a tangent curve turning to the left with a radius of 2242.00 feet, having a chord bearing of S 42°41'01" W and a chord distance of 1262.26 feet, having a central angle of 32°42'00" and an arc length of 1279.56 feet; thence S 26°20'01" W, 267.31 feet to the Point of Beginning – Containing 106.194 acres more or less.

Existing Conditions

As identified in the Riparian Area Management Plan (RAMP), Red Mountain Ranch has established a 75' setback from the Eagle River's high-water mark that is maintained throughout Planning Area's 1 and 2. As identified in the PUD for Red Mountain Ranch, the Discovery Trail, which connects all six parcels, travels through this setback and allows direct connection to the Eagle River for residents and the public.

The existing conditions of Planning Area 1 consist of an old ranching area with existing old-growth tree clusters as well as invasive weeds. The site neighbors the Eagle River and slopes gently up to Highway US6. Planning Area 2 consists of a single-family home, an outdoor event space, as well as old-growth tree clusters. There is currently one access point off Highway US6 near the existing single-family home.

Existing drainage pathways through the site from off-site stormwater as well as stormwater caught on-site travel through three existing drainage swales. Although there is no visible surface water, established ecology points to these swales continuing from the top of the site to the Eagle River. Red Mountain Ranch is proposing to enhance these drainage swales through natural stormwater filtration before it enters the Eagle River. The site will feature native planting that does not need irrigation once established.

Consistent with the narrative and other submittal items, the goal of Red Mountain Ranch is to preserve the existing site as much as possible while allowing residents to have direct access to nature from their home. Working with the existing topography has allowed all of the dwelling units as well as the hotel to sit naturally within the site without needing massive excavation efforts. Minimizing roads throughout the site and using pervious paving for parking and other areas allows the existing and proposed ecology to thrive while filtering stormwater naturally through the site.

To our knowledge, no commercial mineral deposits are located on the site.

Development Narrative

As identified in the Town of Eagle's housing assessment, Eagle is growing at a faster rate than the County. Eagle is forecasted to continue to grow and will capture a third of countywide growth going forward. Eagle's location also allows easy access to outdoor activities year-round and continues to focus on this Live Work Play mentality. With commuters from Eagle County to Eagle being at 44% of the working population, additional housing is needed within Eagle.

Red Mountain Ranch aims to address the need for housing within Eagle, as well as contribute to the Live Work Play mentality, grow the local economy, and increase guest visitation year-round. Paired with the local climate, Red Mountain Ranch is perfectly situated for sustainable building practices, solar access, and passive heating and cooling. Pairing the site with direct access to the Eagle River and Downtown Eagle has made Red Mountain Ranch a very desirable place to live and visit. Direct connection to Downtown Eagle via the Eagle Valley trail allows locals and residents to easily access the amenities of both Red Mountain Ranch and Downtown.

Planning Area 1 is designated for housing along with public open space. The PUD allows for 97 dwelling units across 17.5 acres. Within those 17.5 acres, Red Mountain Ranch is proposing 67 dwelling units with varying unit typologies. The mix of dwelling units will consist of 44 townhomes (8 clusters) running on the North end of the site with direct views to the Eagle River and access from the main circulation road. The secondary one-way road will allow access to 12 duplexes (6 clusters) and 11 single-family homes. With the site being situated along the Eagle River, Red Mountain Ranch aims to get residents outside as much as possible. By maximizing shared outdoor space that each unit can experience, residents have the ability to interact with ecology daily. A shared amenity building will house mail and parcel delivery, and storage buildings as well as garages in each unit throughout the site will allow for residents to store all of the gear associated with the Live Work Play aspect of Eagle.

Planning Area 2 is designated for multiple commercial uses, including a boutique-hotel. Taking inspiration from other hotels in Colorado, the hotel aims to give visitors and local residents direct access to the Eagle River and outdoor activities. The proposed hotel consists of a 60-key hotel, restaurant, tasting room, beer garden, demonstration farm, outdoor event space, and direct access to the Eagle River and neighboring BLM land. The site is perfectly situated to allow every guest room views out onto nature and features a single-loaded corridor and attached balconies for each room. Visitors will have year-round access to outdoor activities including skiing, rafting, mountain-biking etc. Local access through the Eagle Valley trail will encourage both locals and visitors to venture back-and-forth.

Subdivision Design Standards Compliance

In accordance with Chapter 4.15 of the Town of Eagle LUDC, Red Mountain Ranch is compliant with the design and improvement standards.

In order to preserve the existing ecology and promote new native growth, Parcel 1 of the development is organized with two roads spanning across the site East to West. The main road carries two-way traffic from the developments entrance off of Hwy US6 with access to the townhomes, while an internal one-way road allows access to the duplexes and single-family homes. These roads are designed in accordance with the Town's design and construction specifications. Between the roads, is a large open space dedicated to native planting and outdoor access for residents. Parcel 2 features a parking area directly off of the entry to the development with direct access to the commercial, lodging, and restaurant uses.

Buildings are oriented to maximize their solar access as well as promote passive-heating/cooling. They are also situated to naturally fit in with the site's existing topography and minimize the amount of grading and excavation required to construct foundations and other building elements. The buildings are inherently simple in form to promote experiencing the landscape on site as well as along the Eagle River.

Working with Holy Cross Energy, the site's estimated electrical load has been approved with the existing power available on site. New water connections will be made to water mains in either Chambers Ave, or Marmot Ln. New sanitary sewer connections will be made to a capped sewer line at the end of Nogal Rd via a lift station at the Southwest corner of the site.

In accordance with Chapter 4.15, Red Mountain Ranch has dedicated Parcel OS-1 to the Town of Eagle to be used as a public park. Parcel OS-3 is also dedicated as open space.

Town Review Feedback

Along with the Ownership team, the Design team looks to gain the following feedback from the Sketch Subdivision Submittal process:

Overall

- Feedback on road widths and building locations relative to setbacks and roads?
- Utility connections to the Town systems and distribution throughout the site?

Parcel 1

- Consensus that proposed plan fits what is outlined in the PUD and Ownership and the Design team can proceed with confidence to Major Development Permit, Preliminary Plat and Final Plat.

Parcel 2

- Does proposed hotel/restaurant/tasting room program, paired with river access an outdoor event space and demonstration farm, fit what the Town is looking for in regard to increased commerce and visitors?
- Timeline for a PUD Amendment and approval?



- Legend**
- ① Townhome
 - ② Duplex
 - ③ Single Family
 - ④ Storage
 - ⑤ Amenity Building
 - ⑥ Greenhouse
 - ⑦ Demonstration Farm
 - ⑧ Hotel, Restaurant, Tasting Room/ Brewery, Lobby/Bar
 - ⑨ Existing Barn
 - ⑩ Party Pad
 - ⑪ Parking
 - ⑫ Dry Pond
 - ⑬ Wet Pond
 - ⑭ Drainage Swale
 - ⑮ Turf
 - ⑯ Native Plant Community
 - ⑰ Existing Plant Community & Trees to Remain
 - ⑱ Discovery Trail
 - ⑲ Public Open Space

Red Mountain Ranch

**STAFF REPORT AND
CERTIFICATE OF RECOMMENDATION**

TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: June 4, 2024

PROJECT: Sweet Leaf Pioneer Special Use Permit

REQUEST: An application for a Special Use Permit to include marijuana medical retail, with optional cultivation premises and consolidate it with the existing recreational marijuana cultivation, medical and recreational marijuana retail at the store's existing location.

FILE NUMBER: SUP 24-01

APPLICANT: Dave Manzanares of Sweet Leaf Pioneer

LOCATION: 825A Chambers Ave

CODE: Chapter 4.05 Zoning
Chapter 4.17 Special Use

ZONING: Commercial General Zone District

EXHIBITS: A: Application and Project Narrative
B: Site Plan
C: Trip Memo

PUBLIC COMMENT: Staff has received no letters of public comment as of May 31, 2024. Letters received after this time will be gathered and entered into the public record at the hearing.

STAFF: Sydney Dynek, Planner, Sydney.dynek@townofeagle.org

PROPOSAL/BACKGROUND

Dave Manzanares of Sweet Leaf Pioneer (Applicant) has applied for a Special Use Permit to include medical marijuana cultivation at his store's existing location at 825A Chambers Ave. The Applicant's current operations include recreational marijuana cultivation, a medical and

recreational marijuana retail store, and medical and recreational marijuana infused products manufacturing at 825A Chambers Ave. This property is zoned Commercial General, and is depicted on the aerial image below with a yellow star. Commercial General is one of two zone districts, the other being the Industrial district, where marijuana medical retail, with optional cultivation premises is allowed via a Special Use Permit (SUP). The property's adjacent neighbors include an HVAC supply company, a public storage facility, dog boarding, and window sales.



la

Figure 1: Aerial View of Chambers Ave, Property Noted at Starred Location

The Applicant has received several SUPs to operate marijuana operations over the years and they now operate under a current permit issued in 2018. The existing operations, namely medical and retail marijuana stores, retail marijuana cultivation, and medical and retail marijuana infused products manufacturing, were approved through a special use permit on January 8, 2019 under SUP 18-09.

SUP 18-09 was approved under the following conditions:

1. Occupancy of the property for the approved use shall not be permitted prior to the issuance of State of Colorado Licenses for the references uses
2. Upon Occupancy, Special Use Permits 09-05, 13-09, and 13-10 shall become void.

3. Relocation of the ADA parking space in the diagonal center parking area to the diagonal parking stall adjacent to the building.
4. Addition of one ADA parking space to meet minimum requirements for ADA accessibility.
5. Removal of the parallel parking spots at the building entrance to provide for better site distance when diagonal parking users are backing out.

Proposal: The Applicant proposes to include the cultivation of medical marijuana at 825A Chambers, without expanding the square footage used for cultivation. Per the Land Use & Development Code (LUDC) the Applicant is required to apply for a new Special Use Permit for this proposed use.

REVIEW/APPROVAL PROCESS

Special Use Permits are required for uses that may not be appropriate for a given zone district but that could be found to be appropriate if certain criteria, from Section 4.17.080.E.3.c listed below, are met. Special Use Permits are reviewed by the Planning & Zoning Commission and approved by Town Council per the process outline in Section 4.17.080.E.

Review Criteria:

Criteria #1: Comprehensive Plan- The special use is consistent with the Town's Comprehensive Plan and applicable sub area and corridor plans, if any;

Criteria #2: Continued Maintenance- The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare

Criteria #3: LUDC Standards- The site for the proposed use is adequate in size and topography to accommodate the use while meeting the other requirements of this LUDC, including zone district dimensions, landscaping requirements, and parking

Criteria #4: Off-Site Impacts -

(a) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; and

(b) The special use will not impede the normal and orderly development and improvement of the surrounding property

STAFF ANALYSIS/FINDINGS OF FACT

Criteria #1: Comprehensive Plan

Elevate Eagle Comprehensive Plan (Amended 2021)

- Future Land Use Map: The Future Land Use Map (FLUM) designates the property as Commercial/Light Industrial (C/LI).

Staff Comment: The C/LI designation on the FLUM provides direction that Commercial General is a permissible zone within the C/LI land use category. Per the LUDC, the

Commercial General District and the Industrial District are the two zones where marijuana uses are permitted via special use permits or administrative use review, contingent upon the regulations within Title 5 of the Town's Municipal Code also being upheld.

Finding: Staff finds the proposed use to comply with the FLUM.

- *Policy 1.2-3:* Support opportunities to expand and diversify the commercial and light industrial base.

Staff Comment: The cultivation of medical marijuana is a commercial opportunity that addresses the community's medical marijuana needs.

Finding: The proposed use meets Policy 1.2-3.

- *Policy 1.2-4:* Work to attract and retain businesses that support and enhance Eagle's tourism revenues, while also seeking to build upon entrepreneurship.

Staff Comment: Medical marijuana is a retail product with existing demand in Eagle and the surrounding community and from tourists traveling the I-70 Corridor. The cultivation of medical marijuana will support the retention of the Applicant's existing operation at the site by enabling them to reduce transportation costs from importing medical marijuana products. By enabling multiple marijuana operations within the single business, this supports the business' competitiveness and viability among their competitors across the Valley. **Finding:** The proposed use meets Policy 1.2-4.

- *Policy 2.7-6:* Maintain existing commercial and industrial zoning in the Chambers Avenue, Market Street, Sawatch Road, and Marmot Lane areas

Staff Comment: As "marijuana, medical retail, optional cultivation premises" is only permitted via a SUP in the Commercial General and Industrial zone districts, the proposed use supports the maintenance of existing commercial zoning in the Chambers Avenue Area.

Finding: The proposed use meets Policy 2.7-6.

Criteria #2: Continued Maintenance (Life, Safety and Welfare):

Staff Comment: The growing of medical marijuana in a facility maintained and operated for the cultivation of recreational marijuana does not introduce any new hazards or exposures to workers in the facility or to clientele visiting the facility.

Finding: The establishment, maintenance, and operation of the proposed special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

Criteria #3: Conformance to LUDC Standards:

- Section 4.05.030: Commercial General (CG)

Staff Comment: The zone district standards cross reference the permitted uses displayed in Table 4.09-1, which states that marijuana, medical retail, optional cultivation premises is allowed in the Commercial General zone district by a SUP.

Finding: The proposed use conforms to Section 4.05.030 of the LUDC.

- Section 4.09.040: Standards Applicable to All Uses

Staff Comment: This Section speaks to criteria and standards applicable to use-specific reviews. Within the criteria it notes the use needs:

- To be consistent with the comprehensive plan
- To comply with applicable standards in the LUDC
- To comply with applicable infrastructure standards,
- To comply with local, state, and federal regulations and standards
- To not create any significant adverse impacts in surrounding areas or Town services or infrastructure.

The analysis for Criteria #1 confirmed that the proposed use is consistent with the comprehensive plan. There is no change in infrastructure needs as part of this application and the existing infrastructure complies with applicable standards. Through the state licensing process, the Applicant has demonstrated their compliance with local, state, and federal regulations and standards. The proposed use is similar to and consistent with the current approved uses of the site. No significant adverse impacts have been reported from the existing uses and in staff's analysis the proposed use would similarly not create any significant adverse impacts.

Finding: The proposed use conforms to Section 4.09.040 of the LUDC.

- Section 4.09.070.E Marijuana Uses

Staff Comment: Marijuana, medical retail, optional cultivation is an allowed use in the CG district via a SUP.

Finding: The proposed use conforms to Section 4.09.070.E of the LUDC.

- Section 4.12.020.B Expansion, Enlargement and Nonconformities

Staff Comment: When a new use is proposed in an existing building, the LUDC requires that the new use provides parking accordingly. Since there's no expansion in the existing cultivation with the proposed use, staff believes no additional parking is needed.

Finding: The proposed use conforms to Section 4.12.020.B of the LUDC.

Criteria #4: Off Site Impacts:

Staff Comment It has previously been determined that the cultivation of marijuana at 825 Chambers will not be injurious to the use and enjoyment of others, that normal and orderly development of the area will not be impeded, and that property values in the neighborhood will not be substantially diminished or impaired. No change is proposed in this request that would alter the previous finding of conformance.

Finding: The design and operation of the proposed use minimizes adverse impacts to adjacent properties, will not impede the normal and orderly development of the area and will not diminish or substantially impair property values in the neighborhood.

ISSUES FOR DISCUSSION

No issues have been identified for discussion.

STAFF RECOMMENDATION

Staff recommends approval with conditions of SUP 24-01 based on the proposal's conformance to the review criteria listed in Section 4.17.080.E., Special Use Permit, of the Municipal Code.

PROPOSED PLANNING AND ZONING COMMISISON MOTION

I move the Planning and Zoning Commission recommend **approval** of SUP 24-01, allowing Cultivation of Medical Marijuana at 825 Chambers Avenue, based on positive Findings of Fact for the review criteria listed in the Town of Eagle Land Use and Development Code, Section 4.17.080.E, Special Use Permit, with the following conditions:

- 1) The marijuana business shall maintain existing filtration and odor mitigation facilities.

PLANNING AND ZONING COMMISSION ALTERNATIVE MOTIONS

1. I move the Planning and Zoning Commission recommendation **unconditional approval** of SUP 24-01, allowing Cultivation of Medical Marijuana at 825 Chambers Avenue, based on positive Findings of Fact for the review criteria listed in the Town of Eagle Land Use and Development Code, Section 4.17.080.E, Special Use Permit
2. I move the Planning and Zoning Commission **table** file SUP 24-01 to (date certain) and request the following information be provided to Staff and the Planning and Zoning Commission a minimum of two weeks in advance of that meeting (list additional information required)
3. I move the Planning and Zoning Commission recommendation of **denial** of SUP 24-01, for the following reason(s) (cite negative findings, or other specific reason(s) for denial)



TOWN OF EAGLE
COMMUNITY DEVELOPMENT
200 BROADWAY • PO BOX 609 • EAGLE, CO 81631
PHONE: 970-328-9655 • FAX: 970-328-9656
EMAIL: PLANNING@TOWNOFEAGLE.ORG
www.townofeagle.org

LAND USE & DEVELOPMENT APPLICATION

Pursuant to the Land Use & Development Code, Title 4

ZONING REVIEW	DEVELOPMENT REVIEW	SUBDIVISION REVIEW
☒ Special Use Permit ☐ Zoning Variance ☐ Rezoning ☐ Temporary Use Permit ☐ Amendment to Zone District Regulations ☐ Encroachment Permit ☐ Wireless Communications Facility	☐ Minor Development Permit ☐ Major Development Permit PLANNED UNIT DEVELOPMENT (PUD) REVIEW ☐ PUD Zoning Plan ☐ PUD Development Plan	☐ Concept Plan ☐ Preliminary Plan ☐ Final Plat ☐ Lot Line Adjustment ☐ Condominium / Townhouse ☐ Minor Subdivision

PROJECT NAME Sweet Leaf Pioneer

PRESENT ZONE DISTRICT _____ PROPOSED ZONE DISTRICT _____
(if applicable)

LOCATION
STREET ADDRESS 825A Chambers Ave

PROPERTY DESCRIPTION
SUBDIVISION _____ LOT(S) _____ BLOCK _____
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE moving our medical marijuana grow from 245th Marmot lane to 825A Chambers Ave.

APPLICANT NAME	<u>David Manzanares</u>	PHONE	<u>(970) 904-7277</u>
ADDRESS	<u>389 Green mtn dr</u>	EMAIL	<u>davem@sweetleafpioneer.co</u>
OWNER OF RECORD	<u>David Manzanares</u>	PHONE	<u>(970) 904-7277</u>
ADDRESS	<u>389 Green mtn dr</u>	EMAIL	<u>davem@sweetleafpioneer.com</u>
REPRESENTATIVE*	<u>David Manzanares</u>	PHONE	_____
ADDRESS	_____	EMAIL	_____

*A representative must submit an affidavit or power of attorney signed by the property owner of record authorizing the representation.

APPLICATION SUBMITTAL ITEMS:

The following submittal materials must be submitted in full before the application will be deemed complete (please check all items that are being submitted):

- ☐ Applicable fees and deposits.
- ☐ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- ☐ Surrounding and interested Property Ownership Report (see project specific checklist for more information).
- ☐ Proof of Ownership (ownership & encumbrance report) for subject property.
- ☐ Site Plan, drawn to scale and depicting the locations and boundaries of existing and proposed lots and structures.
- ☐ Project specific checklist.

FEES AND DEPOSITS:

See Eagle Municipal Code Section 4.03.080

1. Application fees shall be paid in full at the time of the filing of the application and unless paid, the application shall not be deemed complete. All fees are nonrefundable.
2. As described in Eagle Municipal Code § 4.03.080, third-party consultants may be necessary for the review and processing of applications. These costs ("pass-through costs") must be paid by the applicant. If pass-through costs are expected, the applicant must pay a deposit at the time the application is filed. If at any time the deposit does not fully cover the pass-through costs, the applicant must pay another subsequent deposit before the Town will continue processing the application.
3. The Town may withhold the recording of any Subdivision Final Plat or Development Plan or the signing of any Resolution or Ordinance until all pass-through fees are paid in full.
4. Within 30 days of approval or denial of an application, any remaining deposit shall be returned to the applicant. If an application is withdrawn, any remaining deposit shall be returned to the applicant within 60 days.

I have read the application form and certify that the information contained herein is correct and accurate to the best of my knowledge. I understand that it is my responsibility to provide the Town with accurate information related to this application. I UNDERSTAND THAT FILING AN APPLICATION IS NOT A GUARANTEE THAT THE APPLICATION WILL BE APPROVED.


Signature

10/23/23
Date

FOR OFFICE USE ONLY

DATE RECEIVED _____	BY _____	FILE NUMBER _____
REVIEW FEE _____	DATE PAID _____	RECEIVED BY _____
DATE CERTIFIED COMPLETE _____	BY _____	
P&Z HEARING DATE _____	DECISION _____	
TC HEARING DATE _____	DECISION _____	

To: Town Of Eagle

The Sweet Leaf Pioneer has operated in eagle since 2010. Starting out as a medical dispensary at 1286 Chambers Ave, adding a medical grow in 2011 at 245 Marmot Lane #5. In 2014, the Sweet Leaf Pioneer opened for retail sales and retail gro., After 3 years we outgrew our location and moved medical and retail stores along with the retail grow to 825 A Chambers Ave, leaving the medical grow at the Marmot location.

Today we are asking to move the medical grow to the Chambers location to be under one roof. The operations of the medical and recreational grows are identical. The square footage of grow space does not change. All building requirements were met before moving to 825A Chambers Ave, including fire suppression, burglary alarms and odor mitigation.

All employees already work at the 825 A Chambers Ave location, number of plants will not change, they will be split between Recreational and Medical.

Adjacent neighbors include: H-vac supply company, Dog boarding, window sales, and a public storage facility.

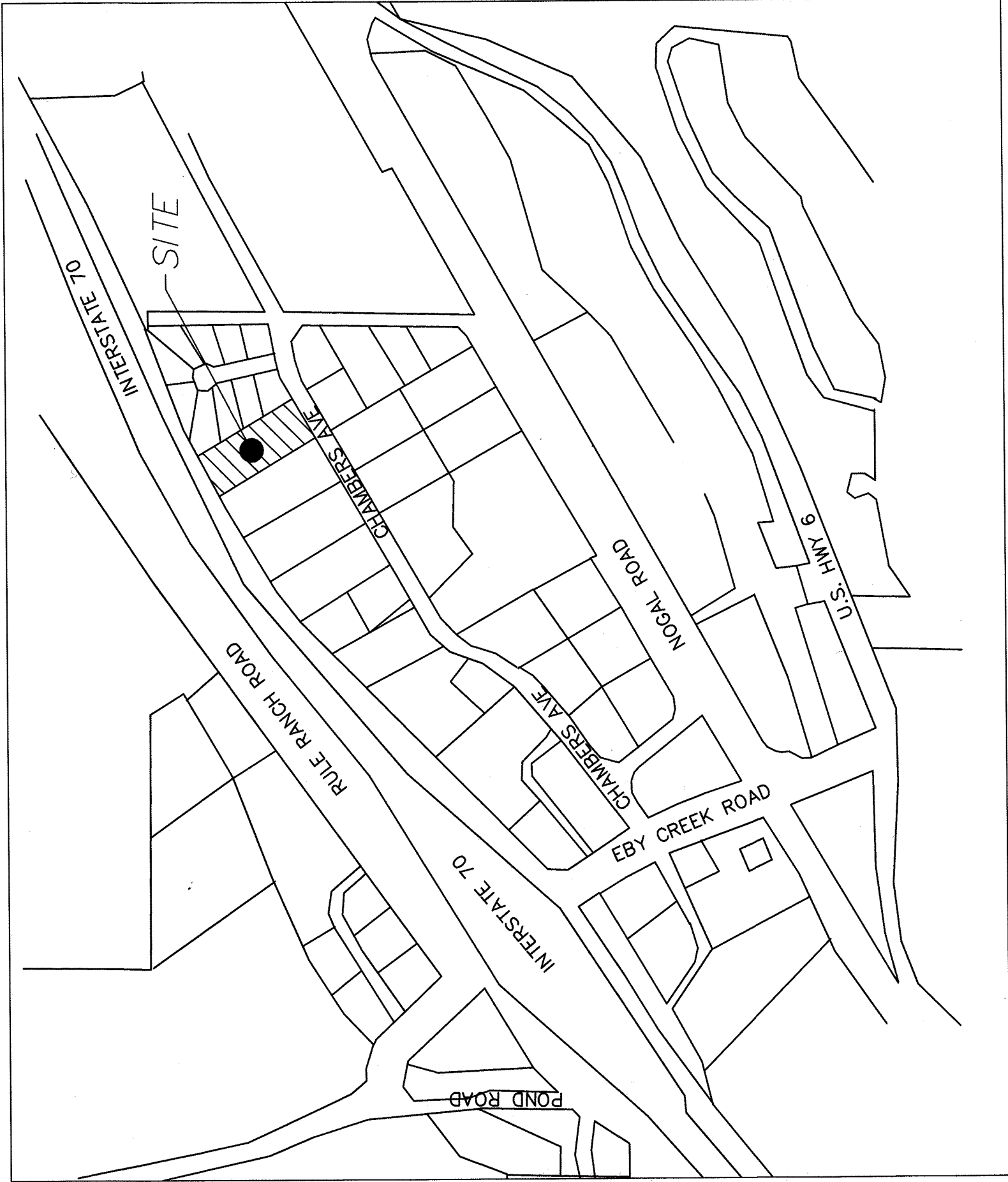
Thank you for your consideration.

Sincerely,

Handwritten signatures of Dave and Dieneka Manzanara. The signature for Dave is on the left, and the signature for Dieneka is on the right.

Dave and Dieneka Manzanara

Sweet Leaf Pioneer LLC



CERTIFICATE OF DEDICATION AND OWNERSHIP

WE, D&S FAMILY HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY, THE SOLE OWNERS IN FEE SIMPLE OF LOT 6, BLOCK 1, EAGLE COMMERCIAL PARK, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 25, 1978 AT RECEPTION NO. 170407, COUNTY OF EAGLE, STATE OF COLORADO

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS AND BLOCKS AS SHOWN ON THIS PLAT AND DESIGNATE THE SAME AS THE R&H MECHANICAL/HVAC SUPPLY SUBDIVISION IN THE TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO, AND DO HEREBY GRANT, CONVEY, DEDICATE AND SET ASHOWN HEREON, INCLUDING AVENUES, DRIVES, COURTS, PLACES AND ALLEYS, THE PUBLIC LANDS SHOWN HEREON FOR THE INDICATED PUBLIC USE AND THE UTILITY AND DRAINAGE EASEMENTS AS SHOWN HEREON UTILITY AND DRAINAGE PURPOSES ONLY.

THE DEDICATION OF EASEMENT(S) SHOWN HEREON TO THE TOWN PRECLUDE THE INSTALLATION OF IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO TREES, SHRUBS AND ROCKS, THE DEPOSIT OF MATERIALS, OR THE ALTERATION OF THE EXISTING GROUND ELEVATIONS OR THE USE OF THE EASEMENT AS PROVIDED IN THE DEDICATION.

WE HEREBY ACCEPT THE RESPONSIBILITY FOR THE COMPLETION OF ALL REQUIRED PUBLIC IMPROVEMENTS FOR STRUCTURES TO THE ENTITY RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED.

EXECUTED THIS 24th DAY OF October, 2018

OWNER: D&S FAMILY HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: [Signature]

TITLE: Manager

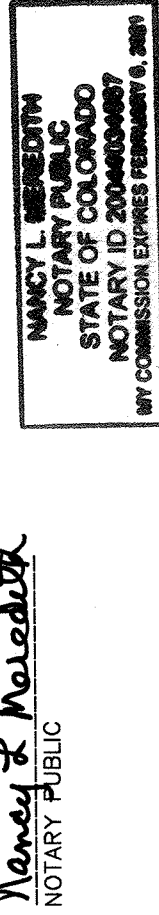
STATE OF COLORADO }
COUNTY OF EAGLE }

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS 24th DAY OF October, 2018, BY David Young

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: 2/6/21

[Signature]
NOTARY PUBLIC



MORTGAGEE OR LIENHOLDERS CERTIFICATE

COLORADO BUSINESS BANK DOES HEREBY CERTIFY THAT IT IS THE HOLDER OF DEED OF TRUST RECORDED OCTOBER 12, 2017 UNDER RECEPTION NO. 20171223893, COUNTY OF EAGLE, STATE OF COLORADO, AND HEREBY CONSENTS TO THE SUBDIVISION OF THE LANDS SHOWN HEREON.

EXECUTED THIS 18th DAY OF October, 2018

MORTGAGEE OR LIENHOLDERS: COLORADO BUSINESS BANK ADDRESS: 105 EDWARDS VILLAGE BLVD. #205-209 EDWARDS, COLORADO 81632

BY: [Signature]
President

TITLE: President

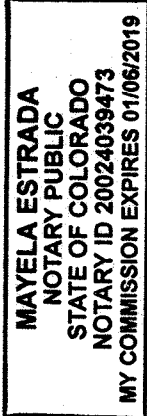
STATE OF COLORADO }
COUNTY OF EAGLE }

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS 18th DAY OF October, 2018, BY Robert Veratti

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: 01-06-2019

[Signature]
NOTARY PUBLIC



CERTIFICATE OF TAXES PAID

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES AND ASSESSMENTS DUE AND PAYABLE AS OF January 1, 2018 UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.

DATED THIS 18th DAY OF October, A.D., 2018

[Signature]
TREASURER OF EAGLE COUNTY

PLANNING COMMISSION CERTIFICATE

THIS PLAT APPROVED BY THE TOWN OF EAGLE PLANNING COMMISSION THE 4th DAY OF September, 2018

[Signature]
CHAIRMAN

LAND USE SUMMARY			
LOT	ACRES	USAGE	ADDRESS
6A	1.056	COMMERCIAL GENERAL (CG)	825 CHAMBERS AVE.
6B	0.911	COMMERCIAL GENERAL (CG)	827 CHAMBERS AVE.
TOTAL	1.967		

AMENDED FINAL PLAT
R&H MECHANICAL/HVAC SUPPLY SUBDIVISION
A RESUBDIVISION OF LOT 6, BLOCK 1, EAGLE COMMERCIAL PARK
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO

GENERAL NOTES:

- DATE OF SURVEY: MAY 14, 2018
- BASIS OF BEARINGS: NORTHERLY LINE OF LOT 6, BLOCK 1 EAGLE COMMERCIAL PARK, RECEPTION NO. 170407 COUNTY OF EAGLE, THE NORTHWESTERLY AND SOUTHWESTERLY CORNERS BEING #5 REBAR WITH ALUMINUM CAP STAMPED LS NO. 4551, CHORD BEARING BEING N61°32'34"E.
- LINEAL UNITS OF MEASUREMENTS SHOWN ARE GIVEN IN US SURVEY FOOT.
- THE SOLE PURPOSE OF THIS AMENDED FINAL PLAT IS TO DIVIDE LOT 6 INTO 2 LOTS, AND TO CREATE THE ACCESS AND UTILITY EASEMENTS.
- THERE ARE NO PUBLIC ROAD WAYS, PUBLIC IMPROVEMENTS, OR EASEMENTS BEING DEDICATED TO THE PUBLIC BY THIS PLAT.
- THE ADDRESS INDICATED IN OVAL IS FOR INFORMATION PURPOSES ONLY VERIFY THE FINAL ADDRESS WITH EAGLE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT.
- THE SUBJECT PROPERTY IS LOCATED WITHIN FLOOD ZONE DESIGNATION X (AREA OUTSIDE 0.2% ANNUAL CHANCE FLOOD PLAIN) BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP NO. DR037030870, WITH A DATE OF IDENTIFICATION OF DECEMBER 4, 2007, IN EAGLE COUNTY, STATE OF COLORADO, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- PEAK LAND CONSULTANTS, INC. DID NOT PERFORM A TITLE SEARCH OF THE SUBJECT PROPERTY TO ESTABLISH OWNERSHIP, EASEMENTS OR RIGHTS-OF-WAY OF RECORD. RECORD DOCUMENTS UTILIZED IN THIS AMENDED FINAL PLAT WERE PROVIDED BY LAND TITLE GUARANTEE COMPANY ORDER NO. VCS0051863-3 DATED OCTOBER 11, 2018 AT 5:00 P.M.
- R&H MECHANICAL/HVAC SUPPLY SUBDIVISION IS SUBJECT TO EASEMENT AND RIGHT OF WAY AS GRANTED TO HOLY CROSS ELECTRIC ASSOCIATION, INC. IN INSTRUMENT RECORDED FEBRUARY 17, 1972 IN BOOK 223 AT PAGE 189. (NOT ABLE TO PLAT)
- R&H MECHANICAL/HVAC SUPPLY SUBDIVISION IS SUBJECT TO TERMS, CONDITIONS AND PROVISIONS OF SUBDIVISION IMPROVEMENTS AGREEMENT RECORDED AUGUST 25, 1978 IN BOOK 274 AT PAGE 33 AND RESOLUTIONS OF THE TOWN OF EAGLE RECORDED AUGUST 19, 1979 IN BOOK 289 AT PAGE 624, AND RECORDED AUGUST 28, 1984 IN BOOK 848 AT PAGE 607. (NOT ABLE TO PLAT)
- R&H MECHANICAL/HVAC SUPPLY SUBDIVISION IS SUBJECT TO RESTRICTIVE COVENANTS WHICH DO NOT CONTAIN A FORTUITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANTS OR RESTRICTIONS ARE NECESSARY TO ENFORCE THE COVENANTS OF THE INSTRUMENT RECORDED FEBRUARY 13, 1978, IN BOOK 281 AT PAGE 896 (NOT ABLE TO PLAT)
- R&H MECHANICAL/HVAC SUPPLY SUBDIVISION IS SUBJECT TO EACH AND EVERY RIGHT OR RIGHTS OF ACCESS TO AND INTEREST PART OF THE RIGHT OF WAY FROM AND TO ANY PART OF THE SUBJECT PROPERTY ABUTTING UPON INTERSTATE HIGHWAY 70, AS GRANTED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO.
- R&H MECHANICAL/HVAC SUPPLY SUBDIVISION IS SUBJECT TO EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF EAGLE COMMERCIAL PARK RECORDED AUGUST 25, 1978, UNDER RECEPTION NO. 170407. (AS SHOWN HEREON)
- R&H MECHANICAL/HVAC SUPPLY SUBDIVISION IS SUBJECT TO RESTRICTIVE COVENANTS WHICH DO NOT CONTAIN A FORTUITURE OR REVERTER CLAUSE, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANTS OR RESTRICTIONS ARE NECESSARY TO ENFORCE THE COVENANTS OF THE INSTRUMENT RECORDED APRIL 18, 1983 IN BOOK 357 AT PAGE 911, AND AMENDMENT THERETO RECORDED JANUARY 31, 1984 IN BOOK 377 AT PAGE 611. (NOT ABLE TO PLAT)
- LOT 6A AND 6B R&H MECHANICAL/HVAC SUPPLY SUBDIVISION ARE SUBJECT TO THE TERMS AND CONDITIONS OF THE "RESERVATIONS AND UTILITY EASEMENTS" RECORDED JULY, 2018 AT THE EAGLE COUNTY CLERK AND RECORDER'S OFFICE UNDER RECEPTION NO. 20180723893
- THE OWNERS OF LOTS 6A AND 6B SHALL BE SOLELY RESPONSIBLE FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF ANY IMPROVEMENTS WITHIN THE ACCESS EASEMENT OVER AND ACROSS LOT 6A AND LOT 6B AS DEPICTED ON THE FINAL PLAT. THE TOWN OF EAGLE SHALL HAVE NO RESPONSIBILITY FOR THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF THE IMPROVEMENTS WITHIN SUCH EASEMENT AS DEPICTED ON THIS FINAL PLAT.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COME UNCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS INSTRUMENT WITHIN THE FIRST YEAR AFTER THE DATE OF RECORDATION. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMEENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

BOARD OF TRUSTEES CERTIFICATE

THIS PLAT APPROVED BY THE BOARD OF TRUSTEES OF THE TOWN OF EAGLE, COLORADO, THIS 11th DAY OF October, 2018, IN ACCORDANCE WITH THE PROVISIONS OF THE TOWN OF EAGLE CHARTER AND THE PUBLIC DEDICATIONS SHOWN HEREON, SUBJECT TO THE PROVISIONS THAT APPROVAL IN NO WAY OBLIGATES THE TOWN OF EAGLE FOR FINANCING OR CONSTRUCTING OR IMPROVEMENTS ON SAID LANDS. THE TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO, DOES HEREBY GRANT, CONVEY, DEDICATE AND SET ASHOWN HEREON, INCLUDING AVENUES, DRIVES, COURTS, PLACES AND ALLEYS, THE PUBLIC LANDS SHOWN HEREON FOR THE INDICATED PUBLIC USE AND THE UTILITY AND DRAINAGE EASEMENTS AS SHOWN HEREON UTILITY AND DRAINAGE PURPOSES ONLY.

TOWN OF EAGLE, COLORADO

[Signature]
BY: Mayor

WITNESS MY HAND AND SEAL OF THE TOWN OF EAGLE, COLORADO.

ATTEST:



TOWN CLERK

TITLE CERTIFICATE

LAND TITLE GUARANTEE COMPANY DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE TITLE TO ALL LANDS SHOWN ON THIS PLAT AND THAT TITLE TO SUCH LANDS IS VESTED IN D&S FAMILY HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY, FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

- DEED OF TRUST RECORDED 10/12/17
- RECEPTION NO. 201719584
- Assignment of Deeds RECORDED 10/12/17
- RECEPTION NO. 201719587
- MODIFICATION RECORDED 12/18/17
- RECEPTION NO. 201723893

EXECUTED THIS 11th DAY OF October, A.D., 2018

TITLE EXAMINER

[Signature]

SURVEYOR'S CERTIFICATE

I, BRENT BIGGS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS PLAT IS A TRUE, CORRECT, AND COMPLETE PLAT OF THE R&H MECHANICAL/HVAC SUPPLY SUBDIVISION. I HAVE CONDUCTED A THOROUGH AND ACCURATE SURVEY OF SAID PROPERTY BY ME AND UNDER MY SUPERVISION AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF THE LOTS, STAKED UPON THE GROUND IN COMPLIANCE WITH TITLE 38, ARTICLE 51, C.R.S., AS AMENDED, AND ALL OTHER REGULATIONS GOVERNING THE SUBDIVISION OF LAND.

EXECUTED THIS 17 DAY OF October, 2018.

BRENT BIGGS

P.L.S. No. 27598

REGISTERED LAND SURVEYOR

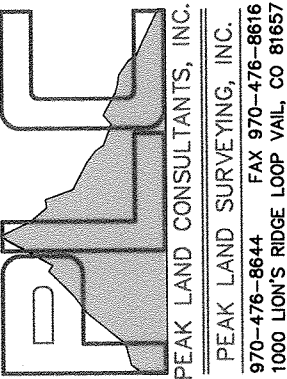


Eagle County, CO
Regina O'Brien
Pgs: 2
REC: \$23.00

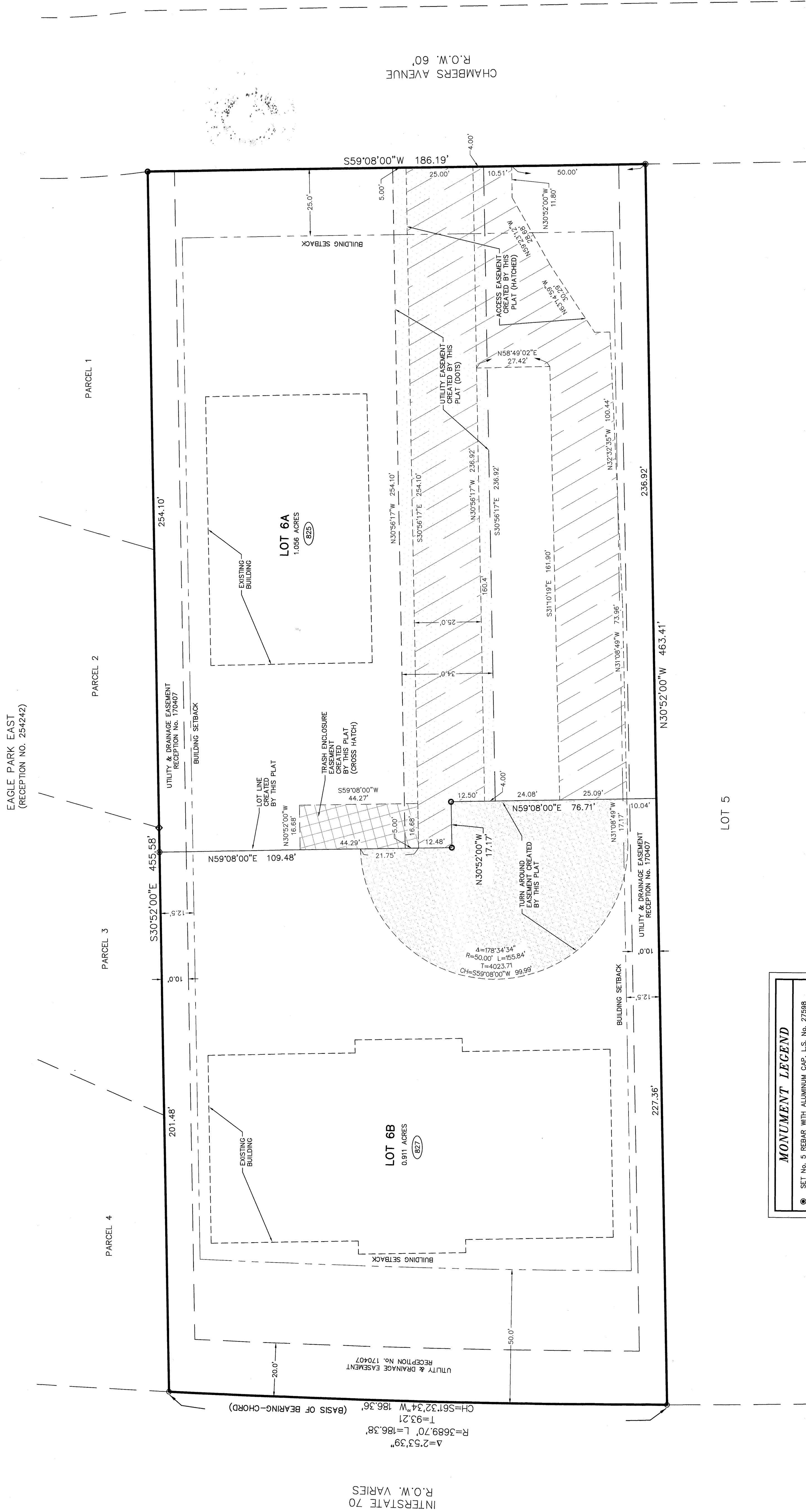
10/29/2018
09:33:44 AM
\$0.00
DOC: \$0.00

AMENDED FINAL PLAT
R&H MECHANICAL/HVAC SUPPLY SUBDIVISION
TOWN OF EAGLE
EAGLE COUNTY, COLORADO

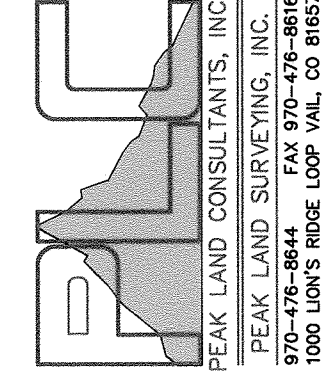
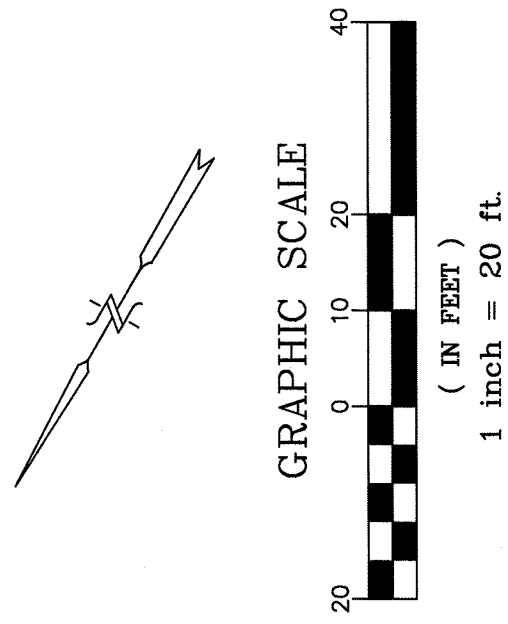
DRAWN: KPJ
DATE: 10/17/18
REVIEWED: BB
PLC JOB#: 1583
SHEET 1 OF 1



AMENDED FINAL PLAT
R&H MECHANICAL/HVAC SUPPLY SUBDIVISION
A RESUBDIVISION OF LOT 6, BLOCK 1, EAGLE COMMERCIAL PARK
TOWN OF EAGLE, COUNTY OF EAGLE, STATE OF COLORADO



MONUMENT LEGEND	
●	SET No. 5 REBAR WITH ALUMINUM CAP, L.S. No. 27598
○	SET WASHER, L.S. No. 27598
◇	FOUND No. 5 REBAR WITH ALUMINUM CAP, L.S. No. 11204
○	FOUND No. 5 REBAR WITH ALUMINUM CAP, L.S. No. 4551



AMENDED FINAL PLAT
R&H MECHANICAL/HVAC SUPPLY SUBDIVISION
TOWN OF EAGLE
EAGLE COUNTY, COLORADO

DRAWN: KPJ
DATE: 10/17/18
REVIEWED: BB
PLC JOB#: 1583
SHEET 2 OF 2

INTERSTATE 70
R.O.W. VARIES

$A=253.39^{\circ}$
 $R=3689.70'$ $L=186.38'$
 $T=93.21$
 $CH=S61.32^{\circ}34'W$ $186.36'$
(BASIS OF BEARING-CHORD)

CHAMBERS AVENUE
R.O.W. 60'

Traffic Memorandum

To: **Town of Eagle**
Attn: Tom Gosiorowski, Public Works Director
1050 Chambers Avenue
Eagle, CO 81631

From: Kari J. McDowell Schroeder, PE, PTOE

Date: November 06, 2023

Re: **Sweet Leaf Pioneer Special Use Permit
Trip Generation Memorandum
Eagle, Colorado**

Project Background:

McDowell Engineering has prepared a memorandum summarizing the traffic impact of Sweet Leaf Pioneer Recreational and Medical Dispensary. Sweet Leaf Pioneer also has a small marijuana grow facility. The business is located at 825 Chambers Ave in Eagle, Colorado. They opened in April 2014 and have recently opened an integrated cultivator-dispensary.

Trip Generation:

The traffic generated by the Sweet Leaf Pioneer Recreational and Medical Dispensary was estimated using the Institute of Transportation Engineers' (ITE) 11th Edition of the *Trip Generation Manual*¹. Land Use Codes (LUC) #150 – Warehouse, #882 – Marijuana Dispensary, and #190 – Marijuana Cultivation and Processing Facility were used to estimate the trips generated from the existing Sweet Leaf Pioneer Recreational and Medical Dispensary and cultivation (grow) operations.

A 5% multimodal reduction was taken, as Chambers Avenue sees frequent pedestrian and bicycle activity. It is also served by an ECO Transit park-n-ride 2,000 feet to the west.

Detailed Calculations for the trip generation analysis are included in **Table 1**.

- LUC #882 – Marijuana Dispensary (Sweet Leaf Pioneer): The average rates published by ITE for LUC #882 estimates that the 1,120sf medical and recreational sales area of the Sweet Leaf Pioneer marijuana dispensary produces 225 vehicle trips per day (vpd), including 20 vehicles per hour (vph) in the morning peak hour, 28vph in the evening peak hour, and 32vph in the Saturday peak hour.

¹ Trip Generation Manual, 11th Edition. Institute of Transportation Engineers, 2021.

- LUC #190 – Marijuana Cultivation and Processing Facility: The average rates published by ITE for LUC #190 were used to estimate the trips generated by Sweet Leaf Pioneer's grow operations. The data for LUC #190 is limited. Average weekday and Saturday peak hour rates and fitted curve equations are not provided. It is standard to use 10x the evening peak hour rate to estimate the average weekday trips generated. The evening peak hour data was used to estimate Saturday peak hour traffic. ITE average rates estimate that 6,800sf cultivation area produces 42vpd, including 5vph in the morning peak hour, 5vph in the evening peak hour, and 6vph in the Saturday peak hour.

In total, it is estimated that Sweet Leaf Pioneer is generating 267vpd, including 25vph in the morning peak hour, 33vph in the evening peak hour, and 38vpd in the Saturday peak hour.

Neighboring Property with Shared Access:

Geary Pacific Supply is a 10,800sf warehouse located north of Sweet Leaf Pioneer. The warehouse shares a Chambers Avenue access/driveway with Sweet Leaf Pioneer. Therefore, the trip generation from Geary Pacific Supply warehouse is included in the trip generation analysis to determine the total trips at the site access.

The traffic generated by the adjacent warehouse was estimated using the Institute of Transportation Engineers' (ITE) 11th Edition of the *Trip Generation Manual*². Land Use Code (LUC) #150 – Warehouse was used to estimate the trips generated from the existing Geary Pacific Supply.

- LUC #150 – Warehousing (Geary Pacific Supply): The fitted curve equations and average rates published by ITE for LUC #150 estimates that a 10,800sf warehouse produces 55 vpd, including 30vph in the morning peak hour, and 22vph in the evening peak hour. Saturday peak hour data was very limited. Therefore, evening peak hour data was used to estimate Saturday peak hour traffic. Therefore, 22vph are anticipated to be generated during the Saturday peak hour.

Total Traffic at Site Access:

In total, Sweet Leaf Pioneer and Geary Pacific Supply are anticipated to produce 322vpd, including 55vph in the morning peak hour, 55vph in the evening peak hour, and 60vpd in the Saturday peak hour.

² Trip Generation Manual, 11th Edition. Institute of Transportation Engineers, 2021.

Table 1: Trip Generation

ITE Trip Generation Equation ³							Average Weekday	Morning Peak Hour		Evening Peak Hour		Saturday Peak Hour								
ITE Code	Units ²		Eq. Coef	Avg. Weekday	AM Peak Hour	PM Peak Hour	Sat. Peak Hour	Trips (VPD)	% Trips	Trips	% Trips	% Trips	% Trips	% Trips	% Trips					
								Trips	Trips	Trips	Trips	Trips	Trips							
Existing Land Use																				
Recreation Store: #882 - Marijuana Dispensary	0.8	KSF	Type a= b=	Rate 211.12	Rate 16.57	Rate 24.57	Rate 28.85	169	54%	8	46%	7	49%	10	51%	10	50%	12	50%	12
Medical Store: #882 - Marijuana Dispensary	0.32	KSF	Type a= b=	Rate 211.12	Rate 16.57	Rate 24.57	Rate 28.85	68	54%	3	46%	3	49%	4	51%	5	50%	5	50%	5
#190 - Marijuana Cultivation and Processing Facility	6.8	KSF	Type a= b=	Rate 6.40	Rate 0.69	Rate 0.64	Rate 0.64	44	93%	5	7%	1	28%	2	72%	4	28%	2	72%	4
Multi-Modal Reduction	-5%							-14		-1		-1		-1		-1		-1		-1
Sweet Leaf Pioneer Existing Trips								267		15		10		15		18		18		20
#150 - Warehousing	10.8	KSF	Type a= b=	A 1.58 38.29	A 0.11 28.55	A 0.15 20.47	A 0.15 20.47	55	66%	20	34%	10	24%	5	76%	17	24%	5	76%	17
Geary Pacific Supply (Neighboring Property with Shared Access) Existing Trips								55		20		10		5		17		5		17
Sweet Leaf Pioneer & Geary Pacific Supply Existing Trips								322		35		20		20		35		23		37

Notes:

¹ Values obtained from Trip Generation, 11th Edition, Institute of Transportation Engineers, September 2021.

² DU = Dwelling Units, KSF = 1,000 Square Feet

³ Fitted curve equations from ITE Land Uses - Equation Type A is $T = a * X + b$, Equation Type B is $\ln(T) = a * \ln(X) + b$, Rate is $T = a * X$

Site Access Recommendations:

Most of the site traffic is anticipated to originate from the west. If 95% of the traffic is coming from the west, the morning peak hour can anticipate a peak inbound volume of 34vph.

Chambers Avenue is a three-lane collector roadway in the vicinity of the project site. There is a two-way, left turn lane in the center of Chambers Avenue that can accommodate the left turn movement into the site access. The right turn volume does not require an auxiliary turn lane. Therefore, the existing infrastructure on Chambers Avenue can fully accommodate the Sweet Leaf Pioneer and Geary Pacific Supply's site traffic.

Summary:

Sweet Leaf Pioneer Recreational and Medical Dispensary is a small family-owned local business that sells medical and recreational marijuana. They opened in April 2014 and have recently opened an integrated cultivator-dispensary. Geary Pacific Supply is a 10,800sf warehouse that uses the same access as Sweet Leaf. Both commercial businesses are operating. Sweet Leaf Pioneer and Geary Pacific Supply are anticipated to produce 325vpd, including 55vph in the morning peak hour, 56vph in the evening peak hour, and 61vpd in the Saturday peak hour.



Please call if you would like any additional information or have any questions regarding this matter.

Sincerely,
McDowell Engineering, LLC



Kari J. McDowell Schroeder, PE, PTOE
Traffic Engineer



**MCDOWELL
ENGINEERING**

TRANSPORTATION ENGINEERING CONSULTANTS

EAGLE • BROOMFIELD • GRAND JUNCTION

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