



To: Karl Barton, AICP
Karl.barton@gmail.com

Re:
The Hive
PDS-9067

Dear Mr. Barton,

Thank you for the opportunity to comment on this application. The Homestead community is a direct neighbor of Tract T mentioned for development in this application. This is the fifth time we have been asked to comment on the parcel since 2006. We would like to stress our opposition to development of Tract T with the same issues and comments presented over the last 16 years. The main point being that Edwards is our home, and this development will remove what is currently a public benefit and replace it with an area of significant density that will adversely impact our everyday life. While the following three topics are not all inclusive, they clearly show that this proposal is not right for Edwards.

Platted as open space and public benefit for prior PUD approvals

This plat note states, “The amended Final Plat Remonov Center, a Resubdivision of Parcels 3, 10, and 11 and Tract T, Edwards Village Center, Parcel 5A, Amended Final Plat a Resubdivision of Parcel 4 and Parcel 5, Edwards Village Center” and permitted uses on Tract T as ***“Pedestrian, bicycle, and vehicular access, drainage structures, landscaping, utilities, trails, recreation facilities and open space.”***

Tract T was part of the re-subdivision of Edwards Village Center by the Remonov Corporation (Rick Mueller) in 1996 and it is clear that Mr. Mueller, in presenting the final plat at that time, stated the value of the tract as open space and included this open space as a benefit to the community and the public in exchange for the change in zoning. In addition, he has also received preferential tax status for the parcel.

Tract T was used for the Developer’s benefit on two more occasions since he placed it into public benefit. It currently is being used by his Edwards Industrial Park entrance road and as a retaining wall area for his Edwards Corner development. In both cases the use of Tract T gave him the ability to build differently and denser on the adjacent parcels.

According to Eagle County tax records Tract T has continuously been taxed at the Eagle County open space rate, further implying their intended use as “open space.” If they wanted to develop the land, they should not have platted it as such, should be paying taxes on it as commercial general, and should not have represented these tracts as a community benefit to receive zoning changes and exemptions to development standards at the time.

This brief history of the parcel shows that it has been set aside at three different PUD applications as a public benefit. All three PUD’s have received approvals based on this public benefit. To allow a Developer to change the status of the property negates decisions of the County and the promises made in approving a prior PUD.

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It has been stated by the Planning Board in all three of the last proposals for Tract T that the ability of a developer to replat land that was set aside as a public benefit for a prior PUD approval should be addressed by the Planning Department. They also stated that platting of the property at the time of the prior PUD's has afforded the Developer great financial reward for Platting Open Space in the form of virtually NO taxes being paid for the properties in perpetuity. This creates a free Developer "land bank" to use for their personal rewards. This Developer has already sold one of his "free land bank" public parcels in the area for a substantial amount of money. The Developer has never asked to remove the property's taxing based on the open space designation and start paying taxes on Commercial General since he started down this path in 2006.

Edwards Area Community Plan

Many area residents and stakeholders were part of preparing the Edwards area community plan (updated 2017). The community was clear in their expectations of Tract T and the importance of open space in general.

The plan states on page 47, "Platted open spaces, landscaped areas and natural areas within the Community Center Character Area should be protected and managed for their intended purpose" and continues, "The above recommendations are consistent with input gathered during the master planning process, and are supported by the goals, policies and strategies". Page 59 of the plan continues to point out that further development of the area would alter the character that makes Edwards great: "Upper Homestead/South Forty Master Plan Vision Land use patterns and densities within the Homestead/South Forty Character Area are well established, lots are mostly built out and the potential for development that would alter the rolling suburban character of the area is low. This expectation is consistent with input gathered during the master planning process, and is supported by the goals, policies and strategies". On the same page, the plan points to the importance of open space in the area: "Open space should be retained, and the quality of open space lands, both within and outside of neighborhood areas, should be maintained and/or enhanced."

The Future Land Use map echoes the County and neighborhood sentiment that existing open space parcels should remain as such. Page 76 of the plan states, "Existing parks, playgrounds, open lands or other recreational facilities may not be shown on the FLUM. These amenities should be retained and maintained." The land use map places Tract T in a green space of active recreation. This allows for character uses including open space, not large residential buildings.

The appendix of this document states that "Community Character" is a perception that includes open areas. It goes even further stating "Open Character: A perception of place that results from a predominance of undeveloped land and natural vistas. Lands rural in character are generally open in character. Large open spaces between developed neighborhoods contribute to an open character. Lower density development that retains open areas and/or view corridors can be "open" in character."

Please don't disregard the great amount of work by the Edwards Community to place open spaces on the top of the list of what Edwards is all about and how it is best perceived. It is also clear the building as proposed meets none of the design guidelines presented by the community. Edwards residents never envisioned a 52-foot-tall building on the parcel.

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A small-town feel, pedestrian scale and unique sense of place

This goal of the Master Plan is a direct result of the community requesting that Eagle County actively control development that would create negative influences on the Edwards Community. One of those negative influences includes **Traffic Impacts**. Traffic greatly impacts the perception of a community's character. While Homestead appreciates the community infrastructure improvement of the new roundabout at Highway 6 and the Access Road, it has done little to ease traffic at busy times. Additional traffic from the newly proposed 221 units (even with only 86 new parking spots!) will significantly impact traffic congestion, and negatively affect the quality of life in the Edwards area. Traffic is a critical issue for Homestead owners. Of all communities, Homestead is the most vulnerable when traffic congestion increases in Edwards. We are essentially a one ingress/egress community.

Overall, the Homestead Owner's Association opposes all the development applications to date as submitted. We do not feel that the development of this tract is compatible with its current platted and intended uses. This development will change the character of Edwards, it will have a direct negative impact on our community's noise, light, pollution, traffic, property values, and quality of life.

Homestead would also like to reserve the right to add further comment to your office as you develop your staff report. Please include this letter in your staff report for all applications. If you have any other questions, please feel free to contact me.

Sincerely,

Tracy Erickson – Executive Director

Homestead Owners Association Inc.

CC: Edwards Metropolitan District

CC: South Forty HOA

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