



AGENDA
Planning & Zoning Commission
Tuesday, April 6, 2021
6:00 PM

ON-LINE MEETING

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

PUBLIC WIFI - TOEG – townofeagle2019

MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION

1. This will be an online meeting.

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

Please note: All participants are automatically muted. In order to be called upon and unmuted, you will need to use the "raise hand."

When it's your turn to speak, the moderator will unmute your line and you will have three (3) minutes for public comment.

PUBLIC COMMENTS: If you are unable to attend, public comments regarding any items on this agenda can be submitted to the planner listed on the application, and will be included as part of the record.

For technical difficulties please email nikki.davis@townofeagle.org and we will do our best to assist you.

6:00 PM - REGULAR MEETING CALLED TO ORDER

PUBLIC COMMENT

Citizens are invited to comment on any item not on tonight's Agenda. Please limit your comments to three (3) minutes per topic, unless arrangements have been made for a presentation with the Administrative Technician. Those who are speaking are requested to provide their name and address prior to beginning.

PUBLIC HEARINGS

1. Project: Haymeadow PUD Amendment (continued from March 2, 2021)
File # PUDA20-01
Applicant: Brandon Cohen, Abrika Properties, LLC
Rick Pylman, Pylman & Associates, Inc.
Scott Schlosser, Owner's Representative
Location 660 acres south and east of Sylvan Lake Rd and Brush Creek Rd

Staff Contact: Jessica Lake, Planner I

Request: Two requests for a major PUD amendment within the Haymeadow development. 1) Request to swap the School Land portion of Tract E with multi-family development and to allocate a different parcel for a future school site. 2) Request to renovate an existing cabin currently located in open space to the East of Neighborhood D as an event space and to swap this open space parcel with land equal in size and desirability.

2. Project: 629 Sawatch Contractor Yard Special Use Permit

File # SU21-02

Applicant: Jay VanVoorst, JCV LLC

Location 629 Sawatch Road

Staff Contact: Jessica Lake, Planner I

Request: Request for a Special Use Permit to allow a Contractor Yard, including outdoor storage of trucks, trailers, storage containers, office trailers, construction equipment and fuel storage, at 629 Sawatch Rd.

OPEN DISCUSSION

ADJOURN

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



Jessica Lake
Planner I



To: Chairman and Planning & Zoning Commission

From: Jessica Lake, Planner I, Community Development Department

Date: April 6, 2021

Agenda Item: PUDA20-01 Haymeadow PUD Amendment

REQUEST:

File #PUDA20-01, Haymeadow PUD Amendment, includes two requests for a major Planned Unit Development (PUD) amendment within the Haymeadow development. 1) Request to swap the School Land portion of Tract E with multi-family housing and to allocate a different parcel for a future school site in Neighborhood C and 2) Request to renovate an existing cabin currently located in open space to the East of Neighborhood D as an event space and to swap this open space parcel with land equal in size and desirability. This staff memo only focuses on the information requested by the Planning and Zoning Commission (P&Z) on March 2, 2021. See the March 2nd staff report for other information.

INTRODUCTION:

On March 2, 2021 the Planning and Zoning Commission opened file #PUDA20-01, heard presentations from the applicant and staff, asked questions and took public comment. A decision was made to continue PUDA20-01 to April 6, 2021 in order for staff to gain additional technical reports from the applicant and to allow for P&Z discussion of both requests.

Staff has received the following new/updated materials from the applicant:

- Haymeadow Response to Further Action Report by Town Engineer, received March 26, 2021, attachments included:
 - Haymeadow Response to Item #7.
 - Traffic Memorandum from Kari McDowell Schroeder
 - Haymeadow Phase I Hydraulics Evaluation Revision from Mott MacDonald

Planning and Public Works have reviewed the above-mentioned documents and provided the following comments. The water hydraulic modeling from Mott MacDonald in 2019 combined with the applicant's response to the Town Engineer's question #5, provides the Town with enough information regarding water pressure at this conceptual stage. There is no additional impact to the Town's water or sewer system with the swap of density. No density is added to the development as a whole and therefore there is no additional impact to Town services. The updated traffic memorandum by McDowell Engineering, shows that by swapping the school for multi-family housing, more residential units are within a closer proximity, which may increase pedestrian and bicycle traffic (thereby reducing vehicle trips) at the new proposed school

location. Table 4 in the memorandum, notes that when reviewing the original PUD against the proposed school/multi-family swap the traffic impacts to Brush Creek Road and Ouzel Lane do increase. It appears that the overall impacts to traffic are minimal between the PUD as originally proposed and as amended. Public Works staff will be available on April 6th to provide their perspective on the information submitted by the applicant.

During the March 2nd Public Hearing, the question was raised about how the Town will ensure that the applicant/developer follows through on his obligations. An agreement is being drafted by the Town Attorney for review by Town Council to require the infrastructure to the proposed school site. This agreement will outline terms and conditions and will be reviewed by Council in conjunction with staff's memo and the Planning and Zoning Commission's recommendation on April 27, 2021.

A question was raised at the March 2nd Public Hearing regarding a vertical division (or side by side split) of Tract E rather than a horizontal division and if this might be preferable to the Soleil homeowners. The Haymeadow development team met with Mountain Recreation to discuss this. Mountain Recreation provided the following statement to staff: *When asked, I shared that I felt that the side-by-side split idea would also fall on the negative impact side for us as well. It could be doable but doesn't resolve the concerns for joint use lost as a result of the swap proposed and creates a more narrow, less usable parcel on the south end. I also mentioned that it would create a flag-shaped property which is not super great from a planning perspective. Should the issue come up in the next Commission meeting, the developer's team is accurate in saying that the top-bottom configuration would be better from our perspective if the swap is to be approved. Of course, Mountain Rec (and its board) remain opposed to the swap overall.* Soleil homeowners have not commented as to whether or not this split would change their opinion on the proposed swap. Based on feedback from Mountain Recreation, the orientation of the land to be swapped has not changed and is the same as presented at the March 2nd Public Hearing.

The cabin is an existing building on the Haymeadow property and sits in a tract that is slated as future Town Open Space, to be dedicated when Neighborhood D is subdivided. The cabin was originally used by the Ranch Manager for Adam's Rib, and an agreement was in place between Haymeadow and Adam's Rib to continue use of the cabin for a few years after the Haymeadow of the property was sold to Abrika. It has been many years now since the cabin has been used for anything and while the structure is good, it will need extensive renovations prior to it being used. CPW has been a referral agency throughout this application process and was during the annexation and PUD zoning. During the original Annexation and Zoning applications, the cabin was in use for ranching and CPW did not determine that this area was a critical wildlife habitat at that time, and it has not become one since that time. Should the cabin become an events venue, any impacts on wildlife should not be more than those created by the existing trail users or by the ranching and agricultural impacts previous and currently in operation on the Haymeadow property.

In this application, the Cabin, and adjoining property, is proposed to remain under Abrika/Haymeadow ownership, control and maintenance. If approved, the land will be swapped with another open space tract equal in size and desirability.

In the next section, staff provides new information to that contained in the March 2nd Staff Report or refers back to that staff report when no new information is applicable.

ANALYSIS: CONDITIONS FOR AMENDMENTS TO PLANNED UNIT DEVELOPMENTS:

SECTION 4.11.050.A.1-6:

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

Staff Comment – School Swap: The proposed school swap would effectively remove all of the previous 112 multi-family units from Neighborhoods B & C and relocate them to Neighborhood A1. It would then relocate the future School from Neighborhood A1 to Neighborhood C. In the original PUD application, spreading out the multi-family housing through four neighborhoods was argued to be efficient development. There is currently a housing shortage in the valley and demand is far exceeding inventory, resulting in significant increases in property values over the past year; however, there was also a housing shortage in 2014 as the County and rest the Country were starting to come out of the recession. A housing shortage does not automatically equate to efficient development of the Haymeadow PUD. The applicant argues that the school swap request is efficient development because it makes use of infrastructure already in place, staff agrees with the applicant on this point – the proposed request is an efficient use of the development ready infrastructure.

In evaluating the new information regarding internal traffic flows and traffic patterns, staff has found that based on the assumptions made there is little to no difference in traffic between the current school site and the proposed school site. From a traffic perspective, there are no greater efficiencies with one school site versus the others or with having multi-family more spread out or within closer proximity to each other.

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

Staff Comment – Cabin: Development of the Cabin site as an events venue necessitates the usage of existing well and septic since it does not follow the phased development of the rest of the PUD. The well and septic system will need to meet all County and State requirements and a condition of approval has been included regarding timing of connection to Town water and sewer. To reiterate, the cabin sits on a parcel of land that is currently slated for dedication to the Town as Open Space when Neighborhood D is subdivided. The Town has asked to swap the land that the cabin sits on for another open space parcel that is equal in terms of size and desirability. All renovations for the cabin, including brining the well and septic up to code, will be at the sole expense of the applicant. The Town is not incurring any costs relating to this private business enterprise. What we are evaluating is the appropriateness or not of the use of this parcel of land for Special Events. To that end, the land sits within a loop of the Haymaker Trail. Staff has discussed the possibility of potential conflicts between trail users and special events users and has included conditions of approval intended to mitigate any conflicts that may arise.

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

Staff Comment – School Swap: Moving the school site from Neighborhood A to Neighborhood C primarily affects Mountain Recreation and may affect the public interest. Mountain Recreation created a master plan based on the concept that the school and recreation district would create a sort of shared campus where the school could utilize Mountain Rec’s grounds during the school day as well as for after school activities and inversely Mountain Rec could utilize the school’s parking for weekend and high school events. Moving school site will still allow for overflow event parking on evenings and weekends, albeit further down the road from the current location. However, it will not allow for the school to utilize Mountain Rec’s facilities during school hours or make it as easily accessible for after school programs. The public interest may be affected in a substantially adverse manner for these reasons. However, it can also be argued that it is in the public interest to allow for the construction of more multi-family housing within walking distance to the Mountain Rec facilities and to occur sooner than currently proposed. The housing shortage is an acknowledged County wide issue and local businesses and proponents of more affordable housing have commented in favor of the proposed swap. Speaking from a land use point of view, staff acknowledges that pros and cons exist between the existing and proposed plan. There is no substantial adverse impact or public interest overall when the two plans are juxtaposed.

Staff Comment – Cabin: There is an outstanding question regarding potential conflicts at the cabin site between trail users and event users. Conditions of approval have been added to create policies to handle conflicts when and if they arise, staff believes that these conditions help alleviate any concerns and that the inclusion of special events in this area does not represent a substantially adverse impact upon the enjoyment of land or the public.

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

Staff Comment – School Swap: No new information for Condition #3, see March 2nd Staff Report.

Staff Comment – Cabin: No new information for Condition #3, see March 2nd Staff Report.

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

Staff Comment – School Swap: Public Works staff has reviewed the water hydraulic study provided by the applicant and has determined that the information provided is sufficient at this time. Further analysis will need to be conducted during time of development permit or subdivision, should this request be approved. All the uses currently proposed in this PUD amendment request are the same as those in the original PUD, it is only the location that changes. Looking at this from only a land use perspective, staff cannot find that the uses proposed detract from any other uses in the PUD, as all proposed uses have been previously approved.

Staff Comment – Cabin: During the March 2nd meeting, the potential conflicts between trail users and special events users were brought up, but not fully discussed. It is possible that a special events venue in this location could detract from the use of the trail, but it is not clear what the impacts would be. Staff included a condition of approval to create a plan or policy document that could help staff to address any future conflicts that may arise.

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

Staff Comment – School Swap: No new information for Condition #5, see March 2nd Staff Report.

Staff Comment – Cabin: No new information for Condition #5, see March 2nd Staff Report.

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

Staff Comment – School Swap: After review of the documents provided by the applicant and discussions between staff and the applicant’s development team; it was determined that construction of the Sylvan Lake Road / Brush Creek Road roundabout and re-alignment should be accelerated if the school swap is approved. A condition of approval has been added to make the road re-alignment and the completion of the roundabout part of the next subdivision application submitted by Haymeadow. The street and utility plans for the rest of the Haymeadow development will be submitted at time of subdivision final plat for each Neighborhood. However, platting of the proposed school parcel will need to include street and infrastructure plans to that location in Neighborhood C.

Staff Comment – Cabin: During the March 2nd public hearing, it was noted that Eagle County Community Development Department had requested a dedicated left-hand turn lane for the “Cabin access road”, which is off Brush Creek Road (just past the Colby property). The applicant had responded that they were willing to add the turn lane on Brush Creek Road and Conditions of Approval 10 & 11 have been added in order to address this concern.

ANALYSIS: DEVELOPMENT IMPACT REPORT:

SECTION 4.07.100:

Staff Comment – School Swap: No new information, see March 2nd Staff Report.

Staff Comment – Cabin: No new information, see March 2nd Staff Report.

COMMUNITY INPUT:

Since the March 2, 2021 Hearing, staff has received 12 additional letters of public comment, an updated summary has been provided for the Commission on the new letters. The original public comment summary with all 81 letters up until February 26, 2021 is attached via the link to the March 2nd Staff Report.

BUDGET / STAFF IMPACT:

No impact to the budget.

PLAN ALIGNMENT/STANDARDS ACHIEVED:

2010 EAGLE AREA COMMUNITY PLAN ANALYSIS:

No new information, see March 2nd Staff Report.

SCHOOL SWAP - RECOMMENDED ACTION AND PROPOSED MOTION:

Staff recommends APPROVAL WITH CONDITIONS of file PUDA20-01, a major PUD amendment request to swap the School Land portion of Tract E with multi-family development and to allocate a different parcel for a future school site, based on Conditions 1-6 of Section 4.11.050. of the Municipal Code based on the following finding of fact and conditions of approval.

Suggested Motion:

I move to RECOMMEND APPROVAL of PUDA20-01, a major PUD amendment request to swap the School Land portion of Tract E with multi-family development and to allocate a different parcel for a future school site, with the following finding of fact and CONDITIONS OF APPROVAL:

Finding of Fact:

That the application is substantially in conformance with Sections 4.07 and 4.11 of the Land Use and Development Code and the 2010 Eagle Area Comprehensive Plan.

Conditions of Approval:

1. Prior to submittal of the next subdivision application or a Major Development Permit application, the applicant shall work with Town Staff and Attorney's to determine Annexation and Development Agreement amendments that may be required.
2. All details associated with the LERP units shall be evaluated at the time of the Major Development Permit review.
3. Along with the application for subdivision of Tract J, the applicant shall provide staff with an updated traffic memo with an analysis for vehicle and bus trip at the intersection of Ouzel and Brush Creek Road that would occur as a result of moving the school closer to this intersection.
4. Included with the application for Major Development Permit, developer shall submit a Joint Excavation Plan to comply with the Town's recently passed Joint Excavation Ordinance, identifying the steps taken to install conduits and their dedication for future broadband utilities planning to serve the development.
5. Included with either the next application for subdivision or for a Major Development Permit, the applicant shall submit documentation detailing potable water and non-potable water changes in use, quantity, pressure, etc. expected from the proposed use changes, especially as it relates to irrigation.
6. The applicant shall construct pedestrian crossing improvements on Brush Creek Road at time of the Ouzel Lane Trail connection as outlined in the approved trails plan.
7. The applicant shall construct pedestrian crossing improvements at the Ouzel Lane/Sylvan Lake Road roundabout with activated flashing lights at time of construction of the road and roundabout.

8. The applicant shall provide a 300' building setback from the Soleil boundary and shall landscape within the setback in a manner that will create a strong buffer area between the two residential uses.
9. The applicant shall submit an application for subdivision of Tract E (the multi-family housing and Mountain Recreation's parcel), the new school parcel, the cabin parcel, and the new open space parcel within one year from the effective approval date of this application.
10. The following shall be required with the application for subdivision to create the multi-family housing, Mountain Recreation parcel, new school parcel, cabin parcel, and new open space parcel:
 - a. Updated water modelling for water pressures to new Neighborhood A of the Haymeadow development.
 - b. Plan for completion of Sylvan Lake Road / Brush Creek Road re-alignment and roundabout.

CABIN SITE - RECOMMENDED ACTION AND PROPOSED MOTION:

Staff recommends APPROVAL WITH CONDITIONS of file PUDA20-01, a major PUD amendment request to renovate an existing cabin currently located in open space to the East of Neighborhood D as an event space and to swap this open space parcel with land equal in size and desirability, based on Conditions 1-6 of Section 4.11.050. of the Municipal Code.

Suggested Motion:

I move to RECOMMEND APPROVAL of PUDA20-01, a major PUD amendment request to request to renovate an existing cabin currently located in open space to the East of Neighborhood D as a Special Event space and to swap a portion of the open space parcel with land equal in size and desirability, with the following finding of fact and CONDITIONS OF APPROVAL:

Finding of Fact:

That the application is substantially in conformance with Sections 4.07 and 4.11 of the Land Use and Development Code and the 2010 Eagle Area Comprehensive Plan.

Conditions of Approval:

1. The locations/descriptions of the new cabin parcel and the new open space parcel shall be included in the amended PUD. Both parcel locations and descriptions may be approved administratively without further notice but shall be completed prior to the Town Council's consideration of the resolution approving the PUD amendment.
2. Prior to submittal of Final Plat application or a Major Development Permit application, the applicant shall work with Town Staff and Attorneys to determine whether or not the Annexation and Development Agreement is required to be amended.
3. When water and wastewater lines are within 400' of the Cabin property, on-site water and wastewater shall be required to hook-up within two (2) years.
4. Prior to applying for any Building Permits related to the cabin remodel, the applicant shall work with the Town Open Space and Trails manager to create a plan for addressing any potential disputes or conflicts between events held at the cabin and trail users and to determine appropriate access easements, signage and other requirements for the Haymaker Trail re-route. In no event shall the trail be closed to avoid such conflicts.

5. Prior to issuance of the Building Permit for the cabin remodel, the final design for the re-alignment of the trail will be reviewed and approved administratively by the Community Development Director, without further notice.
6. The applicant shall work with Open Space and Trails manager to extinguish the temporary trail extension agreement for the Extra Credit trail and provide the appropriate new permanent trail easement. When Neighborhood D is developed, the Town would reroute any small sections of the trail that are still within Neighborhood D, so that the entire trail would be located within open space on Tract H.
7. On-site parking shall be limited to 20 spaces. Shuttles are required for special events that generate more than 20 vehicles.
8. Outdoor events at the cabin shall be seasonal and only permitted from May 15th until December 1st, or aligned with CPW recommended seasonal trail closures, whichever is more restrictive.
9. Prior to the issuance of any building permits for the cabin, the applicant to work with County and Town staff to determine necessary improvements for the left-turn lane on Brush Creek Road to Cabin access road. Such improvements shall be complete prior to the commencement of any special events at the cabin site.
10. Prior to the issuance of any building permits for the cabin, the applicant shall provide staff with a site plan for the cabin showing the parking and designating the 20 parking spaces.

ATTACHMENTS:

- [Staff Report dated March 2, 2021 with all attachments as listed on pg. 1 as Exhibits {LINK}](#)
 - Exhibit A – Project Narrative including Site Plans, Conceptual Plans and Development Impact Report
 - Exhibit B – Redlined PUD Guide
 - Exhibit C – McDowell Engineering Traffic Memo dated October 16, 2020
 - Exhibit D – Aerials / GIS
 - Exhibit E – Public Comment Summary and Letters
 - Exhibit F – Fox Tuttle Traffic Impact Study dated August 14, 2013
 - Town Engineer Letter of Outstanding Concerns
- Haymeadow Response to Town of Eagle received March 26, 2021
- [McDowell Engineering Updated Traffic Memo dated March 26, 2021 {LINK}](#)
- Updated Public Comment Summary Report dated April 1, 2021



HAYMEADOW RESPONSE

TOWN OF EAGLE REFERRAL RESPONSES NEEDING FURTHER ACTION REPORT

ISSUED: February 25, 2020

Project Name: PUDA20-01 Haymeadow PUD Amendment
Owner/Applicant: Rick Pylman, Brandon Cohen, Scott Schlosser
Prepared by: Dennis C Wike-PE, Town Engineer

The Town of Eagle Public Works Department is issuing the following Response Summary Report of Items Needing Further Action. If you have any questions or concerns regarding any comment, contact me or the individual agency to clarify the statement and reach an understanding. Please include the Town's Public Works & Community Development contacts on all correspondence.

REFERRAL COMMENTS SECTION

Community Development – Jessica Lake: jessica.lake@townofeagle.org
Engineering/Public Works – Dennis Wike: dennis.wike@townofeagle.org

The Haymeadow response to the COMMENTS BELOW are presented in red font.
March 26, 2021

1. TRAFFIC-SCHOOL SITE & NEAR-BY: Traffic memo states: "the configuration of Brush Creek Road and Ouzel Lane intersection should be studied prior to the time of Final Plat." - This is problematic. We will need at least a preliminary analysis now, so that Council can make a more informed decision. This is potentially an area of concern for the Town, County and public to push off for a later phase. See attached traffic memorandum by McDowell Engineering, Inc. dated March 26, 2021.
2. TRAFFIC-INTERNAL & NEAR-BY: The original traffic study and the traffic memo should be updated to reflect the current predictions for comparing internal pedestrian, bicycle, vehicle, and bus trips between the existing and proposed relocated school site. The traffic analysis should account for drop-offs and pickups within the Haymeadow development including Level of Service impacts at the school site(s) and key intersections. See attached traffic memorandum by McDowell Engineering, Inc. dated March 26, 2021.
3. PUD/ADA: With the proposed increase of density in the initial Filing the site roundabout completion will likely need to accelerated. Review prior documentation and resubmit with required revisions needed to construction schedule to maintain expected Levels of Service. The roundabout as constructed is sufficient to meet Town of Eagle level of service standards for all of the proposed first phase of construction.



4. PUD/ADA: Submit a Joint Excavation Plan to comply with the Towns recently passed Joint Excavation ordinance identifying steps taken to install conduits & their dedication for future broadband utilities planning to serve the development. We have reviewed and understand the new joint excavation ordinance. There are no engineering plans associated with the PUD Amendment application. Engineering and utility plans will be a part of the required Major Development Permit process prior to any construction. The development design for the multi-family parcels has not yet been initiated. Haymeadow will meet all Town of Eagle requirements, including those of the recently passed joint excavation ordinance, with all future Development Plan and Final Plat applications that include utility improvements.
5. PUD: Re-model all utilities, especially water service, for the proposed increase in density within Filing 1 due to changes in uses, location, building type, & number of stories. Submit documentation showing existing utilities in Filing 1 can support proposed changes within Filing 1 and highlight any required changes to meet existing requirements. The Haymeadow Filing 1 Hydraulic Study by Mott MacDonald (attached), appears to have all of the information loaded into the hydraulic model for fire flow for a 3 story condo building already since it was always an assumed use in Parcels RMF-1 and RMF-2 which are both being folded into the larger development parcel that will be combined with the school swap parcel.

All Mott MacDonald needs to do to update the water demand is to increase the number of MF units from 80 to 192 (+112) and remove the demand for the 600 student K-8 school and then perform the hydraulic model run on the node that is closest to the School Swap Parcel. Also of note is the memo's summary of water storage within the town zone which exceeds the required storage volume based on the existing Cemetery Tank and not including any storage in the LBWTF clear well.

The PUD Swap Parcel is lower in elevation than the filing 1 water system and will therefore have a higher static pressure than the majority of the Filing 1 units already modeled by Mott MacDonald and summarized in their Final Technical Memorandum dated March 8, 2019.

The highest finish floor elevation for the proposed buildings within the swap parcel is approximately 6711. Assuming a 3 story building, the upper floor shower head would be around elevation 6738 which corresponds to an approximate static pressure of 46.5 psi based on the data contained in the Mott MacDonald model summary memo dated March 8, 2019.

6. PUD: Submit documentation detailing potable water and non-potable water changes in use, quantity, pressure, etc expected from the proposed use changes, especially for irrigation waters. Documentation will be reviewed by TOE subject matter experts. Regarding non-potable water usage at the proposed School Swap parcel versus usage associated with the K-8 school find the following assumed irrigated areas. Please note that the assumed acreage for the school is a total guess since we don't have an actual site plan. In the Haymeadow Utility Impact Report, we assumed that half of the school's 15 acres would be irrigated with non-potable water. It was assumed in that report that the Town's recreation parcel (~18 acres) would be covered by an extension of the warm springs raw water system which has an estimated additional capacity of 22 acres available.

The proposed School Swap Parcel site plan shows that approximately 11.5 acres will require non-potable irrigation versus the assumed 7.5 acres for the K-8 school.

7. PUD: Document age of all reports referenced in this document, discuss what assumptions of these studies are no longer accurate, if new data is available, and if any are reports need to be updated to be relied upon.



See attached response.

8. PUD: Expand Water & Wastewater paragraph to capture all above analysis and reviews as it is presently inadequate.

The above responses to items # 5 and 6 seem to address this request.

9. PUD: Add language about timing/commitment for providing services and infrastructure necessary to complete the school on the relocated tract to meet the School District's Plans similar to the language for the Fire Station tract.

We anticipate signing an agreement between the Eagle County School District and Abrika that would commit Abrika to providing access and necessary utilities to the new school site in time to suit the needs of the ECSD. We have already proposed to ECSD that we commit to beginning said work upon the later of five years following the effective date of the proposed land swap or submission of a complete development permit application for the school by the ECSD with notice to Abrika of the ECSD's intent to begin construction of the school within two years.

Haymeadow response to Item #7

The approved 2014 Preliminary Plan included the following reports:

- Wildlife Report
- Geology & Debris Flow Report
- Vegetation Assessment
- Traffic Analysis
- Fiscal Analysis
- Utility Report & Irrigation Report
- Engineering Technical Specifications
- Water Rights Analysis

The Wildlife Analysis is a very comprehensive analysis of the existing conditions, habitat values and the proposed development plan and identified a movement corridor and other wildlife mitigation measures. These wildlife mitigation measures, including the creation of a wildlife movement corridor to facilitate elk and deer movements across the Brush Creek Valley, were incorporated into the approved PUD Development Plan and PUD Guide.

Seasonal wildlife foraging use in the active agricultural fields was recognized, however, CPW does not map active agricultural hay fields as important habitat and the report recognizes that development should be concentrated within this low wildlife diversity value area.

Tract E, designated for a school/park site and Neighborhood C, designated as multi-family and single family residential use, both fall within the active agricultural fields of Haymeadow. Each of these areas was deemed appropriate for intensive development. The exchange of location of the two uses does not further any impact to wildlife habitats and is in compliance with the original wildlife analysis.

The proposed cabin use has been reviewed by CPW as a referral agency to this PUD Amendment application. The application has been amended to include seasonal limitations on the use to minimize impact to wildlife.

There is no demonstrable need to update the Wildlife Analysis as a result of the PUD Amendment Application.

The Geology and Debris Flow Report included a comprehensive overall drainage analysis completed by HP Geotech. This was updated for the Filing 1 Final Plat but did not include an overall drainage analysis for Tract E.

The multi-family project proposed on the School/Swap portion of Tract E will require an updated Drainage Study to determine the stormwater volumes that will need to be treated for Water Quality and Detention. This Drainage Study will be prepared as part of the Development Permit submittal assuming the Amendment is approved.

Note that the RMF-1 and RMF-2 portions of the site have been included in the Filing 1 Drainage Report and are covered for both WQ and detention in the existing stormwater ponds located south of Sylvan Lake Road. The portion of Tract E that falls west of the two RMF Parcels was not included in the original drainage report. It was assumed that the Town/Mountain Rec and ECSD would need to provide their own stormwater treatment facilities during the review process with the town.

The Multi-Family project proposed for a combined Swap Parcel plus the two RMF Parcels, will generally drain from east to west. A primary stormwater treatment pond is proposed at the southwest corner of the site in between two of the berms proposed for screening of the Soleil subdivision from the new multi-family development. The pond will be sized based on the final design and development permit submittal calculations. If the proposed primary stormwater pond as sketched in the attached exhibit, does not have sufficient capacity at its current location, a secondary pond could be constructed in between buildings 4 & 5 or it could act as a forebay for the primary pond. The primary stormwater pond is proposed to discharge into the existing cut off ditch that runs along the western property line of Tract E which then discharges through an existing 36" RCP under Sylvan Lake Road. The water that will be discharged from the pond will have been treated for water quality and detention per the Town's regulations.



The Vegetation Assessment identified and mapped non-native agricultural vegetation, native vegetation, concentrations of weed populations and wetlands. The two proposed development areas contain non-native agricultural vegetation and do not include wetlands. These areas have been approved for intensive development. The cabin lies within a disturbed area of native vegetation that

has been identified as a weed area. The revegetation of the cabin area will eliminate the existing weed population. There is no need to update the Vegetation Analysis for the PUD Amendment application.

The Traffic Analysis has been supplemented by a current report to address impacts of the proposed PUD Amendment application.

There is no overall impact to the Fiscal Analysis as the proposed land uses have already been approved. The shift of residential density into the first phase will expedite revenue to the Town of eagle through impact fees, tap fees, taxes and resident spending.

The cabin will be a positive economic driver for the community.

Alpine Engineering, Inc. has provided supplemental information regarding the effect of the proposed locational swap of the already approved land uses on utilities and irrigation.

There is no effect on the overall water rights demand or dedication.

FINAL TECHNICAL MEMORANDUM

TO: Bryon McGinnis & Deron Dirksen – Town of Eagle, Colorado
FROM: Robert Anderson & Nathan MacArthur – Mott MacDonald
DATE: March 8th, 2019
JOB NO.: 398349
SUBJECT: Haymeadow Phase I Hydraulics Evaluation – Revision

I. PURPOSE

Mott MacDonald has completed a revised evaluation of the hydraulic conditions of the proposed Phase I Haymeadow development. The Phase I demands remained the same but the 12-inch main loop was edited to reflect the revised condition. The conclusions detailed in this technical memorandum are unchanged from the original evaluation. Fire flows are reviewed along with an analysis of peak hour demand hydraulics to ensure adequate service pressures for the proposed housing units in the proximity of the Town Zone.

The current water model includes the Upper Basin Water Treatment Plant (UBWTP) with a capacity of 4.3 million gallons per day (mgd) and the development frame work of Eby Creek, the Terraces, Upper Kaibab, the existing commercial area along Interstate 70, the Bluffs, Downtown Eagle, the existing residences along Brush Creek Road and the currently developed portion of the Fairgrounds Pavilion, Eagle Landing, Eagle Ranch, Brush Creek Meadows and Adams Rib-Frost Creek. We have also included Red Mountain Ranch (Phases 1 & 2) and Hockett Gulch (Phase 1, 2 & 3), considering these as existing, although these developments have not yet been constructed.

II. BACKGROUND

Haymeadow is a proposed multi-phased development in the southeast portion of Town. Phase I is located in the upper portion of the Town Zone pressure boundary and is proposed to include single family, duplex and multifamily units. Future phases will be constructed in a new local high zone and will include a mix of single family and multifamily units. Due to the proximity of the Town Zone pressure boundary, the developer plans to integrate the Phase I distribution system into the future high zone to strengthen the system.

III. WATER SYSTEM

Potable Water Demand

We have assumed 1.0 SFE (Single Family Equivalent) per single family, duplex and multifamily units, and raw water irrigation is proposed for the development. Estimated water demands for Phase I are as follows:

Unit Demand – Single Family, Duplex & Multifamily Units = 300 gal/day/SFE

Single Family Units = 8

Duplex Units = 20

Multifamily Units = 80 x 1.0 = 80 SFE

Maximum Day Demand = ((20+8) + 80) x (300) = 32,400 gal/day

= 32,400 gal/day x (1 day/24hr) x (1hr/60 min) = 22.5 gpm

Peak hour = Max Day x 2 = 45 gpm (Peaking Factor of 2)

The demands for the development were allocated to model nodes adjacent to the proposed unit locations.

Connection to Current System

The Phase I development is planned to be located within the upper portion of the Town Pressure Zone (Town Zone). It is proposed that the development will be connected to the existing main in Brush Creek Road using a 12-inch line extension. This extension is shown to feed a proposed 8-inch looped water system in the development. Additionally, the 12-inch line at the northwest end of Snowy Peak Drive (Tract R-2), connects to the 12-inch at the Eagle Ice Rink and Rec Center.

Distribution System

The normal design criteria used to evaluate the water distribution system is to maintain a minimum pressure of 60 psi throughout the distribution system during peak hour demand and a minimum pressure of 20 psi during maximum day plus fire flow demand. However, due to the proximity of the Town Zone pressure boundary, a 50-psi mainline pressure is being considered based on the service requirements defined below.

The developer is planning to integrate the Phase I system into a future local high zone increasing the distribution pressures. Because of this, the current system must be master planned for this future change with the provision of pressure reducing valves PRVs. PRVs will be required for downloading to the Town Zone and at individual services to control system pressures.

IV. HYDRAULIC MODEL ANALYSIS AND RESULTS

Peak Hour Analysis

During the peak hour modeling scenario, the main line pressure throughout the development ranges from 48 to 60 psi. The developer plans to have two story buildings for the single family, duplex and multifamily units and the Town has requested a minimum system pressure of 30 psi at the 2nd story. Based on an initial evaluation, the 30 psi 2nd story service pressure can be attained for single family and duplex units if the service line size is a minimum 1-inch and backflow prevention devices are not included (normal practice for single family units – except for irrigation). Depending on the proposed piping arrangements for the multifamily and again assuming no backflow prevention for the potable service, the 2nd story 30 psi minimum may also be attainable for the multifamily units. The developer will be required to design the multifamily service piping to minimize losses and ensure a minimum 30 psi 2nd story plumbing fixture pressure.

Maximum Day Plus Fire Flow Analysis

Assuming fire suppression systems at the multifamily units, a single-family/duplex unit, Type V-B construction, fire flow of 2,500 gpm was modeled. A steady-state fire flow analysis was run at the proposed hydrant locations within the development during maximum day demand. The model showed that the combined hydrants can provide the required fire flow with a residual pressure of 20 psi and pipe velocities at less than 10 feet per second (fps) if the distribution line is sized at 12-inches. The planned 8-inch development mains shall be upsized to 12-inches as shown in the latest development water plans.

Available Storage

Three (3) volumes are considered for evaluating storage; operational (typically 30% of maximum day demand), fire flow and emergency (typically 50% of maximum day demand). It is assumed that emergency storage can be down loaded from the upper zones of the Town and is therefore not included in the storage calculation. A commercial fire flow within the Town Zone of 3,000 gpm at 3 hrs is assumed. The Town Zone maximum day demand is estimated at 2.70 mgd, including Red Mountain Ranch, Hockett Gulch, Eagle Landing and Haymeadow. The estimated required water storage in the Town Zone is depicted in Table 2.

Table 2. Town Zone Estimated Required Water Storage

Demand Type	Criteria	Required Storage Volume (gals.)
Fire Flow	100% of 3,000 gpm, 3-hour fire flow	540,000
Emergency Storage	50% of maximum day demand	(down load from upper zones)
Operational Storage	30% of maximum day demand	810,000
Total		1,350,000

Town Zone storage is estimated 1.6 MG; 0.3 MG at the Cemetery Tank, 1.0 MG at the Horton Tank and 1/3rd of the Eby Creek Tank or 0.3 MG. The current 1.6 MG of storage exceeds the estimated volume required to serve the current Town Zone and Phase I of Haymeadow. It should be noted that the Town is planning to ultimately increase the Town Zone storage volume, possibly with a Cemetery Tank replacement project.

V. SUMMARY

The proposed single family, duplex and multifamily units of the Phase I Haymeadow development can be served from the Town Zone. However, because the development is in the upper region of the Town Zone and the added complexity of integrating the system into a future higher zone, special requirements must be considered. The following is a summary of our findings and the special requirements:

- 1.) A 12-inch looped water system is required for the distribution piping.
- 2.) Using 12-inch distribution piping, fire flows and residual pressures are adequate at the hydrants. Note: individual fire suppression system hydraulics were not analyzed.
- 3.) Current Town Zone storage volumes are adequate for Phase I.
- 4.) Peak hour hydraulic analysis indicates a 30-psi minimum pressure can be attained at the 2nd story plumbing fixtures, assuming no potable service line backflow prevention (see developer requirements, item 5 below).
- 5.) Developer is required to install service line systems that ensure a 30-psi residual at the 2nd story plumbing fixtures for all residential units, assuming a 50-psi residual pressure at the mainline.
- 6.) Provide PRV vaults at low end connection points to the Town distribution system. Only vaults are constructed now, PRVs are installed in the future when the distribution system is converted to high zone.
- 7.) Incorporate provisions for adding service line PRVs to regulate the future high zone pressures.



Date: April 1, 2021
Re: Public Comment Summary for PUDA20-01 Haymeadow PUD Amendment
From: Jessica Lake, Planner I, Community Development Department

Since the March 2nd meeting of the Planning & Zoning Commission, staff has received (13) public comment letters for both the school and the events cabin, including (1) informal petition and (1) word document with 47 questions for staff to address. (7) letters and the petition are in opposition to the school swap, (1) of whom is also in opposition to the cabin; (3) are in support of the school swap. Letters are noted and attached. The document from the Soleil homeowners has been responded to by staff and the applicant and is attached last.

List of Public Comments:

1. Letter from Kick dated 03/02/2021.
2. Letter from Fernandez dated 03/11/2021.
3. Letter from Vansteel dated 03/14/2021.
4. Letter from Blethen dated 03/19/2021.
5. Letter from Stephens dated 03/19/2021.
6. Letter from Claymon dated 03/29/2021.
7. Letter from Damico dated 03/29/2021.
8. Letter from Damico dated 03/29/2021.
9. Letter from Reichstein dated 3/30/2021.
10. Letter from Amberg dated 3/31/2021.
11. Letter from Howe dated 4/1/2021.
12. Petition dated 03/15/2021.
13. Questions/Comments Letter from Soleil Homeowners dated 03/15/2021.

From: [soodi kick](#)
To: [Jessica Lake](#)
Subject: Swap
Date: Tuesday, March 2, 2021 10:01:09 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am opposed!!!

Sent from my iPhone

From: [Tracy Fernandez](#)
To: [Jessica Lake](#)
Subject: OPPOSITION to the TWO MAJOR AMENDMENTS to the Haymeadow PUD
Date: Thursday, March 11, 2021 8:11:38 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Jessica Lake-Planner I
Community Development Department
Town of Eagle

Jessica,

We are contacting you to express our opposition to the two MAJOR AMENDMENTS for the Haymeadow project as we are adjacent property owners to the subject property. Our home is located at 1951 Eagle Ranch Road. We feel this will directly affect our property in a negative way and we are strongly opposed to both amendments proposed by Brandon Cohen of Abrika Properties.

Please consider this email as our voices for the meeting on Tuesday, March 23, as we cannot attend in person. We have loved our quiet property in Eagle for 15 years. Please do not approve these two major amendments.

Thank you,
Tracy and Michael Fernandez
1951 Eagle Ranch Road

Sent from my iPhone

From: [Clay Vansteel](#)
To: [Jessica Lake](#)
Subject: Haymeadow swap.
Date: Sunday, March 14, 2021 6:37:28 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I would like to voice my opinion and state that I oppose the proposed hay meadow land swap. We're already losing LOTS of parking with the new soccer fields, so if the shared parking from the school is also removed, where is everyone supposed to park for big MTB, BMX and hockey events?

CV

To: Town of Eagle Planning & Zoning Commission and Town Council
Cc: Jenny Rakow, Town Clerk, clerk@townofeagle.org
Re: Support for Haymeadow PUD amendment application
Delivered via email

March 19, 2021

Dear Eagle Town Council and Planning & Zoning Commission,

We contacted Haymeadow last week to find out when homes would be available for reservation or sale. What resulted wasn't necessarily what we hoped, which was to get our name on a presale list or find out when we could buy. What we learned about was the developer's desire to amend their approved plan to provide more housing earlier in the building timeline. We quickly realized that the changes that they are proposing will be very good for people like us who are looking to relocate to Eagle and desperately trying to find housing in an environment where out of town money has made it increasingly difficult. In our case we've been in the Valley for more than a decade and a half and our family has outgrown our space in Eagle Vail. We've identified Eagle as where we want to continue to raise our family.

Selfishly we hope you will approve the Haymeadow SWAP so that they can begin to build the homes that we hope to be able to purchase. The conversation, however, made us aware of just how crucial flexibility is in development so that the highest and best result for everyone is taken into account. In this instance the SWAP is a smart solution to a growing problem; housing. It is also obvious that the developer is not the only one who benefits. It seems like everyone wins here. We certainly would.

We hope you will approve the SWAP and help people like us find permanent housing in Eagle soon.

Thank you,
Sam & Shady Blethen
Eagle Vail, CO

Tory Stephens
PO Box 3894
Eagle, CO 81631

March 19, 2021

Mayor Turnipseed, Eagle Town Councilpersons, and Planning & Zoning Commission
Town of Eagle
200 Broadway
Eagle, CO 81631

RE: Haymeadow PUD Amendment Support

Delivered via email to: clerk@townofeagle.org

Dear Town of Eagle Planning & Zoning Commission and Town Council,

My name is Tory Stephens and I'm writing to show my support of the Haymeadow PUD amendment being decided upon this spring.

I initially reached out to the Haymeadow development team a few weeks ago through the project's website. Like so many people in our Valley, I'm ready to buy a house and plant roots in Eagle, but there are very few homes to be found. I contacted Haymeadow to find out when they planned to have homes available and to put myself on a list to be notified when reservations were being taken.

I received a quick response from the Haymeadow Team and we scheduled a call to discuss the project. I was truly impressed with the rationale behind the proposed SWAP. My father is was developer and I recognize that good development adapts itself to changing market conditions while balancing community impacts. In the case of what I learned about the SWAP, I believe the proposed Haymeadow amendments makes sense. Everyone knows we need housing and Eagle has been identified as one of the best, if not the best, places for locals to plant roots.

The impacts of this density have already been vetted. Simply put, the ability to deliver 112 additional homes for people to buy in the next few years is crucial and smart. The Haymeadow developer is asking to build something different than was approved because he recognizes a community need that he can still address before building. Yes, it benefits him. It also benefits the School District who gets a larger parcel of land and additional employee housing units if approved. I also know that local businesses will benefit from having more residents nearby, not to mention fees and taxes that will be collected by the Town.

In the case of the SWAP, no one loses for someone else to win. The positive impacts to many far outweigh the typical concerns of neighbors.

I hope you will approve the SWAP so that 111 more people and I can call Eagle home in the near term.

Sincerely,

Tory Stephens

From: [Mike Claymon](#)
To: [Jessica Lake](#)
Subject: TOE code section 4.11.050 item #2
Date: Monday, March 29, 2021 4:26:14 PM
Attachments: [Haymeadow-Soleil picture.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jessica, please add this to the public record for the April 6 meeting. Thanks, Mike Claymon

To all TOE Planning and Zoning commission members and Town Council members,

TOE code section 4.11.050 item #2 states “An approved PUD zoning plan or an approved PUD development plan may be amended if the applicant demonstrates that the proposed modification does not affect in a substantially adverse manner either the enjoyment of land abutting upon, adjoining or across a street from the Planned Unit Development or the public interest.”

The proposed location for a future school substantially affects neighbors in an adverse manner and here’s why.

Some Soleil homeowners paid a premium for a lot with a view knowing that a school may eventually block that view and also knowing that a new school is not currently needed and may not be built for 20 years or more, if ever.

In 2018, I personally paid \$729k to have this view and other similar homes sold for \$689k. If I don’t have this view anymore, I would be losing at least this \$40k value of my home and probably more than that. Losing \$40k in home value constitutes being substantially adversely affected.

For some families, being within walking distance to a school is very desirable and increases property values. If the school is 0.8 miles farther away, it would not be safe for families to allow elementary school children to walk that distance to school and Soleil homes values will be reduced even more, let’s say another \$20k. Losing another \$20k in home value definitely constitutes being substantially adversely affected.

It is common knowledge in the real estate market that lower cost homes reduces the value of nearby higher cost homes. If high-density multi-family homes are 300 feet away from single family homes, Soleil homes values will be reduced even more, let’s say another \$40k. Losing another \$40k in home value definitely constitutes being substantially adversely affected.

Obviously these numbers are estimates. Losing approximately \$100k in home values definitely constitutes being substantially adversely affected.

The attached pdf file shows 2 pictures of the view from Soleil homes. Both pictures were taken from

the backyard of homes on Soleil Circle. The picture on the left was provided by Haymeadow and the picture on the right was taken from my backyard. You can see that the view is 90% blocked by the new location of multi-family homes the developer is proposing as compared to the existing view. No amount of landscaping, berms, or 300 feet buffer can mitigate blocking this view.

The enjoyment of the land on Soleil Circle is obviously substantially adversely affected by the loss in property values and blocking the mountain views. It is inconceivable to me how anyone could dispute this, disregard this, or ignore this.

Please remember that TOE code section 4.11.050 does not apply to new PUD applications. Perhaps loss in adjacent property values and blocked views are not considerations for new PUD applications. However, this section of the TOE code does apply to PUD amendments and all 6 criteria in this section must be satisfied.

Therefore, the Haymeadow land swap PUD amendment does not comply with TOE code section 4.11.050 item #2 and should be DENIED.

Thank you,

Mike Claymon
116 Soleil Circle
Eagle, CO



From: [Angie Kyle](#)
To: [Jessica Lake](#)
Subject: FW: Haymeadow PUD Amendment
Date: Monday, March 29, 2021 3:15:50 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Best,

Angie Kyle

Administrative Tech II

TOWN OF EAGLE

200 Broadway, PO Box 609, Eagle Co 81631

Phone: 970-328-9655, Fax: 970-328-9656

CLICK BELOW FOR TOWN WEBSITE, NEWS, EVENTS OR TO PROVIDE FEEDBACK:



Sender and receiver should be mindful that all my incoming and outgoing emails may be subject to the Colorado Open Records Act, § 24-72-200.1, et seq.

From: Kristie Damico <kadpad71@gmail.com>

Sent: Monday, March 29, 2021 3:10 PM

To: Angie Kyle <angie.kyle@townofeagle.org>

Subject: Haymeadow PUD Amendment

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Angie,

I am writing in opposition to the Haymeadow PUD Amendment. Please forward this email to the Planning and Zoning Commission and the Town Trustees.

In the original Haymeadow PUD proposal, the developer noted that a key feature of Haymeadow is:

“A significant dedication of land for park expansion and a K-8 public school site adjacent to the existing pool and ice arena that will create a tremendous regional park and school site for the entire community”

When the project was first proposed, the Developer, the School District, Mountain Recreation, and the Town all agreed on the best location for the park and school.

It seems obvious that the Developer is now requesting a land swap in order to accelerate his profit into the first phase of the site. There are rumors that the developer wants to make a quick buck now and may then elect to abandon plans to develop the rest of the project.

Although we all hope that the Haymeadow project gets built out as proposed, we must consider the likelihood that the Developer may never construct infrastructure to serve the proposed school site in Area C and may never construct the required traffic improvements. Before considering the land swap, the Town must require that the infrastructure to the proposed school site in Area C is installed now and that the Brush Creek Road Extension is constructed now.

We trust that our Town officials are not going to be fooled into trading a developed parcel of land in the preferred location for an undeveloped parcel in the wrong location.

Thank you,

Kristie Damico
2525 Montgomerie Circle
Eagle, CO81631

Kristie Damico
kadpad71@gmail.com
303-946-3748 cell

From: [Kristie Damico](#)
To: [Jessica Lake](#)
Subject: Hay meadow swap
Date: Monday, March 29, 2021 3:13:59 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings Jessica,

I do not at this point have much respect for the developer and his/their disregard for the existing approved plans and concerns by nearby neighbors.
To reiterate what others have eloquently stated my opposition is based on all of the items below:

- 1) Surrounding homeowners bought homes based on the advantages of the current school location
- 2) Negatively impacts surrounding homeowners due to reduced property values and blocked mountain views
- 3) Disregards the extensive process by TOE and ECSD during the PUD process to determine the best school location
- 4) Consequences of the inadequate planning and budget mismanagement should be the burden of the developer and not surrounding homeowners
- 5) Affects surrounding homeowners in a substantially adverse manner and should be denied per TOE Code Section 4.11.050
- 6) Results in a chopped up development
- 7) Reduces opportunities for shared facilities between the school and Mountain Recreation
- 8) Shared parking between Mountain Recreation and the school is eliminated
- 9) Traffic patterns will be negatively impacted by the proposed school location
- 10) A potentially dangerous and unsafe situation would be created with the new location of the school being adjacent to the Haymeadow fire station
- 11) Clustering multi-family units in a small area results in traffic and parking problems
- 12) The "country lane feel" of Brush Creek Road is negatively impacted
- 13) Eagle Pool and Ice Rink expansion plans are already in progress using the current school location
- 14) Mountain Recreation is strongly opposed to the school land swap PUD amendment
- 15) If this proposal is denied, the developer can still build Haymeadow according to the existing PUD
- 16) If this proposal is denied, affordable housing options can still be provided according to the existing PUD
- 17) The proposed school location only benefits the developer by allowing deferral of some

infrastructure costs

18) Keeping the school in its current location is just common sense which is why that location was chosen originally

Kind regards,

Kristie Damico

2525 Montgomerie Circle

Eagle, CO81631

--

Kristie Damico

kadpad71@gmail.com

303-946-3748 cell

To whom it may concern,

My name is Sam Reichstein. My Wife Ellie and our family live at 2821 Brush Creek Road, Eagle, Colorado. We are writing this letter to you in regards to the proposal for the Haymeadow project relocating the school out past Ouzel Lane. As you are aware this project has created a lot of friction within the community and the effects that it will have. This not only effects the people of the town that already use Brush Creek road to get into Eagle Ranch via Ouzel Lane but those in Unincorporated Eagle county that live on Brush Creek Road, that are always affected by the decisions voted on by the town and are left with the consequences of these decisions.

We purchased this property only recently however have lived here for 10 years and prior to that Ellies family purchased this land in 1983. Over time the growth of the town has been necessary and the increase in traffic has risen greatly. When Brush Creek road was built it was not engineered for this traffic and even with a speed limit of 40mph where the signage is less than poor people continue to speed up and down this road. We already have the traffic of Sylvan lake and the White River National forest that is more than this road can handle on the weekends but we have Frost Creek that brings in traffic driving at excessive speeds and the construction up there has increased dramatically. On more than one occasion we have had vehicles crash through our fences both day and night in winter and summer damaging property and almost causing loss to livestock. The road is also busy with people riding their bikes up the road to the dirt and then coming back. This multi-use traffic is dangerous for everyone as people continue to overtake where there are double lines and on bends. From May through October we are constantly contacting the Sherriff's Office to come and police the road to allow a safe environment for the cyclist and people who live on Brush Creek Road.

This project was approved with the understanding that the School was going to be built behind Soliel Homes near the Ice Rink. The purpose was to allow for students to be close to these other amenities. Because of the timeline established when the project was originally approved the developer had to begin with the infrastructure. The cost and scope of this initial phase leaves the developer needing to generate capital, which can only be accomplished by the sale of property, not in the building of a school. The request to move the school pushes the developer's commitment to the community out many years into much later phases of the project to benefit their needs now. In only the first phase of this major project this developer is requesting to table the needs of the community and disregard the existing strain on already over trafficked roads. They do not care about the school just the money.

The wildlife has not left the fields, the haymaker bike trail, so generously established by the development company, only went in to push the Elk out and as a resident of Brush Creek Road for over 10 years, every time there is a study for Wildlife or traffic it is done at a time where the numbers are falsely low.

This school should not be moved and if the developer wants to continue they should stick to the original plan of keeping it near the Ice Rink.

Regards,

Sam and Ellie Reichstein

03/30/2021

Dear Illustrious Town of Eagle Overlords,

I am writing in opposition of the “land swap” at Haymaker Meadow. I believe my perspective might be slightly different from my neighbors’, but valid, and in solidarity with my neighbors.

My family has directly benefited from an “affordable housing” program. It is how we are able to live in such a nice neighborhood. It was not an easy process. I would disagree with the definition of “affordable.” I don’t think either of those is such a bad thing.

One of the major pushbacks I have heard about the proposed development is “affordable housing.” Low rent ne'er-do-wells moving next door to me. Apartment dwellers. High occupancy. Traffic. Messing up the view. I fear none of these and expect them all. It is the price of discovering a good place. The key and challenge of strong political leadership is to balance the wants of constituents against the needs of the municipality. A fine line to walk, but a path well-worn and successfully trod by people much wiser than myself.

I am not a NIMBY (Not In My Backyard). I bristle and twitch at any sort of NIMBY attitudes. I have no problem with using my neighborhood to better the long-time low-wage ski bum, the newcomer, or the immigrant. All play a vital role in our economy, and it is in our interest to make sure that these people have a place in our society where they feel safe, enjoy the amenities of our collective municipality, and are given the opportunity to contribute in a positive way. Homeownership is absolutely key to this.

My understanding of what is at question is: Will the Town of Eagle allow the developer of Haymaker Meadow “swap” the land purchased by them for land allocated for a future school?

The developer wishes to do this because of further developmental cost associated, unforeseen upon purchase of the property. Specifically, the necessity to provide water for the development. Pretty basic consideration, and something that should have been considered at due diligence during the purchase of the property, considering its ultimate use, and long before closing.

If I bought property and found out it was going to cost me a bunch more to build on it, I suppose I might try to trade with my neighbor, in this case the Town, and say, “Hey, how bout I trade you this land, and you give me yours, and my problems of today will be your problems of tomorrow?” I think I know the Town’s answer, but apparently, since this is a discussion, I don’t.

There is a practical reason for why the original plan and land allocation was put into place. This, I assume, was developed by the Town, considering commercial development, as well as municipal needs. I would caution against going against well-made plans.

A school adjacent to the BMX park, pool, ice rink, mountain bike mecca, and tennis courts seems like a perfect fit for the safe and healthy lifestyle that attracted my family to this community. An unincumbered path from mental development to physical development, without the fear of traffic. Utopia.

Swapping the land would be detrimental to this vision. Instead, we would have the school on the far side of the development. Traffic on Field street would increase, lessening the safety of the “recreation

corridor” and angering constituents. Animosity will be sown, and safety will be compromised. And for what?

What is the upside for our municipality to agree to this? What is the short-term gain vs the long-term cost of this decision? I am in no way in opposition to development, increasing the tax base, and diversifying our economy, but not for the sake of expediency and detriment to quality of life. I certainly would not sacrifice our plan for the convenience of a developer.

So why, Illustrious Town of Eagle Overlords, is this even being debated? Why are you ignoring the outcry from the adjacent citizens? What is the developer offering you, and how does that benefit your constituency? Why would you stray from the best laid plans, undoubtedly arrived at by urban development consultants and learned city planners, in order to anger voters and satisfy a developer? Politically, the numbers don’t add up. I don’t know the financial details.

Do not grant the “land swap.” It is a political loser. You will unify opposition to your seat across political lines; making 100 people angry to make one satisfied. Is the developer even an Eagle County resident? Again, why is this even being debated? Listen to your citizens. Listen to your constituency. Listen and obey the people from whom your power is derived, or I can assure you, you will surely lose it.

Thank you.

Best regards,

Douglas Amberg

84 Field Street

Eagle, CO

81631

From: [Laura Howe](#)
To: [Jessica Lake](#)
Subject: Comments on the Haymeadow PUD Amendment 2020. swap
Date: Thursday, April 1, 2021 4:59:39 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Jessica,

Hope you are well! I am an owner within the Soleil Homes neighborhood – the last one in I think. And I am very concerned about, and vehemently opposed to, the Proposed Swap that the Haymeadow Developer wishes to happen by moving the school approximately another mile away from the Ice Rink and surrounding facilities.

Below are numerous concerns that I have:

- David vs. Goliath – it would be a sad day indeed if the Town of Eagle sided with the Developer (Goliath) over the valid concerns of the homeowners and taxpayers that will be affected. Our country as a whole has been capitulating to big business now for too long, and our awesome Town certainly does not need to follow suit. Rather, it needs to show the individual homeowners that make up its constituents that the Town cares about us.
- The current placement of the proposed school is very obviously superior than what the Developer is proposing. To have the children – and I understand this would be a K-8 school – walk a mile or so to get to the recreational facilities due to the Developer wanting to save some money is really appalling.
- I believe the congestion of the higher density closer to the ice rink and Soleil and Brush Creek Townhomes would be just more than would be tolerable.
- Mountain Recreation I understand is quite opposed to the Swap.
- We are not here to cater to the one Developer which diminishes the voice of the many

I would like to say more but want to get this to you by the end of today, April 1st.

Thank you so much for your consideration.

Laura Howe

970-376-2306

Lalee1008@gmail.com

3/9/21

Cover Sheet

Town of Eagle:

Please add these additional signatures of OPPOSITION(dated 11/22/20) for the proposed land swap, to those originally submitted on 10/25/20.

Thank you.

10/25/20

Town of Eagle Members:

In anticipation of Brandon Cohen, Developer of Haymeadow, submitting a filing for a proposed land swap of the current school location within the PUD, please see attached an informal petition of surrounding residents who have signed their opposition to this land swap.

This is a partial list of signatures with many more to be submitted at public comment.

Thank you,
Residents of Soleil, Brush Creek Townhomes, The Terrace, and The Orchards neighborhood.

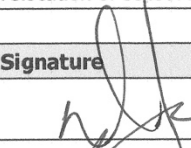
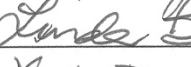
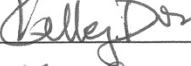
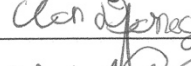
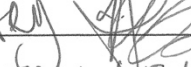
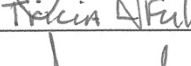
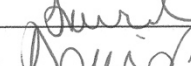
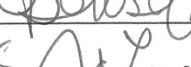
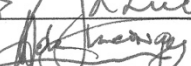
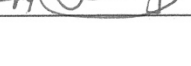
This document and corresponding petition signatures have been submitted to:

Jessica Lake
_____submitted to:

3/9/21
_____date

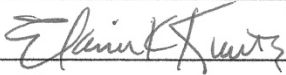
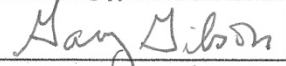
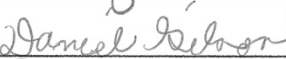
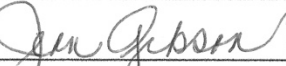
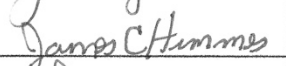
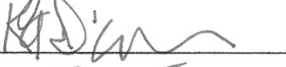
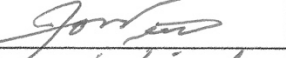
Petition-from Soleil Neighborhood

Petition summary and background	A proposed land swap by developer in Haymeadow from original PUD filing
Action petitioned for	We, the undersigned homeowners of Soleil and surrounding neighborhoods, who would be most impacted by the proposed PUD land swap, are concerned citizens who urge our leaders to act now and NOT approve any proposed change or relocation of school land within Haymeadow.

Printed Name	Signature	Address	Email	Date
DAN JOHNSON		44 FIELD ST.	DCOLEST76@GMAIL.COM	11-22-20
Melissa Johnson		" "	johnson.melinda@gmail.com	11/22/20
MIKE CLAYMON		116 SOLEIL CIRCLE	MIKECLAYMON@HOTMAIL.COM	11/22/20
LINDA BENNETT		116 SOLEIL CIRCLE	LINDA4BENNETT@GMAIL.COM	11/22/20
Kelley Donegan		3263 Montgomerie Cir.	kdonegan76@gmail.com	11/22/20
Ian Donegan		3263 Montgomerie Cir.	landonegan19@gmail.com	11/22/20
Mike Mahaffey		073 Montgomerie		11/22/20
Tricia Fullert		295 Montgomerie	tricialfe@yahoo.com	11/22/20
Sarah Hwedda		357 Montgomerie		11/22/20
Denise Lindz		377 Montgomerie	DeniseKSTTT@gmail.com	11/22/20
J. DELULING		3223 Montgomerie	JOSGAN12@COMCAST.NET	11/22/20
Andre Delacing		3223 — " —	Andred24@comcast.net	11/22/20

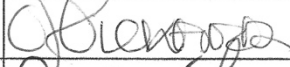
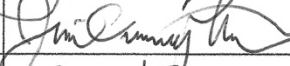
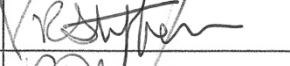
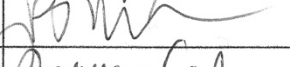
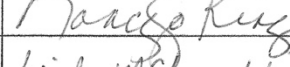
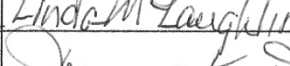
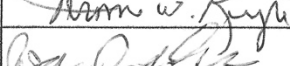
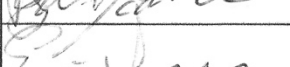
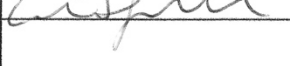
Petition-from Soleil Neighborhood

Petition summary and background	A proposed land swap by developer in Haymeadow from original PUD filing
Action petitioned for	We, the undersigned homeowners of Soleil and surrounding neighborhoods, who would be most impacted by the proposed PUD land swap, are concerned citizens who urge our leaders to act now and NOT approve any proposed change or relocation of school land within Haymeadow.

Printed Name	Signature	Address	Email	Date
Elaine Kuntz		3101 Montgomery Cir	elainekuntz41@gmail.com	11/22/2020
Frank McElver		"	"	11/22/2020
GARY GIBSON		3059 MONTGOMERY CIR	garyseangibson@gmail.com	11/22/2020
DANIEL GIBSON		3059 MONTGOMERY CIR	danielgibson2000@gmail.com	11-22-2020
Jean Gibson		" "	garyjean.gibson@gmail.com	11/22/2020
James C. Himmles		2885 Montgomerie		11-22-2020
Kristie Damico		2525 Montgomerie Cir	kadpad71@gmail.com	11-22-2020
John Field		1520 Montgomerie Cir		11/22/2020
Kathleen Field		1520 " "		11/22/2020
BRIAN BISHOP		1442 MONTGOMERY CIR	BBishop4@me.com	11/22/20
Katharine Spoonhour		1380 Montgomerie Cir.	kspoonhour@gmail.com	11/22/20
Amy Blumrich		1380 MONTGOMERY CIR	Awblumrich@gmail.com	11/22/20

Petition-from Soleil Neighborhood

Petition summary and background	A proposed land swap by developer in Haymeadow from original PUD filing
Action petitioned for	We, the undersigned homeowners of Soleil and surrounding neighborhoods, who would be most impacted by the proposed PUD land swap, are concerned citizens who urge our leaders to act now and NOT approve any proposed change or relocation of school land within Haymeadow.

Printed Name	Signature	Address	Email	Date
D. PICKARD		104 MONTGOMERIE CIRCLE, CHOLE	PICKARDEB@AOL	11/21/20
JIM CUMMINGS		0027 MONTGOMERIE CIRCLE	jim@AMERICANVILLE.COM	11/21/20
Rebecca Steffen		572 Montgomerie Cr	RebaSteffen@gmail.com	11/22/20
B Weiskittel		572 Montgomerie Cr	Brian902@gmail.com	11/22/20
Shannon Corbin		0196 Montgomerie Circle	laughli2@yahoo.com	11/22/20
TAYLOR WAUGH		705 MONTGOMERIE CIR	J2A43@gmail.com	11/22/20
Nancy King		618 Montgomerie Cr		11/22/20
Linda McLaughlin		0644 Montgomerie Cir	Linda.mclaughlin644@gmail.com	11/22/20
DREW KEYES		760 MONTGOMERIE	Drew Keyes@yahoo	11/22/2020
Ryan Johnson		028 Montgomerie circle	ryan.johnson.e@gmail.com	11/22/20
Eric Johnson		025 Montgomerie circle	ericjohnson@hotmail.com	11/22/20

Questions & concerns to address from 3/2/21-Planning and Zoning Zoom meeting regarding proposed land swap amendment: (A compilation from Soleil residents)

Regarding Code:

- 1) Regarding the 'Issues for Discussion' listed in the staff report and certificate of recommendation, please document the answers from the developer and/or staff that sufficiently answer these questions and provide to public with enough time to review and provide further comment on 4/6/21.

Planning Staff Comment - This will be addressed in the April 6th staff report, which will be made available to the public and P&Z on Friday, April 2nd.

- 2) Under Section 4.11.050.A.2., developer is noncompliant. 33 of the 34 households of Soleil and other neighbors have expressed their opposition to and pointed out the non-compliance. This non-compliance is not remedied by the landscape suggestions of the developer. Does P&Z concur with this noncompliance? If not, why? If so, why is this proposed amendment still being considered?

Planning Staff Comment - This will be discussed by P&Z on April 6th.

They cannot answer this question outside of a Public Hearing.

The Amendment is being considered because it is an active application. Staff is required to process all complete applications and present the information during a public hearing.

Applicant Comment - By our count of the petition sheets that are a part of the current public record there are far fewer than 33 Soleil households expressing opposition. The school and multi-family uses are already anticipated within the PUD. Residential use adjacent to other residential use is commonly accepted as compatible and the application commits to a 300-foot building setback with a landscaped berm to provide a significant visual buffer. Multi-family use adjacent to single family use is also commonly accepted as compatible. In fact, the Soleil PUD was amended in 2017 to change six single family lots adjacent to Haymeadow (and other single-family homes within Soleil) into four duplex lots (eight units). Soleil is also already adjacent to multi-family

development (Brush Creek Village Townhomes) and single-family homes in Eagle Ranch are adjacent to multi-family condo developments (Founders and West Village).

- 3) After hearing developer rep-Rick state that a new water supply would need to be installed at large expense, we disagree with the statement summary by staff that the developer proposal to move housing does not confer a special benefit per Section 4.11.050(3).

Applicant Comment - Section 4.11.050(3) states that the amendment is not granted solely to confer a special benefit upon any person. Abrika agrees that it, and the community will benefit from the swap.

- 4) Staff expressly stated that ALL 6 conditions for amendment need to be met. Developer does not meet ALL 6 conditions. Does the Town agree? If the Town feels differently please clarify?

Planning Staff Comment - All six conditions are evaluated in the March 2nd staff report and will be updated in the April 6th staff report based on the additional information provided by the applicant. We do not know if the Town decision makers agree yet or not, this is part of the public hearing process.

- 5) In using a piece of the 2010 EACP, developer states quote, “we are reminded of the town’s desire to cluster density nearer the town core and to maintain the “country lane feel”. However, staff report states the inconsistencies with that statement under condition 1 for Section 4.11.050.A.1-6--“except that clustering is primarily encouraged in and around established commercial centers. With a swap, the ‘country lane feel’ is lost and doesn’t follow the clustering plan. Does the Town agree with this statement? Does the Town also agree that this disqualifies the proposed amendment due to not meeting these conditions and Codes?

Planning Staff Comment - The "country lane feel" referenced in the Plan is along Brush Creek Road. The Haymeadow development is setback significantly from Brush Creek Road. The March 2nd staff report addresses compliance with the 2010 Plan and the original PUD application was found to be in compliance with this plan.

- 6) Town of Eagle Planning Code 4.07.100A.3 states “Ensure that proposed developments and subdivisions promote a healthful and convenient distribution of population, the wise and efficient expenditure of public funds, including the funds of other governmental entities, as well as the adequate provision of essential public services, facilities and

requirements, including schools; and” Could the Town Staff please state how they PUD amendment is promoting a healthful and convenient distribution of population? The compact nature of the now proposed multi-family units into the 1st phase is not distributing population. The original PUD document which shows a spread of multi-family units in the different phases is a much better and healthful distribution of population.

Planning Staff Comment - This is discussed in the March 2nd staff report. Staff and the applicant have provided general responses for various development impacts, these will be much more thoroughly studied, only if the application is approved and a development permit application is submitted.

Town of Eagle Planning Code 4.07.100A.4 states, “Provide procedures for local review and evaluation of the environmental and social-economic effects of proposed development projects and subdivisions, including essential public and private services and facilities, prior to granting major development permits or subdivision approvals; and” The Developer PUD amendment has not even mentioned the effects of wildlife other than for the cabin part of the project. The original PUD document had a study on wildlife impacts which is now outdated, are they going to provide an update to reflect current conditions? Has there been a study to see how the wildlife would be affected by clustering all the multi-family housing together and how the added noise, lighting and pollution would affect them? This PUD amendment could also have serious effects on the Haymaker Trail, the sudden influx of population as opposed to the gradual increase could seriously damage the local trails.

Planning Staff Comment - The process discussed in the code here, relates to Development Permits and Subdivisions. Staff and the applicant have provided general responses for various development impacts, these will be much more thoroughly studied, only if the application is approved and a development permit application is submitted.

Applicant Comment - The Division of Wildlife provided referral comments and did not mention these concerns.

- 7) Could the Town Staff please provide feedback on how exactly the proposed amendment is in compliance with the 2010 Eagle Area plan points 2.2A thru F?

Planning Staff Comment - An evaluation of the 2010 Plan was provided in the March 2nd staff report, but 2.2A thru F are commented on below.

2.2.A. Promote the development of compact neighborhoods in close proximity to public transit options and established neighborhood retail centers.

Planning Staff Comment - There may be a public transit stop at Mountain Recreation in the future, as shown in the master plan. This would then place a more compact development in close proximity to a transit stop. There is no established retail center close to the Haymeadow development.

2.2.B. As determined appropriate, work to Increase residential and commercial densities in established neighborhood retail center areas.

Staff Comment - This is an action item and does not apply to the application.

2.2.C. Work to amend regulatory barriers that prevent the intensification of development in identified areas already served by Town infrastructure.

Staff Comment - This is an action item and does not apply to the application.

2.2.D. Identify specific redevelopment and infill opportunities on vacant or under-utilized lots in otherwise built-up areas through future sub-area planning efforts. Ensure that infill and redevelopment areas contain sufficient land for community facilities, recreation and government services as appropriate.

Staff Comment - Does not apply to this application.

2.2.E. Utilize Incentives Including public private partnerships, density bonuses and modification of development requirements to encourage Infill and redevelopment.

Staff Comment - Does not apply to this application.

2.2.F. Ensure residential Infill and redevelopment outcomes blend appropriately with the character and scale of surrounding neighborhoods.

Staff Comment - This doesn't truly apply to this application, as this is a PUD, not infill or redevelopment. But the evaluation of appropriate blending of character and scale will be evaluated both during Development Permits for each neighborhood and when Design Guidelines are submitted (also through the development permit process).

- 8) The 2010 and 2020 reports indicate that this development is zoned for single family housing and medium density housing - this proposed swap will be high density housing. Why after all the money spent on these reports, community input, council input is this zoning being ignored and the Town Staff allowing for the developer to re-zone it as they see fit?

Planning Staff Comment - The 2020 Comprehensive Plan is not applicable to this application. A PUD is it's own zone district and is governed by the PUD guide and guided by the 2010 Plan. Haymeadow was already shown to conform with the 2010 Plan.

Applicant Comment - The Haymeadow PUD as already approved allows for up to 15 units per acre. The application proposes to place 112 units on 14 acres, or 8 units per acre, compared to 6.2 units per acre in Soleil.

- 9) For those P&Z members who may be thinking about voting for approval of the land swap, I would like to hear from each of them why they think this DOES NOT substantially adversely affect neighbors and why they think Town of Eagle Code Section 4.11.050 item #2 does not apply.

Planning Staff Comment - This is what will be discussed at the April 6th Public Hearing. We really have not heard from P&Z yet as we did not get to that portion of the hearing on March 2nd.

- 10) The concern for using only the 2010 EACP for compliance doesn't follow what has been asked of the developer in other areas. ie: developer required to submit a Joint Excavation Plan to comply with the Town's recently approved Joint Excavation Ordinance. Will the Town require compliance with 2010 EACP and recently passed 2020 Comprehensive Plans moving forward? If not, why? This development has been multiple years in the making and should comply with current standards moving forward, especially when proposed amendments are submitted. Does the P/Z agree? Stating that their application was submitted at an earlier date doesn't coincide with today's changes and focus for our Town.

Planning Staff Comment - The policies and regulations used to evaluate an application are only those in place at the time that an application is deemed complete.

- 11) The need for more housing has blinded those making decisions and taken a back seat to following standards currently in place. Per 2) of 4.11.050-Soleil, surrounding neighbors, and Town facilities will be affected “in a substantially adverse manner either the enjoyment of land abutting upon (Mountain Rec), adjoining or across a street from the PUD (Soleil) or public interest and 4) “does confer a special benefit to any person” -to both ECSD and developer. Staff, please state how you feel the developer and the ECSD with the developer incentives are not conferring special benefit?

Planning Staff Comment - This is discussed in the March 2nd staff report.

Applicant Comment - Abrika believes this is an opinion and is to be determined through the public process.

Regarding Staff:

- 12) Address through the Town’s atty, the developer proposal to offer 5 units to ECSD, that doesn’t allow others in need of housing that same opportunity. How can the developer legally limit this housing to ECSD employees only when ECSD will not own these units?

Planning Staff Comment - This is a private agreement between the Developer and ECSD for 5 additional units. These units would be provided separately from the LERP (Local Employee Residency Program).

Applicant Comment - Just as Abrika can reserve units for local residents under the LERP plan, Abrika can also reserve units for ECSD employees separately.

- 13) It appeared on Zoom many Planning and Zoning members had their minds made up to approve a swap. Why, and how did they come to that conclusion when not all information has been presented, and especially knowing such an overwhelming majority are opposed to this swap?

Planning Staff Comment - P&Z did not provide any deliberation or opinion on outcome on March 2nd. They did ask questions of the applicant and staff and they took Public Comment, that was all.

Applicant Comment - Question directed at P&Z, this was not our perception.

- 14) After reading the recently published information packet, it appeared the Town P/Z had all but rubber-stamped this swap. Does the Town P/Z feel differently now based on the 3/2/21 meeting? If so, why? If not, why not? This appears to be no different than the ECSB meeting vote in favor of the reallocation of the currently approved site to the proposed site, without any discussion. Following the leader of a meeting stating he was in favor and all others following suit without discussion, doesn't sit well at all. The decision should be a joint all-inclusive decision by elected or appointed officials taking the lead from those who they represent. In this case, it didn't seem like that at all. Instead, the developer is providing incentives to entice a swap and our representatives seem to be going along to get along. State otherwise to convince me this isn't happening.

Planning Staff Comment - The application will be evaluated based on the Code standards and conformance with the 2010 Plan. P&Z will discuss public comment and the staff report on April 6th and make a recommendation to Council, Council will then make the decision on this application.

Applicant Comment - Question directed at P&Z, this was not our perception.

- 15) Within their report to the P/Z Commission Town Staff stated that if this development were to stay as-is then the School parcel will need to be irrigated until it is developed? Why does this need to be irrigated? Could the Town please highlight other instances of undeveloped land in Eagle which needs irrigating? Also, who will be responsible for irrigating the 2+ acres which will form the buffer zone between the multi-family housing and the Soleil development? This will require permanent irrigation which will be a significant cost and amount of water.

Planning Staff Comment - It was part of the Annexation and Development Agreement that the Developer would need to Irrigate this portion of the property until ECSD was ready to develop and build a school. Should the request be approved, the Developer and then the

HOA would be responsible for irrigating/maintaining the 2+ acre buffer area between Soleil and the proposed multi-family housing.

Applicant Comment - Irrigating this field until development is required by the Approved Annexation and Development Agreement. The buffer zone will be irrigated by Haymeadow using our non-potable irrigation system at no cost to the Town or Soleil. A school site would have significantly more permanently irrigated space.

- 16) Can Town Staff please explain why they think it is acceptable to swap a more valuable piece of land with infrastructure in place for a less valuable piece of land with no infrastructure in place? If the Town wants to make the argument that the swapped land will eventually have infrastructure, then please explain how they are planning on ensuring the Developer does not walk away from building on any parcels after Phase 1? This seems at the moment like a financial burden and risk for the Town of Eagle and their residents in the swapping the land and basically taking the Developer on their word that they will not declare bankruptcy and walk away?

Planning Staff Comment - Staff outlined the criteria for PUD amendments, the standards in the regulations do not deal with this topic. A subdivision improvement agreement will be required to complete Infrastructure for all land within the Haymeadow PUD, including the proposed school site.

Applicant Comment - Abrika has committed to ECSD & TOE to install the necessary infrastructure to the new school site when notified by ECSD of their intent to develop the site. The development is debt-free; therefore, bankruptcy is by definition impossible.

- 17) The Town has recently requested proposals for consulting services from planning firms to assist in updating Land Use and Development Code. The RFP expresses issues that include the Town admitting to many flaws and contradictions within the Code, that the development process is onerous, outdated, and confusing and puts the Town at risk. How can the Town in good faith, approve such a significant proposed PUD amendment based on these issues? If the Town is still considering this proposed amendment, that would be disconcerting. However, if so, please wait until this RFP is awarded and in place to create less chance of the issues mentioned or potential legal ramifications that may follow.

Planning Staff Comment - Council has not placed a moratorium on development, therefore staff must process all complete applications.

Developer Concerns:

- 18) The developer provided the Soleil residents a day and ½ notice for a meeting to discuss something that has lasting effect on us and surrounding residents of Eagle. In that meeting, he avoided our concerns and didn't answer the tough questions. Is this the way we want to allow an out of state developer to operate and change our Town? The developer has shown other mismanagements as well. For such a huge development that will change the landscape of Eagle forever, is the Town the least bit concerned with this latest ploy of the developer to attempt a swap simply for his financial benefit?

Planning Staff Comment - Previous Community Development staff had asked the developer to meet with Soleil as a way to present their Ideas to their nearest neighbor, but there was no regulation or requirement that they do so. Developers are not required to provide any type of notice outside of the Town's land use application process. As seen in the staff report, staff focuses on plans and policies to evaluate an application.

Applicant Comment - Abrika personally handed out information sheets regarding the proposal in July of 2020. Brandon offered to discuss the proposal with anyone at any time and provided his email address for doing so. In July, Abrika discussed scheduling a meeting with Soleil to present our plan but asked the HOA to wait until we had a complete site plan with renderings so that the meeting could be most productive. Abrika offered to delay submission of its application with the TOE until that meeting took place. The owner and development team took questions until there were no other questions at this meeting. Please provide any questions that were asked that you felt were not answered and we would be happy to answer them.

- 19) The developer is trying to stall the inevitable, spending more money. His underestimating the costs for the buildout and other requirements such as more water to the area, should not be dumped on the Town or surrounding neighbors in the form of proposed amendments to help him. Keep the approved plans in place! Stop the swap and have them

start building what the Town needs-more housing, as approved. No changes in school location for them to make more money and cause a snowball-effect of issues!

Applicant Comment - We agree that the Town needs more housing.

- 20) Developer clarification as to why they have not started building any of the lower income housing in A1, A, B, or C if their first priority is to supply the Town the needed supply of workforce housing as soon as possible? Instead, they have created more waste of time and resources with a proposed amendment that clearly is for financial benefit.

Applicant Comment - Our Annexation and Development Agreement and infrastructure plan requires us to start from A1 and work our way out towards the back of the property. We have not begun work on vertical construction in A1 because this swap would change and enhance the design of the currently improved multi-family tracts.

- 21) The developer is the one not allowing the necessary workforce housing needed to be built. Instead, he is stalling to attempt a tweak of the currently approved plans to make more money for himself. The Town could stop this by denying this proposal and having developer comply with the current approval. Has the Town put mandates on the developer for completion of each neighborhood section within a certain timeframe? If not, why? Are there any time completion commitments in place at all? If not, why?

Planning Staff Comment - The Annexation and Development Agreement is a public document. The ADA will be added to the Active Land Use Files page if anyone would like to review it. There are a significant number of triggers that the Developer is required to meet, but no set timeframes.

Applicant Comment - There are no requirements to complete neighborhoods by any certain timeframe. No developer would or could commit to a specific timeframe on a project of this scale.

- 22) By the Developer's own admission, they are far off with the plans and actually moving forward with any physical building. By the time any structures are built probably the earliest being in 2 years this is not going to be solving any housing crisis as there are multi other developments already moving forward which are solving this issue.

Applicant Comment - Abrika has never made these comments being attributed to us. We have design drawings in place for the architecture

and would begin vertical construction no later than the Spring of 2022 following approval of the swap. While we wish the housing crisis would simply go away in two years, it will not. The 2018 Housing Needs study identified a need for 7,970 new housing units by 2030. The study found that there were 2,110 households in the 60-100% AMI range (max price \$316k at the time) and 2,120 households in the 100-140% AMI range (max price \$443k at the time) that wanted to buy a home, and a total of only 63 listings in those price points in the entire valley.

- 23) If providing multi-family housing is of primary importance, these are the units that should be constructed first within the parameters of the original plan. There is no reason the rest of the town should be affected by the lack of infrastructure planning of the developer.

Applicant Comment - This is not a matter of lack of planning. In fact, Abrika planned for this possibility in its current infrastructure design. This is simply a response to the changing needs of the ECSD and the lack of any housing inventory in Eagle.

Related to Mountain Recreation:

- 24) Has Mountain Rec's opposition to this swap been acknowledged at all? They are a big caveat with future plans and this entire process. Many studies took place that resulted in the school's location where it is now. This seems to be getting forgotten and not good business for the Town of Eagle and its residents.

Planning Staff Comment - Staff quoted Mountain Rec extensively in the staff report from March 2nd.

Applicant Comment - Abrika is not aware of any study that was done to determine the optimal location for the school.

- 25) Mountain Recreation a public entity has spent money on producing the concept for the proposed Eagle facility improvements. They have spent money on consultants, reports, conceptual plans and cost estimates all based on the existing land parcels and having shared facilities with the school. Is the Developer or the Town of Eagle prepared to pay this money back to taxpayers for what is a potentially a waste of money now? Mountain Recreation are also moving forward

with the fundraising and ballot measures for this which is significantly further ahead than the Developer is with their plans.

Planning Staff Comment - As seen in the staff report, staff focuses on plans and policies to evaluate an application.

Applicant Comment - Abrika reviewed the Mountain Rec plan and the school swap land layout was chosen to minimize conflict with the Mountain Rec plan. One ball field would need to move to a nearby open area, but the core amenities are unaffected.

- 26) Answer the questions, address concerns presented by Willy Powell on Zoom.

Planning Staff Comment - Staff believes that Willy's questions were addressed during the meeting on March 2nd. If there are additional questions that Soleil would like answered please let us know.

Applicant Comment - Please state the specific question. Abrika recalls that Willy asked if the ECSD had an opinion on this swap, to which we responded that their Land Use Committee stated to the Town that they prefer the new location although recognize this as a Town decision.

Regarding the SWAP of land:

- 27) Look into the request for land value of both the current school site and proposed and provide that to the public. (public comments by Al Musser?)

Planning Staff Comment - As seen in the March 2nd staff report, staff focuses on plans and policies to evaluate an application.

Applicant Comment - We're not aware of a requirement for the TOE to verify land values, but the value of the new site would likely be greater than the current site due to the increased size (4 acres larger). While Mr. Musser is correct that the new site is not currently improved, Abrika is required to improve it when the ECSD intends to build a school. The land is not comparable to the land sold at Hockett Gulch, as suggested by Mr. Musser, because it is not entitled with the right to build 500 housing units.

- 28) Please expand or have the developer expand on why single-family housing lots cannot be a viable location for this workforce housing if we currently have an overabundance of single-family residences? (follow up to Bill Nutkins and Jesse Gregg?) P&Z members asked these

questions of Rick and he avoided answering. The simple answer-it would cost developer more money. Truly it's not about housing for them, it's about money.

Applicant Comment - There are a total of 8 single family and 5 duplex lots created in Filing 1. There is not enough space in the location of the existing single-family lots to accommodate multifamily housing and the associated parking with the required setbacks from Sylvan Lake Rd or the internal road. To convert these lots into a MF parcel, we would need to remove the Filing 1 infrastructure in the alley (gas, sewer and non-potable) and in both Sylvan Lake Road and Red Peak Road (water, broadband and electric). These utilities have also been designed to serve future filings and Neighborhood A1 Phase 2 so replacement lines would be required to be installed in the roadway which would require removal and replacement of the road, curb and sidewalks.

- 29) Please address or have the Fire Department address the potential dangers of having a fire department directly across the street from a school during emergency calls situations simultaneously occurring with school start/end and carpool etc., exiting onto a busier Brush Creek Road with a stop sign or round-about on this street and Ouzel, which potentially will cause a backup of traffic in this area.

Planning Staff Comment - The Fire District has been a referral agency on this project since the application was submitted in October. Thus far, they have declined to comment. Staff emailed the Fire District on Friday, March 26, 2021, we are awaiting a written response from the Fire District.

Fire District Comment -

- 30) Rick stated the developer proposes a new school site only 3000ft from the Mtn Rec area. It is actually one mile away, or 5,280ft. What else was stated incorrectly by the developer? This distance between the rec facilities and proposed school, creates issues for students.

Planning Staff Comment - Staff calculates this distance at roughly 3,367 ft (as a crow flies) and roughly 4,210 ft (if trying to follow future roads and guestimating where the school might be on both parcels). Exact distance is almost impossible to measure as we don't know where the school will be regardless of which parcel it is eventually built on.

Applicant Comment - Rick did not state the new site was 3000ft from Mtn Rec, Rick stated that the new school site is 3000ft from the current school site.

- 31) The developer in their original approval process stated that all LERP units would be dispersed in a reasonable manner throughout each neighborhood. Approving their new proposed amendment directly contradicts that and goes against the Eagle Area Plan of diversity throughout.

Planning Staff Comment - There was a condition of approval in the staff report noting that LERP would be reviewed during time Development Permit application, should this application be approved.

Applicant Comment - The LERP units would be frontloaded, which is beneficial for the Town, but would still be spread among multiple locations within A1 and A2.

- 32) Regarding the quality of workmanship of any workforce housing built, are there Town standards to follow? Building costs are ever increasing. To build a 900 sq ft unit and keep it within an affordable price-point has implications of workmanship that will not hold up over time. Is this how Eagle wants to satisfy our housing needs? Could such a large PUD development with a new proposal to have ALL workforce housing at the entrance follow what Eagle is trying to implement long-term?

Planning Staff Comment - The developer will need to follow the design and architectural standards for buildings in the PUD that they will submit to the Town for approval prior to the construction of any dwelling units. In addition, they will need to submit Major Development Permit applications for certain multi-family buildings. They will also need to abide by all Construction Rules and Regs adopted by the Town and enforced by the Building Department.

Applicant Comment - Contrary to the implications of this statement, we believe being a part of the "workforce" is a positive and look forward to providing affordable housing options to those that currently have none. We have shown renderings of the finish quality we plan and do not intend for these units to be low-quality.

- 33) If hearing correctly, Jesse Gregg stated that he was not understanding why the swap would happen at all when the use of other areas within Haymeadow could be an option. Please expand further on

this idea, especially on behalf of the Soleil homeowners and many others adversely affected with the proposed swap location. Prefer both a Town and developer response.

Planning Staff Comment - Planning staff has asked this question previously as well. The response has been, both from the previous Director of Public Works and the Developer, that there isn't enough land already subdivided and served by the existing infrastructure to move some of the density to land other than at the school site. That site is the only area both large enough to accommodate the density and infrastructure ready (this primarily has to do with water pressure).

Applicant Comment - As stated above, the single family lots are not a possible location for increased density due to the small size of that parcel, setback requirements from the existing roadways, and in-place infrastructure.

- 34) Why can't the current school site and park be reapportioned in acreage where it is now if the school district wants more land?

Planning Staff Comment - There's nothing to say that it couldn't be. Neither the School District nor Mountain Rec has approached the Town to have this discussion.

Applicant Comment - It could, but the Town would have a smaller park parcel.

- 35) It seems that in the Zoom meeting, there was a question of the exact number of units to be moved to the school parcel. By our count, we came up with 304 units. Can we get a clarification on the exact number of units?

Planning Staff Comment - 146 multi-family dwelling units were originally planned for Neighborhood A1. The developer has removed 48 MF units from Neighborhood B and 64 MF units from Neighborhood C. The resulting MF swap is for 112 MF units from Neighborhoods B + C. This results in a new MF unit total for Neighborhood A1 of 258 units. The exact number of units that Haymeadow is requesting to transfer is 112.

Applicant Comment - 112 is the exact number of units to be moved to the school parcel. This is clearly stated in the application. The site plan shown to Soleil and P&Z with 188 units is for 19.5 acres, 14.3 is the school parcel and 5.2 is an already approved multi-family development tract within Haymeadow that would be built with or without the swap.

76 units on 5.2 acres is already approved, we would be adding 112 units to the 14.3 acres and combining the parcels to make a more efficient site plan.

- 36) Was a water analysis conducted when the original PUD was approved? If not, why not? If so, how much extra capacity was available in the current system to allow for supplying 304 additional units? What will be the burden on the current water system given that so many more units will be using the existing water infrastructure. How would this impact the rest of the town's residents?

Planning Staff Comment - This was calculated at time of 1st Subdivision Final Plat.

Applicant Comment - A water analysis was conducted for the project and the first phase. The 112 additional units in the first phase will not impact the rest of the town's residents.

Regarding Traffic Issues and Field Street:

- 37) Who pays for the traffic study? The overall traffic issues external to Haymeadow in the surrounding area should be taken into consideration, as well as all Eagle streets feeding in and out of this area, including traffic patterns to/from Hwy 6/Grand Ave.

Planning Staff Comment - The developer pays for any studies required by the Town and directly related to a land use application. A Town-wide traffic study would need to be paid for by the Town. There is currently a Grand Avenue Corridor Study underway, which will evaluate traffic on Grand Avenue.

Applicant Comment - Haymeadow paid for the traffic study, using the same traffic engineer that the Town of Eagle uses. The traffic study did take into consideration traffic external to Haymeadow.

- 38) The developer rep-Rick Pylman stated on Zoom that Field Street will not be a thru-street per their proposed swap and/or with any other part of the development, ever. Please state the Town's position or associated agencies regarding this issue.

Planning Staff Comment - Field Street is a public street. In Mountain Rec's plan, Field Street is shown dead ending in an overflow parking lot. In the approved Haymeadow PUD, there was the potential for an emergency access route from roughly the vicinity of Field Street

through to the road that the school would be on (perpendicular to the Sylvan Lake Road extension).

Public Works Comment -

Applicant Comment - Abrika is not proposing any extension of Field Street.

- 39) Traffic studies are 8 years old and should not be used to try to push something through like this large proposed change. New studies need to take place including surrounding traffic feeder areas, external to Haymeadow. Will this happen? Will these traffic studies be performed by an independent firm, not associated with the developer?

Staff Comment - Public Works and Planning staff reviewed and discussed the previous Traffic Study as well as the updated traffic Memo, it was felt that the Traffic Study did adequately address the external impacts of Haymeadow, but did not provide enough information regarding traffic patterns and impacts internal to the development. This information is detailed in the March 2nd staff report.

Applicant Comment - The prior traffic study assumed full buildout of all approved properties in Eagle, including an assumption of buildout on what is now the Hardscrabble conservation easement.

- 40) The traffic study needs to consider all the weekend leisure traffic to Sylvan Lake and the all the cyclists that use this route and having a roundabout near Ouzel Lane could potentially cause accidents.

Planning Staff Comment - Staff believes that the existing impacts to Brush Creek Road were adequately addressed in the traffic study.

Applicant Comment - The location of the school will not change the configuration of the intersection at Ouzel Lane and Brush Creek Road.

- 41) School runs from August thru May-most students would likely ride their bikes to the currently approved location and therefore less traffic than a multi-unit housing development and only for 9 months/year. This will help with traffic issues, contrary to a large housing installation.

Planning Staff Comment - The additional internal traffic impacts requested by Public Works should help us to better evaluate these concerns.

Applicant Comment - The updates to the traffic study will incorporate an analysis of walking and biking traffic. Both sites are connected by 10-

foot-wide bike paths over a short distance and while some households may be further away, others will be closer.

- 42) Starting salary for an ECSD teacher appears to be \$42K. With that salary, what teacher can afford a \$400K 1- or 2-bedroom unit on their own? This type of housing will lead to more people living together in these smaller units, creating even more traffic and parking issues. More people, more cars. Elevate Eagle Comprehensive Plan provides data of 2.96 people per household. Vehicle count will potentially be even higher in this area. And the developer's proposed 3 story units to be placed in the current school location does not have nearly enough parking to accommodate.

Applicant Comment - The ECSD Housing Master Plan states "For many years, District employees have identified housing as one of the biggest challenges to living and working in Eagle County." The Master Plan states a goal of providing 120 housing opportunities for ECSD employees and defines "affordable" as less than \$412,000 (140% AMI or \$105,000 for two people). Haymeadow will be required to meet the same parking code as all other developments.

- 43) We also agree that moving these units farther north does not alleviate many of the issues, especially the traffic issue. As residents of Field St. who were told at time of purchase that Field St. would remain terminated at its current location. We feel our home value will be negatively impacted if this becomes a through street. We remain strongly opposed to this swap.

Applicant Comment - As previously stated, Abrika is not proposing any extension of Field Street.

Cabin Issues:

- 44) Clarify who would renovate, own, maintain, and potentially profit from any venues at the manager's cabin? If the profit would go to developer, then the Town should definitely take into consideration the public comments made regarding the Pavilion not at capacity.

Planning Staff Comment - The developer would renovate, own, maintain and potentially profit from the Cabin. The Cabin would not become Town Property at any point; the developer will maintain full

control over this property and will dedicate a different piece of property to the Town for Open Space. The Pavilion is not an equal comparison, as it is not privately owned and operated. This was addressed In the March 2nd staff report.

Applicant Comment - Abrika would renovate, own, maintain, and potentially profit from any venues at the manager's cabin. The venue would not compete with the Pavilion. The venue would primarily compete with other destination locations for weddings like Piney Lake, not smaller local events.

- 45) My comment is for the developer-following historic preservation and landmarks, why not attempt to get it on the registry and renovate the cabin with that intent and for the Town of Eagle historical preservation, instead of trying to renovate to make an extra buck?

Applicant Comment - We believe that Eagle will benefit from having this events space and have very strong support from local wedding and events related businesses for this amendment. All new ventures have risks, but we do plan to profit from the cabin as all businesses do when they invest in improvements.

Additional Information:

- 46) Also attached-more signatures for public record of those in OPPOSITION to the proposed swap. (cover letter plus 3 pages)

Thank you.
3/9/21



CERTIFICATE OF RECOMMENDATION

TO: Planning & Zoning Commission

FROM: Community Development Department

DATE: April 6, 2021

FILE NUMBER: SU21-02

PROJECT: 629 Sawatch Rd Contractor Yard Special Use Permit

REQUEST: Request for a Special Use Permit to allow a Contractor Yard, including outdoor storage of trucks, trailers, storage containers, office trailers, construction equipment and fuel storage, at 629 Sawatch Rd.

APPLICANT: Jay VanVoorst, JCV LLC

LOCATION: 629 Sawatch Road

CODE: Chapter 4.04 Zoning
Chapter 4.05 Zoning Review

ZONING: Commercial General (CG) Zone District

EXHIBITS: A: Project Narrative
B: Site Plan
C: Chambers Aerial Map
D: Site Photos

PUBLIC COMMENT: Staff has not received any letters of public comment as of April 2, 2021. Letters received after this time will be gathered and entered into the public record at the hearing.

STAFF: Jessica Lake, Planner I, jessica.lake@townofeagle.org

INTRODUCTION

The use of the property at 629 Sawatch has been as a Contractor Yard for at least the past nine years. In February of 2012 a Special Use Permit was approved for a 3-year period to allow for the operation of a Contractor Yard. An additional 3-years was granted in April of 2015 and there was a change in ownership. The most recent Special Use Permit for a Contractor Yard was granted



in June of 2018 for a 2-year period. The Special Use Permit expired in June of 2020. The Contractor Storage Yard has been operating without a permit since June of 2020. Staff performed a check of all Special Use Permits and Development Permits from the last 5 years at the end of 2020 and noticed the expiration of this permit during that review. A letter was sent to the property owner on January 4, 2021 letting him know that the Special Use Permit had expired, and the use must cease until a new permit was obtained.

Staff has had several discussions with the property owner regarding future use of the property. The applicant is requesting a 5-year term on this Special Use Permit with the intent to construct a permanent commercial building to house the office, storage and employee housing needs of New Electric.

ISSUES FOR DISCUSSION

1. Should the applicant be held to full landscaping standards for a temporary use?

STANDARDS FOR SPECIAL USE PERMIT

Section 4.05.010.A.1.a

STANDARD #1: *The proposed use is consistent with the provisions of this Chapter and with the Town's goals, policies and plans.*

Staff Comment: A Contractor Yard is a allowed in the Commercial General (CG) zone district with a Special Use Permit. The intent of the Contractor Yard is to allow for outdoor storage of materials and temporary office trailers, etc. Approvals for these Special Use Permits have typically had 2 to 3-year expirations associated with them, although longer terms may be approved on a case-by-case basis. An analysis of policies from the 2020 Comprehensive Plan are included below.

Section 4.04.100.J. Minimum use standards. *In all zone districts, except as otherwise specified herein, all uses shall be designed and operated in compliance with the following minimum standards:*

1. *All fabrication, service and repair operations shall be conducted within a building, except in the industrial zone, where such uses may be conducted outside a building if within a fence as set forth in Subsection (J)(2) of this section;*
2. *All storage of materials except merchandise displayed for retail sale shall be within a building or in the rear yard and obscured from view from surrounding properties by a fence in conformance with Subsection (H)(6) of this section;*
3. *Loading and unloading of vehicles shall be conducted on private property and not on any street or alley, except in the CBD, where it may be from a designated loading zone or alley;*
4. *No dust, noise, odor, fumes, glare or vibration shall be projected beyond the lot.*

Staff Comment: While limiting storage of materials to the rear yard is not possible with a Contractor Yard, we can and have required fencing of the property to screen the outdoor storage. All storage on the property is mostly screened from view from the surrounding properties. Staff has been onsite and the fence at the front of the property is no longer in optimal condition, a condition of approval has been included to repair this area of fencing. There is rock wall between the subject property and 483 Sawatch Rd, with some dirt and rock piled in front of it. There is landscaping and some fencing along the property boundary with 775 Sawatch and overall the subject property is well maintained with clearly designated areas for different types of storage. Loading and unloading is conducted fully on site and not on the right of way and no complaints or comments have been received regarding dust, noise, odor, fumes, glare or vibration within the past nine years, that staff is aware of.



Section 4.04.100.L. Industrial use standards. *All industrial and commercial uses operating within the Town shall comply with the following standards so that such uses do not create any danger to safety in surrounding areas, do not cause water pollution and do not create offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences beyond the boundaries of the property in which such uses are located, and do not constitute a public nuisance or hazard:*

1. *Volume of sound. Every use shall be so operated that the volume of sound inherently and recurrently generated does not exceed 60 decibels with a maximum increase of five decibels permitted for a maximum of 15 minutes in any one hour at any point on any boundary line of the property on which the use is located.*
2. *Vibration. Every use shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on the boundary line of the property on which the use is located.*
3. *Smoke. Every use shall be so operated that it does not emit smoke exceeding a density of No.1 on the Ringlemann Chart.*
4. *Particulate matter. Every use shall be so operated that it does not emit particulate matter exceeding 0.2 grains per cubic foot of the flue gas at a stack temperature of 500 degree Fahrenheit.*
5. *Heat, glare, radiation and fumes. Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation, or fumes beyond any boundary line of the property on which the use is located.*
6. *Storage.*
 - a. *The outdoor storage of flammable or combustible liquids shall conform to the requirements of Section 5704.4 of the International Fire Code, 2012 Edition. No outdoor storage of flammable or combustible liquids shall occupy any part of a front yard;*
 - b. *Underground storage of flammable or combustible liquids shall conform to all of the requirements of the International Fire Code, 2012 Edition;*
 - c. *No materials or wastes shall be deposited upon a property in such form or manner that they may be transferred off the property by natural causes or forces;*
 - d. *All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise attractive to rodents or insects shall be stored outdoors in closed containers.*
7. *Water pollution. No water pollution shall be emitted by the manufacturing or other processing. In a case in which potential hazards exist, it shall be necessary to install safeguards acceptable to the County Health Officer and in compliance with the laws of the environmental protection agency, State Department of Public Health and Environment and Chapter 12.22 before operation of the facilities may begin. All percolation tests or groundwater resources tests which may be required by local or State Health Officers must be met before operation of the facilities may begin.*

Staff Comment: The use of the property as a Contractor Yard has been active since 2012, no violations have been reported between 2012 and 2021, with the exception of the expired permit. Staff believes that the applicant is in compliance with Section 4.04.100.L. of the Municipal Code and has included conditions of approval in order to better track compliance.

Section 4.04.100.M. Outside storage standards. *Items, including, but not limited to, vehicles, excavation equipment, machinery, utility service supplies, fabrication materials, and general*

supplies, which are stored outside on a regular, permanent, semi-permanent, or seasonal basis, and which occupy more than 1,000 square feet on any one lot, are subject to the following requirements:

- 1. Location of storage area. As a general rule, outside storage areas shall be situated in the rear yard.*
- 2. Buffer. Outside storage areas in the front yard or on lots with no, or minimal, structures shall be required to provide a front street buffer as provided in Section 4.07.020(B).*
- 3. Auto sales and nurseries. Auto sales and nurseries are exempt from the standards contained in this section.*
- 4. Display area. Businesses that sell, rent, or lease outside storage items may create a display area in the front yard not to exceed a single area 25 feet by a length of 25 percent of the lot frontage for the purpose of displaying representative items. All other outside storage items are subject to the requirements in Subsections (M)(1) and (2) of this section.*
- 5. Outside storage adjoining the I-70 right-of-way. Any outside storage areas located in the rear yards of lots adjoining the I-70 right-of-way shall create a buffer using the standards as found in Subsection (M)(2) of this section.*

Staff Comment: The requirements included in this section have been largely complied with, with the exception of the front street buffer. The front street buffer is intended to be a landscape element that provides screening as well as an attractive and more continuous street scape. According to the Code, the landscape materials shall include deciduous, coniferous, and ornamental trees, shrubs, perennials, bulbs, and seed or sodded lawn. The planting plan shall provide combinations of plant material with differing heights and densities, contributing to the overall uniform appearance of the neighborhood. The width of the landscaped area shall not be less than 15 feet. Landscaped areas shall be irrigated using an underground automatic system. The applicant would prefer to not install the landscaping at this time, as it would need to be torn out and replanted when the building is constructed. Staff has included a condition of approval to address this item at time of Development Permit application. Section 4.07.020.B.4. requires a "Boundary Buffer." Past approvals have relied on this criteria to satisfy landscaping requirements for a temporary use.

The 2020 Elevate Eagle Comprehensive Plan (Plan) generally provides the goals, policies and plans for the Town. The Future Land Use Map designates the property as Commercial/Light Industrial. The property also falls within the I-70 Influence Character Area. The relevant goals and policies for this area are:

2020 Elevate Eagle Comprehensive Plan:

- 1) Chapter 4: Goals & Policies – Goal 1-2. Expand and diversify the Town's economic opportunities.*
 - a. Policy 1-2.2. Promote commercial development that fits the desired character of the community and its character areas.*
 - b. Policy 1-2.3. Support opportunities to expand and diversify the commercial and light industrial base.*

- c. *Policy 1-2.8. Encourage continued reinvestment in existing commercial areas.*
- d. *Policy 1-2.10. Support the retention and expansion of regionally serving commercial and service uses. Protect the light industrial areas from dilution and intrusion by other uses.*

Staff Comment: While extending the current Contractor Yard use arguably puts off development of this lot for the foreseeable future, it also allows for the business to continue to grow so that they can develop the lot. This business has been in Eagle for a number of years and as they continue to grow, they will be able to hire more employees locally as well as develop permanent facilities to house their construction offices.

2) *Goal 2-7. Policies for the Interstate 70 Influence Character Area: Including the Market Street Area, Eby Creek Road Area, and the Chambers Avenue Area.*

- a. *Policy 2-7.1. Portions of the I-70 Influence character area are intended to support commercial and industrial uses, exclusive of other uses. Improvements along Chambers Avenue and Market Streets are auto oriented with limited pedestrian amenities.*
- b. *Policy 2-7.5. Encourage the development of vacant or underutilized lots at the western end of Chambers Avenue with more intensive uses that would benefit from their accessibility to the interstate corridor.*

Staff Comment: A Contractor Yard is a heavier commercial/industrial use, although since this yard is for an electrical contractor the use is not as industrially oriented as it might otherwise be. At this time, no other uses other than the Contractor Yard are proposed for this site. By capping the Special Use Permit at 5-years, we are encouraging (as much as possible) the development of the site into a more permanent commercial or light industrial use.

2020 Town of Eagle Strategic Plan:

1) *Major Objective: Stimulate Economic Vitality and Development*

- a. *The Town focuses on development that follows the Elevate Eagle Comprehensive Plan to ensure results that maximize the economic benefits. The economic impact of visitors and business investments result in positive benefits in terms of amenities, job creation, increases in wages, infrastructure and the overall quality of life.*

Staff Comment – This application is substantially aligned with the Elevate Eagle Comprehensive Plan, as noted above. Further commercial development of the lot will enable full compliance with both the Comprehensive Plan and the Strategic Plan.

STANDARD #2: *The proposed use is compatible with existing and allowed uses surrounding or affected by the proposed use.*

Staff Comment: The subject property is bordered by a commercial cleaning facility to the east, another contractor yard to the west and gas station/vehicular service station to the north. 700 Chambers, Building D also shares a border with this property and has a current Special Use Permit for residential that is accessory to a permitted use. Staff has no concerns regarding the surrounding uses, with the exception of the residential. However, no complaints have been

received regarding the use of this property; therefore, staff believes that this use is substantially compatible with the existing and allowed uses surrounding and affected by the proposed use.

STANDARD #3: *Street Improvements adequate to accommodate traffic volumes generated by the proposed use and provision of safe, convenient access to the use and adequate parking are either in place or will be constructed in conjunction with the proposed use, as approved by the Town.*

Staff Comment: Traffic generated by this use is minimal as only a few employees use this lot on a regular basis, most employees are typically off-site on jobsites throughout Eagle County and the greater mountain west area. While the lot does not contain any parking improvements, the use of the lot as a Contractor Yard allows for the storage of vehicles and there is plenty of room currently to accommodate these needs. Parking will be further evaluated when an application for development permit is received.

STANDARD #4: *The special conditions for specific uses, as provided in this section are met.*

Section 4.05.010.2. Industrial Operations: *Every industrial use requiring a special use permit shall be designed to conform with Section 4.04.100(L) and operated so as to have no adverse effect on:*

STANDARD a: *Existing lawful use of water through depletion or pollution of surface runoff, stream flow or groundwater.*

STANDARD b: *Wildlife and domestic animals through creation of hazardous attractions, blockade of migration routes or patterns or other means.*

Staff Comment: A Contractor Yard use, while not specifically falling under industrial use, is close enough that staff felt it warranted evaluation under the standards for industrial operations. The code does not provide a definition for a Contractor Yard or standards to specifically apply to it. Planning and Public Works staff have been onsite and have not noted or observed any unlawful use of water on this property. The property does not exist in a known migration route for wildlife and staff does not believe that the continuation of this use would pose any negative impacts to wildlife.

STAFF RECOMMENDATION

Staff recommends Approval with Conditions of SU21-02 629 Sawatch Contractor Yard based on Standards (1), (2), (3), and (4) of Section 4.05.010. of the Municipal Code. Specifically, that the application:

1. The application is in substantial compliance and is consistent with the provisions of this chapter and with the Town's goals, policies and plans; and
2. Surrounding uses are primarily commercial and/or industrial and are generally compatible with existing and allowed uses surrounding or affected by the proposed use; and
3. Traffic volumes are minimal and there are street improvements adequate to accommodate traffic volumes generated by the proposed use and provision of safe, convenient access to the use and adequate parking are either in place or will be constructed in conjunction with the proposed use; and

4. The property is compliant with lawful use of water and does not impact wildlife migrations, meeting the special conditions for Industrial Operations.

PLANNING AND ZONING COMMISSION POTENTIAL MOTIONS

Below are the Planning and Zoning Commission options related to Special Use Permit SU21-02:

1. Recommend approval with no conditions.
2. Recommend approval with conditions.
3. Continue (table) the application.
(Provide staff and the application detail regarding information needed for a decision).
4. Recommend denial.
(Cite all Code sections and/or Plan policies that resulted in motion for denial)

FINDING OF FACT

1. That the application is in conformance with Chapters 4.04 and 4.05 of the Land Use and Development Code and the 2020 Elevate Eagle Comprehensive Plan and the 2020 Town of Eagle Strategic Plan.
2. Because of the temporary/phased nature of this project, landscaping requirements are satisfied with compliance under Section 4.07.040.B.4 with the existing perimeter fence. Full landscaping compliance will be required with the application for a Development Permit for a permanent structure or subsequent phases of this project.

IF APPROVED, THE P&Z AND COUNCIL MAY CONSIDER THE FOLLOWING SUGGESTED CONDITIONS OF APPROVAL:

1. Expiration of this Special Use Permit will occur in five years from the effective date or upon approval of a Development Permit, whichever occurs first.
2. Applicant will adhere to the minimum use standards as described in Section 4.04.100.J. of the Municipal Code, including but not limited to the following:
 - a. All storage of materials shall be obscured from view from surrounding properties by a fence; and
 - b. Loading and unloading of vehicles shall be conducted on private property and not on any street or alley; and
 - c. Dust, noise, odor, fumes, glare or vibration shall not be projected beyond the lot.
3. Applicant will adhere to the industrial use standards as described in Section 4.04.100.L. of the Municipal Code.

4. Applicant will adhere to the outdoor storage standards as described in Section 4.04.100.M. of the Municipal Code.
5. Applicant shall provide a landscape plan for a front street buffer area to staff for review with Development Permit application for the commercial building. Any request for special use permit extensions will only be considered if full landscaping requirements are satisfied.
6. Applicant shall maintain the property and ensure that noxious weeds are not present on the property at any time.
7. Applicant shall repair the fence along the property boundary with Sawatch Road by June 1, 2021.



TOWN OF EAGLE
COMMUNITY DEVELOPMENT
200 BROADWAY • PO BOX 609 • EAGLE, CO 81631
PHONE: 970-328-9655 • FAX: 970-328-9656
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	☐ 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 629 Sawatch Road

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

LOCATION

STREET ADDRESS 629 Sawatch Road Eagle, CO 81631

PROPERTY DESCRIPTION

SUBDIVISION 700 Chambers Ave **LOT(S)** 4 **BLOCK** _____
(attach legal description if not part of a subdivision)

DESCRIPTION OF APPLICATION/PURPOSE _____

Apply for Special Use permit that has expired.

APPLICANT NAME Jay Van Voorst **PHONE** 970-376-1564

ADDRESS PO Box 4256 Eagle, CO 81631 **EMAIL** jcv1989@hotmail.com

OWNER OF RECORD JCV LLC **PHONE** 970-376-1564

ADDRESS PO Box 4256 Eagle, CO 81631 **EMAIL** jcv1989@hotmail.com

REPRESENTATIVE* Jay Van Voorst **PHONE** 970-376-1564

ADDRESS PO Box 4256 Eagle, CO 81631 **EMAIL** jcv1989@hotmail.com

*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):

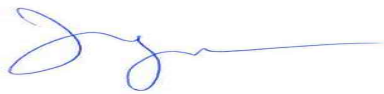
- ☒ Applicable fees and deposits.
- ☐ Project Narrative, describing the project, its compliance with any applicable review criteria, any impacts to the surrounding area, and any other relevant information.
- ☒ Surrounding and interested Property Ownership Report (see project specific checklist for more information). gis
- ☒ 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.



2/5/2021

Signature

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 _____	
BOT HEARING DATE _____	DECISION _____	



Jay & Christine Van Voorst Owners of JCV LLC

Mailing:

PO Box 4256

Eagle, CO 81631

Physical address:

652 Hernage Creek Road

Eagle, CO 81631

February 5, 2021

First, we would like to express our sincere excitement in the opportunity to own commercial property in Eagle to build our future home for New Electric and to benefit the town of Eagle that has been our community for over 20 years.

JCV LLC is owned by Jay and Christine Van Voorst, town of Eagle residents since 2000 and have worked in Eagle County since 1995. During this time, we have successfully raised 3 children in Eagle and have been devoted community members. Jay and Christine also own New Electric Inc, New Electric Service LLC, and NEI Construction LLC that resides at this location. New Electric is a full service electrical contracting/Service company that provides complete electrical solutions to a variety of customers in Garfield, Pitkin, Summit, Eagle, and Denver areas.

We were recently notified that the special use permit that was in place for 629 Sawatch Road has expired. We are currently using the property as a hub to store equipment, trailers and vehicles for our Garfield, Pitkin, Summit, Denver and Eagle County operations. We would like to apply for a new 5 year special use permit for equipment storage until we are able to build a building. With surviving the pandemic and the economic impacts, the timing of construction is not known at this time, however it is a priority in our master strategic plan.

JCV LLC bought 629 Sawatch Road with the intention to develop commercial/general buildings that comply with Eagles master plan and be the permanent home for New Electric's world headquarters. Since we have occupied this property we have grown and brought our Denver teams here to eagle for Training and other activities that have had a positive impact on restaurants, business, and hotels in the town of Eagle. We Anticipate these activities will increase, as we succeed, that will increase business in Town of Eagle hotels, restaurants, and other establishments.

Respectfully submitted,

Jay and Christine Van Voorst

JCV LLC

Why New Electric Inc Fits (project narrative) Updated 2/16/2021 revised 3-27-2021

I have reviewed the Town of Eagle Strategic Plan and the Comprehensive plan and have detailed the items that apply to the Town of Eagle plan and New Electric.

EXISTING USE

1. Prior to purchasing 629 Sawatch road we were leasing at 41199 Hwy 6 in Eagle Vail which is a un incorporated area of Eagle County. Our team members drove themselves from Eagle/gypsum to Eagle vail and picked up a 2 person Van that was stored on site. This was excess gas, EMISIONS, and cost to our team members and very limited carpooling. We wanted to be closer to our team members to provide more opportunities for car pooling to projects and save gas. Today we have carpooling vehicles and service trucks that carry workers to each job site which helps the environment.
2. Our team members have consistently participated in the Town of Eagle community table event. We gladly support such events to unite our community.
3. There are no activities that have an hazardous affect of the environment.
4. New Electric provides essential electrical services to home owners, business owners, and capital construction projects throughout the valley. We ensure our community is safe and secure where the live, work, and play. We create jobs to over 25 or more people. The electrical trade provides opportunities to craft persons throughout the valley to learn a skilled trade that will have a long term benefit to the community. Salaries range from 35,000-\$80,000.00+. Some of our recent contributions include:
 - a. Electrical for round abouts and street lighting in Town of Eagle.
 - b. Electrical for Castle Peak Senior Care facility on Sylvan Lake Road.
 - c. Electrical for employee housing throughout eagle county
 - d. Electrical service to repair electrical issues in Homes.
 - e. Electrical modifications/improvements to existing businesses/homes throughout the valley.
 - f. Electrical for Clean Air power distribution. (BIO MASS POWER PLANT IN GYPSUM)
5. All copper and aluminum that is generated from the modifications to existing structures and any excess wire is separated and recycled. This money is used to increase the success of our team.
6. New Electric Lot is flat and has very little erosion in the Chambers Avenue commercial General area. Noxious weeds are controlled every spring and fall. We try to keep our lot orderly and not cluttered so that it is not an eye sore for surrounding residence.
7. The drainage on Sawatch road needs to be addressed as existing culverts are collapsed filled. We want to solve this issue by doing our part in front of our land.
8. When team members come for training from Denver to experience Eagle, the Busstang buss system from Union station to Eagle park and ride is strongly encouraged.
9. We are an equal opportunity employer. One of our latest hires was a 71 year old electrician that wants to work and lives in Eagle County. I like that...

10. Team members that are exiting our facility are encourage to exit to the east to avoid congested US post office traffic.
11. Traffic from our facility is never congested.

FUTURE USE

1. As a land owner and business owner our future is dependent on solving issues in our community. From providing essential services to our existing community to economic development. Our goal is to help solve the issue of limited on site commercial and light commercial work space in our community. Within the next 5 years, Our goal is to maintain the existing zoning and build a warehouse/office/training facility for New Electric and provide more of this product in our community. Over time this will add essential support to our community. We envision safe Live work/employee housing above each space to attract new skilled workers in an affordable environment so that they can ease into the high cost of living.
2. From time to time significant donations are made to our local non profits that are there to help those in need. This activity will increase as we succeed.

INDUSTRIAL USE

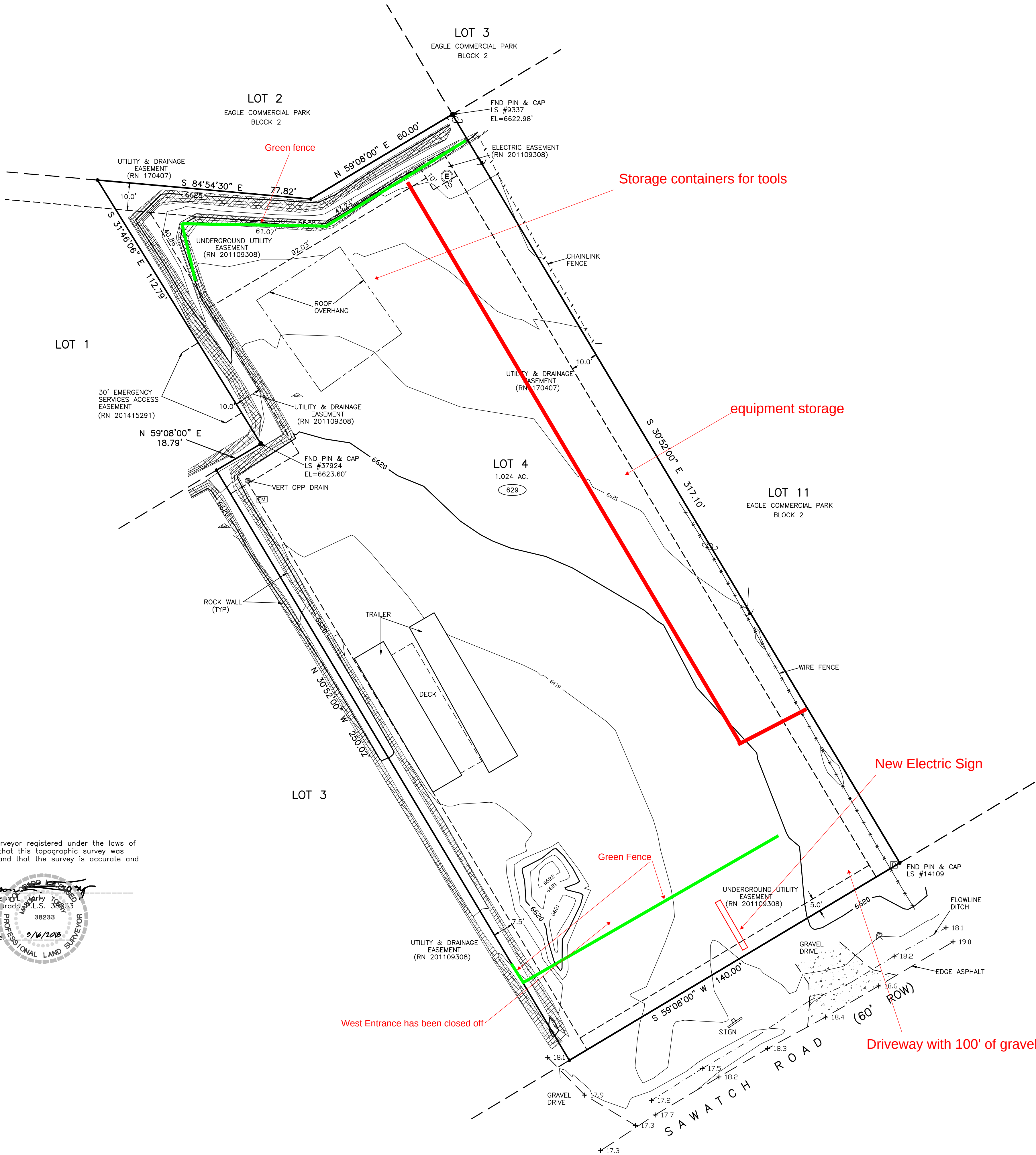
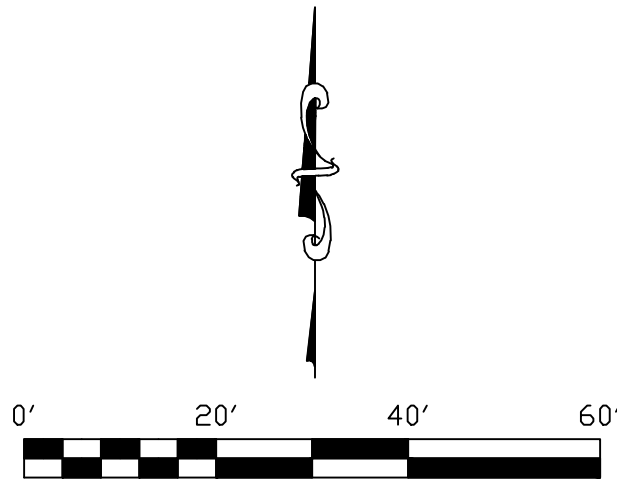
3. There are no activities that have a hazardous effect of the environment.

Thank you for your support of our small business in the Town of Eagle. I hope the above bullet points confirm the special use permit complies with the town of Eagle overall vision as a growing business that contributes to the success of the overall plan.

All the best,

Jay Van Voorst

New electric Inc.

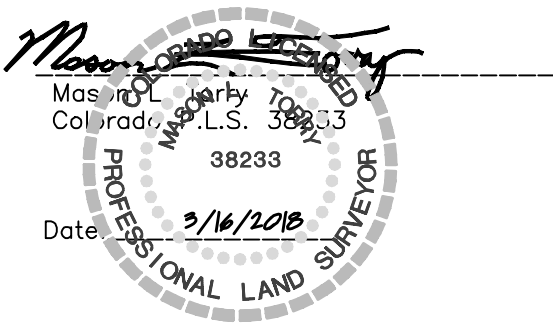


- NOTES:
- 1) DATE OF SURVEY: 3/6/2018
 - 2) SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR AMENDED PLATS, EASEMENTS OF RECORD (OTHER THAN PLATTED), ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 - 3) NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
 - 4) BEARINGS AND DISTANCES ALONG PROPERTY LINES SHOWN HEREON ARE AS SHOWN ON THE SUBDIVISION PLAT ONLY. A BOUNDARY SURVEY WOULD BE NECESSARY TO DETERMINE THE TRUE DIMENSIONS OF THE LOT AND SETBACKS, WHICH MAY VARY FROM THE PLATTED DIMENSIONS.
 - 5) THIS SURVEY AND THE INFORMATION CONTAINED HEREON IS THE PROPERTY OF EAGLE VALLEY SURVEYING, INC. AND IS INTENDED FOR THE SOLE USE OF THE ORIGINAL CLIENT ONLY. ANY USE OF OR TRANSFER TO OTHERS IS PROHIBITED.
 - 6) BASIS OF PROPERTY LINE LOCATION: MONUMENTS FOUND MARKING THE MOST NORTHEASTERLY PROPERTY LINE LOT 4.
 - 7) BASIS OF ELEVATION: SEWER MANHOLE MH F5 INV. ELEV. = 6609.7'.
 - 8) BUILDING SETBACK INFORMATION IS NOT PLATTED. PRIOR TO ANY DESIGN OR CONSTRUCTION IMPROVEMENTS ON THIS PROPERTY, TOWN OF EAGLE SHOULD BE CONTACTED FOR CORRECT BUILDING SETBACK INFORMATION.
 - 9) THE PLAT RECORDED AT RN 201109308 WAS USED FOR THIS SURVEY.
 - 10) 1' CONTOUR INTERVAL.
 - 11) THIS PROPERTY IS SUBJECT TO AN EASEMENT AND RIGHT-OF-WAY GRANTED TO HOLY CROSS ELECTRIC ASSOC. INC. IN INSTRUMENT RECORDED 2/17/1972 IN BOOK 223 AT PAGE 189, IN WHICH THE SPECIFIC LOCATION OF THE EASEMENT IS NOT ADEQUATELY DEFINED.

LEGEND

- | | |
|--|------------------------|
| | TELEPHONE PEDESTAL |
| | GUY WIRE |
| | UTILITY POLE |
| | WATER VALVE |
| | ELECTRIC VAULT/MANHOLE |
| | ELECTRIC METER |
| | GAS LINE MARKER |

SURVEYOR'S CERTIFICATE
I, Mason L. Torry, a Professional Land Surveyor registered under the laws of the State of Colorado, do hereby certify that this topographic survey was made by me and under my supervision, and that the survey is accurate and correct to the best of my knowledge.



EAGLE VALLEY SURVEYING, INC.
41199 HIGHWAY 6 & 24, EAGLE-VAIL
P.O. BOX 1230
EDWARDS, CO. 81632
(970)949-1406

3046T-L4.DWG	DATE: 3/2018
DRN. BY: M. POST	PAGE: 1 OF 1

TOPOGRAPHIC SURVEY
LOT 4
700 CHAMBERS AVENUE SUBDIVISION
TOWN OF EAGLE, EAGLE COUNTY, COLORADO

JOB No. 3046.4



Figure 1 - GIS Aerial



Figure 2 - West along Sawatch Road



Figure 3 - North btw. 629 & 775 Sawatch Rd



Figure 4 - North from Sawatch Rd towards 629 Sawatch



Figure 5 - South to North, center of 629 Sawatch



Figure 6 - Southwest view from 629 Sawatch



Figure 7 - Southwest view from 629 Sawatch



Figure 8 - Southwest corner looking North



Figure 9 - from 629 Sawatch looking towards 700 Chambers, Building D



Figure 10 - Storage at rear of property



Figure 11 - Storage at rear of property