



# The Town of Eagle

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Meetings:  
2nd and 4th Tuesdays

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## CERTIFICATE OF RECOMMENDATION

**TO:** Board of Trustees

**FROM:** Department of Community Development

**DATE:** December 10, 2013

**PROJECT NAME:** Haymeadow Planned Unit Development and Subdivision

**FILE NUMBERS:** PUD13-02(Zoning Plan (ZP) and Development Plan (DP); S13-01(Sketch Plan (S) and Preliminary Plan (PP)); and RZ13-01

**APPLICANT:** Ric Newman, Abrika Properties, LLC

**EXHIBITS:** Exhibit A - Application Booklet  
Exhibit B - Water Related Memos  
Exhibit C - Schedule of Meetings/Topics  
Exhibit D - Review Matrix  
Exhibit E - Eagle County Comments  
Exhibit F - Division of Parks and Wildlife Letters  
Exhibit G - State Geologist Letter  
Exhibit H - Greater Eagle Fire Protection District Letters

**PUBLIC COMMENT:** Exhibit 1 – Max Quenon Letter

**APPLICABLE SECTION(S) OF MUNICIPAL CODE:** Section 4.11, Section 4.12

**GUIDING DOCUMENTS:** Eagle Area Community Plan, Eagle Area Open Lands Conservation Plan, Eagle Land Use and Development Code

**STAFF CONTACT:** Tom Boni, Town Planner

**LOCATION:** 660 Acres east of the Pool and Ice Rink and north of Brush Creek Road.

**REQUEST:**

Combined PUD Zoning Plan and Development Plan Review of 787 dwelling unit Planned Unit Development on 660 acres and Combined Subdivision Sketch and Preliminary Plan review of entire property with specific residential lots identified for a total of 69 single family and duplex units and 145 multi-family units in Neighborhood A-1 planned as the first phase of this Planned Unit Development. Zone Change Review of entire property from Resource (Eagle County) to Residential Planned Unit Development (Town).

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**BACKGROUND:**

The PUD Zoning for Haymeadow Planned Unit Development was approved by the Board of Trustees with 49 Conditions on October 9, 2012. At the same hearing, after a review of the Subdivision Sketch Plan, the Trustees thought the application was reasonably designed based on the Town's goals, policies and plans and recommended that the applicant move forward to prepare a Subdivision Preliminary Plan Application.

The purpose of the PUD Zoning Plan is to establish the permissible type, location, and densities of land uses and to determine the compatibility of the PUD proposal with the Town's goals, policies and plans and with the purposes of the Planned Unit Development Zone District. In their approval of the PUD Zoning Plan, the Board reduced the overall density of the Haymeadow from the proposed application of 979 dwelling units to a total of 787. This reduction in the total number of dwelling units was primarily to reduce the density of the eastern neighborhoods, particularly in Neighborhood D.

The applicant has included the above referenced conditions of approval of the PUD Zoning Plan and the applicant's commentary on how this application for PUD Development Plan and Subdivision Preliminary Plan address these conditions in Section 2.3 of the Application Booklet.

The Planning and Zoning Commission held public hearings on these combined applications on October 1, October 15, October 29, November 5 and November 19. The Commission voted unanimously on November 19 recommending approval of the combined PUD Zoning/Development Plan and approval of the combined Subdivision Sketch/Preliminary Plan with 46 conditions. On December 3, the Commission also voted to recommend that the zoning of this property be changed from Resource to Residential Planned Unit Development. All of these files are now under review by the Board of Trustees.

The Applicant has revised the application materials to address many of the conditions of approval and other comments made during the review by the Planning and Zoning Commission.

As is customary for the Town when reviewing large and complex development applications, the Staff has met with the Applicant to prepare a schedule of topics to be discussed at a series of

hearings tentatively scheduled for the review of these applications. This proposed schedule is attached as Exhibit C.

At this hearing on December 10<sup>th</sup> the Applicant will present an overview of the Haymeadow Planned Unit Development and is prepared to discuss the PUD Guide in more detail. The Planned Unit Development Guide governs development within a Planned Unit Development. The Guide generally substitutes for the provisions otherwise found in the Town's Land Use and Development Code. The PUD Guide included as Chapter 8 of the Application Booklet includes revisions based on the review of this document by Staff and the Planning and Zoning Commission. This Staff Report contains an evaluation of the PUD Guide and reference to the Planning and Zoning Commission's Recommended Conditions of Approval related to the PUD Guide. It is staff's intent at each of the Public Hearings to present the Planning and Zoning Commission's and Staff's review comments and suggested conditions on the Topics being discussed at that hearing. We will also be asking for the Trustees for comments on the Topic being discussed. However, it is also understood that as the Trustees proceed to review other topics, there may be additional comments relevant to an earlier Topic that are appropriate. As these comments are made, staff will prepare a list to be included in the certificate of recommendation currently scheduled for February 11, 2014.

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#### **STANDARDS AND REQUIREMENTS:**

As a Residential Planned Unit Development, the uses permitted are those set forth as uses by right and special uses within the Town's conventional residential zone districts, plus uses which the Trustees find compatible. The density allowed in this type of PUD is for a maximum of 8 dwelling units per acre.

In the Haymeadow Planned Unit Development the proposed uses are residential in the form of single family, duplex and multi-family building types, appurtenant residential uses such as recreational buildings and storage facilities, a school and a fire station. These uses comply with the standard referenced above and the density proposed at 1.2 dwelling units per acre is below that allowed as referenced above.

The Planned Unit Development District allows the standards otherwise set forth in Section 4.04 (Zoning Standards) and Section 4.07 (Design Standards) to be varied where the Planning Commission and Town Board find that such variation will produce a public benefit over the strict application varied from and that the variation is not detrimental to the public good and does not impair the intent and purpose of this of the Town's Planned Unit Development Chapter of the Land Use and Development Code.

The Planned Unit Development Guide includes provisions that vary from our conventional zone district standards and where so noted vary from the Town's design standards. In regards to land uses, the Guide allows for a variety of building types to be organized into one cohesive neighborhood. This includes single family lots, duplex lots and multifamily tracts organized around active and passive open space areas.

In regards to dimensional standards the most important element proposed that distinguishes the proposed residential development from conventional zoning is the front setbacks to allow for a closer orientation of the homes to the street and flexible rear yard standards that relate to building form. The PUD also provides for specific regulations related to the provisions of alley access to garages and the use of shared driveways. It also clusters the development reserving larger areas for common open space. Consequently, lot coverage requirements for the multi-family development vary from that found in the conventional residential multi-family zone district (slightly). One of the most important elements of the Planned Unit Development Guide is the ability of the Town and Applicant to agree on a comprehensive design of both the landscape and architectural design for the proposed large scale development. A number of paragraphs in the PUD Guide address landscape and architectural direction for the Haymeadow PUD.

Staff and Planning and Zoning Commission believe that the proposed Planned Unit Development Guide is in general conformance with the standards set forth in Code. (See Conditions of Approval)

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**PLANNING COMMISSION/STAFF REVIEW:**

At the conclusion of the Planning Commission hearings the following conditions were included in their Recommendation of Approval related to the PUD Guide:

1. The PUD Guide shall be revised to include requirement that the berm along the east side of the development within Neighborhood D to minimize the impact on wildlife from the adjacent residential development be a permanent landscape feature. Final design and construction of this berm shall be coordinated with the Final Plat for Neighborhood D.
2. Design Guidelines for the Haymeadow PUD shall be reviewed and approved by the Planning and Zoning Commission at a Public Hearing with notice as provided for a Development Permit review identified in Section 4.03.060 of the Land Use and Development Code.
3. PUD Guide be revised to require provision that Multi-Family buildings in west/central area of Neighborhood A-1 be configured in such a manner to accommodate a re-alignment of the future 10 foot wide asphalt trail identified on the Neighborhood A-1, Phase 1 Trails Plan. This trail will serve as a main route for school children to access the school site at a location close to the north side of the school's vehicular access system. This trail shall be configured to encourage use by children and designed in such a manner that provides direct views of the school site where possible and places a strong emphasis on safety at roadway crossings. This portion of the trail system will be approved by the Town as part of the Development Permit review process for the adjacent multi-family buildings and the trail shall be constructed concurrent with the multi-family units. In the event construction is initiated on the school prior to completion of the trail, the developer shall cause completion of this trail prior to the opening of the school.

4. The PUD Guide shall be revised to include language requiring the site and landscape design submitted with Final Plats and subsequent Development Permits to encourage key visual corridors into the development, such as north-east from the school road intersection, and at the next two roadway intersections along Sylvan Lake Road. These above referenced key visual corridors shall be highlighted on Development Plan.
5. The Development Plan and PUD Guide shall be amended to include the provision for an appropriately located and aesthetically designed storage building and an appropriately screened yard area not visible from the street.
6. The PUD Guide shall be expanded to include section requiring wildlife friendly fencing along the rear yards of lots that border significant natural open space.
7. PUD Guide be revised to address parking for Accessory Dwelling Units (minimum one space per unit).
8. PUD Guide is revised to establish a limit of 15 units per gross acre for development within any Multi-Family Tract as shown on the initial Final Plat.
9. The PUD Guide shall include a requirement in the single family neighborhoods that the minimum depth of a front porch be 7 feet.
10. The PUD Guide shall be revised to include a Section describing the design philosophy of the Haymeadow PUD and intended architectural character of the buildings to be constructed.
11. The PUD Guide be revised to require a minimum 12.5 foot setback for front porches on single family lots within Neighborhood A-1 and A-2.

The applicant was agreeable to revise the original PUD Guide to include language to satisfy these conditions. As mentioned earlier, the Application Package being reviewed by the Trustees has been revised based on comments by Staff and Planning and Zoning Commission.

During subsequent review of the revised PUD Guide by Staff in preparation for the Trustees Hearings, we have several minor revisions to suggest.

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**STAFF REVIEW OF PUD GUIDE:**

Recommend approval of the PUD Guide with the following revisions:

1. The proposed use- by- right within Neighborhood D of a “gravel borrow pit” (l) and the same use- by- right within Natural Open Space Tracts (i) on pages 113 and 117 respectively, should be revised to require the submittal of an operational plan and reclamation plan to be approved in writing by the Town Planner.
2. Add sentence to Section 5 – Parking Requirements on page 119 to the end of paragraph. All driveways shall have a minimum length of 25 feet located within the property.
3. Language should be added to the first paragraph of Section 6 – Design Review, on page 120, that states that in the event the Design Review Board fails to apply and enforce the adopted Design Guidelines to the satisfaction of the Town of Eagle that the Town at its sole discretion may enforce the Design Guidelines.
4. The second paragraph of Section 8 – Dogs and Pet Control on page 124 should be revised to remove the first sentence of the paragraph. The second sentence should remain “Haymeadow shall be subject to any and all leash laws and other pet regulations as adopted by the Town of Eagle.”
5. Relative to Section 8 – Dogs and Pet Control, language should be added to the Development Agreement and PUD Guide which states that contractors working within Haymeadow are not permitted to bring dogs into the Planned Unit Development.

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**PUBLIC COMMENTS:**

See Exhibit 1, Max Quenon Letter

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**STAFF RECOMMENDATION:**

Recommend continuance of all files to December 18<sup>th</sup>, 2013.

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**BOARD OF TRUSTEES:**

1. Public Comment
2. Questions for Applicant
3. Questions of Staff
4. Trustee Comment