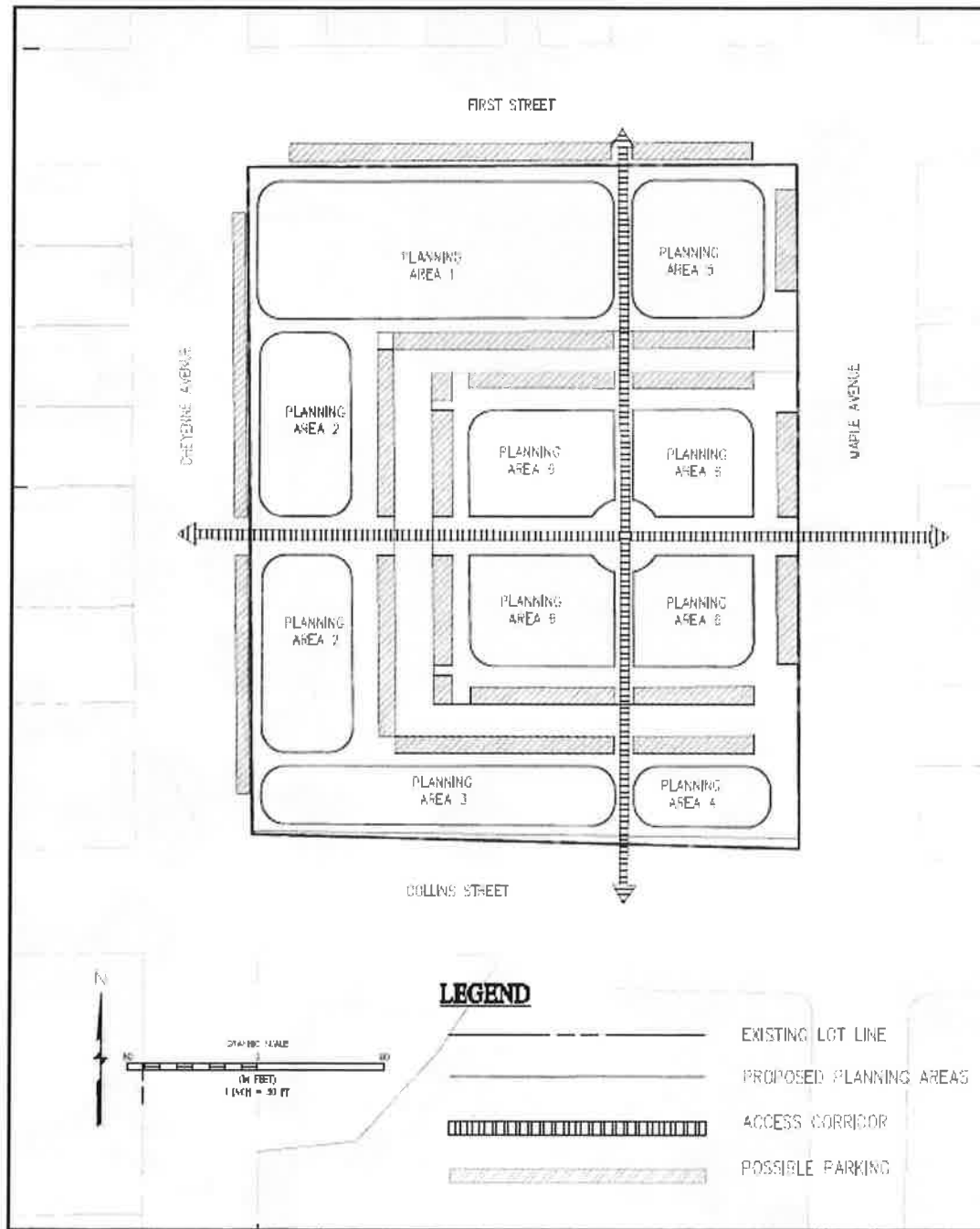


Eaton Plaza Planned Unit Development Schematic Plan and Preliminary Development Plan



Site Legal Description:

ETN 14145 ALL BLK41. A formal survey will be required at the time of Final Development Plan.

Process:

The following development standards serve as the Schematic Plan and Preliminary Development Plan the first portion of the Planned Unit Development (PUD) process. The developer of the property will be required to submit a Final Development Plan (FDP), the second portion of the PUD process prior to any permits or development on this property. The FDP will also serve as the Site Development Plan (SDP) for development of the property. The FDP/SDP submittal will include all engineering, traffic, design, architecture, and the Development Agreement. At the time of the FDP/SDP submittal, Staff will review the application and present to Planning Commission and the Board of Trustees for final land use application phase and potential approval of the Eaton Plaza development.

Statement of Intent:

The purpose and intent of this Planned Unit Development Plan is to allow the creation of residential, mixed-use buildings for the property at 25 Cheyenne Ave, Eaton, to reflect the vision outlined in the Town of Eaton's Comprehensive Plan Downtown Revitalization Plan, as Amended. The property is owned by the Weld County School District RE-2, and is currently vacant. It is the desire of the property owner to rezone this property from R-2 Lower Density Single-Family Residential District to a Planned Unit Development district. The change in zone request is in response to the subject property being added to the Town's Downtown Revitalization Plan, as Amended which is part of the Eaton Comprehensive Plan. The rezone will bring the property closer to the concept outlined in the Downtown Revitalization Plan. The intent behind the rezoning is to provide a set of guidelines to possible developers when developing this extension of the Town of Eaton's Downtown district. With guidance from the Town's Downtown Revitalization Plan, the PUD aims to extend those concepts approved by the Town Board to site zoning and desired development standards for a mixed use, urban-style development on a block that could serve as new urban development anchor development near to the original downtown area for Eaton.

Written Restrictions

A. All Planning Areas:

1. Must provide required parking. (Encouraged to provide diagonal parking along access drive.)
2. All sidewalks shall be at least 5 feet in width.
3. Provide pedestrian breaks in long buildings.
4. The primary entrance of a building or store should have a clearly defined, visible entrance with distinguishing features. The addition of a canopy, portico or other prominent element of the architectural scheme is encouraged.
5. Vehicular access from Collins Street into the site between Maple and Cheyenne Avenue will be prohibited.
6. Parking area design shall follow Eaton Municipal Code standards.

B. Planning Area 1 & 3

1. Permitted Uses: (requires development of both permitted uses)
 - a. Multi-family Residential Units (3% of dwelling units shall qualify as affordable housing); and
 - b. Commercial Uses, ground floor only
2. Dimensional Requirements:
 - a. Maximum building height: 35 feet
 - b. Maximum impervious coverage: 80%
 - c. Front setback (to street): 10 feet

- d. Minimum side yard setback: 5 feet
- e. Minimum rear lot setback: 10 feet
- f. Maximum number of buildings: 2 in each Planning Area
- 3. Build-to requirements for any building fronting First Street or Collins Street:
 - a. At least 60% of the ground floor of the building length must be within 20 feet of the right-of-way.
 - b. The build-to requirement shall apply to the ground floor only, higher floors may be stepped back further from First Street and Collins Street by no more than 15 feet.
- 4. District development standards.
 - a. Garages or other buildings intended for vehicular storage shall provide a minimum eighteen-foot setback between property line and access door into the structure to accommodate vehicle driveway parking and prevent vehicle encroachment into the access street or alley. No sidewalk along the street shall be in the eighteen-foot setback/parking space.
 - b. The distance between detached structures shall not be less than five (5) feet.
 - c. At least twenty percent (20%) of each site shall be landscaped.
 - d. All development shall be designed so that, for the given location egress points, grading and other elements of the development could not be reasonably altered to:
 - i) Reduce the number of access points onto a street;
 - ii) Minimize adverse impacts on any existing or planned residential uses;
 - iii) Improve pedestrian or vehicle safety within the site and egressing from it; and
 - iv) Reduce the visual intrusion of parking areas, screened storage areas and similar accessory areas and structures.
 - e. All development including buildings, walls, and fences shall be so sited as to:
 - i) Complement existing development in scale and location;
 - ii) Provide an adequate system of sidewalks or an off-road system of pedestrian and bicycle trails of greater than four (4) feet in width.
- 5. Parking Standards.
 - a. Multi-family dwelling units: 2 per dwelling, plus 1 per guest spaces per 5 dwelling units
 - b. Dining and drinking establishments: 1 per 150 square feet
 - c. General commercial and retail sales: 1 per 300 square feet

C. Planning Area 2

- 1. Permitted Uses:
 - a. Multi-family Residential
- 2. Dimensional Requirements.
 - a. Maximum building height: 30 feet
 - b. Front setback (to street): 10 feet
 - c. Side yard setback: 5 feet
- 3. District Development Standards:
 - a. Garages or other buildings intended for vehicular storage shall provide a minimum eighteen-foot setback between property line and access door into the structure to accommodate vehicle driveway parking and prevent vehicle encroachment into the access street or alley. No sidewalk along the street shall be in the eighteen-foot setback/parking space.
 - b. The distance between detached structures shall not be less than five (5) feet.
 - c. At least twenty percent (20%) of each site shall be landscaped.
 - d. All development shall be designed so that, for the given location egress points, grading and other elements of the development could not be reasonably altered to:

- i) Reduce the number of access points onto a street;
 - ii) Minimize adverse impacts on any existing or planned residential uses;
 - iii) Improve pedestrian or vehicle safety within the site and egressing from it; and
 - iv) Reduce the visual intrusion of parking areas, screened storage areas and similar accessory areas and structures.
 - e. All development including buildings, walls, and fences shall be so sited as to:
 - i) Complement existing development in scale and location;
 - ii) Provide an adequate system of sidewalks or an off-road system of pedestrian and bicycle trails of greater than four (4) feet in width.
- 4. Parking Standards
 - a. Multi-family dwelling units: 2 per dwelling, plus 1 per guest spaces per 5 dwelling units
 - b. Vehicles shall be required to be parked within the private garage and/or within the driveway space in order to maintain public street parking. No private garage space shall be for any storage of anything other than a vehicle at all times and days. This zoning restriction shall also be enforceable by the governing owner's association required for this property.

D. Planning Area 4 & 5

- 1. Permitted Uses:
 - a. Retail establishments
 - b. Food establishments
 - c. Commercial services
 - d. Offices: professional, financial, insurance, medical, personal services and other office uses deemed to be of similar impact by the Town Administrator, maximum amount of all office type uses shall not exceed a total of 1000 square feet in Planning Areas 4 and 5.
- 2. Dimensional Requirements:
 - a. Maximum building height: 30 feet
 - b. Maximum impervious coverage: 80%
 - c. Front setback: 10 feet
 - d. Side yard setback: 5 feet
 - e. Rear lot setback: 10 feet
 - f. Maximum number of buildings: 2 (one in each Planning Area).
- 3. Build-to requirements for any building fronting First Street or Collins Street:
 - a. At least 60% of the ground floor building length must be within 20 feet of the right-of-way.
 - b. The build-to requirement shall apply to the ground floor only, higher floors may be stepped back further from First Street and Collins Street by no more than 15 feet.
- 4. District development standards.
 - a. Roof top seating may be considered and is encouraged.
 - b. No drive-thru facilities of any sort are permitted in this zone.
 - c. Garages or other buildings intended for vehicular storage shall provide a minimum eighteen-foot setback between property line and access door into the structure to accommodate vehicle driveway parking and prevent vehicle encroachment into the access street or alley. No sidewalk along the street shall be in the eighteen-foot setback/parking space.
 - d. The distance between detached structures shall not be less than five (5) feet.
 - e. At least twenty percent (20%) of each site shall be landscaped.
 - f. All development shall be designed so that, for the given location egress points, grading and other elements of the development could not be reasonably altered to:

- i) Reduce the number of access points onto a street;
 - ii) Minimize adverse impacts on any existing or planned residential uses;
 - iii) Improve pedestrian or vehicle safety within the site and egressing from it; and
 - iv) Reduce the visual intrusion of parking areas, screened storage areas and similar accessory areas and structures.
 - g. All development including buildings, walls, and fences shall be so sited as to:
 - i) Complement existing development in scale and location;
 - ii) Provide an adequate system of sidewalks or an off-road system of pedestrian and bicycle trails of greater than four (4) feet in width.
 - h. New development shall minimize unused or unusable public or private areas in the side or rear yards.
 - i. Entrances to buildings shall be designed so that doors swing into the structure to ensure smooth and safe pedestrian circulation.
 - j. Buildings will be designed so as to minimize snow shedding and runoff onto pedestrian areas and public ways.
- 5. Parking Standards
 - a. Dining and drinking establishments: 1 per 150 square feet
 - b. General commercial and retail sales: 1 per 300 square feet

E. Planning Area 6

- 1. Special events shall follow the standards of the Town of Eaton Municipal Code. Community events such as movie showings for residents and guests, mobile retail food events, farmers markets, and other similar events shall be limited to planning area 6.
- 2. Permitted Uses:
 - a. Urban outdoor pedestrian plaza and hardscape
 - b. Stormwater detention and raingarden spaces
 - c. Parking
- 3. District development standards.
 - a. Plaza adjacent to Maple Avenue may contain the following amenities:
 - i) Patio seating for public use
 - ii) Sidewalks and accessible ramps
 - iii) Covered and uncovered seating for gathering
 - iv) Planters containing required street trees and shrubs.
 - v) Street furniture

F. Access Corridor

- 1. The Downtown Revitalization Plan, a section of the Town of Eaton Comprehensive Plan, shows an access corridor that runs north to south and east to west. These access corridors shall be included in the Final Development Plan. Pedestrian connections are envisioned throughout the site, including detached sidewalks along the four street frontages, with a tree lawn on the four perimeters of the site. There should be pedestrian connectors through to the center of the site. A north-south pedestrian connection is intended to align with the existing sewer line on the site. An east-west pedestrian and visual corridor is also envisioned to continue the east-west pedestrian corridor in the Town Square Park to the east of this site.

G. Landscaping

Landscaping shall be in accordance with the Town of Eaton Municipal Code, except as supplemented or modified below.

1. Landscaping shall follow these specific standards
 - a. Landscaping shall be required for all common areas internal to and around the perimeter of the site.
 - b. Landscape planting requirements shall be calculated at 1 tree per every 30 linear feet of perimeter landscape area. 5 shrubs per 500 square feet of the total provided perimeter landscaped area are required and may be within permanent planters.
 - c. Landscape standards for mixed-use sites shall apply to all development within this PUD. Quantities shall be calculated within the site as a whole across planning areas and not per building.
 - d. Ground cover plants, native grass or turf must fully cover the remainder of any formal landscaped area, except under trees where mulch may be used.
 - e. Formal landscaping areas contain perimeter areas, parking areas, and internal areas as further specified in this PUD.
 - f. Perimeter areas:
 - i) Drought-resistant landscape materials such as ornamental trees, flowering shrubs and perennials and ground covers.

H. Architecture

1. Variety of home types
 - a. A variety of sizes and price ranges of homes should be provided. These could include townhomes, apartments, or condos.
2. Building Exteriors
 - a. Siding materials is to include at least two of the following, but not limited to exterior materials; brick, stone, cementitious lap wood, board and batten, or shake.
 - b. Materials and details should "return" the same materials around outside corner conditions.
 - c. Residential and non-residential units are to have a minimum of three different colors for siding, trim, and accents. Primary colors are encouraged as accents. Saturated colors and white are encouraged.
3. Entryways
 - a. All entries to ground level uses along First Street shall be easily identified through building design including the use of recessed or projected entryways, canopies, or changes in material, texture, or color.
 - b. Each commercial use with Collins Street, First Street, or Maple Avenue frontage shall have at least one main public entry that faces the street, opens directly outside, and is accessed by a sidewalk or plaza.
4. Garbage and trash receptacles:
 - a. Developments must screen dumpsters and bins from view.
5. Mixed-use areas
 - a. Pedestrian scale: The mixed-use areas consist of pedestrian-friendly main-streets which support pedestrian life. Building frontage incorporated inviting and active front entrances which face tree-lined streets and plazas.
 - b. Ground level commercial spaces shall have tall ceilings, and a high level of glazing. Roofs may be flat, with continuous cornice lines.
 - c. Surface or façade details that enrich architectural character and enhance the streetscape shall be used over at least 50% of the horizontal length of the ground floor using the at least three of the following components:
 - i) Awnings
 - ii) Arcades

- iii) Trellises
- iv) Columns
- v) Storefront window systems
- vi) Roll up glass garage doors
- d. All rooftop mechanical equipment must be screened.
- e. Higher parapets are allowed to serve as equipment screening.
- f. At least 50% of the facades for all buildings shall use exterior wall finish materials that either resemble or are the natural materials and color of brick or stone.
- g. Building exteriors shall primarily use subtle, yet rich colors such as browns, ambers, muted greens, gold, buffs, terra cotta, taupes, and muted blues that are harmonious with the colors of the surrounding area.

I. Outdoor Lighting

All lighting shall follow the Town of Eaton Municipal Code.

1. A Lighting Plan will be required at the time of Final Development Plan Submittal.

J. Signs

All signs shall follow the Town of Eaton Municipal Code.

1. Permitted signs:
 - a. Commercial signs – residential zone
 - b. Ground signs
2. Prohibited signs:
 - a. Flashing and roof signs.

K. Utilities

1. Water service to be provided by the Town of Eaton.
2. Sewer service to be provided by the Town of Eaton.
3. Proof of service utility services will be required with the Final Development Plan.

L. Drainage and Water Quality

1. Final Development Plan will be required to show adequate drainage and water quality features.

M. Modifications to PUD

1. Amendments to this schematic plan for this development will follow the Town of Eaton Municipal Code as amended.

N. Engineering section, public improvements, dedications

1. All engineering documents will be necessary with the Final Development Plan submittal as determined by the Town Engineer prior to submittal of the FDP application.

O. Development Agreement

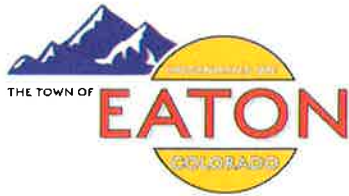
1. A development agreement will be required at the time of Final Development Plan submittal. The resolution of approval also contains a provision regarding deferral of the Development Agreement requirement until a developer proposes to develop the subject property. Such provision also is applicable to a subdivision application.

P. Traffic

1. An overall traffic study will be required with the Final Development Plan application.

Q. Expiration

1. The resolution of approval for this PUD will not expire absent a future action of the Town Board in accordance with the Town Code.



Eaton Town Board Agenda Item

TO: Town of Eaton Board of Trustees
FROM: Vince Harris, AICP – Baseline Corporation
DATE of MEETING: October 19, 2023
TITLE/SUBJECT: Eaton Plaza PUD Schematic Plan and Preliminary Development Plan

DESCRIPTION

The purpose of this agenda item is to consider a request to approve the Eaton Plaza PUD Schematic Plan and Preliminary Development Plan. The site is vacant, and the Eaton School District is in the process to make the site available for sale. Prior to selling the site, the Town Board and the School District have decided to coordinate future land use planning for the property and have chosen to complete a site analysis, a concept land use plan, adding the site to the recently approved Downtown Revitalization Plan, and then follow-up with a rezoning of the property to the PUD (Planned Unit Development) zone district to outline allowed uses and development standards specifically for this property. The Schematic Plan and Preliminary Development Plan is the first portion of the Planned Unit Development (PUD) process in Eaton. The second portion, the Final Development Plan, will be submitted by the developer of the property in the future and will need to contain many more design and engineering specifics to support the proposed project at that time.

SUMMARY

The attached document is the **Eaton Plaza PUD Schematic Plan and Preliminary Development Plan**. This portion of the PUD process includes Written Restrictions and a Planning Area Map. It is the desire of the property owner to rezone this property from R-2 Lower Density Single-Family Residential District to a Planned Unit Development district. It is the intent of this Schematic PUD Plan for this site to have a mixed-use development with multi-family residential and commercial development. The final layout and density will be proposed by the future developer and reviewed by the Planning Commission and the Town Board at the time of a proposed Final Development Plan.

KEY POINTS

- The PUD includes a set of standards so that a future developer has guidance to refer to and to accommodate new development.



223 1st St, Eaton, CO 80615



(970) 454-3338



townofeaton.colorado.gov

- Staff reviewed the proposed Schematic PUD Plan based on the Town of Eaton Municipal Code, Section 7-3-7 required for all Planned Unit Development Regulations proposed.
- The proposed PUD has written restrictions related to architecture. The PUD includes restrictions on building exterior preferences, mixed-use area design, and preferred entryway design. At the time of the Final Development Plan, both Staff, the Planning Commission, and Town Board will review specific and proposed architectural elevations.
- The future developer will be required to submit utility plans for drainage, water, and sewer that demonstrate the adequacy of facilities to serve the proposed development.
- An overall traffic study will be required with the Final Development Plan application.
- The Final Development Plan will be required to satisfy off-street parking requirements for all on-site uses.
- Residential Parking:
 - The current Eaton code requires studio or 1-bedroom units to have 1.5 parking spaces per dwelling unit and two or more bedrooms to have two parking spaces per dwelling unit.
 - The proposed written restrictions in this PUD require two parking spaces per dwelling unit plus one guest space per five dwelling units – thus requiring more off-street parking spaces than the current Eaton Code.
 - Diagonal street parking is also recommended in potential parking areas identified on the Schematic Plan map and allowed using safe transportation practices.
- Commercial/Retail Parking:
 - The current code requires Dining and Drinking Establishments to have 1 space per 100 sq ft and commercial/retail to have 1 space per 300 sq ft.
 - The proposed written restrictions require Dining and Drinking Establishments to have 1 space per 150 sq ft and commercial/retail to have 1 space per 300 sq ft. - thus requiring more off-street parking spaces than the current Eaton Code.
- Proposed parking at the time of the FDP will be required to also meet current code standards in Section 7-2-30 of the Eaton Municipal Code.
- Developer will be required to bring sufficient raw water needs for the proposed development.
- A development agreement will be required at the time of Final Development Plan submittal. The resolution of approval also contains a provision regarding deferral of the Development Agreement requirement until a developer proposes to develop the subject property. Such provision also is applicable to a subdivision application.
- An address discrepancy via Weld County records has been corrected, and the correct address has been modified on all relevant rezone documents as being 25 Cheyenne Avenue.

RECOMMENDATION

Staff Recommendation: Staff recommends that the Town Board approve the Resolution and Ordinance provided.

Planning Commission: Planning Commission recommended approval of the Eaton Plaza PUD Schematic Plan and Preliminary Development Plan on October 5, 2023, with the condition to add the following requirement to the PUD written restrictions: private garages located in Planning Area 2 shall be used for vehicle parking only. The attached PUD document has added language to satisfy the Planning Commission's condition to clarify parking space expectations. Staff concurs with the provided condition for clarification and such new wording is included in this new version of the PUD for the Town Board to consider to approve as submitted herein.

BOCC Action Required: Approve, Deny, or Continue the case to a future date.

Attachments:

- PC staff report
- PUD (revised version)
- Downtown Revitalization Plan, as Amended
- Resolution and Ordinance for approval



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Date prepared: 09/28/2023
PC Meeting Date: 10/05/2023
BoT Meeting Date: 10/19/2023



BASELINE
Engineering Planning Surveying

The site is owned by the Weld County School District RE-2 and is 3.3 acres in size. The School District and the Town of Eaton recently collaborated on the site being added to the Downtown Revitalization Plan. The addition of the Plan was approved as a Comprehensive Plan amendment passed by Resolution 2023-09. This amendment to the Downtown Revitalization Plan visualized the desired concept plan and potential future uses for this property. This Schematic Plan and Preliminary Development Plan is the first portion of the Planned Unit Development (PUD) process. The developer of the property will be required to submit a Final Development Plan (FDP), the second portion or phase of the PUD process, prior to any permits or development being reviewed and approved for this property.

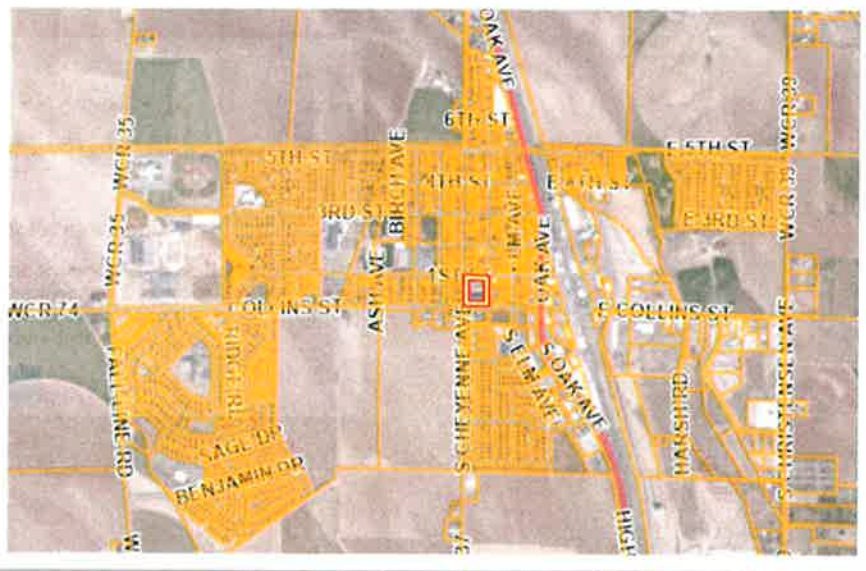


Figure 1- Vicinity Map

The site is bordered on the north by 1st Street, Cheyenne Ave. on the west, Collins Street on the south and Maple Ave. on the east. The Town Square park and open space is situated directly east of this site. Municipal facilities in the immediate area include Eaton Fire and Rescue on the south side, and the Eaton Town Hall northeast of the 1st and Maple intersection. The Eaton Police Department is located at the southeast corner of 1st St. and Maple Avenue.

REQUESTS:

1. The applicant and land owner being the Eaton RE-2 School District, requests approval of a Resolution for the Eaton Plaza Planned Unit Development Schematic Plan and Preliminary Development Plan application for their currently vacant land located at 25 Cheyenne Avenue, in the Town of Eaton.
2. Approval of Ordinance approving a Planned Unit Development.

The purpose and intent of this Planned Development is to allow zoning for multi-family residential use, as well as mixed-use buildings on the property, and to reflect the vision outlined in the Town of Eaton's Comprehensive Plan Downtown Revitalization Plan, as Amended. It is the desire of the property owner to rezone this property from R-2 Lower Density Single-Family Residential District to a Planned Unit Development district. The change in zone request is the next step to the development process. The rezone, if approved, will allow new development and uses directly adjacent to the older historic downtown area in Eaton. The PUD includes a set of standards so that a future developer has guidance to refer to and to accommodate new development. Eaton's Downtown Revitalization Plan and the PUD aim to extend those concepts approved by the Town Board with an anchor block with mixed use, urban-style development near to the original downtown area for Eaton.



Figure 2 - Public Hearing Sign Posting

The application was referred to the applicable Town of Eaton referral agencies, and no agencies objected to the proposal. A surrounding property owner mailing notice was sent to property owners within 500' of the property. A newspaper notice was published in the regional newspaper, and a sign was posted on the property to fulfill public notice requirements.

STAFF ANALYSIS:

Staff finds that the proposed PUD Schematic Plan and Preliminary Development Plan is in conformance with the Eaton Municipal Code and includes standards that are appropriate for the proposed development. More detailed findings are presented below.

Staff reviewed the proposed PUD Schematic Plan and Preliminary Development Plan based on the Town of Eaton Municipal Code, Section 7-3-7 required for all Planned Unit Development Regulations proposed.

The following criteria shall be utilized by the Planning Commission and the Town Board in evaluating any plan for planned unit development:

1. **Open space:** A minimum of twenty-five percent (25%) of the total PUD area shall be devoted to open-air recreation or other useable open space, public or otherwise; unusable open space shall not be included in the required twenty-five percent (25%).

Staff Findings: It is the intent that Planning Area 6 be some form of useable open space. The Schematic Plan Planning Area Map, found at the beginning of the Eaton Plaza Planned Unit Development Schematic Plan and Preliminary Development Plan, shows Planning Area 6 to be roughly 25% of the total site area. Additionally, the Written Restrictions section E, outlined in this Schematic PUD Plan, describes the permitted uses for this area as urban outdoor pedestrian plaza and hardscape, stormwater detention and rain garden spaces, and parking. Subsection E-1 of the Written Restrictions also proposes this area could be used to hold community events, such as farmers markets, movie showings, and other similar events.

2. **Residential density:** Density shall be limited as required by the Planning Commission and Town Board upon consideration of the master plan and individual characteristics of the subject land.

Staff Findings: It is the intent of this Schematic PUD Plan for this site to have medium to high residential density development. Multi-family units and townhomes are envisioned for a portion of this site. The final layout and density will be proposed by the future developer and reviewed by the Planning Commission and the Town Board at the time of a proposed Final Development Plan.

3. **Density of other uses:** The density of uses other than residential shall be limited as required by the Town Board upon consideration of the master plan and individual characteristics of the subject land.

Staff Findings: It is the intent of this PUD Schematic Plan and Preliminary Development Plan for this site to have mixed-use residential and commercial/retail uses. The Downtown Revitalization Plan envisions allowances for retail and commercial uses, and higher-density residential uses in townhomes and 'flats' above ground floor sales tax generating type uses on the ground floor facing the central court. The Schematic PUD Plan places further guidance on permitted uses in certain Planning Areas and is compatible with the Downtown Revitalization Plan.

4. **Architecture:** Each structure in the planned unit development shall be designed in such manner as to be compatible with other units in the area, yet to avoid uniformity and lack of variety in structural designs among the PUD.

Staff Findings: The proposed PUD has written restrictions included related to architecture. The PUD includes restrictions on building exterior preferences, mixed-use area design, and preferred entryway design. At the time of the Final Development Plan, both Staff, the Planning Commission, and Town Board will review specific and proposed architectural elevations.

5. **Mixed uses:** The PUD shall be designed, insofar as practicable when considering the overall size of the PUD, to provide commercial, recreational and educational amenities to its residents to alleviate the necessity of increased traffic and traffic congestion. A PUD may include any uses permitted by right or as conditional or special use in any other zone, except that any use that has been declared a nuisance by statute, ordinance or any court of competent jurisdiction shall not be permitted.

Staff Findings: The proposed Written Restrictions identify Planning Areas 1 & 3 where mixed-use development is desired. Mixed-uses are excluded from the permitted uses in Planning Areas 2, 4 & 5. This does comply with the Downtown Revitalization Plan.

6. **Minimum area:** A PUD shall not be permitted on a parcel of land less than five (5) acres in area. The minimum area requirement may be waived upon adequate justification shown by the applicant.

Staff Findings: While the site does not meet the five-acre minimum for size, this proposed Schematic PUD Plan requests this minimum size suggestion be waived as the entire block simply is has a size of 3.32 acres.

Planning Commission Determination

Section 7-3-11 of the Eaton Code states that the Planning Commission shall determine the following before allowing the application to proceed to Final Development Plan:

1. **There are special physical conditions or objectives of development which the proposal will satisfy to warrant a departure from the standard regulation requirements;**

Staff Finding: The Schematic Plan and Preliminary Development Plan proposes Planning Areas for townhomes, multifamily residential & mixed-use, and commercial/retail development. Staff finds that a PUD is the best zoning option to guide future development from the Town's Downtown Revitalization Plan. The PUD aims to extend those concepts approved by the Town Board to zoning and desired development standards for a mixed-use, urban-style development on a block that could serve as a new urban development near to the original downtown area for Eaton.

2. **Resulting development will not be inconsistent with the Comprehensive Plan objectives;**

Staff Finding: The PUD Schematic Plan and Preliminary Development Plan aims to extend those standards outlined in the Downtown Revitalization Plan with the Town of Eaton Comprehensive Plan. Staff finds the proposed written restrictions generally conform to the Comprehensive Plan. Furthermore, staff finds that the proposed PUD would implement many policies in the Comprehensive Plan, including the following housing policies:

- Policy 8.1.1 Create a mix of single-family detached homes, townhomes, condominiums, and apartments in the community*
- Policy 8.1.3 Encourage higher density housing to locate closer to the Town's core, thus taking advantage of its proximity to community facilities and services.*
- Policy 8.2.1 Ensure that new residential development provides linkages to existing or planned neighborhoods, parks schools, community facilities, and existing or planned pedestrian corridors.*
- Policy 8.2.3 Encourage a mix of uses, which will allow housing development to be located within reasonable walking distance to shopping, schools, and parks.*
- Policy 8.2.4 Ensure that new residential development is compatible with adjacent land uses in terms of: general use; building height, scale, and density; and, traffic, dust, and noise.*

3. **The area around the development can be planned to be in substantial harmony with the proposed PUD;**

Staff Finding: The site is bordered on the north by 1st Street, Cheyenne Ave. on the west, Collins Street on the south and Maple Ave. on the east. The Town Square park and open space is situated directly east of this site. Municipal facilities in the immediate area include Eaton Fire and Rescue on the south side,

and the Eaton Town Hall northeast of the 1st and Maple intersection. The Eaton Police Department is located at the southeast corner of 1st St. and Maple Avenue. Staff finds that the proposed Schematic PUD Plan, does follow the Downtown Revitalization Plan, and provides guidance to a future developer of the site.

- 4. The adjacent and nearby developments will not be detrimentally affected by the proposed PUD;**

Staff Finding: The proposed PUD does not appear to create detrimental impacts to adjacent and nearby development. The potential for site-specific impacts should be addressed in the review and approval of Final Development Plan.

- 5. The PUD can be completed within a reasonable period of time, which shall be determined prior to final approval of the PUD;**

Staff Finding: Because this Planned Unit Development Schematic Plan and Preliminary Development Plan portion of the PUD process is submitted before a developer has purchased the property and is rezoned at the behest of the current property owner in order to provide guidance to a future developer of this property, it is Staff's recommendation that the resolution of approval for this PUD will not expire unless the property owner in the future ever decides to propose another rezone proposal for the same property.

- 6. Any proposed commercial or industrial development can be justified economically;**

Staff Finding: The Written Restrictions identify certain Planning Areas to include commercial or mixed-use development. These ground-floor commercial & retail spaces, along with Planning Areas 4 & 5 identified for commercial & retail uses, will generate tax revenue.

- 7. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;**

Staff Finding: The drive aisle shown on the PUD Schematic Plan Map identifies a U-shaped paved corridor for site traffic that enters and exits off of Maple Avenue. The Final Development Plan will be required to show traffic load, parking and shall be expected to not overload existing streets.

- 8. Proposed utility and drainage facilities are adequate for population densities and type of development proposed; and**

Staff Finding: The future developer will be required to submit utility plans for drainage, water, and sewer that demonstrate the adequacy of facilities to serve the proposed development. A north-south corridor identified in the PUD Schematic Plan Map is intended to be preserved to provide access to the existing sewer main on the site.

- 9. The applicant has complied with the school site dedications or payments in lieu for school purposes as set forth in the intergovernmental agreement between the Weld County Reorganized School District RE-2 and the Town.**

Staff Finding: The site is currently owned by the School District. The Town has worked with the District to create this preferred concept. The PUD Schematic Plan and Preliminary Development Plan has been referred out to Town and external agencies for review, including the School District with no concerns received. At the time the Final Development Plan is proposed in the future, the developer will be required

to pay any school impact fees normally associated and collected during the development process, as well as any other applicable Eaton impact fees at time of development.

RECOMMENDATION

Staff recommends approval of the proposed Planned Unit Development Schematic Plan and Preliminary Development Plan and suggests the following motion to the Board of Trustees:

Resolution No. 2023-14

For Approval:

I move to approve Resolution No. 2023-14, a Resolution approving Planned Unit Development Schematic Plan and Preliminary Development Plan for the Eaton Elementary School Site located at 10 Cheyenne Avenue, Eaton, Colorado 80615, situated in Section 31, Township 7 North, Range 65 West of the 6th P.M., Town of Eaton, County of Weld, State of Colorado, and known by legal description as ETN 14145 ALL BLK41 (Parcel No. 070931325001), consisting of approximately 3.45 acres.

For Approval with Conditions:

I move to approve Resolution No. 2023-14, a Resolution approving Planned Unit Development Schematic Plan and Preliminary Development Plan for the Eaton Elementary School Site located at 10 Cheyenne Avenue, Eaton, Colorado 80615, situated in Section 31, Township 7 North, Range 65 West of the 6th P.M., Town of Eaton, County of Weld, State of Colorado, and known by legal description as ETN 14145 ALL BLK41 (Parcel No. 070931325001), consisting of approximately 3.45 acres, subject to the following condition(s):_____.

Ordinance No. 638

For Approval:

I move to approve Ordinance No. 638, an Ordinance approving Rezoning of the Property known as the Eaton Elementary School Site located at 10 Cheyenne Avenue, Eaton, Colorado 80615, situated in Section 31, Township 7 North, Range 65 West of the 6th P.M., Town of Eaton, County of Weld, State of Colorado, and known by legal description as ETN 14145 ALL BLK41 (Parcel No. 070931325001), containing approximately 3.45 acres, to Planned Unit Development.

For Denial:

I move to deny approval of Ordinance No. 638.

Attachments:

- Application
- PUD Schematic Plan and Preliminary Development Plan & Map
- Downtown Revitalization Plan - Amended