



2.0 KEY FEATURES AND FINDINGS

2.1 KEY FEATURES

The proposed PUD Development Plan for Haymeadow features:

- A development plan that has been specifically designed to meet the goals and objectives of the Eagle Area Community Plan.
- A residential land plan that includes a wide variety of housing types that will provide home ownership opportunities to the full economic spectrum of town residents. Housing types include a variety of compact single family lot sizes, a wide range of size and price point market rate townhomes and condominiums and Town of Eagle deed restricted affordable housing options.
- 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.
- An internal vehicular circulation plan that includes looped road systems that provide multiple points of connectivity to the arterial road system.
- A comprehensive pedestrian circulation system that minimizes road crossings and allows for multiple looped trail systems, integrates public parks and the school site, and is accessible to all of the proposed neighborhoods. This trail system also includes multiple connections from Eagle Ranch and a connection to downtown Eagle as well as a non-motorized trail connection to the extensive and popular East Eagle Trail System on adjacent public lands. A formal trailhead park with ample parking will be provided. Two additional trailhead locations adjacent to the public lands interface have been identified on the Development Plan and will be an integral component of the overall trails plan.
- A very significant amount of high quality, useable park land and open space that will provide a tremendous amenity to all age groups, to

A development plan that has been specifically designed to meet the goals and objectives of the newly adopted Eagle Area Community

residents of each neighborhood and to all of the citizens of the Town of Eagle. Much of this park/open space land is designed as a series of north-south oriented open space corridors that will be reclaimed to a more natural environment and will include walking and biking trails, small active pocket parks, passive open space areas and multiple micro ecosystems.

- A “Trailhead Park” complex that will include significant children’s play areas that will include age appropriate playgrounds, exploration features and water play areas, a community garden complex, a small outdoor entertainment stage, a “community pavilion” building that will function as a neighborhood gathering center, and both formal and natural park areas open for play and exploration by all citizens of the community. The Trailhead Park will also include ample parking and public restrooms.
- A dedicated wildlife movement corridor designed in an appropriate location to serve deer and elk movement across the valley, connecting important blocks of public lands. An appropriately designed landscape buffer/berm will provide a visual shield for animals utilizing the corridor.
- An appropriate provision of deed restricted affordable housing in full compliance with the Town of Eagle Land Use and Development Code.
- A dedication of water rights and a change to the historic water diversion and flood irrigation patterns that will improve the quality and quantity of water in Brush Creek.

2.2 KEY FINDINGS

- The Haymeadow Preliminary Plan is in full compliance with the application submittal requirements for a Subdivision Preliminary Plan for the core infrastructure and the first phase of proposed development as outlined in Chapter 4.12, Subdivision Review of the Town of Eagle Land Use and Development Code. As future phases are brought forward a full Preliminary Plan set of drawings will be reviewed and approved for each phase.
- The Haymeadow PUD Development Plan is in full compliance with the Standards and Requirements for a PUD Development Plan as outlined in Chapter 4.06 of the Town of Eagle Land Use and Development Code.

2.3 PUD ZONING PLAN CONDITIONS OF APPROVAL

The following conditions were placed upon the Haymeadow PUD Zoning Plan as approved by the Town of Eagle Board of Trustees on October 23, 2012. This section of the application addresses the PUD Development Plan response to each of the conditions placed upon the Zoning Plan application. A copy of the PUD Zoning Plan is attached at the end of this chapter.

General Planning

- 1. The permitted maximum number and type of dwelling units for each of the Neighborhoods within the Haymeadow PUD are shown on the Neighborhood Map and Density Chart attached as Exhibits B and C.**
The Haymeadow PUD Development Plan application is consistent with condition. The PUD Development Plan proposes a total of 787 dwelling units in the same single family / duplex and multiple-family mix as referenced above.
- 2. Remove portion of Neighborhood A that extends into north-east quadrant of park/school area. The park site should be a minimum of 18 acres in size. Please see attached drawing prepared at the conclusion of the charette with Applicant/School District/WECMERD/Town (Exhibit D).**

Response:

The referenced land has been removed from Neighborhood A and added to the Town park dedication. That action, combined with a more accurate quantification of land area, results in a proposed Town Park of 17.931 acres.

- 3. The first Preliminary Subdivision Plan application shall include a plan to enhance wetland and riparian areas of the property. The addition of trees, bushes and vegetation at appropriate locations should be part of this plan. Given the location of these wetlands and riparian areas along Brush Creek Road, there is the potential for this vegetation to not only**

add to the wildlife value of this area but also provide a more attractive environment and screening along Brush Creek Road.

Response:

The Haymeadow project team ecologist and wetlands consultant has reviewed this condition and conducted a site visit to assess potential wetland enhancements. The ecologist's assessment and a description of how wetland enhancement could be designed are attached the end of this section of the application. The assessment includes a narrative description, a table of recommended plant species and a site plan indicating potential enhancement areas. The described wetland enhancements will be fully designed and completed as a part of the Trailhead Park construction plans. This condition should now be carried forward to final plat to ensure integration of these enhancements into the park construction plans.

- 4. Vegetated berm shall be established between Neighborhood D and the Wildlife Corridor to minimize impact on wildlife from adjacent residential activity. Preliminary Plan shall include preliminary design of this berm. Final design and construction of berm to be coordinated with final plat for Neighborhood D.**

Response:

This application includes a written and graphic description of the vegetated berm that will be constructed to enhance the proposed wildlife corridor. Again, this condition should be carried forward in the PUD Development Plan approval to ensure that these improvements are included as a condition of the Neighborhood D site development improvements.

- 5. The applicant working under the direction of the Town and BLM with input from DPW shall be responsible to establish several appropriate trail head parking areas along the north side of the PUD in addition to the major trailhead parking area shown on the Site Plan. These trail head parking areas should be identified with the first preliminary plan**

application and constructed as part of the public improvements guaranteed through the Subdivision Improvements Agreement.

Response:

The PUD Development Plan identifies two proposed trailhead locations in addition to Trailhead Park. The applicant agrees to include final design drawings, designed with input from the Town, BLM and CPW, with the appropriate final plat applications and guarantee the construction through the appropriate phase of subdivision improvement agreements.

- 6. Substitute single family development rather than the proposed multi-family along the southern boundary of Neighborhood C adjacent to the existing single family homes along Brush Creek Road. This land use revision should be shown on the Zoning Plan associated with this application. The Development Plan/Preliminary Plan Application should also include landscape treatment to provide an appropriate buffer along this boundary of the Planned Unit Development.**

Response:

The attached PUD Zoning Plan provides single family as directed by this condition and the proposed PUD Development Plan indicates a landscape buffer in this area. The applicant is in agreement with this design detail and commits to including an appropriate landscape buffer in this area in conjunction with the first final plat that includes improvements in Neighborhood C.

- 7. The first Preliminary Subdivision Plan should include a spine bicycle/pedestrian trail from Brush Creek Road/Sylvan Lake Road Intersection to eastern end of the property to accommodate hiking and biking up and down the Brush Creek Valley. (Part of this system is in place in the vicinity of Salt Creek and Frost Creek.)**

Response:

The PUD Development Plan and Preliminary Plat application includes a spine bicycle & pedestrian trail that extends from the Sylvan Lake Road/Brush Creek Road intersection to the Sylvan Lake Road intersection with

Ouzel Lane. The path then extends down Ouzel lane and terminates at existing Brush Creek Road which ties to the existing pathway along the Eagle Ranch portion of Ouzel Lane. That is as far as the core road and trail infrastructure will extend in the first phase of development. The applicant agrees to design and extend a core trail out through the eastern portion of the property as future phases are developed. Until then the land will be retained in irrigated agricultural production and any trail extension through the irrigated haymeadows would be impractical.

- 8. The design, placement, and management of recreation trails adjacent to the eastern wildlife corridor and open space shall minimize the impact of recreation users upon wildlife.**

Response:

The recreation trails layout as designed in the PUD Development Plan moves the trail further away from the wildlife corridor.

- 9. Design at Preliminary Subdivision Plan application for proposed multi-family areas shall use the interior parks and street system as an organizing element to provide neighborhoods with clear definition and identity.**

Response:

The applicant and Town staff held a pre-application meeting to preview the proposed Preliminary Plan design. At this time the site specific layout of individual multi-family buildings has not been completed, however both parties are in agreement that the Preliminary Plan site plan lends itself to meeting this condition. Multi-family development will be subject to site specific development plan review and permitting and the applicant will continue to consult with staff to ensure compliance with this request.

- 10. Applicant should include a community garden or “farm’ within the Planned Unit Development**

Response:

The Trailhead Park plan includes a community garden component.

- 11. If at the time of the final plat for Neighborhood D, a corresponding 500 foot wide wildlife corridor has not been provided or committed on the adjacent Adam Rib Ranch property, then a 1000 foot wildlife corridor is required on the Haymeadow Planned Unit Development. At Final Plat a deed restriction shall be placed on this wildlife corridor to guarantee its protection.**

Response:

This condition references a future action and should be carried through the Preliminary Plan approval. No action of the applicant is required at this time.

- 12. The first Preliminary Subdivision Plan shall include a designated area for a Home Owners Association or Metropolitan District maintenance facility that will also be available for Town of Eagle for satellite public works facility. This facility shall be located and screened in a manner that protects the view corridor from Brush Creek Road.**

Response:

This application designates an area for a maintenance facility that may be shared by the HOA, Metro District and the Town of Eagle. An appropriate landscape and fence screening design will be included with the final plat that creates the parcel and authorizes the physical improvements.

- 13. The first Preliminary Plan Application shall include commitment to retain in agricultural production the eastern buffer/wildlife corridor.**

Response:

The applicant commits to maintaining the eastern buffer/wildlife corridor in agricultural production. Legal and physical water rights to maintain

irrigation of this and other open space area will need to remain in control of the applicant and/or metro district in order to honor this commitment.

- 14. The first Preliminary Subdivision Plan application shall include a plan detailing provisions for on-site mail delivery. Such provisions might include a central mail box facility serving the Haymeadow project, cluster boxes, etc.**

Response:

The plans indicate the location of cluster boxes within the neighborhood detailed on the Preliminary Plan. The intent is to carry this detail through the through the design of future phases. To date, there has been no commitment from the Postal Service to provide delivery to these cluster boxes.

- 15. The first Preliminary Subdivision Plan application shall include the location of one or more bus stops within the property to accommodate the potential for future service.**

Response:

The Preliminary Subdivision Plan includes a bust stop located adjacent to Trailhead Park.

- 16. Access for the duplexes along Sylvan Lake Road shall be addressed further at Development Plan Stage of the Haymeadow Application. While the staff believes these units should orient to the south, the access to the front doors of these units is problematic as presented in the Sketch Plan.**

Response:

The applicant and town staff held a pre-application meeting to discuss potential design solutions that address this issue. The PUD Development Plan and Subdivision Preliminary Plan drawings indicate a solution that maintains the south facing design concept while creating a significant

Sylvan Lake Road setback and a implementing a very workable guest parking layout.

- 17. All future Subdivision and Development plan applications associated with the Haymeadow project shall include specific plans for the provision of adequate parking without the use of any on-street parking. Use of off-street parking areas located within the public right-of-way may be acceptable and will be evaluated at the time of Preliminary Subdivision Plan and/or Development Plan application.**

Response:

The applicant and town staff held a pre-application meeting to discuss potential design solutions that address this issue. All required parking will be met on-site for both multi-family and single family/duplex homes. All single family and duplex homes will maintain room for at least two on-site parking spaces between the garage doors and the sidewalk. The PUD Development Plan and Subdivision Preliminary Plan drawings detail some areas of on-street parking in a parallel format and some areas of parking that is angled 90 degrees to the roadway. All of this parking will be available for short-term guest parking. These designs were previewed by town staff at a pre-application conference.

- 18. A Vegetative Analysis shall be part of the Development Plan Application showing in more detail the proposed lots that include vegetation identified in the Sketch Plan submittal which should be protected. The application should include mitigation measures as appropriate with an emphasis to locate any mitigation measures on property contained within the Haymeadow PUD.**

Response:

There are no lots indicated in any area of the property where there is vegetation that should be protected. These areas have all been designated as open space by the PUD Development Plan. Trail construction and open space improvement plans in native habitat areas should include a Harrington Penstemon survey prior to site disturbance and relocate any affected plants.

- 19. There shall be an analysis to determine appropriate seasonal closures for the trails system located within Town Open Space and this seasonal closure program should be coordinated with related trails on BLM land. Department of Parks and Wildlife (DPW) input is required.**

Response:

The CPW and BLM agencies will be referral agencies to this application. The applicant looks forward to CPW input on trail closure recommendations and will work with CPW, the BLM and The Town of Eagle to detail an agreement.

- 20. DPW shall be involved at Development/Preliminary Plan Application in the planning and location of proposed trails and parks to minimize impact on wildlife. Impact of the trail system to the wetland ecosystem should be minimized.**

Response:

The CPW will be a referral agency to this application. The applicant looks forward to CPW input on trail design and location recommendations and will work with CPW to minimize impact to wildlife and wetlands.

Water Rights and Physical Supply

As discussed with Town of Eagle staff the information requested in Conditions 21 through 28 will be submitted prior to scheduling a hearing with the Town Board. Information requested in these conditions requires a collaborative effort on the part of the applicant and Town of Eagle staff and the Town of Eagle water consultants. This process has been initiated with the submittal of this application. A copy of the meeting notes from a August 13, 2013 meeting between the applicant and the Town has been included at the end of this section of the application. Information requested in Condition 29 will be submitted prior to scheduling a Planning Commission hearing.

- 21. Completion of an irrigation return flow study associated with the proposed dry-up under the Haymeadow agricultural ditches. The study should**

identify the amount and timing of expected stream loss due to the loss of delayed irrigation return flows. This study will be required for the future transfer of agricultural rights to the Town's water treatment plant.

22. Completion of a lawn irrigation return flow study. This study will also be required for the future transfer of agricultural rights to the Town's water treatment plant.
23. Agreement regarding the extent of historic irrigation beneath the various Haymeadow agricultural ditches.
24. Agreement regarding the ownership of water rights within the various Haymeadow agricultural ditches.
25. Agreement concerning the water use assumptions used to calculate the potential water use under the potable water system.

Response:

An updated Utility Impact Report including potable use demand calculations has been included in the Preliminary Plan submittal package for review and agreement.

26. More in-depth information regarding the Haymeadow ditch system and its proposed operation including whether water rights that will be used by Haymeadow for continued irrigation of open space will be consolidated into one ditch system (Love and White?) or remain in multiple ditches. If these water rights are to be transferred to new points of diversion, information shall be provided on the impact of these new diversion points on flows in Brush Creek.

Response:

The raw water operational plan was discussed during the meeting held on 8/13/2013 and the narrative for the plan will be defined as a part of the on going negotiations between the Town's and Applicant's consultants.

- 27. Identification of the specific stream conditions in Brush Creek under which Haymeadow would utilize the required pump back system as outlined in the Brush Creek Management Plan. Will the pump back be shared with the Kummer Development Corporation or operated separately?**
- 28. Identification of what conditions, if any, that the Town could utilize Haymeadow's on-site storage for use during critical low flow periods.**
- 29. Water flow modeling of Brush Creek from the Love and White ditch to the confluence of the Eagle River comparing pre-development and post development conditions under average, dry and critically dry scenarios.**

Potable Water System and Wastewater System

- 30. Any Preliminary Subdivision Plan application shall include an updated Utility Impact Study that reflects the current proposed/approved densities and uses.**

Response:

An updated Utility Impact Report has been included in the application materials

- 31. Prior to any granting of vested rights to the Haymeadow Project, an assessment shall be made by the Town of Eagle of the status of the Lower Basin Water Treatment Plant project. The assessment shall evaluate any proposed Haymeadow phasing plan in relationship to the construction schedule for the Lower Basin Water Treatment Plant. The Town will work with the applicant to prepare a phasing and construction plans that ensure the availability of adequate potable water service for the Haymeadow project.**

Response:

The applicant will work with the Town to implement this condition.

- 32. The water storage and distribution system shall be designed and constructed in accordance with the recommendations and conclusions contained within the Utility Impact Study.**

Response:

The water storage and distribution system has been designed with extensive pre-application input from the Town of Eagle staff and their consultant team, and with the recommendations and conclusions of the Utility Impact Study. The updated study by Hatch Mott MacDonald, when completed will be reviewed and implemented as required.

- 33. The applicant shall upsize sanitary sewer main Segments 2 & 3 as identified in the Utility Impact Study prior to the issuance of any temporary certificate of occupancy within the Haymeadow project. Should the Town construct any up-sized segments prior to a T.C.O. being issued at the Haymeadow, then the applicant will reimburse the Town for the cost of such upsizing.**

Response:

The decrease in overall density of the project has also decreased the sewage effluent volume and therefore no downstream pipes will need to be upsized due to impacts from the Haymeadow project.

- 34. Non-potable irrigation shall be utilized for all areas within the Haymeadow Project except for single family and duplex residential lots.**

Response:

The PUD Development Plan and Preliminary Subdivision Plan application includes a non-potable system that serves all areas of Haymeadow except the irrigation for the single family and duplex residential lots.

Metropolitan District

- 35. Present to Staff during future pre-application discussions the purpose, need and financing for any metropolitan district that may be proposed. The Preliminary Plan Application shall include a draft service plan for the district, if a district is anticipated. A report shall also be submitted with Preliminary Plan that considers the potential expansion of the Eagle Ranch Metropolitan District rather than the creation a separate district to serve Haymeadow.**

Response:

The Haymeadow Development does, in fact, plan to request authority to create a Metropolitan District to provide limited infrastructure reimbursement opportunities; to operate the non-potable irrigation water system; and to perform other maintenance functions as may be required. A complete draft Service Plan will be created and reviewed with Town Staff upon completion of a thorough discussion with staff regarding the division of Applicant vs. Town - ownership and maintenance of various properties and facilities within the Haymeadow Project.

The Service Plan Team consists of Alpine Engineering, Bernstein & Associates, and Collins Cockrel & Cole. The draft Service Plan will be available to the Planning Commission and Town Board prior to initiation of any formal review of these Land Use Applications.

A comprehensive review of the possibility of expanding the Eagle Ranch Metro District to include Haymeadow has been made, and has been deemed impractical because of the substantial differences between the current interests and needs of the two developments. This is more completely detailed in a letter from the firm of Collins, Cockrel and Cole that has been included at the conclusion of this section of the application.

Roadway, Traffic, and Transportation

- 36. A street connection shall be provided between the northern half of Neighborhood A and the School/Recreation Area in order to provide**

adequate emergency service access and improved vehicular circulation/mobility.

Response:

The proposed "Recreation Center Road" is shown on Sheet C2.06 of the Road Plans and is defined on the Preliminary Plat as a Public R.O.W. and is also shown on the PUD Development Plan

37. A street connection shall be provided between the northern halves of Neighborhoods A and B in order to provide adequate emergency service access and improved vehicular circulation/mobility.

Response:

The PUD Development Plan illustrates the requested roadway connection between Neighborhood A2 and Neighborhood B

38. Any approval granting vested rights to the Haymeadow project shall include the requirement that the Brush Creek Road Extension be constructed at a specific point in time as determined during the Preliminary Plan review. The timing of the Brush Creek Road construction will be included in any phasing plan presented for the Haymeadow.

Response:

The applicant and Town staff held a pre-application meeting at which Town staff defined a threshold for construction of the Brush Creek Road Extension to be when the total daily traffic (from all sources) on Sylvan Lake Road just south of the Sylvan Lake Road/Brush Creek Road intersection reaches 6,400 daily vehicle trips. The revised traffic study incorporates Town staff's estimate of development buildout in the Brush Creek Valley, estimates the phasing of this buildout by the Year 2035, incorporates the phased traffic growth projected for the Haymeadow project and estimates when this threshold will be met. Section 5.0 and

Table 3 of the traffic study report summarize this analysis and conclude that the traffic threshold will be met and the Brush Creek Road Extension should be constructed in the Year 2032. By this point in time it is projected that an additional 306 dwelling units will have been constructed in the upper Brush Creek Valley, 391 additional dwelling units will have been constructed in the Eagle Ranch area, and 721 dwelling units (including any accessory units) will have been constructed at the Haymeadow project (see Table 3 in traffic study report).

39. The first Preliminary Plan application for the Haymeadow project shall include an evaluation of existing clear zone and roadside safety conditions along Brush Creek Road and Capitol Street.

Response:

The applicant and Town staff conducted a pre-application site visit to review existing conditions along these roadway corridors and discussed potential improvements. It was determined that no new guardrail should be installed along these roadways, as the guardrail end treatments become hazards in and of themselves and would likely be less safe than the side slope conditions that exist today on these low speed roadways. The most appropriate improvement that was discussed along both Capitol Street and Brush Creek Road, to facilitate bicycle traffic, is to pursue modest roadway widening to achieve a 26 foot wide paved surface. The resultant 13 foot wide lanes would be “sharable” and allow automobiles to pass bicycles if necessary.

40. The following shall be completed prior to any approval of the Haymeadow project granting unrestricted vested rights: the completion of an appropriate planning process in collaboration with CDOT for Highway 6, and the preparation of a schedule and financing plan for construction of the necessary improvements. The relationship between the timing of the Highway 6 planning/construction effort and the granting of vested rights for the Haymeadow Project will be evaluated with the first Preliminary Subdivision Plan application submitted for

the Haymeadow Project, and any approval of such application conditioned appropriately.

Response:

This issue was discussed in a pre-application meeting between the applicant and Town staff. At that time, Town staff indicated that they were pursuing taking over a portion of US 6 from CDOT (“devolution” in association with CDOT’s RAMP funding process). If the Town is successful in this effort it will significantly streamline the process for determining needed future improvements in the Grand Avenue corridor, and would potentially provide some level of funding toward implementing those improvements. In this context the response to this condition is unclear. However, it should be noted that a previous traffic analysis (see July 10, 2012 Fox Tuttle memorandum), completed even before the proposed density at Haymedaow was reduced, concluded that the existing roadways (including this portion of US 6) had adequate existing capacity to accommodate the traffic from at least 10 years of development in the Brush Creek Valley (all sources, including Haymeadow).

41. The first Preliminary Subdivision Plan application submitted for the Haymeadow project shall include an evaluation of intersection improvements that may be necessary at existing intersections along Brush Creek Road (Terrace & Orchard areas).

Response:

An evaluation has been prepared to address this condition and the results are detailed in a memorandum from Fox Tuttle under separate cover from the traffic study report. The analysis utilized existing traffic counts along Brush Creek Road that were provided by the Town staff, projected traffic in the Brush Creek Road corridor from the traffic study (assuming buildout of all projected developments in the corridor, including Haymeadow by the Year 2035), and national engineering guidelines for

the installation of left turn lanes at unsignalized intersections on two lane roadways. In summary, it is projected that the Town may want to consider installing a northbound left turn lane on Brush Creek Road at both the upper and lower Brush Creek Terrace Road intersections in approximately Year 2022, or when 570 new residential units have been constructed in the upper Brush Creek Valley (including the Haymeadow site).

42. Any approval granting vested rights to the Haymeadow project shall include the requirement for construction of signalization or roundabouts at the intersections of Capitol Street/Brush Creek Road, Capitol Street/Sylvan Lake Road, and Eagle Ranch Road/Sylvan Lake Road. Construction of these improvements shall occur at specific points in time as determined during the first Preliminary Plan review. The timing of the construction will be determined in consideration of any phasing plan presented for the Haymeadow.

Response:

Traffic signals (or roundabouts that are designed to replace the need for a traffic signal) should only be installed when the actual traffic volumes meet the volume warrants contained in the Manual on Uniform Traffic Control Devices. In this context, the Town should monitor traffic growth, congestion, and any safety concerns over time to determine when these intersections should be signalized (or a roundabout should be installed). That said, the traffic study has estimated that the warrants will be met at all three of these intersections before buildout of development in the Brush Creek Valley, and has estimated an approximate year when each will be warranted as follows:

- Capitol/Brush Creek: roundabout or signal sometime between the Year 2020 and Year 2025
- Capitol/Sylvan Lake Road: signal by Year 2030, assuming Brush Creek Ex. has not been constructed yet
- Eagle Ranch/Sylvan Lake Road: signal by Year 2034

43. Any approval granting vested rights to the Haymeadow project shall include the requirement for construction of signalization or roundabouts at the intersections of Sylvan Lake Road/Brush Creek Road, Sylvan Lake Road/proposed school/rec access road, and Sylvan Lake Road/Ouzel Lane. Construction of these improvements shall occur at specific points in time as determined during the first Preliminary Plan review. The timing of the construction will be included in any phasing plan presented for the Haymeadow.

Response:

The Preliminary Road Plans include roundabout geometry at all three intersections listed. The proposed roundabout at Sylvan Lake Road and the future school access driveway is shown as being a future improvement paid for and constructed by ECSD and would be based on the final site plan of the school and associated driveway location which is undefined at this time. The Preliminary Road Plans illustrate that the proposed roundabout would function at the current location shown on the plans.

44. The first Preliminary Subdivision Plan application submitted for the Haymeadow project shall include an evaluation of traffic calming on Sylvan Lake Road in the Village Homes area of Eagle Ranch.

Response:

The applicant and Town staff held a pre-application site visit to review existing conditions on Sylvan Lake Road in the Village Homes area and discuss potential traffic calming and pedestrian crossing enhancement measures. A separate memorandum from Fox Tuttle is provided that recommends specific improvements with illustrative sketches.

Improvements recommended include:

- Install a raised pedestrian crossing (that will also function as speed hump) at the existing pedestrian crosswalk near Lime Park Drive
- Install a raised pedestrian crossing (that will also function as speed hump) at the existing pedestrian crosswalk near Hockett Street.

Also consider removal of the existing westbound left turn lane on Sylvan Lake Road at Hockett St. and install a raised pedestrian refuge island at the crossing.

- Install a short raised pedestrian refuge median in Sylvan Lake Road (say 6' wide by say 30' long) on the west leg of the Eagle Ranch Road intersection to facilitate pedestrian crossing and slow through traffic. This will require some restriping to narrow the existing through lanes.
- Install a pedestrian refuge median and/or curb extensions at the Sylvan Lake Road/Capitol Street intersection to facilitate pedestrian crossings and slow eastbound traffic coming from US 6 that is entering the area.

45. The first Preliminary Subdivision Plan application submitted for the Haymeadow project shall include plans for the re-alignment of Sylvan Lake Road, the connection of Brush Creek Road to the re-aligned Sylvan Lake Road, and the extension of Meadowlark Drive to the re-aligned Sylvan Lake Road. The first phase of construction at the Haymeadow shall include construction of these roadways, and also include the construction within the Haymeadow project of Sylvan Lake Road to the proposed Ouzel Lane intersection, along with construction of Ouzel Lane from Sylvan Lake Road to Brush Creek Road.

Response:

The Preliminary Road Plans include all of the requirements listed above.

46. Design of the easterly extension of Sylvan Lake Road beyond Ouzel Lane should transition clearly to a local type street from a collector type road. The introduction of a round-about at this intersection may be appropriate and should be considered.

Response:

The Preliminary Road Plans include a roundabout at the Sylvan Lake Road\Ouzel Lane intersection. The extension of Sylvan Lake Road to the east of the intersection is not included in the Preliminary Road Plans, however, the intention is to transition Sylvan Lake Road to be more of a local road as it is extended further east to serve the future neighborhoods.

- 47. The first Preliminary Subdivision Plan application submitted for the Haymeadow project shall include the design of a public access road for the school/recreation site as depicted on Exhibit B. The access drive and associated intersection improvement shall be constructed with the first phase of construction on the Haymeadow site.**

Response:

See the response to comment No. 37

- 48. Any future approval of the Haymeadow that allows phasing of infrastructure improvements shall require design of all future off-site roadway improvements (excluding Highway 6 – see condition above) with the first approval granting vested rights to the Haymeadow project, and include a strict phasing plan for home construction that is tied to the infrastructure phasing. These future off-site road improvements referenced above are limited to those improvements required by Haymeadow to comply with Adequate Public Facilities Regulation.**

Response:

This condition can not be fulfilled at the time of submittal of the PUD Development Plan application, as the town staff and applicant will need to review and discuss the recommendations of the traffic study and determine the appropriate design solutions. The resolution of this condition will need to be worked out prior to a vote by the Town Board.

- 49. Any approval granting vested rights to the Haymeadow project shall include the requirement for the provision of significant funding from the developer for off-site roadway improvements.**

Response:

The resolution of this condition will need to be worked out prior to a vote by the Town Board.

DATE: August 19, 2013

TO: Rick Pylman

RE: Riparian Enhancement Recommendations

Dear Rick,

Per your request, I am providing recommendations for enhancing the existing wetlands near Brush Creek Road with native riparian species in order to improve habitat quality, aesthetics, and screening from the road. As you know, I recently remapped the wetlands on the Haymeadow project site in July 2013. The updated wetland boundary is illustrated on the attached Figure 1. In addition, the Figure identifies eight proposed Riparian Enhancement Areas adjacent to the wetlands. The eight areas comprise approximately 2.36 acres of the project site; all are located in upland habitats that are currently planned for open space.

Table 1 provides a list of recommended native plant species for use in these areas. The list was developed based on my observations on the project site and my experience delineating wetlands in the Brush Creek Valley. These species are appropriate for the wetland types that occur on the project site and they can all be found nearby along the Brush Creek riparian corridor. Once established, these native species should not need supplemental irrigation; however it may be required during the initial establishment period.

Within the proposed Riparian Enhancement Areas, I recommend creating small, scattered clusters of trees and shrubs. The size and spacing can be adjusted based on your budget and requirements. As you know, cuttings can be created from willows, which is a very cost-effective way to establish new stands. For the cottonwood trees and other shrubs, I recommend purchasing nursery-grown stock. I generally have the best luck with cottonwoods that have about a 1-inch caliper trunk size. For most of the shrubs, I recommend five-gallon sized pots because smaller sizes can often be difficult to establish where there is already tall, dense vegetation. In my experience, it is better to plant fewer, larger sized shrubs where the establishment rate is higher than to spend the same money on a many smaller plants, where survival is typically reduced.

As you develop your budget, I would be pleased to provide more specific recommendations, and can assist you in identifying the appropriate planting locations for each species based on the individual moisture requirements. Please let me know if you have questions.

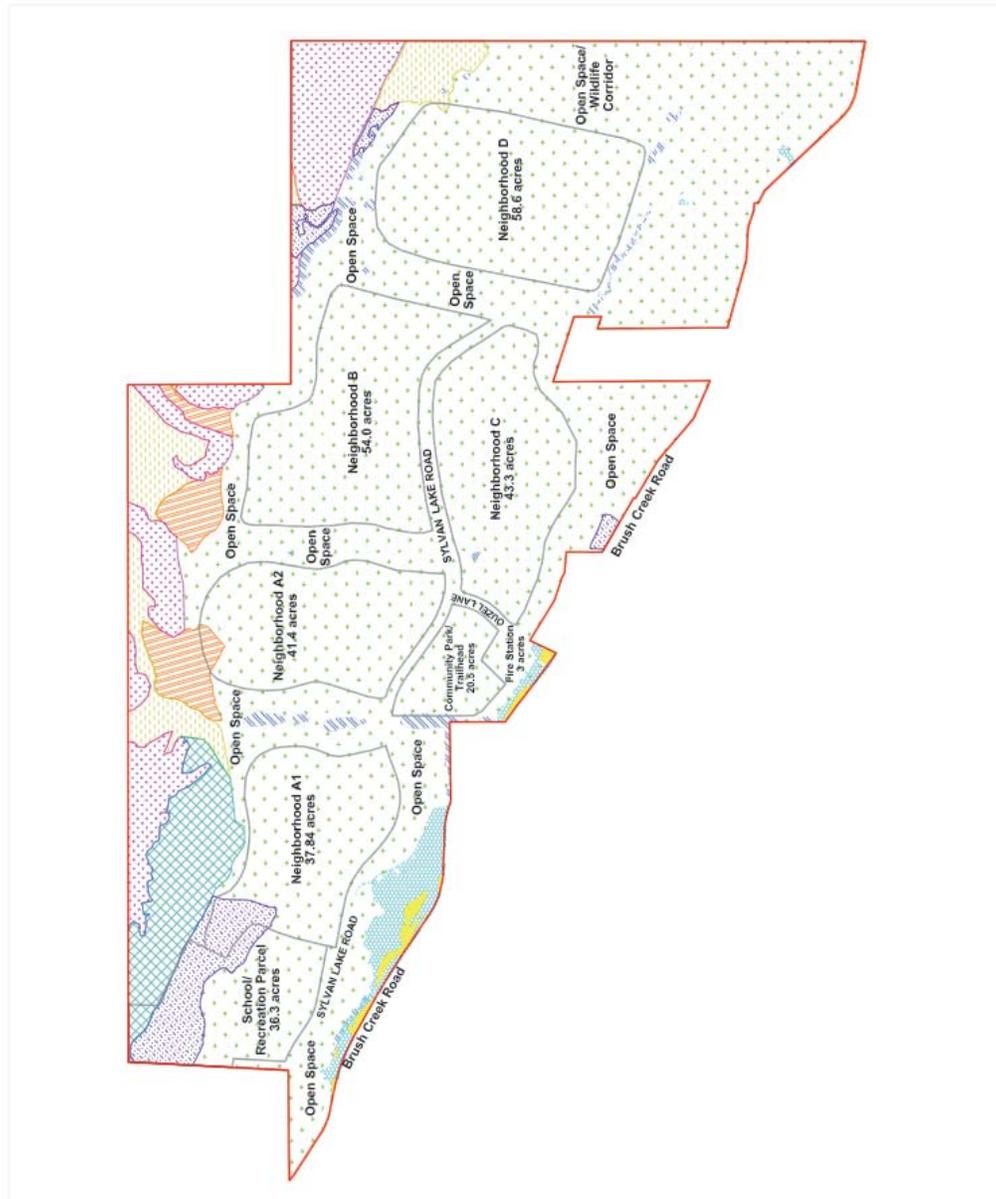
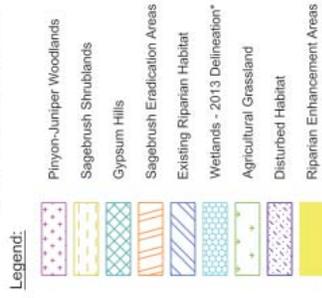
Sincerely,

Heather Houston Ecologist

TABLE 1
Recommended Native Tree and Shrub Species
Haymeadow Riparian Enhancement

<u>Scientific Name</u>	<u>Common Name</u>	<u>Family</u>	<u>Wetland Status*</u>
Trees			
<i>Populus angustifolia</i>	Narrowleaf cottonwood	Salicaceae	FACW
Shrubs			
<i>Crataegus rivularis</i>	Hawthorn	Rosaceae	FACW
<i>Prunus virginiana</i> var. <i>melanocarpa</i>	Choke cherry	Rosaceae	FACU
<i>Ribes aureum</i>	Yellow currant	Grossulariaceae	FAC
<i>Rosa woodsii</i>	Woods' rose	Rosaceae	FACU
<i>Salix bebbiana</i>	Bebb willow	Salicaceae	FACW
<i>Salix exigua</i>	Sandbar willow	Salicaceae	FACW
<i>Salix lasiandra</i> var. <i>caudata</i>	Whiplash willow	Salicaceae	FACW
<i>Salix monticola</i>	Mountain willow	Salicaceae	OBL
<i>Shepherdia argentea</i>	Silver buffaloberry	Elaeagnaceae	FACU

Figure 1. Developing Plan, Existing Vegetation Types & Riparian Enhancement Areas Haymeadow Project



* Note: wetland boundary has not yet been verified by the U.S. Army Corps of Engineers.



Scale: 1 in = 800 ft
Date: August 2013

Prepared by:
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**Haymeadow & Town of Eagle
Pre-Application Meeting**

August 13, 2013 10:00 AM – 1:00 PM Town of Eagle

PARTICIPANTS

Town of Eagle:	Jon Stavney, Willy Powell, Dusty Walls, Tom Boni and Tom Gosiorowski
Resource Engineering	Michael Erion, Scott Fifer (via telephone)
Abrika Properties, LLC.	Ric Newman
Pylman & Associates, Inc.	Rick Pylman
Alpine Engineering, Inc.	Gary Brooks
Grand River Consulting	Kerry Sundeen, Maria Pastore

MEETING OBJECTIVE

- A) Presentation of conceptual non-potable water management plan
- B) Agreement on the type of information/studies required that are associated with the Water Rights and Physical Supply section under the Town of Eagle Conditions of Approval for the Haymeadow subdivision Preliminary Plan Application

SUMMARY

The Town of Eagle Board (Town) adopted a formal resolution on October 23, 2012 approving the PUD Zoning Plan and Sketch Plan for the Haymeadow project with an approved density for 787 units. The purpose of the pre-application meeting was to discuss the non-potable water management plan and come to an agreement on the required information and/or studies associated with the Town's conditions of approval for water rights and physical supply. Outlined below is a summary of the meeting discussions and agreed upon next steps.

Non-Potable Water Management Plan. Gary described the refinements that have been made in the Haymeadow planning for the non-potable water use plan. This entails converting some agricultural irrigation to non-potable development area irrigation (ponds, pumps and pipes to irrigate parks, open space and multi-family lands) while maintaining agricultural (open ditch sheet flow) irrigation to the future development areas remaining in hay production. Gary further outlined the physical layout and anticipated water requirements for the Haymeadow development non-potable system, and how that will be phased in. Gary stated that a pump station/intake from the Phase A1 non-potable pond will distribute non-potable water to the Haymeadow project as needed. Gary described that a Metro District is planned in order to manage the non-potable system and haying operations.

The group next discussed how water from the following ditches near and on the Haymeadow property will be utilized for the non-potable system, and how the Town's water in the Warm Springs Ditch will be utilized for the future school site.

Warm Springs Ditch (Town). This ditch has junior water rights and the group discussed that senior water rights, possibly from the Hernage or Mathews Ditch, may be needed to irrigate the school site which will be located at the entrance of the Haymeadow Property. The group discussed continuing to irrigate the site until the school is built, although it was recognized that partial irrigation (to perhaps achieve one cutting of hay each year) may be appropriate. Ric agreed that this was a reasonable objective. The group discussed that a provision for irrigating the school site may be needed.

Hernage Ditch (Haymeadow). Gary described that diversions from the Hernage Ditch will still be needed to maintain wetlands and to keep water in the Warm Springs Ditch. However water from the Hernage Ditch will not be routed past the draw that feeds Warm Spring Ditch as Phase A1 is developed. Dusty stated that at a minimum a new headgate and flume will be needed for the Hernage Ditch.

Wilkinson Ditch and Love and White Ditch (Haymeadow). Water rights owned by Haymeadow in the Wilkinson and Love and White ditches will be used to provide water to the willow corridor planned for in Phase A1. Since Kummer also owns water rights to these two ditches, an agreement on ditch operation between Haymeadow and Kummer may be desirable.

Mathews Ditch (Haymeadow). Haymeadow also owns water rights in the Mathews Ditch, and if additional water is needed for Phase A1, water will be used on the Haymeadow property from this ditch.

Municipal Water Rights Dedication from Haymeadow to the Town. The group next identified that it will be necessary to determine what the municipal water right dedication will be to the Town from Haymeadow water right ownership in the ditches outlined above. Gary replied that this amount will need to be recalculated, specific to each ditch, based on the new density numbers and the non-potable system. The group agreed that in order to complete some of the Town's outlined conditions of approval for the water rights and physical supply section, the final municipal dedication needs to be agreed upon between the Town and Haymeadow.

Action Item: Alpine Engineering (AEI) will provide Grand River Consulting (GRC) with updated water use assumptions so GRC can calculate the potential water use under the potable and non-potable water system based on the approved density for 787 units. GRC will provide the updated water demands in a memorandum to

Resource Engineering (RE) and the Town for review and approval. RE will then prepare a memorandum outlining the proposed municipal water right dedication split between the Town and Haymeadow. The Town and Haymeadow will review and approve a negotiated split.

Agreement on Studies Required for Water Rights and Physical Supply Conditions #21 – 29.

The group subsequently discussed the Town's conditions of approval regarding water use (Attachment 1, Conditions #21 – 29). The group reached the following conclusions on the conditions outlined below. The group also agreed that RE and GRC will work together in a collaborative effort to complete the conditions, and coordinate with the Town and Haymeadow for review and approval.

Condition #21. In order for GRC to complete an irrigation return flow study associated with the dry-up under the Haymeadow agricultural ditches, the group determined that a decision on the municipal water right dedication to the Town was needed first. Thus, this study is on hold until a decision on the municipal dedication has been formalized and approved.

Condition #22. The group agreed that GRC will complete a lawn irrigation return flow study on build-out of the Haymeadow project. RE agreed to share their methodology with GRC related to these types of studies that they have used in other water court cases for consistency purposes, specifically the Warm Springs Ditch Case No. 05CW282. GRC will begin this study once information has been received from RE.

Condition #23. The group agreed that this condition has been satisfied. GRC will prepare a memorandum documenting the agreement regarding the extent of historic irrigation beneath the various Haymeadow ditches.

Condition #24. The group agreed that this condition has been satisfied between the Town and Haymeadow, and GRC will prepare a memorandum documenting water right ownership.

Condition #25. The group agreed that AEI will formalize the water use assumptions used to calculate the potential water use under the potable water system based on the approved density for 787 units. AEI will then supply this information to GRC in order to determine and update Haymeadow project water demand. GRC will prepare a memorandum documenting the revised water demands for RE and Town review and approval.

Condition #26. The group agreed that this condition will be satisfied once AEI formalizes the preliminary design of the non-potable system as presented today, including maps that illustrate the ditches and headgates utilized in project,

preliminary piping plans, pond locations, and water features. AEI will present this to the Town for review and approval.

Condition #27. At this time, it is not known whether a pumpback system will be needed. The consideration of a pumpback will occur after the results of flow modeling (Condition #29) are completed. Haymeadow has agreed to adhere to the irrigation restrictions outlined in Tables 1 – 3 in the Brush Creek Watershed Management Plan (BCWMP) under average and wet years (Table 1), dry years (Table 2) and critically dry years (Table 3). If stream flow modeling results indicate that the development of a pumpback may be appropriate, this condition will be analyzed.

Condition #28. At this time, until the results from the water flow modeling of Brush Creek (Condition #29) are available and reviewed, the group agreed that identification of what conditions, if any, that the Town could utilize Haymeadow's on-site storage for use during critical low flow periods would be postponed. The group discussed that the Town will formalize their objectives for on-site storage if the need becomes apparent based on the modeling results. At that time, RE and the Town will prepare a proposal for Haymeadow to review and approve.

Condition #29. The group agreed that GRC would assess potential changes in stream flow at the lower Brush Creek gage locations for which the Town has collected data. Accordingly, RE will provide GRC with stream flow data for three years including 2011, 2012 and 2013. GRC will model the change in flow (or delta) to compare pre-development and post development conditions for these three years. The stream flow modeling results will be reviewed in coordination with RE, and once finalized, documented in a letter report to the Town.

COLLINS COCKREL & COLE

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August 16, 2013

Rick Pylman
Pylman and Associates Inc.
Post Office Box 1195
Edwards, Colorado 81632

Re: Haymeadow Development / Need for a Metropolitan District

Dear Rick:

Per your request, I have reviewed the Service Plan of the Eagle Ranch Metropolitan District and the needs of the Haymeadow Development; and am of the opinion that expansion of the Eagle Ranch Metro District is impractical considering the substantially different needs of Haymeadow.

As you well know, Haymeadow will be required to install water and sewer mains, roads, drainage, sidewalks, other infrastructure, and a *dual irrigation raw water system*. Additionally, there will possibly be security services and covenant enforcement; and perhaps some transportation functions and facilities. Many of these services are different than those provided to Eagle Ranch; and all of them have a different cost basis.

Accordingly, were the Haymeadow Project to Include into Eagle Ranch Metro, the Eagle Ranch Board of Directors (who would not live in Haymeadow) would be asked to form a Subdistrict or Assessment District that then would undertake the functions that a separate Haymeadow Metro District would. The Board of Directors of Eagle Ranch would not understand the timing or the needs; and would certainly not want to incur for the residents of Eagle Ranch any of the costs that will attend to Haymeadow.

It is quite obvious that the Haymeadow infrastructure will not be able to be recovered under any circumstance through the Metropolitan District – or any Inclusion / Subdistrict into some other District.

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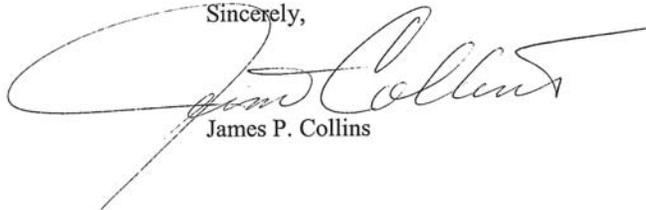
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Rick Pylman
Pylman and Associates Inc.
August 16, 2013
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The costs of Including into an existing District, creating Subdistricts and/or Special Improvement Districts within an existing District; and amending the existing District's Service Plan would be greater than forming a new Haymeadow Metro District. Finally, it is unlikely to work as cleanly as creating a new Haymeadow Metro District with its own clear authorities and limitations as set by the Town.

I could elaborate, but I hope that the above summary is clear. Let me know of any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "James P. Collins". The signature is written in black ink and is positioned above the printed name.

James P. Collins

JPC/zah

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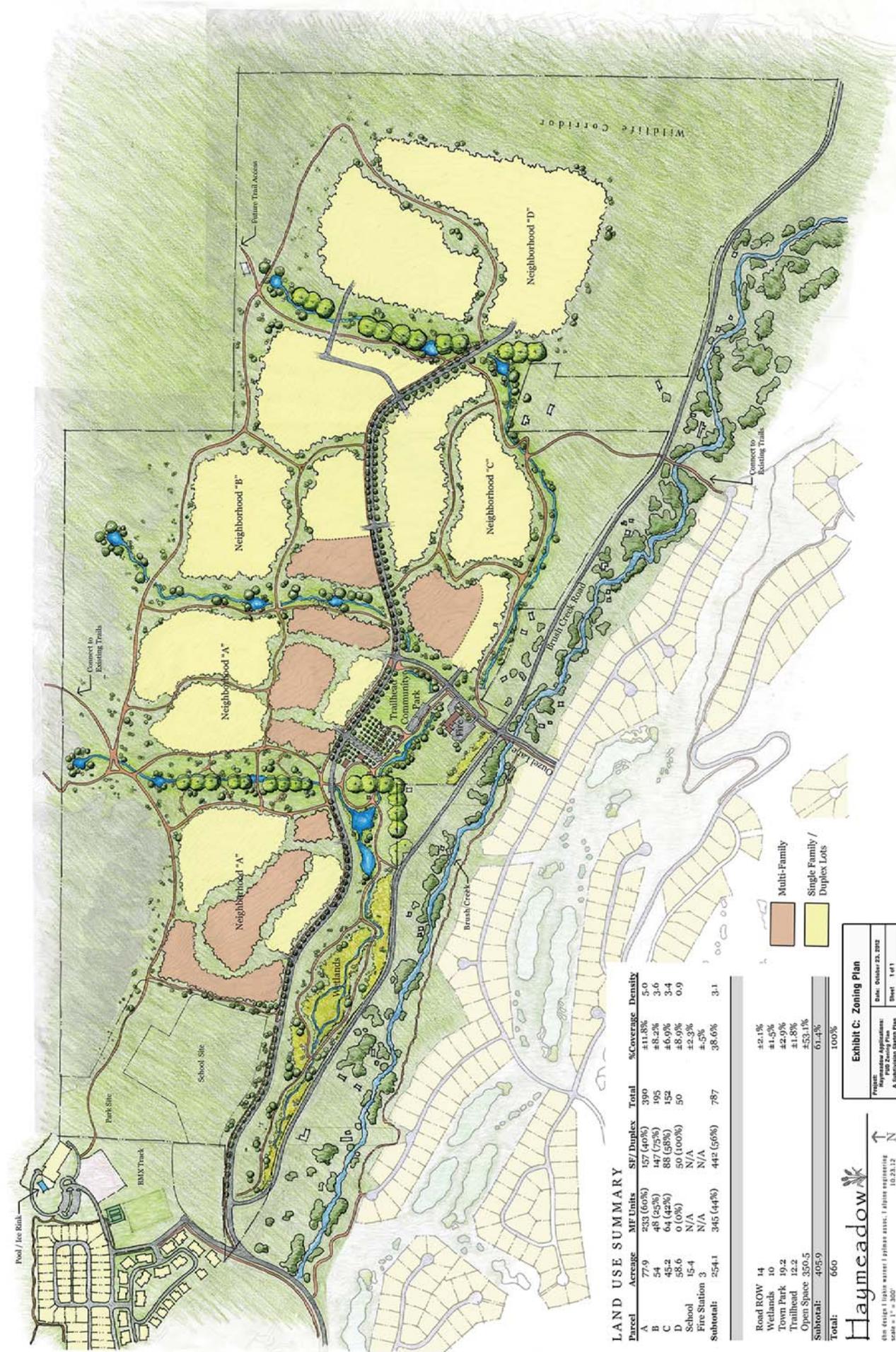


Figure 1

LAND USE SUMMARY

Parcel	Average	M/F Units	SF / Duplex	Total	%Coverage	Density
A	77.9	233 (60%)	157 (40%)	390	11.8%	5.0
B	54	48 (52%)	147 (75%)	195	8.2%	3.6
C	45.2	64 (42%)	88 (58%)	152	46.9%	3-4
D	58.6	0 (0%)	50 (100%)	50	48.9%	0.9
School	15.4	N/A	N/A	N/A	42.3%	
Fire Station	3	N/A	N/A	N/A	4.5%	
Subtotal:	254.1	345 (44%)	442 (56%)	787	38.6%	3.1

Road ROW	14	42.1%
Wetlands	10	41.5%
Town Park	19.2	42.9%
Trailhead	12.2	41.8%
Open Space	350.5	453.1%
Subtotal:	495.9	61.4%
Total:	660	100%

Haymeadow

10.23.12

10.23.12

10.23.12

10.23.12

Exhibit C: Zoning Plan

Project: Haymeadow Apartments
 & Subdivision Master Plan

Date: October 25, 2012

Sheet: 1 of 1



Site design / layout water / utility areas, 1:4000 approximate
 scale = 1" = 300'